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## INTRODUCTION

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**D**ANIEL ELAZAR HAS ARGUED that there are two kinds of federal systems—namely, “those in which the purpose of federalism is to share power broadly, pure and simple, and those in which the purpose of federalism is to give individual national communities a share in the power of the state.”<sup>1</sup> Nigeria is perhaps the paradigmatic African case of the innovative use of federal principles and institutions to accommodate diverse communal constituencies within the power structure of the state. These communities are not primordial but have been shaped by the evolution and reconfiguration of the federal state itself, and it is the communal competition for access to state-controlled rewards and resources, rather than the simple fact of communal diversity, that provides the impetus to federalism in Nigeria.

The Nigerian federal system has always exhibited “peculiar” and “irregular” characteristics.<sup>2</sup> From the conventional perspectives of comparative federalism, the primary anomaly in Nigerian federalism is the domination of the country’s politics by centralizing military elites who have ruled for more than two-thirds of the period since independence from Britain in 1960. Ivo Duchacek, for instance, argues that “the number of military coups d’état, followed by various tightly centralized controls, raises serious doubts about Nigeria’s practice of federalism.”<sup>3</sup>

The interventionist tendencies of what Donald Horowitz has

described as Nigeria's "bloated, greedy military" provide only a partial explanation for the peculiarities and pathologies of Nigerian federalism, however.<sup>4</sup> First, given the "irrepressible pluralism" of Nigerian society and the convulsive repercussions that attended the attempts to impose unitary rule in 1966, the country's military rulers have been constrained to "foster federalism, at least in some respectable way, rather than attempting to confront it at great political risk."<sup>5</sup> Thus, as Lawrence Rupley has observed, the country's military regimes have frequently been characterized "by a sensitivity to the diversity of opinions within Nigeria that is perhaps surprising to those who equate governance by soldiers with an intolerance for differences."<sup>6</sup>

Second, the centralizing tendencies that have reduced Nigeria into a "unitary state in federal disguise," to borrow a phrase from Gavin Williams and Terisa Turner, have not resulted from the military's tightly centralized controls alone.<sup>7</sup> The following must be numbered among other equally critical sources of overcentralization in Nigeria:

- ❖ The fact that the Nigerian federation "was not created by the coming together of separate states but was the subdivision of a country which had in theory been ruled [by the British colonial hegemon] as a single unit."<sup>8</sup>
- ❖ The unifying impact of the 1967–70 civil war, which, like the civil wars in the United States and elsewhere, produced a much stronger central authority with enhanced power and prestige.
- ❖ The ardent and generalized desire for rapid, state-led, and centrally coordinated development amidst pervasive economic scarcity.
- ❖ The overwhelming domination of the Nigerian economy by federally collected oil revenues, which account for some 80 percent of public finances at all levels of government and about 90 percent of the country's foreign exchange earnings.
- ❖ The continued intensity of distributive contention (as opposed to productive accumulation) in the Nigerian federation as the country's constituent governments and segments struggle relentlessly for the center's abundant financial resources and distributive largesse.

These distributive pressures are basic to an understanding of the four issues that constitute the focus of this study—namely, (1) the

intergovernmental sharing of revenues, (2) the reorganization of constituent state and local units, (3) the conduct and uses of population censuses, and (4) the principle of "federal character," which prescribes the equitable representation of the country's diverse segments in public institutions. These four issues are in some way the pivots around which have revolved the country's attempts to use the institutions and practices of federalism to mediate sectional political conflict and regulate ethnic economic competition.

### FEDERALISM AND CONFLICT MANAGEMENT IN NIGERIA

The essence of federalism is the constitutionalized or largely irrevocable division of governmental powers and functions on a territorial basis within a single country. More specifically, federalism entails the division of power between central and constituent authorities, that the division is entrenched in the constitution, that constituent governments (regions, states, provinces, or cantons) have a share in central power, and that the constituent units cannot be unilaterally abrogated by the center.<sup>9</sup> In Nigeria, as in Switzerland, India, or Canada (especially in relation to Quebec), federalism has developed in response to the need for the accommodation of basic territorial ethnolinguistic or religious diversity. Although Nigeria is recognized as one of the most ethnically diverse countries in the world, however, the precise nature of the country's ethnolinguistic composition has remained a matter for conjecture. Nevertheless, there is considerable consensus about the existence of three major conglomerate nationalities that collectively account for about two-thirds of the country's estimated population of 110 million: the Muslim Hausa-Fulani in the North, the predominantly Christian Igbo in the East, and the religiously bicomunal Yoruba in the West. The rest of the population is variously believed to be made up of between two hundred and four hundred "ethnic minorities," ranging in size from several thousand to a few million and comprising adherents of Christianity, Islam, and traditional indigenous religions.

The indeterminacy of Nigeria's ethnic configuration is really not surprising. Like elsewhere in Africa, contemporary ethnicity in Nigeria is hardly traditional or "rigid" in character. Rather, it is "an exceedingly complex amalgam of multifaceted and interpenetrating identities"

that are still very much in the process of evolution and are ever “shifting up or down” in scale and intensity depending on the political or economic context.<sup>10</sup>

The key reason for the collapse of the asymmetric three region federal system bequeathed by the British at independence was precisely that it gave inadequate recognition to the multiplicity, complexity, and latent fluidity of ethnic territorial interests in the federation. Instead, this system reified the country’s major tripartite ethnic cleavage and transformed “a multiple ethnic balance of power,” with no single ethnic group forming a majority, into a “federal imbalance” with the Northern Region alone comprising more than half the country’s population and three-quarters of its territory.<sup>11</sup> The consequences of this faulty structure included the ethnoregional polarization of party competition in the ill-fated First Republic (1960–66) and the eventual outbreak of civil war.

Since the institution of a multistate federal system in 1967, however, Nigerian federalism has arguably functioned to decentralize and defuse ethnic conflict in several ways.

First, by establishing the states (now thirty-six in number) as relatively autonomous arenas of political authority and resource competition, federalism has served to devolve ethnic conflict away from the federal government or a few regional centers to the various state capitals. This devolution, in turn, has helped to localize ethnic conflicts in individual states and to lessen the possibility that such conflicts will engulf other constituent units or overwhelm the national political system. Thus pressures by Nigeria’s Muslims for full official recognition of Islamic law have been largely contained by constitutional provisions that empower the states to establish Shari’a courts for their Muslim populations. Consequently, states in the Muslim-dominated North have been able to institute fairly elaborate systems of Islamic courts without provoking opposition from Christian or animist groups in other states or violating the basic secularity of the common federal arena.

This religious accommodation was endangered after the restoration of democratic rule in May 1999. Beginning with Zamfara state in October 1999, several northern states enacted or proposed legislation that would extend the scope of Shari’a law from personal and civil cases all the way to criminal matters. This implied drastic changes to the

North's pre-existing penal code, which was only partially based on elements of Shari'a. Despite the federal government's discouraging the push for strict religious law in the Muslim North, the judicial expansion of Shari'a eventually led to horrific sectarian and ethnoreligious bloodletting during early 2000, the exodus of several southern immigrants (mainly Christian Igbos) from the North, and even fresh talks about the confederalization or dissolution of the Nigerian entity. This explosive move to institute full Shari'a at the subfederal level notwithstanding, however, Nigeria's Christian and Muslim communities remained united in their commitment to preserving the religious neutrality or plurality of the federal center.

Second, multistate federalism in Nigeria has been used to fragment and crosscut the identities of each of the three major ethnic formations of Hausa-Fulani, Yoruba, and Igbo. Whereas the old regional system had institutionalized the demographic and political dominance of one of these ethnic groups in each region, the current thirty-six-state structure distributes the core population of each majority ethnicity among at least five states. This distribution has served to expose or activate important historical, territorial, or subethnic cleavages within the ethnic majority groups and to relegate them to smaller states that, unlike the old regions, are not large enough or economically strong enough to challenge the federal government. Although the major ethnic groups continue to demonstrate considerable internal cohesion as they compete with each other in bidding for supremacy in national politics, this ethnic solidarity is significantly less incendiary than the aggressive ethnic chauvinism that had expressed itself through the old regional system, fueled secessionist tendencies, and brought the country to the brink of disintegration.

Third, Nigeria's current federal institutional structure has operated to protect the numerous ethnic minorities from the direct hegemony of the bigger ethnic groups. Whereas the old regional system had denied the minorities the security of their own states or regions, the current thirty-six-state structure includes some fourteen states that are dominated by minority populations. Although it has not been possible to give each minority group a state of its own—and strident agitations for new states have persisted in many of the more ethnically heterogeneous minority-populated states—the multistate federal system has

enabled "a variety of ethnic minority states to play an increasingly active role in a more fluid and decentralized polity."<sup>12</sup> This role of ethnic minorities has been particularly decisive in moderating and defusing the traditional rivalries and tensions between the country's three ethnic majority groups.

Fourth, as in many African countries that have sought to replace ethnic categories by administrative-territorial divisions as part of a state-building strategy, Nigeria's multistate federalism has promoted state-based identities as a cleavage that is independent of, and even competitive with, ethnic identities. This has been achieved by the distribution of homogeneous ethnic majority formations across many states and the incorporation of ethnic minority segments into heterogeneous units. This multistate structure does not eliminate ethnically homogeneous states; rather, it ensures that there is no state that contains all of the members of a major ethnolinguistic group to the exclusion of other states.<sup>13</sup>

The extent to which the ostensibly innocuous category of "statism" has been able to replace, rather than simply coexist with, the more explosive ethnoregional and religious identities is debatable, however. Much of the discussion on "statism" in Nigeria has focused almost exclusively on its negative role in generating discriminatory practices that exclude nonindigenous citizens (Nigerians residing in states other than their own) from state-controlled educational and bureaucratic opportunities available to indigenes. Nevertheless, Nigeria's use of constituent state units to dilute its combustible ethnic structure would appear to confirm the thesis that "successful multi-ethnic federal systems are those in which there is at least a certain level of divergence between the constituent units and the ethnic divisions."<sup>14</sup> This thesis, in turn, derives from the broader sociological theory that cleavages reinforcing, rather than crosscutting, one another tend to be additive and to result in the polarization and intensification of conflict. India is one country that has generally followed the principle of organizing its states on an ethnolinguistic basis. But the danger of sectional polarization in the Indian context is significantly diminished by the existence of crosscutting formations based on caste, sect, religion, and class.<sup>15</sup> The same sociological complexity exists in Switzerland, where linguistic and religious cleavages crosscut, rather

than coincide with, one another.<sup>16</sup> In the absence of strong crosscutting cleavages in Nigeria, and given the country's relatively centralized ethnic structure (with three groups predominating), the decoupling of governmental from ethnic categories would appear to be an effective means of taming the "secession potential" that Charles Tarlton and Eric Nordlinger, among others, see as inherent in federalism's grant of autonomy to subnational constituencies.<sup>17</sup>

Fifth, and finally, federalism in Nigeria has functioned as a mechanism for devolving federally controlled resources and opportunities to diverse territorial constituencies and interests. Elazar, for instance, has called attention to the opportunities that the "politics of federalism offers . . . for extending economic benefits more widely than has otherwise been the case in the Third World."<sup>18</sup> Indeed, according to him,

The Nigerian experience points to one of the real benefits of federalism in the developing world—the increased opportunity potentially provided by federal arrangements for the spread of development beyond the capital region, thus avoiding the common phenomenon of confining so-called national development to a single metropolis at the expense of the rest of the country.<sup>19</sup>

The dynamics of Nigeria's federalism have had less to do with the geographical dispersal of development from a central capital to regional jurisdictions than with plain, and increasingly fierce, interethnic struggles for centrally controlled resources and rewards. Moreover, the impact of this "ethno-distributive" approach to federalism has not been to spur local development efforts but to intensify the reliance of constituent segments and governments on central largesse in a way that has harmed rather than fostered the development of genuine federal relationships. Nevertheless, Elazar's remarks are useful in pointing attention to how federalism in Nigeria has been assimilated into a distributive strategy that is designed to channel central resources to ethno-territorial or sectional constituencies. His views echo the arguments of several close observers of Nigerian politics.

Nevertheless, such arguments say very little about the developmental, as opposed to the distributive, role of Nigerian federalism. Adele Jinadu, for instance, speaks of an "economic dimension" to Nigerian politics "whereby federalism is expected to equalize, as far as possible, the access of ethnic groups to public goods and to facilitate

their active and meaningful involvement in and incorporation into the country's socioeconomic life."<sup>20</sup> According to Henry Bienen:

The history of independent Nigeria had been one in which regions and ethnic groups struggled for shares of national revenue obtained first from the sale of commodity exports, especially groundnuts and cocoa, and then from small but growing oil sales. In so far as Nigeria has seen its politics governed by distributional issues, these have been communally defined for the most part and have centered on allocation from the center to the regions and states in the Nigerian federation.<sup>21</sup>

In his important study on *Politics and Economic Development in Nigeria*, Tom Forrest documents the primacy and pervasiveness of "distributive pressures, heightened by the existence of large centralized revenues, involving a struggle for shares in federal resources and representation at the center by individuals, communities and regions."<sup>22</sup> He explains that the "strength of distributive issues that have made up much of the substance of political debate and controversy and affected the allocation of resources is not explicable without reference to the evolution of the federal system and the structure of political competition."<sup>23</sup>

Of course, the emphasis on the ethno-distributive approach to federalism in Nigeria relates to broader structural features of African political economies. Here the forces of cultural segmentation, differential intersegmental modernization and mobilization under colonialism, resource scarcity, and state economic expansion have combined to make "politicized communal contention over economic distribution issues the prevalent form of politically relevant ethnicity."<sup>24</sup> Yet Goran Hyden suggests that experimentation with federalism has enabled Nigeria to avoid the closed and highly personalized forms of patrimonial ethnic politics that have become entrenched elsewhere on the continent. He contends that while patrimonialism encourages the practice of using the state primarily as a means to satisfy the patronage demands made by an elite cartel in the name of specific communities, Nigeria's federalism—in spite of its prebendal or ethnoclientelistic features—brings competitive community demands more effectively into the open and encourages the forging of impersonal rules and institutions designed to secure and broaden concepts of political justice, fairness, and reciprocity.<sup>25</sup>

Yet the primacy of distributive issues in Nigerian politics may reflect the federal system's role in taming or deflecting more

incandescence cultural-psychological or symbolic ethnic concerns. As Donald Rothchild explains, distributive struggles over fiscal allocations, the siting of infrastructure improvements, cabinet appointments, civil service recruitment, or appropriate allocative principles reflect negotiable conflicts among ethnic interests that share a common sense of destiny and a collective feeling of loyalty to the existing political order.<sup>26</sup> Subjective or symbolic conflicts over relative group status, cultural survival, identity, or territory, on the other hand, are nonnegotiable in character and often call into question the integrity, legitimacy, or normative authority of the political system. Nonnegotiable conflicts and the hegemonic or authoritarian state practices with which they are associated typically arise in hierarchically ranked, often racially polarized, plural societies devoid of any acceptance of the moral equivalence of the competing ethnic publics.

Such destructive conflicts can also develop in unranked ethnic systems, however, when ethnic representatives become intolerant and intransigent or when a regime becomes unresponsive or oppressive. Thus, "in some situations, ethnic groups begin with negotiable demands involving modest resource costs. If the state does not meet these claims, however, they can lead to extreme, nonnegotiable demands."<sup>27</sup> The Nigerian civil war is an apt illustration of the role that flawed institutional arrangements for managing state-ethnic relations may play in engendering otherwise avoidable catastrophic ethnic conflict. In brief, then, the salience of distributive issues in Nigeria today may argue for the success of the multistate federal system in channeling ethnic conflict along constructive, or negotiable, rather than destructive, or nonnegotiable, lines.

### THE TRAVAILS OF NIGERIAN FEDERALISM

There is, however, growing recognition within Nigeria of what Daniel Bach has described as the "boomerang effects" of the country's federal practices.<sup>28</sup> The communiqué of a major national conference on Nigerian federalism, for instance, observed that the federal system was perched precariously on a "weak productive base."<sup>29</sup> This fragility was described as the logical outcome of diverse local or ethnoregional interests' preoccupation with distributing a shrinking "national cake" rather

than producing a bigger one—that is to say, a preoccupation with distributive over developmental issues. In his 1992 federal budget speech, General Ibrahim Babangida referred to the country's structural enervation by a "cake-sharing psychosis" that has frustrated the autonomous and productive mobilization of grassroots resources.<sup>30</sup> But perhaps the most scathing critique of Nigeria's federal project is to be found in a December 1992 speech by Claude Ake, the country's foremost political scientist and political economist. His views, which reflect subtly on growing resentments by oil-rich minority groups at being the "milch cows" of the federation, deserve to be quoted at some length:

[T]he habit of consuming . . . without producing . . . underlies our fanatical zeal for political power, and our political fragmentation. We seek political power avidly because it enables us to accumulate wealth without the bother of producing. We demand more and more states and local government areas because as each group divides itself, it appropriates more from the public coffers. We inflate population figures because the more we are the more we receive.

Our predatory disposition has . . . ruined our state-building project. For us the state is not so much the incarnation of a corporate political identity as a battlefield. It is an arena where the different groups go, armed to the teeth, to battle for appropriation of what should be commonwealth. Every one takes from it, or tries to, and few ever give. Our predatory disposition constitutes the Nigerian state as a negative unity of takers in which collective enterprise is all but impossible. . . . Where does the wealth which we are for ever scheming to appropriate come from? We do not want to know. All we want to know is whether we can muster the power to appropriate it.<sup>31</sup>

A chief asset of federalism is that, in providing for the concurrent existence of multiple arenas of power, it disperses the stakes in political competition and reduces the intensity of the struggles for control of any one level or center of governmental authority. Thus in robust federal systems, the "game of politics is played vigorously and significantly in several places simultaneously" and "victories are seldom total or defeats irretrievable."<sup>32</sup> In Nigeria, however, economic resources and political power remain concentrated heavily at the central level. Although the current system of intergovernmental revenue sharing provides for the devolution of about half of federally collected revenues to the states and localities, the result of this distributive strategy has been to erode any

sense of financial autonomy and responsibility at state and local levels without necessarily equipping these governments with adequate resources to discharge their socioeconomic responsibilities. Because of the absence of any truly autonomous niches of power and resources below the national plane, the competition for federal "political power in order to preside over the sharing out of the painlessly derived oil largesse becomes extremely vicious and destabilizing."<sup>33</sup>

In essence, Nigeria's deficient federalism cannot be absolved from the destructive "intensity of political conflict" most observers regard as the basic "threat to constitutional democracy" in the country.<sup>34</sup> Nigeria's recent turbulent political history has seen the collapse of two discredited civilian regimes, the military's eventual abortion of a protracted program of transition to a Third (democratic) Republic, and the swift crystallization of constitutional and communal challenges to the viability of the Fourth Republic. The same frenzied struggles for political power that have provided the pretext for the military's overthrow of civilian constitutions have led to several countercoups and convulsions within the military power structure itself. Concerned observers of these dismal political trajectories have long recognized that the inventive and extensive decentralization of powers and resources will be needed to secure democratic governance and political stability in Nigeria.<sup>35</sup> Yet other commentators appear to be daunted by what they see as the "structural intractability" and institutional imperviousness arising from the country's overwhelming dependence on centralized oil revenues.<sup>36</sup>

Given the dominant role that the distribution of central revenues plays in the operation of Nigeria's federal system, it is hardly surprising that the issue of revenue allocation has become a particularly explosive and contentious topic. The establishment of nine separate commissions on revenue allocation since 1946 has led to neither the development of an acceptable or stable sharing formula nor the elaboration of an appropriate framework of values and rules within which a formula can be devised and incrementally adjusted to cope with changing circumstances.

Interregional conflict over control of growing oil revenues was both an important source of friction in the final years of the First Republic and an underlying cause of the outbreak of civil war. The

issue also engendered destructive interparty and intergovernmental conflicts during the Second Republic (1979–83). The latest twist to Nigeria's explosive revenue-sharing debates is the emergence of autonomist and separatist pressures among oil-rich communities in the southern ethnic minority states of Akwa Ibom, Bayelsa, Cross River, Delta, and Rivers. These communities, on which the country is dependent for about 80 percent of its oil production, are protesting both alleged neglect by the federal government and the use of their resources to subsidize other parts of the federation. Consequently, they have launched strident and sometimes violent movements for political self-determination and resource control in the oil-rich Delta region. These autonomist pressures were only partially moderated by recent revenue allocation policies that have sought to return higher proportions of oil revenues to the oil-rich areas through the partial restoration or recognition of "derivation" as a principle of economic entitlement.

Such autonomist stirrings would appear to provide strong support for Ronald May's thesis that federations incorporating small resource-rich units and large resource-poor units are especially likely to have their stability threatened by secessionist pressures from the wealthy segments.<sup>37</sup> Larry Diamond notes that "recurrent conflicts over the formula for distribution of federal revenue have been easier to settle than many other ethnic issues in Nigeria precisely because they have been quantifiable" or negotiable.<sup>38</sup> Richard Joseph, on the other hand, contends in his seminal work on *Democracy and Prebendal Politics in Nigeria* that "the presence of competitive regional and ethnic blocs of the population, a contest complicated by differences in language, religion and level of economic attainment, has rendered the issue of revenue allocation one of uncommon intensity."<sup>39</sup> Indeed, the issue's historic and ongoing involvement with separatist currents in the Nigerian federation is an apt illustration of the tendency for apparently negotiable distributive demands to assume a nonnegotiable, or disintegrative, character under the influence of inappropriate regimes or ill-motivated ethnic elites. One would like to agree with Philip Asiodu that the Nigerian federal system still has "a long way to go in meeting the claims of the oil producing areas, which see themselves as losing nonreplaceable resources while replaceable and permanent resources are being developed elsewhere largely with the oil revenues."<sup>40</sup>

The emphasis on the distributive aspects of federalism inevitably compels the concerted identification and elaboration of appropriate allocative criteria or principles. In Nigeria, as elsewhere in Africa, proportionality (that is, the allocation of central resources to constituent units or segments on the basis of relative population size) has been recognized as the best principle of allocation in terms of its universality and neutrality. Yet this distributive principle and the political struggles over the regional distribution of federal electoral constituencies have rendered the conduct and uses of population censuses the source of some of the most violently divisive conflicts in the Nigerian federation. Indeed, according to T. M. Yesufu, “the experience of Nigeria . . . suggests that in Federal states where regionalist feelings are strong, the political stakes of a census can be so high as to make the desirability of a statistically accurate count seem irrelevant.”<sup>41</sup>

All of Nigeria’s postindependence censuses (in 1962–63, 1973, and 1991) have provoked considerable ethnoregional suspicion and agitation. The lag of almost two decades between the conduct of the 1973 census, whose results were annulled amidst bitter interregional recriminations, and the organization of the 1991 census reflected some form of elite political consensus on the need to de-emphasize, if not completely avoid, what had become a major threat to the federation’s stability. Although the 1991 census produced fewer polarizing outcomes than its predecessors, its results have nevertheless remained the object of considerable litigation and contention. It is open to question whether the Fourth Republic, already prematurely enfeebled by the regional and religious contention over Shari’a, can safely come through the conduct and outcome of a national census. Given the incendiary linkages between ethnoregional politics and census statistics in the country, the norm of decennial national population counts may be politically prohibitive in the Nigerian setting.

Partly in an attempt to sidestep the census quicksand, Nigeria’s rulers have tried to impose an alternative distributive criterion—namely, the division of federal resources on an equal basis among the constituent governments of the federation. For most of the first phase of military rule from 1966 to 1979, for instance, half of the national revenues apportioned to the states was distributed on the basis of interunit equality and the other half shared on the basis of relative

population. Quite predictably, the standard of interunit equality has been widely denounced for its inequitable impact on the economic fortunes of the country's more populous states. These strictures, in turn, have progressively nudged Nigeria's central authorities toward a policy of establishing states of approximately equivalent population, a strategy that has ironically merely accented the distributive importance of population statistics.

Indeed, as Martin Dent notes, "Nigeria is unique among federations in having deliberately sought to create regional units of roughly equal population."<sup>42</sup> While it has not been possible to establish states of exactly equal population, the degree of relative correspondence in the demographic size of Nigeria's constituent units is remarkable nevertheless. According to the provisional results of the 1991 census, the four most populous states in the federation at the time had a population of between four and five million each, while the four smallest states had a population of more than a million each. The remaining twenty-two states in the federation had a population of between two and three million each. This configuration was a far cry from the situation in the First Republic, when the Northern Region alone contained 53 percent of the federation's population. It is also a demographic distribution that is unusual for most contemporary federations, where the existence of dispersed demographic inequalities among constituent units, rather than the establishment of approximately equal units, is the characteristic norm.<sup>43</sup>

The official commitment to creating demographically equivalent constituent units and the practice of distributing central resources on an equal basis among states largely account for another exceptional feature of Nigerian federalism—namely, the persistent, pervasive, and politically irresistible pressures for the establishment of new states. As Elazar and Dean McHenry have shown, successful or mature federal systems are characterized by the relative stability or continuity in the boundaries of their constituent states. That does not mean that boundaries cannot be changed. It implies, rather, that such changes are normally implemented after a prohibitive or complicated constitutional process and are less frequent once the early cries for new states in the formative period of federation have abated. Even in India, where pressures for new states have not evaporated, politically important calls for

fundamental changes in the number and shape of constituent units seem to have diminished significantly since the 1956 reorganization of states on a linguistic basis.<sup>44</sup>

Nigeria, unlike other federations, appears to be trapped in an endemic, unending, and seemingly intractable process of internal territorial agitations and reorganizations. There have been six state-creation exercises in the period since independence: In 1963, the three-region structure was changed to a four-region scheme via the excision of the Mid-West from the Western Region. In 1967, on the eve of civil war, the four regions were replaced with a twelve-state structure. In 1976, seven additional states were created to inaugurate a nineteen-state structure. In 1987, Katsina and Akwa Ibom were established as the twentieth and twenty-first states of the federation. In 1991, nine new states were created to establish a thirty-state structure. And in 1996, the number of Nigerian states increased to thirty-six with the creation of six new administrative units by the Abacha administration. Yet vigorous demands for more states, as well as new local government areas, are still being made by communities seeking easy access to central revenues. Of course, given the sheer multiplicity and fluidity of the territorial and cultural cleavages that can be used to justify the demands for new states and the federal resources they bring with them, there is no certainty that the state-creation process will ever be concluded in Nigeria.

It should be emphasized that, unlike in the classical federations of Canada, Switzerland, and the United States, the process of state creation in Nigeria has exclusively involved the fragmentation of existing units, including ethnically homogeneous states, rather than the incorporation of new units. Moreover, except for the 1963 reorganization, all state-creation exercises in Nigeria have been implemented by military fiat rather than by constitutional amendment and popular ratification. The arbitrariness that has invariably intruded into this method of implementing territorial reforms has fueled demands for more states by providing a moral weapon for communities contesting the legitimacy of the federation's internal boundaries.

It is widely conceded that the primary impact of the repeated proliferation and fragmentation of constituent units has been to reinforce centralizing tendencies in the federation. As Diamond rightly suggests,

“the greater the number of states, the weaker and less viable individual states will become, with the direct consequence that the center would actually gather more powers and initiative.”<sup>45</sup> However, one policy that has served to compensate for this overcentralization is the constitutional principle that prescribes the recognition of the country’s “federal character,” or plural nature, in the composition and conduct of key federal institutions and agencies. Although the federal character principle is sometimes interpreted to involve the equal devolution of federal developmental patronage to the states, its primary purpose is not to disperse resources away from the center but to establish an ethnically representative or inclusive center. Celebrated by some as a paradigm of creative ethnic-conflict management,<sup>46</sup> the practice of the federal character principle has also been denigrated by others as intellectually and morally crude, politically contentious, sectionally divisive, and institutionally destructive. According to Ladipo Adamolekun and John Kincaid:

... the “federal character” concept has encouraged many Nigerians to view federalism not as a principle of noncentralized democratic government, but as simply a guarantee of ethnic and religious group representation in the institutions of government, no matter how centralized. Thinking federally and dispersing and sharing power accordingly among a multiplicity of governmental and nongovernmental institutions are thereby frustrated by a principle of power sharing that is simultaneously divisive and hierarchical. Thus, the military has been careful to maintain “federal character” practices even while centralizing power.<sup>47</sup>

The recurrent controversies over the appropriate modalities for implementing the federal character principle in Nigeria have come to epitomize all the tensions associated with the country’s daunting national question. Thus, reflecting the recent surge of politicized inter-religious agitations in the federation, current debates on the federal character principle have sometimes focused on the relative representation of Christian and Muslim segments in public institutions at both federal and, especially, state levels.

Until 1986, when the military administration of General Ibrahim Babangida arbitrarily enlisted Nigeria in the Organization of the Islamic Conference (OIC), Nigeria was noted for the remarkable amity between its large Muslim and Christian populations. This exemplary interreligious coexistence was sufficiently resilient to survive the political disagreements

that developed during 1961–62 and 1977–78 over the institutionalization and constitutionalization of Shari'a. Since the OIC imbroglio, however, Nigeria appears to have degenerated from a religiously peaceable to a religiously polarized federation. Aside from the bloody interreligious riots that have convulsed many northern cities since 1987, clashes which eventually provoked reprisal killings in the Igbo southeast during early 2000, a key manifestation of this polarized climate has been the increasing mobilization of religious identities behind the sectional struggles over the implementation of the federal character principle.

### **HOW THIS WORK IS ORGANIZED**

This introductory essay and the following chapter on the evolution of Nigerian federalism are designed to provide the analytical and historical background to the study of conflict and federalism in Nigeria. The core chapters of the study—namely, chapters 3 through 6—are devoted to a discussion of Nigeria's continuing efforts to come to grips with the four contentious issues of revenue allocation; state (and local) reorganizations; intersegmental (including interreligious) representation, or the federal character principle; and population enumeration. To reiterate, all four issues are linked, in some way, to the attempts to mediate sectional political conflict and resource competition in the Nigerian federation. They have, however, also invariably served to underscore and intensify such conflict and competition. Much of the substance of the debate on Nigerian federalism revolves around the recurrent attempts to come to terms with these four sensitive subjects.

In discussing these issues, this study will, among other things, attempt to highlight the specific factors and forces contributing to their contentiousness, the perspectives and policies that have been developed to manage this divisiveness, the impact of the conflict-management strategies employed by various administrations, and the prospects for the continued mediation of the four contested issues under a political order that is stable, truly federal, and truly democratic.

The issue of federal institutional reform in Nigeria is a primary concern of this work. For all its flaws and failures, Nigerian federalism remains an "intensely living thing" and the "indispensable basis" for the country's continued survival as a single political entity.<sup>48</sup> Moreover, a

key virtue of federalism as a political design that is based on “choice rather than accident” is the enormous possibilities that it offers for creative institutional renovation, experimentation, and adaptation on a continuing basis. Accordingly, the seventh and concluding chapter of this study is devoted to a discussion of the prospects and requisites for the creative elaboration and implementation of federalist reforms in the Nigerian experience.