

*A Textbook On*  
**NIGERIAN PEOPLES AND CULTURES**

**Edited by**  
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## FOREWORD

I consider it a rare privilege to write the foreword to this book. This is the first time we are producing any book for courses in General Studies and we have been able to put together different books for each General Studies course, of which *Nigerian People, Culture, Government and Economy* is one.

Interacting successfully with one's environment remains a basic need of all humans who strive to excel within their immediate surroundings. This places a necessity on mankind to equip them with the knowledge it takes to dwell safely, with other members of the society. However, the task of unveiling the complexities of this knowledge oftentimes proves tedious and unending. Thus, to help students circumvent this strenuous procedure, the textbook on *Nigerian People, Culture, Government and Economy* has been written for GST 207, as a guide for understanding Nigerian people, her cultural milieu and her economic progression. Placed within the spheres of culture, the textual analyses are done from central points of history.

Humankind lives within the intermediacy of the dictates prescribed by culture, government and economic progression. These aspects of social relations become the yardstick through which man's relevance and fulfillment are adjudged. Acquiring mastery in these areas therefore, equips him with the wisdom he needs to surmount obstacles which make his experiences of triumphs to far outweigh those of his failure.

It is against this background that this course becomes applicable. The book is our attempt to expatiate on these aspects of life. This course material is made of fourteen chapters. Chapter one serves as the introductory chapter which gives detailed information about the adoption of the name 'Nigeria', which was given by former colonial masters and the precedence of amalgamation. Chapters two and three expound the development of political parties in Nigeria, naming the foremost political parties, their locations and performance as of the time. Chapters four and five dwell on the 1960 constitution and events that led to its adoption, while chapters six and seven give details of the 1963 Republican Constitution, and the military in the Nigerian politics, detailing their roles and impacts on the constitution. Chapters eight and nine are based on the advent of Nigerian Federalism and the Republican Constitution, with reference to the definition of the term constitution and a brief history of Nigerian constitution. Chapters ten and eleven present issues that are related to the 1979 presidential legislation. Meanwhile, chapters twelve and thirteen offer further information on 1989/1999 constitution, highlighting its features, model and merit, with the focus on political, economic, social and educational policies in Nigeria. The concluding chapter, chapter fourteen, focuses on the major political parties in Nigeria's fourth Republic.

The authors are seasoned faculty members and authorities in their respective fields. The book is highly recommended for use in any university or other tertiary institutions where history, politics and culture are studied.

Thank you.

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# CHAPTER 1

## EVOLUTION OF THE NIGERIAN STATE

*Kunle Alaye*

### **Introduction**

Nigeria, as a pluralist nation, consists of over 250 ethnic groups including the three major societies: Yoruba, Hausa, and Igbo. The concept 'Nigeria' is best described as an imported phenomenon (Alaye, 2021). This is a sequel to its invention by the British colonialists, during the amalgamation of 1914. The imperial sloganeering of the concept (Nigeria) has no doubt made it practically compelling, that despite the departure of the British in the Nigerian Political System, its (British) presence remains in the political and socio-economic structures of the country.

Before 1900, Britain was acknowledged as the dominant government over the region of West Africa until the Berlin Conference of 1884-1885, when European powers met to divide the African continent among themselves as spheres of influence. This was the Balkanization of Africa by the European authorities that colonized Africa. In the year 1900, following the acquisition of the Northern and Southern Protectorates of Nigeria from the Royal Niger Company, the colonization of Nigeria officially commenced. The commencement of colonization meant that the area was under the Crown Colony, implying that the area became a British Dependent Territory and so depended on the Crown for governance. Following the inception of colonization was the amalgamation of the Northern and Southern Protectorates into one State – Nigeria.

Nigeria was amalgamated in the year 1914 by Sir Lord Frederick Lugard after the area was acquired from the Royal Niger Company in 1900. The northern and southern protectorates that make up Nigeria, were amalgamated at the request of Sir Lugard as an economic and political effort to make the area easier to govern and more economically, to offset a budget deficit using the Budget Surplus in the southern parts of Nigeria.

It is worth noting that the name "NIGERIA" was given by Flora Louise Shaw, the mistress of Sir Lord Lugard, and the term means "Niger Area". The amalgamation saw the instatement of the Governor General as the political head of the area as the representative of the Queen in Nigeria. This implied a new system of government, and a constitution was introduced over the area, as the Queen became the authority over the area. Crown rule implied that the constitution of Nigeria

was developed and enforced by the Governor General over the area. The control of the area by the British implied that they determined the political and economic situation in Nigeria, particularly during the colonial era, and this was controlled by the various constitutions that were developed and implemented during the colonial era.

Colonization meant that a new form of constitutionalism was imposed on Nigeria. This meant that a new system of government and thus a new constitution was enacted to determine the political, economic, judicial, and legislative operation of the colony.

The constitution is an instrument of government embodying the fundamental rules of any nation. It establishes and regulates the structure of a country. It regulates the power and function of the government as well as states the rights and duties of individuals in a given society. It regulates the different arms of government and their relationship with the people. The constitution stipulates the procedure for administering the public affairs of a country and outlines modes of changes of the government as well as procedures for constitutional amendment.

Throughout the colonial era, four major constitutional changes took place, and each constitution affected the state as each constitution defined its structure. Although each constitution is an amendment of the preceding one, each introduces a system with significant differences from the previous one.

## **The Constitutions of Nigeria in the Colonial Era**

### **The Lord Lugard Constitution, 1914-1922**

The first constitution of the colonial era was the Lord Lugard constitution. This constitution was enacted by an order-in-council following the colonization and consequently the amalgamation of Nigeria in 1914. The constitution was developed in 1913 and enacted in 1914.

The order-in-council is a type of legislation formally made in the name of the Queen, by and with the advice and consent of the Queen's Privy Council. Put differently, an order-in-council is an order having the full force of the law that is issued by the British monarch acting by and with the advice of the privy council by a Governor-general acting by and with the advice of the privy council or similar body of a member nation of the British commonwealth usually as means of giving legal effect to a decision of the cabinet in areas not involving parliamentary action. The

order-in-council referred to a legislative instrument generated by the governor-in-council which in the case of Nigeria was the Governor General, and it constituted a formal recommendation of cabinet that is approved and signed by the Governor General. The order-in-council meant that the Governor General had the autonomy of the power in the state.

In 1914, a small legislative council was formed. This council was made of thirty members and the Governor General. Of the thirty members, seventeen were ex-officio members and the other thirteen were unofficial members. The mining, commercial, shipping and banking issues were handled by seven of the thirteen unofficial members of the cabinet. The council had two Africans in membership too. This council was conferred with legislative powers over the colony. The major advantage of the council was that it gave some experience and influence to the Africans in legislation.

The system of government in the colony was an indirect rule. Although the governor possessed the autonomy of power over the area the power was centralized. The original governments of the protectorates, though largely deemphasized were not neglected. Lord Lugard organized, retained, and strengthened the Organization of the Native Authority in Sokoto (the political headquarters of the Hausa/ Fulani Empire before colonization) and Borno State. In the North where the Native Authority was established, the Emir was given the authority to deal with less important issues, like resolving local issues. The policies formulated by the British were administered by the Emirs in the north, and the same structure was established in the West and East. In the West, due to the organized system of government practiced by the Yoruba community, the effort was easily implemented. In the Eastern part of the country, the effort was not implemented as easily as the Yoruba community. Due to the semi-democratic system run by the Igbo community, the method met with some difficulties. The Igbo chiefs did not have as much political power as the Obas of the Yoruba and so the indirect rule of the British was not easily established.

### **The Structure of the Lord Lugard Constitution**

The total power of legislation was conferred completely on the Governor General, who was advised by an Executive Council and had Lieutenant Generals over the three protectorates that oversaw the activities in the protectorates.

The primary flaw of the Lugard constitution was that irrespective of the structure put in place by the Governor General, the protectorates continued to be administered as separate entities and soon the Nigerian populace became disgruntled and disenchanted by the series of limitations that the constitution imposed. The constitution did not from the onset solve the division problem but tried to manage the situation by the instatement of structures that worked around this problem.

### **Hugh Clifford Constitution, 1922-1946**

In 1922, after Hugh Clifford took over the role of Governor-General in Nigeria, the executive council was dissolved, and the constitution was replaced by the Hugh Clifford Constitution which was used from 1922 to 1946.

In 1919, Hugh Clifford became the second Governor-General over the protectorates of Nigeria. In 1922, a new constitution was introduced. This was known as the Hugh Clifford Constitution. This constitution is the longest-serving constitution in Nigeria. The Clifford Constitution was introduced as a reform for the Lugard constitution, to fix the problems of that constitution. The Clifford and Lugard constitutions were similar to the extent that they both centralized power- the Governor General was at the center of power in both constitutions.

Some of the reforms of the Clifford constitution were the introduction of an electoral system, the establishment of a Legislative council, and a system of government that encouraged, even if at just the lowest level, participation in political affairs by the people, as against the Lugard constitution that made no such provisions. For the structure of the Clifford constitution, power was centralized, making the Governor General the center of the political power. There was an executive council, and a legislative council was created. In the executive council, the principal administrative officials were ex-officio members by order of the Royal instruction, and the executive council was composed completely of British officials who were accountable to the governor. The major function of the executive council was to advise the Governor General, and because he was at the center of authority, he had the prerogative to accept or reject their advice. Imuetinyan Ugiagbe described the council as in political terms “a lame duck that carried no political clout apart from advising the governor who was not obliged to accept”.

The Clifford constitution instituted the Legislative Council, which would become the framework for the legislative arm of Nigeria to date. The council was also responsible to the Governor



General. This council was made of 46 members – 23 ex-officio members, 15 unofficial members, three nominated members and four representatives who were elected and the Governor General who over saw the council.

One major reform of the Clifford constitution was the Electoral system it established. This made a provision for the people to participate in the political affairs of the state. The first election was in 1923, and four seats were created – three in Lagos and one in Calabar, over the Western and Eastern provinces, respectively. The legislative council made laws for the colony of Lagos and the Southern provinces. The laws that governed the North were made by the means of proclamation by the Governor General.

In the Clifford constitution, a diarchy was established. This would become the bedrock for the three governments in Nigeria's post-colonization. The diarchy established consisted of the Legislative arm of government and the Executive arm, though subject to the Governor General. In the Clifford constitution, the Governor was accountable to the Secretary of State in London. There were certain checks for the Governor as he had to be sanctioned by the legislature in matters that concerned expenditures that needed to come out of the Nigerian funds. It can be inferred that the Clifford constitution helped in creating and effecting the political system held in Nigeria till date, like the system of election in Nigeria and the formation of arms in the structure of the government in Nigeria.

This constitution failed, because following the end of the Second World War, the political winds in Nigeria had changed and there was a need for a new constitution in Nigeria. This new change in political winds and consequently the need for a new constitution forced the institution of the Arthur Richard in 1946.

After Hugh Clifford, there were two other governors, namely, Sir Donald Cameron, and Sir Bernard Bourdillon. They continued with the constitution of 1922, the Hugh Clifford constitution, and made no conclusions to the constitutional development of the country. During their tenures, there was still no involvement from the North in the Legislative council, the Governor controlled the affairs of the North using proclamation, and the country's financial matters were sanctioned by the legislative council.

The primary reason for the exclusion of the North from the legislative council was due to distance and the lack of an effective means of communication, although religion and customs may have also been a factor. Bourdillon before his retirement in 1945, had intentions to introduce a system, that included the Northerners in the legislation of the country, as he believed that they were to have a say in how they were governed. He intended to establish the regional councils to serve as the provincial legislature and a Federal council in Lagos. These plans were never instituted.

The Hugh Clifford constitution had a major impact on the development of Nigeria. The effects of these constitutional developments are still felt in the political structure of Nigeria today. One such structure is the electoral system in Nigeria, which is a party system. The Clifford constitution also provided Nigerians with a means of political participation.

### **Arthur Richard Constitution, 1946-1951**

After the Second World War, the political winds in Nigeria had changed, there was a need for constitutional reforms to be made. The result of this need was the Richard Constitution of 1946. Sir Arthur Richard became the governor in 1945 after Sir Bernard Bourdillon retired. He was faced with the problem of creating a constitution that was inclusive of all the regions of Nigeria. Before he was appointed Governor General, Sir Bourdillon had intended to create a unitary system, Sir Richard was, therefore, tasked with implementing a unitary system, to involve the Northern regions of the country. His constitution aimed to create a system of government in which the different elements could advance steadily toward a more closely integrated unit.

The Arthur Richard constitution preserved the existing executive council, which was dominantly British, he also enlarged the legislative council with nationwide power to make laws for peace, order, and good governance of Nigeria as a whole, the constitution made provision for the reservation of some legislative power for the governor. The legislative council consisted of the governor as the head of the council, 16 official members (13 ex-officio and 3 nominated), and 28 unofficial members (24 nominated and 4 elected).

The role of the legislative council was to deliberate on bills and act as an advisory body to the governor, with no legislative power to enact any laws. The constitution combined the native councils and the regional councils. The bodies were brought together through representatives

into one legislative body in Lagos. Regional councils were set up over the North. This effort for the first time in Nigeria involved the Northern region in the governance of the country. The regional councils were under the control of the legislative in Lagos. The region councils could only consider and comment on matters referred to them by the governor and any legislative proposals to be introduced in the legislative council that was applicable to the concerned province.

The constitution set up the civil service system in Nigeria. The civil service system in Nigeria is fashioned according to the system run in London. Recruitment into the civil service was merely by merit. To help Nigerians adapt to this system, a scholarship fund was set up to train Nigerians in the University of Ibadan, the United Kingdom, and the United States of America. It is recorded that the civil service system in Nigeria is the most organized and controlled branch of the Nigerian government.

The Arthur Richard constitution was to be applauded for its Unitarian system, as this effort included all the provinces of the state and tried to create a structure that fostered participation from each province. It was criticized though because it failed at defining the authority held by the Local government and the relationship between the Local government and the Legislative council. A major effect of this default was that no true sense of national interest was formed in Nigeria. The Richard constitution did not clarify the relationship between the local government and the central and the regional government. It was unclear in his constitution the extent of authority they held. It did not define whether the local governments were autonomous units with power or just local government bodies without power. It lacked a specific constitutional provision to indicate that the National Assembly was a part of the government that ought to be clothed. The Arthur Richard constitution was also criticized because of the bewildering hierarchy of administrative areas and political authorities - the central and the regional government, the native administrations, provinces, divisions, and districts- it provided the people with.

Due to the flaws of the Richard constitution, a new constitutional structure had to be developed to resolve these crises. The new constitution was to develop a structure that would involve Nigerians more than other constitutions had achieved and this led to the development of the Macpherson constitution of 1952.

## **The John Macpherson Constitution, 1951-1954**

In 1949, Sir John Macpherson became the Governor General of Nigeria. He was tasked with developing a constitutional structure that was truly inclusive of all the regions that made up the country. The John Macpherson constitution was designed to greatly increase the participation (political responsibility) of Nigerians. The Constitution made very distinct structural changes from the preceding constitutions. A House of Representatives was instituted by the Macpherson constitution to replace the Legislative councils of previous constitutions. The House of Representatives was the center of the legislature in the country.

Over the regions, a bicameral legislature consisting of the House of Chiefs and the House of Assembly was established over the North and Western regions. Over the East, a unicameral legislature made up of the House of Assembly was instituted. The functions of the joint councils over the Northern and Western regions were similar, the difference being that while the Northern council was to conduct the Electoral College for the appointment of members, the Western had no such power. Some of their functions include the Electoral College and the election of representatives from the regional legislature to the central House of Representatives.

The regional councils were given some political clout and could enact laws that were approved by the Lieutenant General or by the colonial secretary.

The central legislature – the House of Representatives was made up initially of 148 members, with the governor as the President. It consisted of six ex officio members, 136 representative members, and six special members. There were 68 representatives from the North and 34 from the East and West, respectively constituting the 136 representatives in the House of Representatives.

The executive council had nine Nigerians as members and three officials.

In developing this constitution, because the federalism movement had gained ground, Nigerians were consulted for the first time in the constitutional history of the country. Also, the preparation was done at different levels, involving the villages, towns, districts, divisions, provinces, and regions.

In 1953, a constitutional conference was held following the call of Chief Anthony Enahoro for Nigeria's independence. Britain was not willing to grant self-government to Nigeria in 1956, because the Northern premier preferred to delay that of the North until they were ready for it. However, the colonial secretary finally promised to grant self-government to any region that would ask for it. In 1953, Lagos became the first Federal Capital Territory of the country.

### **Sir Oliver Lyttleton Constitution, 1954-1960**

On the 1<sup>st</sup> of October 1954, following the second constitutional conference in the same year, in Lagos, Federalism was heralded in Nigeria. The three arms of government –Executive, legislative, and Judiciary were instituted. Public service and Marketing boards were regionalized. The governor of Lagos became the Governor General and the Lieutenant- Governors became the regional governors.

The federal level of government was the center of power and in cases of clash of laws, the federal law prevailed. The regional council handled the residual matters. The Lyttleton Constitution increased the number of members of the House of Representatives to 194. The administration was single and centralized initially, but the power was gradually shed to the federating states.

### **The Effects of the Nigerian Constitutional Development on the Modern Nigerian Political System**

The colonial period lasted for almost a century between 1861 and 1960. On the 1<sup>st</sup> of October 1960, Nigeria became an independent nation. In 1963, Nigeria became a republic. Becoming a republic meant that the state could make constitutional decisions for itself, it could choose who ruled and create a constitution that it felt was suitable for it without the intervention of the Queen from England. The consequences of the constitutional developments that took place during the colonial are still felt today. The constitutional structure and system of government that is run today can be defined as adapted from the series of structural changes implemented during the colonial era.

The writer for the sake of clarification has divided the aftermath of these developments into two sets, the Constitutional Effects and the Structural Effects.

## **The Constitutional Effects**

This defines the effects of colonial constitutions on the present constitutional system of Nigeria.

Firstly, the system of constitutionalism is foreign to Nigeria. Before colonialism, each province was ruled by a system that it defined itself to ensure its peaceful and progressive existence – the egalitarian system by the Igbo community, the absolute monarchy that instituted the Emir as the supreme leader of the Hausa/Fulani community, and the constitutional monarchy of the Yoruba Empire. The inception of colonialism and the consequent introduction of the constitutionalism system caused a permanent deviation from this system of government, relegating them to local government authorities and reducing them to bodies with very little political clout. The post-colonial did not return to this system but strengthened and instituted its constitution.

The constitutional progress of Nigeria is in basic terms, a recurrent amendment of the constitution inherited from her colonial masters. The first constitution after her independence in 1960 was the Independence Constitution of 1960, which was enacted by the British via an order in the council. The Queen was still the titular head of state - she held a purely formal position and had no real authority over the federation of Nigeria. The governing body after independence was hand-picked by Britain and trained politically in England. This implied that the initial constitutional institution of independence was still a creation of her colonial master. Subsequent constitutions as Nigeria became a republic in 1963 were still in theory amendments to the Independence Constitution.

Also, embedded in the Nigerian constitution is English law. The Nigerian constitution makes three legal provisions: English law, the Common law, and the English law. The English law is derived from the colonial past with Britain. The English law consists of the common law, the doctrine of equity, statutes of general application in force in England, statutes, and subsidiary legislation of specified matters. The English law made before 1960, and extending to Nigeria, are not yet repealed – have not yet been revoked or annulled. The laws made by the local colonial legislature are treated as part of the Nigerian legislation. The common laws of the Nigerian legislation are influenced by colonial laws.

One major consequence of the constitution from the colonial period is the Legal Pluralism that is run in Nigeria. Pluralism is a complex structure where there is the existence of the laws from the

colonial period and there is also an acknowledgment of the traditional legal system. In Nigeria today customary law exists alongside English law.

Finally, the electoral system run in Nigeria and instituted by the constitution is also a deviation from the original systems of government and is therefore foreign to Nigeria. The party system run in Nigeria was created by the Hugh Clifford constitution in 1923, to help encourage political participation among Nigerians. This effort has become the basis for the multiparty system being run in Nigeria.

The second effect the writer defines is not very different from the first one as these structures must be endorsed by the constitution to be implemented in the government of the nation. The distinction is made simply to show how the constitutional development from the colonial era has affected the governmental structure of Nigeria's post-colonialism.

### **The Structural Effects**

The structure of government in Nigeria is a product of the constitutional changes from the colonial era. The Constitution defines the branches of government, the extent of authority held by each branch, and how the power is divided between each branch.

Presently, the Nigerian government is divided into three arms – the executive, judiciary, and legislative arms of government. This system of government was developed during the Lyttleton administration of 1954. The Legislative arm is made up of the House of Representatives which is a bicameral house that is divided into the Senate at the federal level and the House of Assembly at the state. This structure is a direct adaptation of the structure set up by the Macpherson administration. The extent of power held by these arms is defined by the constitution including the checks and balances placed on the arms, but the functions they perform are quite similar to those defined in the colonial administrations.

The present government is divided into three tiers – the Federal, the State, and the Local Government. This three-tier system is an amendment of the structure of organization applied during the colonial administration. The colonial administration defined power at the top which was headed by the executive council, this structure has morphed into what we know today as the Federal government, which is headed by the Executive arm of the government overseen by the President. The regional councils have been divided into State governments and the lieutenant

generals have become the state governors. The native authority and the district leaders have become the local government, the arm is still very restricted in political function, they are still tasked with the resolution of residual matters and the leadership is still subject to the election of local chairpeople by the members of the government. The power is centralized at the federal power with the diffusion of the power to the state government. The highest authority in the land is at the Federal level. This structure is adapted from the colonial administration which centralized power with the Governor General at the center.

These effects are similar and affect each other, but the roots of the constitutional structure of Nigeria and the structure of the present government are influenced completely by colonization.

### **Conclusion**

Nigeria today is a product of the efforts of her colonial masters. The structures, constitutions, flaws, and strengths of the country can in many ways be traced back to her colonization. The constitutional development helped build the present system of government. The development of the country is attributed to the efforts of the colonial master. As a wise man once said, “We are still being ruled by the colonial masters”. This is to say that for Nigeria to grow as her own country, she would have to develop a system that is truly hers to suit her changing economic and political requirements.

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## CHAPTER 2

### DEVELOPMENT OF POLITICAL PARTIES IN NIGERIA

*Kunle Alaye*

#### **Introduction**

When the Elective Principle was introduced in Nigeria in 1922 via the Clifford Constitution, its major impediment was the restriction on political participation and representation. The political parties were limited in terms of number, only two of them: the Nigerian National Democratic Party (NNDP) and the Lagos Youth Movement (LYM that emerged in 1934), and in terms of spread of their activities. Their activities were limited to the coastal towns especially Lagos, for the LYM and Lagos and Calabar for the NNDP. This is coupled with the fact that only four people were elected in the election (Omodia 2010, p 76). Nigeria has come a long way since 1922 in terms of the number and spread of political parties. The number of political parties and their spread seems to give the impression that representation has become an important requirement for the existence of political parties. For example, one of the requirements stipulated for the registration of political parties in the political transition to the Nigerian Fourth Republic was that aspiring political associations needed to garner at least ten percent of the votes in twenty-four out of the thirty-six states to qualify for permanent registration (Aina 2002, p34). This requirement seems to suggest that political parties were expected to really show capacity to represent the people.

However, in the preparation for the 1999 elections, this requirement had to be watered down to avoid the emergence of a two-party system. This is why the Alliance for Democracy was registered as a third party in 1999 (Aina 2002, p34). Since that time there has been an exponential growth in the number of political parties, and this has given the impression that the grounds of representation have increased. The number of political parties has grown from three in 1999 to thirty in 2002, fifty in 2007 and about fifty-seven today. However, instead of this meaning more representation, it has not. As the number of parties increased their relevance in terms of being channels of representation has diminished (Egwemi 2009, p13). The existence of political parties seems to have major threat to political representation in Nigeria today.

## **The Emergence of Political Parties in Nigeria**

The development of political parties in Nigeria must be understood against the wider context of how the political system has developed since independence, as well as the sense of deterioration of the institutions of governance since the return to democracy in 1999 when Nigeria was governed by a presidential system. Over decades, and following the experience of military rule, the country has seen a centralization of power in the hands of the executive and a progressive weakening of the federal pact upon which Nigeria was founded. However, as political power has been concentrated in the centre and the hands of the executive branch, an intricate body of informal rules of political interaction has also evolved, including through the experience of civil war (the Biafra war) and military rule, by which power is brokered in a way that achieves a sense of stability – at least among elites (Domingo and Nwankwo, 2010, P3).

At the inception of party politics in 1923, precisely 24 June, 1923, following the introduction of the elective principle by the Clifford constitution, Nigerian parties had very limited and self-serving objectives. The main objective was perhaps, that of buying legitimacy for the colonial government through very limited franchise restricted to Lagos and Calabar. Richard Sklar, in his seminal work, *Nigerian Political Parties* demonstrates how the emergence of political associations such as the People's Union, was only in response to the prevailing realities of colonial administration (Sklar, 1963; Coleman, 1958 cited in Omotola, 2009:620). Little wonder, when the first political party in Nigeria, the Nigerian National Democratic Party (NNDP) emerged in 1923, under the leadership of Herbert Macaulay, its activities were restricted to contesting elections into the Lagos city council.

For years, the UNDP was hegemonic in its dominance in electoral politics in the country. This was to be challenged by the Lagos Youth Movement - later Nigerian Youth Movement (NYM) which was formed in 1934, and which defeated the NNDP in the elections for the three seats allocated to Lagos that year. By 1944, the increasing tempo of nationalist agitation had resulted in the formation of another political party – the National Council of Nigeria and Cameroon (CNCN), under the leadership of Herbert Macaulay and later Nnamdi Azikiwe (see, Sklar, 1968, p. 46-50 cited in Omotola, 2009:620). This was followed, in quick succession, by the transformation of the Egbe Omo Oduduwa, a Yoruba socio-cultural organization, into a political party, the Action Group (AG) in 1950 under the leadership of Chief Obafemi Awolowo and the

Northern People Congress (NPC) in 1959 with dominance in the northern region. By 1951, a breakaway faction of the NPC consisting mainly of radical youths based in Kano formed the Northern Element Progressive Union (NEPU). These parties dominated the political landscape of the country particularly in their respective regions in the march towards independence and in the First Republic. Historically, Nigeria's political party formations have been characterized by mobilization leaders, who as founder-leaders, exercised tremendous influence. Notable examples of such leaders are Obafemi Awolowo of the AG and UPN, and Nnamdi Azikiwe of the NCNC and NPP in the first and second republics (1960–1966, and 1979–1998), respectively.

In addition, Sir Ahmadu Bello and Tafawa Balewa were the icons of the NPC in the first republic, who though not alive by the second republic, nonetheless commanded a mythical presence and inspiration within the NPN in the second republic. Such leaders influenced party nominations and other internal party processes to the extent of compromising internal party democracy (Agbaje and Adejumobi 2006, p. 39). After the second interregnum of military rule (1983–1999), the nature and texture of party politics changed. Political parties were no longer guided by an ideology or specific focus; they were not led by a mobilization leader who could drive and guide their actions and policies and inspire internal cohesion and discipline. Political parties assumed the character of electoral machines, whose sole aim was to win political power through the ballot. Aspirants were mostly individual actors sponsored by some powerful individuals, because the cost of electioneering had now become astronomical. Over three decades of military rule distorted social values and undermined democratic institutions in Nigeria, political parties, and civil society inclusive. It was worse for the development of the country's party system. The political parties were in complete limbo, and almost near extinction, courtesy of the numerous military coups and countercoups that punctuated Nigeria's political history.

The rise and fall of the Nigerian military are well documented in the literature on politics and development in Nigeria. Suffice it to say, however, that the military held all democratic institutions captive between 1966 (when they first struck) and 1999 (when they retreated in humiliation), except for their occasional ceremonious “stepping aside.” Weak structures and ineffective operations of political parties made things worse for the electoral environment in the country. Well-functioning political parties are essential for the success of democracy. However,

in the particular case of Nigeria, there are limited opportunities for the development of political parties. Political party activities resumed in Nigeria towards the end of 1998 after a long period of military rule during which party activities were banned. The next chapter comprehensively examines the nature and character of the four Republics since Independence.

### **Electoral Politics, Party System and Democratic Governance in Nigeria**

The political parties were limited in terms of number, as foregrounded by the fact that there were only two of them: the Nigerian National Democratic Party (NNDP) and the Lagos Youth Movement (LYM that emerged in 1934), and in terms of the spread of their activities. Their activities were limited to the coastal towns especially Lagos for the LYM and Lagos and Calabar for the NNDP. This is coupled with the fact that only four people were elected in the election (Omodia 2010, p. 67). Nigeria has come a long way since 1922 in terms of the number and spread of political parties. The number of political parties and their spread seems to give the impression that representation has become an important requirement for the existence of political parties. For example, one of the requirements stipulated for the registration of political parties in the political transition to the Nigerian Fourth Republic was that aspiring political associations needed to garner at least ten percent of the votes in twenty-four out of the thirty-six states to qualify for permanent registration (Aina 2002, p. 12). This requirement seems to suggest that political parties were expected to show the capacity to represent the people.

However, in preparation for the 1999 elections, this requirement had to be watered down to avoid the emergence of a two-party system. This is why the Alliance for Democracy was registered as a third party in 1999 (Aina 2002, p. 12). Since that time there has been an exponential growth in the number of political parties, and this has given the impression that the grounds of representation have increased. The number of political parties has grown from three in 1999 to thirty in 2002, fifty in 2007, and about fifty-seven today. However, instead of this meaning more representation, it has not. As the number of parties increased their relevance in terms of being channels of representation has diminished (Egwemi 2009, p. 35). Two major elements, according to Animashaun (2010), have dominated electoral politics in Nigeria in the post-independence period. The first is trenchant disputation of official election results. Indeed, as noted by the late President Yar'Adua during the inauguration of the Electoral Reform Committee in August 2007, since the 1959 elections, which were the last to be supervised by the

colonial authorities; all but one election has had its result contested. The only exception to this pattern was the June 12 1993 presidential election which was annulled by the Ibrahim Babangida military administration. The post-election crisis that followed the annulment of the election results was not a consequence of inter-party disputation of the upshot of the election. Rather it was orchestrated by a military regime that was reluctant to pursue its demilitarization programme to the end. General Babangida was later forced out of power in August 1993 after ruling the country for eight years as military president.

The second element, a direct consequence of the first, is electoral violence. Election-related violence has negatively impacted the quest for deepening democratic rule in Nigeria. In the history of elections in Nigeria, only elections organized by the colonial state and the military were not marred by violence. As for the military-supervised polls, Kurfi (1983 cited in Animashaun, 2010) has perceptively observed that the absence of electoral violence could not be attributed to the internalization of a culture of tolerance but rather was a consequence of the recognition of the threat of military retribution for a breakdown of law and order as well as the possible extension of the transition project. As copiously documented by Anifowose (1982 cited in *ibid*), election-based violence imperiled Nigeria's first democratic experiment with violence in Tivland and Yorubaland as the two significant cases.

According to Anifowose, the violence in Tivland was a reaction to political intimidation and harassment of the opposition politicians by the ruling Northern People's Congress (NPC). On the other hand, the violence in Yorubaland was in reaction to perceived massive irregularities that characterized both the 1964 federal elections and the 1965 Western region elections. The consequences of these crises largely contributed to the rude termination of Nigeria's first republic through a bloody military coup in January 1966. A thorough examination of the Nigerian democracy since 1999 reveals that virtually all the political parties in Nigeria find it very difficult to adopt an open system that will not only allow members of the party to participate in the decision-making process but also give them unrestricted opportunity to contest in elections under the party's platform. This kind of restriction and constraint has increasingly resulted in party defection, party wrangling, and war of attrition, recrimination, acrimony, coordination dilemmas, and crosscarpeting among Nigerian political parties (Abimbola and Adesote, 2012, p. 46). Political parties are formed to play the crucial roles of political recruitment, interest

articulation and aggregation, political education, and capacity building of the political leadership. But the majority of the political parties in the countries of the South have been unable to perform these functions credibly, due largely to the complex historical antecedents of the state and inadequate governance mechanisms.

In the colonial history of Nigeria for instance, political parties were created as an instrument to facilitate either the transfer of power from colonial regimes to the local political elite; or they were formed by the local political leadership to fight colonialism. Once the colonial state was driven out, political parties degenerated into ethnic and regional groups, acting in most cases as the vanguard of local hegemonic forces to meet their narrow interests. In such circumstances, the people could not have been empowered to have any say in how the political parties were governed.

Further, the fledgling political parties were to face greater challenges as they were confronted with the need to choose among ideological positions that would guide their policy implementation. Caught between the two ideological extremes of capitalism and socialism, political parties supported welfarist or conservative perspectives, depending on the preferences of founding members of the parties, but without sticking to any of them. Key leaders who provided finance to the parties cashed in on their leverage to occupy top political positions both in the parties and in government. The national leaders of the parties were, in most cases, the owners of the parties, whose interests and world views ultimately became the objectives, manifestoes, rules and regulations of the parties. Political parties were no less than the personal property of their leaders, who decided on who should be a member. That way, membership of political parties was exclusive and further reinforced the disempowerment of the people and their lack of ability to participate in party and national politics.

The Nigerian political society typified by party politics and other intricacies targeted at seizing governance has been criminalized. The ruling People's Democratic Party (PDP) has always used its power of incumbency to arm-twist other parties and dominate the political system. Worst still, the opposition parties that ought to step up their game in the areas of alternative policy option, strong and dynamic ideologies, checking and probing on the ruling party for accountability has rather threaded the path of seeking a romance of sentimental ideology. Every plummeting condition in the country has been politicized as a failure of leadership by the ruling party without

an effort by the opposition parties to prove an alternative policy. The “pull him down syndrome” has played out well for politicians in Nigeria who are avowed to pull the system down when not in power. The responsibility of civic education for quality citizens’ participation has been relegated.

Overall, there is a sense that the quality of democratic governance has been deteriorating since the transition to multi-party democracy in 1999, and the irregularities of the 2007 election signal a growing lack of credibility and legitimacy of the institutions of representative government. The 2007 electoral process was rendered highly questionable by levels of pre- election and election-day violence, the problematic registration process, the theft of ballot boxes and ballot papers, and the manner in which results were announced. Most reports since then signal the poor performance of the Independent National Electoral Commission (INEC), which is seen to be lacking in independence and impartiality. As such, the immediate consequence is a very poor quality human resources shaping the future of the nation, which materializes in ineffective governance and leadership which were identified by Achebe as the bane of Nigeria’s many troubles. Since these leaders got into power through crooked and fraudulent means, they tend to employ corrupt means to stay in power. As such corruption like cancer has permeated into all levels of governance and every gamut of Nigerian society.

Over a decade of democracy has witnessed years of looting public treasury at the local, state, and national levels of government. It is reported that between 1970 and 2007, Nigeria lost an estimated \$400 billion in oil revenue to official corruption (Agbo 2009, p. 55). It is, therefore, less surprising that out of the 36 governors who ruled the states from 1999 to 2007, at least 21 were indicted for looting their state treasuries.

Moreover, Nigerian parties have not been able to attain a reasonable degree of institutionalization especially in the areas of internal cohesion and discipline. This deficiency has also contributed to the decline of the conflict management capacity of the parties at both intra and inter-party relations levels. The level of crisis at both levels of party relations is worrisome. It is such that none of the parties have been able to hold itself together without conflict that most times threatens the very heart of the parties. The most notable illustrations can be located in the morality of leadership in all the parties, as well as the unprecedented rate of political vagrancy (Omotola, 2009, p. 78).

## **State Regulations of Political Parties**

The Constitution of a country and several relevant laws and by-laws, such as those regulating political parties and elections, provide the legal framework for the operation of political parties. Relevant constitutional provisions would normally provide a definition of a political party and prescribe a multi-party system and protect the usual list of civil and political rights without which elections cannot be free and democracy cannot be true. Party leaders and activists ought to know and seek to improve these laws and regulations. Although the behaviour of parties in the party system is of far greater consequence to the performance of the party system than the legal framework, we have to acknowledge that such behaviour is influenced, constrained or encouraged as the case may be, by the law and by the structures that the law creates or heavily influenced. The electoral system demonstrates its significance both directly, through strategic alliances and strategic voting that the electoral system may encourage, and indirectly, through the number of parties that it helps to spawn. Some analysts view parties as elite-owned instruments for seeking and maintaining political power. But this may not necessarily always be correct.

In a democracy, parties are not personalised and limited to serving only the interests of the elite. Rather, they have structures, rules, procedures, norms and principles. Also, they are institutionalized coalitions, not just for elites but for the mass of members as well. Their formal machinery or structures are found at all levels of political activity- national, regional, district, constituency, ward, and indeed down to the grassroots. They operate within specified legal frameworks that define their membership, composition, roles and functions, financial base, and operational rules and discipline (FES, 2010:1).

Two of the many ways that states regulate political parties are by establishing requirements necessary to create a new political party and dictating party processes. A primary way individuals associate to advance their political goals is by creating a new political party. Although third parties challenge the political mainstream and could be viewed as contrary to the state's interests in political stability, citizens have a federal constitutional right to create and develop them. Depending on the state, a group may be required to demonstrate it is a bona fide political party with a local and state party structure before it is permitted to run a candidate under a political party label. States may also require the party to hold party conventions or meetings



and demonstrate the public's support of the party. In general, once political parties are established, states may not regulate their internal structure, governance, or policymaking.

However, if a state can posit a relationship between its regulations and "fair and honest" elections, a state may usually (1) enact laws that set voter eligibility requirements, including eligibility to participate in a primary election, (2) require that candidates be citizens, and (3) specify whether the party must use a primary election or nominating convention to select its general election candidates. States may generally regulate these areas even though the party might prefer to make other choices. When the state-required selection process for a party nominee conflict with national party guidelines, the latter prevail, at least when the selection of the party's electors to its presidential nominating convention is at stake. For example, states cannot require political parties to select their presidential electors in an open primary, which allows non-party members to vote, when the national party rules limited participation to party members only. In addition, states may not tell a political party which individuals will serve as its delegates to the party's presidential nominating convention. Addressing the distinction between internal party rules and external state regulation of parties, Richard Katz (cited in Janda, 2005, p. 3) noted three objectives of state law concerning political parties:

- To determine what constitutes a political party. This determination often spawns additional party laws: who qualifies for ballot access, who benefits from public resources (such as subsidies or broadcast media), who participates in the government and how, and so on.
- To regulate the form of activity in which parties may engage. This umbrella heading covers the raising and spending of funds, campaign activities, issue stands in party platforms or manifestos, and more.
- To ensure appropriate forms of party organization and behavior. Katz held this to be the most controversial objective because it intruded into internal issues of party leadership and social relationships. Laws could require parties to elect officers by party members, but a party might prefer to choose them through a party congress.

Laws might also demand gender or ethnic equality or require maintaining party organizations in various national regions. One can imagine other policy goals that nations seek to implement through party law. Nassmacher (200, p. 32) discusses three broad strategic options relating to the

regulation of party finance: the autonomy option, which emphasizes the freedom and privacy of political parties, minimizing the need for regulation and relying largely on self-regulation and the self-correcting mechanisms of party competition; the transparency option, which highlights the disclosure of information on party finance to enable the individual voter to assume her or his responsibilities and prerogatives and make an informed choice on election day; and the advocacy option, which foresees a set of detailed regulations on party finance, monitored and enforced by an independent agency. A combination of the three is possible and indeed desirable.

Nassmacher also puts forward the diversified regulation option which combines “benign neglect, precise regulation, public incentives, and occasional sanctions”. No one model of regulation can fit all circumstances. Every country will need to develop its system according to its political values and culture, its political and electoral system, the stage of development of its democracy, its institutional capacity, and so on. There will undoubtedly be a mixture of motives and tools. However, the issue of political finance can scarcely be treated in isolation, since it reflects more broadly on the role and regulation of political parties in general and on the potential for reform and development of the party system as an essential component of sustainable democracy.

In Nigeria, political parties are formed and operated mostly by Nigerians who possess or have access to the enormous funds required to comply with the guidelines. This in turn leads to the creation of political parties based mostly on alliances of convenience between “wealthy political entrepreneurs rather than political parties based on ideology” or political platforms. Parties and candidates finance their activities and campaigns from funds provided by party bosses and political entrepreneurs in absolute secrecy. The Nigerian public has no International Journal of Multidisciplinary Academic Research information as to which entrepreneur has provided funds to any political party or candidate. This type of politics contributes to a lack of accountable governance because political leaders are primarily beholden to the party financiers and their electoral machines rather than the electorate. The cumulative result is distortions in Nigeria’s democratic development (Obiorah, 2004, p. 8).

Bearing in mind that the contribution of political parties to democracy “gets increasingly important as the process evolves and is especially central to successful consolidation” (Randall and Svasand, 1999, p. 4), all hope is not lost in making political parties in Nigeria stand the test of time and work on the pedestal of democratic consolidation. But how do we achieve this

significant milestone in Nigeria's democracy where the political parties as pillars of democratic sustenance are either not adequately financed or formed primarily to get funds from the government, or dubiously financed and hijacked by political entrepreneurs? Although some of these political parties are strong and could survive even without dependence on financial grants from the government because of the contributions from their members, corporate organizations, and other groups, they still manifest some worrisome value orientations. One such orientation is the dominance of "political entrepreneurs" or in Nigerian parlance "money bags". Furthermore, as some political parties could not stand on their feet without the government's financial grant, they became weak and incapacitated to develop new structures outside their local bases. Still others are financially weak to the extent that they become moribund for a long period after the general elections, until another round of elections when they revive their activities (Waliki, 2008, p. 11).

### **The Relationship between Political Parties and Democracy**

In a democratic setting, political parties are so important to the extent "that neither democracy nor democratic society can exist without them" (Omotola, 2009). Democracy depends on parties to survive, since the structure of elections, from citizen participation to candidate selection and presentation of competing political programmes, are done by political parties. The role of political parties becomes viable when there is an orderly political succession in society. Parties provide order to the political process "by regularizing the procedure for leadership succession and assimilation of new groups into the political system, parties provide the basis for stability and orderly change rather than for instability" (Huntington, 1968). These invariably prompted, Katz (1980) to conclude that: Modern democracy is party democracy; the political institutions and practices that are the essence of democratic government in the Western view were the creations of political parties and would be unthinkable without them. It is deduced that the foundation of any government in a democratic setting anchor on the growth of effective party system.

Meanwhile, to consolidate democracy, political parties are expected to exhibit the following features as suggested by Kehinde and Adejumobi, (2007) ; they must be composed of likeminded people whose world views are similar, they must promote a set of programmes embodying the version, mission and manifestoes of the party and designed to meet the needs of the public; they

must be mass based, which helps to legitimise them; they must evolve gradually and systematically over time, with identifiable leaders who constitute their rallying points; they must exhibit characteristics of internal democracy in their operations. Once political parties exhibited these features for a considerable time the democratic process can be characterized as consolidated. Political parties play two important roles in a political process: they form a government, or they serve as opposition (Matthias, 2007).

Dolo (2006) defines opposition parties as “partisan political institutions that are intentionally designed to temper the ruling party’s excesses while still pursuing both legislative and presidential offices. For democracy to flourish, there must be viable opposition parties on the ground. Opposition party according to Egbewole and Muhtar (2010) is expected to engage in constant criticisms of the governmental policies that are formulated by the majority, to scrutinize how these policies are administered, and to keep the possibility of alternative legislative policies and administrative practices constantly in the view of the electorate. As a result of this, Dolo (2006) argues that “an authentic democracy is one where the ruling party has an effective opposition.” Therefore, in a society where opposition parties are suppressed, democracy becomes hopeless.

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## CHAPTER 3

### OVERVIEW OF POST-COLONIALISM, NIGERIAN GOVERNMENT AND POLITICS

*Sunday Ogunode*

#### **Introduction**

Post-colonialism refers to the study of the cultural, political, and economic legacies of colonialism and imperialism, particularly focusing on the experiences of formerly colonized peoples and nations.<sup>1</sup> It is the complex realities of the "aftermath" of colonialism, examining how former colonies navigate newfound independence while still grappling with the effects of colonial control. Far from simply marking the end of colonial rule, it illuminates the intricate and enduring influence of colonialism on formerly colonized nations. It is a lens through which one can comprehend the complex nature of contemporary politics, identities, and struggles of formerly colonized nations, such as Nigeria and other African countries that were colonized.

Nigeria's journey through post-colonialism is a complex interplay of aspirations and contradictions, a constant grapple with the indelible marks left by its British colonial past. British colonialism in Nigeria was not a unified conquest; it was a patchwork of treaties, protectorates, and amalgamations.<sup>2</sup> This fragmented approach left a legacy of ethnic and religious tensions, often exploited by colonial rulers to maintain control. The postcolonial political structure, inherited from the British with its Westminster-style parliament and centralized bureaucracy, struggled to accommodate the complexities of this diverse nation. Resource-rich regions, particularly the oil-rich Niger Delta, felt exploited and marginalized, perpetuating an internal power imbalance mirrored in the larger neocolonial relationship with Britain.<sup>3</sup>

Colonial education sought to assimilate Nigerians into British culture, downplaying and erasing indigenous languages and knowledge systems. The imposition of Christianity challenged existing religious practices and other local institutions, creating internal frictions that persist today. Postcolonial Nigeria battles reclaiming its diverse cultural heritage, from revaluing languages like Hausa, Yoruba, and Igbo to rediscovering pre-colonial political and social structures. The national narrative itself is contested, with debates raging about whether ethnic, religious, or pan-Nigerian identities should take precedence.

It is a well-documented historical fact that Nigeria formally gained independence in 1960, but the lingering influence of British economic interests remains unabated despite the supposed

release of the “Nigerian goat and the rope”. The discovery of the ‘black gold’: crude oil in Oloibiri Bayelsa in commercial quantity in 1956 ushered in a new trajectory to the post-colonial politics and economic trajectory of Nigeria. Sadly, the oil industry a cornerstone of Nigeria's economy, which was meant to usher her into one of the advanced economies with the oil boom of the 70s and 80s, is largely controlled by multinational corporations with close ties to the West and other manipulating established capitalist macro economies beyond the global north. This creates a situation where Nigeria's wealth benefits foreign actors more than its people. Furthermore, international financial institutions often impose severe measures that disproportionately burden the poor, highlighting the ongoing neo-colonial stranglehold on Nigerian economic development.

Despite the challenges, post-colonial Nigeria is not passively accepting its inherited and foreign powers-imposed structures. Movements for resource control, ethnic equality, and political reforms are testaments to the ongoing struggle for genuine independence. The vibrant national discourse on these issues, fueled by a diverse media landscape and a growing civil society, demonstrates a commitment to forging a future where Nigerians truly control their destiny and have a direct feel of what it means to be called a citizen through impactful leadership for all.

### **Post-colonial Trajectories in Nigerian Governance**

Nigeria's postcolonial narrative can be segmented into distinct phases, each marked by significant political events and leadership changes that shaped the nation's trajectory. In 1960, a defining moment unfolded as Nigerians, after decades of colonial rule, finally held the reins of their destiny. Symbols like the national flag, anthem, and motto, "Unity and Faith, Peace and Progress," embodied a desire for a cohesive nation. Leaders envisioned ambitious plans for economic development, focusing on infrastructure, education, and industrialization. The oil boom heightened optimism about transforming Nigeria into a prosperous and influential nation on the world stage. The federal system<sup>4</sup>, aimed at accommodating diverse ethnic groups, sought to balance regional autonomy with national unity, fostering cultural exchange programs and shared resources.

Despite the euphoria, the ghosts of colonialism lingered, sowing seeds of mistrust between ethnic groups, particularly in the Northern and Southern regions.<sup>5</sup> Political parties aligned along these lines, hindering national cohesion and tarnishing the growth of a true national identity where

individuals have a sense of belonging to a single state. Regional disparities in resource allocation fuelled tensions, with the oil boom primarily benefiting the South. This unequal distribution exacerbated grievances, creating fertile ground for discontent. The democratic system, while promising, led to intense competition for power and resources, further fracturing fragile national unity.

The Western Region crisis in 1963,<sup>6</sup> triggered by disputed elections and ethnic clashes, exposed the fragility of the political system, leading to a state of emergency and deepening regional divisions. The inability to resolve the crisis and increasing political instability culminated in a coup d'état in 1966, marking the tragic end of the First Republic and the dawn of a military foray into Nigerian politics.

### **Military Regimes, 1966-1979**

Following the short-lived First Republic, the specter of military intervention began to haunt Nigeria's landscape. From 1966 to 1979, a succession of military regimes held the reins of power, each marking a distinct chapter in the nation's struggle for stability and progress. General Aguiyi Ironsi's brief tenure as Head of State was tragically cut short in 1966. His attempt to unify the country through a unitary system further stoked ethnic tensions, ultimately leading to his overthrow. This paved the way for General Yakubu Gowon, who faced the monumental task of navigating the brutal Biafran War (1967-1970). The war, fueled by regional grievances and the fight for control over oil resources, left deep scars on the nation's psyche and further fractured its already fragile unity.

General Murtala Muhammed emerged as a beacon of hope in 1975. His administration embarked on a series of ambitious reforms,<sup>7</sup> aimed at tackling corruption, addressing regional imbalances, and curbing military excesses. He created more states to grant greater autonomy, launched anti-corruption purges, and initiated a transition program toward civilian rule. However, his vision for a better Nigeria was tragically cut short when he was assassinated in 1976. General Olusegun Obasanjo, who succeeded Murtala, adopted a more pragmatic approach. He pursued economic development through oil wealth, established closer ties with the West, and continued the transition program toward civilian rule. However, his regime was also marred by human rights abuses, political crackdowns, and allegations of corruption. By 1979, while the promise of democracy loomed on the horizon, the legacy of military rule remained: a nation scarred by



regional tensions, economic inequalities, and a yearning for genuine political participation and national cohesion.

### **Civilian Rule, 1979-1983**

Following the turbulent years of military rule, Nigerians greeted the dawn of the Second Republic in 1979 with cautious optimism. President Shehu Shagari, elected as the head of the National Party of Nigeria (NPN), promised a new era of stability, prosperity, and a return to civilian governance. The oil boom fueled dreams of rapid development, with investments pouring into infrastructure, education, and agriculture. However, the Second Republic soon fell prey to internal differences. Corruption became rampant, as public officials enriched themselves under the guise of oil wealth<sup>8</sup>. Ethnic and regional tensions resurfaced, fueled by perceived inequities in resource distribution and political representation. Shagari's government, struggling with economic mismanagement and growing discontent, proved increasingly unable to address these challenges.

By 1983, the fragile experiment with civilian rule finally crumbled under the weight of its weaknesses. General Ibrahim Babangida staged a bloodless coup, ushering in another extended period of military dictatorship. Babangida's regime pursued economic liberalization policies, but it was also marked by human rights abuses and a systematic suppression of dissent. The pro-democracy movement, led by figures like Moshood Abiola, gained momentum throughout the 1990s, demanding a return to civilian rule and fair elections. The death of General Sani Abacha in 1998 proved to be a turning point. Under General Abdulsalami Abubakar, a transition program was finally put in place. The 1999 elections, largely considered credible, brought Olusegun Obasanjo back to power as a civilian president, marking the dawn of the Fourth Republic.<sup>9</sup>

### **The Fourth Republic, 1999 – Present**

Nigeria's postcolonial journey can be seen as a series of distinct phases, each marked by major political events and leadership changes. These phases reflect the nation's ongoing struggle for stability, unity, and progress. The euphoria of independence in 1960 quickly collided with the harsh realities of colonial legacies. Ethnic and regional tensions, rooted in divide-and-rule tactics, brewed quietly underneath. While the First Republic, led by Prime Minister Tafawa Balewa, focused on nation-building and economic development, the 1963 Western Region crisis

and subsequent political instability culminated in the first military coup in 1966, shattering the early dream of unity.

A succession of military regimes followed each grappling with their challenges. General Aguiyi Ironsi's brief tenure was tragically cut short, while General Yakubu Gowon navigated the brutal Biafran War. General Murtala Muhammed's reformist zeal offered a flicker of hope, but his assassination proved a stark reminder of the fragility of progress. General Olusegun Obasanjo's pragmatic approach focused on economic development and international relations, but corruption and political crackdowns remained concerns. By 1979, while the promise of civilian rule flickered on the horizon, the legacy of military rule was a nation scarred by regional grievances, economic inequalities, and a thirst for genuine political participation.

President Shehu Shagari's Second Republic promised stability and prosperity, fueled by the oil boom. However, corruption and economic mismanagement, coupled with resurging ethnic tensions, ultimately led to another military coup in 1983. General Ibrahim Babangida's regime pursued economic liberalization but was marked by authoritarian rule and suppression of dissent. The pro-democracy movement, fueled by national figures like Moshood Abiola, gained momentum throughout the 1990s, demanding a return to genuine civilian rule with masses-inclined representative democracy short of excessive external meddling and manipulation.

The Fourth Republic, spanning four presidencies, has presented both triumphs and roadblocks. Obasanjo's return, this time, as a civilian president, brought optimism for democratic consolidation and economic development. However, corruption remained a persistent foe, and issues like the Niger Delta militancy and Boko Haram insurgency posed serious security threats. Despite these challenges, the 2015 elections marked a significant milestone with the peaceful transfer of power between different parties. Buhari's presidency saw a renewed focus on anti-corruption, but progress has been slow, and challenges like poverty and economic diversification remain.

### **Post-colonialism on Nigerian Politics**

Nigeria's journey through post-colonialism resonates far beyond the mere transfer of power in 1960. It's a story woven with the lingering threads of colonial legacies, where aspirations for progress still wrestle with the ghosts of the past. Colonial divide-and-rule tactics sowed seeds of

distrust between Nigeria's diverse ethnic and religious groups. These fault lines, exacerbated by resource inequalities and political competition, manifest in contemporary tension and conflict. Regional parties vying for power, accusations of marginalization, and competition for resources in the oil-rich Niger Delta are echoes of colonial manipulation. The specter of ethno-religious violence stalks the nation, a stark reminder of the need to heal historical wounds and forge a truly inclusive national identity.

The fight for economic independence remains an unfinished chapter in Nigeria's postcolonial struggle. While the nation sits on vast oil wealth, a legacy of unequal control and exploitation persists. Multinational corporations often hold the reins, extracting resources while local communities see minimal benefits.<sup>11</sup> This economic dependency, a reflection of neocolonial power dynamics, fuels resource control movements in the Niger Delta and beyond. The quest for a fair redistribution of wealth and nationalization of key industries is a battle cry for economic self-determination, a fight to break free from the shackles of an extractive colonial model.

The invisible hand of neocolonialism continues to shape Nigerian politics. International financial institutions dictate economic policies, often imposing austerity measures that disproportionately burden the most vulnerable. Global powers wield political influence, sometimes interfering in internal affairs for strategic interests. This external involvement undermines national sovereignty and hinders self-directed development. The struggle for genuine independence requires not only internal economic reform but also challenging the neocolonial structures that perpetuate a cycle of dependency.

Nigeria's postcolonial journey is far from over. Understanding the lingering influence of colonial dynamics is important to comprehend the complexities of contemporary politics. Only by confronting these legacies, navigating internal divisions, and challenging external interference can Nigeria truly claim its rightful place on the world stage as a nation truly free and empowered. The oil-rich Niger Delta region serves as a stark illustration of how colonial legacies can ignite contemporary tension. Divide-and-rule tactics during British rule left a legacy of distrust between the predominantly Christian South and the Muslim North.<sup>12</sup> These tensions erupted into the Niger Delta conflict, where militant groups like the Movement for the Emancipation of the Niger Delta (MEND)<sup>13</sup> demanded greater control over resources and compensation for environmental degradation. While a peace accord brought temporary respite, the underlying

issues of economic marginalization and resource inequality remain unresolved, highlighting the enduring influence of colonial divisions.

The 2011 gubernatorial elections in Plateau State<sup>14</sup> offer another glimpse into the perilous intersection of ethnicity and politics. Long-simmering tensions between the Christian Berom and Muslim Hausa Fulani communities flared up, leaving hundreds dead and thousands displaced. While the immediate trigger was electoral disputes, underlying factors like resource competition, historical grievances, and alleged political manipulation by vested interests fueled the violence. This episode serves as a sobering reminder of how colonial constructs can be exploited to incite violence and undermine national unity.

The 2019 presidential elections<sup>15</sup> exposed the persistent challenge of electoral manipulation in Nigeria's fragile democracy. Allegations of voter intimidation, ballot-box stuffing, and suppression of dissent marred the process, raising concerns about the true reflection of the people's will. These practices, reminiscent of colonial suppression tactics, erode public trust in democratic institutions and fuel disillusionment with the political process. Addressing electoral malpractices through transparent reforms and strengthening independent institutions is crucial for consolidating democracy and ensuring legitimate governance.

The struggle for economic decolonization remains a pressing concern. Multinational corporations often hold significant stakes in key sectors like oil extraction, leaving the Nigerian economy vulnerable to external pressures and fluctuations in global markets. This dependence undermines national economic sovereignty and limits the government's ability to implement policies that prioritize local development and resource diversification. Challenging these neocolonial dynamics through diversification, fostering local entrepreneurship, and leveraging technology to add value to natural resources are crucial steps toward true economic independence.

### **Conclusion: The Future of Postcolonial Nigeria**

Nigeria's future dances on the razor's edge of overcoming deeply entrenched post-colonial intrigues, and legacies and the herculean task of forging a truly independent identity. This quest sparks vibrant debates, both within the nation and beyond, concerning transformative leadership, inclusive governance, and sustainable development. One bloc advocates, not without good

reasons for a defined and clean break from the past, urging the dismantling of neo-colonial structures like resource dependence and external interference. This camp champions economic diversification, local resource control, and reclaiming cultural narratives stripped bare during colonization. Others propose a more nuanced approach, acknowledging the lingering effects of colonial divide-and-rule tactics. They call for addressing ethnic and religious tensions through robust dialogue, promoting national unity through shared cultural values, and building a federal system that fosters equity and inclusivity. This has been well imagined in the constant call for restructuring as envisioned in Goodluck Jonathan's presidency 2014 National Confab which report is yet to receive implementation like other reports before it.

Transformative leadership, crucial for navigating this complex terrain, faces formidable challenges. Corruption becomes rampant, siphoning off resources and eroding public trust. Entrenched special interests resist change, and poverty fuels frustration and vulnerability to populism. However, opportunities exist. A vibrant civil society actively champions good governance and accountability. A young, tech-savvy generation demands progress and harnesses digital tools for mobilization. The potential for visionary leaders to harness these forces and forge a brighter future through transparency, equitable resource distribution, and investment in education and healthcare is real.

Inclusive governance, another critical piece of the puzzle, requires dismantling barriers to political participation and ensuring marginalized voices are heard intentionally. Quotas for women and minority groups in government, alongside affirmative action initiatives offer potential pathways. Decentralizing power and fostering grassroots democracy can empower local communities and ensure resource-rich regions reap the benefits of their wealth. However, tackling entrenched inequalities and combating discrimination on grounds of ethnicity, religion, and gender remain significant hurdles.

In a globalized and interconnected world, Nigeria's future is inextricably linked to the international community. Global partners can play a crucial role in supporting sustainable development initiatives, promoting good governance practices, and addressing issues like climate change, which disproportionately impacts vulnerable nations. The world also has a responsibility to challenge neo-colonial vagaries and dynamics that hinder genuine independence and

economic autonomy. Nigeria, in turn, can contribute its vibrant culture, entrepreneurial spirit, and vast natural resources to a more equitable and sustainable global future.

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## CHAPTER 4 THE 1960 INDEPENDENCE CONSTITUTION

*Idahosa Osagie Ojo*

### **Introduction**

A constitution is a body of rules and principles according to which a state is governed. The constitution regulates the relationship of arms of government, between government and the people stipulates the procedure for administering the public affairs of a country, and outlines ‘modes of change of the government as well as the procedure for amendment’<sup>1</sup>. It is the binding instrument by which the sovereignty of the people is measured as well as a replica of the compendium of the people’s view and the objectives of their association. Between the amalgamation of the Northern and Southern British Protectorates of Nigeria in 1914 and independence in 1960, different colonial administrations established and imposed four constitutions on Nigerians. These were the Clifford Constitution of 1922, the Richards Constitution of 1946; the Macpherson Constitution of 1951, and the Littleton Constitution of 1954. The 1960 independent constitution is different from other colonial constitutions.

It is not just the last of the constitutions that were made during the colonial times, it is also the constitution that ended British colonial rule in Nigeria. The constitutions that came before it was geared towards consolidating British economic and political interests at the expense of the consent of the people they governed. The Nigerian Council, for example, was not created for any munificent motive but rather to enable the British officials to obtain, in the central exercise of their power, as much local advice and opinions as could be evoked in the process of colonial rule.

Similarly, Nigerian nationalists opposed the Richards Constitution mostly based on the manner and procedure by which the Constitution was introduced<sup>2</sup>. Apart from being imposed, the Richards Constitution, like most colonial constitutions, was regarded as a divisive document. Just like Clifford’s and Macpherson’s Constitution, Nigerians were hardly given the chance to shape their future as the Constitution “did not make provisions for the training of Nigerians in

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their gradual march towards self-rule”<sup>3</sup>. The vices of colonialism, which were institutionalized by the constitution of the period came to an end with the enactment of the independent constitution. While the colonial constitutions were principally aimed at governing the people in the economic interest of the British imperialist, the independent constitution brought freedom and self-government. Thus, Jacob Abiodun Dada laments that the system inherited from the colonialists is undemocratic and violent in its political, economic, and social processes and that the colonial constitutions failed to take into cognizance the values, cultures, and customs of the people and this have become an impediment in the evolvement of people’s constitution in the post-colonial era<sup>4</sup>. “The pre-independence Constitutions of Nigeria were designed to achieve specific political objectives of the colonialists without any formal or conscious attempt by the colonial government to safeguard human rights in its entirety. This could not have been otherwise as colonialism was antithetical to human rights protection and self-actualization”<sup>5</sup>. It is, therefore, arguable that the legitimacy crisis in Africa is not a crisis of transition but a legacy of colonialism and its attendant ills. For instance, Eghosa Osaghae argues that the root of the legitimacy deficit in Africa “lies in the fact that legitimacy was not vigorously pursued as part of statehood under colonial rule”<sup>6</sup>.

The focus of this chapter is the 1960 Independence Constitution. The chapter analyses the constitutions in five sections. Following this introduction is the second section entitled ‘The Origin of the 1960 Independent Constitution,’ which discusses the pathway in the making of the Constitution as well as the *raison d’etre*. The third section discusses the major provisions of the 1960 Constitution some of which include bicameralism, federalism, the Westminster system of government, the monarchical features of the Constitution, and its provision for fundamental human rights and citizenship among others. The fourth section analyses the major critique of the constitution and how it was received by the people it liberated from the shackles of British colonial rule. The fifth section is the conclusion, and it draws deductive statements from the analysis.

## **Origin of the 1960 Independent Constitution**

The origin of the 1960 independent constitution is better understood within the history of colonial constitutional development in Nigeria. The history of the Nigerian Constitution is traceable to the incursion of Britain at the dawn of the nineteenth century, which led to serious socio-political upheaval in various African states. The British military troops bombarded Lagos in 1851 and annexed it ten years later in 1861. The British took the entire Yorubaland by their mediation in the Ibadan-Ekiti Parapo War, popularly known as the Kiriji War, beginning in the 1880s and ended with the protectorate treaties, negotiated in 1893 by Gover Carter with Abeokuta, Oyo, and Ibadan as well as with the Ekiti Parapo, which embraced Ekiti, Ijesa, Igbomina and particularly all the groups in eastern Yorubaland. At the same time, they made remarkable incursions into the Niger Delta areas where they subdued the Kings of Benin, Bonny, Opobo, Calabar, Itsekiri, etc.<sup>7</sup>. Further inland into Igboland, the Europeans successfully subdued the local rulers and brought them under their control. The campaign for conquest was also launched in the whole of Hausaland and Kanem-Borno where superior firepower enabled the British to overrun the Kings of Kontagora, Gwandu, Bida, Nupe, Zaria, Kano, Sokoto, etc.

In the nineteenth century, significant changes occurred, including the establishment of the Sokoto Caliphate through the Islamic Jihad led by Othman dan Fodio. These historical events influenced the formation of the Nigerian constitution, as they shaped the geopolitical landscape and ethnic dynamics that the constitution aimed to address<sup>8</sup>. Othman Dan Fodio and his successors reshaped the political and cultural landscape of the northern savannah, fostering a strong association with Islam by 1903. This had significant implications for Nigeria's independence in 1960, as Islam became the state religion in the northern region. This religious alignment created profound socio-religious and political challenges for post-independence Nigeria. From 1960 to 2010, the north's adherence to Islam conflicted with Nigeria's secular principles. When the British colonial forces overthrew Sokoto in 1903, Othman Fodio's caliphate had successfully united Hausa city-states like Gobir, Zamfari, Kebbi, Kano, Katsina, and Zazzau into a unified theocracy. These historical developments influenced the drafting of the Nigerian

constitution, as it needed to address the religious and cultural diversity within the nation while ensuring the protection of individual freedoms and secular governance<sup>9</sup>.

The socio-political and economic changes in the southern regions during the nineteenth century, including Oyo's prominence and its involvement in the slave trade, influenced the historical context within which the Nigerian constitution was developed. These dynamics shaped the regional power structures and economic interests that the constitution sought to address, highlighting the intricate relationship between historical events and constitutional development in Nigeria<sup>10</sup>. The collapse of Oyo and the subsequent conflicts among Yoruba states, along with the historical prominence of Edo-speaking peoples, Ijaw, and Ibibio, are important historical factors that influenced the emergence of the 1960 Nigerian constitution. These events demonstrate the complex regional dynamics and historical tensions within Nigeria, which the framers of the constitution had to address. The constitutional framework needed to accommodate the diverse ethnic groups and historical grievances while fostering national unity and stability. Therefore, understanding these historical contexts helps to contextualize the development of the Nigerian constitution in 1960. The concentration of the Igbo population in specific regions, such as Imo, Abia, Anambra, Enugu, Ebonyi, Rivers, and Delta states, played a crucial role in the process leading to the 1960 Nigerian constitution. The demographics of these regions influenced political dynamics and negotiations during the constitutional drafting process.

The inclusion of provisions in the constitution that addressed the representation and interests of the Igbo population, along with other ethnic groups in different regions, was essential for ensuring widespread acceptance and legitimacy of the constitution. Therefore, understanding the demographic distribution of ethnic groups like the Igbo helps contextualize their influence on the constitutional development process in Nigeria<sup>11</sup>. The key Igbo towns, including Onitsha, Enugu, Owerri, Aba, Umuahia, Abakaliki, Afikpo, and Orlu, were pivotal in the discussions leading to the 1960 Nigerian constitution. Their significance in Igbo cultural and economic life influenced debates on regional representation and resource allocation within the constitutional framework<sup>12</sup>. However, Britain's attempt to incorporate the whole of Nigeria into her influence began to

crystalize in 1906 with the amalgamation of both the Colony of Lagos with the Protectorate of Southern Nigeria to form the Colony and Protectorate of Southern Nigeria. In the same year, 1906, the entire Hausaland and Kane-Borno and other neighbouring kingdoms were incorporated into the Protectorate of Northern Nigeria. Thus, at inception, Britain began its colonial enterprise in Nigeria from two separate protectorates under the control of two distinct colonial representatives (Lieutenant Governors), one in each of the two protectorates.

In 1914, the British representative, Frederick John Dealtry Lugard popularly referred to as Lord Frederick Lugard, successfully amalgamated the Northern and Southern Protectorates together to form a single country – Nigeria. In making the two protectorates a single vassal state, the British did not take into consideration the differences that existed among the people in terms of religions, socio-cultural heterogeneity, and multi-dimensional political organization<sup>13</sup>. Thus, the principles of governance and the constitution created in the colonial era, particularly the earliest ones were not designed to serve Nigerian interests but those of the British, and this remained up till the 1960 independent constitution.

The independence constitution was born out of the recommendations of the 1958 constitutional conference, which started on the 29th of September and came to an end on the 27th of October, 1958<sup>14</sup>. The main issues for discussion at the conference were the recommendations of the minorities commission. This commission was setup by the 1957 conference to address the fears of the minorities by the majority ethnic groups like the Ibos, Hausa and Yoruba. The issue of self-government of Northern Nigeria also came to focus. Also discussed was the request for independence which Nigerian delegates had made to the United Kingdom Government at the 1957 Conference.

Constitutional developments in Nigeria were done through the colonial government's reaction to the political parties. The emergence of political parties in Nigeria can be traced back to the enactment of the Clifford Constitution<sup>15</sup>. The Clifford Constitution sparked the emergence of Nigeria's inaugural political party, the NNDP, in 1923. Subsequently, Richard's Constitution of

1946 facilitated dialogue between Nigerians and the British on national issues<sup>16</sup>. The Macpherson and Lyttleton Constitutions of 1951 and 1954 respectively signified notable shifts from the decades of British colonial governance that ensued after the official merging of Nigeria's Northern and Southern Protectorates into a unified entity in 1914. It was this shift from more British participation in governance to more indigenous officials that continued into the 1960 independence constitution. The Lyttleton Constitution's pivotal achievement was the establishment of Nigeria as a federation composed of three regions<sup>17</sup>. The regional political dynamics directly influenced the process of constitution-making in Nigeria. The dominance of particular ethnic groups in each region shaped the priorities and interests represented in the constitutional negotiations up till 1960. As political parties consolidated their bases within their respective regions, they advocated for constitutional provisions that reflected the concerns and aspirations of their ethnic constituents.

This interplay between regional politics and constitutional development underscores how the formation of political parties, rooted in regional affiliations, influenced the trajectory of constitutional negotiations leading up to Nigeria's independence<sup>18</sup>. The leadership of figures like Alhaji Sir Ahmadu Bello, Obafemi Awolowo, and Dr. Nnamdi Azikiwe within their respective regions and political parties played a crucial role in the process of constitution-making in Nigeria. Their influence over the Northern People's Congress (NPC-1949)<sup>19</sup>, Action Group (AG-1951)<sup>20</sup>, and National Council of Nigeria and the Cameroons (NCNC-1944)<sup>21</sup> respectively, shaped the constitutional negotiations and decisions within their regions. These leaders advocated for constitutional provisions that reflected the interests and aspirations of their ethnic and regional constituencies. Consequently, the formation and dominance of these political parties, rooted in regional affiliations, influenced the constitutional framework leading up to Nigeria's independence of 1960 under this political and ethnic situation. The concept of the "Federal Trinity" in Nigeria, referring to the federal, state, and local government levels, directly influenced the framework and structure of the Nigerian constitution. This three-tiered federal

system, inherited from the British, served as a foundational principle during the constitution-making process.

### **Provisions of Nigeria's Independence Constitution**

The Westminster System of Government is the most conspicuous provision of Nigeria's Independence Constitution of 1960. The Westminster system, or the Westminster model, is a kind of parliamentary government that integrates a series of procedures for operating a legislature. Key aspect of the system includes an executive branch, which is made up of members of the legislature; the presence of parliamentary opposition parties; a ceremonial head of state who is separate from the head of government as well as the head of government. The term derives from the Palace of Westminster, which has been the seat of the Westminster Parliament in England and later the United Kingdom since the 13th century. There have been a series of obfuscations in defining the Westminster system of government. Most definitions equate it with its characteristics. These include its adoption at independence by former colonies British Empire; its focus on the majoritarian electoral system and a highly centralized system. The Westminster System of Government is:

a constitutional system in which the head of state is not the effective head of government; in which the effective head of government is a Prime minister presiding over a Cabinet composed of Ministers over whose appointment and removal he has at least a substantial measure of control; in which the effective executive branch of government is parliamentary in as much as Ministers must be members of the legislature; and in which Ministers are collectively and individually responsible to a freely elected and representative legislature<sup>22</sup>.

Thus, the "head of state and head of government is the same person. The term of the President is fixed and the occupant of the office cannot be removed by a vote of no confidence by the legislature. In the latter, the executive is determined through elections to the legislature. The posts of head of state and head of government are discrete. The executive rests on the confidence of the legislature for its continuance in office"<sup>23</sup>.

Nigeria's Independence Constitution is provided for the monarchical system of government. It recognized the Governor General as a representative of the Queen of England. This means that Nigeria was not truly independent and the Privy Council in London remains the supreme court for the country. This remained so until it was corrected by the Republican Constitution of 1963. The privy council of the House of Lords in London was recognized as the highest court of Nigeria.

The Constitution was also federal. A federal constitution is one where power is divided between a central government and various units. The various units are usually recognized in states, regions, municipals etcetera depending on the preference of those who draft the constitution. For example, the 1960 independence constitution of Nigeria referred to these federations. As a federal constitution, it divided powers into concurrent, exclusive, and residual jurisdiction, and according to federal principles, the units are to share powers on equal bases so that one will not dominate the others. Thus, one or two units shouldn't be so powerful as to be able to override the will of the federal government to themselves. This federal principle was disregarded by the independence constitution of 1960 as it the Northern Region was conspicuously larger both in area and in population, than the other two regions combined<sup>24</sup>.

The distribution of powers and responsibilities among these levels of government was a key consideration in drafting the constitution, reflecting the need to balance centralized authority with regional autonomy. As such, the "Federal Trinity" concept played a significant role in shaping the constitutional framework and governance structure of Nigeria<sup>25</sup>. The "Federal Trinity" in Nigeria comprised the dominant ethnic groups – the Hausa, Yoruba, and Igbo. This left other ethnic groups, such as the Tiv, Urhobo, Ijaw, Ibibio, Kanuri, Nupe, and Edo, somewhat overshadowed. The British colonialists strategically adopted the Federal System to address Nigeria's inherent diversity, aiming to neutralize potential threats posed by its heterogeneity<sup>26</sup>. Federalism, often recommended for ethnically diverse countries, was seen as a means to foster greater socio-political integration among Nigeria's diverse populations. This strategic decision significantly influenced the drafting of the Nigerian constitution.

The constitutional framers recognized Nigeria's ethnic diversity and aimed to mitigate potential tensions by establishing a federal system. The constitution delineated powers and responsibilities among the federal, state, and local government levels, seeking to strike a balance between centralized authority and regional autonomy, thus accommodating the diverse ethnic groups of Nigeria. The British sought a political system to unify Nigeria's diverse population into a cohesive and functional entity that all citizens could take pride in. Therefore, Nigeria's federalism was initially conceived as a strategic mechanism to achieve nationhood. This vision influenced the design of the Nigerian constitution, which aimed to create a framework capable of accommodating the country's ethnic diversity while fostering national unity. However, the prevalence of ethnic divisions in Nigeria has hindered the nation's unity and progress towards nationhood.

Also, the 1960 Independence Constitution was written and rigid. A written constitution is contained in a single document. That is, all its provisions and contents are together in a single document or booklet. Examples of other countries with written constitutions include Brazil, India, United State of America, the French Republic, the Commonwealth of Australia and the Kingdom of Denmark. A written constitution is in contradistinction to an unwritten constitution, which is defined as a constitution that is not contained in a single document. It is contained in several documents and sourced from precedent, tradition, customary laws, and practice. Examples of countries with unwritten constitutions include the United Kingdom, Ghana, Saudi Arabia, and Canada. A constitution is said to be rigid when it requires some lengthy or difficult process to alter it, such a process is usually stated in detail in the constitution itself. A flexible constitution is a constitution that may be amended by the ordinary process of legislation and is therefore relatively easy to amend. It can easily adopt the needs of people with the change of time because of its elasticity and when the demands of people are fulfilled by the constitution, there is hardly any chance of revolution. While most written constitutions are rigid, unwritten constitutions are usually flexible<sup>27</sup>.

The Nigerian Independence Constitution of 1960 also adopted bicameralism at the Federal level. A bicameral legislature is defined as a legislative arrangement in which law-making responsibilities are divided between two different houses or assemblies that work independently



in legislative matters. In Nigeria and the United States for example, the houses are known as the Senate and House of Representatives while in the United Kingdom, they are known as House of Lords and the House of Common. The constitution also provided for fundamental human rights were entrenched in the constitution to allay the fears of minority groups and preserve individual freedom. It also defines what a citizen is and how to acquire citizenship. It also contained the procedure for amendment and it also laid down the procedure for creating new regions and as such Mid- Western region was created in 1963. The federal government was given the power to declare a state of emergency in any part of the country.

The Nigeria's independence constitution of 1960 was aimed at affording emerging elites the chance to engage in the governance of their nation. Additionally, it was intended to create a platform for political and educated elites to interact, thus fostering the continuity of national unity. After the recently acquired territories had been integrated into a unified nation, the colonial powers had already initiated the journey of constitutional development that culminated in Nigeria's independent constitution of 1960<sup>28</sup>. Historical events and regional dynamics influenced the context within which the Nigerian constitution was crafted such as the collapse of Oyo in the 1830s and subsequent regional conflicts shaped the constitutional framers' considerations as they aimed to address historical tensions and establish a framework that accommodated Nigeria's diverse ethnic and cultural landscape<sup>29</sup>.

By the 1960 Independence Constitution, the powers of the British Parliament to legislate for Nigeria were totally terminated but Nigeria was still a Monarchy and it therefore still retained its relationship with the Queen of England as Head of State. It was followed by the change in the name and legal status of the country from the Colony and Protectorate of Nigeria to Nigeria and the dependent status of Nigeria on Britain was formally terminated by the expression: Her Majesty's Government in the United Kingdom shall have no responsibility for the government of Nigeria or any part thereof<sup>30</sup>. Consequently, on 1st October 1960, Nigeria became a sovereign country with a new Constitution, the 1960 Independent Constitution.

The Independence Constitution retained several of the provisions of the Lyttleton Constitution, which provided for a parliamentary system of government, with the three regional governments (Northern, Eastern, and Western Regions), a bicameral legislative framework at the federal (Senate and House of Representatives) and regional levels (House of Assembly and House of Chiefs) with the legislative powers of government delineated into three lists; exclusive, concurrent and residual. The parliamentary system premeditated under the constitution recognized the British monarch as the Head of State with powers to appoint a resident agent (the Governor-General) to exercise executive powers on her behalf while a Prime Minister elected by the Federal parliament acted as the Head of the Federal Executive Council. The Provision was made for the office of Governor-General as Head of State and he represented the Queen of England who was also the Queen of Nigeria. The constitution also provided for a cabinet, the head of which was the Prime Minister, to be responsible to the legislative council and to advise the Governor-General. Other issues incorporated into the constitution are fundamental Human Rights, the Judicial Service Commission, the Courts, the Public Service Commission, and so on<sup>31</sup>.

### **Critique of the Provisions of the Independence Constitution**

Numerous scholars, including Richard Sklar<sup>32</sup> and Rotimi Suberu<sup>33</sup> have analyzed the merits of the 1960 Nigerian constitution from various perspectives. Both authors concur that the major merit of the 1960 Nigerian constitution was its establishment of a federal system of government. According to them, this system aimed to balance power between the central government and regional entities, allowing for decentralization and regional autonomy<sup>34</sup>. By devolving certain powers to the regions, the constitution provided a framework for accommodating Nigeria's diverse ethnic groups and addressing regional interests and concerns. Additionally, the federal system helped to promote political stability and unity by allowing for the participation of different regions in the governance process. The 1960 Nigerian constitution was unique because of its recognition and protection of fundamental rights and freedoms. The constitution included provisions safeguarding essential liberties such as freedom of speech, assembly, and religion. By

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enshrining these rights in the constitution, it laid the groundwork for a democratic society where individuals could express themselves freely and participate in the political process without fear of persecution.

This aspect of the constitution helped to promote a culture of democracy and respect for human rights in Nigeria. By devolving certain powers to the regions through the principles of federalism, the constitution provided a framework for accommodating Nigeria's diverse ethnic groups and addressing regional interests and concerns, which helped to promote political stability and unity by allowing for the participation of different regions in the governance process. The 1960 Nigerian constitution also offered several economic merits that played pivotal roles in the nation's development. Firstly, it safeguarded property rights, providing individuals with the assurance to own, utilize, and dispose of property, thereby fostering an environment conducive to investment and entrepreneurship, crucial for economic expansion. Secondly, the constitution likely advocated for economic freedom, promoting free markets, entrepreneurship, and healthy competition, which facilitated innovation, investment, and economic diversification, ultimately contributing to overall prosperity.

Additionally, the constitution likely included provisions aimed at economic development, such as infrastructure investment, education, healthcare, and social welfare programs, laying the groundwork for sustainable economic growth and the improvement of citizens' welfare. Moreover, the emphasis on regional autonomy through the federal system allowed regions to tailor economic policies to their specific needs, resources, and priorities, fostering economic growth and equitable development across Nigeria. These economic merits collectively propelled Nigeria's economic progress and prosperity during its formative years post-independence.

Numerous scholars, including Richard Joseph, Larry Diamond, Carl LeVan, Adebayo Olukoshi, and Gani Yoroms have analyzed the demerits of the 1960 Nigerian constitution from various perspectives. One common criticism or demerit of the 1960 Nigerian constitution is its tendency to centralize power in the federal government at the expense of regional autonomy. This centralization of power led to challenges in effectively addressing the diverse needs and interests of the various regions and ethnic groups within Nigeria. Critics argue that this imbalance contributed to political tensions, and regional disparities, as well as hindered the development of

local governance structures<sup>35</sup>. Larry Diamond states that the demerit of the 1960 Nigerian constitution was its failure to fully address ethnic tensions and promote inclusivity. The constitution did not adequately provide mechanisms for accommodating the diverse ethnic groups within Nigeria, leading to feelings of marginalization among certain groups. This lack of inclusivity contributed to interethnic conflicts and hindered national unity and cohesion<sup>36</sup>. Adebayo Olukoshi also gives a demerit of the 1960 Nigerian constitution; he states that the concentration of power in the central government resulted in limited autonomy for regional entities.

This centralization of power undermined the ability of regions to address their specific needs and priorities effectively, leading to disparities in development and governance across the country<sup>37</sup>. Carl added that one demerit of the 1960 Nigerian constitution in political economy was its failure to effectively address economic disparities and promote equitable development across regions. The constitution's emphasis on regional autonomy, while intended to accommodate diverse ethnic groups, resulted in uneven economic growth and resource allocation. This led to disparities in infrastructure development, access to basic services, and economic opportunities between different regions of the country.

Additionally, the lack of cohesive economic policies at the federal level hindered the nation's ability to implement comprehensive strategies for economic growth and development, contributing to persistent socio-economic inequalities<sup>38</sup>. Richard further added that one demerit of the 1960 Nigerian constitution on democracy was its limited protection of civil liberties and political rights. While the constitution provided for democratic principles, such as elections and representative government, it lacked robust safeguards for fundamental freedoms such as freedom of speech, assembly, and the press. This limitation allowed for potential abuses of power, restricted political participation, and hindered the development of a vibrant democratic culture. Additionally, the concentration of power in the central government, combined with weak

checks and balances, undermined democratic accountability and transparency, contributing to authoritarian tendencies and political instability<sup>39</sup>.

## **Conclusion**

The chapter is a comprehensive analysis of Nigeria's 1960 Independence Constitution. It focuses on the origins, provisions, and critiques of the Constitution. It begins by discussing the origin of the 1960 Nigeria's independence constitution within the framework of several other constitutions, which primarily served British interests and lacked provisions for self-governance. It traces the origin of the 1960 Constitution to the colonial period, which began with British annexations and the subsequent amalgamation of regions into Nigeria in 1914. The essay highlights the 1958 constitutional conference and the Independence Constitution, which terminated British legislative powers but retained the monarchy. The 1960 Constitution maintained several provisions of its predecessor, including a parliamentary system of government and federalism, while the subsequent 1963 Republican Constitution marked Nigeria's transition to a republic.

The provisions of Nigeria's Independence Constitution are examined, emphasizing the Westminster System of Government, federalism, its written and inflexible nature, bicameralism, and fundamental human rights. The constitution aimed to engage emerging elites in governance, foster national cohesion, and accommodate Nigeria's ethnic diversity. Evaluations of the 1960 Constitution are outlined, highlighting both its strengths and weaknesses. Scholars acknowledge its establishment of federalism and safeguarding of fundamental rights but critique its concentration of power, failure to address ethnic tensions, and restrictions on democratic liberties. In summary, while the 1960 Independence Constitution played a pivotal role in Nigeria's history, it faced scrutiny for various deficiencies in promoting inclusivity, fair development, and democratic principles.

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## **CHAPTER 5**

### **THE 1960 INDEPENDENCE CONSTITUTION OF NIGERIA**

*Samuel Segun Ojo*

#### **Introduction**

The resolutions of the 1957 Lagos and 1958 London conferences led to the 1960 Constitution. The Constitutions of the Federation and Regions of 1960 were established by Section 2 of the Nigerian Order-in-Council 1960, issued by the British government, with all four Constitutions annexed to the Order-in-Council in four separate schedules.

The 1960 Constitution granted full independence to Nigeria, meaning the country was no longer under the control or dictates of the British government. However, this independence was largely symbolic. Despite gaining independence in 1960, the head of state in Nigeria remained a representative of the Queen of England. As a result, Nigeria sought full independence in 1963.

#### **Features of the 1960 Independence Constitution of Nigeria**

The 1960 independence constitution provided for a head of state who was a representative of the Queen of England. His status was like that of a constitutional representative of the Monarch. It was through the Governor General that the Queen of England conducted her activities in Nigeria.

The 1960 constitution established a two chamber (Bicameral) legislature which consisted of the Senate and the House of Representatives. The Senate was made up of 44 members, 12 members from each region and four members from Southern Cameroon and Lagos. The House of Representatives was made up of 312 elected members. A member who commanded the majority support of the members of the House of Representatives was appointed Prime Minister. The Governor General on the advice of the Prime Minister appointed other ministers. The functions of the Council of Ministers were the execution of government policies and the gathering of information.

Each regional legislature was made up of a House of Assembly and the House of Chiefs. The Northern House of Assembly was made up of 170 elected members, while the House of Chiefs of the region consisted of all first-class chiefs, 95 other chiefs, and an adviser on Islamic law. In the Western House of Assembly, there were 124 elected members. The House of Chiefs of the region was made up of 115 members and four chiefs selected by the governor. The Eastern

region had 146 elected members in the House of Assembly. The House of chiefs comprised all the traditional rulers, first-class chiefs representing the provinces, 55 other chiefs and five special representatives as members.

The executive of each region consisted of the premier and some other ministers appointed by the governor on the advice of the premier. The executive council was collectively responsible to the House of Assembly of the regions. The functions of the regional executive council remained the execution of government policy and observation of strict compliance with the constitution. The executive authority of the federal government was vested in the Queen's representative who exercised it through the ministers. The Council of Ministers was made up of 10 members. A Prime Minister was appointed from among the members of the House of Representatives.

The 1960 independence constitution spelt out areas of legislative authority between the federal government and the regions. The exclusive legislative list contained forty-four items in which the federal government had the exclusive right to legislate. The concurrent list had twenty-eight items in which both the regions and the federal government have powers to legislate. However, the constitution provided that in any conflict between the federal and regional law, the federal law would prevail over the regional law. The Federal Supreme Court by the constitution was empowered to review all legislation.

The fundamental human rights of Nigerians were detailed in the 1960 constitution. The constitution also specified the rights of Nigerians under the constitution. The constitution protected Nigerians against intimidation, oppression, neglect, and denial of human rights. Methods foreigners can use to acquire citizenship were also spelt out in the 1960 constitution. A foreigner who wishes to become Nigerian must follow the laid down methods. It is important to note that in the 1960 independence constitution, both the federal government and the regions had their constitution.

Under the 1960 independence constitution, judges of the Supreme Court and High Court were appointed on the advice of the Judicial Service Commission. The judicial committee of the Privy Council received an appeal from the Supreme Court of Nigeria. The federal legislature was empowered by the 1960 Independence Constitution to make laws during an emergency in respect of matters outside the exclusive or concurrent list. Emergency powers according to the

constitution could be exercised when the federation is at war, when the parliament declares a state of public emergency.

In 1962, the federal government under Abubakar Tafawa Belewa declared a state of emergency in the Western region and appointed M.A. Majekodunmi as the administrator on 29 May 1962. The procedures for constitutional amendments were provided in the Constitution. The 1962 independence constitution also provided the methods to be followed in the creation of more regions and for boundary adjustment. Though the 1960 constitution gave Nigeria independence, the federation of Nigeria remained under the dictates of the Queen of England through her representative in Nigeria.

### **Merits of the Independence 1960 Constitution in Nigeria**

The merits of the 1960 Independence Constitution included the following:

- (1) The introduction of the federal system of government ensured respect for the feelings of the local people and the promotion of national interest.
- (2) Elections to the various public offices at all levels were conducted by an independent electoral commission.
- (3) The adoption of the single-member constituencies encouraged the emergence of large and few parties thereby bringing together various groups and interests across the country.
- (4) The granting of residual powers to the regions strengthened the regional governments about the central government.
- (5) The fact that each region had its constitution was a recognition of the diverse nature of the Nigerian federation. This helped to reduce the stifling tendency towards uniformity as often seen in pseudo federations.
- (6) The parliamentary system adopted under the constitution was simple and easy to understand and above all, it was in conformity with our traditional political system.
- (7) The revenue allocation formula which was based principally on derivation enabled each region to develop at its own pace.
- (8) The 1960 Constitution created the Nigerian State.

## **Demerits of the Independence 1960 Constitution in Nigeria**

Demerits of the Independence 1960 Constitution of Nigeria included the following:

(1) The federal system of government introduced by the Constitution seemed to have disregarded an important federal principle, to the effect that one or two units could be so powerful as to be able to override the collective will of the federal government. But that was exactly what happened in the case of Nigeria under the 1960 Constitution. There were three regions under the Constitution, but the Northern Region was larger, both in area and population than the other two regions taken together. With this arrangement, a party could simply concentrate its campaign efforts on the Northern Region and win a sufficient number of seats to form the federal government. That was precisely what the NPC did in the Northern Region. It won most of the seats in the region and a few in the other regions and that was enough for the party to form the federal government.

(2) The enormous powers granted to the federal parliament during an emergency meant that any region that exercised its executive authority to obstruct the Federal Government might be sanctioned. This was what happened in the Western Region in 1962 when a state of emergency was declared in the region by the Federal Government. The Independence Constitution left to the federal legislature (Senate and House of Representatives) the power to decide whether or not a state of emergency existed in any part of Nigeria. What constituted a state of emergency was subjective and the power to declare a state of emergency might therefore be abused. Although the declaration of a state of emergency could be constitutional or legally correct, it might not be in the spirit of the constitution.

In a federation, both the central and regional governments are, in theory, coordinated and equal and any attempt by the Federal Government to dissolve the government of a state or region was a complete negation of the principle of federalism. Hiding under the guise of the Independence Constitution of 1960, the Federal Government unilaterally imposed a state of emergency on the Western Region on 29 May 1962 without exploring other possible alternatives for resolving the conflict.

(3) A glance at the distribution of powers between the central government and the regional governments showed that the Federal Government was more powerful than the regional

governments. This was illustrated by the fact that exclusive powers were reserved for the Federal Government which also shared the concurrent powers with the regional governments. Even where there was a conflict between federal and regional laws on matters in the concurrent list, the federal law still prevailed. The regional governments only had power over subjects in the residual list.

(4) The Constitution failed to specify the number of ministers to be appointed and, whether or not their appointment should reflect the federal character of Nigeria.

(5) The constitution succeeded only in granting political independence to Nigeria but failed to address important political issues such as the minority problem and the political integration of the country.

### **Major Criticism of the 1960 Constitution**

1. The Queen of England was still the Head of State of Nigeria which implied that the British government still had reasonable influence over what happened in Nigeria.

2. The nomination of members of the Senate did not make for equality.

3. The Privy Council of London was still the highest Court of Appeal and not the Supreme Court of Nigeria.

4. Judges were appointed by the Queen of England on the advice of the Governor General.

5. Non-Nigerians were still members of the Senate.

6. This constitution, which was a parliamentary constitution, did not contain adequate provisions for positive socioeconomic transformation and national integration.

7. It encouraged regionalism.

All the major political parties' important instruments for social and political mobilisation were ethnically based. The North-South conflicts, which had been husbanded by the British as part of their divide-and-rule tactics, were so pronounced that they impacted negatively on all political decisions. Within each region, minority groups that genuinely and legitimately complained about the domination of the majority groups and sought relief in the creation of more states were either ignored or ruthlessly suppressed. The British had equivocated on the issue during Henry

Willinck's Commission of Enquiry, and thus left unresolved, a major problem of the structure of federalism in Nigeria. Therefore, from all indications, there was little doubt that the then-nascent independent Nigeria, despite the euphoria that greeted her birth, was headed for a turbulent and crisis-ridden future.

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## CHAPTER 6

### THE 1963 REPUBLICAN CONSTITUTION

*Samuel Segun Ojo*

#### **Introduction**

Apart from some of the deficiencies of the 1960 Independence Constitution, one of the major reasons for the clamour for a change of the constitution was actually to remove all traces of colonialism in Nigeria. The 1963 Constitution was to turn Nigeria into a Republic and taken away totally from the British Constitution. For the first time in the history of Nigeria, the constitution was enacted by the local Parliament. Nigeria at Independence inherited a weak and unprepared leadership with several issues left unresolved by the British government. Therefore, many people in Nigeria wanted immediate changes to be made in the constitution to remove these undesirable aspects.

The 1963 republican constitution swept away all the vestiges of colonial rule in Nigeria. Nigeria became a federation of four regions each of which had its constitution. The Queen of England ceased to be in control of the arms of the government in Nigeria. The 1963 republican constitution contains most of the provisions of the 1960 independence constitution and new provisions.

#### **Major Provisions of the 1963 Constitution**

1. The title of the Governor-General was changed to President.
2. The President was empowered to appoint judges of the Supreme Court.
3. The Queen of England ceased to be the Head of State of Nigeria.
4. It gave Nigeria the status of a Republic.
5. The constitution provided for revenue allocation formula based on need, national interest and balanced development.
6. The procedure for the creation of more states and regions was laid down, and because of this provision in the constitution, the Mid-Western Region was created in 1963.

7. Supreme Court became the highest Court of Appeal instead of the former Privy Council of London.

### **Features of the 1963 Republic Constitution of Nigeria**

The Head of State became the President and Commander in Chief of Nigeria Armed Forces. The President appointed the person who appeared to command majority support in the two Houses of Legislature as the Prime Minister.

On the prime minister's advice, he appointed other ministers. The national legislature was made up of the House of Senate and the House of Representatives. The House of Senate was made up of 56 Senators, including the Senate President. The House of Representatives was made up of 312 members elected from single-member constituencies.

Citizens of Nigeria who had attained the age of twenty-one were elected into the House of Representatives. The House of Representatives elected a speaker from among themselves to coordinate the activities of the house. The national legislature has the main function of deliberating on important matters affecting the nation and making resolutions which are passed in the form of bills. The executive authority of the nation lay with the president. The Prime Minister and the council of ministers carried out the executive function. It is the prime minister and the council of ministers that execute major policies of the government.

The constitution further created regional legislature in the four regions – the House of Assembly and the House of Chiefs. The post of a speaker and a president was created to preside over the House of Assembly and the House of Chiefs respectively. The regional executive council was also created and a premier headed the executive council of the regions. The function of the executive council was similar to that of the council of ministers. The constitution observed the methods of sharing power between the federal government and the regions.

The 1963 republican constitution established a National Police Force for the entire federation and local government police. The Inspector General of Police became the head of the Nigeria Police Force. The Commissioners of Police headed the Nigeria Police Force at the regions.

Under the constitution, the president appointed the Chief Justice of the Supreme Court, the chief judge of Lagos and other federal justices on the recommendation of the Judicial Service



Commission. The Chief Judge could be removed by the president on the approval or the recommendation of the parliament. The Supreme Court of Nigeria became the highest court of appeal in Nigeria under the 1963 constitution. This was as a result of a dispute between the deputy leader of Action Group on one side Chief Obafemi Awolowo and the Governor of Western Region, Sir Adesoji Aderemi on the other side.

The issue was whether the governor of the western region had the right to dismiss the premier without a resolution of the House of Assembly. The matter came up in the high court but it was later referred to the Supreme Court for the interpretation of the constitution. The Supreme Court held that the governor has no right to remove the premier except in the consequence of proceedings on the floor of the house in which a vote of no confidence was passed on the premier, showing that he no longer commands majority support.

The decision was appealed to the Privy Council, which reversed the decision holding that the Governor had the right. The federal government was unhappy with the decision of the Privy Council and thus went further to establish the Supreme Court as the final court of appeal in 1963.

The constitution of 1963 provided for a procedure for altering regional boundaries. It also provided for qualification for citizenship. The constitution elaborates on the fundamental rights and liberties of Nigerians in line with the 1948 UN Universal Declaration on Human Rights. The constitution also provided for a federal and regional civil and public service. The Federal Public Service Commission and Regional Public Service Commission were empowered to appoint, promote, dismiss, and discipline public officers.

### **Merits of the 1963 Republican Constitution**

1. For the first time, the Nigerian constitution was made by Nigerians in Nigeria.
2. The constitution accorded the status of full political independence to Nigeria since the Queen of England was no longer the Head of State.
3. The constitution provided an acceptable revenue allocation formula.
4. The Supreme Court of Nigeria became the highest Court in the Country.
5. It provided the process for the creation of more states and Regions.

### **Defects/Criticism of the 1963 Republican Constitution**

1. The constitution still reflected colonial colour by retaining the British Parliamentary System of government.
2. The 1963 republican constitution was criticised in respect of the creation of a president without executive power, the executive power rested on the office of the prime minister. The president was a ceremonial head without executive power.
3. The constitution did not provide for the protection of minority rights as the majority ethnic groups hijacked the government for their regions to the detriment of the minorities.
4. The constitution did not provide for independence of the Judiciary.
5. There was no complete separation of powers among the organs of government but the fusion of power.
6. Some of the colonial structures were still left intact. An example is the failure to reconstruct the lopsided regional structure where the Northern region was more than the 3 Regions combined.
7. Members of the Senate were still being nominated.
8. The Republican Constitution was not autochthonous because it was not enacted by the local legislature after repealing the Imperial Order-in-Council of 1960. An autochthonous constitution derives its force from its native authority and not by its having been enacted or authorized by an imperial power.

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## CHAPTER 7

### MILITARY IN NIGERIAN POLITICS

*Victor Osaro Edo & Sunday Akinwumi Komolafe*

#### **Introduction**

The establishment of the Nigerian army could be first traced to 1863, when a paramilitary group, known as Glover Hausa, was formed. Glover was the name of the Governor of the Lagos Crown Colony. His full name was John Glover; he was a lieutenant in the British Army. In the last quarter of the nineteenth, the British had a great interest to gain strong control, purposely for economic exploitation, on the Niger River and its areas. The British had not only the interest to enforce some agreements as related to treaties signed between them and some Nigerian tribal leaders but also to push back the French and other Europeans from the territories already occupied by the British.

As a result of increased rivalries among the Europeans, Fredrick Lugard was mandated by the British government to establish a military force that would wade off any aggression by the enemies; therefore, all existing British forces, including Glover Hausa, in West Africa were made to form The Royal West African Frontier Force (RWAFF). It became a large military outfit to defend and help expand the colonial interest of the British in any part of West Africa.

The Nigerian military regiments of south and north were merged to form the Nigerian Regiment of RWAFF. No sooner had the First World War started than Nigerian RWAFF regiments joined regiments from other parts of West Africa, some of them proceeded to participate in the war; they were to support the war effort of the British.

In 1956, the Nigerian regiment was named the Nigerian Military Forces. Soon thereafter, in 1958, the British colonialists relaxed their control over the Nigerian Army. At independence, the Nigerian military forces were christened the Nigerian Army. In 1964, Aguiyi Ironsi became the first Nigerian General Officer Commanding of the Nigerian Army.

Since its independence, in 1960, the Nigerian military, according to the Nigerian constitution, is to defend Nigeria against external aggression, maintain its territorial integrity, and secure its borders from violation on land, sea, or air. In addition, the Nigeria Military is to suppress

insurrection and act in aid of civil authorities to restore order, when called upon to do so by the president, but subject to such conditions as may be prescribed by an act of the National assemblies. Any functions outside all this are unlawful.

The British colonialists had brought together different ethnic groups with varied cultural backgrounds to form the Nigerian State. Consequentially, the Nigerian groups since independence faced the challenges of unhealthy, ethnic rivalries. There was a remarkably high level of ethnic intolerance leading to very complex political challenges.

The dominant political parties which had their base in the three regions, from which they had differently emerged, showed how divided Nigeria was politically. The Northern People's Congress (NPC) had its stronghold in the Northern Region, the Action Group in the Western Region, and the National Convention of Nigerian Citizens (NCNC) in the Eastern Region.

### **The Coup of January 15, 1966**

In Nigeria, the first coup d'état was staged by a group of young soldiers led by a notable soldier--Major Nzeogwu Chukwuemeka Kaduna. Apart from Nzeogwu other notable soldiers among the coup plotters were Adewale Ademoyega and Emmanuel Ifeajuna. They killed civilian government leaders and some other people. Those killed included the Nigerian prime minister, Tafa Balewa, Sir Ahmadu Bello, the premier of the Northern region, Ladoke Akintola, the premier of the Western Region and Festus Okotie-Eboh, the minister of finance. The coup plotters' efforts to gain control of the cities of Lagos, Ibadan, and Kaduna failed. It did not take two days before the insurrectionists were defeated. The General Officer Commanding of Nigerian Army, Johnson Aguiyi Ironsi took over the rein of government; therefore, he ascended to the position of the Nigerian head of state.

Some sections of Nigeria, mostly in the south had accepted the coup as the one meant to rid Nigerians of corruption. The terminated civil rule was characterized by cases of embezzlement within the government circle not only at the central but also at the regional level. The majority of the coup plotters were Igbo, so the coup was seen as a coup planned by the Igbo. This created ethnic tension among the non-Igbo, especially the northerners who felt seriously dissatisfied with the killing of their people. Part of the seeds leading to the Nigerian civil war appeared to have

been sown when the northern leaders were killed in the course of executing the first coup plot in Nigeria.

### **Aguiyi Ironsi Military Regime: January 16 to July 29, 1966**

Aguiyi Ironsi abolished regions and changed Nigeria from a federal to a unitary state. He backed the change with Unification Decree No. 34. His decision did blow ill wind foreshadowing a bleak future for the Nigerian State. The country which had fissured by ethno-religious crisis before he came to power became much more crises ridden. Ironsi was opposed by the northerners who believed that the Igbo were much favoured by the government; they felt unhappy that the coup plotters were not appropriately punished. Furthermore, the northerners felt that their shares of regional power had been taken from them by the new central government. The army split along ethnic lines. Ironsi tried unsuccessfully to assuage the grievances of the opposition particularly the northern people giving them political appointments.

Ironsi promulgated decree No. 2 which removed the restriction--emplaced during the civil rule--on press freedom. Contradictorily, later, he promulgated Decree 44 which made it an offense to display or pass on pictorial representations, sing songs, or play with musical instruments that might bring out the words that were likely to provoke any section of the country.

### **Yakubu Gowon's Regime, 1966-1975**

A counter-coup was staged on July 29, 1966, leading to the assassinations of Aguiyi Ironsi and Adekunle Fajuyi who was the governor of the western state. Some other military officers were also assassinated. Most of the counter-coup plotters were soldiers of northern origin. The coup was carried out to remove the growing Igbo hegemony in the Nigerian army; it was a pointer to inter-regional power conflicts within the Nigerian army. Yakubu Gowon became the Nigerian new head of state.

He annulled the unitary and replaced it with the federal system. Gowon created the Supreme Military Council which was the highest decision-making body of the military government of Yakubu Gowon. Not long after the coup, a large number of Igbo people were killed in the North, the killings were referred to as pogrom by some political observers, meaning it was supported by the military leaders, most of whom were northerners, who had just gotten to power.

The pogrom goaded the Eastern Region military governor, Emeka Ojukwu, to demand, at a meeting, with the delegates of the Nigerian federal government, in Aburi, Ghana that Nigeria should be made a confederate country. Ojukwu claimed anything contrary to the demand would make him and other Igbo to break away from Nigeria and create another country. The tension, due to Ojukwu's insistence that Nigerians should have a loose federation structure made Gowon create twelve states largely from Eastern Region. The state creation made the Easterners feel weakened, knowing well that they would lose the support of the minority groups whose states were carved out for them from the Eastern Region by the military government. Whatever his motive for creating new states, he had responded to the interest and agitation of some minorities and allayed their fear by creating states for them based on principles of federalism.

When the Igbo request for a Nigerian loose federation was not accepted by Gowon's government, Eastern Nigeria seceded and seized to be part of Nigeria, and the Igbo created a country called Biafra headed by Ojukwu. A war broke out between Nigeria and Biafra which lasted four years. After the civil war in which Biafra was defeated, Gowon initiated a programme that would reintegrate the Igbo people of Biafra to become, fully, part of Nigeria. The programme was based on the 3 Rs: Reconstruction, Rehabilitation, and Reconciliation.

Gowon issued an Indigenization Decree that stopped aliens from investing in specified enterprises and reserved the right of participation for only Nigeria in certain trades. This gave more investment and employment opportunities to Nigerians. Gowon set up the National Youth Service Corps which required fresh tertiary institution graduates not above the age of thirty to participate in a mandatory programme to serve Nigeria. The scheme has for years provided human power where they were lacking in some parts of Nigeria and thereby contributed to nation-building. It has fostered inter-ethnic relations among Nigerians.

Gowon, in a major way, contributed to the establishment of the Economic Community of West African States. It is a body that promotes cooperation and economic development in the African continent. Gowon's regime lasted nine years. His period experienced an oil boom, A large part of the revenue from oil was squandered due to mismanagement by the people in positions of authority during the regime. Gowon's major shortcoming was abandoning his regime transitional programme that would return Nigeria to civil rule.

### **Murtala Muhammed's Military Regime, 1975-1976**

Yakubu Gowon was overthrown on 19 July 1975, and later Murtala Mohammed became the new Nigerian Head of State. Immediately, he got to power, he stated his regime had no intention of staying in power long, indicating his transition programme would start immediately. Murtala honoured his promise, beginning the programme. He created seven states with a total number of states reaching nineteen. To check corruption that was commonplace during Gowon's regime, Murtala removed some corrupt military governors that had been part of Gowon's regime, replacing them with new ones. He terminated and appointed some federal public and civil servants who were alleged of corruption. In 1976, a coup was plotted against Murtala. The coup, led by Bukar Sukar Dimka, failed; however, the coup plotters got Murtala assassinated.

### **Olusegun Obasanjo's Military Regime, 1976-1979**

Obasanjo succeeded Murtala becoming the Nigeria Head of State. His government promoted the Universal Primary Education Scheme. With tuition-free primary education in public schools, enrolments grew from 6 million to 12 million. However, he cut back on university funding. He continued with Murtala's transitional programme. The draft constitution by the Constitution Drafting Committee (CDC) was published in 1976. After being debated by the public, the draft was sent to the Constituent Assembly; the body looked into it, made their contributions, and then forwarded it to the Supreme Military Council which after some amendments was approved and published. Thereafter, political activities were allowed so that parties formed and participated in elections that ushered in civil rule. After winning the presidential election, Shehu Shagari became the executive president, and Nigerian leader in the Second Republic.

Obasanjo's military regime adopted austerity measures, cutting extravagant spending within the government circle so that funds meant for reasonable projects would not be wasted. He discouraged the importation of some agricultural produce and promoted farming. To boost food production in Nigeria, he launched the agricultural programme named Operation Feed the Nation. Obasanjo's foreign policy was dynamic, making Nigeria play a leading role, among Africans in ending the white minority rule and apartheid policy in the Southern African countries. Obasanjo's government had records of political repression, dealing harshly with some Nigerians who opposed a number of his policies.



### **Muhammadu Buhari's Regime, 1983-1985**

Buhari came to power, as Nigerian military Head of State after he ousted Shehu Shagari. Hence, he and his fellow coup plotters brought an end to the second republic. Among the reasons, they claimed for the overthrow of Shagari's government was the mismanagement of public funds and electoral violence in the 1983 elections in some parts of Nigeria, particularly the southwest. A lot of political officeholders, from different parts of the country were detained in prisons for embezzlement and some other offenses. He used a special military tribunal to try the detained politicians. The legal process used to try most of them was devoid of the application of the rule of law, and a lot of them fell ill while being detained in prisons.

Buhari resolved to fight indiscipline. He launched different phases of the War Against Indiscipline (WAI). War Against Indiscipline made Nigerians follow a new order of maintaining queue order and maintaining good work ethics. Through the WAI programme, Nigeria was made to be nationalistic and patriotic; anti-corruption and decrees against sabotaging were enforced, and Nigerians, in general, were made to participate in environmental sanitation every last Saturday of the months

His regime promulgated various decrees to rule Nigerians; the decrees were regarded as draconian by some watchers of the regime because minor offenses might attract severe punishments. Suspected criminals were detained without trials. Press freedom was muzzled. Journalists were jailed for writing against Buhari's regime. Critics, political activists, and commentators who had something unpleasant to say about the government were harassed or put in jail. Some offenders were tried with retroactive laws. Until his last days in office, Buhari did not have any transition programme to show he had a plan to return Nigeria to civil rule.

### **Ibrahim Babagida's Military Regime, 1985-1993**

Babangida took power from Buhari in a palace coup. On getting to power, changed the title of the Military Head of State to the Military President of Nigeria, hinting that he be addressed by Nigerian as president. He abrogated some harsh decrees made by Buhari's regime, particularly the decrees that were against the supremacy of the rule of law, the exercise of fundamental human rights, and press freedom.

Babangida, in 1987, created two states, and in 1991 he created nine states. Before he left power, Nigeria had had 30 states. He established the Nigeria Telecommunications Limited (NITEL). He established three specialized universities—Universities of Agriculture—in the North, East, and West. He created an agency called Oil Mineral Producing Area Development Commission (OMPADEC) to initiate development projects in the oil-producing areas of the Niger Delta Area. He embarked on various populist programmes such as the establishment of the People's Bank. He created agencies to better the lots of Nigerians in rural and urban areas. The agencies included the National Directorate of Food, Road and Rural Infrastructures (DFRRI) Mass Mobilisation for Economic Recovery, Social Justice and Self Reliance (MAMSER). He created the Federal Road Safety Corps. Babangida created a technical Aids Corps to assist the human power needs of some countries within Africa or outside. This enhanced Nigerian popularity among the comity of nations.

Babangida pledged to return the country to civil rule but his transition programme was shifty. When he changed the timetable handing over the government to the democratically elected president, he drew flak from the political observers who strongly doubted his sincerity in returning the government to the civilian administration. The presidential election he conducted on June 12, 1993, was abruptly nullified by him. The election was seen as the freest election ever conducted in Nigeria. The acclaimed winner of the election was Moshood Abiola.

Babangida's administration was repressive. He put in detention those who opposed his undemocratic government. He systematically gagged the press. During his regime, a leading journalist named was Dele Giwa killed in controversial circumstances by a letter bomb. His government mismanaged the humongous revenue received by Nigeria from sales of oil during the Kuwait-Iraq Gulf War.

After the nullification June 12, 1993 presidential election, he was pressured to leave the government, and before he vacated his position as Nigeria's Head of State, he formed an interim government and empowered it to be in control of governmental affairs of the country. The interim government was to start afresh another electoral process to conduct another presidential election. He made Ernest Shonekan the interim head. Therefore, Shonekan became the interim leader of Nigeria.

## **Sani Abacha's Military Regime, 1993-1998**

The interim government was overthrown by Sani Abacha who was one of the close allies of Babangida. He was one of the most influential military personnel in Babangida's government. Abacha's regime divided Nigeria into six geo-political zones purposely to help achieve effective allocation of resources. During the reorganization of Nigeria into the zones, groups of the same ethnic leanings were put together.

Abacha created six states as well as one hundred and eighty-three local governments. The number of Nigerian states increased to thirty-six and local government increased from five hundred and ninety-one to seven hundred and seventy-four. The regime established the Petrol Trust Fund (PTF) which embarked on infrastructural provisions, and health and educational supplies to the people. He created the Federal Character Commission to ensure the principle of fairness in the distribution of public posts and infrastructures among various Nigeria ethnic groups

While the specter of annulment of the June 12, 1993, presidential election hung over Abacha's military government, he imprisoned Abiola instead of transferring power to him. This led to his military regime being sanctioned by some foreign countries that wanted civil rule to take the place of military rule in all countries in the world. Nigeria became a turbulent country because of flurries of protests of Pro-democracy groups, agitating for restoring civil rule and giving power presidential power to Abiola. There was a political group—National Democratic Coalition (NADECO)-- asking for democratic rule and an end to the military government, some of them had to go overseas and be in exile while battling the military regime of Abacha. There were sporadic bomb blasts experienced in different parts of Nigerian cities, so people in some of these cities became fear-stricken.

Abacha ruled with an iron fist; his regime was characterized by human rights violations. Abacha's government unpopularity soared when Ken Saro Wiwa and a host of others were killed after being unjustly tried by the court. His military lackeys killed Kudirat Abiola and Alfred Rewane. Abacha stole an enormous amount of Nigerian public money and stashed it away in banks in North America and Switzerland in Europe. Abacha did not have a definite plan to prepare Nigeria for a return to civil rule until his sudden death on June 8, 1998.

### **Abdulsalami Abubakar's Military Regime, 1998-1999**

Abdulsalami Abubakar was made the Head of State of Nigeria, after the sudden demise of Sani Abacha, by the Provisional Ruling Council, the highest decision-making organ of the military regime of Abacha. Abdulsalami quickly started the transition process from military to civil rule, giving the date—29 May 1999-- he would hand over power to a democratically elected government. He created a new electoral body and named it the Independent National Electoral Commission (INEC). He released a timetable for all elections, ranging from local government to presidential elections. The provisional Ruling Council came up with new provisions largely derived from the 1979 constitution but with some little amendment. The constitution provided for the position of the executive president, multi-party democracy, and bicameral legislature at the federal level.

All elections were conducted between December 1998 and February 1999. The presidential election was contested by Olusegun Obasanjo of PDP and Olu Falae of AD/APP. The election was won by Olusegun Obasanjo. Abdulsalami Abubakar handed over the government to Olusegun of PDP. On the given date, May 29, 1999, Obasanjo was inaugurated as the president of the Federal Republic of Nigeria.

Abdulsalami Abubakar ruled broadmindedly. He became receptive to political activists who had been agitating for democratic rule in Nigeria. He told politicians who had fled overseas to escape the authoritarian regime of Abacha to return home and engage in political activities—which he had begun-- to ensure civil rule came to reality in Nigeria. He worked to make sure the Nigerian image that was seriously damaged by the autocratic government of Abacha was revamped. He travelled to some Western countries including the United States of America, Canada, Britain, and France to get support for emerging Nigerian democracy. By so doing, he attracted Nigeria's sympathy and support of larger democratic countries. For all his achievements, he was not set free from the prison. Moshood Abiola, the presumed winner of the June 12 1993 presidential election eventually died in prison.

### **Reasons for Military Intervention in Politics in Nigeria**

Before and after independence, various factors prepared the ground for a military takeover in Nigeria. In the First Republic, the dominant political parties--Northern People's Congress (NPC),

National Convention of Nigerian Citizens and Action Group—were regionally inclined. The NPC controlled the north, the NCNC controlled the East and the AG held sway in the west. None of them had the kind of national political clout and influence that would enable it to win elections and form a ruling government in the country without resulting in a coalition. Each of the parties depended on the region where it had its base to draw political support. Some of the activities of the parties caused constant ethnic rivalries, disagreements, and disunities that caught the interest of the military to take over the government.

The Action Group 1962 crisis also encouraged a military takeover in Nigeria. The disagreements among the politicians at the top of the party hierarchy led to the removal of S.L. Akintola as the premier of the Western region, and Dauda Adegbenro was made to replace him. The crisis caused a lot of disturbances in the West; the Western House of Assembly became a hotbed of constant political disputes. The federal government declared a state of emergency in the West. Dr Moses Majekodunmi was appointed the sole administrator of the Western Region. The crisis got to a new height when Akintola was reinstated by the Federal Government.

The 1962/63 census results almost disintegrated the country. Each of the three regions wanted the highest number of populations; this was not unconnected with the fact that the population census result was used in the delimitation of constituencies and allocation of revenue to each region. The regional governments disputed the 1962 census result. It received a lot of criticism from the public, especially in the Northern Region. The result was cancelled, and another census was conducted in 1963. According to the 1963 census result, the north, to the disappointment of other regions, had the highest population.

Embezzlement and mismanagement of public funds was another factor that encouraged the military intervention in Nigerian politics. Politicians in office were accused of embezzling public money and living flamboyantly so that funds meant for infrastructural provision and other developmental projects became grossly insufficient.

Corruption was rampant during the First and Second Republics; apart from the embezzlement of funds, the political office holders promoted ethnicism, nepotism, and favouritism. The unwholesome practices played a remarkable role in military intervention in Nigerian politics.

One of the major causes of military intervention in Nigeria was the electoral crises. In 1964 and 1965. The electoral contests--between Nigeria National Alliance (NNA) made up of NPC and NNDP and United Progressive Grand Alliance (UPGA) comprising NCNC, AG, and other minority parties--degenerated into electoral violence after UPGA accused NNA of rigging. There were arsons, looting, and assassinations; there were complete breakdowns of law and order in different parts of the federation. In the Second Republic, in some parts of the southwest, the Unity Party of Nigeria (UPN) and the National Party of Nigeria (NPN) got involved in electoral violence because of disputes over governorship elections. The disputes led to killings, vandalism, and arson after law and order broke down in the affected parts of the country.

Among the reasons for the military intervention in Nigerian politics were the personal ambition and interests of some soldiers. Some of them had misguided convictions that they could rule Nigeria better than politicians while some of them thought that their condition of service would improve if they were in power.

Nigerian coup plotters were influenced and encouraged to get political power by the successes of earlier coup d'états in some post-independence African countries. The earlier coups included the coups led by Gamal Abdal Nasser in Egypt in 1952; Ibrahim Abboud in Sudan in 1958; Houari Boumedienne in Algeria in 1965; by Mobutu Sese Seko in Congo-Kinshasha in 1965 and a few other coups. In the 1970s and 1980s, occurrences of coup d'etats were almost a norm in some African states.

### **Merits of Military Regimes**

Even though the military regimes had their limitations, yet they achieved in the social-economic and political spheres. The military created states. Gowon government created 12 states. Despite his motive of creating states for minorities in the East to spite the Igbo, it would be difficult to disregard the benefit of the creation. For instance, the minorities in the East had been agitating for states since 1950, so the creation was done by Gowon in alignment with the aspirations of the minorities in the East. Moreover, the minorities in the North welcomed Gowon's move. It was to Gowon's credit that he made equal—the North had six and the South six—the number of states created in the North and the South. Embarking on the creation of states by other military heads of state (Murtala, Babangida, and Abacha) was not a waste of effort and time. Growth and

development were no doubt recorded in various parts of Nigeria because of the coming into existence of the new states.

The military promoted the unity of Nigeria. Having led Nigeria in a bloody civil war against Biafra created, by Igbo people, from Eastern Nigeria, Gowon did not allow the secession of Biafra from Nigeria. To re-integrate the Igbo into Nigeria, after the civil war, he embarked on a policy of reconciliation, reconstruction, and rehabilitation often referred to as the 3rs. The Biafra rebels were granted amnesty, as part of the measures to peace.

Roads and ports were built by successive military regimes. After the Civil War, there was rehabilitation and reconstruction of the seaports of Port Harcourt and Calabar by Gowon. Obasanjo rehabilitated Lagos Airport and renamed it Murtala International Airport. Obasanjo and other military regimes constructed roads and bridges. The Petroleum Trust Fund agency was created by Abacha; it enabled his government to build more infrastructures, especially roads, for Nigerians.

The military established an appreciable number of tertiary institutions – universities, polytechnics, colleges of education, and a host of other tertiary institutions. The tertiary institutions that were established went a long way to promote education at a higher level in Nigeria. The Nigerian military regimes also had dynamic foreign policies. They helped fellow black Africans in Southern Africa to fight against white minority and apartheid policies.

### **Failures of Military Regimes**

The military came to power in Nigeria with promises to right the wrongs of civilian administrations. However, the military governments ended up involved in the wrongdoings as the civilians, if not worse than the latter. Cases of maladministration of the regimes have not been without grave and lingering impacts on the socioeconomic well-being of Nigerians.

Mismanagement and embezzlement of public funds were part of the bad sides of the military. There, was an oil boom in Gowon's military era; then, revenue that ought to have gone into extensive infrastructural development was misused. Successive military administrations, ranging from Obasanjo to Abacha's military regime had their share of fraudulence.

The military government was undemocratic; they were barely accountable to the people, as they were not elected. The military initiated policies and implemented them according to the dictates of their minds. Generally, they barely listened to public opinions. The regimes were representations of autocracy. It was commonplace during the military regimes for people to be denied their fundamental human rights by the junta. Court orders were disobeyed and press freedom was disregarded.

The military in Nigeria was prone to overstaying in power. Military leaders did shelve, on a whim, a transition programme put in place to allow the civilian government to get into power. For no good reason, Gowon shelved his transition programme and ruled until he was overthrown. Babangida began what appeared to be a deceptive, long transition programme that ended without any meaningful result; one of his successors, Abacha, took over power and began a vague transition programme, staying in power until his sudden demise.

### **Conclusion**

From the above, we have traced the origin of the Nigerian military, examined the events leading to January 15, 1966, and reviewed the achievements and shortcomings of each of Nigeria's military heads of state. We also explained the reasons behind military intervention in Nigerian politics and discussed both the merits and failures of military regimes in Nigeria.

It is noteworthy, however, that military rule disrupted the civil governance process in Nigeria, marking Nigerian history with authoritarian rule and failing to fulfill their promise of developing the country. The military claimed they sought to address corrupt practices they accused civilians of, presenting themselves as corrective regimes. However, they turned out to be no different from the civilians, if not worse. Rather than curbing corruption, they became deeply involved in it. The military leaders ruled as dictators, and their regimes were undemocratic and repressive.



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## CHAPTER 8

### NIGERIAN FEDERALISM

*Omon Merry Osiki*

#### **Introduction**

This discussion begins with the argument that federalism is a system of government whereby there is the sharing of power between a central government and the states or units that reside within its borders, instead of one or the other having all the authority. In that connection, citizens of a federal system or structure are expected to obey the laws of both the units and the central governments. The essential features of federalism are the division of powers between the centre and the units, the supremacy of the constitution, the existence of a (supreme) court to interpret the constitution, and the rigidity of the constitution<sup>1</sup>. These features distinguish federalism from a unitary state. This work is divided into the following structures: introduction; origin of federalism; definition, theoretical perspectives and features/forms of federalism; conditions for a federation; structures/features of Nigerian federalism; contrasting federalism, confederalism, and unitarism; problems associated with federalism; and conclusion.

#### **Origin of Federalism**

The origin of federalism may be traced to the politics of the Greek City-states that developed as part of the Mediterranean Civilization before the emergence of the Roman Civilization<sup>2</sup>. The Greek City-states earlier in their history were confronted by a political dilemma that it never able to cope with. For instance, it was obvious it could not attain self-sufficiency, either in its economy or its politics, without adopting a policy of isolation, but at the same time, it could not isolate itself without suffering stagnation or deprivation. The situation was that if it chose not to isolate itself, it was driven by political necessity to seek alliances with other cities, and these alliances with other cities led it to adopt the federal system of government<sup>3</sup>.

Moreover, the statesmen of the Greek City-state were convinced that states emerged solely for the sake of obtaining security, especially against the depredations of other realms, and that there was a need for them to design policies and systems that would be in their favour. Hence, the statesmen concluded that since the state of affairs resulting from a general practice of injustice was intolerable, men must adopt as a working compromise the plan of respecting the rights of others for the sake of obtaining an equal forbearance from them. In this connection, the state and

the law came into existence as a contract to facilitate the relationship between them just as law and government exist for the sake of the security and well-being of the citizens' This conclusion aligns with the Epicureans' belief that self-interest and the desire of every man for his happiness were the driving forces of society

In Nigeria, federalism became the framework for the organization of the Nigerian state in 1954 when the Lyttleton Constitution came into effect<sup>6</sup>. The Constitution acknowledged the three-regional structure in Nigeria as well as formally configured and entrenched the federal political framework in the country. Hence, it provided for an exclusive legislative list for the federal legislature, a concurrent list for the federal and regional legislatures, and a residual list drawn up for the three regions.

### **Definition, Theoretical Perspectives, and Features/Forms of Federalism**

A federal state is one in which there is a central authority that represents the whole, and acts on behalf of the whole in external affairs and in such internal affairs as are held to be of common interests, and in which there are also provincial or state authorities with powers of legislation and administration within the sphere allotted to them by the constitution<sup>7</sup>. This definition implies that there are some power-sharing arrangements between the central authority and the federating units.

There are different features or forms of federalism as practiced by the various countries concerned, such as: Australia, Canada, Nigeria, Switzerland, USA, etc. The following can be considered as the features of federalism: Formal division of government powers between the constituent units and the central (federal) authority; the powers of the federating units to pass law; the powers of the central authority to pass law; concurrent exercise of executive, legislative and judicial powers by the central authority and the federating units; and the supremacy of the constitution.

Firstly, under federalism, there is the formal division of government powers by a constitution between the constituent units (such as states, provinces, or cantons) and the larger state which they constitute. Secondly, the units in a federation have the power to pass laws on the subjects allotted to them and to administer and interpret them. Thirdly, the federal authority (centre) has similar power over the subjects allotted to it. Fourthly, both the units and the federal authority

(centre) may exercise their legislative, administrative, and judicial powers only within the limits set by the Constitution. Fifthly, the Constitution is supreme. For instance, in a federation, the constitution explicitly declares itself as the supreme law of the land. This supremacy implies that the laws passed by any authority in the state, if contrary to the constitution, may be declared *ultra vires*. This is what is meant by the supremacy of the constitution in a federal state.

Concerning the centrality of the constitution in a federal system, the following should be noted: firstly, in a federation, the Supreme Court (which is the apex of the judiciary) has the power to interpret the constitution and decide conflicts of jurisdiction between the centre (federal authority) and the units. Secondly, neither the federal authority nor any unit thereof has the power to change the constitution as it pleases. That means that a federal state has necessarily a rigid constitution. Furthermore, the machinery to amend the constitution under a federal system is one in which both the federal authority and the units have a definite place.

Concerning theoretical perspectives, there are two basic assumptions on the origin of the federal system of government. These are the aggregative (integrative) and the disaggregative (devolutionary) perspectives. The aggregative perspective maintains that federalism arises from a process of integration of hitherto sovereign political communities or entities in a new federation. Put differently, federalism arises from the association of previously existing states that agree to form a new and larger state. Examples include the United States of America (USA), Australia, etc. On the other hand, the disaggregated (devolutionary) assumption of the origin of federalism postulates that certain federations are created as a means of holding together in one union, through a process of devolving power from the centre to the units<sup>8</sup>. The Nigerian federation, following the emergence of the military in the affairs of the country in 1966, may be a good example of disaggregation (or devolutionary) federalism because the states were essentially created by the federal authority and not *vice versa*.

### **Conditions for a Federation**

There are conditions necessary for a federal system to take place. Some of these conditions are (i) The desire for union (ii) The desire for local independence (iii) Geographical contiguity (iv) The absence of marked inequalities among the component units, and (v) Political education and legalism.

Concerning the desire for union, it should be noted that for a federal system to occur, the units that have the plan to come together must first and foremost have the wish, craving, or yearning to be together under a single political entity, otherwise, it could be difficult to achieve. This is a democratic or constitutional way of achieving a federal system of government. The Nigerian case, though championed under colonialism in 1954, took into account the wishes of Nigerian communities as the Lyttleton Constitution of that year was arrived at after a rigorous exercise involving consultation with the people. For instance, by the announcement of the Colonial Secretary, Mr. Oliver Lyttleton, that the Nigerian state should be administered in such a way as to provide greater regional autonomy and for the removal of the powers of intervention of the centre in matters which would be placed within regional competence, a constitutional conference was summoned in July 1953 to work out a new constitution for the country<sup>9</sup>.

The outcome of the conference led to the official establishment of a federal system of government between the Central Government and the Regional Governments (North, West, and East). The centre was assigned 168 subjects, among which were external affairs, immigration and emigration, defence, atomic energy, foreign and inter-regional trade, copyrights, patents, trademarks, customs, foreign exchange, currency, public debt, national loans, and higher education institutions. Also, a concurrent list of subjects was drawn up to include the provision that in case of conflict, the decision of the central legislature would prevail<sup>10</sup>. Also, it was laid down that no members of the Regional Legislatures should be members of the Federal Legislature, but members of the Regional Houses of Assembly were to be allowed to stand for election to the Federal House and were to resign their seats in the former if successful in the election to the latter.

The second condition is the desire for local independence in the sense that the federating units would hope to retain or preserve their independence in social, economic, and political matters important to them. The third condition of geographical contiguity has to do with the physical location of entities or units that wish to form a federation. In this connection, their location close to one another will achieve better results unlike if they are widely separated. The fourth condition of absence of marked inequalities among the component units indicates that if there is any federating unit that is so much more powerful than the rest as to be capable of vying in strength with many of the other federating units combined, there is the likelihood of conflict in

the federation. Hence, the level of inequalities among the federating units should be reduced to an acceptable level. The fifth condition of political education and legalism indicates that the people should be politically educated enough to know and appreciate the meaning and implications of a double allegiance and their willingness to avoid the centrifugal forces of political decisions and actions from overcoming the centripetal ones.

### **Structures/Features of Nigerian Federalism**

The structure of Nigerian federalism is one whereby there is a federal government and the federating units. During Nigeria's First Republic, the parliamentary model was practiced in which the executive was chosen directly from the legislature. The locus of political power was shared between the federal government and the three federating units: The Eastern, Northern, and Western Regions in a relatively decentralized parliamentary system. The Second Republic, which went into effect in 1979, was a U.S.-style presidential model, but with a strong executive constrained by a system of checks and balances on authority, a bi-cameral legislature, and an independent judiciary charged with matters of law and constitutional interpretation<sup>11</sup>. The Third and Fourth Republics continued with the structure of the Second Republic as follows: A federal government, 36 states following the creation of more states in 1996, as well as 774 local government areas empowered to enact their laws within their jurisdictions, which could be limited in scope compared to the powers of the federal government. This indicates that Nigerian federalism has a single national entity (the Federal Republic of Nigeria) with three levels of government (Federal, State, and Local Governments).

When the federal system of government was established in Nigeria in 1954, the structure was as follows: A Federal Government with an Executive Council, a Legislature and a Judiciary. The Lyttleton Constitution not only acknowledged the three-regional structure but formally configured and entrenched the federal political framework in Nigeria. Under the constitution, an exclusive legislative list was drawn up for the federal government, a concurrent list for the federal government and the Regions, and residual matters for the regions.

At the level of the Region, a House of Assembly and a House of Chiefs were established for each of the Northern and Western Regions respectively while a unicameral legislature was established for the East. In the North, the Executive Council was to consist of 13 ministers appointed by the Governor on the recommendation of the Prime Minister who must be the leader of the majority

party in the House. Also, there were to be three ex-officio members of the Council. Members of the Executive Council were to be drawn from the House of Assembly and were to be non-voting members of the House of Chiefs. The Governor was to preside over the Executive Council in each of the Eastern and Western regions. An Executive Council made up of 9 Ministers was established. Unlike in the North, the Speaker was to preside over the House of Assembly. Furthermore, both in the Eastern and Western Regions official members were to cease their membership of the House of Assembly, but this contrasted with the situation in the North where it was not so provided. Also, as it was in the North two members of the Executive Council from the House of Assembly were to be non-voting members of the Western Regional House of Chiefs<sup>12</sup>.

Interestingly, during the period of the consideration of the constitution Lagos was established as an independent municipality for it to have an independent status because it was thought that the city was the political and commercial capital of Nigeria and “had been developed by national funds”<sup>13</sup>. Also, the city was considered by far the biggest port, handling a great part of the traffic with the Northern Region. In addition, the Fiscal Commission that was set up during the period recommended the allocation of revenue on the principle of derivation.

In 1959, it was recommended that a Prime Minister possessing majority support was to be appointed. Membership of the Executive Council was to consist of 10 ministers including one from the Southern Cameroons. The existing House of Representatives was to continue until 1959, to be replaced by a new House of 320 members elected by universal adult suffrage in the East, West, and Lagos and by male suffrage in the North. Also, a second chamber, the Senate was to be established to consist of two (2) members from each Region and from the Southern Cameroons, four (4) from Lagos, and four (4) others appointed by the Governor-General at his discretion to represent special interest. The Senate was saddled with the responsibility of delaying bills other than money bills for six months<sup>14</sup>.

Military rule (1966-1979) altered the federal arrangement that ushered in Nigeria to independence in 1960 because the military leadership introduced a unitary system of government in practice while maintaining a federal structure that shared power between the Federal Government and the States. When the country returned to democracy in 1979 (to 1983), the federal structure was revived. Thus, the Second Republic was composed of the Federal

Government (the Executive, Legislature: Senate and House of Representatives, and the Judiciary) and the States, which increased to thirty-six (36) in 1996. Also, the federal system provided for (i) The Exclusive List of responsibilities (for the Federal Government), (ii) The Concurrent List of responsibilities for both the Federal Government and the States, and (iii) The Residual List of responsibilities (for the States).

It should be stressed that military incursion in administration in Nigeria affected the country's federalism in the direction of a top-down system whereby the federal government, especially the executive retains enormous powers. Also, several years of military rule in Nigeria left a pattern of governance that retains many authoritarian characteristics despite the formal democratization of state structures. This has resulted in a skewed federalism in which the federating states enjoy nominal powers, but in fact and practice are dependent on the central/federal government. In the same vein, the positions of the state and the local governments are specified by the federal constitution, but in reality, they (except a few states) receive virtually their entire budgets/allocations from the federally determined share of the oil revenues<sup>15</sup>.

The federal character system is another feature of Nigerian federalism, which is an effort to arrive at some form of ethnic accommodation, representation of state interests in the system, or as a tool of ethnic management. It can also be called the quota system. It was introduced into the public service and formally codified by the 1979 Constitution of the country as well as the subsequent constitutions in the country. While the federal character system can be regarded as Nigeria's contribution to ethnic management in a plural state (society), disputes about its application have tended to deepen rather than reduce intergroup rivalries and conflicts in the country. Hence, some observers have called for its discontinuation and replacement with the merit system.

### **Contrasting Federalism, Confederalism and Unitarism**

A unitary state may be defined as one organized under a single central government. Britain, France, and Italy are examples of unitary states<sup>16</sup>. On the other hand, a confederation, like a federation, is a union of states with a commonly recognized authority in certain matters affecting the whole, and especially in respect of external relations. Some examples of confederations included: The German Confederation (1815-1866), The American Confederation (1781-1789), and The League of Nations (1919-1935). However, a confederation is different from a federation



in that it is a league of sovereign states, whereas a federation creates a new state. Also, in a confederation, sovereignty rests with the component states, whereas in a federation, the component states give up their sovereignty in favour of the new state, sovereignty in the new state being exercised by the amending body of its constitution. The implication is that while the units of a confederation have the legal right of secession, the units of a federation have not, except in the case of the defunct Union of the Soviet Socialist Republic (USSR).

Another implication is that the common authority of a confederation deals only with the governments of the constituent units, and not as in a federation, directly with their citizens. Importantly, the citizen in a confederation has to obey only one government, that of his state. In other words, the orders of the common authority are binding on him only in so far as they are imposed on him by the government of his state. The citizen in a federal state, on the other hand, has to obey two governments, that of his or her state and that of the federal authority. This was the case during the currency redesign scarcity crisis in Nigeria in 2023 when some states in the country such as Kaduna, Kogi, Lagos, and others opposed the policy by the federal government and headed to the Supreme Court for its intervention. The then Governor of Kaduna State, Nasr El-Rufai instructed members of the state to disregard the directive by the Central Bank of Nigeria (CBN) for the deadline on the use of the old Naira notes of N1000, N500, and N200. In the end, the Supreme Court ruled in favour of the states that disagreed with the directive by the CBN. The third difference between federalism and confederalism is that a confederation, being a looser union than a federation, is generally less stable.

### **Problems Associated with Federalism**

There are some problems associated with any system or structure of government and the federal system is not different. Hence, the following problems may be associated with the federal system of government. Firstly, one problem associated with a federal system is the problem of satisfactory division of powers. Indeed, even when the Constitution specifies how powers should be shared in a federal system, there is always the issue of how to attain an equitable distribution of powers between the federating units and the federal government. Concerning the 1954 Constitution, which gave birth to the federal system, it was obvious that the structures of the three regions were unbalanced. For example, the Northern Region represented about 79% of the total geographic area of the country and accounted for a little over 50% of the total population<sup>18</sup>.

Secondly, there is the problem of the protection of the smaller units against dominance by the larger ones. For instance, the territorial boundaries of the three regions (East, North, and West) at independence were composed of majority ethnic groups such as the Igbo, Hausa/Fulani, and Yoruba respectively as well as different minority and sub-minority groups. However, the majority groups tended to dominate the various social, economic, and political activities that went on during the period. This created a situation of agitations from the minority groups for self-determination against what was considered internal colonialism. Indeed, many of the minority groups feared domination by the majority ethnic groups in their respective regions. It was a situation like this that led to the creation of the Mid-West Region by the Federal Government in 1963. Also, in a lopsided federation such as Nigeria where Lagos, Kano, Kaduna, Ogun, Rivers, and a few others have huge demographic and economic strengths, there may arise the suspicion or fear of domination by the less-endowed states. This will also be a serious issue if revenue allocation or distribution has to be based on the capacity to generate revenue.

Thirdly, there could also be the problem of the organization and management of the relation between the centre and the units. It should be stressed that ideally, in a federal system, the centre and the units ought to be mutually independent in the spheres allotted to each by the constitution in terms of legislation, administration, and finance. It should be noted that this mutual independence is the distinguishing principle of federalism<sup>19</sup>. Indeed, federalism presupposes the existence of concurrent sovereignty in a political system<sup>20</sup>. Furthermore, federalism should mean the method of dividing each unit of federation within a sphere, co-ordinate, and independent<sup>21</sup>.

Fourthly, there is the problem of how to manage the organization of the relations among the units in a federal system. This can affect the issue of intra-state tax collections, boundary disputes, and economic rivalry among them.

Fifthly, there is the problem of a satisfactory method of amendment of the constitution because it is normally a rigid one.

Sixthly, there could also be the problem of secession among the federating units whenever any of them intends to break away from the federal system<sup>22</sup>. Also, secession issues could be fueled partly by ethnic suspicion and agitations. As noted by James Coleman<sup>23</sup>, it would appear that Nigerian federalism has furthered the tribalisation of the people rather than promoting nation-building efforts, even though the people may not have desired the outcome. Furthermore, some

Nigerian leaders in the past intensified a few of the problems associated with the practice of federalism in the country. Indeed, it has been claimed that the prospects of independence engendered suspicion, competition, and anxiety among Nigerian leaders<sup>24</sup>. For instance, by 1956 Chief Obafemi Awolowo and his party, the Action Group (AG) had recommended that to ensure the success of a federal constitution for Nigeria it was desirable to have more states so that no particular region would be too large for the others to relate with<sup>25</sup>. Also, the AG leader recommended that there should be no fragmentation of existing ethnic units for the sake of peace and stability<sup>26</sup>.

Awolowo's reaction was partly because he felt that the regional arrangement fell short of expectation and that the three regions created and recognized by the Richards Constitution were not based on ethnic boundaries but were mere administrative units that would not allow each group to evolve their peculiar political institution and, therefore, inimical to the evolution of a true federal system<sup>27</sup>. Awolowo envisaged a federation, which would ensure the autonomy of each ethnic group in the conduct of its own internal affairs as well as the right to self-determination. His idea of a federation was that it should be built around ethnic groups and not on geographical or political arrangements and structures. Indeed, in the preamble to the constitution of Egbe Omo Oduduwa, which Awolowo formed in London in 1945, the political leader remarked on the Richards regionalist arrangement as follows:

The present division of Nigeria into three regions calls for the development of each region according to its tradition and culture. It allows rapid advancement without sacrificing valuable institutions and organising a strong, efficient, and modernized state with its individuality within the Federal State of Nigeria<sup>28</sup>.

Similarly, in 1957 Dr. Nnamdi Azikiwe opposed the fragmentation of the Eastern Region, even though he had hitherto condemned the regional framework<sup>29</sup>. Indeed, Nigeria's federalism has been seen as a product of the country's "ethnocultural and geographical diversities"<sup>30</sup>. It would appear that the British encouraged the establishment of federalism in Nigeria because of the country's plurality, which compares it favourably with other former British colonies in Canada, Australia, and India<sup>31</sup>.

For his part, Alhaji Tafawa Balewa was aware of the need to pursue federalism in Nigeria because he did not want a situation whereby one region would be interfering in the affairs and

development of another region<sup>32</sup>. This position of Balewa brings to mind the issue of how to manage the organization of the relations among the federating units in a federal system. Also, it relates to the issue of fear of domination or suspicion among the federating units in a federal system. Hence, as far as the practice of federalism is concerned in Nigeria, there has been the issue of how to create a viable federal state out of the social, economic, administrative and political incoherence created by its colonial borders. The situation has been made worse by the fact that Nigeria's ethnic relations have generated tensions that have heightened conflicts between the various groups in the country<sup>33</sup>.

Lastly, the Nigerian political class has operated federalism more in contravention of the rule of the game rather than in strict adherence to the tenets of the system. Hence, power sharing has tended to be in favour of the central government, which directs and controls the processes of inter-governmental fiscal allocation and revenue-sharing arrangements, electoral matters, security apparatuses, and other items contained in the exclusive and concurrent list. Also, members of the Nigerian political class at the centre and the federating units are "more concerned with the pursuit, acquisition, sharing, retention and mere exercise of power...kicking all notions of nationalism and nation-building to the background and, often resorting to the ruling pattern of the dark ages, and practically returning the polity to primitivity"<sup>34</sup>.

### **Recommendations**

The following recommendations can be made concerning the practice of federalism in Nigeria. Firstly, the governmental powers must not only be satisfactorily distributed between the centre and the units but there should also be provisions in the constitution to prevent the central authority from encroaching upon the spheres allotted to the units and *vice versa*. Secondly, there should be proper delineation of responsibilities in the concurrent list, especially concerning education, agriculture, youth and gender relations, and other related areas to make federalism work better and more effective and efficient in the country. Thirdly, the power to create local government areas should be vested in the states so that the federating structure will be limited to the centre and the states. Fourthly, the states should be empowered constitutionally to be in charge of the High Court and the Appeal Court while the Supreme Court should be the exclusive preserve of the Centre. Fifthly, regarding resource control and revenue allocation, the states should be empowered to be in charge of sixty percent (60%) while the remaining forty percent

(40%) will be controlled by the centre for administration on behalf of the federation. Sixthly, the federating units should be based on the current six geopolitical zones or restructured along that line while the units should have their respective governors among whom will be elected a governor-general on a rotational basis to be in charge of the central government. There may be no need for all Nigerians to vote directly for the governor-general (president) of the country because of how ethnic squabbles are promoted during every presidential election in the country.

## **Conclusion**

It should be noted that it is by the nature of the relationship of the central authority to the local bodies that we can determine whether a state is federal or unitary. Our analysis above has shown that in a federal state, the constitution gives powers to the local bodies independently of, and not modifiable by, the central government. Also, in a federal system, both the central and local authorities derive their powers from a common source. In contrast, in a unitary system, the central government has the authority legally to determine the powers and the very existence of the local authorities. However, because of the military-dominated central administration in Nigeria for some decades, the attitude of the political class to the practice of federalism bears a strong resemblance to a unitary state<sup>35</sup>.

Hence, the federating states in Nigeria tend to depend on federal handouts while the local governments have remained dependent on the authorities of both state and federal governments. Indeed, military incursion in administration in Nigeria affected the country's federalism in the direction of a top-down arrangement whereby the federal government, especially the executive retains enormous powers. At the same time, both the state and the federal governments have arrogated to themselves the powers to continuously exploit the natural and mineral resources of local governments. This has created a situation of federalism of unhealthy dependency in Nigeria, with the federal government receiving the lion's share of the proceeds or revenues, while the units have been pauperized. Furthermore, there seems to be too much emphasis on "unity" in the federation instead of the desire for "union" in Nigeria. As observed by A. Appadorai, "Federalism is a natural constitution only for a body of states which desire union and do not desire unity"<sup>36</sup>. It is pretentious for the leaders to keep singing the song of "unity is not negotiable" when the reality on the ground speaks otherwise.

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## CHAPTER 9

### THE 1979 REPUBLICAN CONSTITUTION

*Opeyemi Anthony Iroju*

#### **Introduction**

A constitution of a state is the fundamental laws, rules, and regulations according to which the state is established and governed in consonance with the laws, customs, or convention (Okon, O. A., 2004: 1). For every nation, society, or human group, a constitution is at the apex of the political setting with the supreme function of regulating the affairs of government and other national affairs relevant to socio-economic and political development. Significantly, the proper implementation of a constitution of a nation is to guarantee citizen's rights and promotes national peace and harmony within the country, and in the pattern of foreign relations of a country with other nations. That is, the focal point as expressed in a constitution is its responsibility to determine the powers and duties of the government of a nation, as well as serving as the single political instrument in defining the rights of the citizens. Enshrined in a constitution are laws and principles in written or unwritten forms in conformity with the history, culture, and traditions of a particular people within the same political space. A notable feature of any constitution is derived from the nation's history, politics, and ethnic configuration of such state or nation (Shivry, W. P., 1997: 44).

In this context, the constitution's functionality is influential to the exact system of government to be practiced in a country. On the other hand, a government could intend to give direction to a constitution in preparation for a new form of government with its expected national unity and cohesion. The fact is that most constitutions of post-colonial African nations are a derivation of their colonial histories. The patterns of constitutional changes are experienced in the gradual approach to repelling the colonial undertones in the constitutions of such countries. For instance, the colonial vestiges in the Nigerian constitutions were gradually repelled by the constitutional changes in post-independence Nigeria. Precisely, the 1979 constitution consolidated the idea of an absolute emasculatation of the British-styled laws in the Nigerian constitution. In any case, this buttresses the view that a system of government in practice is a function of the type of constitution established by the nation. In this regard, every form of government in the respective nation is strongly connected to the *modus operandi* of their constitution. The main theme of



every constitution is the capacity to define the division of powers among the various institutions of government, and the limitation of government authority and power in the country where such set of laws and principles that makes up the constitution is to be effected (Okon, O. A, 2004: 2).

There are two types of constitutions; written and unwritten constitutions. It is important to note that an unwritten constitution is a common aspect of the African indigenous political system. During the pre-colonial period, the states and societies operated the natural law of justice with no written documentation. The evolution of societal laws and principles is connected to their cultural and traditional undertakings with certain restrictive and obedience methods in place as a measure to govern their societies. The adherence to these unwritten laws and principles was a priority for most members of the society. The societal values, morals, and ethics in pre-colonial African societies are conditioned by the laws and customs of their societies. Consequently, the effect of colonialism and modern state creation gradually eroded the African traditional system and the practice of unwritten laws and rules (Price, J. H, 1970:14). The colonial experience of African states brought about the colonial-styled constitution on the former European colonies in Africa. By so doing, the practice of a written constitution became the prevalent factor in governance in post-independence African states.

### **A Brief History of Constitutional Developments in Nigeria**

As noted above, the operation of the constitution was never an alien practice among African societies. As such, the diverse sub-nationals that make up the country Nigeria had constitutional practices that were unwritten and traditional in nature to their societies. Hence, it is worthy to note that these societies were not void of constitutional undertakings. Rather, they were of varying cultural sophistication which was a consideration for the diverse nature of their traditional constitutional practices, mostly in unwritten form. Nevertheless, colonial rule undermined the indigenous methods of implementing such traditional laws and norms in these respective societies.

Therefore, the British-styled constitutional development became instrumental to the creation of Nigeria as well as the operation of the new country Nigeria under the leadership of Lord Lugard with effect from 1<sup>st</sup> January 1914. The amalgamation of the Northern and Southern Protectorates which became Nigeria was a colonial political action that laid the foundation for a journey into the series of colonial constitutional developments in Nigeria. From the period of the unwritten

British colonial law, which Lord Lugard used in the creation of Nigeria and to the point of a homegrown constitution designed by Nigerians for the country Nigeria, it is important to note that this was a gradual movement towards what became described obtainable before the amalgamation of 1914. The aftermath effect of this political decision undertaken by Lugard was the establishment of a political system with the Governor-General at the apex of authority, and a Nigerian Council with no legislative power was constituted to oversee the affairs of a newly established country, Nigeria (Coleman, J. S., 1986: 319).

The Nigerian Council's lacking legislative powers could be understood from the point that the British laws and Parliament were solely responsible for the legislative matters in Nigeria as a colony. Therefore, this is to be understood from the point that the British Parliament was responsible for the creation of a British executive council for her colony (Nigeria) headed by the Governor-General. An objective interpretation of Lugard's amalgamation policy is to be seen in the light of the first constitutional development in Nigeria influenced by the British colonial policy as to be decided by the British unwritten constitution. The point of emphasis is that, from the inception of the formation of Nigeria into one country, constitutional practices and implementation were never void, rather, the administration of the country was within the context of the British colonial policy.

Hence, one can easily conclude with the fact Nigeria's political affairs were governed by the British constitution up to the point of the establishment of the Hugh Clifford constitution of 1922 (Coleman, J. S, 1986: 289) The submission here is that the Hugh Clifford Constitution of 1922 was the first constitution in text provided for Nigeria by the British colonialist. As such, it could be factually referred to as the foundation for the political culture of a written constitution in Nigeria. Therefore, one could easily discern that the creation of a written constitution became part of Nigerian politics from this point in the history of the nation. Subsequently, the trends of the constitutional developments in Nigeria followed the form of a written pattern.

### **The 1979 Republican Constitution**

The 1979 Presidential constitution as often called is the second the second Nigeria's constitution after the 1963 republican constitution in post-independence Nigeria. It is important to note that a remarkable feature of constitutional changes is that an existing constitution is usually the foundation of a new constitution. With the expectation of a new constitution in bringing about

changes and transformation, the 1979 constitution supposedly seems to be a defining moment in the history of constitutional developments in Nigeria. The clear distinction of this constitution is that it was created by Nigerians for Nigeria. That is, it is the first home-grown constitution with its specific nature of addressing the Nigerian socio-political, economic, and cultural orientations. It was a major drift away from the colonial modelled Nigerian constitution. In short, the 1979 constitution was a clear departure from the past Westminster Parliamentary system which Nigerian operated between 1954 and 1966 (Okon, A. O., 2004: 16).

With so much relevance to national development, the 1979 constitution was in its entirety expected in providing solutions to Nigeria's socio-economic problems and with the mission in resolving the past political upheavals that had affected Nigeria, and most importantly, with a paramount plan of a transition to civilian rule. Brigadier General Murtala Mohammed, the Head of State in 1975 constituted a Constitution Drafting Committee (Agada, S., 1993: 15).

In the inauguration address, Brigadier General Murtala expressed patriotism and urged members of the Constitution Drafting Committee to work towards the creation of a national constitution that will engender good governance and political stability in Nigeria. The membership of the Constitution Drafting Committee was initially fifty members, but Awolowo denounced his membership, and thus made it forty-nine members headed by Chief Rotimi Williams (Okon, O. A., 2004: 20). The main task of the Constitution Drafting Committee was to produce for Nigeria a constitution that will promote the tenets of democracy and the feature of republicanism. Specifically, the Head of State addressed the Constitution Drafting Committee by saying that, "the type of constitution Nigerians needed was that which reflects a federal system of government based on democracy and rule of law, guaranteeing fundamental human rights; establishment of Corrupt Practice Tribunal and Public Complaints Bureau and constitutional restriction on the number of states to be created" (Okon. O. A., 2004: 23).

Notably, the President's address to the members of the Constitution Drafting Committee is an indication that the 1979 constitution is to create a democratic and federal structure for Nigeria political system. This signifies that the constitution must be people-oriented in character and broadly nationalistic in its content and spirit. In this regard, the nation's hopes and aspiration was that the 1979 constitution was a national document that was to regain political and economic freedom as well as national harmony for the citizens of the country despite the ethnic plurality.

A fundamental provision of the constitution was the establishment of an anti-corruption agency to fight corruption. Precisely, the agency was intended to check the corrupt political class and officials in the government circle as well as the private sector (Okon, O. A., 2004: 23). As such, this was with the idea of creating national economic accountability and proper management of the national economic fortunes for national development.

In the process of creating the 1979 constitution, the Constitution Drafting Committee specifically granted due consideration for citizens' participation. The Constitution Drafting Committee received a large number of memoranda from the public hearings and various parts of the country. However, the 1979 constitution was considered by some scholars as not a true representation of the citizen's interests because it was not a product of a sovereign national conference. However, the process of garnering memoranda from the citizens was a remarkable departure from the past approach to constitutional development in Nigeria. The due consideration of public opinion in making critical decisions by the Constitution Drafting Committee which eventually led to the various sections and sub-sections of the Constitution. The people-oriented nature was the veritable reason for the inauguration of the 1979 Constitution Drafting Committee. By so doing, the 1979 constitution pronounced a clear philosophy of government, separation of powers, constitutionalism, popular sovereignty, free election, multi-party system, and many others (1979 Constitution: xii).

Before the completion of its assignment by the Constitution Drafting Committee, the military government had restructured the country into 19 states with ten states created from the Northern region and nine states created from the Southern region. Alongside the newly created state was the creation of the Federal Capital Territory at Abuja (Agada, S., 1993: 10). This state creation exercise had an overriding influence on state creation matters as to be determined by the Constitution Drafting Committee as well as the provision of the constitution with regards to state creation matters. A draft constitution was produced and presented by the Constitution Drafting Committee to a Constituent Assembly (CA) of 230 members (40 nominated and 190 elected and the chairman) The Constituent Assembly worked from December 1976 and June 1978 under the chairmanship of Sir Justice Udo Udoma (Okon, O. A., 2004: 20). The Constituent Assembly made minor amendments to the draft but certain controversial issues such as the establishment of Federal Sharia court, the ban on corrupt public officers, permission of public officers to operate

foreign accounts and the nullification of the Land Use Decree (Okon, O. A., 2004:20-21). This allowed the military to effect seventy amendments in the constitution (Okon, A. O., 2004:21). Some of these include a revised fiscal arrangement for the judiciary, the banning of corrupt officers from politics as from 1966, and entrenchment of land use decree, the National Youth Service Corps (NYSC), the Public Complaint Bureau and National Security organization in the constitution etc. The constitution was completed in 1976 and reviewed by a two-hundred-and-thirty-member Constituent Assembly, headed by Justice Udo Udoma, and it worked from 1977 to 1978. The Supreme Military Council carried out final amendments and promulgated the new constitution of the Federal Republic of Nigeria into a decree to come into effect from 1<sup>st</sup> October 1979.

From all indications, the 1979 constitution was widely received by Nigerians with such an assurance that the country has been provided with a constitution that will become durable for national development. However, the continuous implementation of the constitution was terminated just four years of its experimentation by the military coup led by General Mohammed Buhari on December 31, 1983. Therefore, for the effective implementation of the decrees, the 1979 constitution was circumvented by the military government. The abrogation of the 1979 constitution by the military regime of General Mohammed Buhari, ended the lifespan and the implementation of this constitution.

While the 1979 constitution and its proper implementation were to set Nigeria on the path of political stability and economic recovery, Nigeria continued to experience political and financial recklessness exhibited by political officeholders who ruined the economy and created a dangerous schism among the political parties and between the Federal government and some state governments (Mamsar, 1987: 32). With how the 1979 constitution was considered as an instrument of redefining Nigeria into the fulfillment of good national political and economy, one can also conclude that the political happenings within the period of the drafting and implementation of the constitution placed it as the most opprobrious since the post-independence Nigeria.

### **The Main Features of the 1979 Constitution**

- a. The constitution rejected the Parliamentary System and introduced the Presidential System

- b. It was headed by an executive president who acted as both the head of state and head of government.
- c. The President was directly elected by the electorate in a general election.
- d. The President appointed his ministers outside the legislature subject to the confirmation by the senate.

### **The Merits of the 1979 Constitution**

- a. Separation of powers as members of the executive are not members of the legislature.
- b. The executive President was popularly elected: The President is above his political parties since his popularly elected by the electorates and he is responsible to the electorates.
- c. Fixed Term of office: It fixed the tenure of office of the political office any leader or party from perpetuating himself in power.
- d. The constitution was supreme and as such must be obeyed and respected by all authorities and citizens.
- e. The President and the Vice can be removed from office by impeachment.
- f. A governor who acted as the chief executive with a deputy governor with other members of the executive appointed by the governor called commissioners existed in each state of the federation.
- g. The President and the governors were to hold office for four years of not more than two terms if re-elected.
- h. The President was also made the Commander-in-Chief of the Armed Forces.
- i. Lobbying was also allowed why carpet crossing was disallowed?
- j. The Judiciary was empowered by the constitution to interpret the law.
- k. Rights of Individuals: Fundamental human rights were fully elaborated and guaranteed.
- l. A new Federal Capital Territory was provided by the constitution.

### **Demerits of the 1979 Constitution**

- a. There was too much power in one man: the President.
- b. The judiciary was politicized
- c. The Constitution created a very expensive system.
- d. The principle of separation of powers was undermined by politicians.

- e. Revenue allocation formula assigned to the National Assembly was misguided. It was purely supposed to be the job of an expert.

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**CHAPTER 10**  
**1979 PRESIDENTIAL CONSTITUTION OF NIGERIA**

*Samuel Segun Ojo*

**Introduction**

The 1979 constitution was promulgated by the Murtala/Obasanjo Federal Military Government, but not until after several futile attempts had been made by previous military governments to implement a transition programme. It came into effect on 1 October, 1979. The 1979 Presidential Constitution of Nigeria came as a result of the defects of the 1963 Republican Constitution.

The presidential constitution of 1979 was the product of the Constitution Drafting Committee headed by Chief F. R. A. Williams set up in October 1975. In appointing a 50-member Constitution Drafting Committee, the then Head of State gave guidelines as to the type of government envisaged by the Supreme Military Government. The Committee invited submissions from the general public, thus beginning the process of involving the people in constitution-making. The Constitution Drafting Committee submitted a draft which immediately formed the basis of the 'Great Debate', and which was submitted as a bill to a constituent assembly. This assembly, composed of partly indirectly elected and partly appointed members, put the bill through all the processes employed for the passing of legislative proposals in a legislative assembly. At the final passage of the bill on the third reading, it should become the law, subject only to the assent of the head of the executive branch of the government by whatever name he is called.

However, the constitution was enacted by a Decree (The Constitution of the Federal Republic of Nigeria (Enactment) Decree of 1978). The preamble to the constitution proclaimed that "We people of the Federal Republic of Nigeria having firmly and solemnly resolved...Do hereby make, enact, and give to ourselves the following Constitution". The implication of this is that the people participated very fully in the production of this (1979) Constitution.

**Features of the 1979 Presidential Constitution of Nigeria**

The constitution created the post of an executive president who headed the government. The president was not only the head of state but also the chief executive of the government. He appoints the members of his cabinet with the consent and approval of the Senate. The



constitution created the National Assembly as the highest national law-making body of the federation. The National Assembly was made up of two houses namely the House of Senate and the House of Representatives. The House of Representatives was the most powerful and it was made up of 450 members.

The House of Senate was the highest law-making body and it was made up of 95 members. The executive power under the 1979 constitution was vested in the president. The president now becomes the head of state, the chief executive, and the commander of the federal armed forces of Nigeria. The president chose his cabinet from among members of the House of Representatives, political loyalists, and professionals.

The 19 states created by the constitution also had executive governors and a House of Assembly each. The functions of the Governors and that of the House of Assembly were similar to that of the president and National Assembly. The governors appointed his commissioners with the approval of the House of Assembly. The commissioners were accountable to him.

The House of Assembly made laws within the concurrent list for the state. The constitution provided for a democratically elected local government council. Grants were made to the local government as part of the revenue allocation by the federal government as a third tier of government.

Another feature of the 1979 presidential constitution was the establishment of important public bodies which included: the Council of State, the Federal Civil Service Commission, the Federal Electoral Commission, the National Defense Council, the Police Service Commission, the National Youth Service Corp, etc.

The constitution provided for the fundamental objectives and directive principles of state policy. This improvement in the constitution was borrowed from India. The president, the governor, and members of the National Assembly or House of Assembly were elected for 4 years or two terms (8 years). They could be impeached for abuse of office through the National Assembly in the case of the president or the House of Assembly in the case of the Governor. It has been rightly pointed out that the 1979 presidential constitution of Nigeria was modeled towards the American system of government.

Although the constitution addressed some of the pit falls of the 1963 constitution, it created new political problems which Nigeria and Nigerians politicians had to face. The 1979 constitution was suspended following a military coup d'etat which took place on December 31, 1983, that brought General Mohammed Buhari and Idiagbon to power.

### **Merits of the 1979 Constitution of Nigeria**

The 1979 presidential constitution had the following advantages.

- i. The 1979 Constitution was the first home-made constitution produced by Nigerians for the peculiar Nigerian conditions.
- ii. By its provisions such as the introduction of Federal Character, the Presidential System of Government and the registration of Political Parties, the constitution actively encouraged national unity and integration.
- iii. The introduction of the Fundamental Objectives and Directive Principles of State Policy showed the concern of government for the welfare of Nigerians.
- iv. The provision of several checks and balances in the constitution (such as legislative approval of top government appointments and appropriations) ensured that the President did not become a civilian dictator.
- v. The recognition of the local government as the third level of government helped to bring government nearest to the people and, therefore, prevented the complete appendage of the local governments to state governments.
- vi. The declaration of military coup d'etat as unconstitutional, at least, showed the commitment of Nigerians to deal with the problems of political instability and enthrone a system of democratic government.
- vii. The rigid procedure for amending the constitution and creating new states helped to strengthen the polity.
- viii. By establishing a Code of Conduct for public officers and the Public Complaints Commission, the constitution attempted to ensure probity and accountability in public service.

## **Demerits of the 1979 Presidential Constitution of Nigeria**

The disadvantages of the 1979 presidential constitution of Nigeria may be summarised as follows:

- i. Although the preamble to the 1978 Constitution claimed that the constitution was made by the people of Nigeria, several provisions of the constitution did not reflect the interest of ordinary Nigerians. For example, the constitution did not make it possible for Nigerians to enforce their social and economic rights, nor did it provide for social welfare programmes such as free education, free health care and payment of unemployment benefits.
- ii. The principle of federal character, though desirable in a multi-ethnic society. Like Nigeria, did not stipulate that the most suitable persons in each state should be appointed to public offices.
- iii. The constitution did not provide institutional and procedural arrangements for the implementation of the federal character principle.
- iv. The distribution of power in the constitution made the states to be subordinated to the Federal Government and this development negated the principle of federalism.
- v. The constitution granted too much power to the President. He determined the size of government and appointed ministers subject to confirmation only by the Senate. The ministers were responsible to him and he could dismiss them at will. Members of federal executive bodies were also appointed by the President. These bodies included the Federal Electoral Commission, Federal Civil Service Commission, Federal Judicial Service Commission, National Defence Council and National Security Council. Besides, he also appointed the Secretary to the Federal Government, the Head of the Civil Service, the Service Chiefs, the Inspector General of Police, Ambassadors, Permanent Secretaries, the Chief Justice, etc. He also served as Chairman of the Council of State, National Security Council and National Defence Council.
- vi. The presidential system is too expensive to run considering the number of officials that have to be appointed by the President, Governors and Local Government chairmen.
- vii. Given the high cost of electioneering campaigns for the offices of president, governors, local government chairmen, legislators, etc, political equality, as a cardinal principle of

democracy, is compromised. The best candidates may not necessarily emerge in elections that are becoming increasingly expensive.

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## CHAPTER 11

### THE ECONOMIC CRISES OF THE NIGERIAN POST-SECOND REPUBLIC

*Kunle Alaye*

#### **Introduction**

The major economic crises of the post-second republic of the Nigerian State can be categorized into two distinct time frames or eras. These include the Pre-SAP and SAP/Post-SAP eras. The policies of the Pre-SAP era, described as essentially ad hoc, included Operation Feed the Nation (OFN), Free and Compulsory Primary Education (FCPE), Green Revolution, Low-Cost Housing, River Basin Development Authorities (RBDA), National Agricultural Land Development Authority (NALDA), Agricultural Development Programme (ADP), Agricultural Credit Guarantee Scheme (ACGS), Strategic Grains Reserves Programme (SGRP), Rural Electrification Scheme (RES) and Rural Banking Programme (RBP) (see Garba, 2006; Omotola, 2008:506; Chukwuemeka, 2009:406). During the SAP era, which witnessed the worsening of the socio-economic and political situation of the country, the government equally made some attempts to fight the scourge of poverty (Omotola, 2008:506). These programmes included the Directorate for Food, Roads and Rural Infrastructure (DFRRI), National Directorate of Employment (NDE), Better Life Programme (BLP), People's Bank of Nigeria (PBN), Community Banks Programme, Family Support Programmes (FSP) and Family Economic Advancement Programme (FEAP) (See Garba, 2006; Eze, 2009: 447).

#### **Structural Adjustment Programme**

Structural Adjustment Programmes (SAP) involve large-scale, long-term, concessional lending by multilateral organizations to Third World countries under the condition that the 64 countries will shift the structure of their economy in the direction of a market-oriented system. Adjustment programmes may vary considerably from country to country, but they usually require states to sell state-owned enterprises to private citizens, limit the growth of state-financed domestic credit by raising interest rates, reduce inefficient subsidies and social programs, relax import tariffs and quota restrictions to increase competitive economic activity and dismantle ineffective controls on the movement of financial capital.

The central aims of the program are to restore the role of market prices as an information signaling mechanism and to eliminate policies that distort market-based incentives. Nigeria like

any other Third World country adopted the policy in 1991, under the military administration of Gen. Ibrahim Babangida (RTD). The policies are guided by a belief that economic liberalization can significantly strengthen the aggregate supply, which is viewed as an essential component in restoring a country's external creditworthiness and ensuring long-term economic viability. However, conditions can be enforced either as a precondition for 'stand-by' loans and extended financial assistance or through a combination of economic surveillance and the ability to withhold the release of loan installments (tranches) for failure to meet agreed performance criteria. Structural Adjustment programmes usually have a time horizon that exceeds three years.

Critics contend that SAPs were imposed on Third World Countries under crises conditions, without sufficient institutional authority and that they included inappropriate and counterproductive policy components. IMF, supervised stabilization and structural adjustment programmes in exchange for country-specific debt and refinancing negotiations with public and private creditors. However, the IMF does deserve blame for not sufficiently emphasizing substantial debt forgiveness as a necessary component of the negotiation process with private and public creditors.

In terms of institutional authority, the IMF has a mandate from its member countries to develop countermeasures to trends that threaten an increasingly integrated international financial system. Thus, the IMF is authorized to handle complex negotiations between 65 banking syndicates and sovereign borrowers. Although the leading role in administering SAPs has shifted back and forth between the World Bank and the IMF over the years, this is not evidence of a lack of institutional authority. Although the World Bank developed its first structural adjustment program in 1979, the World Bank allowed the IMF to take the lead in managing the fallout from the debt crises in the early 1980s. In the immediate aftermath of the debt crises, the World Bank continued to focus on development issues. The World Bank became more involved after the 1985 annual

Fund/Bank joint meeting in which US Treasury Secretary, James A. Baker, requested additional financial support from the World Bank group and the Inter-American Development Bank (IADB). After an episode in which the World Bank offered four loans to Argentina while the IMF continued to insist on more substantial fiscal reforms, the multilateral organizations began developing better policy coordination. The most penetrating criticisms have argued that the

design of SAPs is detrimental to the economic viability of low-income countries. However, as the IMF and World Bank believe that such countries cannot achieve long-term economic growth without structural adjustment, it could be argued that the multilateral institutions are acting in the interests of the debtor countries. They aid debtor countries in designing adjustment programs and support those programmes through their financial facilities and by cajoling commercial banks to continue lending. Moreover, it is necessary to note that countries seeking multilateral assistance are already experiencing serious economic difficulties.

Measuring the success or failure of SAPs is difficult since it is not possible to know *ex post facto* how the country would have fared with a different program design and implementation, or indeed without any adjustment program. Nevertheless, critics contend that adjustment programs often hinder the critical role of developmental states in promoting economic growth. The need for strong states to overcome market risks, catalyze entrepreneurial activities, enforce legal codes, and supply public goods in late industrializing societies has been well documented in the developmental state literature. Hence, policies designed to expand market forces at the expense of state capacity in developing countries are counterproductive. SAPs that promote financial liberalization also may contribute to the destabilization of the domestic monetary system in countries with very weak currencies and insufficient financial regulatory agencies, as demonstrated during the East Asian Financial crises in the late 1990s.

Finally, critics have linked SAPs to increased income inequality and severe hardship from the termination of food and social subsidies. Although the criticisms are valid, they often fail to examine the bargaining that occurs between a multilateral institution and its member countries as well as the level of institutional learning that happens over time. As the debt crises receded in the late 1980s, the IMF and World Bank became increasingly flexible in their policy recommendations and even endorsed certain heterodox approaches to structural adjustment. In response to external critics and internal debate, the IMF began working with the World Bank, UNICEF, and the international labour Organization (ILO) in the mid-1980s to redesign adjustment programs to mitigate their negative effects on the poor through targeted subsidies, direct wage support, and the protection of education and health expenditures. These policies, embodied in the slogan ‘structural adjustment with a human face’ have shifted the main goals of adjustment policies to include poverty reduction, human development, and debt service relief.

It should also be noted that many criticisms of SAPs are often predicated on the assumption that technocrats and other policymaking elites in the developing world were opposed to the end goal of structural adjustment. However, elites in low-income countries often silently endorsed the end goal while vociferously decrying the IMF and World Bank for the 'imposition' of austerity measures. Nevertheless, through inter-and intra-institutional debate and learning, the character of structural adjustment has gradually been transformed to incorporate the goal of poverty alleviation

### **Financial Dependency and Underdevelopment of the Nigerian Economy**

As the most populous African nation, Nigeria views itself as a leader in the search for national economic growth and independence (Mabbs-zenno, 1986). However, the struggle among rival ethnic groups seeking economic dominance, mismanagement, and corruption in the public and the private sector has led the country to near economic decay.

The road to the economic crisis was essentially ideological. The policies of colonialism, capitalism and imperialism foisted on the country resulting in fragrant disarticulation of the national economy had severally been used by scholars to justify the present state of the economy. By means of division of labour, the nation was reduced to the supplier of export crops, such as cocoa, cotton, groundnut, and palm produce and at the same time, received manufactured and consumable goods from Europe and America (Ajala, 2008).

The Nigerian economy experienced an unprecedented boom in the 1960s and the 1970s, but in the 1980s, the country experienced economic problems. The travails of the Nigerian economy stem largely from two main factors. First, the oil boom of the 1960s and the early 1980s brought about major windfall for the country which consequently led to less priority, being accorded to the agricultural sector, which once was a vital sector of the national economy. Another reason for the structural deficiency of the Nigerian economy could be attributed to the twin problems of mismanagement and corruption by the political elites in Nigeria under various military and civilian regimes, (Ajala, 2009).

In this regard, Tom Forests posits that state managers and the military government failed to manage public expenditure or impose any sense of direction or priority upon it.



Consequently, the dynamism of these political and structural factors has led to the decline of the economy (Forests, 1987).

In the light of the foregoing, the question is how does the present administration intend to achieve economic integration? Thus, President Obasanjo addressed a joint session of the National Assembly in January of the year 2000, and spelled out his fiscal policy as such:

- i. Enhance capacity utilization in agriculture, manufacturing, and mining industries.
- ii. Provide appropriate protection of domestic industries against unfair protection from import and dumping;
- iii. Encourage diversification of foreign exchange earnings through increased export activities;
- iv. Reduce operating costs and inflationary pressures; and
- v. Provide appropriate incentives for investment in manufacturing agriculture and mining to make the economy private-sector-led.

Given the foregoing fiscal policy, it appears that the administration has opted for an economic policy that is private sector-led and export-oriented. This is consistent with the policy direction of multilateral agencies such as the World Bank and the International Monetary Fund (IMF) for developing countries since the early 1980s (World Bank Report, 1984), (Mills, 1989). However, the country is struggling with the process of the privatization of public parastatal and those that are privatized are not managed effectively. Furthermore, Nigeria's manufacturing sector has continued to decline in the 1990s culminating in an average negative annual growth of 1.6 percent between 1990 and 1996. At the same time, the local value of foreign holdings in Nigeria-based enterprises have risen over the past two decades; fresh foreign investments have only trickled into Nigeria (Mills, 1994).

However, a significant part of Nigeria's economic problem is related to the dependency on crude oil and the lack of economic diversity. Thus, one can argue that for Nigeria to have an integrated and competitive economy, an economic policy that does not rely heavily on the oil sector will have to be pursued by the current civilian regime. The table below shows the extent of Nigeria's dependency on oil, and why economic diversification is imperative.

**Table: 1. Revenue from Oil and Non-Oil Sectors for the Years 1970-1992**

<b>1 Year</b>	<b>Oil Revenue (1)</b>	<b>Non-Oil Revenue (2)</b>	<b>Total (3)</b>	<b>1 as a % of3</b>	<b>2 as a % of3</b>
1970	166.5	467.4	634	26.3	73.7
1971	510.1	658.7	1168.8	43.6	56.4
1972	764.3	640.8	1405.1	54.4	45.6
1973	1016.0	679.3	1695.3	59.9	40.1
1974	3724.0	813.4	4537.4	82.1	17.9
1975	4271.5	1243.1	5514.6	77.5	22.5
1976	5365.2	1400.7	6765.9	79.5	20.7
1977	6080.6	1961.8	8042.4	75.6	24.4
1978	4555.8	2815.2	7371.0	61.8	38.2
1979	8880.8	2031.6	10912.4	81.4	18.6
1980	12353.8	2880.2	15234.0	81.1	18.9
1981	8564.4	3615.8	12180.2	70.3	29.7
1982	7814.4	3949.5	11763.9	66.4	33.6
1983	7253.0	3255.7	10408.7	69.0	31.0
1984	8269.2	2922.0	11191.2	73.9	31.0
1985	10915.1	3691.0	14606.1	74.7	26.1
1986	8107.3	4194.7	12302.0	65.9	25.3
1987	19027.0	6027.0	25054.0	75.9	34.1
1988	20933.8	6377.0	27310.8	76.7	23.3

**Source:** *Global Journal of Politics and Law Research*

1989	41334.4	8937.7	50272.1	82.2	17.8
1990	54713.2	12182.2	66895.44	81.8	18.2
1991	68832.2	19326.5	88158.7	78.1	21.9

1992	54661.8	10515.7	65177.51	83.9	16.1
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*Source: Nigeria Economist "Revenue from Oil and Non-Oil Sectors" June 6, 1994.*

In 1986, Nigeria pursued a macro-economic policy of structural adjustment programme with the objective of diversifying the country's export base. Economic performance during this period demonstrated that Nigeria remained heavily dependent on the oil sector for export revenue. Concurrently, the non-oil sector which has contributed about three-quarters of Nigeria's total revenue in 1970 appears to have been neglected since the oil boom period. Its contributions to the total revenue dropped from 22.5 percent in 1975 to 18.9 percent by 1980, rose to 25.3 percent in 1985 and fell to 16.2 percent by 1992 (the Nigerian Economist, 1994). The present administration, so far has not made any concrete effort to depart from the governments' enormous reliance on this industry. As part of the administration's highest revenue earner, the Federal Government recently concluded plans to carry investment worth about \$40 billion within the next five years (Abba, 2000).

However, the dependency on oil exposes the economy to domestic and global surges in oil prices. This was the case when President Obasanjo announced in May of the year 2000 that the petroleum subsidy would be eliminated, therefore a price increase of 50% would be established. This decision led to a nationwide strike that almost paralyzed economic activities in the country. Nigeria Labour Congress (NLC) brought the strike to an end after several meetings with the Federal Government, and it was agreed that a liter of petrol would now be sold for N22.00 as against N30.00, while diesel will cost N21.00 per litre as against 29.00, Kerosene will be sold at N17.00 instead of N27.00 per litre (Ojewale and Ubanna, 2000).

The global and domestic dimension of Nigeria's reliance on oil is manifested in the external debt crisis that began during the oil boom of the 1970s. Nigeria's external debt is estimated at over 130 billion continued to rise because the windfalls from the oil receipts during the 1970s were used as welfare expenditures for wasteful projects that were not carefully planned, and in some instances were plundered by political leaders for personal gains. At the same time, the country continued to borrow money at a faster pace from foreign lending agencies such as the International Monetary Fund (IMF), the World Bank and Private Banks in Europe and North America (Anunobi 1992), (Aborisade and Mundt, 1999). Consequently,

the economic crisis in Nigeria as in other lending countries was further entrenched by the conditions set forth by these lending agencies. For example, (Aborisade and Mundt 1999) asserted that the "servicing costs on foreign debt of over 125 billion equaled over 70 percent of Nigeria's annual export earnings". In principle, it means that Nigeria as a borrower does not possess the economic leverage for a favourable balance of payment because over 50 percent of its export earnings are used to service external debts.

Given this background, former President Obasanjo and other leaders from indebted low income countries are asking for debt forgiveness from lending agencies. In Obasanjo's address to the 54th session of the United Nations General Assembly, he argues; "I make bold to assert that debt for developing countries is not a plea for charity but an urgent matter of social and economic justice".

Furthermore, he subscribed to an approach to debt relief that will engage the rich countries especially on five main issues:

- i. Eligibility limited to payable debts.
- ii. Cancellation of debt that is not predicted on institutional harsh conditionality of structural adjustment.
- iii. Recognition on both sides of the bargaining table that lenders and borrowers share joint responsibilities for debt crises.
- iv. Joint action is needed to recover stolen resources by past regimes; and Debt cancellation that benefits ordinary people. (Obasanjo, 1999).

Given the foregoing discussions on the oil boom of the 1970s and the ensuing debt crisis of the 1980s, it is important to note that one of the important challenges for Nigeria economically and politically is the distributive nature of revenue and resources among the various constituents. Another disheartening factor that has impacted Nigeria economically is the level of corruption in Nigeria under both military and civilian regimes, siphoning public funds into their private accounts, thereby resulting in persistent economic dependency and underdevelopment. The 7-point Agenda envisioned to usher Nigeria into one of the world's 20 largest economies by the year 2020 have the following as its contents and targets:

- i. Power and energy
- ii. Functional education
- iii. Agriculture which includes food security and land reforms, wealth creation and employment
- iv. Mass transportation
- v. National security of lives and property
- vi. Infrastructure and human development, and Niger Delta development

The government of President Umar Yar’adua meant well for Nigeria and its citizens, but there are several constraints and challenges which may eventually reduce the agenda to a mere dream, hence becoming a mirage (Ajala, 2009). According to statistics available at the National Bureau of Statistics (NBS), "The nation's economy recorded 10.23 percent and 10.48 percent growth in 2003 and 2004 respectively before crashing to 6.51 percent and 6.03 percent in 2005 and 2006 respectively (*Tell*, February 2, 2009). By 2008, the annual growth rate stood at 6.9 percent while a growth rate of 8.9 is projected for 2009. The point, however, is that the country requires a percent growth rate per annum to be able to realize her dream of becoming one of the leading topmost world economies by the year 2020.

According to the 2009 figure (Global Economy Watch), machinery, heavy equipment, consumer goods and food products are the major imports. A large portion of Nigeria's imports arrive from the European Union (EU), particularly the Netherlands, the United Kingdom, France and Germany and a large of the goods come from China. Nigeria's high rate of importation has affected the country in different ways, which include; unemployment, vandalization of the local industries and production of counterfeit or fake products. The table below shows Nigeria's import volume for the years 2003-2009.

**Table: 2. Showing Nigeria's Import Volume from 2003-2009**

Year	Import (%)	Volume Height
2003	13	13
2004	14.54	14.54
2005	16.1	16.1
2006	25.95	25.95

2007	3.25	3.25
2008	38.5	38.5
2009	45.49	45.49

*Source: Global Economy Watch, 2009*

From the table above, the high rate of importation of Nigeria from 2003 which is just 13% has risen to 45%, showing that Nigeria is highly dependent and importing goods from other countries of the world. In this case, Nigeria is experiencing an unfavourable balance of payment indicating that Nigeria's imports are grossly greater than her exports, thereby reducing her per capita income. Therefore, Nigeria needs to revamp her economy by involving new economic policies that will reduce imports (Import Substitution Method) and thus promote exports.

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**CHAPTER 12**  
**1989/1999 CONSTITUTION**  
*Oluwadamilare Moses Adesina*

**Introduction**

Constitutional development is a dynamic process and as such susceptible to several shortcomings. In the pre-independence period, Nigeria had many constitutions introduced by the colonial government. First was the Clifford Constitution of 1922, then, the Richards Constitution which came into force in 1946 and was suspended in 1950, while the McPherson and Lyttleton Constitutions were put in place in 1951 and 1954, respectively. In 1960, Nigeria adopted the Independence Constitution. This was followed by some other post-independence constitutions such as the 1963 Republican Constitution, the 1979 Constitution, and the 1999 Constitution respectively (FGN 1963; 1979; 1999). Since the fall of the first republic as a result of the first military coup in 1966, Nigeria experienced a series of coups and counter-coups giving rise to a thirty-month civil war from 1967 to 1970. In 1979, Nigeria adopted a Presidential Constitution following the Second Republic which also came to an end with another coup in 1983. The Third Republic was aborted as a result of the annulment of the June 12<sup>th</sup> Presidential election which created tension in the polity. In 1999, Nigeria returned to civilian rule, with democracy as a system of government as it retained the existing federal structure which implies the constitutional share of power between the centre and the federating component units. This work will delve into the Nigerian Constitution of 1989 and 1999, emphasizing the features, merits, demerits, and differences.

**The Republican Constitution of 1989**

On the 27th of August 1985, there was a coup (popularly referred to as ‘palace coup’) which toppled the government of Gen. Muhammadu Buhari and brought in Gen. Ibrahim Babangida as the Head of State and President. Intending to return Nigeria to civil rule, Babangida initiated the process of developing a new constitution by forming three different bodies in succession.

The first Body was the Political Bureau. It was composed of 17 members established on 13th January 1986. The body was to sample the opinions and feelings of Nigerians about their political future and write a report for the Constitution Review Committee (CRC) to work with.

The second body was the Constitutional Review Committee (CRC), a 46-member body constituted on 7th September 1987 to use the findings of the political bureau as a basis for reviewing the first and the second republic constitutions and drafting a new one.

The third body was the Constituent Assembly formed on 11th May 1988 with a membership of 452. This body examined the drafted constitution by the CRC and submitted a final document to the administration of Babangida who made some amendments and promulgated it into law by a military decree. This was the constitution of the Third Republic. However, the republic was truncated after the result of the presidential election was annulled in 1992 by the incumbent military President.

### **Features of the 1989 Constitution**

The following were the basic features of the 1989 Constitution:

1. It maintained the Executive President System of government in which the President was the Head of State, the Head of government, and the Commander-in-Chief of the Armed Forces. The president was directly elected by the electorates and was responsible to them. The president was to appoint his ministers on their merit, and the ministers were responsible to him. Appointment of the Ministers was to respect the federal character and their appointments must be approved by the Senate. The President was to be assisted by his Vice-President who was his running mate during the general election.
2. A two-party system was entrenched in the constitution.
3. The people could withdraw any legislator who no longer enjoyed the confidence of the electorate.
4. The federal capital territory, Abuja would not be regarded as a state.
5. At the state level, the Governor remained the Chief Executive. He was assisted by the Deputy Governor who was his running mate during the general election. The Governor also appointed their commissioners on a merit basis but with the approval of the state Assembly. The Governor possessed the power to remove any commissioner at his discretion. However, both the President and Governors could be removed from office by impeachment.
6. The constitution contained the principle of separation of powers as the members of the executive were appointed from outside the legislature. Also, the constitution divided the powers of government between the federal government and the existing twenty-one states.



7. The National Assembly was bicameral. The senate consisted of three (3) Senators from each state and one from the Federal Capital Territory, Abuja. The House of Representatives on the other hand was composed of 453 members. It provided for a President and a Deputy President as the head of the Senate, while the House of Representatives was headed by a Speaker and a Deputy Speaker.
8. Under this constitution, there shall be a House of Assembly for each of the states of the Federation which consists of two times the number of seats that the state has in the House of Representatives, and the members of a House of Assembly shall be elected on a part-time basis. The Assembly should be headed by a Speaker and a Deputy Speaker.
9. The constitution provided for Fundamental Human Rights. It provided for the independence of the judiciary and it established the Judicial Service Commission.
10. It provided for a Council of State, National Economic Council, Civil Service Commission, Code of Conduct Bureau, National Boundaries Commission, National Defence Council, National Electoral Council, National Population Commission, National Primary Education Commission, Revenue Mobilization Allocation and Fiscal Commission, National Security Council, the Nigeria Police Council and Public Complaints Commission, among others.
11. The constitution was supreme and it provided a list of functions of a Local Government.

### **Merits of the 1989 Constitution**

1. The two-party system chose the electorate more focused which reduces confusion as in the multi-party system.
2. Minimum qualifications of age and education for candidates eliminated immature and ignorant people from participating in governance.
3. The greater prominence of local government made room for more rapid development in the local and rural areas.

### **Demerits of the 1989 Constitution**

1. Part-time status and allowances given to legislators made them concentrate more on their private business than on law-making.
2. The two-party system limited the choice of both politicians and the electorate, thus restricting democracy.

## **The 1999 Constitution**

The 1999 constitution was produced by Justice Niki Tobi who was Chairman of the 1998 constitution debate committee. The 1999 constitution, which we still operate, is Decree 24 and was promulgated into law by General Abdusalam Abubakar, on May 5, 1999, and has become operative from May 29, 1999, till date.

## **Features of the 1999 Constitution**

The following were the features of the 1999 Constitution:

1. The constitution retains the 1979 and 1989 constitutions.
2. The constitution provides for a bicameral legislature, consisting of the House of Representatives and the Senate, and a unicameral legislature (House of Assembly) for each state.
3. The secondary school certificate is the minimum educational qualification for those wishing to contest elections into national and state positions such as legislators, presidents, and governors.
4. The constitution provides for 774 local government councils.
5. The constitution provides for a revenue allocation formula.

## **Merits of the 1999 Constitution**

1. The 1999 Constitution ushered in both the fourth republic and the presidential system of government.
2. It makes provision for minimum educational and age qualifications, thereby reducing experience and illiteracy in governance.
3. There is room for greater political development at the grassroots.
4. It allows for a smooth transfer of power from military to civilians.

## **Demerits of the 1999 Constitution**

1. The Constitution was imposed on the citizens of the country.
2. It is too rigid and difficult to amend.
3. It also centralized the judiciary, contrary to the demands of federalism.
4. The Constitution vested too much power in the federal government.

## **Differences between the 1989 and 1999 Constitutions**

The 1989 Constitution of Nigeria was a military-imposed constitution that came into effect on September 3, 1989. It was a highly centralized constitution that concentrated power in the hands of the federal government, with limited autonomy for the states. The constitution also established a National Security Organization (NSO) with broad powers to arrest and detain citizens without trial. The 1999 Constitution of Nigeria, on the other hand, was the product of a democratic process and came into effect on May 29, 1999, after the end of military rule. It is a federal constitution that grants significant autonomy to the states and establishes a separation of powers among the executive, legislative, and judicial branches of government. The 1999 Constitution also contains a bill of rights that guarantees fundamental human rights to all Nigerians.

## **Conclusion**

Indeed, a lot of problems arise from the 1989 and 1999 constitutions. Issues emanating from the two constitutions reveal that the actual practice is far from what the documents make provisions for. It is imperative to state that the loopholes created in the constitutions have derailed democracy deepening; particularly such gaps have been a leeway for politicians to commit impunity which invariably distorts peace and sustainable economic and political development of Nigeria. The constitutions contain several provisions that make it a stumbling block for consolidating democracy.

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## CHAPTER 13

### POLITICAL, ECONOMIC, SOCIAL, AND EDUCATIONAL POLICIES IN NIGERIA

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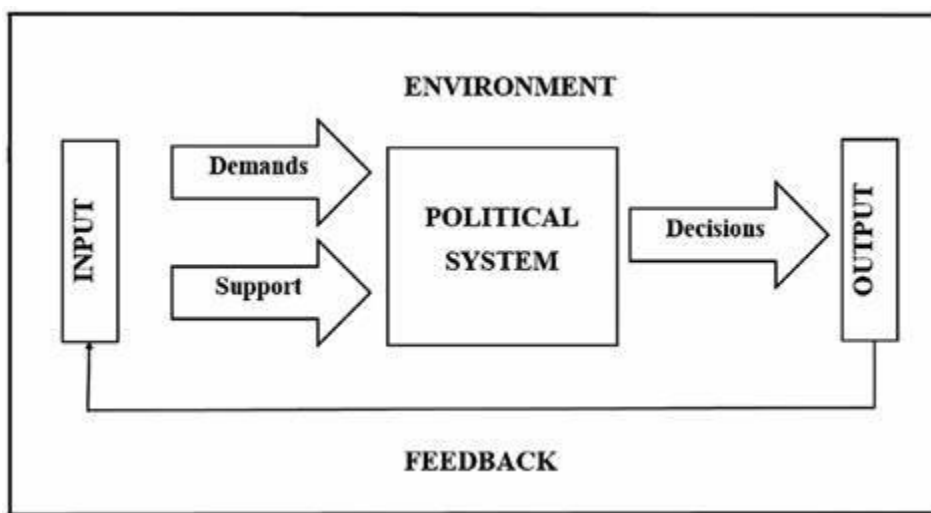
#### **Political Policies in Nigeria**

Before further discussion is undertaken on the foregoing concepts, it is noteworthy that there is no such thing (concept) as a 'political policy' in Political Science, rather, what is obtainable, in the discipline of Political Science, which also doubles as a sub-field is, 'Public Policy and Analysis'. It is therefore noteworthy that Politics and Public Policy are essential elements that exist in the discipline of Political Science. Both concepts, it should be noted are interrelated. Although Politics and Public Policy are considered to be interrelated, it is core to highlight the fact that Politics is a more complex or at best, holistic concept that gives credence to the workings and dynamics of governance and decision-making as a whole. Some of the notable though elementary definitions of Politics include: 'Who gets what, when, and how? 'The authoritative allocation of value' as described by Harold Lasswell and David Easton. Suffice to note therefore that Politics bears within it, the whole activities of government, including the electioneering process, governance, and allocation of resources, among others.

Public policy and analysis, on the other hand, is a (more) specific aspect or sub-field of Political Science that critically examines the functions or processes by the government, specifically the Executive and Legislature makes policies (laws, regulations) that are targeted at solving specific societal problems. These policies may be based on providing infrastructural facilities to the people; economic policies (i.e. fiscal policies); political (i.e. electoral laws); security-based policies, etc. It is noteworthy that all policies are aimed at either solving immediate or future problems.

A specific and relatable public policy within the ambit of the economy in Nigeria was the Executive Order given by President Bola Ahmed Tinubu on the removal of fuel subsidies. Another instance was the relocation of the military headquarters to Maiduguri; an order given by former President Muhammadu Buhari aimed at addressing the spate of insecurity in the northern part of Nigeria.

David Easton is one of the renowned political scientists who researched extensively on the dynamics of Public Policy and Analysis (See: David Easton's Systems Theory). He described the political system (borrowing from Biological Science) as a body that consists of different elements that play different roles but work systematically towards achieving a specific objective for the perfect functioning of society. Hence, Easton used the System's Theory to describe the changes (policies, laws) and/or evolution that takes place within a country (Society). (See: Bang, 2020).



To simplify this model, the following steps give a recap of the Systems Theory which explains the formulation of Public Policies preposition:

- Step 1: Changes in the social and physical environment surrounding a political system produce “demands” and “supports” (by the people) for action or the status quo directed as “inputs” towards the political system, through political behaviour.
- Step 2: These demands and supporting groups stimulate competition in a political system, leading to decisions or “outputs” (by the government: Legislature, or Executive) directed at some aspect of the surrounding social and physical environment.
- Step 3: After a decision or output is made, that is, a specific policy, it interacts with his environment, and if it produces change in the environment, there are “outcomes”.

- Step 4: When a new policy interacts with its environment, outcomes may generate new demands and supports, and groups in support or against the policy (feedback) or a new policy on some related matter.

Step 5: Feedback is the analysis aspect of Public Policy which gives credence to the evaluation or perception of the people, and policy analysts on the extent or otherwise that the policies made by the government (Legislature and Executive) have achieved its objectives.

## **Economic Policy**

Generally, economic policy is a course of action that is intended to influence or control the behavior of the economy. Economic policies are typically implemented and administered by the government. Most factors of economic policy can be divided into either fiscal policy, which deals with government actions regarding taxation and spending, or monetary policy, which deals with central banking actions regarding the money supply and interest rates. To achieve the four central objectives, they needed, according to the well-known Tinbergen rule about instruments and targets, at least four policy instruments. These traditionally included fiscal policy, monetary policy, incomes policy, and exchange rate policy.

### **The Aim of Economic Policy**

Scholars have argued that the major aim of Economic Policy includes: to increase national income rapidly, both in the short and long run, and improve the living standards of the society. High employment, or low unemployment, is one of the main objectives of macroeconomic policies. People want to be able to find good jobs at a high pay and to find them easily.

#### **1. Nigeria Economic Policy**

Extant studies as well as census records shows that Nigeria is Africa's most populous nation and the United States' fifth largest oil supplier. It offers investors a low-cost labor pool, abundant natural resources, and the largest domestic market in Sub-Saharan Africa. Over the years, real economic development/growth have been hampered by autocratic military government, inadequate infrastructure, confusing and inconsistent regulations, and endemic corruption. Nigeria's crucial petroleum sector provides the government with over 90 percent of all foreign

exchange earnings and about 80 percent of budgetary revenue. Agriculture, which accounts for nearly 40 percent of GDP and employs about two-thirds of the labor force, is dominated by small-scale subsistence farming. Nigeria is a member of GATT and acceded to the WTO on January 1, 1995. Summarizing the period immediately after independence up till the early 1980's, Olugbenga

J (2021) wrote:

Nigerian economic development has swung from adopting strong doses of statism to sprinkles of liberalism. On attainment of self-government from the early 1950s, all the regional governments of the day and the central government embarked on development plans to transform the economy. None of the governments went out of their way to empower indigenous businessmen in the private sector. Rather they set up parastatals like Western Nigeria Development Corporation, much unlike the private Chaebols promoted in South Korea. Though Nigeria claimed to operate a mixed economy there was a lot of socialism in the air that lingers to this very day. This statist mentality intensified with the advent of oil and petrodollars leading to the creation of mega parastatals especially those created by the Federal Government. NNPC by asset was noted as a world giant sometime in the 1980s. Most states, including newly created ones, immediately set up their development corporations, for example, OWENA by Ondo State and OPIC by Ogun State. All seemed well until oil prices crashed in 1982, bringing down the castles built in the air.

Commenting on the period from 1984, Olugbenga J (2021) continued:

The oil crash precipitated a change of government in 1984 and the new government deepened statism with the introduction of price controls and central distribution of essential commodities. They failed to address the structural defects of the economy; this did not come until the introduction of the Structural Adjustment Program in 1986 after a change of government. This represented the first volte-face to statism after Nigerian Independence in 1960. Price controls, central distribution of so-called essential commodities, as well as fiat fixing of exchange rates and obtaining import licenses from bureaucrats, were done away with under the Structural Adjustment Program. The first steps in the sale of government holdings in parastatals were adopted under a privatization program. This period also witnessed a widening of the financial sector. Within two years of the introduction of SAP, there began a fillip to the economy. Heavily import-dependent industries did go under but

they were replaced by industries sourcing their raw materials within the country. Professor Charles Soludo, a former governor of the central bank, affirmed in an interview that whatever resilience in the Nigerian economy that has made us not go the way of Venezuela was put in place during the SAP years.

On SAP and its impact, the scholar continued:

Unfortunately, with the help of the media, the Structural Adjustment Program was given a bad name. Agreed, it never achieved all it was meant to achieve partly due to government indiscipline and a lack of complete buy-in by the Nigerian business elite. What this meant was that the bitter medicine we had to swallow to correct structural defects in the Nigerian economy has been viewed for a long time as the cause of our underperforming economy. If you doubt this submission, realise that China began its structural adjustments with the coming of President Deng Xiaoping in the 1980s with admirable results. India was forced into structural reformation in 1991/92 with admirable results too. However, with a change at the helm in 1993, the much-maligned Nigerian SAP was set aside and we returned to fiat fixing of the naira. Fiat determination of the naira represents the hallmark of Nigerian statism.

The above was thus the situation under which the Nigerian state entered the 1990's. Thus, after a period of relative fiscal austerity in the late 1980s, the Nigerian government ran budget deficits of up to 12 percent of GDP beginning in 1990. The deficit decreased to seven percent in 1994 and in 1995 the budget deficit is expected to decline to two to five percent of GDP. The deficit reduction came about primarily through austerity, e.g. foregoing government projects and infrastructure maintenance. International financial institutions' recommendations to further reduce the deficit include reducing large government fuel price subsidies (the official price of gasoline was equivalent to about 55 cents per gallon in November 1995), shelving several government projects that are of doubtful economic value, and reducing leakages from government income due to corruption.

Over the last several years, monetary policy has been driven by the need to accommodate the government's budget deficit and a desire to reduce the inflationary impact of the budget deficit on the economy. Deficits at the federal level have been financed primarily by borrowing from the Central Bank of Nigeria (CBN), which held 75 percent of the government's domestic debt at the



end of 1994. Since the Central Bank monetizes much of the deficit, budgetary shortfalls have a direct impact on the money supply and on price levels, which have risen rapidly in recent years.

Over the past two years, Nigeria has flip-flopped on economic policy. In conjunction with his 1994 budget announcement, Head of State General Sani Abacha announced the abandonment of most 1986 structural adjustment program reforms and instituted tight government control over key economic variables. In response to the economic downturn caused by those measures, in his 1995 budget announcement, Abacha abandoned the tightly regulated economic policies enacted in 1994. Under a new policy of "guided deregulation," the government of Nigeria has reopened the Autonomous Foreign Exchange Market (AFEM), loosened controls on foreign investment, reduced tariffs, and lifted bans on some imports.

## **2. Exchange-Rate Policy**

In 1995 Nigeria reversed its highly controlled foreign exchange regime instituted in 1994. Under the Foreign Exchange Decree of 1995, the AFEM was reestablished, allowing private companies to source foreign exchange at the parallel market rate of 90 naira to the dollar in November 1995. The official exchange rate of 22 naira to the dollar has been retained for official government transactions. Companies can once again hold domiciliary accounts in private banks, with account holders having "unfettered" use of the funds. Foreign investors may bring capital into the country without prior Finance Ministry approval, may service foreign loans, and remit dividends. Foreign exchange dealers are functioning, albeit with a limitation of \$2,500 per transaction.

## **3. Structural Policies**

As stated in the December 1989 Circular, "Industrial Policy of Nigeria," the Nigerian government maintains a system of incentives to foster the development of particular industries, to encourage firms to locate in economically disadvantaged areas, to promote research and development in Nigeria, and to favor the use of domestic labor and raw materials. The Industrial Development (Income Tax Relief) Act of 1971 provides incentives to "pioneer" industries, that is, industries deemed beneficial to Nigeria's economic development. Companies given "pioneer" status may enjoy a non-renewable tax holiday of five years, or seven years if the pioneer industry is located in an economically disadvantaged area.

In 1995, Nigeria promulgated the Nigerian Investment Promotion Commission (NIPC) Decree to replace the Enterprises Promotion Act. This decree liberalizes the foreign investment regime, allowing 100 percent foreign ownership of firms outside the petroleum sector (which is still limited to the existing joint-venture agreement or production-sharing contracts with the Nigerian government). A foreign enterprise may now buy shares of any Nigerian firm except those on the "negative list": production of firearms, ammunition, narcotics, military and paramilitary wares, and accouterments. The Investment Promotion Decree provides for the creation of an Investment Promotion Commission which will register companies for foreigners after incorporation under the Companies and Allied Matters Decree of 1990. The decree also abolishes the expatriate quota system (except in the oil sector) and prohibits the nationalization or appropriation of a foreign enterprise by the Nigerian government except for such cases determined to be in the national interest. The list of reserved sectors (a holdover from the Enterprises Promotion Decree recently repealed) has been one factor that has prevented the conclusion of a bilateral investment treaty between Nigeria and the United States.

Nigeria has also promulgated money laundering decree to introduce procedures designed to inhibit this practice as well as a decree on Advance-fee Fraud, known as "419 Schemes" after the so-numbered Nigerian law, to track methods of fraud. The scope of 419 business fraud has brought international notoriety to Nigeria and constitutes a serious disincentive to exporters since any international transaction must be thoroughly vetted and confirmed.

#### **4. Debt Management Policies**

Nigeria's foreign debt ballooned from \$13 billion in 1981 to \$24 billion in 1986, when sharply lower oil revenues and continued high import levels created large balance of payments deficits. By the middle of 1995 external debt (not including arrears) had reached \$32 billion, more than Nigeria's entire gross domestic product. Debt service due including payment of arrearages is projected to be over \$8 billion annually for the next several years.

In January 1992 to reduce its external stock of debt, the Nigerian government agreed with the London Club which gave commercial banks a menu of options from which to choose in reducing Nigeria's commercial debt. The menu included debt buybacks (currently at 40 cents to the dollar), new money bonds, and collateralized par bonds. As a result of the agreement, Nigeria

was able to reduce its external debt by \$3.9 billion, but the accumulation of arrears on other debt (especially Paris Club debt) since that time has brought external debt back to previous levels. Including arrears, official foreign obligations exceeded \$40 billion as of November 1995.

During the period 1986 to early 1992 based on a comprehensive structural adjustment program Nigeria reached three standby agreements with the IMF. The most recent of these was approved in January 1991 and expired in April 1992. Discussions with the IMF since then have failed to result in a new agreement.

Nigeria's most recent rescheduling agreement with the Paris Club expired at the same time as its standby agreement with the IMF, and debt repayment obligations have grown significantly. Nigeria's record on debt repayment, meanwhile, has also deteriorated. In 1992 Nigeria made debt service payments of \$2.7 billion against interest and principal payment obligations of \$5 billion. Faced with similar obligations in 1993, external debt service payments were only \$1.6 billion, for 1994 debt service payments were only \$1.8 billion and the budgeted debt service payments for 1995 are \$2 billion (of which less than half had been made by mid-1995). Although preliminary discussions with the IMF and World Bank have begun on a Medium-Term Economic Program, no new rescheduling agreement will be reached until an IMF program is in place again and a successful track record has been established.

## **5. Significant Barriers to Exports**

Nigeria abolished all export licensing requirements and cut its list of banned imports in 1986. However, as of November 1995, the importation of approximately 20 different items is still banned, principally agricultural items, fertilizer, and textiles. These bans were initially implemented to restore Nigeria's agricultural sector and to conserve foreign exchange. Although the bans are compromised by widespread smuggling, the reduced availability of grains has raised prices for both banned commodities and locally produced substitutes. In addition, due to corruption, little of the heavily subsidized fertilizer reaches the farmers.

In 1995 Nigeria announced a new tariff structure which will be in force for the next six years. The revision is aimed at narrowing the ranges of many customs duties, increasing rate coverage in line with GATT/WTO provisions, and retaining fewer import prohibitions. The following products have been removed from the list of banned commodities and are now subject to duty

rates: rice, 100 percent duty; day-old chicks and parent stock, 5 percent; sparkling wines and champagne, 100 percent; fruits and fruit juices, 75 percent; and jute bags, 45 percent.

In addition to rice, other U.S. products are hampered by tariffs as follows: sorghum, 100 percent; cigarettes, 200 percent; cotton, 60 percent; wheat, 10 percent; and passenger vehicles, from 30 to 100 percent. Meanwhile, a 35 percent across-the-board reduction in import tariffs became effective on July 31, 1995, and is now being implemented by Nigerian Customs, thus temporarily reducing the above-listed duty rates. This action came in the wake of representations from the business community pointing out that even though tariffs were reduced somewhat in early 1995, customs duty calculations are now made based on 80 naira to the dollar, rather than the official rate of 22 naira to the dollar as used in 1994. In October 1995 the Nigerian Ports Authority announced reductions in port charges of 60 percent in Lagos and 70 percent at the Delta ports. Other import restrictions apply to aircraft and ocean-going vessels. Guidelines mandate that all imported aircraft and ocean-going vessels be inspected by a government-authorized inspection agent. In addition, performance bonds and offshore guarantees must be arranged before either down payments or subsequent payments are authorized by the Ministry of Finance.

Nigeria requires that an international inspection service certify the price, quantity, and quality before shipment for all private-sector imports. All containerized shipments irrespective of value and all goods exported to Nigeria with a cost, insurance, and freight value greater than \$1,000 are subject to pre-shipment inspection.

Nigeria generally uses an open tender system for awarding government contracts, and foreign companies incorporated in Nigeria receive national treatment. Approximately five percent of all government procurement contracts are awarded to U.S. companies.

### **Nigeria's Export Subsidy Policies**

In 1976, the government established the Nigerian Export Promotion Council (NEPC) to encourage the development of non-oil exports from Nigeria. The Council administers various incentive programs including a duty drawback program, the export development fund, tax relief and capital assets depreciation allowances, and a foreign currency retention program. The duty

drawback or manufacturing in-bond program is designed to allow the duty-free importation of raw materials to produce goods for export, contingent on the issuance of a bank-guaranteed bond. The performance bond is discharged upon evidence of exportation and repatriation of foreign exchange. Though meant to promote industry and exportation, these schemes have been burdened by inefficient administration, confusion, and corruption, causing great difficulty and in some cases losses to those manufacturers and exporters who opted to use them.

The NEPC also administers the Export Expansion Grant Program, a fund that provides grants to exporters of manufactured and semi-manufactured products. Grants are awarded based on the value of goods exported, and the only requirement for participation is that the export proceeds be repatriated to Nigeria. Though the grant amounts are small, ranging from two to five percent of total export value, they appear to be subsidies as designated by GATT and may violate GATT rules.

Other Economic Policies of the Nigerian government over the years include Signing into the Lome Convention: The Lome Convention is a pact between African, Caribbean, and Pacific nations and the European Economic Commission now turned European Union. The Nigerian state signed into the convention in 1975 to protect ACP countries' quotas of bananas, coffee beans, cocoa beans, etc from competition from certain Latin American countries. Although it was thought that this would bring in many gains, however, this pact trapped the Nigerian economy at the lower rung of the agricultural value chain restricting her to export raw agricultural produce alone.

Import substitution industrial policy: At the dawn of Independence Nigeria went the way of Latin American countries and chose ISIP as the path to industrialization, adding to societal wealth beyond the agrarian economy. By the 1970s the weaknesses of this policy had become obvious, as it further deepened the ISIP. It got as bad as most industries brought into the country in the 70s were based on among other things imported core raw materials.

Exchange rate policy and Dutch Disease debacle: Before the oil boom of the 70s, one Nigerian pound was exchanged for one-pound sterling. Later, with the introduction of the naira and kobo with one naira, you could get almost two dollars. These rates were fixed by fiat – Nigerian government pronouncement. This exchange rate policy ensured the Nigerian economy eventually

caught Dutch Disease. DD is an economic malaise that afflicts resource-rich countries, particularly oil and gas-rich countries whose foreign reserves do rise astronomically.

## **Social Policy**

Social policy is concerned with the ways societies across the world meet human needs for security, education, work, health, and well-being. The social policy addresses how states and societies respond to global challenges of social, demographic, and economic change, and of poverty, migration, and globalization. Social policy analyses the different roles of national governments, the family, civil society, the market, and international organizations in providing services and support across the life course from childhood to old age. These services and support include child and family support, schooling and education, housing, and neighbourhood renewal, income maintenance and poverty reduction, unemployment support and training, pensions, health and social care. Social policy aims to identify and find ways of reducing inequalities in access to services and support between social groups defined by socio-economic status, race, ethnicity, migration status, gender, sexual orientation, disability, and age, and between countries.

Social Policy in the general sense represents a set of policies and programs designed to reduce poverty and vulnerability by promoting efficient labour markets, diminishing people's exposure to risk, and enhancing their capacity to protect themselves against hazards and interruption/loss of income. Thus, it should respect and promote the principle of non-discrimination, gender equality, and responsiveness to social needs which includes social inclusion (including those persons in the informal sector/economy) and respect for people's rights and dignity. The general definition is not completely different from the position of the United Nations Research Institute for Social Development, which opines that social protection is concerned with preventing, managing, and overcoming situations that adversely affect people's well-being. It encompasses policies and programmes designed to eliminate poverty and vulnerability by promoting efficient labour markets, diminishing people's exposure to risks, and enhancing their capacity to manage economic and social risks such as unemployment, exclusion, sickness, disability, and old age. It is one of the targets of the United Nations Sustainable Development Goal 10 aimed at promoting greater equality. The most common types of social protection include labour market

interventions, social insurance, and social assistance. This is the standard worldwide, especially in a situation of an ideal Social Contract between the people and the government.

In the case of Nigeria and in line with the above, The National Social Protection Policy is consistent with Nigeria's national aspirations of becoming one of the top 20 largest economies in the world by 2020. It provides a framework for promoting social justice, equity, and inclusive productive growth. It is a transformative tool for addressing poverty, unemployment, social and economic vulnerabilities, inequality, exclusion, and other threats to sustainable development. While population growth will continue to be a determining factor for our economic, social, and political progress, this Policy will harness available resources into investments in people, our most valuable asset, to optimize our human capital potential.

An examination of Nigeria's Social Policy especially as it relates to poverty alleviation programmes over the years reveals that deliberate attempts have been made by the government to tackle the issue. For instance, the First National Development Plan only reflected an indirect concern for poverty reduction in the statement of objectives. The oil economy of the 70s enabled the government to make massive investments in social and economic infrastructures. The private sector also reacted to the environment created by oil revenue through massive involvement in international trade and participation in the service and construction sector. Production was import-dependent, and the government was the prime mover of the economy. During the same period, there was a sharp decline in agricultural production due to rural-urban migration and inadequate incentives. However, the downward trend in the oil prices in the world market from 1981 revealed the precarious stand of the Nigerian economy.

The overdependence on oil revenue and inadequate efforts to mobilize resources from non-oil sources led to a serious decline in government revenue. From an overall surplus of N276 million in 1980, the Federal Government from 1983-1985, recorded an overall budget deficit. External reserves deteriorated and caused huge, accumulated trade arrears. The immediate effect of this situation on the average Nigerian was an exacerbation of poverty. The government reacted to the plight of ordinary Nigerians first through the Fourth National Development Plan. The plan was precise in the specification of objectives that were associated with poverty reduction. It emphasized, an increase in the real income of the average citizen as well as a reduction of

income inequality among other things. Secondly, the government, either wholly or in association with international agencies embarked on programmes aimed at poverty reduction.<sup>40</sup> Most of these programmes were designed to take care of such objectives as employment generation, enhancing agricultural output and income and stemming the tide of rural-urban migration. These programmes made some impact but could not be sustained due to lack of political will and commitment, policy instability and insufficient involvement of the expected beneficiaries.<sup>41</sup>

Between 1986 and 1998 various policy measures were put in place by government to cushion the effects of structural adjustment programme which had impacted negatively on the quality of life of most Nigerians. A summary of various anti-poverty programmes which government of Nigeria had put in place since 1985 is presented in Table 1 below.

**Table 1: Anti- Poverty Programme by the Government of Nigeria since 1986.**

Programme	Year Established	Target Group	Nature of Intervention		
Directorate for Food, Roads and Rural Infrastructure (DFRRI)	1986	Rural areas	Feeder Roads, rural water supply and rural electrification		
National Directorate of Employment (NDE)	1986	Unemployed youths	Training, finance and guidance.		
Better Life Programme (BLP)	1987	Rural Women	Self-help and rural development programmes, skill acquisition and health care.		
People's Bank of Nigeria (PBN)	1989	Underprivileged in rural and	Encouraging savings and		

<sup>40</sup> For a more detailed analysis of these programmes see, F.O. Ifamose (2001) Op cit. and F.O. Ogwumike (1998), "Poverty Alleviation Strategies in Nigeria" in *Measuring and Monitoring Poverty in Nigeria*. Proceedings of the 7<sup>th</sup> Annual Conference of the Zonal Research Units of CBN,

<sup>41</sup> CBN, Enugu Zone (1998), "A Profile of Regional/Zonal Poverty in Nigeria: The case of Enugu Zone." In Ibid.



		urban areas	credit facilities.		
Community Banks (CB)	1990	Rural residents, micro enterprises in urban areas	Banking facilities.		
Family Support Programme (FSP)	1994	Families in rural area	Health care delivery, child welfare, youth development etc.		
Family Economic Advancement Programme (FEAP)	1997	Rural areas	Credit facilities to support the establishment of cottage industries.		

### Poverty Alleviation since 1999

Despite all these programmes, the Human Development Index (HDI) report for 2001 indicates that Nigeria ranks number 51 out of the 174 countries in the world (See Table 2). The first 21 countries are in the advanced capitalist world. Without any known natural or mineral resources Cuba ranks number 56; well ahead of Brazil (74). All the underdeveloped countries are to be found at the bottom of the table.

The Human Poverty Index (HPI) measures human poverty as an aggregate of deprivation in four areas: the “percentage of people born today who are not expected to survive to age 40, deprivation in knowledge by the adult illiteracy rate, deprivation in economic provisioning and the percentage of children under five who are moderately or severely underweight. All the 85 countries listed in the Human Development Report belong to the underdeveloped parts of the world with Nigerian occupying the 62<sup>nd</sup> position. No developed capitalist country is listed. The statistics for Nigeria are indeed frightening:

- Life expectancy at birth is 50 years for a Nigeria (49 for a man and 51 for a woman) compared to 77 years for those living in OECD countries and Cuba;
- 332.3 percent of Nigerians will not live to be 40 years of age;

- 52.2 percent of Nigerians will not live to be sixty years old;
- the poorest 20 percent of Nigeria's population have access to only 4.4 percent of the incomes earned in Nigeria whereas the richest 20 percent of the population are in control of 58 percent of the nation's wealth;
- 70.2 percent of the population lives below the poverty line of at least US\$1.00 per day;
- in 1995, our external debts accounted for 79 percent of the Gross National Product; and
- in 1997, 1.5 million people under age 49 were diagnosed with HIV/AIDS in all the OECD countries put together; the corresponding figure for Nigeria alone stood at 2.3 million. The rate of HIV infection in any given country is closely related to the level of poverty in that country.

**Table 2: Human Development Indices for OECD, Developing, Least Developed Countries and Nigeria**

No	Index	OECD Countries	Developing Countries	Least Developed countries	Nigeria
1	Life Expectancy at Birth (years, 1998)	76.4	64.7	51.9	50.1
2	Adult Literacy Rate (% age 15 and above) 1998	97.4	72.3	50.7	61.1
3	Combined primary, secondary and tertiary gross enrolment ratio (%) 1998	86	60	37	43
4	GDP per capita (PPP US\$)	20,357	3,270	1,064	795
5	People not expected to survive to age 40 (%) 1998	-	14.3	30.3	33
6	Share of income or consumption - Poorest 20% (%) 1987-1998 - Richest 20% (%) 1987-1998	-	-		4.4 55.7

7	Population below income poverty line % - \$1 a day 1993 PPP US\$) 1987-1998 National Poverty Line, 1987-1998	-	-		70.2 43
8	GDP per capita (1995 US\$) 1975 1980 1985 1990 1998	5,390 8,690 11,210 16,040 20,360	720 1,170 1,520 2,170 3,260	- - 690 890 1,050	301 314 230 258 256
9	People not expected to survive age 60 (5) 1995-2000	12.5	28.0	50.1	52.2
10	People living with HIV/AIDS Age 0-49, 1997 Adult Rate (%) Age 15-49) 1997	1,534,150 0.34	28,567,010 1.18	11,425,200 4.13	2,300,00 412
11	GNP per capita (US\$) 1998	20,900	1,250	270	300
12	Exports of goods and services (as % of GDP) 1990 1998	17.4 21.7	27.0 31.7	16.0 20.2	43.4 23.5
13	Imports of goods and services (as % of GDP) 1990 1998	17.9 20.7	26.3 30.2	23.9 28.8	28.8 31.1

**Source:** Festus, Iyayi (2005), "Neo-liberalism and Poverty in Nigeria" in Moru John (ed), *Another Nigeria is Possible*. Proceedings of the First Nigeria Social Forum, Abuja, NSF, pp186-188

Nigeria's National Policy on Poverty Eradication is at pains to admit that,

The incidence of poverty increased sharply both between 1980 and 1985 and between 1992 and 1996... The figures were 27.2 per cent, 46.3 percent and 65.6 per cent for 1980, 1985, 1992 and 1996 respectively. The 27.2 percent for 1980 translated to 17.7 million whereas there were 34.7 million poor persons in 1985. Despite the drop in poverty level in 1992, the proportion in poverty was about 5 million higher than the 1985 figure. By 1996, the population in poverty had increased sharply to 67.1 million. Other assessments of poverty also showed a deplorable situation. By 1996, infant mortality and mortality of children under 5 years were 78 and 147 per 1000 live births respectively, while maternal mortality was 948 per 100,000 live births—all critically above the average for developing countries and even for sub-Saharan Africa.<sup>42</sup>

In general, the evidence of government itself indicates that the incidence, depth and severity of poverty have been growing in Nigeria over the years. Using an income level of N658.00 per month (\$8.20) per month to indicate the poverty line and N320.00 (US\$4.00) to indicate extreme poverty the data from the Nigerian Federal Office of Statistics (FOS) and UNDP show that in 1980, the poverty level was 27.2 percent or 17.7 million out of an estimated Nigerian population of 65 million people. By 1996, the level of poverty had more than doubled to 65.6 percent or 67.1 million out of an estimated population of 102.3 million people. By 1998, the level of poverty was 70.2 percent or about 71 million out of an estimated 105 million people. The depth and severity of poverty also more than doubled during the period. According to the figures of the Federal government of Nigeria, whereas the depth and severity of poverty were respectively 0.160 and 0.080 in 1980, the figures had increased to .358 and 207 in 1996. Commenting on poverty level in Nigeria, Ambassador Fafowora has this to say:

In 1980, Nigeria was ranked 35<sup>th</sup> in the world by the World Bank as a middle-income country, with a per capita income of nearly \$1,000 per annum at the prevailing exchange rate of \$2 to the Naira. At today's exchange rate, this will be about N130, 000 per annum. By 1966, the World Bank report showed that Nigeria had dropped to the 13<sup>th</sup> poorest country in the world, with a per capita income of less than \$300 per annum or N35,000,00 per annum at today's exchange rate. In real terms, this means that the condition of Nigerians is three times worse than it was just thirty years ago. In 1988 FOS data showed that Nigeria's poverty level was 28.1 percent. By 1996, the poverty level was 65.6 per cent or 67 million people. On a comparative basis, Nigeria is today poorer

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<sup>42</sup> Festus, Iyayi (2005), "Neo-liberalism and Poverty in Nigeria" in Moru John (ed), *Another Nigeria is Possible*. Proceedings of the First Nigeria Social Forum, Abuja, NSF, pp188-189.

than virtually all her neighbours. Ghana is ranked 33<sup>rd</sup> with a per capita income of \$410. Togo is ranked 25 with a per capita income of \$320, while Benin is ranked 30<sup>th</sup> with a per capita income of \$370. Cameroon is ranked 47 with a per capita income of 680, more than twice the per capita income of Nigeria.<sup>43</sup>

The scenario demonstrated above is proof of the fact that in 1999, Nigeria presented one of the weakest economies in the world. Official statistics indicated that unemployment was at 10.8% in 2003 and average growth rate was about 3.6% between 1999 and 2003. This figure is definitely lower than the minimum of 5.0% required to prevent poverty from worsening and 7.0% needed to meet the MDG target for poverty and hunger. It is against this background and in line with the United Nations MDG number one i.e. to halve the proportion of people living in absolute poverty by the year 2015 that the government of the fourth republic launched a reform programme called NEEDS. The programme according to NEEDS document is rooted in the lessons and experiences of the past failed plans, articulation of a clearer national purpose or vision and a realistic or what is feasible within the medium to long term framework.<sup>44</sup> NEEDS is divided into four sub-groups namely:

- a) Public service reforms including public expenditure and budget reforms.
- b) Economic reforms through macroeconomic stability and accelerated privatization and liberalization of the economy.
- c) Institutional reforms and strengthening.
- d) Social reforms through transparency, accountability and anti-corruption stance.

Three areas of implementation strategies mapped out were:

- a) Growing the private sector
- b) Sanitizing government and its institutions
- c) Implementing social charter.

It is within the social charter that poverty alleviation programme is embodied. Social Charter otherwise known as Human Development Agenda is conscious of the fact that meaningful development must be people oriented. The NEEDS document asserts that, “we must not

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<sup>43</sup> Ibidp190.

<sup>44</sup> FGN,(2004), National Economic Empowerment Development Strategy (NEEDS), National Planning Commission, Abuja.p12.

absolutely pursue wealth and growth at the expense of inner well-being, joy, satisfaction, fulfilment and contentment of human beings”. In one sentence reforms must aim at guaranteeing freedom from want. Under the social charter, the reforms identified as areas of focus include, reduction of poverty, employment generation, education, health, housing, women and youth empowerment and strengthening peace and internal security. The National Poverty Eradication Programme (NAPEP) at the three tiers of government is made up of programmes that are targeted at eradicating absolute poverty among Nigerians. Stating the mind of the government, NAPEP was described as a programme aimed at poverty reduction through a paradigm shift.<sup>45</sup> It has two main objectives:

- a) To oversee, monitor and coordinate all relevant programmes and projects particularly of government at all levels, which are aimed towards eradicating poverty.
- b) To periodically extend intervention projects to complement the efforts of the implementing Federal Ministries, Departments and relevant parastatals throughout the country.

To achieve the aims stated above, NAPEP initiated five main programmes as presented in the Table 3 below.

**Table 3: Intervention Programmes of NAPEP**

SN	PROGRAMME	OBJECTIVES OF THE PROGRAMME	TARGET GROUPS
1	Capacity acquisition Programmes	<ol style="list-style-type: none"> <li>a) To train primary/secondary school leavers in vocational trades.</li> <li>b) To settle some programme graduate with micro-credit</li> </ol>	Primary and secondary school leavers, and disabled youths.
2	Mandatory Attachment Programme	To attach graduates of tertiary institutions to public/private sector organizations for 2 years to enable them to practice their profession and to enhance their employability in the labour market.	Graduates of Tertiary Institutions.
3	Credit delivery Programme	Give cash micro-credit to small scale entrepreneurs.	Unemployed youths.

<sup>45</sup> Magnus Kpakol (2007), “Poverty Eradication Efforts” in Salihu, Hassan et al (ed) *Nigeria’s Reform Programme: Issues and Challenges*. Ibadan, Vantage Publishers, p450.

4	Keke NAPEP	<ul style="list-style-type: none"> <li>• Create employment.</li> <li>• Create employment for drivers.</li> <li>• Improve urban mass transit.</li> <li>• Create market for spare parts dealer.</li> <li>• Create jobs for mechanics.</li> </ul>	Drivers and unemployed youth.
5	Vesico Vagina Fistulae (VVF) Programme.	<ul style="list-style-type: none"> <li>• Treatment of VVF patients.</li> <li>• Create awareness for prevention.</li> <li>• Establish skill acquisition centres in the VVF centres.</li> </ul>	Women

SOURCE: Computed from data collected from NAPEP National Office, Abuja

It is not out of place in year 2008 to at this juncture assess the contribution of poverty reduction component of NEEDS. Between 2000 and 2005, NAPEP claims to have trained 130,000 youths and to have attached 216,000 persons to various establishments. However, according to research conducted in 2003, the programme only reached a handful of the poor.<sup>46</sup> Also, the targets for poverty reduction were set at 5% per year for 2003, 2004, 2005, 2006 and 2007. It is not possible to state in absolute terms if these set targets were met because of lack of accurate statistical data.

Nevertheless, there are indications in the periods of 2003 and 2004 that incidences of poverty were on the increase. NEEDS targets the creation of one million jobs in 2004, two million in 2005, 2006 and 2007. These jobs were expected to be created by the manufacturing and the agricultural sector. The reality on ground is that, the agricultural sector appears stagnant and no noticeable improvement in the manufacturing sector. Rather, society is deafened by the drumbeat of looming retrenchment in many sectors including the public service because of the downsizing policy of government. Power generation was targeted to increase from 4000 megawatts in 2005 to 7000 in 2006 and 10,000 in 2007. According to the NEEDS document, the 4000 megawatts target was met in year 2004 but could not be distributed. It is thus logical to ask, what is the use of generation when what was generated could not get to the end users? There was no noticeable improvement in the power sector nationwide as of the end of 2007.

<sup>46</sup> Olaniyan, O, et al (2003), "Evaluation of risk management agencies in Nigeria". Consultant Report for the World Bank/NPC Social Risk Assessment Exercise.

## **Educational Policies**

Education is crucial in any type of society for the preservation of the lives of its members and the maintenance of the social structure. Under certain circumstances, education promotes social changes, peace as well as lubricates the wheel of progress (Rodney, 1972:261). It is in light of this that the United Nations has described it as a priceless and lasting gift any worthy government or nation should bestow on its citizens. The importance of education cannot be over-emphasized. Education has been defined as all efforts, conscious and direct, incidental and indirect, made by a given society to accomplish certain objectives that are considered desirable in terms of the individual's own needs as well as the needs of the society where that education is based (Rodney, 1972:261).

It is in light of the above that there exist international instruments that provide as well as agitate for education as a Fundamental Human Right; These include the Universal Declaration of Human Rights (1948), the International Convention on Economic, Social and Cultural Rights 1966, Summit of Heads of Nine High Population Countries (New Delhi, 1993), the Summit at Copenhagen (1995) and the Ministerial Review Meeting at Bali, Indonesia (1995). In all these, Nigeria has not been left out as she has indeed taken several major initiatives which have greatly influenced and guided activities geared towards educational development.

## **Nigerian Education Sector: A Historical Review**

Education during the colonial period was tailored in line with the educational policies of the colonialists and that that would produce citizens that would be loyal to the British government. Hence Lord Lugard was prolific in his declaration of desire for the right type of Western-style education for Nigerians (Ayandele, 1979:250). Immediately after 1960, Nigerians started agitating for a new educational system that would reflect the reality on ground i.e., production of people with a nationalist spirit and would pilot the affairs of the independent country anti British spirit. This did not however come as a surprise as the political and social results already produced by the form of western-style education were opposite of what could have been endorsed by a European empire maker. According to Ayandele (1979), this was because the few educated elites saw education not as a tool to perpetuate servitude rather it is an instrument for liberation and national development. The scholar pictured the situation thus



Fully convinced that the educated elites rather than the British, should find modern Nigeria, many of the educated elite had been preaching the gospel of Nigeria to the Nigerians...vituperating against what they considered the yoke of British political and economic imperialism.

It was thus this agitation that led to the National Curriculum Conference of 1969. At the end of the day, the conference was able to come out with what later became the government white paper titled “National Policy on Education in 1977. This policy was later resized in 1981 to reflect the provisions of the Nigerian constitution of 1999.

### **Aims of the Education Policy**

This policy covers all aspects of education; from its philosophy, different levels and structure, financing, and types of education-to-education services, administration and planning of education (Sofolahan 2000:3). For this work, this section will dwell heavily on the National Education Policy as reviewed by Sofolahan (2000).

The Policy is based on broad National Objectives, which were well spelt out in the preamble to the Second National Development Plan (1970-1974) they were based on the building of:

- i. A free and democratic society
- ii. A just and egalitarian society
- iii. A united, strong and self-reliant nation
- iv. A great and dynamic economy
- v. A land of bright and full opportunities for all citizens.

These objectives are still as valid today as when they were formulated. Paragraph 3 of the policy advances the inculcating of values at all levels, namely:

- i. Respect for the worth and dignity of individuals
- ii. Faith in man’s ability to make rational decision
- iii. Moral and spiritual values in interpersonal and human relations
- iv. Shared responsibility for the common good of the society
- v. Respect for the dignity of labour and
- vi. Production of the emotional and psychological health of all children.

The National Policy seeks to achieve the above values by means of enriched institutional curriculum at the various levels. This new structure deviated from the traditional system which over-emphasized literacy and under played vocational education. This new structure created more options for both academic and technical sections of the educational systems.

## **Primary Education**

The objectives include:

- (a) The inculcation of permanent literacy and innumeracy and the ability to communicate effectively.
- (b) The laying of a sound basis for scientific and reflective thinking
- (c) Citizenship education as a basis for effective participation in and contribution to the life of the society.
- (d) Character and moral training and the development of sound attitudes
- (e) Developing in the child the ability to adapt to his or her changing environment
- (f) Giving the child opportunities to develop manipulative skills to function effectively in society within the limits of his or her capacity.
- (g) Providing basic tools for further educational advancement, including preparation for trades and crafts of the locality.

## **Secondary Education**

At the secondary level, the curriculum seeks to prepare youths for useful life in society and higher education. Specifically, it should:

- (a) Provide an increasing number of primary school pupils with the opportunity for quality education, irrespective of sex, or social, religious, and ethnic background.
- (b) Diversify its curriculum to cater to the difference in talent opportunities and roles possessed by or open to studies after their secondary school course;
- (c) Equip students to live effectively in our modern age of science and technology.
- (d) Raise a generation of people who think for themselves, respect the views and feelings of others respect the dignity of labour, and appreciate those values specified under our broad national aims and live as good citizens.
- (e) Foster Nigerian unity with an emphasis on the common ties that unite us in our diversity
- (f) Inspire its students with a desire for achievement and self-employment both at school and in later life.

Secondary education in Nigeria comprises the Junior Secondary and the Senior Secondary. Every student is expected to stay three years on each.

### **Tertiary Education**

The outlets for tertiary education in Nigeria are the universities, polytechnics, and colleges of education. The National Policy sets out the aims of higher education as:

- (a) The acquisition, development, and inculcation of the proper value orientation for the survival of the individual society.
- (b) The development of the intellectual capacities of individuals to understand and appreciate their environments
- (c) The acquisition of both physical and intellectual skills which will enable individuals to develop into useful members of the community.
- (d) The acquisition of an objective view of the local and external environments.

The basic philosophy behind the above was to be able to produce citizens/intellectuals who could liberate the country from the grip of over-dependence on external bodies, to be able to harness the local resources for development as well as meet the standard anywhere in the world. This remained the situation from the 1970s to the early 1980s when education was seen in terms of the quality and quantity of what an individual can contribute to national development rather than in certificate qualification. The question today is where did the country go wrong?

### **State of the Education Sector under the Nigerian Political Class after Independence**

The Nigerian educational system at independence began to witness tremendous growth and expansion, as there seemed to be a response from the various governments to provide qualitative education which would enhance the necessary manpower needed to position to country. This was not just based on lip service, but by a corresponding action of allocating huge funds to the actual expansion of primary and secondary schools, procuring equipment and recruiting expatriate teachers, award scholarships to students of the various regions who were pursuing courses in higher institutions at home and abroad. The enthusiasm of the government to give qualitative education was reechoed in the budget speech of Chief Hon E. Emole, Minister of Finance of the Eastern Region on Monday, 16<sup>th</sup> March 1964, at the fourth session of the fifth Eastern House of

Assembly, where he brought out the thrust of the educational policy of the government at that time. In his analysis, it was

To avoid placing the burden on the common man  
and create lasting opportunities for posterity so that  
when our children grow up, they can look back to  
this era with satisfaction

And this was truly the case as everyone had equal access to education, Elementary schools and to some extent Middle and Secondary schools were tuition-free, uniforms, classroom furniture, meals, travelling allowance, pocket monies, and textbooks, were all taken care of by the various government; libraries were well stocked with relevant journals and books and the atmosphere was suitable for serious academic exercise.

However, from the 1970s things began to take a dramatic turn, as education became a most lucrative industry, a fertile field for large-scale embezzlement, contract fraud, salary and allowance fraud, misappropriations, and outright theft of the recurrent and capital funds allocated to education. This situation has been amply captured by Alkassum et al (1986), when they contended thus:

...the total actual public capital expenditure for education in the whole of the Second Plan Period, 1970-1974, was only N254.579 million. In the Third Plan Period, 1975-1980, the total actual public capital expenditure for education rose to N2.988 billion. Granted that the Second Plan lasted only for four years, while the Third Plan lasted for five and a half year; we still have a comparison of between an actual capital expenditure by all the governments of the federation of only N63.268 million for each year of the Second Plan, 1970-1974, and an actual capital expenditure of N543.278 million for each of the Third Plan, 1975-1980. The actual capital expenditure on education per annum, by all the governments of the federation, thus rose by over 800% between the two plan periods...but the increase in the number of institutions and total enrolment attained was barely over 100% for all the various types of educational institutions. The indication given by the evidence is that, while actual capital expenditure rose by eight times, the number of institutions barely doubled and enrolment only trebled

Reacting to the above assertion, scholars are of the view that the system witnessed stagnation in both quantitative improvements in terms of several institutions and student enrolment as well as little development in respect to the capacity to meet standards and efficiency in the process and products of education (due to the government of the period cornering larger chunk of educational fund into their pockets and those of their cronies through bribes, kickbacks, and diversion (Abba, et al,1985, Nwagwu,2002:18). This situation according to ASSU (2002) and Usman (2004) is attributed to how the post-colonial government has organized, planned and administered the education system, hence it continually suffered a setback. In his analysis, Usman (2004) described as the deliberate wrecking of education in Nigeria.

The incursion of the military into the country's political terrain did not solve the problem as they further set the stage for the further degeneration of the educational sector. This was glaring in the way they handled issues concerning education. For example, when the duo of Buhari/Idiagbon took over the mantle of leadership in December 31, 1983, they set out to roll back some of the significant achievements of the leaders of the Second Republic; this was evident in the 1984-1985 dismantling of educational institutions, including in the northern part of the country that was already educational disadvantage. The administration went further to cancel all subsidies, which the federal and state governments were providing for students at various levels, including meals (this in their argument was to check the financial maladministration by the politicians, who had turned the sector into money spinning venture). The last straw that broke the camel's back was the imposition of the Structural Adjustment Program (SAP) by the Babangida administration which brought untold hardship on the populace, impoverishing parent so much so that it became very difficult for them to finance their wards through school. This was achieved according to Abba et al (1985) through the following government policies:

- Reduction in the amount and proportion of government expenditure allocated for education;
- Imposition of educational levies and fees.
- Large-scale retrenchments and an almost freeze on new employment of the product of the educational system.
- An official campaign to encourage urban dwellers to return to the rural areas to take up farming.

- The imposition of a series of edicts, regulations; policy measures, taxes, fees and rates on medium-sized and petty traders; urban and rural craftsmen and artisans; pastoralists; and peasant farmers, all of which restricted the scope of their economic activities, including capacity for self-employment, and extract revenue from them

The impact of all these policies further devastated the educational system leading to the reduction of children, youth, and adults receiving education. They also impacted negatively on the quantity and quality of education provided in the whole country. It became more devastating because it came in almost at the same time as the withdrawal of various aids and grants to students (Analysis, 2004). This situation since that period has been deteriorating further, so much so that parents cannot provide basic education for their children and wards. It is therefore not surprising that in 1996, the Child Welfare League reported that in Lagos alone there were 100,000 boys and girls of school age roaming, living, and working on the streets. In Northern Nigeria, children known as the “*almajirai*” who are supposed to be of school age, survive on street begging. The situation is graphically illustrated in the International Labour Organization (ILO), 2004 which states thus that World Development Indicators, 2004, estimates that 24.6% of children between the ages of 10 and 14 in Nigeria were working. This claim was corroborated by UNICEF/National Bureau of Statistics, in which they reported that approximately 24% (33.6 million) of all Nigerian children under the age of 16 are working instead of being found in the classrooms (JDPC/Caritas,2009).

Presently, the country boasts over one hundred and four tertiary institutions, over eleven thousand (11,000) secondary schools, and thousands of primary schools; Yet a majority of them lack the basic equipment for sound scholarship (Ezekwesili, 2006; Okecha, 2009, Jimada, 2010). The general argument is that there has been an increase in terms of structures i.e., in the building of schools, but it is however sad that equipping such schools has always been a problem in this country (Adesina, 1982; Onwuame 1995; Nwagwu, 1997; ASSU, 2002).

The above situation has made the Nigerian education sector and system a dysfunctional one that lacks focus and a sense of direction. Major issues concerning education have been politicized thus making most educational goals unattainable. The political class has continually paid lip service to the development of the sector, yet nothing meaningful is coming out of it. The focus of the politicians and government of the day is to push more allocation in the yearly budget to

security/security votes, which eventually end up in their pockets and unaccountable for. It is even more ironic, that despite the amount spent on security, sectoral crises is on the increase.

Nigeria is a member of the United Nations and one of the most active members in Africa. Given the importance of the education sector to National Development, the United Nations Educational Scientific and Cultural Organization, UNESCO, has recommended that all countries should allocate 26% of their annual budget to the educational sector. In response to this call, the Nigerian government's allocation to the education sector has always been staggering and most often on the low side. An analysis of the federal government's allocation to the sector in the last nine years indicates that the government is careless about what happens to the education sector. For example, in 2000, the budgetary allocation to the sector was 8.36%; it decreased to 7% in 2001, only to increase to 8% in 2002.

However, in 2003 it went down again to 7%, only to rise sharply in 2004 to 12.00%. In 2005, it fell to 11% that year and stabilized in 2006, only to fall to 8% in 2007. In 2008, the allocation rose for the first time to 13%. (Mordi R, 2008). However, records from our not-too-developed nations, show that they have kept religiously to the cry of the U.N. For example, while Botswana spends 19.0 % of her budget on education, Swaziland pulls 24.6% of hers into the same sector. Others like Lesotho gives 17.0%; South Africa 25.8%; Cote d' Ivoire, 30.0%; Burkina Faso, 16.8%; Ghana, 30.0%; Kenya, 23.0%; Uganda, 27.0%; Tunisia, 17.0%; and Morocco, 17.7%. Before 1999, the federal government's expenditure on education had been below 9% of its overall expenditure on average (Okecha,2008).

In terms of facilities and usage, the United Nations has spelled out the workload of lecturers in the university, the UNESCO norm is 1:10; i.e. lecturer-student ratios. However, the reverse is the case in most universities in Nigeria as lecturers in most universities in Nigeria carry heavier workloads than their counterparts in other universities of the world. For example. in Kenya it is 1:8; in Zimbabwe, it is 1:7; in Mexico, the ratio is 1:8; in Brazil, 1:10; United Kingdom, 1:9, and in my country Nigeria, the ratio is estimated at 1:19. The Nigeria situation has been argued to be worst than what is presented here some students in most cases sit either by the window, some by the door and in some cases some standing side by side the lecturer during classes.

Apart from the above, the level of illiteracy in the country has continually been on the rise, while the level of literacy has been pegged at between 45 and 54 percent. This present literacy level is

unacceptable for a country whose goal is to become the 20th-largest economy by 2020. The literacy level in the country has steadily and gradually deteriorated, especially within the 15-24 years group. By 1999, the overall literacy rate had declined to 64.1% from 71.9% in 1991. The trend was the same in males and females within the age group, 81.35% in 1991 to 59.3% in 1999, and 62.49% to 59.3% for females in the same year. The country has about 60,188 primary schools and 10,913 secondary schools; 104 universities 27 federal, 30 state, 42 private, and 19 other degree awarding institutions, yet cannot boast of bringing out the best in the world. For example, Prof. Rufai, (Minister of Education), argued that Nigerian schools are flooded with unqualified teachers. According to this analysis, no fewer than 207,813 of the 603,461 teachers under the Universal Basic Education scheme are unqualified. A breakdown of the figure shows that of the 180,784 teachers in the Northwest, 84,617 (46.8%) are unqualified, the North East has 52,277 (57.7%) unqualified teachers out of 90,602; in the North Central 40,202 (38%) of the 103,044 teachers do not have the required qualification to teach; the South East has 10,646 (16.7%) unqualified teachers out of 63,784 and the South-south has 13,821 (19.2%) out of 71,889 and the South West has 6,250 (7%) unqualified teachers out of 93,358 (Yusuf, 2010).

On the state of infrastructure in primary and secondary schools (JSS), it is alarming to learn that out of 1,050,215 classrooms required for pupils nationwide, only 447,295 are available. The classroom shortfall under the UBE Scheme is about 609,919(Yusuf, 2010).

#### **The State of Infrastructure (classrooms)**

<b>Level</b>	<b>Expected</b>	<b>Available</b>	<b>Shortfall</b>
<b>Primary</b>	797,715	359,625	438,089
<b>JSS</b>	252,500	87,670	164,830
<b>Total</b>	<b>1,050,215</b>	<b>447,295</b>	<b>602,919</b>

The above situation as earlier noted is evidence of corruption in the sector as perpetuated by the political class. For example, not too long ago the Independence Corrupt Practices Commission (ICPC) discovered about N3.32 billion in massive fraud and diversion of funds meant for Universal Basic Education (UBE) by state government officials between 2005 and 2006. It is therefore not surprising that, out of 33.9 million Nigerians eligible for secondary education only



6.4 million were in secondary school as of the end of 2005, since the funds made for the purpose have been diverted and most of the people could not afford to send their children to school. It is the level of idleness on the part of those who are supposed to be in school but cannot be due to the high level of corruption among the political class that is responsible for insecurity and violence in the country. This is because apart from those of primary school age, millions of youths (dropouts) in various parts of the country are easily lured into all kinds of crimes. In the case of the northern part of Nigeria and the Niger Delta area, youth unrest has become an amalgam of ethnic, economic, and political forces contending over poverty, unemployment, and resource control (JDPC/Caritas, 2008).

The above situation has been graphically captured by Jimada, (2010), when he argued that as a result of poor government patronage leading to a lack of facilities, Nigeria has recorded a low level of enrolment of school-age-going children. He posited that many states especially in the north enrolling just 15 to 20% of pupils for primary education in the 21<sup>st</sup> century is embarrassing for a country like Nigeria. The scenario he contended is responsible for the abundance number of children roaming and hawking wares in the streets. The breakdown of the literacy rate among women in the northern part of the country is ridiculous; it shows that in Katsina, women's literacy rate remains a ridiculous 5%; literacy rate for women in Jigawa is 6%, 9% in Sokoto and 13% in Zamfara and Kebbi States. This is coming at a time when most countries of the world are encouraging women's education. The overall literacy rate in Nigeria is 45 (Okecha, 2008, Jimada, 2010). Scholars have contended that the 69% adult literacy rate for Nigeria is low when compared to that of Gabon which is 84%, Sao Tome and Principe 85%, Namibia 85%, Congo 85%, Madagascar 60%, Cameroon 68%, and Zimbabwe 89% (Akinyemi, 2010).

The above situation is a total contradiction of the educational situation the early education planner had for the country at independence. It is argued that the years immediately after independence seem to be a bit better of as it witnessed some considerable enrolment of pupils nationwide. For example, in 1981/82, there were 15,358,460 pupil enrolments nationwide, the figure increased to 16,171,380 in 1982/83, with about 376,545 teachers. This figure represents adequacy in the quality of education and performance. During this period education was virtually free in government and public schools for those who cared to attend. This encouraged pupil enrolment nationwide due to commitment and the provision of funds adequate to finance

education. From the incursion of the military into politics to this day, education has continually suffered setbacks due to corruption, inadequate funding, and operational inefficiency; this has reduced the quality of education offered at all levels. Ironically, while the country's education system remains in limbo, there is the proliferation of all manner of private schools as well as a mass surge for education in the neighboring countries as well as in Asia and other developed world by Nigerians. For example, there are over 70,000.00 Nigerian students attending different institutions in Malaysia. Malaysia is a new discovery among countries where quality education can be attained. Many Nigerians who can afford now enroll their children in private schools within and outside the country where huge sums are paid to educate such children. How can the children of struggling and poor Nigerians afford quality education in expensive private schools (Jimada, 2010).

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## CHAPTER 14

### MAJOR POLITICAL PARTIES IN NIGERIA'S FOURTH REPUBLIC

*Felix Oludare Ajiola*

#### **Introduction**

This chapter discusses the historical development of the major political parties in Nigeria's fourth republic. It is axiomatic that political parties are the most critical instrument for the consolidation of a democratic system of governance. The complexion of a government does not matter, as long as it has been ushered into power through a legitimate and constitutionally constituted political party. A party therefore becomes the engine room of political power. Ideologically compatible politically oriented individuals with a shared national vision of the imperative of government and the means of realizing them are inclined to unite and devise the formula for trading their manifesto to the people – in a bid to capture political power and for constituting a government that will initiate its agenda. In one party, competition for power is within the party. Such intra-party competition is not particularly less fierce or less vicious than competition between parties.

However, inter-party competition for power is a campaign of alternative visions of government among two or more parties. The chief purpose is to present a formidable candidate and superior programs to persuade the electorate of the party's superiority over other competing political parties<sup>1</sup>. The extent to which a political party is perceived depends on the degree to which its manifestoes and programs reflect the public welfare. Also, credible and fair elections, therefore, are the major barometers of party popularity among the electorate. They are also involved in the process of political mobilization to constitute a ruling government or serve as opposition to the government. Both the opposition and government are essential in the democratic development of a nation. The party system is therefore an extension of the electoral process<sup>2</sup>.

It is important to note that after decades of military dictatorship across Africa, there was a renewed transition process to democratic governance in the 1990s. Many military-governed countries embarked on the path of democratization through the convening of national conferences, constitutional development, and the formation of political parties. The spread of neoliberal democratic practices also resulted in the removal of many tyrannical and sit-tight

presidents in Africa<sup>3</sup>. The first among the sit-tight dictators, who relinquished power to a democratically elected president during the 1990s, was President Mathieu Kerekou of Benin Republic following a national conference that shoved him out of power. In the Republic of Congo, the country's sit-tight ruler, President Sassou Nguema was stripped of his absolutist power in the 1990s after an interim president and constituted national committee were saddled by the people to chart a novel political path for the country. On 29 July 1990, the republics of Niger and Mali strategically launched national conferences to build a new foundation for their political development. These initiatives culminated in the inauguration of transitional governments and the conduct of multi-party elections which ushered in democratically elected presidents. Thus, Africa's response to the protracted military dictatorship was influenced by the convergence of various pressure groups, trade union congresses, and ethnic as well as ideological associations which pressed for a transition to the ballot-box democratic system<sup>4</sup>.

In Nigeria, efforts taken to transition from military dictatorship to a democratic political system during the 1990s were stalled as a result of draconian, indecisive, and dictatorial measures adopted by the country's head-strong military head of states – notably Generals Ibrahim Babangida and Sani Abacha. Nigeria's third republic was truncated through manipulation of the electoral processes, ethnic politics fostered by the parasitic political elite, and the domineering influence of Nigeria's sit-tight military dictators on the transition processes. But the foundation of Nigeria's political problems was laid in the country's First Republic. At independence, the so-called radicals and nationalist political elite became the conservation of the moment as the indigenous leaders performed worse than the erstwhile colonialists. With intense corruption, unfavorable ethnic rivalries, inefficiency, and general laxity, Nigeria's political terrain deteriorated. Tribal politics became the norm leading to senseless killings, nepotism, and mediocrity while power became dangerously concentrated in a particular class and vested interest. This resulted in uneven social development, extreme poverty, total insecurity, ubiquitous disease, ignorance, and ultimately the collapse of the first, second, and third republics<sup>5</sup>.

The termination of Nigeria's first, second, and third republic ushered in the military who promised to rescue the country, politically from the thieving civilian government, but history

proved them wrong. There were military coups and counter coups that produced almost nothing except compounding the political problems.

It is against this background this chapter is devoted to an analysis of the major political parties in Nigeria during the Fourth Republic. The paper is organized into four primary sections, beginning with this introductory section that lays the context for the discourse. The second piece briefly discusses the political development in Nigeria during the third republic, while the following section is an analysis of the political parties in Nigeria since 1999. The fourth part is the conclusion.

### **Political Development in Nigeria Before 1999**

The pillar of democracy in Nigeria was first uprooted on January 15, 1966, when Major Chukwuma Kaduna Nzeogwu led an assault on the country's fragile democracy in the superiority of the gun over the ballot box. Barely six years after Nigeria obtained independence from the British colonial rule the military aborted the fledgling democracy. The military ruled from 1966 to 1979 when the second republic was inaugurated. Several reasons were adduced to the protracted military regimes before power was handed to civilian government. In 1974, General Yakubu found 1976 unrealistic to return the country to democracy. According to him, "it would be a delicate toy in the hands of adolescent babies"<sup>6</sup>. General Gowon was ejected by General Murtala Mohammed in 1975 who adopted a new realistic date: October 1, 1979. Following the elimination of Murtala Mohammed, General Olusegun Obasanjo who succeeded him pushed the military back to the barracks as planned by his predecessor.

Consequently, an American-style executive presidential system replaced the parliamentary system during the Second Republic. Though the Second Republic constitution was written by the civilian, it was closely supervised by the military. The Shehu Shagari's second republic was not allowed to bud before several allegations of corruption and incompetence were laid by the populace who lured the military to return<sup>7</sup>. Some of the accusations against the Shagari were that he rigged the 1979 election and re-imposed himself on the country in 1983. The military inadvertently seized power in 1983. The overthrow brought General Muhammadu Buhari to power. This regime could be described mildly as one of the greatest rapes of democracy in Nigeria. The regime was noted for its glaring abuse of human rights, dictatorship, and

suppression of popular opinions. However, General Buhari and Tunde Idiagbon's administrations were also cut short by another military ruler, General Ibrahim Babangida.

Soon after General Ibrahim seized power on August 27, 1985, he assured Nigerians that he was bent on doing more than tinker with Nigeria's basic social and political structures to build an enduring democracy. General Babangida further articulated a myriad of programs his administration would initiate to return the country to civilian rule<sup>8</sup>. However, the Nigerian state during his military leadership was a semi-democratic and semi-dictatorship system political administration. The Third Republic initiated in 1992 was solely masterminded by the scheming military head of state, General Ibrahim Babangida to elongate his sit-tight regime in Nigeria. Unlike the first and second republics, there were democratically elected state governors and state assemblies and democratically elected federal legislators without a ballot-box elected president.

The constitution backing the inauguration of the third republic was endorsed by General Ibrahim Babangida in 1989 against the backdrop of intense pressure from Nigerians to return to civilian rule. In response to the heightened demand for a democratic government, General Babangida announced several measures to relinquish power to a democratically elected candidate by 1990. However, following the template of the previous military head of state in Africa, General Babangida kept shifting the date of his transition to civil rule till 1993. Despite the political gimmicks of General Babangida, the two political parties were created and accredited to contest for the elections in 1993. These were the National Republican Convention (NRC) and the Social Democratic Party. Alhaji Bashir Othman Tofa represented the NRC; Chief Moshood Kasimawo Abiola flew the ticket of the SDP. National euphoria was palpable at the prospects of a return to participatory democracy after nearly ten years of military rule.

It should be noted that Abiola and Tofa were of two peas in the pod though differed in some contexts. They both belong to the NPN, the ultra-conservative party, in the Second Republic. Both were moderate Muslims. Both trained in universities in England, and both were fabulously wealthy. Tofa was an economist, and Abiola an accountant two disciplines that are related. Both Abiola and Tofa were philanthropists, though Abiola was close to becoming a Santa Claus. Thus, on June 12, 1993, the Nigerian electorate had a poll to elect a civilian president and to end the nightmare of military rule. However, the anticipation of a new democratic dawn was suffused with suspicion and cynical apathy. Despite the humongous financial and technical resources

injected into the transition process, vis-à-vis the assurances by President Ibrahim Babangida that the transition would go unhindered. On May 5, 1993, the National Assembly, tensely concerned by the growing clamour for additional four years of military rule summoned an emergency joint session to decide on a motion raised by Senator Okey Umeano, representing Oyi in Anambra State on the need for the Military President to elongate his transition programs<sup>9</sup>.

The uncertainty regarding the sincerity of General Babangida was worsened by Decree 13 which gave NEC the power to postpone the election if doubt arose that there would be a breakdown of law and order. The election campaign was fenced around by a legion of rules and decrees. There was also ambiguity over the transition date.

The election, which was held on June 12, 1993, was won by Chief Abiola. Following the victory of Abiola, the military government discredited the entire process which has been regarded as the fairest credible, and transparent election in the history of democracy in Nigeria. On June 26, 1993, President Babangida made a broadcast attributing the government's cancellation of the June 12 election to the excessive use of money to bribe electorates by Moshood Chief Abiola and Alhaji Bashir Tofa<sup>10</sup>. There was a total marginalization of the civilian class by the military. It could be argued that through a deliberate and calculated act of commission, a fundamental injustice was unleashed on the Nigerian people as the Babangida government brazenly denied Abiola and the Social Democratic Party the victory they earned in the presidential election of June 12, 1993<sup>11</sup>.

In what appeared to be a well-rehearsed script, between General Babangida and Chief Ernest Adegunle Shonekan, power changed from military to civilian rule on August 26, 1993. This was interpreted by the Yoruba political elites "as a desperate move to install Shonekan with General Babangida in the background and a calculated attempt by General Babangida, in alliance with conservative northern political elites to pacify the West by dividing their ranks and weaken the base of Abiola"<sup>12</sup>. However, Ernest Shonekan's interim regime was cut short by a former Chief of Army Staff (1985-1990), Chief of Defence Staff (1990 -1993) and the Minister of Defence. General Sani Abacha became Nigeria's Head of State from 1993 to 1998.

## **Political Parties in Nigeria Since 1999**

The democratic political system in Nigeria has been in a state of coma since the inauguration of the Fourth Republic in 1999. It is instructive to note that the demise of the military dictator, General Sani Abacha on June 8, 1998, ushered in a new democratic milieu in Nigeria. The process that resulted in the Fourth Republic brought tremendous political and constitutional changes. The foundation of the transition to democracy was pioneered by the military President after the demise of General Sani Abacha. This was General Abdulsalami Abubakar. The new military President repudiated major political structures and programs initiated by his successor towards for transition to democracy. These included the reformation of existing political parties, regulation of pressure groups, revitalization of the electoral organs, and constitutional adjustments. After a series of consultations with different political, ethnic, religious, and other stakeholders, General Abdulsalami unveiled his grand strategy to transition to democratic governance. The date scheduled for the transition to civil rule was May 29, 1999.

The role played by the reformed electoral organ was significant in the political transformation that occurred during the period. Stringent conditions were stipulated for the large number of political parties that enlisted with the newly constituted electoral body, the Independent National Electoral Commission (INEC). However, only a handful of the plethora of political parties that subscribed to INEC were accredited to participate in the elections that inaugurated the fourth republic. The three dominant political parties accredited to contest elections were the People's Democratic Party (PDP), the Alliance for Democracy (AD), and the All-People's Party (APP).

This development contributed to an increase in political rallies and electoral activities during the first quarter of 1999 and resulted in the voting of political aspirants into various executive and legislative positions at the federal, state, and local government levels across the country. At the center, the keenly contested presidential position between Chief Olu Falae of the AD-APP alliance and a former military Head of State, Chief Olusegun Obasanjo ushered in the latter who emerged through the umbrella of the PDP as President of the Federal Republic of Nigeria and the Fourth Republic. Consequently, Chief Olusegun Obasanjo together with his Vice, Alhaji Atiku Abubakar was inaugurated as the winner of the election on May 29, 1999.

In addition to the remarkable triumph of Chief Olusegun Obasanjo, his political party - the PDP claimed overwhelming seats at the local government, state governorships, and National

Assembly across the country. The emergence of President Olusegun Obasanjo was rapidly accompanied by an amended constitution. While the 1999 political contestation was characterized by immense euphoria, rekindled hope, and daunting expectations, among the citizenry and the global community, the elections that birthed the fourth republic were strongly repudiated by the political rival of President Olusegun Obasanjo through a series of electoral petitions and litigations. Despite intense pressures from within and outside the PDD, President Olusegun Obasanjo strategically completed a two-term tenure as the president of the Federal Republic of Nigeria, while his political party also dominated the political affairs in the country for almost two decades. Nigeria has conducted six general elections since the inauguration of the Fourth Republic in 1999<sup>13</sup>. Democratic dispensations according to the constitution of Nigeria consist of a four-year term which is renewable for another four years. In this case, general elections have been conducted in 2003, 2007, 2011, 2015, 2019, and 2023 after the 1999 election.

It is, therefore, important to assess the dynamics of electoral processes vis-a-vis the role of major political parties after 1999. The next election after the 1999 general election was conducted in April 2003. This election was the first democratic exercise after the 1999 election which brought the PDP to the limelight. Unlike the 1999 general election when the Independent National Electoral Commission (INEC) enlisted only three political parties, the number of accredited political parties increased to thirty. The majority of the parties deregistered in the 1999 election were recognized and incorporated into the 2003 electoral processes. The political climate during the 2003 election was intense for several reasons. The general electoral processes were hijacked by the ruling political party which deployed state machinery to undermine other political parties. The election was also highly monetized and characterized by several irregularities.

Prominent politicians and influential state actors mobilized their resources, and arsenals, including security apparatuses to undermine the democratic process. An after of the 2003 election, for instance, was the assassination of a highly influential political figure in the country, notably Chief Bola Ige, the Minister of Justice and Attorney-General of the Federation (AGF). Other prominent political figures were also murdered by suspected political opposition. For instance, the assassination of Chief Bola Ige by suspected political thugs was at his residence in

Ibadan. This shows the violent nature of Nigeria's political climate during and after the 2003 elections.

Another major feature of the 2003 elections was the intricate political alliances, cross-carpeting, and several electoral irregularities. It was recorded that alliances were formed between the ruling party (PDP) and Alliance for Democracy (AD) as the latter mobilized its supporters for the former during the presidential election. Other prominent political parties such as the ANPP mobilized their supporters to challenge the dominance of the PDP in the presidential election which was held on April 16 2003. The presidential candidate of the ANPP was an unpopular former Head of State, General Muhammadu Buhari with a low 'political capital' among the major contestants. The 2003 electoral process ended in the re-emergence of President Olusegun Obasanjo with over 60 percent against General Mohammadu Buhari with barely 30 percent of the total votes. Except for Lagos, the ruling party claimed a dominant share of the votes cast at other levels such as Local Governments, State Governorships, the Senate, and the House of Representatives across the country. To be sure, the PDP won virtually all the Governorship seats in the Southeast states, except for Anambra where Peter Obi contested in the Anambra State Governorship election as a candidate for the All Progressives Grand Alliance (APGA) party in 2003; but his opponent, Chris Ngige of the People's Democratic Party, was declared the winner by the Independent National Electoral Commission (INEC)<sup>14</sup>. In the Southwest, the PDP also won the majority of the state's governorship elections relinquishing only Lagos for the AD. The same trend was recorded in the Northwest, Northeast, and Northcentral regions of the country<sup>15</sup>.

The dominance of the PDP was however discredited by its political opponents on the basis of glaring manipulations, such as ballot-box snatching, use of political thugs and state security agencies to undermine the electorates in addition to vote buying. Nevertheless, the 2003 election marked a consolidation of the PDP as a dominant political party in Nigeria. The strong influence exercised by the ruling party over various government agencies and parastatals including the National Assembly, and the Independent National Electoral Commission (INEC) gave the PDP the impetus to determine the outcomes of subsequent general elections similar to the 2003 election. In addition, President Olusegun Obasanjo took calculated measures to amend the constitution to allow him to rule for a third term. However, the agenda was thwarted due to



intense criticism by the Nigerian people. Against general dissatisfaction with the PDP, the 2007 general election further showed the fragility of Nigeria's democratic system<sup>16</sup>.

The presidential election was contested by eighteen major political parties, though the most popular were the PDP, ANPP, and AC. In a bid to sustain its prebendal legacies of corruption and political domination, the ruling party-imposed Alhaji Umuru Musa Yar'Adua as the presidential flag bearer of the PDP. The ANPP flagged General Muhammadu Buhari, while the Alhaji Atiku Abubakar was the preferred candidate of the Action Congress. Ultimately, Alhaji Umuru Musa Yar'Adua emerged as the president of the Federal Republic of Nigeria. In the dubiously conducted election by INEC, Alhaji Musa Yar'Adua was accorded seventy percent of the votes, General Muhammadu Buhari, eighteen percent, Alhaji Atiku Abubakar seven percent while other political parties shared the remaining votes. Yar'Adua in the course of his administration acknowledged that the 2007 election which brought him to power was rigged for him by the ruling party. Similarly, the governorship elections conducted in 2007 were also characterized by electoral manipulations by the ruling political party and INEC. One major feature of the 2007 governorship elections was several nullifications of election results by the judiciary.

What has happened to Nigeria's political evolution is not simply about the weakening of democracy and democratic choices, but a problem of irredentists laboring to impose a monolithic culture on heterogeneous political, social, and ethnic voices. The foregoing discussion suggests that it is difficult to enjoy democracy based on 'capitalist electoral mechanisms and processes' What has existed in Nigeria since the inauguration of the fourth republic, is nothing but "electo-plutocracy" such as the government of the money and capital-powerful few, which is legitimized with the façade of regular elections. The transition from Olusegun Obasanjo to Umaru Musa Yar'Adua of the same political party (PDP) was a violent robbery of the electorate, which the newly elected president admitted before the United Nations Secretary-General. Mr. Ban-Ki Moon<sup>17</sup>. President Yar'Adua assured Nigerians that due investigation would be made with proper restitution. President Yar'Adua inaugurated a panel led by Justice Mohammed Lawal Uwais to investigate and provide solutions to the recurrent electoral manipulations in August 2007. Unfortunately, like previous electoral investigative panels, Justice Mohammed Lawal

Uwais's ended in a fiasco. Apart from the intense contestation between the ruling party (PDP) and its oppositions, there were intractable squabbles within the various political parties.

The most obvious however was within the PDP, where incessant struggles between President Olusegun Obasanjo and his Vice Alhaji Atiku Abubakar almost shattered the ruling party. After the first tenure of President Obasanjo in 2003, there was intense jostling by Alhaji Atiku who wanted to secure the ticket of the PDP based on an unwritten agreement between them. Against the jostling and scrambling by Alhaji Atiku to clinch the ticket, President Obasanjo completed a second term between 2003 and 2007. Due to his failure to secure a third term, President Obasanjo handed the presidential ticket to Dr. Umaru Musa Yar'Adua who became Nigeria's president from 2007 to his unfortunate death in 2010. The emergence of President Yar'Adua led to intense politics within the PDP as several stakeholders moved from the ruling party to join other political parties. Like the ruling party (PDP) internal disputes resulted in the polarization of the ANPP between 2003 and 2005. The same crises rocked the Alliance for Democracy which contributed to the disintegration of the party. The most prominent faction from the partitioned AD established the Action Congress under the auspices of Bola Ahmed Tinubu. The Action Congress soon transformed into the Action Congress of Nigeria in 2004. Following the demise of President Umaru Musa Yar'Adua, his Vice Dr Ebele Goodluck Jonathan was decorated as the substantive president of the Federal Republic of Nigeria on May 5, 2010<sup>18</sup>.

Before his unprecedented ascendance to Aso Rock, Dr. Jonathan was sworn in as deputy to Governor Diepreye Alamieyeseigha of Bayelsa State, on 29 May 1999. Alamieyeseigha had emerged as the Bayelsa state governor under the umbrella of the PDP. Dr. Ebele Goodluck Jonathan served as Deputy Governor until December 2005. However, Governor Alamieyeseigha was sacked by the Bayelsa State Assembly due to issues of financial misappropriation on December 9, 2005. This incident led to the elevation of Dr Jonathan as the governor of Bayelsa State. It was in the face of the euphoria that Dr Goodluck Jonathan was endorsed by the national organ of the PDP as Vice Presidential candidate to Umaru Musa Yar'Adua<sup>19</sup>. Dr. Goodluck Jonathan recognized the constitutional limits of the Vice President's office and diligently fulfilled his principal obligations as Vice President; participating in cabinet meetings and, by statute, was a member of the National Security Council, the National Defence Council, the Federal Executive Council and chairman of the National Economic Council.

During his inauguration address, Dr. Goodluck Jonathan proclaimed that his government would be geared towards a Transformation Agenda and vowed to consolidate the seven-point agenda policy framework of President Yar'Adua. President Jonathan specifically admitted the perverse corruption and decadence that had characterized Nigeria's electoral processes since 1999. In pursuant of his predecessor's commitment to reform the electoral process in Nigeria, President Goodluck Jonathan took decisive measures to conduct a credible election in 2011. His first laudable effort in this regard was the general overhauling of the Independent National Electoral Commission (INEC). The chairman of the commission, Prof. Maurice Iwu was replaced with Professor Attahiru Jega in 2010.

The appointment of the revered political scientist and former President of the Academic Staff Union of Universities (ASUU) was welcomed by the major political parties and electorates. Indeed, Prof. Attahiru Jega, the new INEC chairman introduced a few reforms, particularly the introduction of electronic voter registration which altered the schedule for the 2010 general elections. Due to bureaucratic and technical bottlenecks associated with the novel innovation introduced by Prof Jega, the general election was rescheduled from January to April 2011<sup>20</sup>. This generated heated criticism among the electorate and political opposition. There was also the heated controversy over the suitability of Dr. Goodluck Jonathan, a southern Christian as a replacement for Dr. Umaru Musa Yar'Adua – a northern Muslim, vis-à-vis the question of zoning the presidency back to the north to complete Yar'Adua's tenure. The presidential ticket of the Action Congress of Nigeria (ACN) was handed to Nuhu Ribadu, one of the disgruntled members of the PDP.

The crisis which polarized the ruling party also gained momentum among the major opposition parties such as the ANPP and ACN which sought to maximize the opportunity for the emergence of a northern candidate. This led General Muhammadu Buhari to break out from the ANPP to create the Congress for Progressive Change (CPC). The polarization of ANPP which was the major opposition to the ruling party and the registration of over sixty political parties brightened the chances of the PDP in the 2011 election. The lack of potent opposition to the ruling party thus paved the way for the victory of Dr. Ebele Goodluck Jonathan in the presidential elections which was conducted in April, 2011. The PDP claimed the bulk of the votes, representing about sixty percent, leaving the ANPP with barely thirty percent and less than eight percent for the

ACN. Like the previous general elections, the 2011 election was bedeviled with extreme violence that led to the loss of many lives and properties. In many northwest' states, the declaration of Dr. Goodluck Jonathan sparked off violence which resulted in the death of many Christians, students, migrants, and National Youth Service Corp members. The aftermath of the election was a series of electoral litigations which ended in the victory of the ruling party<sup>21</sup>.

Between 2011 and 2015, Nigeria's political climate witnessed the growth of complex alliances and the merging of several medium political parties against the PDP. An unusual alliance was formed between the ANPP, CPC, ACN, and a fragment of the All-Progressives Grand Alliance (APGA) in 2013. It was this political alliance that birthed the All-Progressive Party (APC) which ultimately wrestled power from the PDP in 2015<sup>22</sup>. Therefore, rather than retreating to the camps, the major political opposition mounted immense pressure on the ruling party. Apart from major protests against President Goodluck Jonathan's economic initiatives such as the removal of fuel subsidies, privatization of the electricity sector, and the Treasury Single Account (TSA) among others, the APC embarked on a campaign of calumny alluding that the ruling party was responsible for the spread of terrorism and banditry to rig elections in the northern parts of the country.

The oppositions adopted propaganda as a tool for challenging the policies of the ruling party. The APC also condemned INEC's innovation of automated fingerprint identification system (AFIS), as a ploy by the PDP to disenfranchise the electorate. When President Jonathan acted on a security report from the National Security Adviser to postpone the general elections by six weeks, due to increased banditry and terrorism in the northeast, the opposition also organized several rallies and protests. Thus, the democratic space between 2013 and 2015 was fiercely dominated by the opposition parties, especially the APC which was bent on beating the PDP to its knees. The APC gained a tremendous boost when several governors, senators, and House of Representative members from the ruling party across the country crossed to the burgeoning APC<sup>23</sup>.

The coast was clear for the newly emerged political party (APC) by 2015 to dislodge the PDP which had been in power since 1999. Though there were several smaller oppositions to the PDP, the 2015 elections were vehemently contested between the PDP and APC. In a bid to galvanize the support of the northerners, the APC zoned its ticket to the north. This allowed General Buhari

to run under the umbrella of the APC. The PDP on the other hand zoned its presidential ticket to the south, retaining President Goodluck Jonathan as its preferred runner. In a keenly contested election that was held in April 2015, between the two elephant political parties, the APC tactfully dislodged the “all-powerful” ruling party (PDP). The 2015 elections were not without its challenges. The country recorded innumerable killings of innocent citizens, destruction of properties ballot box snatching, and suppression of the electorate. They brought the APC to the limelight in Nigerian politics.

With the change from PDP to APC led government in 2015, there was high optimism that corruption, misrule, and impunity of political office holders in Nigeria would be an anachronism. However, after winning the president and majority of the governorship, and national assembly seats, the baton of oppression, opprobrium, and misrule increased in catastrophic proportion under the APC. The APC became a more opaque, corrupt, and ideologically bankrupt political party in Nigeria. Did Nigerians fight for democracy only to continue with the reckless looting of their patrimony, political impunity, and abuses of human rights and watch the supposed democracy turn into a monarchy/oligarchy? The extent to which Nigerians are willing to tolerate crookedness at the highest political level is the extent to which we are not willing to have a better country.

In their delusion, the Nigerian masses celebrate the imposition of a grand perverse, clueless, and sectional figure on the 'highest' office and then top it up with an empty barrel, a bumbling rogue, in the lawmaking arm. The Nigerian template for misrule, corruption, and exploitation of the wealth of the nation for a few thieving political elites has become a source of universal embarrassment. Perhaps never in the history of democracy in Nigeria has a seemingly politically conscious electorate been so willing to celebrate gargantuan electoral fraudulence masked as 'political capacity' as witnessed under the regime of President Muhammadu Buhari and the APC<sup>24</sup>. Standing behind one of the biggest symbols of corruption, the Nigerian political class continues to manipulate the masses, disguising that APC had won the hearts of the Nigerian people. While the APC became an unrivalled party after claiming the presidency in 2015, many influential politicians who were disgruntled defected from the ruling party to the PDP between 2016 and 2018. These included the Senate President, Senator Bukola Saraki, Speaker of the House of Representative Hon Yakubu Dogara, and Senator Dino Melaye etc. Despite this intra-

party division, the APC was declared the winner of the 2019 elections. The incumbent, Muhammadu Buhari contested the 2019 presidential election with prominent oppositions including Alhaji Atiku Abubakar of the PDP, Kingsley Moghalu of the Young Progressives Party (YPP), Donald Duke of the Social Democratic Party (SDP), Obiageli Ezekwesili (ACPN), Ike Keke (NNPP) among several candidates from other political parties.

By 2023, the APC had solidified its political structures of electoral manipulation, and suppression of the electorate than the PDP did between 1999 and 2015. During the 2023 election, INEC colluded with the ruling party (APC) and caused the country a long journey of preparing the way for the emergence of more politicians with less integrity. Since 2015, the Nigeria democratic system has fallen into the hands of its worst handlers! Despite the gargantuan financial, technical, and human resources committed to the 2023 general elections, the process has been regarded as the worst election conducted in Nigeria's democratic history. The presidential and National Assembly elections were conducted on February 25, 2023, while the Governorship and State's House of Assemblies held on March 11, 2023. The presidential seat was strongly sought by three dominant candidates notably Bola Ahmed Tinubu (APC), Atiku Abubakar (PDP), and Peter Obi (LP). Like previous elections in Nigeria, credibility, transparency, and accountability were lacking on the part of INEC during the entire electoral process of 2023. The logistic, administrative, and technical bottlenecks and sabotage of the electronic transmission system by INEC were palpable.

## **Conclusion**

In summary, Nigeria embarked on the path of democratization in 1999 after several years of military misrule. The general dissatisfaction with military dictatorship resulted in the demise of the power of some of the country's sit-tight military presidents. From the foregoing discussion, it could be concluded that the various political parties have contributed tremendously to the democratic system in Nigeria. Nigeria has sustained its adopted Western democratic system of governance through the proliferation of political parties. However, the political parties have also worsened the problems of underdevelopment in Nigeria. Since 1999, the ballot-box democratic system has been bastardized through impunity, misappropriation of resources, nepotism, prebendalism, and disregard for the rule of law by the various political parties. Since, 1999 when the country transitioned from military to democracy, the electoral process has been characterized

by several irregularities such as harassment and inducement of the electorates, falsification of election results, deployment of armed militias to disrupt elections, sabotage and compromise of election materials connivance with key officials of the INEC.

Apart from electoral abuses, the political parties have also contributed to the collapse of social values and decency in the country. Nigeria's democratic system has been monetized owing to the ostentatious and prebendal activities of Nigerian political parties and political elite. Put simply, political parties like the military have contributed to the prevalence of poverty, misery, and kleptocracy. Thanks to the major political parties, Nigeria is ignorantly gravitating toward the Hobbesian state of nature where life is brutish, nasty, solitary, and short. Politically orchestration of violence and anarchy is the major means by which political parties navigate their route to power since the fourth republic. It is pathetic that after several years of unbridled looting of the country by the military, the People's Democratic Party (PDP), and All Progressive Party (APC) which has ruled the country since 1999 have become a nightmare and existential catastrophe for the Nigerian people. The resource curse is not only the unfortunate economic woe; there is also the centralization of corruption under PDP and APC governments. Under this government, industrial productivity is slumbering, and the nation is sinking into a static economy. The dominant interest of the political parties since the fourth republic is no longer productivity and aggregate benefit but the individual aggrandizement of a select few.

In a bid to raise more money for the parasitic political class to steal, the government has resorted to various neoliberal policies and a range of exploitative regulations. Nigeria has become a country where corrupt political leaders are champions, crooks are heroes, purveyors of violence are powerful opinion moulders, where the best are led by the worst, and intellectuals are tutored by illiterates. Like a hilltop house, Nigeria seems to be insulated from the realities in the community of human beings. It has been held hostage by a parasitic political elite and a plunderous capitalist class, as well as by unprovoked masses. Finally, the various political parties since the transition to democratic rule in 1999 only represent power, money, and policies skewed towards its inordinate prebendal accumulative tendencies.

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