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Consociationalism and the Nigerian political system, 1960–1988.
(Volumes I and II)

Falaiye, Akintola Olarewaju, Ph.D.

University of Kansas, 1990

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CONSOCIATIONALISM AND THE NIGERIAN
POLITICAL SYSTEM, 1960-1988

by

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Submitted to the Department of Poli-
tical Science and the Faculty of the
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ABSTRACT

This study examines the applicability of Arend Lijphart's principles of consociationalism to the Nigerian political environment. The operational utility of these principles namely: grand coalition, proportionality, segmental autonomy, and mutual veto to plural societies is generally presented as a challenge as well as an alternative process of political disposition capable of stabilizing the fragility of social formations in plural societies relative to the majoritarian democracy of the British model.

The institutionalization of parliamentary democracy in Nigeria particularly during it's early formative years marginalized not only the reality of it's ethnic pluralism but also ignored the necessity to experiment with consociational democracy as a political process.

The evolution or development of the Nigerian state as a historic phenomenon has provided an important heuristic explanation for the country's political instability and the operational failure of it's system of majoritarian democracy during the First Republic.

Paradoxically, military intervention in the Nigerian body politic has served as a catalyst for some of the institutional changes that had taken place particularly during the Second Republic. However, the frequency of it's involvement in politics

has continued to undermine the developmental process of democratic values and it's own professional obligations.

We examine Nigeria's experimentation with the principles of consociationalism from 1960 to 1988 under both the military and civilian rules. On the aggregate level of performance, the behavior of both the military and political elites is such that it can hardly sustain consociational democracy. The regimes of Gowon and Mohammed/Obasanjo could be credited for maintaining a modicum of consociational practice. However, other military regimes excelled in merely paying lip-service to the consociational experiment.

The Nigerian presidential system of the Second Republic was virtually operated as if it were a parliamentary system. It's method of operation practically jeopardized the moderation of the design of it's consociational politics.

In addition to the behavior of the elites, the study shows that consociational disposition alone cannot ensure political stability in plural societies unless, at the same time, there is conscientious husbandry of the economic resources to sustain the political process.

Dedicated to the memory of my father
for his love of education and humanity.

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CHAPTER ONE

INTRODUCTION

Nature and Purpose of the Study

It is becoming increasingly fashionable nowadays to apply a consociational model of democracy, either as a method of government or as a panacea, to the governing process of fragmented polities. In both cases, the model is specifically designed to solve the governability problem of disunited polities through democratic means.

The consociational model has acquired a unique characteristic of universality in terms of application to many fragmented polities of various types as found in Lebanon, Malaysia, Cyprus, Switzerland, Austria, the Netherlands, Belgium, and Yugoslavia, all of which are fragmented in some manner politically along ethnic, class, religious or linguistic lines.[1] Also, in South Africa, where the political situation is dominated by the racist ideology of apartheid, it has been proposed that consociational democracy be adapted to serve as a solution to the problem of racial segmentation based on color.[2]

Suffice it to say, despite its characteristic ubiquity, consociationalism is not necessarily an ideal model of wholesale exportability to all "deeply divided

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societies."[3]   Essentially, the   application   of
consociationalism will only be relevant where it fits the
historical development of the social formation of a
particular fragmented polity. Obviously, each polity has
its own peculiar configuration of diversity which cannot
possibly be ignored. And it has been pointed out that
consociationalism stands in "danger of being accepted too
uncritically as a model for resolution of divisions within
a   society."[4]   Any   unmeasured   application   of   a
consociational model in an ethnically complex polity like
Nigeria is fraught with danger. Such experimentation is
likely to lead to a situational context reminiscent of
what Oyovbaire has called "borrowed paradigms"[5] and,
therefore, is bound to fail.

The purpose of this study is to examine the
applicability of some of the core principles of
consociationalism, as defined by Arend Lijphart,[6] to the
Nigerian political system between 1960 and 1988. Although
the theory of consociational democracy has previously been
applied to Nigeria as a method of promoting political
integration,[7] ironically political integration was never
treated as a theoretical concept or its application
systematized.   Additionally,   the   application   of
consociationalism to the Nigerian parliamentary system and

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the military rule has been virtually ignored, as has the role of the Nigerian military in the institutionalization of some of the consociational devices.[8] Our attempt is to systematically examine the application of consociational devices to the Nigerian political system, regardless of military or civilian control.

In this study, the terms "consociationalism" and "consociational democracy" will be used interchangeably. In addition, both will be used generically as one term focusing on the problem of governing a multi-national political entity.

Nigeria has been pointed out as a prototypical example of a consociational model in its early formative years as an independent sovereign state.[9] If that was the case, why is Nigeria still facing the problem of political instability? Is Nigeria actually a consociational state? Or why has consociational democracy failed in Nigeria?

Since Nigeria became an independent sovereign state on October 1, 1960, she has experimented with three different forms of government, viz: a parliamentary system, from 1960-1966;"[10] a military regime, 1966-1979 and 1984-1988;[11] and a presidential system, 1979-1983.[12]

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One of the legacies of the British colonization of Nigeria was the institutionalization of parliamentary democracy as a form of government. That system was short-lived as a result of the abrupt seizure of power by the military in 1966. Thereafter, the army ruled the country for 13 years, virtually uninterrupted, until it finally handed over power to the civilians in 1979.

Before power was returned to civilians, critical questions were raised at the top echelon of the military as to the suitability of parliamentary democracy in an ethnically diverse and polarized country like Nigeria, where political parties were generally geo-ethnically based. In an attempt to overcome the "inapplicability" of parliamentary democracy, incorporating the principle of zero-sum game politics, another competitive political system was devised; modeled on U.S. presidentialism, but including elements of consociational democracy.

The Nigerian presidential democracy barely lasted four years before it too was overthrown by the military in 1983. Even within the short period of time that the presidential system lasted, eight unsuccessful military coup attempts were made to unseat the government of Shehu Shagari.[13] Nigeria has remained under military rule since 1983, and the members of the armed forces are likely to

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continue in their habit of regular intervention, after the present rule comes to an end, even if coups are subsequently declared illegal.[14]

With the synoptic analysis of the Nigerian political history from 1960 to the present, the following observations can be made: (I) The apparent discontinuity in the Nigerian democratic process is evidence that such a system is fluid, ephemeral and highly susceptible to the vicissitudes of unintended political change; (II) With the collapse of the Anglo-American types of democracies in Nigeria, the tendency exists to assume (a) that both parliamentary and presidential political systems are either dysfunctional or inapplicable to the Nigerian social realities, (b) that what we might regard as the dysfunctional nature of the two political systems may, in fact, be the consequence of the modus operandi of these systems by the Nigerian political class.[15] (III) A military rule in Nigeria is apparently as vulnerable as its civilian counterpart, as is evident in the incessant phenomena of coups and counter-coups since 1966. It is equally susceptible to some of the vices and excesses of civilian rule, obviously making its institutionalization inexcusable. (IV) The institutionalization of

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consociational devices might be the necessary panacea to the governability issue of a plural society like Nigeria.

Apparently, Lijphart is not the only scholar that has addressed the implications of the problem of cultural diversity in modern politics. However, unlike other scholars who have considered the problem and solution of ethnic diversity, Lijphart has demonstrated a tenacity in spreading the ideals of consociational democracy to plural societies. Consociational democracy is Lijphart's own prescription to the problem of political instability in plural societies.

Robert A. Dahl, like Lijphart, has maintained that conflict in a multi-cultural polity is too bitter to be managed through the system of parliamentarianism alone. It is for this reason that Dahl has suggested the application of suppression of violence and repression, secession or separation, mutual veto, autonomy, proportional representation and assimilation[16] to deal with conflict situations in multi-cultural societies.

Of the six proposals suggested by Dahl, only mutual veto, autonomy, and proportionality formed an integral part of the theory of consociational democracy espoused by Lijphart.[17]

Like Lijphart and Dahl, Eric A. Nordlinger has proposed six different methodological approaches to conflict regulation in deeply divided societies. Nordlinger has stressed the point that our total reliance upon majoritarian institutions and processes does not facilitate conflict regulation in deeply divided societies and, in fact, may even contribute to the exacerbation of conflicts. It is against this background that Nordlinger proposes six conflict regulating strategies to deal with conflict-situation in deeply divided societies: stable governing coalition, proportionality, mutual veto, purposive depoliticization compromises; and concessions.[18]

Although both Lijphart and Dahl have recommended the principle of autonomy as one of the principal means by which a conflict situation might be resolved in plural societies, Nordlinger remains unconvinced of its utility in this regard. The principle of autonomy, which we shall be dealing with in greater detail later in this study, evinces a geographical exclusiveness of segmental units in a federal polity. Using the failure of the Nigerian Federation as an example as well as other federations in Africa, Nordlinger expresses the view that, "Federalism

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has not been markedly effective as a conflict-regulating practice."[19]

Rothchild and Olorunsola[20] have developed a totally different approach in their model of ethnic conflict management based on two fundamentally different decisional strategies, viz; a hegemonic decision model and a bargaining decision model. Each strategy apparently has its own set goal and both are quite irreconcilable in their methodological approaches. As pointed out by Rothchild and Olorunsola, the term "decision" is not simply a matter of "rationality" based on the calculus of costs and benefits of why a particular decisional strategy is adopted but also a consideration for other environmental factors such as information, values, belief systems, analytic capacity and bureaucratic organization.[21] These factors are paramount to how policies are shaped or formulated by the governing political elites where any one of the decisional models is adopted.

Juxtapositionally, a hegemonical model marginalizes mutual political exchange and participation between the dominant group and the minority (to the advantage of the former), whereas a bargaining decision model seeks mutual accommodation among the conflict interests of the polity.

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Generally, a hegemonic strategy has relied on such means as subjugation, isolation, avoidance, and displacement to perpetuate a hegemonic political order based on a "relationship of inequality" by creating an "outward appearance of order" and utilizing the "coercive power of the state to perpetuate existing patterns of ethnic dominance."[22]

By contrast, a bargaining model is based on the recognition of "moral equality of rival groups"[23] in the polity. Such reciprocal relationship of positive mutual exchange enhances the stability of the polity. Under the rubric of the bargaining model, buffering, protection, redistribution and sharing[24] have been applied methodically to enhance the basic interests of the ethnic groups. According to Rothchild and Olorunsola, "the choice of strategy can significantly affect outcome -- intensifying or modifying conflict."[25]

Other scholars, like Horowitz,[26] Esman,[27] and Ismagilova[28] have made their own contributions to the literature of conflict regulation in plural societies.

Ethnic Pluralism -- A Theoretical Premise

The theory of consociational democracy is essentially a theory of ethnic focus. It is premised on a reductive

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explanation of ethnic pluralism as a contributory factor to the problem of communal conflict or instability, particularly in plural societies where a majoritarian politics is institutionalized. In other words, consociationalism establishes a correlational link between ethnic diversity and instability. By doing so, consociational democracy has stimulated a conscious elan of theorizing on the problematic issue of instability in plural societies.

J.S. Furnivall was one of the early scholars to engage in a systematic analysis of plural societies within the context of socioeconomic development in his work Netherlands India. Drawing from his knowledge in this area, Furnivall defines a plural society as "a society that is comprising two or more elements of social order which live side by side, yet without mingling, in one political unit."[29] In another work, Colonial Policy and Practice, first published in 1948, Furnivall again defines a plural society as one in which, "different sections of the community living side by side, but separately, within the same political unit" to the extent that "each group holds by its own religion, its own culture and language, its own ideas and ways."[30]

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M.G. Smith's writings on plural societies have been largely influenced by Furnivall's work on Southwest Asia. According to Smith, "Furnivall's thesis on plural society defined by <u>dissensus and pregnant with conflict</u> was highly relevant to the West Indies."[31] Smith's work on plural societies is a further elaboration on the general theory of ethnic pluralism begun by Furnivall. In another book co-edited with Leo Kuper on pluralism in Africa, Smith describes pluralism as a phenomenon that generally "presumes significant antecedent differences of institutions, culture, and ethnicity between the collectivities concerned; and further, that it restricts assimilation by reserving or promoting the institutional distinctness of these structurally segregated collectivities."[32]

In his own attempt at a definition, Lijphart first conceptually equates the term "plural society" with Eckstein's "segmental cleavage."[33] According to Lijphart, such "segmental cleavage may be of a religious, ideological, linguistic, regional, cultural, racial or ethnic nature"[34] and as a consequence "political parties, interest groups, media of communication, schools, and voluntary associations tend to be organized along the lines of segmental cleavages."[35]

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Again, borrowing from Val R. Lorwin, Lijphart has
equated consociational democracy with "segmental
pluralism"[36] which Lorwin defines as follows:

> A political system is one of segmental
> pluralism when its cleavages have produced
> competitive networks of schools, communication
> media, interest groups, leisure time
> associations, and political parties along the
> lines of both religious and antireligious
> nature.[37]

Many other scholars, like Lewis,[38] Rabushka and
Shepsle,[39] Enloe,[40] Morrison and Stevenson,[41] and
Burrows,[42] drawing from the pioneering work of J.S.
Furnivall, have established a link between the phenomenon
of political instability and the social formation in
plural societies.

The theory of plural society dichotomizes between
two basic types of society: (I) integrated societies
characterized by consensus and cultural homogeneity, and
(II) regulated societies characterized by dissensus and
cultural pluralism.[43] These two societies are analogical
to Almond's classification scheme of the society into
homogeneous and fragmented political cultures.[44] A
culturally homogeneous polity is regarded as a
prerequisite for a stable democratic process. In such a
polity, the rules of political change are generally
institutionalized. Periodically, elections are held to

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determine the wishes of the electorate (voters) on the issue of who shall govern for a specifically defined period of time. Conversely, in a plural society, the mode of institutional change is often ingrained with an element of unpredictability. Even when the electoral system is clearly defined as a system of change within the constitutional framework of governance, the operational utility of such a system is either stifled to the extent of promoting a "frozen continuity,"[45] or, as a mechanism of deciding who wins in a contest for the control of governmental machinery, the outcome may not be generally acceptable to all the segmental units of the polity. As Professor Lewis has pointed out:

> Words like "winning" and "losing" have to be
> banished from the political vocabulary of a
> plural society. Group hostility and political
> warfare are precisely what must be eradicated
> if the political problem is to be solved; in
> their place we have to create an atmosphere of
> mutual tolerance and compromise.[46]

A plural society is generally reminiscent of a "conflict society"[47] apparently because of the configurational reality of its ethnic diversity, which Professor Pierre L. Van den Berghe has identified as: (I) relative absence of value consensus, (II) relative presence of cultural heterogeneity, (III) relative presence of conflict between the significant corporate groups, (IV)

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relative autonomy between parts of the social system, (V) relative importance of coercion and economic interdependence as the basis of social integration, (VI) political domination by one of the corporate groups over the others; and (VII) primacy of segmental, utilitarian, non-affective, and functionally specific relationships between corporate groups and of total, non-utilitarian, affective, diffuse ties within such groups.[48]

Apparently, the above · factors constitute a fundamental stumbling block to the blossoming of democracy in plural societies. According to Van den Berghe, the preconditions for the survival of democracy in plural societies are dependent upon certain underlying factors: (I) the prospects for democracy are directly proportional to the degree of basic value consensus in the society and inversely proportional to the degree of cultural pluralism, (II) the prospects for democracy are a direct function of the degree of consensus about the procedural norms of government, (III) the prospects for democracy are a direct function of the norms governing the legitimacy of pluralism and the integrity of each separate community, (IV) stable democracy requires an approximate scientific and technological balance between the constituent groups, and (V) conflict is minimized

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when cleavages are cross-cutting, rather than coinciding, unless one type of cleavage assumes overwhelming salience vis-a-vis the others leading to the disintegration of the polity.[49]

The theory of consociational democracy recognizes the problems of governing divided societies democratically not on the basis of hopelessness but on the recognition that such problems are redeemable through consociational devices.

Plural Society and Political Instability

The problematic issue of ethnic pluralism or ethnicity has no precedential value in the theory of political development in explaining political instability, particularly in the developing polities. Evidently, the same is true of those theorizing on the phenomenon of nation-building.[50]

Although generally associated with the phenomenon of developmentalism and manifested largely in the processes of modernization,[51] institutionalization,[52] and the trinity of differentiation, equality and capacity,[53] the theory of political development is at no time focusing on the issue of ethnicity as a critical factor of political analysis in any of its variables. The neglect of the

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ethnic issue as a factor in the theory of political development is due mainly to two factors: (I) the theoretical foundation of political development that was laid by Western scholars, particularly those in the United States. Their Eurocentric approaches to political development tend to marginalize ethnic factors in elucidating political instability. It has not been easy to divorce the analysis of political development from its Eurocentric biases.[54] (II) It has been pointed out by Professor Claude Ake[55] that the theory of political development is an imperialist design hatched by Western scholars to impose their mode of thinking including the imposition of western political values on non-Western countries. By implication, the theory of political development is an invention of Western scholarship that has failed to take into account the historical formation of the developing countries, including the heterogeneity of their ethnic composition and how this affects their politics of change.

Given the level of technological, economic and political development in the developing countries vis-a-vis their Western industrialized counterparts, the theory of political development is of a limited analytical utility when it fails to take cognizance of their

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politics within the plurality context of their social formations. According to Professor Larry Diamond, "a theory of the conditions for democracy must take account of theories of ethnic conflict."[56]

Bill and Hardgrave have criticized the theory of political development for reducing the analysis of political development to "an epiphenomenon of social and economic change"[57] and by doing so denying "politics any autonomy" of its own, but allowing it to engage, "in a form of reductionalism by which political phenomena are `explained' in non-political terms."[58]

Until recently, when the concept of consociationalism was retrieved from obscurity and popularized by Lijphart through his numerous publications, the issue of ethnicity was practically a species of neglect or irrelevance as far as students of political science were concerned. Understandably, the reason for apathy towards the issue of ethnic diversity as an explanation for political instability in plural societies is due partly to the array of theories and concepts that have dominated the field of comparative politics. Such theories and concepts include: revolution, political development, system analysis,

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elitism and pluralism, political culture, and
socialization.

Lijphart's popularization of ethnic diversity as a
viable analytical framework for explaining the phenomenon
of political instability has not generally gained wide
acceptance. For instance, when Western scholars,
particularly those in political science, began to write
about ethnicity as a social phenomenon, all their
energies tended to be devoted to non-Western countries
rather than treating the issue of ethnicity as a
universal phenomenon found in virtually all the countries
of the world.[59]

To most Western scholars, the problem of ethnicity
is often regarded as a phenomenon remote to the social
realities of Western Europe. These scholars hold on to
the view that Western Europe is "devoid of significant
minorities" because of the assumption that individual
states in Western Europe have "successfully assimilated
their disparate peoples."[60] However, when the
"ethnonational virus"[61] began to afflict Western European
countries, as in Britain (for example, the Scottish and
Welsh Nationalist movements), Spain (the Catalans and the
Galacians), France (the Alsatians, Basques, Bretons,
Corsicans, and Occitanians), Italy (the Slovenes and the

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Val D'Aostans), Austria (Croats and Slovenes), and so on, again, these scholars were quick to proffer "a variety of theories to explain this unanticipated trans-societal phenomenon."[62] Such explanations include the theories of relative deprivation, anomie, center-periphery relationship, and the loss of global prestige suffered by individual European states.[63]

Perhaps unexpectedly too, some students of African politics have consistently ridiculed the idea of an ethnocentric approach to the study of African politics.[64] An explanation of the conflict situation in Africa on the basis of ethnic pluralism is generally regarded as a red-herring intended to gloss over the basic realities of African politics. As pointed out by Magubane, an ethnocentric approach represents a "triumph of stereotypes over reality."[65] Or, in another sense, as he has also stated, such an approach "sails off into a fog of metaphysics masquerading as social analysis."[66]

One can agree that an ethnic pluralism model may not necessarily provide the framework for understanding and explaining contemporary African politics in all its manifestations. Nonetheless, ethnic conflict in Africa is a reality.[67]

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In contrast to other models, consociational democracy as an analytical and normative model focuses its

> attention on a critical variable -- the pattern
> of cultural plurality; it stresses the sources
> of conflict and dissent; and, by explicitly
> explaining the absence of any shared norms and
> attitudes, or of any sense of overriding
> national community that affect the politics and
> stability of plural societies.[68]

Plural societies lack the essentiality of social homogeneity and consensus necessary for the promotion of a stable polity. It is for this reason that Lijphart has pointed out that "it is difficult to achieve and maintain stable democratic government in a plural society."[69]

Consociational democracy confronts the problem of political instability in plural societies on the empirical assumption that the consensual framework of political action is lacking. It assumes that the situation in plural societies does not warrant the institutionalization of democratic politics based on a winner-takes-all philosophy.

But what is political stability? The crux of defining political stability is based on the fact that it is a concept of multifaceted applicability to various sociopolitical phenomena. Or, according to Lijphart, political stability is "a multi-dimensional concept"[70]

which could mean stability as: (I) the absence of violence, (II) governmental longevity, (III) the existence of a legitimate constitutional regime, (IV) the absence of structural change, or (V) a multi-faceted societal attribute.[71] Moreover, the concept of political stability has been equated with political order, defined in terms of: (a) structural changes within the system that can be seen to proceed from the rules governing organizational processes in the society, that is, the "regulative rules" and (b) such structural changes being endogenously generated.[72]

In the multi-national composite nature of the Independent African States, the precondition for political order is predicated on the principle of equitability. This assumes that "each sectional interest should be given an equal chance of expressing itself [and] that no one interest should be made to override others."[73]

We have alluded to the frequency of political change in Nigeria whether the system is under military or civilian control. Thus, characteristically, the Nigerian political system could be said to be relatively unstable with regard to its "ability to survive intact"[74] over a long period. A system of change with a high degree of

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durability, outlasting a regime, must be seen as an important element of political stability. The operational definition of durability proffered by Gurr and McClelland is based on "the length of time a polity endures without abrupt, major change on the pattern of authority relations among its elements" which includes the executive-legislative relations and the government-citizen relations.[75]

Nigeria as a Conglomerate Polity

Nigeria is a conglomerate polity of diverse socio-cultural entities. Historically, the composite nature of Nigeria's ethnic diversity was "a consequence of the institutional differences in the incorporated diverse indigenous socio-cultural units."[76]

I have used the term "conglomerate polity" here practically in the same sense, related to the plurality of ethnic groups in a polity like Nigeria, where each entity has its own distinctive history, language, customs, religion, and a traditional indigenous system of governance prior to the British colonial administration.

Nigeria has been analogized as a classical example of a "proverbial plural society"[77] and, like India, an "apogee of pluralism"[78] in a comparative sense.

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The above analogical references to Nigeria's identity as a plural society have raised the question of whether Nigeria is *ipso facto* a plural society based on the various definitions already alluded to in this chapter. Or, in a general sense, what conditions determine whether a country can be classified as a plural society? These are observational questions based on the fact that most of the definitions of plural society seem to suggest the existence of a minimal level of interaction or no interaction at all among the conglomerated groups in a polity. As pointed out by Professor Young,

> the set of groupings which constitute plurality are not necessarily permanent, frozen collectivities, but in a state of flux in response to the long-run forces of social change, short-run alterations in political context, and continuous processes of interaction with other groups.[79]

According to Lijphart, there are four criteria of measurement to determine whether a polity is a perfect example of a plural society: (I) It must be possible to identify exactly the segments in which the society is divided; (II) the size of each segment, that is, how many people belong to each of the segments should be known; (III) there must be perfect correspondence between segmental boundaries and the boundaries between the

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political, social, and economic organizations; and (IV) since the party and segmental loyalties coincide , there should be little or no change in the voting support of the different parties from election to election: in a perfectly plural society, an election is a segmental consensus.[80] As Lijphart has pointed out, it is highly unlikely to find any country which satisfies the four criteria.

If we apply a minimal definition of plural society based on the existence of ethnic diversity and polarity in a polity still devoid of political integration,[81] identifying Nigeria as a plural society is valid. Also, the ethnicization of Nigerian politics, coupled with the tendency to see politics through the prism of benefits, opportunities and advantages accruing to one ethnic group at the expense of others, illustrates one characteristic of a plural society. We examine (in Chapters Three, Four, Six and Seven), the relativity of ethnic factors on the politics and, consequently, the collapse of the Nigerian Parliamentary and Presidential democracies. Again, and particularly in Chapter Four, we examine the development of Nigerian Statehood[82] and the implications of its colonial background on the operational process of

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its politics and the resultant collapse of democracy within its borders from an historical context.

Ironically, although Nigeria is recognized as a polity of multi-national entities, there is no unanimity of opinion as to how many "ethnic nations"[83] exist in Nigeria. Some of the suggested numbers are 248,[84] 250,[85] and 300.[86]

Despite the fact that Nigeria has a multitude of ethnic groups, only three of them (the Hausa-Fulani, Yoruba, and Igbo) have attained pre-eminent positions in Nigerian political history. Their attainment is partly due to their population ratio relative to the minority groups, as shown below in Table 1. In addition, and more importantly, politics in Nigeria has become a battle and struggle among the three main groups.

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<div align="center">

Table 1

Distribution of Nigerian Ethnic Groups,
1952-1953 and 1963

</div>

	Population Percentage	
	1952-1953	1963
Hausa (a)	18.2	
	28.1	29.5
Fulani	9.9	
Kanuri	4.2	4.1
TIV	2.5	2.5
Nupe	1.1	1.2
Yoruba	16.6	20.3
Edo	1.5	1.7
Igbo (b)	17.9	16.6
Ibibio-Efik	2.7	3.6
Ijaw	1.1	2.0
Total: Hausa-Fulani, Yoruba, and Igbo	62.6	66.4

(a) Because of the substantial cultural and political
integration between the Hausas and the Fulanis, the two
groups are construed as one entity ethnically.

(b) Both "Igbo" and "Ibo" will be used interchangeably in
this study. While the former is the most appropriate
name for the collectivity of this group, the latter is a
corrupted version of the former.

Source: Larry Diamond, "Nigeria: Pluralism, Statism,
and the Struggle for Democracy" in Democracy in
Developing Countries: Africa Volume Two ed. Larry
Diamond, Juan J. Linz, and Seymour Martin Lipset
(Boulder, Colorado: Lynne Reinner Publishers, 1988), 35.

The hegemonical posturing of the three major ethnic groups over the minorities, including their domination and control of the Nigerian politics, tends to marginalize the role of the minority groups in the Nigerian political process.

While the Hausa-Fulani group is predominant in the northwestern part of Nigeria, the same is true of the Yoruba and Igbo groups in the southwestern and southeastern parts of the country, respectively.

Although each one of the dominant groups is relatively homogeneous in terms of shared consanguinity or cultural identity, within each group cultural subdivisions still exist. (See Table 2.) In practical politics, these subdivisions often become the basis for opposition of one sub-group to the other notwithstanding their affinity.

Although these ethnic groups remain the dominant cultural triad of the Nigerian polity, the mutual interaction among them, according to Kirk-Greene, has "shaped the whole development of Nigeria's political destiny."[87]

Again, quite apart from the fact that the three groups represent different traditional political

cultures,[88] other elements of diversity abound within the
Nigerian polity.

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Table 2

Sub-Ethnic Divisions of Three Major Ethnic Groups

Hausa-Fulani	Yoruba	Igbo
1. Daurawa	1. Ahori	1. Abadja
2. Gobir	2. Egba-Awori	2. Abaja
3. Kanawa	3. Ekiti	3. Abam
4. Katsenawa	4. Eko	4. Alensaw
5. Kebbawa	5. Ijebu	5. Aro
6. Zamfara	6. Ijesha	6. Awhawfia
7. Zazzagawa	7. Jekri	7. Awhawzara
8. Auyokawa	8. Oyo	8. Awtanza
9. Fulani	9. Ife	9. Edda
10. Jaba	10. Bune	10. Ekkpahia
11. Kuturmi	11. Ondo	11. Etche
12. Gungawa	12. Akoko	12. Eziama
13. Shangawa		13. Ezza
14. Lopawa		14. Ihe
15. Busawa		15. Ije
16. Kagoro		16. Ika
17. Janji		17. Ikwerri
18. Ninzo		18. Ikwo
19. Kwatawa		19. Ishielu
20. Kagoma		20. Isu
21. Bugaje		21. Isu-Ochi
22. Kambari		22. Ndokki
23. Dakarkari		23. Ngbo
24. Dukkawa		24. Ngwa
25. Fakkawa		25. Nkalu
26. Zabarma		26. Nkanu
27. Waja		27. Okoba
28. Bade		28. Onitsha-Awka
29. Kudawa		29. Orata
		30. Oru
		31. Ubani
		32. Ututu

Source: L. Adele Jinadu, "Federalism, The Consociational State, and Ethnic Conflict in Nigeria" in Publius: The Journal of Federalism, Vol 15, No 2, (Spring 1985), 77.

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Religious Diversity[89]

Like the plurality of its ethnic composition, Nigeria is equally a polity of religious pluralism. The dominant religious beliefs in Nigeria are: Islam, Christianity, and Animism or traditional belief systems.

Islam is a dominant religion in the north with almost 90 percent of the Hausa-Fulani population its adherents.[90] The Islamic religion was introduced to Northern Nigeria around the end of the fifteenth century. With the introduction of Islam into the North, it has provided "a transtribal bond which has been one of the most powerful integrative factors in Northern Nigeria."[91]

In the Yorubaland, the population ratio is evenly split between Islam and Christianity (the two dominant beliefs), while in the East, Christianity is a dominant religion, particularly among Igbo-speaking people.[92]

Islam provides an interesting contrast in terms of attitudinal disposition between the Yoruba Muslims in the Southwest and the Hausa/Fulani Muslims in the Northwest. The primacy of ethnic interests overrides religious identification among the Yoruba Muslims. In other words, a Yoruba Muslim is a Yoruba first and a Muslim second.[93] Among the Hausa/Fulani population, by contrast, both Islam and ethnicity are intertwined politically.[94] In fact, it

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has been pointed out that Islam is a form of "political religion"[95] among the Hausa/Fulani population since the wave of Jihads in the eighteenth and nineteenth centuries in West Africa. The reality of this contrast, among other things, has made it extremely difficult for Islam to function as "a cross-cutting interethnic solidarity structure" in Nigeria.[96]

The embracing of Islamic values by a large segment of the Nigerian population in the North is comparable to the adoption of Christian values by a large section of the Southern population. This religious difference widens not only the social distance between the North and South, but in most cases, affects both the internal and external behavior of the Nigerian state.[97]

Recent developments in Nigeria may very well prove a critical turning point in Nigeria's ability or inability to uphold the secularity requirement of the Nigerian state.[98] These developments include the agitation for the institutionalization of Sharia court as part of the federal judicial system, Nigeria's membership in an organization of Islamic conference, the constant and often brutal religious disturbances in the North including growing religious intolerance among certain religious groups.

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Traditional beliefs continue to make strides even despite the marginality of their adherents vis-a-vis the other dominant beliefs. At the national level, however, 47.2% of the Nigerian population are Moslems, 34.5% are Christians, and 18.3% adhere to other traditional beliefs according to the 1963 population census.[99]

The Differential Impact of the British Colonial Rule on Education

The British colonization of Nigeria had a tremendous impact on Nigeria, particularly in the area of education. Through the introduction of the British educational system, the use of the English language became an important catalyst for integrating the diverse elements of the Nigerian population. The English-language is still Nigeria's lingua-franca. However, in 1979, the Mohammed/Obasanjo regime nationalized the use of Hausa, Igbo, and Yoruba as integral parts of the Nigerian official languages.

The British colonial policy was partly responsible for the north/south disparity in education. We have discussed in greater detail in Chapter Four how the British colonial policy virtually forbade missionary activities to many parts of northern Nigeria. During the

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British colonial rule in Nigeria, the missionaries were largely responsible for the establishment of schools. For instance, in 1942, about 99 percent of the schools in Nigeria were under the direct control of the missionaries, while more than 97 percent of the Nigerian students were enrolled in mission schools.[100]

Deprivation of the missionary activities in the north created a huge disparity between the north and south in education (See Table 3).

<div align="center">

Table 3

Number of Schools and Pupils in

the North and South of Nigeria, 1906-1957

</div>

Year		Primary School	Secondary School	Primary Pupils	Secondary Pupils
1906	South:	126	1	11,872	20
	North	1	0	unknown	0
1912	South:	150	10	35,716	67
	North:	34	0	954	0
1926	South:	3,826	18	138,249	518
	North:	125	0	5,210	0
1937	South:	3,533	26	218,610	4,285
	North:	539	1	20,269	65
1947	South:	4,984	43	538,391	9,657
	North:	1,110	3	70,962	251
1957	South:	13,473[a]	176	2,343,317[a]	28,208
	North:	2,080	18	185,484[b]	3,643

[a] Figures include 30,602 pupils attending 94 secondary modern schools where post-primary instruction is given for three additional years for pupils who either are academically not up to the standards of full secondary schools or who cannot afford the higher fees.
[b] Figure for 1956
Source: James S. Coleman, Nigeria: Background to Nationalism, (Berkeley: University of California Press, 1958). 134.

<div align="center">33</div>

As reflected in Table 3, Nigeria, at independence, was a federal union in which the north and south were mismatched in educational terms.

In 1957, barely three years prior to the political emancipation of Nigeria as a sovereign state in 1960, northern Nigeria was far behind the south in the total number of schools and the student enrollments in both primary and secondary schools. The northerners were not unconscious of their backwardness educationally relative to their southern counterparts. As pointed out by Ahmadu Bello, the Premier of Northern Nigeria, "If the gates to the departments were to be opened, the Southern regions had a huge pool from which they could find suitable people, while we had hardly anyone."[101]

The impact of the educational imbalance between the north and south on the Nigerian body politic was enormous. The impact of this gap was manifested in the following ways: (I) the Northernization policy of the government of Northern Nigeria in the sixties was specifically designed as a response to the disparity between the north and south

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in education. As Elaigwu has pointed out, the north "feared the tyranny of skills from the South"[102] to warrant the institutionalization of a process that gave utmost priority to Northerners in the job recruitment vis-a-vis the Southerners. (II) the imbalance also created an attitude of unpreparedness among the Northern people and their political leaders to the independence movement that dominated Southern politics. For instance, when chief Anthony Enahoro, an Action Group backbencher, introduced a motion that could have given Nigeria self-governing status in 1956, northern leaders were bitterly opposed to it.[103] (III) with the perceptive reality of the educational gap between the north and south, the former became almost uncompromisingly committed to the control of central government as a means of protecting its regional interests from the domination of the Southerners.[104] Of the eight leaders Nigeria has produced since 1960, only two of them were from the south (with their periods of governorship so ephemeral), while other six were from the north.[105] And (IV), the institutionalization of the principle of federal character under the presidential system 1979-1983 was an outgrowth of the educational imbalance between the north and south.[106]

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The element of educational development in Nigeria was equally a potent factor that gave rise to enmity between the Yorubas and the Igbos. The Yorubas were privileged to have a tremendous head start in education in relation to other ethnic groups in Nigeria because of their early contact with the Europeans (See Table 4).

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Table 4

Estimated Number of Nigerians in Key Occupational
Groups in the Early 1920's and Early 1950's

Occupation	Early 1920's	Early 1950's
Barristers	15	12 Yorubas 3 Native foreigners	150[a]
Physicians	12	8 Yorubas 4 Native foreigners	76 Yorubas 49 Ibos 160 1 Hausa/ Fulani 34 others
Teachers and clerks	21,000	70,000
Artisans & Skilled laborers	8,000	80,000

[a] Ethnic breakdown not available

Source: Coleman, *Nigeria: background to Nationalism*

However, by the 1950's the Ibos were able to bridge
the substantial early lead of the Yorubas in education
and employment.[107]   The challenge posed to the monopoly
or dominance of the Yorubas in education and employment
by the Ibo people helped to provide the basis for an
intense struggle and bitterness between the two groups.
With a souring relationship between the Yorubas and Igbos
began the communalization of competition among the ethnic
groups in Nigeria particularly in politics, sports, and
education. The communalization of competition was also a

presage of regionalist tendencies in Nigeria as political leaders of the major ethnic groups became more aggressively protective of their regional interests.

With the nationalization of indigenous languages of the three dominant ethnic groups in Nigeria, no serious effort has been made to encourage the teaching and learning of these languages in all the elementary and post-elementary schools throughout the nation. The integrative force which the use of these languages could unleash is yet to be achieved as "differences between indigenous languages keep the people apart, perpetuate ethnic hostilities, weaken national loyalties and increase the danger of separatist sentiment."[108] The use of English language as the official language since the dawn of colonial rule in Nigeria has helped to unite the "elite of various groups" while, at the same time, dividing "the elite from the masses"[109] The elite/mass cleavage, particularly in education, remains one of the "most potent causes of deep social and political disaffection in Nigeria today."[110]

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A Fragmented Political Class

We define 'political class' here in terms of the strategic position it occupies or the role generally played by members of this group within the political organism called the state.

According to Mosca, the political class "perform (sic) all political functions, monopolizes power and enjoys the advantages that power brings."[111] Another characteristic of class development peculiar to Africa is explained by Richard Sklar when he wrote that the "dominant class formation is a consequence of the exercise of power" and that "class relations, at bottom, are determined by relations of power, not production."[112] Professor Larry Diamond also shares the view that the structural element of class formation in Nigeria, either on an individual or group level, is "determined essentially by political power"[113] which each group or individual acquires.

The Nigerian political class is essentially a post-independence reality in the sense that, under the subject status of the British colonial rule, this group had no administrative role or responsibility toward their own society.

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The historical roots, cultural orientations and socioeconomic bases of the dominant political classes of the North, East and West, coupled with the differential approach and effect of the British colonial policy toward the protectorial areas of the North and South, helped to reinforce the political and ideological differences among the Nigerian political class. In a nutshell, the Nigerian political class is a fragmented one. Evidence of its fragmentation is reflected in the formation of political parties and electoral behavior of Nigerians during the first and second Republics.[114] As pointed out by Professor Diamond, the reality of the Nigerian political class has prevented the development of "a trans-ethnic consciousness and coherence" simply because the "class domination [has] developed as a regional and ethnic phenomenon."[115]

The fragmentation of the Nigerian political class, particularly along ethnic lines, is generally symptomatic of the inability of members of this class both to develop a sense of strong national consciousness and to overcome the persistent problem of instability characteristic of the Nigerian political system.[116]

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Organization of the Study

Organizationally, this study is divided into eight chapters. This introductory chapter defines the scope, foci and some of the basic terms relevant to the study.

Chapter Two concentrates on the theoretical foundation of consociational democracy as espoused by Arend Lijphart, as well as the basic criticisms levelled against consociationalism. Chapter Three examines the application of the principal elements of consociational democracy to the Nigerian Parliamentary political system. Basic problems that profoundly affect the operational success of the principal elements of consociational democracy are also discussed.

An explanation of the raisons d'etre for the failure or demise of parliamentary democracy in Nigeria is the focus of Chapter Four. Also in this chapter, we concentrate part of our analysis on the historical development and formation of the Nigerian State and the implications of its development on the politics and demise of the system of parliamentarianism.

The authoritarian rule of the Nigerian Military between 1966 and 1988 is examined in Chapter Five, within the context of its contributions to the development of a new political process (a presidential system), the

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creation of new states, and the application of consociational devices during the period of military rule. We are limiting our analysis of the military rule in Nigeria to 1988 even though the life of the current military administration of President Babangida is supposed to continue until 1992. Presently, the democratic political process has begun in Nigeria with a new Constitution for the Third Republic signed into law and the ban on political activities lifted.[117]

Chapter Six, like Chapter Three, is an examination of the application of the principles of consociational democracy as they applied to the presidential system. It also examines the operational difficulties facing the institutionalization of consociational devices in a presidential system.

The practical application of a new system of presidentialism into a polity historically nurtured in the tradition of the British parliamentary democracy is the basis of our analysis in Chapter Seven. The operation of this presidential system is also examined within the context of ethnicized politics of the Nigerian political elites and the implications of their conduct on the collapse of the system.

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The suitability and results of the application of consociational democracy to the Nigerian political system are appraised in the concluding chapter. In addition there are other suggestions that may be relevant to further research work on the application of consociational devices, particularly with respect to developing countries.

[1]For the treatment of these countries see the following: Arend Lijphart, Democracy in Plural Societies: A Comparative Exploration, (New Haven: Yale University Press, 1977; Arend Lijphart, The Politics of Accommodation: Pluralism and Democracy in the Netherlands, Berkeley: University of California Press, 1975; Arend Lijphart, Democracies: Patterns of Majoritarian and Consensus Government in Twenty-one Countries, New Haven: Yale University Press, 1984; Jeffrey Obler, Jurg Steiner and Guido Dierick, Decision-making in Small Democracies: The Consociational "Burden" Beverly Hills: Sage Publications, 1977; Joseph Richard Goldman, The Politics of Accommodation: The Consociational Authoritarian Model and Socialist Yugoslavia Unpublished Dissertation, University of Kansas, 1982, and Richard H. Dekmejian, "Consociational Democracy in Crisis: The Case in Lebanon" Comparative Politics Vol 10, No 2 (January 1978), 251-264.

[2]W.B. Vosloo, "Consociational Democracy as a means to accomplish peaceful political change in South Africa: An evaluation of the constitutional change proposed by the National Party in 1977" Politikon Vol 6, No 1, (June 1979), 13-28; Arend Lijphart, "Federal, Confederal and Consociational Options for the South African Plural Society" in Conflict and Compromise in South Africa ed. Robert I Rothberg and John Barratt, (Lexington: D.C. Heath and Company, 1980), 51-75; Arend Lijphart, Power-sharing in South Africa Berkeley: University of California Press, 1985 and L.J. Boulle, South Africa and the Consociational Option: A Constitutional Analysis Cape Town: Juta & Co. Ltd., 1984.

[3]Ian Lustick, "Stability in Deeply Divided Societies: Consociationalism Versus Control" World Politics Vol 31, No 3, (April 1979), 325-344. Also see Eric A. Nordlinger, Conflict Resolution in Divided Societies (Cambridge: Harvard Center for International Affairs, No 29, 1972).

[4]Brian Barry, "The Consociational Model and its Dangers" European Journal of Political Research Vol 3, No 4, (December 1975), 393.

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[5]S. Egite Oyovbaire, "The Tyranny of Borrowed Paradigms and the Responsibility of Political Science: The Nigerian Experience" in _Political Science in Africa_ ed. Yolamu Barrongo (London: Zed Books, 1983), 239-254.

[6]See Chapter Two.

[7]Felix A. Chinwula, _Consociationalism as an Approach to Political Integration: The Case of the Federal Republic of Nigeria_ Unpublished Dissertation, Tulane University, 1980.

[8]See Chapter Five.

[9]David E. Apter, _The Political Kingdom in Uganda: A Study of Bureaucratic Nationalism_ (Princeton: Princeton University Press, 1961), 20-21.

[10]See Chapters Three and Four.

[11]See Chapter Five.

[12]See Chapters Six and Seven.

[13]Shehu Othman, "Classes, Crises and Coup: The Demise of Shagari's Regime" _African Affairs_ Vol 83, No 333, (October 1984), 455.

[14]See "The Illegality of a Legal Coup" as a subsection of Chapter Seven.

[15]See our discussion and definition of political class in pp. 35-37.

[16]Robert A. Dahl, "Some Explanations" in _Political Oppositions in Western Democracies_ ed. Robert A. Dahl (New Haven: Yale University Press, 1966), 358-9.

[17]Only the principle of grand coalition is not included by Dahl but this formed an integral part of Lijphart's four principles of consociational democracy. See Chapter Three.

[18]Nordlinger, _Conflict Resolution in Divided Polity_, 20-33.

[19]Ibid, 32. See Chapter Four for more on the failure of federalism in Nigeria.

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[20]Donald Rothchild and Victor A. Olorunsola, "African Public Policies on Ethnic Autonomy and State Control" in State Versus Ethnic Claims: African Policy Dilemmas ed. Donald Rothchild and Victor A. Olorunsola (Boulder, Colorado: Westview Press, 1983), 233-250.

[21]Ibid, 233.

[22]Ibid, 234.

[23]Ibid.

[24]Ibid, 235.

[25]Ibid, 234.

[26]Donald L. Horowitz, Ethnic Groups in Conflict (Berkeley: University of California Press, 1985). Also see Donald L. Horowitz, "Three Dimensions of Ethnic Politics" World Politics Vol 23, No 2, (January 1971), 232-244.

[27]Milton J. Esman, "The Management of Communal Conflict" Public Policy Vol XXI, No 1, (Winter 1973), 49-71.

[28]R.N. Ismagilova, Ethnic Problems of The Tropical Africa: Can They Be Solved?   (Moscow: Progress Publishers, 1978). See Chapters 1-5, particularly.

[29]J.S. Furnivall, Netherlands India: A Study of Plural Economy (New York: MacMillan and Company, 1944), 446.

[30]J.S. Furnivall, Colonial Policy and Practice: A Comparative Study of Burma and Netherlands India (New York: New York University Press, 1956), 34.

[31]M.G. Smith, The Plural Society in the British West Indies (Berkeley: University of California Press, 1974), xiii. The underlined emphasis is mine.

[32]M.G. Smith, "Pluralism in Pre-Colonial African Societies" in Pluralism in Africa ed. Leo Kuper and M.G. Smith (Berkeley: University of California Press, 1969), 91.

[33]Lijphart, Democracy in Plural Societies, 3.

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[34]Ibid, 3-4.

[35]Ibid, 4.

[36]Ibid, 5.

[37]Val R. Lorwin, "Segmental Pluralism: Ideological Cleavages and Political Cohesion in the Smaller European Democracies" _Comparative Politics_ Vol 3, No 2, (January 1971), 142.

[38]W. Arthur Lewis, _Politics in West Africa_ (London: George Allen and Unwin, 1965).

[39]Alvin Rabushka and Kenneth A. Shepsle, _Politics in Plural Societies: A Theory of Democratic Instability_ (Columbus, Ohio: Charles E. Merrill Publishing Company, 1972).

[40]Cynthia H. Enloe, _Ethnic Conflict and Political Development_ (Boston: Little, Brown and Company, 1973).

[41]D.G. Morrison and H.M. Stevenson, "Cultural Pluralism, Modernization, and Conflict: An Empirical Analysis of Sources of Political Instability in African Nations" _Canadian Journal of Political Science_ Vol V, No 1, (March 1972), 82-103.

[42]Walter L. Burrows, "Ethnic Diversity and Political Instability in Black Africa" _Comparative Political Studies_ Vol 9, No 2, (July 1976), 139-169.

[43]Leo Kuper, "Plural Societies: Perspectives and Problems" in _Pluralism in Africa_ op.cit., 14. Also see Robert Jackson, _Plural Societies and New States: A Conceptual Analysis_ (Berkeley: University of California Press, 1977), 6.

[44]See Chapter Two for more on Almond's classification scheme.

[45]Naomi Chazan, "African Voters at the Polls: A Re-examination of the Role of Elections in African Politics" _Journal of Commonwealth and Comparative Politics_ Vol XVII, No 2, (July 1979), 142.

[46]Lewis, _Politics in West Africa_, 67.

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[47]See Fred I. Greenstein and Sidney G. Tarrow, "The Study of French Political Socialization: Toward the Revocation of Paradox" World Politics Vol XXII, No 1, (October 1969) 95-137. Greenstein and Tarrow have pointed out four factors associated with a "conflict society." They are: (I) attitudes are widely held, sharply crystallized, and intensely felt by the mass public; (II) individuals hold internally consistent attitudes(i.e. revolutionary or reactionary attitudes on issue "a" will be matched by parallel attitudes on issue "b"); (III) attitudinal disagreement is high and cumulative (i.e. disagreement on one issue is bolstered by disagreement on the next); and (IV) agencies of socialization and membership inculcate and reinforce these attitudinal patterns. See page 115 of Greenstein and Tarrow's article.

[48]Pierre L. Van den Berghe, "Pluralism and the Polity: A Theoretical Exploration" in Pluralism in Africa op.cit., 68.

[49]Ibid, 76-77.

[50]Lijphart, Democracy in Plural Societies, 16.

[51]David E. Apter, The Politics of Modernization (Chicago: The University of Chicago Press, 1965); C.E. Black, The Dynamics of Modernization: A Study in Comparative History (New York: Harper and Row, 1967); S.P. Huntington, "The Change to Change: Modernization, Development and Politics" Comparative Politics Vol 3, No 3, (April 1971), 283-322, and Karl W. Deutsch, "Social Mobilization and Political Development" American Political Science Review Vol 55, No 3, (September 1961), 493-514.

[52]Samuel P. Huntington, Political Order in Changing Societies New Haven: Yale University Press, 1978.

[53]James S. Coleman, "The Development Syndrome: Differentiation - Equality - Capacity" in Crises and Sequences in Political Development ed. Leonard J. Binder et. al. (Princeton: Princeton University Press, 1971), 73-100.

[54]Gabriel A. Almond, "Political Development: Analytical and Normative Perspectives" Comparative Political Studies Vol 1, No 4, (January 1969), 457.

[55]Claude Ake, <u>Social Science as Imperialism: A Theory of Political Development</u> (Ibadan: Ibadan University Press, 1979.

[56]Larry Diamond, <u>Class, Ethnicity and Democracy in Nigeria: The Failure of the First Republic</u> (New York: Syracuse University Press, 1988), 7.

[57]James A. Bill and Robert A. Hardgrave, <u>Comparative Politics: The Quest for Theory</u> (Columbus, Ohio: Charles E. Merrill Publishing Company, 1973), 59.

[58]Ibid, 57.

[59]Nathan Glazer, "The Universalization of Ethnicity: Peoples in the Boiling Pot" <u>Encounter</u> Vol XLIV, No 2, (February 1975), 8-17.

[60]Walter Connor, "Ethnonationalism in the First World: The Present in Historical Perspective" in <u>Ethnic Conflict in Western Europe</u> ed. Milton J. Esman (Ithaca: Cornell University Press, 1977), 20. Also see Arend Lijphart, "Political Theories and the Explanation of Ethnic Conflict in Western Europe: Falsified Predictions and Plausible Postdictions" in <u>Ethnic Conflict in Western Europe</u>, 46-64.

[61]Connor, <u>op.cit.</u>, 32.

[62]Ibid, 23.

[63]Ibid, 23-25.

[64]See Yolamu R. Barongo, "Alternative Approaches to African Politics" in <u>Political Science in Africa</u> ed. Barongo, 138-134, B. Magubane, "Pluralism and Conflict Situations in Africa: A New Look" <u>African Social Research</u> No 7, (June 1969), 529-553.

[65]Magubane, <u>op.cit.</u>, 535.

[66]Ibid, 540-1.

[67]See Aristide R. Zolberg, "The Structure of Political Conflict in the New States of Tropical Africa" <u>American Political Science Review</u> Vol LXII, No 1, (1968), 70-87. Also see Robert Melson and Howard Wolpe, "Modernization and the Politics of Communalism: A

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Theoretical Perspective" <u>American Political Science Review</u>
Vol LXIV, No 4, (1970), 1112-1130.

[68]Michael F. Lofchie, "Political Theory and African
Politics" <u>Journal of Modern African Studies</u> Vol 1, No 1,
(1968), 13-14.

[69]Lijphart, <u>Democracy in Plural Societies</u>, 1.

[70]Ibid, 4.

[71]Leon Hurwitz, "Contemporary Approaches to Political
Instability" <u>Comparative Politics</u> Vol 5, No 3, (April
1973), 449-463. Also see Claude Ake, "A Definition of
Political Stability" <u>Comparative Politics</u> Vol 7, No 2,
(January 1975), 271-283,and Keith M. Doding and Richard
Kimber, "The Meaning of Political Stability" <u>European
Journal of Political Research</u> Vol 11, No 3, (September
1983), 229-243.

[72]B.J. Dudley, "On Political Order" <u>Nigerian Journal
of Economic and Social Studies</u> Vol 12, No 3, (1973), 366.

[73]B.J. Dudley, <u>Instability and Political Order:
Politics and Crisis in Nigeria</u> (Ibadan: Ibadan University
Press, 1973), 256.

[74]Arend Lijphart, "Typologies of Democratic Systems"
<u>Comparative Political Studies</u> Vol 1, No 1, (April 1968),
8.

[75]Ted Robert Gurr and Muriel McClelland, <u>Political
performance: A Twelve-Nation Study</u>, (Beverly Hills: Sage
Publications, 1971), 11.

[76]Onigu Otite, "On the Concept of a Nigerian Society"
<u>Nigerian Journal of Economic and Social Studies</u> Vol 13,
No 3, (November 1971), 303.

[77]Richard L. Sklar and C.S. Whitaker, "The Federal
Republic of Nigeria" in <u>National Unity and Regionalism
in Eight African States</u> ed. Gwendolen M. Carter (Ithaca,
New York: Cornell University Press, 1966), 10.

[78]Crawford Young, <u>The Politics of Cultural Pluralism</u>
(Madison, Wisconsin: University of Wisconsin Press,
1976), 11.

[79]Ibid, 12-13.

[80]Arend Lijphart, "Consociational Theory: Problems and Prospects: A Reply" *Comparative Politics* Vol 13, No 3, (April 1981), 356.

[81]See Chapter Four for the problem of political integration in Nigeria.

[82]Statehood is defined here in terms of its legal criteria of existence, as provided under Article I of the Montevideo Convention on Rights and Duties of States, as follows: Permanent Population, Defined Territory, Government, and Independence. See Ian Brownlie, *Principles of Public International Law* (Oxford: Clarendon Press, 1979), 74-76.

[83]Omolade Adejuyigbe, "Ethnic Pluralism and Political Stability in Nigeria" *Cultural Discord in the Modern World: Geographical Themes* ed. L.J. Evenden and F.F. Cunningham (Vancouver, Canada: Tantalus Research Limited, 1973), 83-110. To describe ethnic groupings in Nigeria as "tribes" is a misnomer in an anthropological sense. They are "nationalities" like the English, Scots, Welsh and Irish in the United Kingdom. See Stanislaw Andreski, *The African Predicament: A Study in the Pathology of Modernisation* (London: Michael Joseph, 1968), 58.

[84]James S. Coleman, *Nigeria: Background to Nationalism* (Berkeley: University of California Press, 1958), 15.

[85]Onigu Otite, "Resource Competition and Inter-Ethnic Relations in Nigeria" *Ethnicity and Resource Competition in Plural Societies* ed. Leo A. Despres (The Hague: Mouton Publishers, 1975), 120.

[86]Ugbana Okpu, *Ethnic Minority Problems in Nigerian Politics: 1960-1965* (Stockholm, Sweden: Luber Tryck A B, 1977), 7.

[87]A.H.M. Kirk-Greene, "The Peoples of Nigeria: The Cultural Background to the Crisis" *African Affairs* Vol 66, No 262, (January 1967), 5.

[88]See Victor A. Olorunsola, ed. *The Politics of Cultural Sub-Nationalism in Africa* (Garden City, New York: Doubleday and Company, 1972), 3. Also see Claude S. Phillips, "Nigeria and Biafra" in *Ethnic Separatism and World Politics* ed. Frederick L. Shiels (New York: University Press of America, 1984), 156-7.

[89]For more on religion in Nigeria and its definition, see Chapter Five.

[90]See Adejuyigbe, "Ethnic Pluralism and Political Instability in Nigeria," 85.

[91]Coleman, _Nigeria: Background to Nationalism_, 39.

[92]Kirk-Greene, "The Peoples of Nigeria," 6.

[93]Ali A. Mazrui, _The Africans: A Triple Heritage_ (Boston: Little, Brown and Company, 1986), 137.

[94]Ibid.

[95]Young, _The Politics of Cultural Pluralism_, 54.

[96]Ibid., 280.

[97]Ibid. See Olajide Aluko _Essays on Nigerian Foreign Policy_ London: George Allen and Company, 1981.

[98]See Chapter Five for more on these developments and likely implications on the Nigerian body politic.

[99]_Nigeria Handbook 1978-79_ (Lagos, Nigeria: Federal Ministry of Information, 1979), 276.

[100]Coleman, _Nigeria: Background to Nationalism_, 113.

[101]Ahmadu Bello, _My Life_ London: Cambridge University Press, 1962, 110-111.

[102]J. Isawa Elaigwu "Federal-State Relations in Nigeria's New Federalism: A Review of the Draft Constitution" in _Issues in the Nigerian Draft Constitution_. edited Suleimanu Kumo and Abubakar Aliyu (Zaria: Department of Research and Consultancy, ABU, 1977), 147.

[103]Bello, _op. cit._, 115-120.

[104]A combination of the educational backwardness of the North relative to its Southern counterparts and consciousness of what the advantage of education can bring, particularly in the competition between the North and South, often spurs the North to be zealously protective of its regional interests and power.

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[105]The following are the Nigerian leaders from 1960 to the present. The region of each leader is in parentheses: Balewa (North), 1960-1966; Ironsi (South), January - July, 1966; Gowon (North) 1966-1975; Mohammed (North), 1975-1976; Obasanjo (South), 1976-1979; Shagari (North), 1979-1983; Buhari (North), 1984-1985; Babangida (North), 1985 to the present.

[106]See Chapters Five, Six and Seven for more on the principle and application of federal character.

[107]Coleman, Nigeria: Background to Nationalism, 332-43.

[108]Frederick A. O. Schwarz, Nigeria: The Tribes, the Nations or the Race -- The Politics of Independence (Cambridge, Mass.: M.I.T. Press, 1965), 39.

[109]Ibid.

[110]Obafemi Awolowo, The Strategy and Tactics of the People's Republic of Nigeria (London: Macmillan & Co. Ltd., 1970), 48.

[111]Gaetano Mosca, The Ruling Class translated by Hannah D. Kahn. (New York: McGraw-Hill, 1939), 50.

[112]Richard L. Sklar, "The Nature of Class Domination in Africa" Journal of Modern African Studies Vol. 17, No. 4 (1979), 536-37.

[113]Larry Diamond, "Class, Ethnicity, and the Democratic State: Nigeria 1950-1966", Comparative Studies in Society and History Vol. 25, No. 3, (1983), 461.

[114]See Chapters Three, Four, Six and Seven.

[115]Diamond, Class, Ethnicity and Democracy in Nigeria, 31.

[116]Billy J. Dudley, "Failures of the Political Class," Nigerian Opinion vol. 5, nos. 11/12, (November, December, 1969), 477-481.

[117]See West Africa 8-14 (May 1989), 767.

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The Theory of Consociational Democracy

Democracy

Defining democracy is a task fraught with difficulty. For example, it has been estimated that the word "democracy" has about two hundred definitions attached to it.[1] Perhaps this should not be surprising; Laski has written:

> No definition of democracy can adequately comprise the vast history which the concept denotes. To some it is a form of Government, to others a way of social life ... Democracy has a context of every sphere of life: and in each of those spheres it raises its special problems which do not admit of satisfactory or universal generalization.[2]

The definition of democracy has become, in most cases, context specific to the prevailing predilections of the ruling class. It is for this reason that democracy has been referred to variously as "teutonic democracy," "people's democracy," "guided democracy" and "presidential democracy."[3] It is this kind of labelling that has further confused the meaning of the term. However, as pointed out by Professor Lipset, democracy is "not a unitary quality of a social system, but a complex of characteristics which may be ranked in many ways."[4]

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Convenient uses of the term "democracy" have made it an important tool for rationalizing legitimacy claims by regimes claiming to be, and wishing to be perceived as, "democratic." According to Sartori,

> all governments easily claim to be democratic
> simply by switching from verified consensus to
> presumed consensus. By itself, then, popular
> consent does not suffice to qualify any
> particular political system as a democracy.[5]

Professor Lewis has argued that the operational definition of democracy depends by and large on: (I) its primary meaning which stipulates, "that all who are affected by a decision should have the chance to participate in making that decision, either directly or through chosen representatives;" and (II) its secondary meaning which rests on one of the basic necessities of a democratic polity, "that the will of the majority shall prevail."[6]

The primary meaning of democracy espoused by Professor Lewis refers to representative democracy. In a representative democracy the people (electorate) are vested with the responsibility of electing a government or representatives to a legislative body periodically through a well defined electoral process. In this way, the electorate can hold their elected representatives accountable for their performance. A political system

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cannot truly be democratic when the system of accountability is tangentially related to the conduct and performance of public officials. Representative democracy implies not only an institutionalized process of accountability of the governors to the governed, but it requires, at a minimum, an opportunity in which ordinary citizens can exert a high degree of control over the conduct of their elected representatives or officials.[7]

In a democratic political arrangement, as pointed out by Schumpeter, "the role of the people is to produce a government" and on that basis, a "democratic method is that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of competitive struggle for the people's vote."[8] In a democracy, the premium placed on the right of the people to determine who shall govern through the formality of an electoral process is tantamount to a recognition that sovereignty in fact resides with the people. Democracy is a type of political system where the people (eligible voters) can exercise their right to choose their representatives "among the alternatives created by the competing political organizations and leaders."[9] Nevertheless, the right of the people to choose their representatives cannot be presumed.[10] According to Schattschneider,

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it is the competition of political organizations
that provides the people with the opportunity to
make a choice. Without this opportunity popular
sovereignty amounts to nothing.[11]

The secondary meaning of democracy underscores the
principle of majoritarianism in a democratic polity.
Majoritarianism is predicated on the assumption that while
the views of the majority prevail, tolerance must be shown
to minority views as well. No political system can
reasonably claim to be democratic if tolerance of the
opposing views is not part of the political process.

A reciprocal relationship of tolerance or
accommodation between the majority and minority parties is
an important stabilization factor to any democratic
machinery. If the majority party is insensitive to the
minority and this insensitivity results in the minority
party's failure to acknowledge the moral right of the
majority party to rule, the inevitable result is an
undermining of the consensual rule requirement of the
political process. Writing about politics on a global
scale, but equally applicable to state systems, Professor
Claude says:

Majority rule works only when the minority has
such confidence in the ultimate reasonableness of
the majority and such conviction of the ultimate
community of majority and minority interests that
it can afford to respect the right of the
majority to rule without undue obstruction ...
Indeed, majority rule has no valid claim of
legitimacy apart from the existence of a basic
moral consensus.[12]

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Democracy is often conceived, somewhat narrowly, as a system of government tied to "certain behavioral or institutional variables operative in the actual working of democratic political systems."[13] Democracy has a broader application that includes the various elements of normative values represented in the works of Locke, Rousseau, Jefferson, Lincoln and Mill.[14] The normative conception of democracy focuses on such things as "equality," "liberty," "welfare," "common will" and "common good."[15] In a nutshell, democracy connotes an "ideal state of affairs."[16] However, when we examine the gap between the "promise and performance" of democracy, its ideals appear somewhat utopian.[17]

In this study, we are dealing with what Robert Dahl has called a "polyarchy,"[18] an approximation of the ideal.

The Westminster Model of Democracy

The Westminster model of democracy is a euphemistic phrase for the British parliamentary system. Throughout this study, the two phrases; "Westminster model" and "parliamentary democracy" will be used interchangeably.

The Westminster model is essentially a majoritarian democracy; it presupposes an electoral victory based on the

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total number of votes a political party gets vis-a-vis its opponents during a general election.

Under the British system, the word "parliament" is a generic term denoting the bicameralism of the British legislature. In other words, parliament comprises the House of Commons (otherwise known as the Lower House) and the House of Lords (also referred to as the Upper House).

In the Westminster model, the choice of Prime Minister is a matter of procedural routine based on parliamentary convention.[19] That is, the victorious party in a general election is usually called upon to take control of the government. In other words, it is presumed, conventionally, that the leader of the victorious party in a general election will become the Prime Minister. The Prime Ministerial position, as Harvey and Bather have pointed out, is "based not on statute, but on convention."[20]

Under the Westminster model, the leader of the political party that finishes second in a general election becomes Her/His Majesty's leader of the opposition. It should be emphasized here that an "opposition party" under the British system is not an "idle phrase"[21] but indispensable to parliamentary politics. Dahl points out:

> Today one is inclined to regard the existence of an opposition party as very nearly the distinctive characteristic of democracy itself; and we take the absence of an opposition party as evidence, if not always conclusive proof, for the absence of democracy.[22]

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Jennings reaches a similar conclusion: "if there is no opposition there is no democracy."[23] And David Apter, writing on the role of opposition parties in developing countries, argues that "the struggle between the party in power and the opposition is the life-blood of democracy."[24]

One of the fundamental features of the Westminster model is the symbiotic relationship of the governing party and the opposition conceived in adversarial terms.[25] It is the responsibility of the opposition party, often regarded in Britain as "Her Majesty's alternative government,"[26] not only to criticize, but to act consistently as the watch dog over the party in power, "with the knowledge and expectation that it may be called upon to take over the administration"[27] should the governing party be defeated or otherwise unable to sustain a vote of confidence in parliament.

When some African leaders took political power from their erstwhile European colonizers, they quickly questioned the rationality of implanting a facsimile of what has been called "football politics,"[28] characteristic of the Westminster model, into an African environment having no semblance of the class differentiation typical of Europe. And, since class division is presumably atypical of the African social reality, a two or multi-party system

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becomes an intolerable parody of Western political systems.

Prominent on the agenda of African leaders is rapid economic development which demands, among other things, cooperation of all the social elements of the polities. For example, an opposition party, within a development-oriented society like Tanzania just emerging from colonialism into an era of "expectations of independence"[29] in the sixties, was found to be politically anathematic, a kind of luxury which Africa cannot afford. According to Nyerere:

> There can be one reason for the formation of such parties (of opposition) in a country like ours -- the desire to imitate the political structure of a totally dissimilar society. What is more, the desire to imitate where conditions are not suitable for imitation can easily lead us into trouble. To try and import the idea of a parliamentary opposition into Africa may very likely lead to violence -because the opposition parties will tend to be regarded as traitors by the majority of our people, or, at best, it will lead to the trivial manoeuvrings of "opposing" groups whose time is spent in the inflation of artificial differences into the semblance of reality "for the sake of preserving democracy." The latter alternative, I repeat, is an over-sophisticated pastime which we in Africa cannot afford to indulge in; our time is too short and there is too much serious work to be done.[30]

However, an institutionalized one-party system can serve as a catalyst for the erosion of democracy,[31] not only because of its tendency to depoliticize society through its intolerance of opposition,[32] but also because of its lack of openness to "contain and utilize dissent."[33] The

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establishment of a one-party system has generally been rationalized as an attempt to maintain institutional order in the African politics of ethnic pluralism.[34]

The principle of majority rule, characteristic of a parliamentary democracy, is essentially a zero-sum game phenomenon. In zero-sum game politics, there are not only winners but losers as well. That is, "what I win you will lose."[35]

In a parliamentary democracy, the game of electoral politics has its "pay-offs, rules, and an umpire"[36] to regulate the conduct of the political players. And the "prize which is being contested is the capture of the machinery of public policy and the rewards which accrue to the controllers of that machinery."[37] The ramifications of zero-sum game politics in a parliamentary democracy have been summed up by Dr. Opeyemi Ola:

> In the context of the parliamentary system, the zero-sum game amounts to a distribution principle which gives all the prize at stake -the formation of government and the control of the machinery of collective decision-making to the party which has the majority of votes at the polls. Other parties, no matter how slight the margin of their defeat, usually have no share in the prize of victory. Their partial loss at the hour of counting heads became total loss at the hour of prize distribution.[38]

Lijphart has argued that a majoritarian democracy implies a concentration of power in the hands of the majority manifested in the following ways: (I) Executive

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power is concentrated in a one-party and bare-majority cabinet; (II) the cabinet is composed of the leaders of the majority and is dominant vis-a-vis Parliament; (III) legislative power is concentrated in one of the houses of parliament; (IV) the party system is dominated by two large parties which alternate in government; (V) the two-party system operates in the context of a homogeneous society, in which the principal politically significant difference dividing the main parties concerns socio-economic policies; (VI) the electoral system is the winner-take-all method of plurality elections in single-member districts; the candidate with the majority of the vote or (if there is no majority) with the largest minority vote wins, and all other candidates are excluded; (VII) the governmental system is unitary and centralized, and there are no clearly designated geographical or functional areas from which the parliamentary majority and the cabinet are barred; and (VIII) parliament is the legal sovereign, and there are no constitutional or other basic rules that cannot be changed by a simple parliamentary majority.[39]

Although the British Westminster model approximates the majoritarian ideal of democracy, it has deviated from the system of "pure majoritarianism" in many ways, particularly since 1970. According to Lijphart, the deviations from the Westminster model have been

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particularly noticeable in: (I) the concentration of executive power with one-party, bare majority cabinets; (II) fusion of power and cabinet dominance; (III) asymmetric bicameralism; (IV) two-party system; (V) one-dimensional party system; (VI) plurality system of elections; (VII) unitary and centralized government; (VIII) unwritten constitution and parliamentary sovereignty; and (IX) exclusively representative democracy.[40]

Consociational Model of Democracy

With the publication of Almond's article "Comparative Political Systems"[41] in 1956, the term "fragmentation" has become a familiar characterization for any political system where the heterogeneous reality of its social formation cannot sustain a stable political process.

In his article, Almond mentions two categories of western democracies, viz: The Anglo-American (including some members of the Commonwealth) and the Continental European (exclusive of the Scandinavian and Low Countries, which combine some of the features of Continental European and Anglo-American).

The Anglo-American variant of political systems is "characterized by a homogeneous, secular political culture" coupled to a "highly differentiated role structure"[42] Continental systems are differentiated by the peculiarities

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of "fragmentation of political culture" and "political sub-cultures.[43] This fragmentation, according to Almond, leads to "immobilism" and a persistent danger of "caesaristic breakthrough."[44]

Almond's Anglo-American and Continental classifications of western democracies have also been called "centrifugal democracy" and "centripetal democracy."[45] The centrifugal democracy characteristic of the homogeneous political culture of the Anglo-American types of political systems is generally not threatened by "normal inter-party competition."[46] Conversely, the centripetal democracy of the Continental European type (with a fragmented political culture) has a history of "immobilism and instability."[47]

Other types of political systems discussed by Almond include, the "pre-industrial" and the "totalitarian" systems." Generally, pre-industrial systems are reminiscent of "mixed political cultures and mixed political systems."[48] Examples can be found in India and Nigeria. In fact, all the independent polities of Africa and Asia, where superimposed democratic political systems intermingle with the existing traditional political cultures could be classified as pre-industrial. Also, pre-industrial political systems are generally analogous to what has been referred to as "transitional societies."[49]

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That is, societies just emerging from a pristine traditional base into an era of modernization. Consequently, according to Almond, "instability and unpredictability are not to be viewed as pathologies."[50]

Totalitarian political systems are typically "non consensual" in nature as well as being a variant in which the "role structure is coercive and unstable."[51]

Almond's article is theoretically significant as a pathfinding study towards a useful typology of political systems. Even more important is the fact that the theory of consociational democracy is predicated on a "constructive attempt to refine and elaborate Almond's typology of democracies" vis-a-vis the fragmented societies.[52]

Although the term consociationalism was used archetypally as a reference to the pattern of political contrivance in Africa by David Apter,[53] its initial use is attributed to Johannes Althusius.[54]

By and large, consociationalism refers to the structures of "societies in which deep primordial cleavages have been converted into instruments of effective pluralistic democracies."[55] As a social phenomenon, consociationalism implies,

> the associating of groups in a way that maintains
> the distinctive characteristics of each of the
> constituents without inhibiting the pursuit of
> collective aims.[56]

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Recognizing the heterogeneity of the social formation of the emerging states of Africa, Apter conceives of consociationalism as a "framework of shared interests within which groups will be willing to interrelate, compromise and accommodate one another."[57]

Although Lijphart is not the originator of the concept of consociational democracy, he is given much credit for its theoretical development. His contribution to the theory remains monumental, both in terms of its potential for replicability and as a mechanism for conflict resolution in plural societies.

Professor Apter applied consociationalism only to the ethnic heterogeneity of the African states, whereas Professor Lijphart showed that consociational democracy can also account for the deviant patterns of political behavior in some western European countries like Belgium, Austria and the Netherlands (his home) and some other non-European countries, such as Lebanon, Malaysia and Cyprus.[58]

Consociational democracy is generally conceptualized in contrast to the majoritarian democracy of the Westminster model. Suffice it to say that the basic underlying principle of majoritarianism in the Westminster type of political setting is tantamount to the exclusion of parties not needed to make a majority either singly or in

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coalition. Implicitly, the principle of exclusion conforms with the principle of majority rule in a Westminster type of democracy. However, "to exclude a losing group from participation in the decision making clearly violates the primary meaning of democracy."[59] Both democracy and majority rule can be compatible under certain conditions of situational context: (I) if the exclusion of the minority is mitigated by the practice of the majority and minority alternating in government -- that is, if today's minority is not permanently relegated to an opposition party without the chance or possibility of becoming a majority government in power itself; (II) if the interests of the minority opposition party are reasonably served or accommodated by the policies of the governing party, or where there is a shared common interest in the program commitment of the two major parties in a relatively homogeneous political culture as in the United States and Britain.[60]

Consociational democracy is, therefore, a deviation from the exclusionary consequence of majoritarian politics based fundamentally on the winner-takes-all principle. This makes consociational democracy a unique paradigm of purposeful inclusion, or involvement of representatives of various ethnic groups or political parties in the governing process of the polity.

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In a Westminster democracy, the winning political party or parties at a general election control the instruments of decision-making of the government, whereas in a consociational arrangement, the approach is towards the building of a grand coalition of particularistic parties or interest groups, broad-based enough to give representation or accommodation to all the competing groups in the process. Thus, the politics of exclusion characteristic of the Westminster democracy is substituted by the "politics of accommodation" in which: (I) the pre-eminent role of the top leaders in recognizing the problems and in realistically finding solutions in spite of ideological disagreement -- a process in which the rank and file were generally ignored; (II) the participation of the leaders of all blocs in the settlement; and (III) the importance of the principle of proportionality in the substance of the settlement -- state aid to education on the basis of proportional treatment of all schools and representation in future parliaments on the basis of the proportion of the vote received by each party.[61]

Consociational democracy, unlike the zero-sum game politics of the Westminster model, is a semblance of non-zero-sum game, in which, as pointed out by Dr. Opeyemi Ola:

> Every player in the game of parliamentary politics would have the chance of sharing in the pay-offs in proportion to his power capacity. Instead of the perennial fear of loss, each

player would have a confident expectation of a share in the prize of victory, With each player's stake or interest involved in the stability and maintenance of the democratic system, the urge to its destruction would diminish.[62]

The application of the principle of majoritarianism typical of a Westminster democracy is contrasted with the "consensual rule" application in consociational arrangements which consist of the following: (I) Executive power-sharing, grand coalition; (II) separation of powers, formal and informal; (III) balanced bicameralism and minority representation; (IV) multi-party system; (V) multi-dimensional party systems; (VI) proportional representation; (VII) territorial and non-territorial federalism and decentralization; and (VIII) written constitution and mutual veto.[63]

The theory of consociational democracy challenges two paradigmatic notions: (I) that democracy should be equated with majority rule; (II) that democracy is not a viable form of government in a deeply divided society.[64] To the consociational school of thought represented by Arend Lijphart, the one-dimensional view of democracy which emphasizes the identification of majority rule with democracy is obviously "fallacious."[65] According to Lijphart,

Majoritarian democracy, of which the Westminster model is the ideal type, is not the only best form of democracy; especially in plural societies

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-- that is societies deeply divided by religious, ideological, cultural, linguistic, ethnic, or racial cleavages into separate sub-societies with their own political parties, interest groups, and media of communication -- consociational democracy is the more suitable democratic model.[66]

Professor Lewis has also expressed the view that "the surest way to kill democracy in a plural society is to adopt the Anglo-American electoral system."[67]

Quite apart from challenging the rationality of implanting the democratic value of a winner-takes-all type in a plural society, consociational democracy is offered as a deviant form of fragmented but stable democracy. In such a system, the centrifugal tendencies inherent in a plural society can be overcome through an institutionalized mechanism of cooperation among the elites representing various segments of the polity. According to Lijphart,

The essential characteristic of consociational democracy is not so much any particular institutional arrangement as overarching cooperation at the elite level with the deliberate aim of counteracting disintegrative tendencies in the system.[68]

As Lijphart has warned, consociational democracy is not offered as an absolute cure for the ailment of political instability in plural societies, but rather as a preferable choice between a Westminster model and no democracy at all:

For many of the plural societies of the non-western world ... the realistic choice is not between the British normative model of democracy

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but between consociational democracy and no democracy at all.[69]

A similar conclusion was arrived at by Professor Pierre L. Van den Berghe, when he wrote that consociationalism, whatever shortcomings it may have, "is simply the best arrangement possible in situations of permanent ethnic pluralism and interdependence where the alternatives (e.g., a la Lebanon) are too awful to contemplate."[70]

The Salient Characteristics of Consociational Democracy

According to Lijphart, the main features of consociational democracy are: (I) grand coalition; (II) proportionality as a standard of political representation, civil service appointment, and allocation of public funds; (III) mutual veto or concurrent majority; and (IV) a high degree of autonomy for each segment to run its own internal affairs.[71]

The Principle of Grand Coalition

A grand coalition is a system which includes all political parties or other major competing interest groups in the system of governance. That is, a grand coalition is a system of power-sharing which includes the most important social elements of the polity in government. According to Lijphart,

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> [the] primary characteristic of consociational
> democracy is that the political leaders of all
> significant segments of the plural society
> cooperate in a grand coalition to govern the
> country.[72]

In a polity of sub-cultural segmentation, the introduction of a grand coalition is intended not only to neutralize the divisions in such a society, but also to create a sense of sharing in the governing process of the polity by all of its sub-cultural elements. According to Professor Lewis, democracy can be made workable in a plural society by creating,

> political institutions which give all the various
> groups the opportunity to participate in the
> decision-making, since through only this can they
>   feel that they are full members of a nation,
> respected by their more numerous brethren, and
> owing equal respect to the national bond which
> holds them together.[73]

The political importance of the grand coalition in a plural society is not found only in the institutional context within which the leadership of the various segments can participate, but in the sense of shared involvement and of participation in the decision-making process of the government. This stands in contrast to majoritarian politics in a parliamentary democracy in which the winner controls the decisional paraphernalia of the government. And, by implication,

> [in] a political system with clearly separate
> and potentially hostile population segments,
> virtually all decisions are perceived as
> entailing high stakes, and strict majority rule

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places a strain on the unity and peace of the system.[74]

William Riker in his classic work <u>The Theory of Political Coalitions</u>[75] has explained the coalition forming process as the rationale of a minimum winning consideration. The notion of a winning coalition is concerned basically with the relative size of political parties in a coalition government. The concern for the size of a coalition government is relative to the pay-offs accruing to its participating members. Implicitly, a "theory of coalitions" amounts to a "theory of politics" which in an operational sense deals with the allocation of goods and services.[76]

Three factors can be responsible for the formation of a coalition system: the inability of a single party to win a decisive victory during a general election in a multi-party system; an even balance between parties under a two-party system, leading one of the two to seek an alliance with any minor party strong enough to ensure control of the political system; and a national crisis or war necessitating the suspension of party strife and concentration of all forces in a common direction in the interest of preserving the polity.[77]

In a homogeneous political culture characteristic of the British Westminster model, a minimum winning coalition

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is generally required to maximize the payoffs accruing to the coalition members. Conversely, an over-sized cabinet system is typical of the consociational strategy in a plural society in order to give adequate representation to its various social entities.[78]

A coalition system is consistent with the primary meaning of democracy which requires the inclusion of all essential social elements of the polity in the decision-making process. An exclusion of one social entity or political party from the decision-making process makes democracy itself apparently undemocratic.[79]

Proportionality

The principle of proportionality is based on the rationale that potential inter-segmental conflicts can be avoided or minimized by adhering to a distributional formula of resources and positions of authority among the various elements of a plural society. In a plural society composed ethnically of what Professor Duchacek has called a "permanent majority" and "permanent minority" population,[80] the principle of proportionality becomes a means of achieving fairness in the distribution of positions of authority and resources between the "permanent majority" and the "permanent minority." As Harold F. Goswell has pointed out,

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> the underlying rationale of proportional
> representation is the desire to prevent the
> exclusion of minorities from the benefits of the
> state -- a rationale based on the democratic
> premise that in the absence of some means of
> protection minorities may be exploited by the
> majority.[81]

The principle of proportionality is also a mechanism for the depoliticization of communal conflict that may arise among the segmental groups of a plural society over the distribution of resources and positions of authority. The principle of proportionality, as indicated by Lijphart, is the "most prevalent rule of the game of consociational democracies."[82] When each group or segment is guaranteed a proportionate share in the dispensation of national resources and positions of authority, stability of the state system is presumably being promoted.

Lebanon is a practical illustration of the application of proportionality, particularly in the distribution of public offices. Lebanon is a country "compartmentalized by the communities"[83] of sectarian groupings. The principle of proportionality thus reflects what Pierre Rondot has called the "principle of parity"[84] ingrained in the National Pact proclaimed in Lebanon in 1943 when the French Colonial Mandate was terminated. The pact provides for equitable power-sharing among the fourteen religious sects in Lebanon.

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As a contrived distributional arrangement, the pact provided for a Maronite Christian President of the Republic, a Sunni Muslim Prime Minister, a Shiite Muslim Speaker of the Chamber of Deputies, and a Greek Orthodox Deputy Speaker and Deputy Prime Minister. Cabinet portfolios are also distributed among Christians and non-Christians, and key ministries are reserved for particular sects; the Foreign Minister for a Maronite Christian; the Interior Ministry for a Sunni Muslim; and the Defense Ministry normally for the Druze. Also, parliamentary seats are generally allocated on the basis of numerical size of each sectarian community in parliament.[85]

The electoral process in Lebanon is equally fashioned in such a way as to minimize inter-group contact. Keeping inter-group contact to a minimum is important for the harmonious co-existence of the various sectarian groups which might be otherwise disturbed by the process of open electoral competition capable of maximizing inter-group conflict. In other words, the political arena is not a rendezvous for the various sectarian groups in Lebanon. Each group elects its own representatives from within its own community. As pointed out by Professor Suleiman, the electoral process in Lebanon was a "preset proportional representation system on a communal or religious basis."[86]

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Hitherto, these distributional arrangements of power have remained an important supporting system guaranteeing the continued fragile existence of Lebanon as a "state."

The principle of proportionality represents, for all practical purposes, a deviationist principle from the majoritarian principle of democracy. Although both principles represent a concrete pattern of conflict resolution, in their teleological designs they remain fundamentally antipodal to one another. While the principle of majoritarianism embodies a method of arriving at a decision through an election process based on the principle of winner-takes-all, in a decisional context, the principle of proportionality affords all groups the opportunity to influence decision-making in proportion to their numerical strength.[87]

The principle of proportionality also represents, in another way, a contradiction to the basic rule underlying the principle of majoritarian democracy by; (I) its deliberate over-representation of the small segments, and (II) parity of representation between the majority and minority ethnic groups.[88] According to Lijphart, both principles implicitly gave "disproportional influence and security to small segments" and it is useful in a typical plural society "divided into segments of highly unequal size."[89]

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The principle of proportionality is intended not only to blur the "distinction between the winners and losers,"[90] but also to recognize ethnicity as a factor of importance in a plural society. As Jackson and Roseberg have put it, "majority rule in multi-ethnic states in effect denies the reality and legitimacy of plurality."[91]

Mutual Veto

Although the principle of grand coalition provides for an institutional framework within which all the segmental elements of a consociational polity can participate in the decision-making process, it does not constitute a foolproof protection for the minority groups. They can still be overwhelmingly outvoted by the dominant groups through the preponderance of their voting power. The essence of mutual veto is to further ensure the protection of the minority groups against the advantage of the majority groups. According to Lijphart, "the mutual or minority veto gives each segment the guarantee that it will not be outvoted by the majority when its vital interests are at stake."[92]

The principle of mutual veto represents an unusual glorification of the tyranny of the minority vis-a-vis tyranny of the majority because of the exclusive power of protection vested in the minority groups. In other words, where the majority groups disagree with the conduct or

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performance of the minorities, the minorities can always exercise their veto power to prevail over the intrusive interference of the majority groups. Minority veto power is synonymous with what John Calhoun has called a "concurrent majority" or "mutual negative" power.[93] These terms, according to Calhoun, connote a means of safeguarding the minority groups:

> It is this mutual negative among its various conflicting interests which invests each with the power of protecting itself, and places the rights and safety of each where only they can be securely placed under its own guardianship. Without this there can be no systematic, peaceful, or effective resistance to the natural tendency of each to come into conflict with the others.[94]

However, any unrestricted use of the mutual veto power can be counterproductive to the minority interests by provoking a response from the dominant groups to undo the privilege of mutual veto enjoyed by the minorities.

Calhoun raises a sanguine optimism in that the "power of self protection" which the principle of concurrent majority provides is itself a mitigating force against "all strife and struggle between the sub-cultural groups "for ascendancy."[95] Thus, Calhoun has construed the principle of concurrent majority as a catalyst for unity and self appreciation of one segment vis-a-vis the others as "each sees and feels that it can best promote its own prosperity

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by conciliating the good will and promoting the prosperity of the others."[96]

Given the numerical superiority of the majority, the empowerment of minority groups with the mutual veto is necessary in safeguarding the basic interests of the minority groups. As pointed out by Ivo Duchacek:

> The problem for most ethnic minorities is that they are permanent minorities and the ruling group a permanent majority. In inter-ethnic relations, therefore, the convenient democratic game of numbers -- majoritarian decision-making in the framework of a broad consensus -- does not work since the unalterable power symmetry between permanent majority and permanent minorities impedes the formation of a consensual community. The quota system satisfactorily guarantees jobs, educational opportunities, and presence in decision-making bodies; but no quota system can be really so generous as to transform a minority into a majority. No quota system can, therefore, fully protect against the tyranny by the majority in a legislative body unless it is coupled with a veto power over central issues. Then, however, as the history of Cyprus shows, government may become impossible.[97]

The principle of mutual veto questions not only the desirability of a majority rule approach in multi-ethnic states but its moral justification as well. In the opinion of Jackson and Roseberg, "a majority rule is undesirable and even unjust in such a state if, as frequently happens, it constitutes the permanent domination ..." of one group over another.[98]

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Segmental Autonomy

Implicitly, the principle of segmental autonomy is tantamount to the "rule by the minority over itself in the area of the minority's exclusive concern."[99]   In other words, it implies a degree of internal self-governing among the segmental units relative to the central government. Segmental autonomy also complements the principle of grand coalition in the sense that it provides an opportunity for shared participation in the decision-making process among the segmental units on matters of common interest.[100]   A variant of this pattern is a federally structured political arrangement.

The need for relative freedom of action among the segmental units of a federation is pointed out by Professor Lewis, who argues that "a country which has very wide geographical differences can live together at peace only in a federal framework."[101]   Such a country, he adds, "needs to give its provinces the opportunity to look after their own affairs, if they are to feel content with the political union."[102]

In a federal polity, segmental cleavages are not only explicitly recognized, but also capable of being channelled into "constructive elements of stable democracy."[103]

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Federalism as a Consociational Device

Federalism, like democracy, is a difficult term to define. In order to designate various levels and types, it has been referred to as "quasi-federalism, cooperative federalism, organic federalism, dual federalism, confederation [and] decentralization."[104] Little wonder then, that federalism is viewed as having "no clear or universally acceptable meaning,"[105] simply "because of the difficulties of relating theoretical foundations to the evidence gathered from observing the actual operation of federal systems."[106] Herman Bakvis observes that both consociation and federalism "are extraordinarily difficult animals to pin down."[107]

According to K. C. Wheare, federalism is a "method of dividing powers so that the general and regional governments are each, within a sphere, coordinate and independent".[108] Many students of federalism have been very critical of the classical Whearean definition of a federal principle, particularly in what Riker has described as its "excessive legalism."[109] While trying to avoid the "excessive legalism" of the conventional definition of federalism without totally abandoning its "juristic element," Riker has offered his own definition. According to to Riker, federalism is a form of "political organization in which the activities of government are divided between

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regional governments and a central government in such a way that each kind of government has some questions on which it makes final decisions."[110]

The definitions of Wheare and Riker, like most other definitions of federalism, generally focus on the allocation of political power between two levels of government -- the central and regional governments. Additionally, our analysis of a federal system involves elements of cooperation, bargaining and conflict between the central and regional governments.

As a theoretical and operational concept, federalism can hardly extricate itself from the morass of its own ambiguities which Daniel Elazar has identified as follows: (I) federalism involves both structures and processes of government; (II) federalism is directed to the achievement and maintenance of both unity and diversity; (III) federalism is both a political and a social phenomenon; (IV) federalism concerns both means and ends; (V) federalism is pursued for both limited and comprehensive purposes; and (VI) there are several varieties of political arrangements to which the term "federal" has properly been applied.[111]

Despite all its ambiguities and the resultant definitional problems, federalism cannot be regarded as an obsolete concept[112] although attempts have been made to

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differentiate between "old style" and "new style" federalism. According to Michael Reagan, the old style federalism is a legal concept, "emphasizing the institutional division of authority and functions between the national government and the state governments."[113] On the other hand, the new style federalism "is a political and pragmatic concept, stressing the actual independence and sharing of functions" between the central government and the states by "focussing on the mutual leverage that each is able to exert on the other."[114] Reagan is of the opinion that the old style federalism which emphasizes power sharing between the central and state governments is virtually dead, while, in its place, a new approach has emerged under the nomenclature of "intergovernmental relations."[115]

The basic rationale for the adoption of a federal system is generally related to the elements of the territorial size or complexity of a state manifested in its cultural and linguistic diversions, historic particularisms and consideration for administrative decentralization.[116] Implicitly, the purpose is to overcome some of the problems inherent in the national formation of a state. This is what Charles D. Tarlton has referred to as a concern for "common logical neatness"[117] which has led many students of federalism to conclude,

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> [that the] more diverse the elements within a
> political system, the better it is suited for
> federalism, and that the more homogenous the
> political society the clearer the need for
> unitary forms.[118]

However, Tarlton has cautioned that even the adoption of a

federal constitution may not necessarily provide the basis

for the unification of all inherent diversities within a

single political organization. Thus, he concludes that:

> The elements of similarity among component units
> of a federal system must, if that system is to
> function at the optimum level of harmony,
> predominate over existing elements of diversity.
> Where diversity of elements is the rule, then it
> follows (presuming that sufficient political
> power and motivation exist to achieve unity at
> all that a unitary and centralized system would
> be better. When diversity predominates, the
> "secession potential" of the system is high and
> unity would require controls to overcome
> disruptive centrifugal tendencies and forces.[119]

Arend Lijphart, in two articles written in 1979[120] and

1985,[121] shows how attempts have been made to systematically

elaborate on the symbiotic relationship between a

consociation and a federation.

According to Lijphart, one of the basic

characteristics of a consociational polity is "segmental

autonomy." The autonomy given to each of the segmental

units can either be "territorial" or "non-territorial" in

nature. While the former is basically congruent with the

segmental autonomy usually found in a federally organized

polity, the latter explains the power granted to a semi-

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public association presenting a particular cultural organization to operate and manage its own educational institutions.[122] Two crucial principles underlie the autonomous status of the component units of a federation: (I) that the component units enjoy a high degree of secure autonomy in organizing their internal affairs; and (II) that they all participate in decision-making at the central level of government.[123]

A consociation can be federal under the following specific conditions: (I) the segments of the plural society must be geographically concentrated; (II) the boundaries between the component units of the federation must follow the segmental boundaries as much as possible, so that the important units of the federation will be highly homogeneous with regard to their segmental composition; and (III) the other principles must be applied.[124]

Conversely, a federation will qualify as a consociation with the fulfillment of the following requirements: (I) the federation must be a democracy; (II) only federations in plural societies can be consociations; (III) all four principles of consociational democracy must be present, viz, mutual veto, proportionality, segmental autonomy and grand coalition; (IV) only federations which are highly decentralized and in which the component units

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are highly autonomous can be consociations; (V) the federal boundaries must be drawn in such a way that they can approximate the segmental boundaries; as a result, the heterogeneity of a federal state as a whole is transformed into a high degree of homogeneity at the level of the component units; and (VI) such a degree of segmental homogeneity in the component units can be achieved optimally if the federation consists of relatively many and relatively small units.[125]

One other similarity between a federation and a consociation is that they are both antithetical to the majoritarian principle because all the instrumentalities of a federal system (like a consociational arrangement) are designed "to prevent the unqualified majority of the whole society from riding unchecked over the interests of any of the federated elements.[126]

Other scholars like Elazar,[127] Duchacek,[128] Steiner and Dorff,[129] and Bakvis[130] have written on the relationship between federalism and consociationalism.

Professor Elazar contends that both federalism and consociationalism are useful to our knowledge or understanding of how a political system works. He suggests that they specifically operate on the basis of "compound majoritarianism" rather than "simple majoritarianism."[131]

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However, there are some fundamental differences about how the majorities are compounded. For instance,

> Federal systems are dependent upon dispersed majorities, generally territorially based, whereas consociational systems are dependent upon concurrent majorities, generally a-territorial in character.[132]

Another interesting aspect of the mutual relationship between federalism and consociationalism is that they both represent modern attempts to accommodate democratic complexity and pluralism in addition to their design to maintain "both unity and diversity."[133] Despite the mutuality of interests between a federation and a consociation, they both reflect different modes of how a polity is organized. As pointed out by Professor Elazar, "federalism relates to the form of the polity" while "consociationalism relates to the character of the regime."[134]

A federation, according to Professor Duchacek, is a system of "amiable compromise" generally in the form of a "compact" among the political chieftains of the major segments of a federal state -- a system usually designed to guarantee the various segments the "management of their territorial powers."[135] Also, contrary to the general belief that federations are non-majoritarian, Professor Duchacek holds the view that, both in theory and practice,

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a federation does not entail a rejection of a majoritarian mode of decision-making.[136]

However, on different issues at different occasions, the decisional modes will probably vary along a continuum from consociationalism to majority rule. Apparently, when the governing elites adopt consociational practices, with regard to some issues, such practices may result from factors external to the consideration of a federal constitution. In effect, some of these factors may even lead to the practice of consociationalism in a unitary state as well. In contrast, consociationalism is bound to be the dominant mode in loose confederations, including those whose confederal units do not practice consociational or majoritarian democracy either within their own territorial confines or at the confederal summit.[137]

Steiner and Dorff, and Bakvis, have each concentrated their attention in analyzing the structure and process prevalent in federally and consociationally organized polities. According to Steiner and Dorff, it is relatively easy to characterize the institutional structure of a polity as consociational or federal, but the task becomes more difficult when we turn from structure to the decisional process. This is often the case because, within a given structure, there may exist a great deal of variation in the decision-making process. Using the

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experience in Switzerland as a typical example, Steiner and Dorff have identified four types of decision-making process: (I) consociational and federal; (II) consociational and unitary; (III) competitive and federal; and (IV) competitive and unitary.[138] Steiner and Dorff discuss the difficulties arising from such a variation in studying the decision-making process. They suggest that the problems be aggregated and that the decision processes be compared for particular issues. This could either be done on a comparative basis, or within single countries.[139]

Bakvis argues that, in both consociations and federations a reciprocal relationship exists between the structures and processes. It is suggested that proper attention be paid, however, to the differences in the kinds of structures available in the two forms of governance, and to how they might be linked to the differences in process. At the moment, it appears that consociations are much more confederal in form and more related to the manner in which conflict is both structured and resolved.[140]

As a sociological concept, a federation is akin to what Professor Livingston has called a "federal society"[141] in light of its diverse elements and the way these "diversities are grouped territorially."[142] It is in this case that federations and consociations are both designed

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to cope with and mitigate the effect of "territorial diversities"[143] in a polity.

Favorable Conditions for Consociational Democracy

By implication, what Lijphart has referred to as the "prerequisites for consociational democracy"[144] have two dimensions related to the subjective and objective realities of a plural society.

The subjective conditions favorable for the institutionalization of consociational democracy are those relying on certain "behavioral attributes"[145] which the leadership in each of the segmental units of a plural society must possess. Such attributes include (I) the ability to recognize the dangers inherent in a fragmented system, (II) commitment to system maintenance, (III) ability to transcend sub-cultural cleavage at the elite level, and (IV) ability to forge appropriate solutions for the demands of the sub-cultures.[146]

The success of institutionalizing consociational democracy in a plural society depends by and large on the behavior of the elite. This is an indication of the purposefulness of consociationalism as a "government by elite cartel designed to turn a democracy with a fragmented political culture into a stable democracy."[147] Lijphart has consistently emphasized the critical role of

leadership within or among the segmental units of a plural society for the stability of their fragmented political system. As he has pointed out, "political stability can be maintained in culturally fragmented systems if the leaders of the sub-cultures engage in cooperative efforts to counteract the centrifugal tendencies of cultural fragmentation."[148]   Thus, in a polity of sub-cultural segmentation, cooperation among its elites remains indispensable to its survival politically.

The critical role of elites in a culturally divided society is also articulated by Nordlinger when he writes that "conflict group leaders are alone capable of making a direct and positive contribution to conflict regulation."[149]   And this could be acheived if there exists, among the elites, a "culturally defined predisposition to behave in a conciliatory manner" towards one another.[150]   Professor Young also shares the same viewpoint with Lijphart and Nordlinger on the fundamental role of elites in the consociational politics of a divided polity.[151]

The prevailing objective conditions in plural societies are those that are externally or internally conditioned to facilitate an "overarching inter-elite cooperation"[152] in a consociational politics.   They include such factors as (I) a multiple balance of power

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among the sub-cultures, (II) small and moderate size of the polity, (III) a moderate multiparty system, (IV) cross-cutting cleavages, (V) over-arching loyalties as an important catalyst to provide cohesion for the society as a whole and thus moderate the intensities of all cleavages simultaneously, and (VI) the tradition of elite accommodation.[153] Also in his 1968 article, Lijphart listed other conditions different from those already mentioned above. They include, (I) distinct lines of cleavage between sub-cultures, (II) a multiple balance of power among sub-cultures, (III) popular attitudes favorable to government by grand coalition, (IV) external threat, (V) moderate nationalism, and (VI) a relatively low total load on the system.[154]

All the conditions we have already alluded to in this section are merely "helpful but neither indispensible nor sufficient in and of themselves for the success of consociational democracy."[155]

An experimentation with consociational democracy should not be considered totally an impossibility in a plural society even when all the prerequisite conditions are unfavorable.[156]

Criticisms of Consociational Democracy: A Synoptic Review

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The theory of consociational democracy has attracted an avalanche of criticism since its popular- ization by Arend Lijphart. Some of the criticisms levelled against his theory are not unexpected since, like any other political theory, its explanations, predictions and premises cannot be totally accurate.

Van Schendelen has provided a comprehensive compilation of criticism against the theory of consociationalism; the "collected criticisms" as he has referred to them.[157] According to Van Schendelen the theory can be criticized principally from three perspectives: (I) the lack of conceptual clarity, or the imprecision and mutability of key concepts; (II) the difficulty of operating or measuring crucial elements of consociational democracy; and (III) the absence of scientific attributes or qualities.[158]

In terms of operational definition, most of the concepts used or associated with the theory are vague, indeterminate, and in most cases open to a wide range of interpretation. Such concepts include: pluralism, democracy, political integration, political instability, federalism and so on. We have alluded to some of the definitional problems generally associated with these concepts in this and earlier chapters. Perhaps, as correctly pointed out by Jurg Steiner in his review of

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Arend Lijphart's book <u>Democracy in Plural Societies</u>, as long as the problem of conceptual vagueness remains, "there will always be confusion about the validity of the theory."[159]

Lijphart's theory abounds in generalities about how the system of consociationalism operates.[160] The quality of Lijphart's conceptual tools of analysis has been seen to show problems in terms of empirical measurement.[161] Indeed, a case has been made by Jurg Steiner that his method is purely "impressionistic."[162] Without any proven empirical validity as to the success of consociational experiments, Lijphart seems to be more interested in "the applicability or the engineering potential of his theory than about its political science validity."[163] Lijphart is probably too quick to proclaim consociational democracy as a universal solution for fragmented societies. He assumes that what might seem politically proven "successful" in his four "classical" examples of consociational democracies -- Austria, the Netherlands, Switzerland and Belgium -- is equally good for non-western countries with similarly fragmented political cultures; even though the debate is still on as to whether these four European countries "are really sub-culturally segmented," as claimed by Lijphart.[164] We have already warned, in Chapter One, against any tendency towards

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making consociational politics a wholesale package of political commodity for direct export to non-western countries.

Lijphart has tenaciously held on to the "static character" of fragmentation in plural societies and by so doing has become

> hostage to some of the mechanistic fallacies that underlie the literature on political cleavages [in which] social divisions automatically translate themselves into political conflicts, hence the search for cross-cutting cleavages to dampen the explosive potential of polarized cleavage lines.[165]

The greatest danger to the institutionalization of consociational democracy in non-western societies is not its presentation as an alternative to the competitive politics of the British model, but the notion that stability can be maintained in such societies through mutual isolation of the segmental units. When such an isolationist tendency is promoted or perpetuated, its potential as an obstacle to the process of political integration increases.[166] The contemporary political situation in Lebanon represents a failure of consociational democracy which has kept apart each of the segmental units for a long time. The situation now in Lebanon is reminiscent of a polity where each segmental unit has developed into an "exclusive entity" with its own "army" not mobilized to fight a common enemy but to

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fight amongst one another, each acting as a surrogate to an external power.[167]

Lijphart has placed too much emphasis on the mutual isolation of the segmental units in a plural society as a precondition for political stability, vis-a-vis the issue of national viability as a prerequisite for political development. The process of political development or national integration cannot proceed on a rigid compartmentalization or mutual isolation of the segmental units in a plural society. As far as the Nigerian situation is concerned, political stability can be maintained only if the elites are willing to "compromise their primordial priorities" in the interests of national priorities.[168]

The theory of consociational democracy is fundamentally elitist in the sense that its focus is almost entirely on the elite and the level of cooperation among them. Again, such cooperation is made conditional to the stability of consociational politics. The major problem for some critics, Brian Barry for example, is the assumption that "only elite accommodation institutionalized in consociational devices can produce stability."[169] Also, according to Jeffrey Obler, Jurg Steiner and Guido Dierickx, the purported role played by the elites in resolving potential conflicts in the small

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democracies of Switzerland, Austria, the Netherlands and Belgium represents an oversimplification of reality.[170] While there is substance in the assumption that the stability of a democratic political system requires, at a minimum, a degree of cooperation or consensus among the governing elites, the theory of consociational democracy is virtually silent on the relationship between the elites and the masses. As indicated by Rodney Stiefbold, the theory of consociational democracy has many troublesome problems and included among them are (I) the dynamics of elite-mass interaction, and (II) how, once established, can consociational democracies be sustained, modified, or transformed.[171] The stability of a democratic system cannot be based exclusively on cooperation among the elites alone, without reference to their political support base, the masses.

We cannot properly consider the elitist rule phenomenon in consociational politics without digression into the unresolved issue of who actually governs in a democracy. Within the discipline of political science, the issue of who governs in a democracy still remains a critical bone of contention between the elitist and pluralist schools of thought.[172] Theoretically, in a democracy the power to govern is derived from the people, but in a consociational democracy issues concerning the

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responsibility and accountability of the governing elites are virtually ignored while emphasis is placed on the virtue of the elite cooperation to sustain the stability of the system. It is this elitist conception of consociational rule that Huntington has described as a "consociational oligarchy."[173] Van Schendelen has likened consociational rule to "an elitist democracy."[174] And Van den Berghe has argued that what is being explained as the politics of elites is actually a masquerade for class struggle within a "bourgeois democracy."[175]

Focusing on Lijphart's application of consociational democracy in the Netherlands, from a Marxist point of view, Ronald A. Kieve has assailed Lijphart's conclusion that the relative peace or political stability in the Netherlands was because of the "politics of accommodation" established between 1878 and 1917. The purported accommodationist spirit among the bloc elites (Calvinist, Catholic, Liberal and Socialist) cannot account for the relative peace and stability in the Netherlands since 1917. Rather, as Kieve points out, it "is the outcome of social and political conflict that reflects significant changes in the balance of class forces."[176] Also, on a general note, Lijphart's claim that elite accommodation is a necessary condition for stability in a plural society has been challenged.

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According to Van Schendelen, "accommodation is not a necessary and sufficient condition for stable democracy" but, quite the reverse, "a stable democracy is a necessary and sufficient condition for accommodation."[177]

Despite all the criticism levelled at Lijphart's theory, he remains virtually unapologetic, arguing that it has "stood the test of time" and that given the opportunity to write about the subject again, there would certainly not be any significant change.[178]

Notes

[1]Massimo Salvadori, <u>Liberal Democracy</u> (Garden City: Doubleday and Co., 1957), 20.

[2]Harold J. Laski, "Democracy" <u>Encyclopedia of Social Sciences</u>. Vol. 5, ed. Edwin R.A. Seligman and Alvin Johnson (New York: MacMillan, 1942), 76.

[3]See Samuel Hendel, ed., <u>Bishop and Hendel's Basic Issues of American Democracy</u> (Englewood Cliffs, New Jersey: Prentice Hall, Inc., 1973), 1.

[4]Seymour Martin Lipset, <u>Political Man</u> (New York: Doubleday and Co., 1963), 30.

[5]Giovanni Sartori, "Democracy" <u>International Encyclopedia of the Social Sciences</u> Vol 4, ed. David L. Sills (Crowell Collier and Macmillan, Inc., 1968), 112.

[6]Lewis, <u>Politics in West Africa</u>, 64.

[7]Robert A. Dahl, <u>A Preface to Democratic Theory</u> (Chicago: University of Chicago Press, 1956), 3.

[8]Joseph A. Schumpeter, <u>Capitalism, Socialism and Democracy</u>, 3rd edition (New York: Harper and Row, 1962), 269.

[9]E.E. Schattschneider, <u>The Semi Sovereign People</u> (Hinsdale, Illinois: Dryden Press, 1975), 138.

[10]C.B. Macpherson, <u>The Life and Times of Liberal Democracy</u> (Oxford: Oxford University Press, 1979), 79-80. Also see C.B. Macpherson, <u>The Real World of Democracy</u> (Oxford: Oxford University Press, 1980), 33.

[11]Schattschneider, <u>Op. cit.</u>, 137.

[12]Inis L. Claude, Jr., <u>Swords into Ploughshares: The Problems and Progress of International Organization</u> (New York: Random House, 1964), 118.

[13]M. Rejai, _Democracy: The Contemporary Theories_ (New York: Atherton Press, 1967), 31.

[14]Ibid, 23-24.

[15]Ibid, 23-31.

[16]Robert A. Dahl, _Democracy in the United States: Promise and Performance_ (Chicago: Rand McNally and Co., 1972), 36.

[17]Ibid.

[18]Ibid. Also see Dahl, _A Preface to Democratic Theory_, 63-89.

[19]Under the British Parliamentary system, conventions are mostly unwritten maxims, precepts and rules that regulate some aspect of political behavior, not only of public officials, but political institutions as well. Even though these conventions have no strong legal force under the unwritten constitution, breaking them would almost certainly amount to a violation of the spirit of the law. For example, when a government is defeated on a fundamental policy issue in parliament, it is automatically expected to resign, simply because such a government has lost the confidence of the people to govern. The government can resign by calling for a general election or call on the leader of the opposition party through the titular head of state, the queen or king as the case may be, to form a new government.

[20]J. Harvey and L. Bather, _The British Constitution_ (London: MacMillan and Co. Ltd., 1964), 215.

[21]Sir Ivor Jennings, _Cabinet Government_ (Cambridge: Cambridge University Press, 1965), 16.

[22]Robert A. Dahl, "Preface" in _Political Opposition in Western Democracies_ ed. Robert A. Dahl (New Haven: Yale University Press, 1966), xvi.

[23]Jennings, _Cabinet Government_, 16.

[24]David E. Apter, "Some Reflections on the Role of a Political Opposition in New Nations" _Comparative Studies in Society and History_ Vol IV, No 2 (January, 1962), 167.

[25] Martin O. Heisler, "Patterns of European Politics: The `European Polity' Model" in _Politics in Europe: Structures and Processes in Some Post-Industrial Democracies_ ed. Martin O. Heisler (New York: David McKay Co., 1974), 52.

[26] Harvey and Bather, _Op. cit._, 151.

[27] Ibid, 153.

[28] Julius Nyerere, "Democracy and the Party System" in _The Ideologies of the Developing Nations_ ed. Paul E. Sigmund (New York: Frederick A. Praeger, 1967), 300.

[29] J.F. Ade Ajayi, "Expectations of Independence" _Daedalus_ Vol III, No 2, (Spring, 1982), 1-9.

[30] Quoted in Basil Davidson, _Which Way Africa? The Search for a New Society_ (Baltimore, Maryland: Penguin Books, 1964), 110-111. Also see Kwame Nkrumah, _Consciencism_ (London: Heinemann Educational Books, Ltd., 1964), 100-1.

[31] Rupert Emerson, _From Empire to Nation: The Rise of Self-Assertion of Asian and African Peoples_ (Cambridge, Massachusetts: Harvard University Press, 1960), 282.

[32] Claude Ake, _A Political Economy of Africa_ (New York: Longman Inc., 1982), 181.

[33] Lewis, _Politics in West Africa_, 59. Also see W. Arthur Lewis, "Beyond African Dictatorship: The Crisis of the One-Party System" _Encounter_ Vol XXV, No 2, (August, 1965), 3-18.

[34] Leslie Rubin and Brian Weinstein, _Introduction to African Politics: A Continental Approach_ 2nd Edition (New York: Praeger, 1977), 185-193.

[35] Lewis, _Politics in West Africa_, 65.

[36] Opeyemi Ola, "The `Zero-Sum Game' Foundations of the Crisis of Parliamentary Democracy in Africa" _Afro-American Studies_, Vol 3, (1972), 189.

[37] Ibid.

[38] Ibid.

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[39]Arend Lijphart, "Introduction: The Belgian Example of Cultural Co-existence in Comparative Perspective" in Conflict and Co-existence in Belgium: The Dynamics of Culturally Divided Society ed. Arend Lijphart (Berkeley: University of California, 1981), 2.

[40]Ibid, 4. Also see Lijphart, Democracies, 10-16.

[41]Gabriel A. Almond, "Comparative Political Systems" Journal of Comparative Politics Vol 18, No 3, (August, 1956).

[42]Ibid, 398-9.

[43]Ibid, 405-6.

[44]Ibid, 408.

[45]Lijphart, Democracy in Plural Societies, 105. Also see Arend Lijphart, "Typologies of Democratic Systems" Comparative Political Studies Vol 1, No 1, (April, 1968), 30-35.

[46]Lijphart, "Typologies of Democratic Systems," 31.

[47]Ibid.

[48]Almond, "Comparative Political Systems," 400.

[49]See M.I.T. Study Group, "The Transitional Process" in Political Modernization: A Reader in Comparative Political Change ed. Claude E. Welch, Jr. (Belmont, California: Wadsworth Publishing Co., 1971), 20-46.

[50]Almond, "Comparative Political Systems," 402.

[51]Ibid, 403-5.

[52]Arend Lijphart, "Consociational Democracy" World Politics Vol XXI, No 2, (January, 1969), 207.

[53]Apter, The Political Kingdom in Uganda, 4-5, 20-21, and 24-25. Also see David E. Apter, Introduction to Political Analysis (Cambridge, Massachusetts: Winthrop Publishers, 1977), 318.

[54]Apter, Introduction to Political Analysis, 318.

[55]Ibid.

[56]Ibid.

[57]Ibid, 319.

[58]Lijphart, _Democracy in Plural Societies_.

[59]Lewis, _Politics in West Africa_, 65.

[60]Lijphart, "Introduction: The Belgian Example of Cultural Coexistence in Comparative Perspective," 3.

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Consociationalism Under a Parliamentary Political System, 1960-1966

Introduction

This chapter examines the application of consociational democracy to Nigeria's First Republic under a system of parliamentarianism.

The term "First Republic" refers to the period between the emergence of Nigeria as an independent sovereign state on October 1st, 1960, and January 15, 1966, when the Nigerian parliamentary system was first superseded by military rule.[1]

We shall examine each of the principles of consociational democracy in seriatim as follows: the principles of proportionality, segmental autonomy, mutual veto and grand coalition.

Proportionality

The principle of proportionality received little consideration in the constitutions of the First Republic or in the pattern of appointment and promotion in the federal agencies and institutions. The partial experimentation with the principle of proportionality during the First

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Republic has an explanation which cannot be separated from the nature or pattern of the Nigerian Parliamentary System, founded on the principle of winner-takes-all. The introduction of a parliamentary system in Nigeria by the British, as we shall argue in Chapter Four, totally failed to take cognizance of the consequences of its zero-sum game politics on Nigeria's ethnic diversity. The peril of exclusion of one ethnic group from the governmental decision making process is greater in a plural society than in a country with a homogenous political culture.[2]

The Senate, otherwise known as the Upper House, was one institution where the principle of proportionality was applied during the first republic. Nigeria had a bicameral legislature during the First Republic.

The House of Representatives was an elective body and its composition was based on the relative size and population of each of the regions of the Nigerian Federation. Conversely, members of the Senate were generally selected in a joint session of the regional Houses from a list of nominations submitted by the Governors of the regions. The composition of the Senate was as follows: North 12, East 12, West 12, Lagos Territory 4, and 4 selected by the Governor-General acting on the advice of the Prime Minister.[3]

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The decision to create the Senate as a second legislative chamber has to do with the refusal of the Northern leadership to allow for the creation of more states or regions in Nigeria to counterbalance the gargantuan size of the North relative to the other two regions, West and East.

The reason for the allocation of seats in the Senate on the basis of equal number of selected representatives from each region was "to provide recognition of the legal equality of the regions."[4]   However, the egalitarian rationality of representation in the Senate hardly affected the balance of power between the North and South because the House of Representatives had the preponderance of legislative power vis-a-vis the Senate, as pointed out by Awa.

> The Senate was designed as an emasculated second
> chamber; it cannot allay the fear of a small
> region of domination by a larger one in the
> popular chamber.[5]

The principle of proportionality was prescribed in the 1960 constitution in some other areas.   For example, Section 104 (1) and 2 (c) of the 1960 Constitution stipulated that "there shall be a Federal Supreme Court with the Chief Justice of each territory as members in addition to the Chief Justice of the Federation" and "such number of Federal Justices (not being less than three) as

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may be prescribed by Parliament" under Section 104 2(a) and (b) respectively.

The Independence Constitution of 1960 also contained a proviso about the composition of the Nigerian Police Council. Under Section 100 (1) (a) of the Independence Constitution, the composition of the Nigerian Police Council shall consist of "such ministers of the government of each region as may for the time being be designated in their behalf by the Governor of that region."

The principle of proportionality was not extended to the system of promotion and appointment in the Federal Civil Service or in other public offices and institutions of the Federal Government. Under the 1960 and 1963 Constitutions, however, the application of an affirmative action principle (a reverse discrimination or quota system) was evident in the exercise of administrative decisions by some of the institutions of the Federal Government.[6] Essentially, these decisions were designed for the benefit of educationally backward areas of the North suffering from a dearth of representation "in the administrative and professional cadres of the federal bureaucracy."[7] Thus, the normal standard criteria of promotion and admission into the institutions and agencies of the Federal Government were waived to create opportunities for Northerners who otherwise could have suffered exclusion on

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the grounds of lack of merit and experience relative to their Southern counterparts.[8]

Segmental Autonomy

At Independence in 1960 Nigeria was a federation with three regional components, the North, the East and the West.[9] This was a carryover from what had existed at the time when Nigeria originally became a federation, in 1954 under the Lyttelton Constitution.[10] The three regional units of the Nigerian Federation remained virtually unchanged until the Mid-West region was created out of part of the West in 1963. (see map #1).

In 1963, Nigeria adopted a republican constitution under which a Nigerian titulary president supplemented the Governor-General -- one of the colonial relics of British institution, which until the constitutional change of 1963 had served as an institutional link between Nigeria and Great Britain. Even though Nigeria is an independent state, she still retains her membership in the Commonwealth.[11] One of the reasons for the adoption of a republican constitution in 1963 was "to sweep away [the] imperial basis of the pre-existing constitution."[12]

The Republican Constitution of 1963, like the Independence Constitution of 1960, recognized Nigeria as a Federation. However, unlike the Independence Constitution

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of 1960, the Republican Constitution recognized four constituent units of the Nigerian Federation. Section 3 (1) stated that "there shall be four regions, that is to say, Northern Nigeria, Eastern Nigeria, Western Region Nigeria and Mid-Western Nigeria."

Map # 1

NIGERIA — 1966

Northern Region

Western Region

Mid-
western
Region

Eastern Region
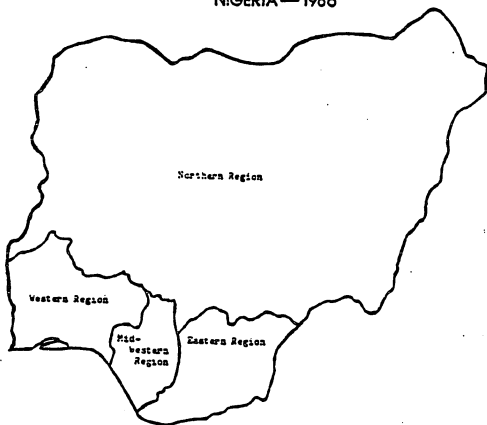
Source: Phillips, "Nigeria and Biafra," 165.

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The Nigerian Federation of the First Republic was a classical example of the "Whearean model" of power sharing between the central and the regional governments. Dr. Sam Gite Oyovbaire has elaborated on some of the properties of a "conventional federalism" reminiscent of the "Whearean model" as follows:

> (a) a guarantee of the independent existence of the component units of the federation, that is, the immutability of territorial boundaries of the units; (b) that the governments of the federation and the state possess equal legal status; that is, one government is not subordinate to the other in law, and that the power of each is not subject to the nullification by the other in its sphere of operation; (c) that there is a constitutionally fixed distribution of functions between the two governments such that there is no overlap of jurisdiction; (d) that any changes in the policy makeup and policy execution powers of the two governments can be affected only by agreement of both, or with the agreement of the one to be negatively affected by such changes; (e) that each government has fiscal autocracy or both governments have "fiscally co-ordinate status;" (f) that each government has a self-sufficient machinery of administration.[13]

These properties can be compressed into five principles: (I) immutability of the federal units, (II) independent policy making powers of each level of government, (III) non-encroachment in each other's sphere of policy makeup, (IV) fiscal autonomy, and, (V) independent administrative machinery.[14]

Under both the Independence and the Republican constitutions of 1960 and 1963 respectively, the Federal

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Government had the power to make laws in the Exclusive and Concurrent legislative areas. Under the Exclusive legislative category, the Federal Government could make laws on such items as defense, security and control of the armed forces, external relations and foreign policy, currency, internal and external borrowing by governments, control of foreign exchange, capital issues, customs and excise, and all major forms of transport and communications. Both the federal and regional governments could legislate concurrently on such items listed in the second legislative category which included, the control and voluntary movement of persons between regional territories, commercial and industrial development, banks and banking, higher education including university education, and scientific and industrial research. Generally, in a federal constitution, the federal legislative power prevails over the regional law making power under the concurrent legislative category to the extent of inconsistency with the federal legislative enactment. The regional governments have their own areas of exclusivity particularly in matters not mentioned in the Exclusive and Concurrent legislative categories. For example, the regional governments could legislate on regional items relating to agriculture, forestry and rural development,

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health, education at primary and intermediate levels, local governing, public transport and construction.

We have already pointed out that a federal system implies, by its very nature and definition, an aggregation of various constituent units each exercising its allocated powers quite apart from those allocated to the central government. A federal system embodies various autonomous units and the degree of autonomy enjoyed by the separate units varies from one federal political system to another. In other words, the degree of autonomy enjoyed by the constituent units relative to the central authority is determined by the constitutional allocation of legislative powers between the central government and the constituent units.

Apart from the structural asymmetry of the component units of the Federation of Nigeria,[15] there were certain provisions in both the Nigerian federal political setups in 1960 and 1963 that undermined the autonomous character of the regional governments. Under Section 65 of the Independence Constitution of 1960 (Section 70 under the Republican Constitution of 1963) the Federal Parliament was empowered, during a period of emergency, to legislate on matters not included in the legislative lists. According to the definition in the constitution, an emergency exists when (a) the Federation is at war; (b) there is in force a

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resolution passed by each House of Parliament declaring that a state of public emergency exists; and (c) there is in force a resolution of each House of Parliament supported by the votes of not less than two-thirds of all the members of the House that democratic institutions in Nigeria are threatened by subversion.[16]

The emergency power of the Federal Government carries enormous political ramifications not only in terms of its likely infringement on the autonomous status conferred on the constituent units but the possibility of its misuse due to the lack of definition as to when such power could be used. Understandably, the declaration of a state of emergency under Section 65 (3) (a) can be justified as a logical consequence of a war situation in the country. However, section 65 (3) (b) amounted to a grant of constitutional carte blanche to the Federal Government to declare a state of emergency without specification of the situational context for the exercise of such power.[17] For instance, all that was required by the Federal Parliament for the passage of a state of emergency under Section 65 (3) (b) was a subjective view of Parliament that "a state of public emergency exists" whereas Section 65 (3) (c) was based on the objective reality of "subversion" of the democratic institutions. Even then, what constituted "subversion," either internally or externally generated,

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was unknown and thus the term carried an elastic
application when convenient to the Federal Government. Dr.
T. O. Elias, who was the Attorney General of the Federation
at the time when the emergency power was invoked in 1962,
wrote that the provisions of the emergency powers "are
cryptic, almost aphoristic, and their practical
implementation often requires a good deal of legislative
ingenuity as well as administrative improvisation."[18] The
provisions of Section 65 of the 1960 Independence
Constitution and Section 70 under the 1963 Republican
Constitution, vested in the Federal Parliament the sole
responsibility to determine when a state of emergency was
necessary. According to Dr. Elias:

> The three stated occasions of public emergency
> are alternative, not cumulative. They are coeval
> not hierarchical. Whichever is made the basis of
> the declaration of a particular emergency, the
> legal effect is the same for the purposes of
> Section 70. It cannot, therefore, be argued that
> only in time of war can Parliament seek to
> supersede a regional constitution or government
> by means of emergency legislation. Parliament
> is expressly made the sole judge of the kinds of
> law that it may consider necessary or expedient
> for maintaining or securing peace, order and good
> government of Nigeria as a whole, or any part
> of it.[19]

The Action Group crisis, which began in 1962, actually
provided an opportunity for the Federal Parlia-ment to
exercise its emergency power under Section 65 (3) (b) of
the constitution in response to the political problems in

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Western Nigeria. Let us recapitulate here, briefly, the immediate cause of the crisis that trigger-ed the use of emergency power in the Federal Parliament.

The intra-factional squabbling in the Action Group, ruling party in Western Nigeria in the early 1960's, over strategy for the expansion of the party nationwide, including a preference for socialist ideology for the party, and the personal animosity between Chief Awolowo and Chief Akintola culminated in the dismissal of the latter, as the Premier of the region, by the Governor, Sir Adesoji Aderemi, the Ooni of Ife. The dismissal of Chief Akintola came as a result of a petition signed by members of the party in the regional House of Assembly calling for his removal on grounds that he no longer enjoyed the confidence of the party.[20] The Governor responded by dismissing the Premier and appointing, in his place, Alhaji Adegbenro, who was at the time of his appointment the regional Minister of Local Government.

The Regional House of Assembly met twice to pass a vote of confidence on the new "Government" of Alhaji Adegbenro but ended in pandemonium on both occasions. The failure of the Western House of Assembly to meet in an orderly fashion, twice -- due to the disorderly conduct of members of Akintola's faction[21] -- gave the Federal Parliament an excuse to meet in a marathon session on May

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29, 1962 and to pass a resolution that a state of emergency existed in Western Nigeria. . The action of the Federal Parliament was prompted by the assumption that "there has been no properly constituted government in Western Region."[22]

The declaration of a state of public emergency in Western Nigeria was followed by the Federal Government appointment of a sole administrator for the region.[23] The decision of the Federal Parliament, controlled by the NPC/NCNC alliance, to take control of the governmental machinery of a region raises the critical question of whether Nigeria is truly a federal state.[24]

The use of the emergency power by the central authority in a federally constituted polity is not uncommon, however, though the modality or dimension of its application varies.[25] For instance, under Article 355 of the emergency provision as laid down in the Indian Constitution of November 26, 1949, and amended on October 5, 1963, the Indian Government has the responsibility to protect every constituent unit within the Union from "external aggression and internal disturbance" and to "ensure that the government of every state is carried on in accordance with the provisions of this constitution." In addition to this provision, if the President either believes on the advice of the Governor or is personally

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satisfied that a "situation has arisen in which the government of the state cannot be carried on in accordance with the provisions of this constitution" the President may, by proclamation, assume the functions of the state by declaring that "the power of the legislature of the state shall be exercisable by or under the authority of Parliament."[26] But another critical question has been raised as to whether the Indian Federation is truly compatible with the orthodox interpretation of a federal state.[27] Moreover, in a federally constituted polity like the United States, where there is no such provision for the takeover of state governments, the Federal Government "has increasingly been assuming powers in many respects analogous to emergency executive powers ..."[28]

The application of emergency Federal powers in Nigeria's Western Region greatly eroded the autonomy and independence of the constituent units. As has been pointed out by Nwabueze:

> Federal intervention in Western Nigeria had ... altered the balance of power in the country, first between the centre and the regions, and between the partners in the federal coalition government. ...The takeover destroyed two of the cardinal objectives of federalism -- viz. as a means of enabling each group in a plural society to look after its own internal affairs free from outside interference, and as a device for constitu- tionalism in limiting the powers of the centre, so as to prevent it from becoming an instrument of federal domination and tyranny .... Moreover, the emergency administration was both unrepresentative, autocratic and authoritarian.

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The takeover demonstrated the alarming potentiality of federal power vis-a-vis the regions. By it the authority of the Federation was enormously enhanced.[29]

The constitutional empowerment of the Federal Parliament to legislate "for the peace, order and good government of Nigeria" regardless of whether such a matter is "included in the legislative lists"[30] seems to have negated the autonomous and independent criteria of existence of regional units relative to the central government.

Under the provisions of Sections 64 and 65 of the Independence Constitution (with similar provisions in Sections 70 and 71 of the 1963 Republican Constitution) as pointed out by Dr. Elias, "the regions retain their sovereignty only during good behavior."[31]

The declaration of a state of emergency in the Western Region not only demonstrated the complicity of the North and East in an alliance to emasculate the political clout of the Action Group (AG) and its leadership, at both regional and federal levels, but, again, it exposes the double-standard operation of the Federal Government who would not dare to declare a state of emergency in a dissimilar but worse situation of political unrest, or upheaval, in the Tiv and Wukari Divisions of Benue Province in the North and Okrika in the East.[32]

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In becoming an independent sovereign state in 1960 and having to declare a state of emergency in Western Region as early as 1962, Nigeria had "illustrated the strength of the emergency provisions more than the strength of federalism."[33]

A federation is more likely to be crisis-ridden if the central government frequently arrogates to itself what Professor Daniel T. Elazar has called a "prefectorial" role vis-a-vis its constituent units and when consideration for political advantage affects the attitude of the central authority to the other levels of government.[34] Professor Odumosu's caveat was appropriate when he wrote that "no federation can thrive merely on constitutional legality; important though that is, it has to be tempered with the spirit of federalism."[35] The "spirit" of federalism alluded to by Odumosu is reminiscent of the "Whearean Federalism" which recognizes the independent and autonomous existence of the constituent units in a federation relative to the central government.

One of the contentious issues commonly found in almost all federally organized polities is the amount of fiscal or financial power vested in the central authority vis-a-vis its regional units. Within the context of "fiscal federalism," a wide range of issues are generally raised. Such issues relate to the equitability of fiscal

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responsibility in terms of who has the authority to levy taxes, from what category of taxes, and who gets what and how from the revenue collected? Or again, issues relating to the availability of resources include where they are located and who has the legal authority over the management of such resources. Above all, consideration for the overall level of socioeconomic development of one constituent unit relative to another generally raises the question of how this factor and those mentioned above affect or influence the revenue allocation formula between the central government and its associational units of "have" and "have-not" regions. A federal system is generally a composite of relatively "rich" and "poor" constituent units. And the elements of size and wealth among the units generally affect their disposition toward revenue allocation formula. The poor often favor and struggle for the principle of equitability in revenue sharing while the rich, on the other hand, are interested in regional autonomy and in the dispensation of revenue based on the relative contributions of each unit to the national coffers.

Elements of inequality in a federation generally create three basic situations relating to revenue sharing: (1) where a large rich unit is faced with demands from a small poor unit, fiscal adjustment is generally not

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difficult to achieve, mainly because the cost to the large unit is relatively small; (2) revenue sharing is difficult where a rich small unit is faced with demands from a large poor unit; and (3) fiscal adjustment may be financially feasible but practically difficult where rich and poor units are roughly the same size.[36]

The reality of the Nigerian federation of three regional units (and later four with the creation of Mid-West in 1963) was a classic example of the kind of difficulty normally faced in the revenue sharing process with the gross inequalities among its units.

During Nigeria's first Republic, as pointed out by May, "the federal financial relations did not display any remarkable stability...and revenue allocation was always an important source of conflict in the relations between governments."[37] The phenomenon of "marked inequalities of size and wealth between regions," had been responsible in most cases for the "problems of maintaining a political equilibrium in Nigeria"[38] since the dawn of her federal system.

The general awareness of the existence of inequality of wealth among the sub-federal units of the Nigerian polity is not squarely matched with the actual knowledge of inequality in a statistical sense. Economic planning in Nigeria is typically without adequate facts.[39] In other

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words, the phenomenon of data-based economic planning in Nigeria is generally faced with the problem of accuracy. As pointed out by Diejomaoh and Anusionwu, "the extent of regional inequalities in the distribution of national income and wealth in statistical terms has, however, remained largely unknown to planners and academicians."[40]

Nigeria is not a typical example of a federation with regional coincidence of the important variables of size and wealth. Northern Nigeria had an apparent advantage of size and population compared with the Southern regions; however, because of its relative isolation from the mainstream of Western influence during the British Colonial rule, it became the least developed and comparatively weaker in an economic and financial sense to its Southern counterparts.[41] Also, between the two other regional units of the East and West before the creation of Midwest, the latter was economically better off because of its highly priced cocoa export.[42]

The process of revenue allocation involves consideration for the particularistic interests of the regions as they relate to the adoption of a specific formula of revenue allocation. To find a commonly acceptable formula of revenue allocation amidst the array of preferences of the regions usually involves hard bargaining. Under the Hicks-Phillipson Commission of 1951,

four criteria of revenue allocation had been established:
(a) the principle of derivation (that is, redistribution
based on the contribution of each unit); (b) the principle
of need; (c) the principle of independent revenue and; (d)
the principle of national interest.[43]

The attitude of the regions towards a particular
allocation formula varies from disdain to enthusiastic
support. Under the Hicks-Phillipson report, the West was
resentful of the little consideration given to derivation;
the North was unhappy because of the inadequate emphasis on
the principle of need, and the East insisted on
consideration for the principle of national interest over
others.[44]

A federation cannot operate on the basis of exclusive
interests of one region alone without consideration for the
interests of the other regions. If federalism is to
survive as a political process, regional interests must
always be balanced. Federalism is not just a technique of
organizing governmental institutions but, in operational
terms, as pointed out by Professor Awa, it is predicated on
the "philosophy of opportunity"[45] which enables each
component unit a considerable amount of opportunity to look
after its own affairs. However, since no region can be
absolutely self-sufficient, such reality has imposed on a

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federation an element of interdependence of interests among component units.

Before 1960, when Nigeria became a sovereign entity, many fiscal allocation commissions[46] had been set up essentially to design a distributional system of revenue for Nigeria.

The Binns Fiscal Allocation Commission of 1964 was apparently the first post-independence attempt made by the Nigerian government to find a workable allocation formula between the federal government and its regional units. Ironically, the Binns Fiscal Commission, set up in 1964, could not be put into operational use until April 1966[47] after the life of the democratic government that set it up had been terminated in the military putsch of January 1966.

The recommendation of the Raisman Fiscal Commission published in 1958 and incorporated into the independence constitution of 1960 was in operational use until 1964. Mindful of the conflicting interests of the regions over the adoption of a particular allocation formula, the recommendation of the commission positioned itself between the "extremes of regional viewpoints and their somewhat conflicting postures."[48]

The attention of the Raisman Commission was focused on two principles of revenue allocation -- the principle of derivation and the principle of needs. On the basis of the

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principle of derivation, the Commission recommended the distribution of such proceeds from import duties on motor fuel and import and excise duties on tobacco products to the regions on a proportionate share of regional consumption. Also in accordance with the principle of needs, the Commission recommended that 30% of the proceeds from general import duties including mining rents and royalties collected by the federal government and paid into a distributional pool account (created on the recommendation of the commission) be distributed to the regions on the basis of 40/95 to the North; 24/95 to the West; 31/95 to the East; and 5/95 to the Trust Territory of Southern Cameroon under the Nigerian administration.[49]

Mutual Veto

The principle of mutual veto was tangentially manifested in the parliamentary political system of the first Republic.

Under the proviso of Section 69 of the 1960 Independence Constitution and Section 74 of the 1963 Republican Constitution, the subject matter of any treaty, convention or agreement between Nigeria and another state, or any arrangement or decision regarding an international organization of which the Federation is a member, the Federal Parliament may legislate for the Republic on such

subject matter as the sole representative of the country to the outside world. However, there was a limitation factor in the exercise of this power on behalf of the Nigerian Government in Section 69 of the Independence Constitution (and the same with Section 74 of the Republican Constitution of 1963) to the effect that "any law enacted in pursuance of this section shall not come into operation in a region unless the Governor of that region has consented to its having effect."

Prior consent or participation of the regions in the negotiations leading to the making of a treaty, convention or agreement was not required. However, the common practice adopted by the Federal Government was the inclusion of Regional Representatives "in nearly all Nigerian delegations for negotiating treaties and other international agreements" with the intended purpose that "would dispose the regions to accept readily Acts of Parliament intended for their implementation."[50] Even with this method of including Regional Representatives in the Nigerian delegations to the treaty-negotiating conferences, the final outcome was "still subject to a region's caveat."[51]

The Senators, in a sense, served as the representative agents of regional interests. The legislative veto power of the Senate on non-financial legislation (in the form of

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delay) was usually for six months, after which the House of Representatives could pass it into law. For financial legislation, which had to be certified by the Speaker of the House of Representatives as a Money Bill, the period of delay was at least one month.[52]

One of the entrenched constitutional provisions in the 1960 and 1963 Constitutions was the requirement of two-thirds support in each House of Parliament for a resolution for the creation of new regions in the Federation or for the alteration of regional boundaries. The same resolution had to be approved by each legislative House for the majority of all regions or by each legislative House of at least two regions including, particularly, the region that would be affected in the alteration process.[53]

The passing of the resolution for the creation of the Mid-West in 1962 clearly illustrated the difficulty of exercising the power of mutual veto during the First Republic. The Bill for the creation of the Mid-West out of the Western region, was rejected in the Western legislature when, in fact, the Federal Government, controlled by the coalition of the Northern People's Congress (NPC) and the National Council of Nigerian Citizens (NCNC), approved it, as did the two other regional governments in the North and East.[54] In fact, a motion for the creation of more regions

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had been passed unanimously in 1955 by the Western House of Assembly,[55] with the hope that other regions would support the creation of more regions in the Federation as a whole. The creation of the Mid-West can be appropriately described as "bizarre"[56] given the fact that it was created out of the smallest of the regions; the West.

Grand Coalition

The federal election of 1959[57] was historically significant in that it finally brought to an end Nigeria's period as a dependent colony.

The election was hotly contested with much uncertainty as to which of the dominant political parties would inherit the "political throne" from the British. But the 1959 election did not produce any decisive winner.

At the completion of the election the total number of seats won to the Federal House of Representatives by each of the parties was as follows: NPC 134, NCNC 89, and the AG 73, and the independent candidates won the remaining 16 seats.[58]

Since none of the contesting parties could claim a decisive victory from which to form a government alone, a coalition became necessary. And because the NPC had won more seats than any other party, they became "the most favored winning coalition."[59] The Governor-General, Sir

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James Robertson, invited its leaders to form a new government. The invitation, extended to the NPC even before the completion of the election itself, was sufficiently premature to raise questions of possible preferentiality towards the NPC party.[60] Indeed, it was probable that a government could not be formed at the Federal level, either on a coalition basis or otherwise, that would be acceptable to the British if it did not include the NPC.[61] The party was well known for its pro-Western proclivity.

The logic of the minimum winning coalition made it necessary for an alliance of two of the three dominant political parties to be formed. Shortly after the final election results were made known, the Action Group, the party with the least electoral strength relative to the other parties, made two separate approaches to the NCNC and the NPC in the hope of joining one of them.[62]

According to Riker, "no coalition is winning unless it contains over half the membership or votes or weight in the decision making system."[63] Thus, a coalition of the NCNC/AG, NPC/NCNC, or NPC/AG would constitute a minimum winning coalition, given the electoral performance of each of the parties. However, both the NPC and the NCNC rejected the Action Group's overtures. Instead the NPC and the NCNC formed a coalition government leaving the Action

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Group to become the opposition party. With the NPC/NCNC alliance against the Action Group opposition, a two against one triadic party structure had been created. Why did the NCNC Party join with the NPC, and not the Action Group, and why did the NPC reject the Action Group?

According to Dudley, the decision of the NCNC Party is explainable on the basis of two principles: (I) the synoptic preference, that is, "preferable when everything is considered or taken into account" and (II) the aspectual preference, that is, "preferable in point of cost, or convenience, or the like."[64]

Explaining the reason for the NCNC's preference for the NPC, the national leader of the NCNC at the time the coalition was formed, Dr. Azikiwe, said in 1976 that he accepted "the position of a Governor-General" in order to "serve as a bridge and to effect a compromise between the North and South." Dr. Azikiwe also contended that the acceptance of the titulary position of Governor-General was the epitome of his own personal sacrifice "so as not to be an instrument of Nigeria's destruction."[65]

One cannot accept, uncritically, the simple explanation of synoptic justification put forward by the leader of the NCNC Party for the forming of an alliance with the NPC without posing the question as to what actually made the NPC highly attractive to the NCNC, beyond

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the explanation offered by Dr. Azikiwe. After all, the two parties belong to the two fringes of ideological spectrum of Nigerian politics.[66] Could Dr. Azikiwe's assertion possibly be regarded as mere political cajolery behind which the real motive for the alliance was hidden?

Within the NCNC Party itself, opinion was divided between those who supported an alliance with the Action Group and those who favored a working coalition with the NPC. Ultimately, those that favored a working coalition with the NPC prevailed because there was a greater disposition for such a coalition.[67]

Under the system of rewards relative to the electoral strength of the NCNC and the Action Group, an alliance between them could have been a "uniquely winning coalition," with each party being in a position to maximize their individual pay-offs.[68] It is improbable that the NCNC Party could have totally ignored the pay-offs likely to accrue to its members from the consummated NPC/NCNC alliance vis-a-vis the NCNC/AG alliance, even despite the rhetoric of "national interest," the consideration articulated by Dr. Azikiwe for alliance with the NPC.

The office of the Governor-General (and later the President when Nigeria became a Republic in 1963) was nonpartisan. However, Dr. Azikiwe, who occupied the sinecure positions of the Governor-General, and later the

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President, was a man of high political ambition who could hardly be content with the apoliticality of these two high offices. As Nwabueze has pointed out, "the gilded iron cage was bound to prove too confining for his expansive personality."[69]

Throughout his tenures as the Governor-General and later the President, Dr. Azikiwe did not disguise his partiality for his ethnic group and the NCNC, of which he was once the leader. And by Dr. Azikiwe's actions and utterances, the "symbolism associated with this office as the father of the nation had been seriously eroded."[70]

In competitive political systems, as in both Western and non-Western democracies, the fundamental aim of political parties is to obtain control of the machinery of government through the process of election. In such democracies, particularly in a parliamentary system, a political party may obtain control of the government either by winning a decisive majority of the popular vote in an election or by coalescing with other political parties to form a coalition government. As pointed out by Eric Browne,

> governing coalitions are particularly well-placed
> in political systems to effect distributions of
> valued goods, and therefore, to affect decisively
> both the quality of life in and stability of
> society.[71]

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Nigerian politics of the First Republic was over-burdened with sectional interests wrapped in ethnic raiments. And ethnic factors had heightened the struggle for the control of central government, because whoever was in power was strategically placed to advance particular sectional interests.[72]

The decision of the NCNC to join with the NPC in a coalition government was a rational choice maximizing its power potential. As pointed out by Lijphart,

> Power means participation in the cabinet, and maximum power means having as many of the cabinet positions as possible.[73]

Quite apart from this underlying rationality, another related issue was the ability of those in control of the machinery of government to allocate values. For a political party, to be a member of a governing coalition carries with it considerable privileges not enjoyed by parties outside the coalition, particularly in the opportunity to partake in the distribution of goods and services.

Of the 41,000 employees in the Federal Public Service, only 400 of them were Northerners (about 1 percent), mostly in the lower cadres.[74] This 1 percent hardly matched the status of the NPC as "senior" partner in the NPC/NCNC coalition controlling the Federal Government.

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Thus, the NPC/NCNC coalition was a mis-match when it came to the mobilization of personnel to fill the appointive positions in the Federal Public Service from the North and East. As pointed out by Professor Dudley,

> An NPC/NCNC alliance amounted to more or less giving the NCNC a monopoly of Federal jobs and Federal patronage.[75]

The NCNC Party (which was generally identified with the aspirations of the Ibo people) took advantage of the comparatively less well-educated Northerners to advance the interest of their own people -- an advantage that would have been virtually impossible in an NCNC/AG coalition.[76]

The aspectual preference principle had greater empirical validity in the explanation of why the NCNC Party preferred an alliance with the NPC, instead of the Action Group.[77]

We have already pointed out that the exclusion of the NPC from the formation of a possible coalition between the NCNC and the Action Group may not have received the endorsement of the British. However, it is also uncertain as to what the consequences of such an alliance might have been in the face of what the Premier of Northern Nigeria, Sir Ahmadu Bello, had described as, the sudden grouping of the Eastern and Western parties (with a few members from the North opposed to our party) [which] might take power and so endanger the North.[78]

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Sir Ahmadu Bello correctly pointed out that an NCNC/Action Group coalition government could have drawn some of its cabinet members from the Nigerian Northern Elements Progressive Union (NEPU) and the United Middle Belt Congress (UMBC) as allies of the NCNC and the Action Group respectively. However, the question is whether the participation of NEPU and UMBC in an NCNC/AG coalition would have been acceptable to the dominant interest in the North. The probable answer would be negative because the ideological or radical postures of the Northern Elements Progressive Union and the United Middle Belt Congress were undisguisedly opposite to the mainstream conservative elements in the North.[79]

In the parliamentary democracy in Nigeria between 1960 and 1966, the absolute exclusion of a political party, either on the basis of defeat in a general election or as a result of the formation of a coalition, was quite natural. But such an exclusion in a plural society with a parliamentary system can be potentially dangerous to the survival of the system itself. However, the deputy leader of the NPC, also the Prime Minister, Sir Abubakar Balewa, has given the impression that the NPC was ready to form an opposition party if the NCNC and the Action Group had formed a coalition.[80] It is very doubtful if the NPC could actually have contented itself with this role, given the

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sensitivity of the Northerners to the power of the Federal Government and who controls it.

It is evident that the coalition government in Nigeria between 1959-64 was a limited one in the sense that the Action Group, as the third dominant party, from the West, was excluded. (See Table 5.)

Lijphart has observed that the principle of grand coalition was violated in Nigeria between 1959-1964 because the Nigerian Federal Government had no "inclusive cabinet" with the Action Group from the West relegated to "the principal opposition party."[81]

Professor Jinadu has raised an interesting point to counteract the position taken by Lijphart over the exclusion of the Action Group from the Coalition Government. It is the opinion of Professor Jinadu that despite the marginality of the electoral support base of the Action Group in the West, its exclusion from the Coalition Government was not tantamount to the exclusion of the Yorubas as a dominant ethnic group.[82]

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Table 5

Structure of Federal Government in Nigeria, 1951-1983

YEAR	GRAND COALITION	LIMITED COALITION	MINORITY GOVERNMENT
1951-54	NPC/NCNC/AG		
1955-57	NPC/NCNC[1]		
1957-59	NPC/NCNC/AG		
1959-64		NPC/NCNC	
1964-1966	NPC/NCNC/NNDP[2]		
1966-79	Military Officers + Civilian Politicians + Federal Administrators and Advisors.		
1979-80		NPN/NPP	
1981--83			NPN

Notes:

[1]The Action Group was absent from this grand coalition because the NCNC won the federal elections in the Western region and the party therefore nominated Western Region members of the Coalition Federal Government. Following the impressive victory of the Action Group in the Western Regional Elections of 1956 and a new sense of cooperation preparatory to National Independence in 1960, the Action Group was invited to join the Federal Government in 1957.

[2]Prime Minister Tafawa Balewa formally baptized this administration a "broad-based" government. The Action Group, a major political party, was absent from the grand coalition because the NNDP "won" the 1964 federal elections in Western Region.

Source: Ladipo Adamolekun, The Fall of The First Republic (Ibadan: Spectrum Books Ltd. 1985), 50.

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It is true that the exclusion of the Action Group did not necessarily amount to the exclusion of the Yorubas from the Federal Coalition Government. (See Table 6.)

Table 6

Ethnic Distribution of Federal Ministries in 1962 and 1964 (including Ministers of State of Cabinet and non-Cabinet rank).

REGIONS	NUMBER OF MINISTERS	
	1962	1964
NORTH	11	12
EAST	4	6
WEST	7	5
MID-WEST	-	2

Source: Jinadu, "Federalism, The Consociational State and Ethnic Conflict in Nigeria" op. cit., 80.

However plausible Jinadu's argument might be, the basis of his rationalization seems to have underestimated the profundity of ethnic politics in Nigeria, even though, as he has pointed out, "ethnicity has been manifestly and symbolically utilized in the political marketplace"[83] of Nigerian politics during the First Republic.

Understandably, as pointed out by Jinadu, the Yoruba political class was not as cohesive as its Ibo or

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Hausa/Fulani counterparts and for some reason the Yoruba Ministers in the coalition were drawn from the Parliamentary ranks of the Yoruba members of the NCNC of the West.[84] However, the basic question is whether the Yorubas perceived these Yoruba Ministers in the coalition as necessarily representative of their interests in the same way as the Ibo or Hausa/Fulani people perceived the Ibo and Hausa/Fulani Ministers in the coalition.

It is common knowledge that the pendulum of power in Nigeria during the early formative years of political independence swung towards the regions. This "centrifugal regionalism"[85] characteristic of the Nigerian First Republic is particularly noticeable when it is remembered that the three main political parties of the First Republic -- the NPC, the NCNC and the Action Group -- were regionally based and each party, to a great extent, represented the dominant interests of the people in the North, East and West, respectively.

The political configuration in Nigeria during the First Republic typified Professor Young's description that "governments and political parties -- was the three-actor metaphor."[86] The politics of the NPC had come to represent Northern dominant interests, with the politics of the NCNC representing dominant interests in the East. The Action Group and the West were no exception to this rule. Thus,

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the exclusion of the Action Group from the coalition government was tantamount to the exclusion of Yoruba interest. The consequence of this exclusion was manifested in the sense of deprivation suffered by the West in the system of rewards during the First Republic, even though Yoruba NCNC members were included in the coalition.

A typical example of the powerlessness of the West was the political struggle over the location of a steel mill, a project costing £30 million.[87] All the regions wanted the project to be located in their areas but the West became an insignificant contender in the political bargaining process. Economic consideration became an irrelevant factor in making the decision as the North and East resorted to a "Solomonic resolution"[88] of their conflict of interests over the location of the steel mill project. Half the project was placed at Idah and half at Onisha with no consideration for Ikare, the site suggested by the regional government in the West.[89] The exclusion of the West from the steel mill project confirmed the fact that "in Nigerian politics nothing succeeds like success and to lose power, as the AG has found, may be an irretrievable disaster."[90]

The exclusion of the Action Group from the coalition government left the West caught between two hostile camps, the North, unwilling to consider any alliance with the

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Action Group because its "electioneering tactics ... had offended the religious susceptibilities of the NPC leadership"[91] and the "Cinderella of the regions,"[92] the East, which had sought an alliance with the North (NPC) in a desperate attempt to outsmart the West for advantage in their traditional rivalry.[93]

With the coalescing of two "hostile" regions the West "became an object of victimization for the coalition."[94] This political victimization of the Action Group and the West heightened the strain on the Nigerian political process of the First Republic and ultimately helped cause its demise.[95]

Riker's coalition theory is predicated on the assumption that coalitions are inherently unstable.[96] However, as Riker has indicated, there are two ways in which the phenomenon of political instability characteristic of coalition arrangements can be moderated. The first is what he has referred to as the "method of moral restraint" which requires that "all participants be aware of the possibilities and effects of disequilibrium."[97] In addition, participants in a coalitionally organized government, "must all be agreed that disequilibrium is itself undesirable."[98]

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Riker suspects that the adoption of this moral standard by the participants in a coalition might be due to

> the existence of an intense fear that the breakup of equilibrium may occasion results which every participant would regard as devastating.[99]

The second method by which the instability can be moderated is through "institutional restraint" which requires the establishment of a pattern of behavior between the participants in a coalition.[100] But the effectiveness of the two methods can hardly be counted upon to moderate instability because they can both fail the coalition system.[101]

Disequilibrium, according to Riker, becomes inevitable if there exists a simultaneous occurrence of two conditions: (I) a change in the weight of two or more of the participants and (II) a willingness on the part of the winner to set high stakes.[102]

The "limited coalition" government in Nigeria between 1959-64 was a typical case of a "two-person bargaining framework," in which the "logic of bargaining entails that each seek an optional bargaining position if its expected pay-off or return from a coalition formed by both is to be maximized."[103]

The NPC/NCNC alliance entered into a period of critical uneasiness barely a year into its existence. The first "crack" in the alliance came through the phenomenon

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of "carpet crossing" of the sixteen independent members of Parliament to the NPC Party, thus creating a winning majority for the NPC and enabling it to govern without requiring the coalition partner, if it so chose.[104] The NCNC suddenly saw itself as an "irrelevant party,"[105] at least within the configuration of the coalition government.

As a result of this development, the NCNC could either withdraw from the coalition and forfeit "its extractive capacity"[106] over the distribution of rewards, or be content with "a return commensurate to its bargaining weight."[107] Neither of the two options seemed to be attractive to the NCNC Party. It was particularly mindful of the advantages to be derived from the coalition, even with the consequences of its "sub-optimal bargaining position"[108] relative to the NPC, since such advantages far outweighed the disadvantages.

Alternatively, the NCNC could seek other strategies to improve its bargaining potential, for example by: (a) eliminating some members of the Action-Set, possible by conversion of a triadic action set to a diadic set; (b) increasing the number of members in the set by altering the configuration from a triadic to a tetradic action set; and (c) maintaining the configuration of the set while seeking

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to achieve a redistribution of weights between the members; or combinations of any of these.[109]

Seemingly conscious of the impossibility of dislodging or competing effectively with the NPC in "its governmental domain"[110] in the North, the NCNC turned westward to fish in the "troubled water" caused there by the crisis in the Action Group. The factional conflict within the Action Group, coupled with the fact that it had the weakest electoral support base, made it an easy target for elimination from the triadic power game of Nigerian politics. It is not surprising, therefore, that the NCNC leadership was much more vociferous in calling on the Federal Government to declare a state of emergency in the West under the pretense that law and order had broken down in that region.[111]

With the NPC and the NCNC acting in concert, a state of emergency was declared in the West which lasted for six months. With the eventual termination of the state of emergency, Chief Akintola was reinstated as premier in the West, and renamed his section of the Action Group as the United People's Party (UPP). This newly formed party entered into an alliance with the NCNC, to form a coalition government in the West. Thus, with this new development, instead of the "diadic structure of the West's legislature,

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there emerged after the emergency, a triadic set of NCNC/UPP and AG."[112]

The NCNC/UPP Coalition Government in control of the West did not totally cripple the Action Group as a credible political player. However, its support base had been eroded as a result of this act of intimidation and political persecution, unleashed by a government that was irrevocably committed to remaining in power whatever the cost.[113]

The alliance between the NCNC and the UPP finally metamorphosed into an entirely new party under the name Nigerian National Democratic Party (NNDP). This fusion was not particularly fortuitous, however. It had been foreseen by the NPC Party. Driven by suspicion and the political advantage which the development in the West might have brought to the NCNC, the NPC Party was inclined to prevent the consolidation of such gain, by encouraging the UPP leadership to: (I) convert the UPP into a new party, which then became the new Nigerian National Democratic (NNDP); (II) announce the dissolution of the UPP/NCNC coalition; (III) offer the NCNC members of the coalition the ultimatum of joining the new NNDP or being removed from the government of the region.[114]

The threat of the ultimatum was a political gamble on the part of Chief Akintola, but it paid off handsomely in

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terms of consolidating his power base in the West and in strengthening the relationship between the NNDP and its Northern political mentors in the NPC party.

The alliance between the NCNC and UPP did not in any way tilt the balance of power in favor of the NCNC at the Federal level. However, if the NCNC had succeeded in absorbing the UPP, and retained control of the West, it could have been better placed to effect a configurational change in the structure of the Nigerian Federation through the creation of more regions in the North.[115]

The attempt to emasculate the Action Group, removing it from the tripartite power structure of Nigerian politics, led to the formation of the NNDP Party. And, in a dramatic turn of events, the NNDP later became bitterly opposed to the NCNC for its reckless manipulation of the Federal system of rewards to benefit the Ibo people and for offering the less strategic Federal Cabinet positions, like the ministries of Communications, Information, Labor, etc., to the Yoruba members of the NCNC while the key positions, like Education, External Affairs, Economic Development, Transport and Aviation, were occupied by the Ibo members of the NCNC.[116]

The leader of the UPP, Chief Akintola, who was helped by the Federal Government under control of the NPC to regain control of the West after the expiration of the

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state of emergency, quickly allied his new party, the NNDP, with the NPC.

The NCNC could not achieve option (a), while option (b) was not attractive to a party that was already losing its sense of aplomb with the coalition government over the distribution of awards between the North and East. In 1964, the NCNC controlled government in the East published a statement of grievances against the North and the NPC:

> Take a look at what they [the NPC] have done with the little power we surrendered to them to preserve a unity which does not exist: Kanji Dam Project – about £ 150 million of our money when completed – all in the North; Bornu Railway Extension – about £ 75 million of our money when completed – all in the North; spending over £ 50 million on the Northern (sic) Nigerian Army in the name of the Federal Republic; military training and all ammunition factories and installations are based in the North, thereby using your money to train Northerners to fight Southerners; Building of a road to link the Dam site and the Sokoto Cement Work £ 7 million when completed – all in the North. Total of all these four projects about £ 262 million. Now they have refused to allow the building of an iron and steel industry in the East and paid experts to produce a distorted report.[117]

According to the minimum size principle of the coalition theory, to increase the size of the governing coalition beyond what Lijphart has called a "minimal majority or bare majority cabinets"[118] will certainly "produce a valueless coalition on the whole and nullify the winner's victory."[119]

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The ideological differences between the NPC and the NCNC did not totally preclude unanimity of interest or purpose between the two parties as both were,

> prepared ruthlessly to exploit the split in the Action Group to safeguard the system of rewards from the criticism to which the Action Group in opposition had been subjecting it by silencing the critics ... [and] to place in the West individuals who would be content to limit themselves to that sphere and would not make a wider bid for power and thus consol- idate and stabilize their control of the system.[120]

In other words, there was still a convergence of interest between the North and the East to relegate the West to a client state and minimize its share in the system of rewards to the goodwill and charitableness of the Federal Government controlled and dominated by the NPC and NCNC.

The Action Group, therefore, was not part of an effective triadic social system.[121] It was not courted by either the NPC or the NCNC to enhance their individual bargaining power or wanted as a balance of power moderator between the NPC and the NCNC. It was a party marked for annihilation so as to bring the system of rewards under their exclusive control.

But the emergence of the NNDP in the West had a moderating effect on the NCNC's aspiration to bipolarize Nigerian politics into a North versus South contest, a

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development which the NPC was consciously trying to avoid.[122]

Although the NCNC had not been able to gain total control of the West -- a control that could have given the party an opportunity to maximize its bargaining position relative to the NPC -- it was able to count its success in another area. It was through the NCNC initiative, with NPC support, that the Mid-West -- the fourth region in the Federation -- was created out of the West. As Kirk Greene puts it,

> The Mid-West was created in 1963, hypocritically encouraged by the monolith-minded NPC and the wheeling-and-dealing NCNC in order to confine the AG to its Yoruba heartland and so to reduce its influence at the National level.[123]

The Mid-West later came under control of the NCNC after the region was administered by the Federal Government for the first six months of its existence.

Again, control of the East and Mid-West by the NCNC Party did not alter the balance of power between the coalition partners. But the creation of the fourth region further weakened the bargaining power of the Action Group at the Federal level.

After the failed attempt to totally eliminate the bargaining power of the third player in the tripartite system, the NCNC turned to the possibility of changing the representational ratio between the North, East and West

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through a population head count that might give the South a margin over the North.[124]

Population head count in Nigeria is a highly contentious political issue simply because it determines the allocation of seats into the central legislative body.[125] The national census of 1962 was particularly important because (I) the politicians, particularly the Southern politicians, saw the exercise as a litmus test to vindicate the general suspicion that the census exercise of 1950-53 conducted under British colonial administration was grossly manipulated to enhance the prospect of the Northern domination of Nigeria; and (II) the census of 1962 was conducted in an atmosphere of expectation that the outcome "would end the North's absolute majority in the House, the foundation of their power at the Federal level."[126]

The high political stakes in the outcome of the census heightened the determination of the leadership in each region not to be outclassed in manipulating the end result. As noted by Robin Luckham, "the figures were gerrymandered by the regional officials who administered it."[127] The gross irregularities in the census exercise necessitated its cancellation by the Prime Minister.[128]

The population census of 1962 was apparently an exercise in futility. In 1963, another census was

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conducted, ostensibly to correct some of the anomalies of the 1962 census. Again, the 1963 census precipitated another round of controversy.

This controversy became another source of irritation between the NPC and the NCNC coalition partners. While the Prime Minister -- the premier of the North -- and the premier of the West supported the outcome of the 1963 census, the two NCNC premiers from the East and the Mid-West rejected it. Dr. Michael Okpara (who succeeded Dr. Azikiwe as leader of the NCNC Party), as premier of the Eastern Region, realizing that he was fighting a *fait accompli* over the census figures, made a desperate proposal that regional representation in the House of Representatives should not be altered in addition to strengthening the power of the Senate relative to the House of Representatives.[129]

When it became obvious that his proposals to neutralize the outcome of the census would not work, Okpara sought, through the Supreme Court, a declaration to quash the validity of the census results. The attempt was, however, without success.[130]

It was the agony of frustration over the outcome of the census results, coupled with the federal election scheduled for 1964, that compelled the NCNC leadership to seek an electoral alliance with the Action Group -- their

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one-time bitter enemy. With the NCNC and Action Group coming together, an alliance was born under the name United Progressive Grand Alliance (UPGA). While the NCNC and the Action Group formed the core of this new alliance, other political allies, like the United Middle Belt Congress (UMBC) and the Northern Elements Progressive Union (NEPU), also joined. (See Table 7.)

The consummation of the United Progressive Grand Alliance among the NCNC and the Action Group, and their political allies, was followed by a similar alliance encompassing the NPC, NNDP and other miniature parties under the name Nigerian National Alliance (NNA). (See Table 7.)

Table 7

The Configuration of the New Political
Alignments in Nigeria Between 1964-66

PARTY	NATIONAL LEADERSHIP	CONSOLIDATION
NCNC	Dr. Michael Okpara	
National Convention of Nigerian Citizens		
UMBC	J. S. Tarka	
United Middle Belt Congress		
NEPU	Alhaji Aminu Kano	**UPGA**
Northern Elements Progressive Union		UNITED PROGRESSIVE GRAND ALLIANCE
AG	Mrs. Hannah Awolowo & Alhaji Dauda Adegbenro	
Action Group		
NDC (faction)	Prince J. D. Fubara Dakabal J. T. Owupalla	
Niger Delta Congress		
NPC	Sir Ahmadu Bello	
Northern People's Congress		
NNDP	Chief Samuel L. Akintola and Chief Fani-Kayode	**NNA**
Nigerian National Democratic Party		NIGERIAN NATIONAL ALLIANCE
MWDF	Joseph Otobo	
Mid-West Democratic Front		
NDC (faction)	Harold Biriye	
Niger Delta Congress		
Republican Party	Dr. J.O.J. Okezie	
Dynamic Party	Dr. Chike Obi	

Source: Adapted from Africa Report Vol 9, No. 11 (December 1964),

N.P.

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With the emergence of the NNDP Party in the West aligning itself with the NPC from the North to form the Nigerian National Alliance and the NCNC coalescing with the Action Group under the baptismal name of the United Grand Alliance, the entire configuration of Nigerian politics was given a new twist. According to Lawler:

> Nigeria moved from a basically ethnic tri-polar system to an inter-ethnic bi-polar system, in which divisions were defined in ideological terms as "progressive" and "conservative." [131]

The new political alignment along the "progressive-conservative" continuum was significant but regrettably shortlived, as a result of the military intervention in 1966.

Elections in Nigeria, as in other African countries, have become "a redundant formality"[132] simply because they hardly ever unseat an incumbent government, however unpopular, corrupt and horrific its rule may be. The federal elections of 1964 represented a tautological exercise which merely reaffirmed the control of the machinery of government by the same political parties in power prior to the elections. They reinforced the domination of the Federal Government by the NPC, whilst its control of the North remained virtually unaffected. In the same way, other regional elections in the West, East

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and Mid-West reconfirmed the previous rule of the existing parties in those regions.

<div align="center">Conclusion</div>

Nigeria entered into modern statehood experimenting with a parliamentary political system bequeathed to her by the British colonial authority. However, we will argue in Chapter Four that one of the tragedies of this colonial legacy was the introduction of zero-sum game politics into a social environment which, though nurtured and sustained by the British, was unfortunately lacking the congeniality of maintaining a stable polity.

In Chapter Four we also discuss some of the ramifications of the lopsided configuration of the autonomous units of the Nigerian Federation, its effect on the problematic issue of political integration and the contribution of zero-sum game politics to the demise of the First Republic. Collectively, these elements constituted not only a considerable blow to the success of the First Republic but equally to the operational attainment of consociational practices during this time.

We have earlier, in this chapter, elaborated on some of the operational problems associated with the principles of segmental autonomy, mutual veto, proportionality, and grand coalition. It is worthwhile to point out here that the political configuration of the Nigerian federation

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during the First Republic was not a semblance of Chief Awolowo's "doctrine of ethnic federation"[133] -- a euphemism for the segmental autonomy of each of the ethnic groups within the Nigerian Federation endowed with the responsibility of managing its own affairs. The Nigerian Federation,

> failed in the objective of building government units upon fairly homogenous social groupings in order that they manage their internal affairs within the unity of the whole.[134]

Each region of the Nigerian Federation consisted of a nuclear center of one major ethnic group commanding roughly two-thirds of the entire population of the region, with the rest made up of various ethnic minorities.[135] As Buchanan and Pugh have pointed out:

> Not one of the existing regions approaches the ideal of an ethnic or linguistic unity; rather does each present a dual personality, consisting in each case of a regional nucleus occupied more or less compactly by a dominant group -- Yoruba in the West, Ibo in the East, Hausa-Fulani in the North -- with a peripheral zone occupied by minority groups.[136]

The hybrid nature of ethnic composition within the regions became the chief factor of political recalcitrance among the minority groups, who would not support the dominant political parties controlled by the major ethnic groups in their regions. In the West, the ethnic minority area of the Mid-West supported the NCNC -- the opposition party in the area -- while in the East, the non-Ibo people of

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Calabar-Ogoja-Rivers (COR) areas gave their political support to the Action Group and, similarly, the non-Hausa-Fulani people of the Middle-Belt area solidified their political allegiance behind the United Middle-Belt Congress (UMBC) led by Mr. Joseph Tarka, an ally of Chief Obafemi Awolowo's Action Group.[137]

The compositional element of ethnic majority/ minority structure of the regions was a tension generating factor because, as pointed out by Nwabueze, "it entrenches the permanent control of the regional government by the majority tribe."[138] And with the frustration it engenders,

> no amount of concession could ever completely
> remove the feeling of frustration inherent in
> such a situation ... [unless] an opportunity to
> be in control sometimes or to share substantially
> in exercising such control, and not the grant of
> favors or concessions, could do that.[139]

The creation of new regions for the minority ethnic groups is not likely to remove ethnic tension completely. The likelihood of ethnic-majority-minority structure will always exist within each of the regions. For example, when the Mid-West was created out of the West in 1963, it was made up of five linguistic groups -- Edo, Ibo, Itsakiri, Ijaw and Kwale -- of which the Edo were the majority, making up approximately two-thirds of the population of the area.[140] And when Chief Dennis Osadebey, an Ibo man, emerged as premier of the region, despite the overwhelming

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victory of the NCNC Party, the government of Chief Osadebey was still tagged a "minority government"[141] because of the occupation of the premiership by a man from a minority area of the region, instead of an Edo man.

It has been asserted that the Nigerian Federation of the First Republic was designed "in such a way as to virtually guarantee its failure"[142] not only because the constituent units were not homogeneous in population, or because of their comparative lopsidedness, but also because the minimum consensus required for the operation of a federal system as a conflict-regulating mechanism was absent.[143] Again, the political process of the Nigerian First Republic cannot be fully consociational with the imperfect asymmetry of its federation.[144]

The operational success of any political arrangement, either parliamentary or presidential, depends on the collective sense of shared values and the consensus of the people and their leadership. The parliamentary political system in Nigeria failed, as did the elements of consociationalism because,

> the values and norms appropriate for the successful functioning of the governmental system were either non-existent or not sufficiently widely shared among the relevant actors in the governmental process.[145]

As correctly pointed out by Lijphart, Nigeria experienced a democratic failure during the First Republic

and not consociational failure.[146] The Nigerian political system of the First Republic hardly fits the narrow definition of consociational democracy.[147] However, since the system contained some of the elements of consociationalism on a relative basis, it could only qualify, at best, as a semi-consociational democracy.[148]

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Notes

[1] See Chapter Five for more on the analysis of the various phenomena of military rule in Nigeria.

[2] "Homogeneous political culture" as used here is akin to Almond's usage of the term. See Almond, "Comparative Political Systems," 398-400.

[3] See Section 37 (I), (a), (b), and (c) of the Independence Constitution of 1960 in O.I. Odumosu The Nigerian Constitution: History and Development (London: Sweet and Maxwell, 1963), 333 (Appendix). See also Section 42 (I), (a), (b), and (c) of the 1963 Republican Constitution in Constitutions of Nations Revised 3rd Edition, ed. Amos J. Peaslee (The Hague, Netherlands: Martinus Nijhaff, 1965), 614. The Mid-Western Region was allocated 12 Senate seats when that region was created in 1963.

[4] Awa, Federal Government of Nigeria, 133.

[5] Ibid.

[6] Jinadu, "Federalism, the consociational state," 80.

[7] Ibid, 80.

[8] Ibid, 81.

[9] While Section 2 of the Independence Constitution stated among other things that "the Federation of Nigeria shall consist of regions and a federal territory," Section 3 gave the territorial dimensions of each of the regions and Lagos as the Federal Territory.

[10] J.H. Price, Political Institutions of West Africa (Second Edition) (London: Hutchinson and Co., Publishers, 1975), 67-68.

[11] Commonwealth is an association of the former British colonies like Canada, New Zealand, Australia, India, Nigeria, Tanzania etc. Membership in this organization is purely voluntary. The British Monarch is generally accepted to be the nominal head of the Commonwealth.

[12] B. O. Nwabueze, A Constitutional History of Nigeria (London: C. Hurst & Co. Ltd., 1982), 89.

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particularly those related to the forging of a shared sense of common national identity among the heterogeneity of the Nigerian ethnic composition. As pointed out by Coleman, an alien rule can facilitate the growth of national identity in two ways, (I) by creating an internal peace and the maintenance of law and order, (II) through the imposition of a common government which all recognize and to which all gave obedience, allegiance and loyalty.[30] The British, in fact, succeeded in putting an end to the warfare between one ethnic group or another in Nigeria. As Margery Perham has put it,

> [the] Europeans' rule was imposed like a great steel grid over the amorphous cellular tissue of tribal Africa and the hundreds of independent and often hostile communities were held within its interstices in peace. This peace has allowed -- and this has been one of the greatest hopes and justifications of colonial rule -- full and free movement for the first time over wide areas not only for commerce but also for ideas and for men who could never know each other before.[31]

Suffice it to say that Lugard, who was the architect of the historic master stroke that formalized the unification of the protectoral areas of the North and South, did not like some of his successors looking on Nigeria as "ONE ORGANIC ENTITY."[32]

The British colonial administration of Nigeria, under the Governor-Generalship of Lord Lugard, hermetically

sealed off the North from the South through the erection of a Maginot line between them, presumably to allow the North to develop within its own cultural milieu uncontaminated by the orgy of external influences that were prevalent in the South. As pointed out by Hatch, "Lugard did not want any potentially subversive influences to undermine the admirable status quo in the North."[33] In fact, "the Northern people were encouraged in their natural desire to resist external influences whether upon their religion, dress, architecture, or way of life generally" by the British colonial administrators.[34]

The isolation of the North from the South began as an official policy of the British colonial administration soon after the military subjugation of Sokoto in 1905. With the military subjugation or defeat of Sokoto by the British, Lugard entered into an agreement with the Emirs who had been in control of most of the Northern areas prior to the advent of the British colonizers. The agreement stipulated, among other things (I) the non-interference of the British colonizers in the predominantly Islamic religion of the North; (II) unlike the unrestrained evangelical activities of the Christian missionaries in the South, the virtual restriction of such activities in the North to specific areas of non-Moslem

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population of the Southern Zaria, Kabba, Adamawa, Benue, and Plateau provinces.[35]

The activities of missionaries during the European colonization of Africa served both as an important adjunct of European conquest as well as a vehicle in the dissemination of western values, particularly in the establishment of Western education.

The isolation of the North behind the protective shield of the British iron-clad rules of minimal interference in the traditional life of the Northerners had profound psychological, social, and political ramifications on the developmental process of the Nigerian state. As pointed out by Schwarz:

> Isolating the North from the disruptive influences that were transforming the South left the North backward, fearful and resentful and the South scornful of the North. The resulting tension has distorted and bedeviled Nigerian politics and made national integration infinitely harder.[36]

A similar opinion was expressed by Coleman when he wrote that,

> ...by far the most important single feature of British policy was the effort made to preserve the Muslim North in its pristine Islamic purity by excluding Christian missionaries and limiting western education, by denying Northern leaders representation in the central Nigerian legislative council during the period 1923-1947, and by minimizing the contact between the Northern peoples and the more sophisticated and nationally-minded Southerners temporarily resident in the North. All these

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aspects of British policy, and others, tended
to perpetuate the individuality and separate-
ness of the North.[37]

The attendant result of isolating the people of the

North and South from one another created or perpetuated

an imponderable problem which Elaigwu and Olorunsola have

called the "parochialism of ignorance"[38] among the various

ethnic groups in Nigeria. The memories of the past can

hardly be written off when the first Executive President

of Nigeria under a presidential system of government,

Alhaji Shehu Shagari, reminded Nigerians during the inde-

pendence celebration in 1981 that,

the first six years of post-independence rule,
and even more so the last six years of pre-in-
dependence rule, were characterized by ignor-
ance and unfamiliarity and therefore fear and
mistrust, among the various groups -- or, to be
more accurate, the nationalities which inhabit
Nigeria.[39]

Although the amalgamation of the North and South

took place in 1914, it was not until 1946, at least

for the first time, that the Northerners and Southerners

were brought together in any deliberative forum to dis-

cuss issues of national significance.[40] The educated

elites were also excluded from the native administration

because in most cases, and as part of the British colon-

ial policy, the existing indigenous political systems

under the rulership of the Emirs and Obas, were preferred

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and utilized more than those of the educated elite. The exclusion of the educated Nigerians from the native administration cannot be separated from the attitudinal bias and prejudice of Lugard towards the educated elites when he rationalized their exclusion on the pretense that the elite was "separated from the rest of the people by a gulf which no racial affinity can bridge."[41] Also, at the higher level of the central government, the exclusion of the educated elite was based on the rationale that the institutions of the central administration were "temporary scaffolding"[42] which cannot accommodate the educated elite.

The System of Indirect Rule

Prior to the unification of the Northern and Southern protectorates in 1914, the system of indirect rule had been used in the North during the time Lugard was its High Commissioner.

The system of indirect rule was principally the typical British system of colonial administration. Indirect rule has been defined as "a system by which the tutelary power recognizes existing African societies, and assists them to adapt themselves to the functions of local government."[43] The recognition of the indigenous

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institutions and their utilization by the British were the consequence of the problems that confronted the British colonial rule. According to Crocker, "the principle of indirect rule ... rests not on immutable laws but on immutable poverty"[44] of the British colonial administration. Confronted with the dearth of experienced officials to whom he could delegate authority, and the wherewithal to run the administration over a geo-politically vast area, Lugard opted for the utilization of existing indigenous political institutions.

With the relative success of Lugard's indirect rule in Nigeria, it became the "Bible for British administrators"[45] in other parts of the world. Yet, although the introduction of indirect rule has been attributed to the ingenuity of Lugard, it is doubtful whether it was in fact his original concept.[46]

British colonizers tolerated the continued existence of the indigenous systems of administration not necessarily for their own sake, but because they were needed as a supplementary support system for the British colonial administration. The philosophical underpinning of the system of indirect rule was summed up by Pierre L. Van de Berghe when he wrote:

> Stripped of its fancy rhetoric of noblesse
> oblige, civilizing mission and similar ideo-
> logical claptrap, indirect rule boils down to

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this: if the native society you conquered
already had a ruling class, strip it of ulti-
mate power and keep it under close watch, but
rule through it; that is, let it do the dirty
work of tax collection, corvee labor gathering,
police, and so on, for you. In exchange for
being your puppet, allow the native ruler to
keep the trappings of power and those priv-
ileges that do not interfere with your ultimate
control.[47]

With the relatively successful introduction of

indirect rule in the North, it became necessary to

replicate the system in the area Lugard "regarded as the

chaotically administered South."[48] Based on the exper-

ience of what he saw in Yorubaland and Benin during his

tour of the southwestern part of Nigeria, Lugard was

quickly convinced of having found a corresponding simi-

larity in the rulership pattern between the Yoruba Obas

(kings) and the Emirs in the North without realizing that

a Yoruba Oba "did not possess traditional executive

authority that could in any way be construed as measuring

up to that possessed by an Emir."[49] Unlike the autocratic

rule of a typical northern Emir, a Yoruba Oba is a

constitutional monarchy that operates within an inherent

network of checks and balances built into the Yoruba

indigenous political system.[50]

Lugard erroneously assumed that the success of indi-

rect rule in the North would translate mechanically into

success in the South without consideration of the pattern

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of native administration in one area relative to others. The Lugardian policy of indirect rule was partially successful in Yorubaland but failed calamitously in Iboland because of the attempt to transfer the system into an area of unfavorable conditions. In the typically acephalous societies of the Iboland, Lugard created, through the instrument of imperial fiat, "Warrant Chiefs" to occupy positions similar to the Emirs and Obas in the running of the native administration in the East. The result was a failure, because "Lugard did not -- perhaps in all his circumstances -- could not, understand, these hydra-headed obstacles to the successful transfer of his system" from one area to another.[51]

The system of indirect rule has been described variously as "Lord Lugard's baleful gift to Africa";[52] a "stunted and hidebound organism,"[53] and more importantly, "a formula as hieratic and as dead as creative development as an outworn theology"[54] because it constituted a stumbling block to the process of nationbuilding.[55]

If the principle of indirect rule had impeded the process of nation-building, similarly, under the various constitutional developments in Nigeria between 19461963, in addition to the prevailing political reality during that period, it tilted the pendulum of power toward the

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regions vis-a-vis the central government. And, not surprisingly, the government of the First Republic collapsed under the centrifugal pull of regional interests.[56]

The Phenomenal Impact of Politics
In the Demise of Parliamentary Democracy

Perhaps no other factor more profoundly affected the decline of parliamentary democracy in Nigeria than the nature of its politics.

It was the British colonial rule in Nigeria that introduced a parliamentary system to Nigeria. The game of politics in a parliamentary democracy is generally viewed, in an electoral context, as a tug of war phenomenon between or among a group of competing individuals or political organizations (as the case may be), vying for the control of the government.

What is politics? What is the nature of the Nigerian politics? And to what extent is the Nigerian politics responsible for the demise of parliamentary democracy? Here, we are not just going to be dealing with the nature of the Nigerian politics within the narrow context of parliamentary process but its manifestation within the larger context of the social life in general. Again, in

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this section, we shall exploit some of the ramifications of the British colonial legacies on the Nigerian politics.

Politics is simply defined here in the Eastonian terms as "an authoritative allocation of values."[57] Politics is also an art and more importantly, a game with some specific set of rules designed to regulate the game of politics. Professor Dudley has differentiated between the constitutive (or structural) and regulative (or institutional) rules of politics. According to Dudley, "the former determines what form, or structure, of the game is being played" while the latter, "the regulative rules specify what to account as legitimate or proper 'moves' of the game, and changing the rules would simply amount to a different kind of game."[58] In practical terms, the bottom line of politics is manifested in the Lasswellian conceptualizaton of politics as an activity over who gets what, when and how.[59]

By and large, the analysis of politics must be related to the following: (I) the allocation of scarce resources; (II) the determination of public policy; and (III) the relations and conflict among the various competing forces within the polity.[60]

The relativity of politics to the pattern of political process institutionalized in a polity must be taken

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into consideration. When we talk about the nature of political system either parliamentary or presidential, we are not necessarily concerning ourselves principally with the array of institutions inherent in these systems, but also the nature of their politics. The nature of the political system defines the nature of its politics. Within any particular form of political system, politics in the Aristotelian sense "legislates as to what we are to do and what we are to refrain from doing."[61]

Politics is also a product of the social environment arising from the problematic issue of who gets what from the scarce resources available for distribution among various competing social forces. Conflict and disagreement are the necessary _sine qua non_ requirements for the existence of politics; however, not all conflicts or disagreements are necessarily political.[62] Politics, according to Robert A. Dahl, arises over "any activity involving human beings associated together in relationships of power and authority where conflicts exist."[63]

Ostensibly, politics in Nigeria is a metaphor for war by other means waged to gain control of the government. The fatality of politics in Nigeria, like the other states in the West African sub-region, is explained by

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Professor Lewis when he wrote that "too much of politics is the curse of West Africa."[64]

Every national election in Nigeria, however, with the possible exception of those conducted in 1959 under the supervision of the British colonizers and 1979 under the auspices of the military rulership of General Obasanjo, had produced disastrous results threatening the corporate entity of the state.[65] The Nigerian system of parliamentary democracy collapsed under the intensity of its partisan politics. Why, then, is the game of politics so intense and vitriolic in Nigeria?

In his Presidential address to the Nigerian Political Science Association in 1981, Professor Claude Ake spoke about the crux of Nigerian politics, referring to the "overpoliticisation" of Nigerian social life. According to Ake:

> We are intoxicated with politics, the premium of political power is so high that we are prone to take the most extreme measures in order to win and to maintain political power. Our energy tends to be channelled into the struggle for power to the detriment of economically productive efforts, and we habitually seek political solutions to virtually every problem. Such are the manifestations of the overpoliticisation of social life in Nigeria.[66]

The problem of overpoliticisation in Nigerian social life according to Ake is evidently an outgrowth of the Nigerian colonial experience which manifested the

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"character of the Nigerian state."[67]

Oyovbaire has pointed out that "the object of political science in Nigeria, as elsewhere, is primarily the state, its character, structures and values."[68] This is because "the history of how Nigeria was created and incorporated into the capitalist system is therefore central to the understanding of the activity and behavior of the Nigerian state."[69] Oyovbaire also elaborated on the binary legal-political character of the Nigerian state including the absence of state autonomy relative to some of its social entities. According to him:

> There is no distinction between the state as the political community, as a regime or system of laws, or as sets of rulers or authority patterns. The Nigerian state is just a solid mass of durable entity meaningful only as a network of social relations of production and distribution. Individuals are ranked according to their objective access to the means of production and distribution, and their behavior patterns are thus said to reflect this. The state is the regulator of all life and everything else is a dependent variable: conflict, cooperation, management, the family, community, culture, traditions, religions, interests, ideas, sentiment, industry, labour, agriculture, etc. -- all of these are dependent upon the regulative capacity of the state.[70]

The Nigerian state has emerged as a gargantuan political organism with an enormous power "to spearhead economic development in the absence of a strong indigenous capitalist class."[71] This almightiness of power and

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influence the Nigerian state has over the national "economy" increases its propensity "to intervene everywhere and to own virtually everything including access to status and wealth."[72] This was partly responsible for the total transformation of Nigerian politics into an intense combative contest, "a matter of life and death"[73] struggle for the control of state power. It follows that whosoever controls the state power also holds the trump card for advancing the economic, social and the political interests of his group. This is reminiscent of a "prebendal politics" which refers "to patterns of political behavior which reflect as their justifying principle that the offices of the existing state may be competed for and then utilized for the personal benefit of office holders as well as that of their reference or support group."[74]

Coleman and Rosberg have given three <u>raisons d'etre</u> for what they called the "functional load"[75] of the polity in a developing state: (I) the present generation of Africans has been politically socialized within the framework of a society whose private sector was extremely undeveloped, and consequently the state was dominant in all modern sectors of the society (e.g., the economy, the educational system, public works and utilities) and was

as well the main employer, the source of all amenities, and the initiator and manager of most aspects of social and economic development -- in a word, it was "socialist"; (II) the leaders inherited this system from the colonial powers, and by default it must serve them as the instrument of rapid modernization; and (III) Marxism has strongly influenced a substantial segment of the present generation of Africans, partly because of the appeal of the Leninist interpretation of modern imperialism, and partly because of the courting and indoctrination of Africans by European parties of the left.[76]

In Nigeria, it is difficult to construe political power, both in derivation and purpose, outside what is generally at stake; the plums of office accruing to a winner in a zero-sum game contest characteristic of a majoritarian political system. "In developing societies political power is the primary force that creates economic opportunity and determines the pattern of social stratification."[77]

The Nigerian politics of the First Republic was built on "a three-person zero-sum game among the three major nationalities,"[78] the Hausa/Fulanis, the Ibos and the Yorubas. The intensity of Nigerian politics is often generated over the issue of who is in control of the

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national government, since national politics itself was based on "inter-regional contest for the control of national resources, patronage, jobs and development projects."[79] The obsessive desire to win, or partake in the sharing of the proverbial "national cake," became a matter of overriding consideration. To be excluded from the corridors of power would be intolerable as this would be tantamount to a surrender to servitude and exploitation. After all, as pointed out by Dudley, "politics in Nigeria, like other states, is not about alternating policies but about the control over men and resources."[80]

Ake's overpoliticisation conception of Nigerian social life is also related to the problem of institutionalization, which engenders what Huntington has called a "praetorian society." Huntington has differentiated between "praetorianism" as a reference to "the intervention of the military in politics" and a "praetorian society" which reveals a type of social reality with the notoriety of highly "politicized" social forces.[81] Furthermore, in a praetorian society, according to Huntington, the social groups are "mobilized into politics without becoming socialized by politics"[82] because of the "absence of effective political insti-

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tutions capable of mediating, refining, and moderating group political action."[83]

What is generally lacking in a praetorian society is the availability of brokerage institutions to mediate, refine and moderate political activities. And, when this is the case, the consequences are predictable, as the "social forces confront each other nakedly" for political advantage or attention by employing means that reflect their "peculiar nature and capabilities."[84]

The word "politics" sometimes has a ring of negative connotation attached to it. A negative portrayal of politics is reflected by I. Robert Sinai in his book The Decadence of the Modern World when he wrote:

> In politics all things change their place; fair is foul and foul is fair... To deal with politics is to deal with brutal things, for humanity alone will never do. Political action can never be dissociated from corruption and evil. Political action and evil are inextricably linked and ethical standards are always violated on the political scene. The master passion in politics is the desire to be absolute, to impose a narrow set of interests on society. It thirsts to destroy its enemies or see nothing in the world except its own likeness. It is inflicted with an element of madness which is always present in all human affairs.[85]

Politics, either as an art of governing, or a vocation, is not necessarily evil. Neither is it imbued

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with Machiavellianism, as is generally portrayed.[86] But, the purported "evilness" of politics or the corruption within it may very well reflect the reality of the social environment. Regrettably, the word "politics" can hardly absolve itself from all its pejorative characterizations. According to Mulford Q. Sibley, politics is "an epithet of opprobrium."[87]

If politics in Nigeria like other countries is a product of the social environment, so also are the "politicians."[88] And, it is the "environment of pov- erty"[89] in Nigeria, as in any of the developing countries, that begets the "politics of poverty."[90]

The dynamics of past and contemporary politics in Nigeria cannot be divorced from the material environment that "induces the emergence of patterns and processes of [her] politics."[91] Also, it is the material environment that shapes the phenomenon of overpoliticisation of the nation's social life. This is particularly so because participation in partisan politics in Nigeria, with all its ethnic complexity, is seen as a channel for personal enrichment or aggrandizement, particularly amongst "professional" politicians. The professional politicians "literally live by politics"[92] and "politics is their career, and they cannot afford to let themselves be driven

out of it," according to Androp and Lewis, respectively.[93]

Our treatment of modern states must go beyond abstract conception to a consideration of them more as anthropomorphic entities, having interests defined in human terms. This is necessary since the state itself has no particular interests of its own divorced from human interests. As pointed out by Arnold Wolfers, "...state interests are indeed human interests -- in fact, the chief source of political motivation today."[94] Linking state interests to human interests will enable us to capitalize on the utility of the government, not only as an important political instrument of the state, but as "a manipulable system of human action"[95] designed for the control of resources and people within the state. Moreover, this approach will enable us to conceptualize the extent of the state autonomy relative to the existing social forces within it.

It has been pointed out by Joshua B. Forrest that most African state institutions lack autonomy in that they have been significantly penetrated by social forces.[96] And such social forces like ethnic, peasant, labor union, religious and clientelist agglomerations have tended to prevent the state from effective penetration of the peripheral areas, with a concomitant effect debarring the

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formation of a nationwide political party with strong national followership of its leaders. It is fundamental that states should "achieve at least a modicum of autonomy from society in order to secure their power and exercise their hegemony."[97] When the state is unable to exercise effective control over its entire geopolitical environment, either due to resource constraints, or where the ability of the state to promote rapid development is hampered by the prevailing socio-political condition which limits the capacity of the government to enact public policies that impose certain obligatory responsibilities on the citizenry, such state is reminiscent of Gunnar Myrdal's "soft state." Using the states in South Asia for his prototypical focus, Myrdal explains that "when we characterize these countries as `soft states,' we mean that, throughout the region, national governments require extraordinarily little of their citizens. There are few obligations either to do things in the interest of the community or to avoid actions opposed to that interest. Even those obligations that do exist are enforced inadequately if at all."[98]

African states are generally weak economically and politically, even despite their claim to the "juridical attributes of statehood."[99] The fragility of African

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states is further explained by Professor Mazrui when he writes that:

> The state in Africa sometimes appears as all-powerful, over-riding, even abolishing other institutions with ease. But even when the African state appears omnipotent this is less because the state itself is strong than because other institutions (like industries, churches or trade unions) are even weaker. The African state is overtly `mighty' but inherently vulnerable. It is sometimes excessively authoritarian, in order to disguise the fact that it is inadequately authoritative. The state still faces a crisis of legitimacy before the tribunal of African pluralism.[100]

The Structural Incongruity of the Nigerian Federation

One of the fundamental causes of political paralysis in Nigeria during the First Republic can be attributed to the structural incongruity of the territorial units of the Nigerian Federation.[101]

Prior to the creation of the midwest region in 1963, three regions had existed in Nigeria: the North, the East, and the West (see map #2). Both in population and size, the Nigerian Federation of the triumvirate regions represented, in a metaphorical sense, a geopolitical configuration of two mice and an elephant. In this metaphor, the eastern and western regions represented the mice in relation to the elephantine size and population of Northern Nigeria.[102]

The geopolitical configuration of the Nigerian Fed-

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eration is a product of British colonial rule in Nigeria. Dr. Jide Osuntokun[103] has explicated two basic interpretations underlying the evolution of the Nigerian Federalism. First, there was the argument that the British deliberately fashioned what Crowder has described as "a very unwieldy federation with one region twice the size in area and population of the other two"[104] as a stratagem behind which the British could

Map #2

NIGERIA — 1960

Northern Region

Western Region

Eastern Region
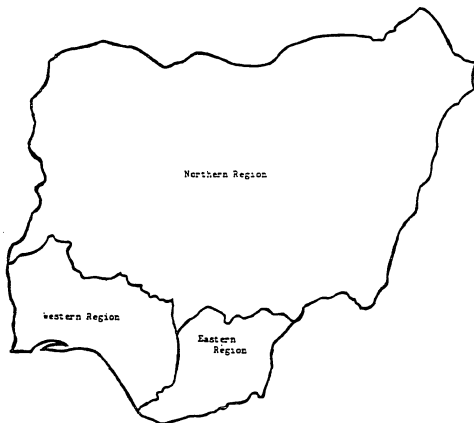
Source: Phillips, "Nigeria and Biafra" Op.cit., 162.

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hide to perpetuate a "neo-Colonial control"[105] of Nigeria even after independence.

The structural abnormality of the Nigerian Federation of the First Republic was a tailor-made scheme designed to suit the political dispensation of British selfishness, rather than to politically harmonize the disparate elements of the Nigerian polity. British colonial rule was strongly faulted by Nigerian Nationalists for not paying proper attention to the socio-political reality. Given the best of opportunities, it needed "to de-emphasize the particularistic tendencies of the different ethnic groups, by not giving any region a large measure of political autonomy."[106] However, recognizing the polyethnic configuration of the Nigerian polity, coupled with the colonial tactics of playing on ethnic susceptibilities as part of its policy of divide and rule, the British decided to impose a federal system with strong regional tendencies. And this, in effect, "led to the creation of vested interests around the national separateness inherent in a pluralistic society and consequently made a unitary system unworkable."[107] The structural lopsidedness of the constituent units of the Nigerian Federation constituted an unpalatable Trojan horse intended "to bedevil inter-ethnic relations after

independence."[108]

The second interpretation of the development of the Nigerian federalism given by Osuntokun emphasizes the history and geography of Nigeria as important deterministic factors underlying the British imposition of a federal system. This group contends that "Nigeria, being a large and culturally variegated country," can hardly be governed from "one centre" over a long period of time.[109] However, it is ironic that "whilst the factors of history and geography more than anything else determined the constitutional evolution of Nigeria, these factors did not determine the shape and form of the federation that the British helped to create in Nigeria."[110]

The British imposed on Nigeria something reminiscent of what Charles D. Tarlton has called an "asymmetrical federal system" with strong particularistic tendencies. According to Tarlton, an asymmetrical federation is "one composed of political units corresponding to differences of interest, character, and makeup that exist within the whole country" and in which it is difficult "to discern interests that could be clearly considered mutual or national in scope (short of those pertaining to national existence per se)."[111] Tarlton's asymmetrical federalism also corresponds aptly to what Thomas M. Franck has called

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a "centrifugal federalism." This type of federalism gives "freer rein to local, tribal, ethnic, religious or economic interests."[112]

In spite of the two opposite explanations offered by Osuntokun for the development of the Nigerian federalism, there is a "national consensus about its suitability and acceptability in the country."[113] There is a general belief that "as long as the country remains one single polity, federalism is considered inseparable from it."[114] In other words, "affirmations of faith in the perpetuity and indissolubility of Nigeria simultaneously imply an affirmation of commitment to a federal arrangement for the country."[115]

We have pointed out, at least through symbolic representations, that the constituent units of the Nigerian Federation of the First Republic represented a symbiotic relationship between mice and an elephant. The question then remains as to how, and to what extent, the asymmetrical division of the Nigerian federation contributed to the topsy-turvy political situation that characterized not only the political life of the First Republic, but which in fact terminated it.

It is necessary to point out that the structural asymmetry of the Nigerian Federation of the First Repub-

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lic cannot be treated in total isolation from the particularistic mode of politics inherent in the Nigerian parliamentary system. Again, we have indicated that a parliamentary democracy is a form of government predicated on the principle of majoritarian rule. What is particularly relevant here is the distributional ratio of parliamentary seats allocated to each of the regions of the Nigerian Federation -- on the basis of size and population. (See Table 8.)

Table 8
Allocation of Federal Constituencies, 1959 and 1964

	1959	1964
North	174	167
East	73	70
West	47	57
	62*	
Midwest	15	14
Lagos	3	4
	——	——
TOTAL	312	312

*One region until 1963

Source: Post and Vicker, Structure and Conflict in Nigeria, 128.

Looking at the breakdown of the total number of seats allocated to each of the regions, one can easily conclude that the Nigerian Federation of the First Republic exemplified a federal model of absurdity in a representational sense because (I) the total number of seats allocated to the North was greater than the rest of the two regions put together, and (II) given the dominance of the regionally based nature of the Nigerian political parties of the First Republic, it is almost certain that the Northern Peoples Congress (NPC), without extending its political activities beyond its geopolitical niche in the North (as was the case), can be guaranteed of one thing, that a government can hardly be formed at the federal level without its participation and even its domination or control. (See Table 9.)

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Table 9

Nigerian Federal Election Results, 1959 and 1964

Seats by Major Party

YEAR	REGION	NPC	AG	NCNC	OTHER
1959	Eastern	–	14	58	1
	Western (a)	–	34	23	8
	Northern	134	25	8(b)	7
1964	Eastern	–	4	64	2
	Western (a)	38(c)	16	7	1
	Midwestern	–	–	13	1
	Northern	157	4(d)	–	1

(a) Lagos seats are counted in the Western total; in 1959, AG won 1, and NCNC 2; in 1964, they were contested in alliance (UPGA), which took 3, with 1 independent winning. In this table, the 3 seats won by the Alliance were divided in the 1959 proportions.
(b) Seats won by NEPU, in alliance with NCNC.
(c) Seats won by the Nigerian National Democratic Party (NNDP), in alliance (clientage) with the NPC (NNA).
(d) The seats won by UMBC, in alliance with AG/NCNC.

Source: Young, The Politics of Cultural Pluralism, 294.

The asymmetries of size and population of the Nigerian Federation tilted not only the balance of power between the North and South[116] but, at the same time, precluded the possibility of control of the central government by any other group other than the dominant ethnic group in the North – the Hausa/Fulani group. In an evolving federal system where the numerical preponderance of one of the constituent units is greater vis-a-vis the other units, the consequences are predic-

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table, as pointed out by K.C. Wheare:

> The capacity of states to work a federal union
> is also greatly influenced by their size. It
> is undesirable that one or two units should be
> so powerful that they can override the others
> or bend the will of the federal government to
> themselves.[117]

Also, Chief Obafemi Awolowo eloquently alluded to

the asymmetrical configuration of the Nigerian Federation

sustained by the British and its ramifications on the

Nigerian body politic when he wrote:

> The British were aware of the monstrosity and
> abnormality of Nigeria's federal structure.
> They knew that whichever political party ruled
> the North as an undivided unit was sure to have
> an electoral advantage over any other political
> party in the country. Yet with this clear
> awareness and knowledge, they refused to divide
> Nigeria into more regions or states, so as to
> make sure that in an independent Nigeria, no
> one region or state was in   a   position,
> either by its size or population, to overrule
> the other states put together and bend the will
> of the federal government to their own.[118]

The federation of Nigeria, as constituted during the

First Republic, was opportunistically fashioned to give

political advantage to the numerically populous Northern

region, allowing it to perpetuate its domination of

Nigerian politics. The fear of political domination was

apparent not only in the incongruous compositional units

of the Nigerian Federation but in the fact that the North

was virtually "a closed political system" with a "single

party monopoly" of the region and thus acquired,

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implicitly, a "political veto" power over the rest of the constituent units of the Federation.[119]

The creation of an unequal power relationship between the North and South, through the asymmetric size and population, was seen as a kind of future insurance policy for the protection of British interests in Nigeria. As pointed out by Robin Luckham, "the existing regions were retained in spite of the disparity of size because the Nigerian government controlled by conservative Northern politicians would be more `stable' and favourable to its interests."[120] In this regard, the British did not conceal their antipathy to those demanding the creation of more regions on the grounds "that the Northern leaders (who were the ones that might most be weakened by a new state) were more sympathetic to continuing good relations with the British than were the Southern leaders."[121]

Since the beginning of the British occupation of Nigeria, they have been quick to recognize a compatible relationship of mutual interests between themselves and the Northern leaders, particularly the powerful premier of Northern Nigeria, Sir Ahmadu Bello, a man who acknowledged the British occupation of Nigeria as a phenomenon pre-ordained by Allah.[122]

The minority groups in Nigeria have consistently de-

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manded the creation of more regions for fear that, in an independent Nigeria, they would practically remain under the permanent domination of Hausa, Ibo and Yoruba dominant ethnic groups.[123] In 1943, Nnamdi Azikiwe called for the creation of eight regions[124] and in 1950, he reiterated a similar call for the creation of more regions based on ethnic or linguistic consideration.[125] The same is true of Chief Awolowo, an avowed federalist who has consistently championed the call for the creation of more regions more than any other person in Nigeria, according to ethnic or linguistic criteria.[126] The creation of more regions in Nigeria was an objectionable issue to the Northern leaders. Their attitude is reflected in the party slogan: "One North, one people, irrespective of religion, race or tribe." Sir Ahmadu Bello considered agitation for the creation of more regions in the North part of a Southern conspiratorial ploy, not only intended to affect the North itself but to undermine their domination of the lower chamber of Parliament.[127]

The British responded to the demand for the creation of more regions by setting up a commission under the chairmanship of Sir Henry Willink to look into the grievances of the minority groups. Although the com-

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mission recommended against the creation of additional regions, it recommended a plebiscite in the Yoruba areas of the North (Ilorin and Kabba divisions) to determine whether or not the people in those areas would want to join with their fellow Yorubas in the West. This recommendation was resisted by the Northern leaders: "the only concession was the transfer of the tiny community of Otun from the North to the South-West in 1936."[128] Even if the creation of more regions had been recommended by the Willink Commission, the British price tag on the prospect of carrying out such a recommendation was politically unattractive to the Nigerian Nationalists, as this would delay the surrender of political power to them by the British.[129] According to Awolowo, the Willink Commission's report had provided "an authoritative excuse for Britain to wash her hands of the matter and transfer responsibility for creating the three proposed states, or any states for that matter, to the majority ethnic groups."[130]

There is an interesting contradiction between the British attitude towards the composition of the Nigerian Federation vis-a-vis the Malayan Federation. In the Nigerian case, the British chose to retain the asymmetry of the Nigerian Federation while, on the other hand, they

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excluded Singapore from the Malayan Federation simply because the inclusion of the Chinese-dominated island "would jeopardize the delicate distribution of population and control within the Federation."[131]

One of the problems with the three-legged foundation of the Nigerian Federation of the First Republic is that "a tripod is neither physically nor politically a very stable basis, and when one leg and then another weakens, collapse is unavoidable."[132]

The asymmetrical division of the Nigerian Federation created disproportional access to the system of rewards among its constituent units, particularly among the three ethnic oligopolies Hausa, Ibo, and Yoruba. It was the unequal distribution of power among the various ethnic groups that accounted for the plague of political crises that engulfed Nigeria throughout the First Republic.[133]

The human dimension of Nigerian Federalism is a crucial acid test of how the system works. In other words, the attitudinal disposition of the Nigerian leaders and their people to the federal system is bound to have a profound effect on its operation. Shridath S. Ramphal shows that:

> For a federation to be able to resist failure,
> its leaders, and their followers, must `feel
> federal' -- they must be moved to think of
> themselves as one people with one common
> self-interest -- capable, where necessary, of

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overriding most other considerations of small group interests. It is not enough that the units of a potential federation have the same ideal of the`good,' but that `the good' for any one must be consciously subordinate ʊ or compatible with `the good for all.' This, then, is tantamount to an ideological commitment not to federation only as means -- such as, for example, a means to gain independence or financial stability, to utilize secondary or tertiary factors -- but to federation as an end, as good for its own sake, for the sake of answering the summons of history.[134]

One of the causal factors of "political disunity" in an emerging state like Nigeria "is the absence of a single psychological focus shared by all the segments of the population."[135] It can hardly be denied that the crop of Nigerian political leaders that emerged during the post-independence era lacked a deep sense of shared collective commitment to the Nigerian federal union. As nationalists during the independence struggle under British colonial rule, these political leaders became, apparently, the promoters of particularistic interests after independence. The championing of particularistic interests by these leaders tended to parochialize national politics during the First Republic and, at the same time, undermined their national outlook. While Awolowo and Azikiwe, the political chieftains of the West and East respectively, broke from their regional shells to take part in Nigerian politics at the federal level,

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their northern counterpart, Ahmadu Bello, continued to operate from his regional base in the north, wielding considerable influence over national politics dominated by his party, the Northern People's Congress.[136]

To be federally oriented in a polity of heterogenous political culture implies a level of consciousness sufficiently developed to recognize and accommodate the elements of diversity within the federal union. And for those in control of the central government, it implies the development of an equitable power-sharing attitude towards the various social elements within the union. However, where particularistic tendencies overshadow the sense of national concern and the inherent diversity within the federal union, such union is more likely to experience the dead weight of political stress. Such stress is manifested in the use of the threat of secession, a familiar theme throughout Nigerian history, as an instrument of group redress to their grievances.[137] One might add that Nigeria actually confronted a secessionist rebellion that shook the existential foundation of the Federation.[138]

Even more damaging to the federal union is Northern arrogance, its numerical preponderance vis-a-vis the other regions, and its insistence that participation in

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the Nigerian political process is contingent on its domination of the federal system.[139] In a situation like this, "the federal centre in Nigeria could not become a symbol of all Nigerian aspirations and partnership."[140]

The idiosyncrasy of Nigerian politicians has never been conducive to the existential foundation of the Nigerian Federation. As indicated by Jinadu, Nigerian politicians have always "behaved as if they were deliberately working for the destruction of the federation."[141] Their `irrational,' `comical,' and `tragic' political behavior all emanate from insecurity, absence of empathy and the failure to put national interests over and above particularistic interests. According to Professor Essien Udom:

> It is not surprising therefore that given this
> condition of general insecurity politics in
> Nigeria of the first Republic became incredibly
> irrational, comical and tragic. Irrational,
> because the political actors failed to perceive
> clearly how intimately the interests of their
> regions or historic communities were interwoven
> with those of their fellow countrymen. Comic,
> because the political actors behaved as if
> they could `fool all the people all the time.'
> And tragic, because they failed to realize that
> their destiny was ONE, and FIXED: the destiny
> of Nigeria.[142]

A federalism is a paradoxical experiment of governance that recognizes and promotes diversity on one hand, and the divisiveness of diversity which the system tries

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to overcome on the other. It is this paradox that Ayoade recognized when he wrote that,

> Ideally it provides an institutionalized balance between national unity and subnational diversity, a balance between territorial integration and balkanization as well as between the centralizer and the provincialist. There is no doubt that the major problem of federalism also stems from the attempt to accommodate this mosaic of Heraclitean   opposites.[143]

> It is within the paradoxical context of these

experiences that the suitability of a federal system in Nigeria has been questioned. According to Eleazu, when a federal system

> was decided upon, neither the British, who midwifed its birth, nor the Nigerians pregnant with the idea of federation had any experience of nursing federal multiplets. The result was that both looked at the shell of federalism, copied the model of the shell without going beneath to see how other things related with each other -- things that no reading of the American, Canadian, or Australian constitutions could have revealed.[144]

A similar point has been made that

> Nigeria, without the same homogenous cultural environment as Australia, chose the Australian pattern of government, with all the implications and problems of a loose federation.[145]

Despite the plausibility of these arguments,

> the ineffectiveness of federalism to foster national integration, stability and constitutionalism in Nigeria was the result of a combination of structural defects and an unwillingness on the part of the politicians to accept its obligations. For federation in-

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volves not only rights but also obligations
of mutual tolerance and self-restraint, which
alone make cooperation and co-existence pos-
sible in a plural society.[146]

The Problems of National Integration

All African states, with the possible exception of

Somalia, are characteristically reminiscent of what M.G.

Smith has called the "differential incorporation of

collectives"[147] of ethnic groups lumped together in

geometrically delineated polities determined solely by

European colonizing powers. Or, as pointed out by

Michael Crowder, the colonial powers lumped "together un-

der the same administration groups of mutually incom-

patible peoples."[148]

The Berlin Conference of 1884-5 had enormous socio-

political ramifications on the African body politic. The

conference provided the forum for the arbitrary

partitioning of Africa by European powers without due

consideration for ethnic affinities that cut across

national boundaries.[149] The partitioning was carried out

only to meet the convenience of the European powers.[150]

It is an action often referred to as the primary cause of

some contemporary problems in African states:

(I) The perennial problem of irredentism among

African states is a direct result of how the European

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partitioning of Africa was carried out.[151] The territorial boundaries bequeathed by the colonial powers were generally accepted as "a tangible reality"[152] by the Organization of African Unity (OAU).

(II) Although the partition of Africa was not opportunistically designed to accentuate ethnic demands for self-determination, the European creation of "Syncretic Societies"[153] has continued to provide justification for secession, and other demands for the principle of self-determination, as a means to extricate dissatisfied ethnic groups from encapsulated polities.[154]

(III) The European partitioning of Africa into states with mutually antagonistic groups has resulted in the exacerbation of rivalries, antagonisms, border skirmishes and a feeling of exasperation among the ethnic groups.[155]

Finally, (IV) the division of Africa, particularly into a mosaic of Lilliputian states, and their consequent integration into the world capitalist system, has been argued as the basis for their underdevelopment and vulnerability.[156]

Given the composite nature of the African states, the European colonizers did very little to address the titanic problem of national integration during their

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terminal rule. As pointed out by Androp:

> Colonialism all over Africa, rather perpetuated
> and accentuated ethnic separatism, and left
> African countries at independence with immense
> problems of national integration, of diversity,
> and waning loyalties from ethnic and linguistic
> groups or community to the larger unit -- the
> independent states.[157]

Because of the apparent neglect of the European
colonizers, it is no surprise that the "political land-
scape of the new Africa is littered with the debris of
abandoned integration schemes."[158]

At independence, one of the most intractable prob-
lems facing the emerging leaders of African states was
how to "establish and maintain a modicum of national
identity" out of the congeries of their linguistic and
ethnic communities.[159] Coleman and Rosberg have also
pointed out that, in the independent African states, "the
problems of integration are the major issues and obsta-
cles in the task of nation-building, which is itself the
primary preoccupation of the leadership of the new
states."[160]

What is national integration? To what extent has
the problem of national integration contributed to the
calamity of parliamentary politics in Nigeria?[161]

National integration, as a subject of political
inquiry, has attracted a variety of interpretations.[162]

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It "is now widely used to cover an extraordinarily large range of political phenomena."[163] Conceptually, the term "national integration" generally conveys a systematic process of how individuals within a polity relate to one another and their government. It also explains the phenomena of a shared sense of nationality, of communication, and of social interaction within a plural society. According to Weiner, political integration is "the process of bringing together culturally and socially discrete groups into a single territorial unit and the establishment of a national identity."[164] The term "integration," according to Weiner, presupposes the existence of "an ethnically plural society in which each group is characterized by its own language or other self-conscious cultural qualities."[165] In an ethnically diverse society, "national integration contemplates the creation of higher loyalties that supersede parochial loyalties to sub-national communities, tribes, language groups, or regions."[166]

Professor Ali A. Mazrui[167] has argued that the problem of national integration in Africa has two dimensions: the horizontal social identification and the vertical identification. The former implies not only "the capacity to see oneself as a full citizen, or full member

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of the social group," but, also, it has a deterministic implication of defining the relationship "between a man and his neighbors in the same society."[168] On the other hand, the latter, "vertical identification" defines the relationship "between a man and his rulers as a group of people entrusted with the operation of the authority structures of the group."[169] The social ramifications of the two identification problems were summed up by Mazrui when he wrote:

> In new societies the problem of horizontal identification is, therefore, very often a problem of fragile national identity, an inadequate capacity among members of the population to see each other as compatriots in the same country. Vertical identification, on the other hand, is basically an issue of legitimacy, raising the question of how far the population under a given government or a given authoritative structure has internalized submission to that government on the basis of unconscious volition.[170]

Professor Claude Ake has also pointed out that the problem of political integration is a shorthand expression, or a manifestation of two related problems: (1) how to elicit from the subjects deference and devotion to the claims of the state; (2) how to increase normative consensus governing political behavior among members of the political system.[171]

Thus, the essence of political integration entails the development of a common set of shared political

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values or attitudes among the disparate components of the society necessary to sustain the political process.

Political culture has been defined as a "set of attitudes, beliefs and feelings about politics current in a nation at a given time."[172] Attitudinally, political culture is manifested in the cognitive, affective, and evaluational orientations of the people towards political objects.[173] These objects have three dimensions: (1) specific roles or structures, such as legislative bodies, executives or bureaucracies; (2) incumbents of roles, such as particular monarchs, legislators, and administrators; and (3) particular public policies, decisions, or enforcements of decisions.[174] These structures, incumbents, and decisions can also be distinguished in terms of their relevance to the political process either in the "input" process (the flow of demands from the society into the polity) or the "output" process (the conversion of these demands into authoritative policies).[175]

Nigeria has not evolved a "pan-Nigerian political culture,"[176] that is, a shared or common attitude towards political objects. At a national seminar on "Perspectives on Nigeria's Political Culture from 1000 AD to Date," organized by the Kaduna State Council for Arts

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and Culture in 1981, participants concluded that:

> The modern political culture of Nigeria...is an amalgam of the political cultures of the indigenous traditional rulerships, the caliphat systems of Kanem -- Borno and Sokoto, the colonial rule, the parliamentary system of the first Republic, the military regime of Ironsi, Gowon, Murtala, Mohammed/Obasanjo, the new presidential form of government including various aspects of their norms and values as reflected in the political behaviour of those in power. These together continue to influence our concept of authority within the contemporary political culture.[177]

The gestation of ethnic stereotyping among the various ethnic groups in Nigeria tends to reinforce an attitude of mistrust, resentment and non-cooperation among the groups -- a situation that worked to the advantage of the colonizing power with its policy of divide and rule. Mallam Abubakar Imam, a leading Northerner, said in 1949: ·

> We despise each other...we call each other ignorant, the South is proud of Western knowledge and culture; we are proud of Eastern [culture]...To tell you the plain truth, the common people of the North put more confidence in the white man than in...their Southerner brothers...[178]

The apparent neglect of the British to promote the spirit of unity or esprit de corps among the various ethnic groups was pointedly illustrated by Margery Perham when she wrote that Lugard's "task...was to unify administrations not peoples."[179] The same type of atti-

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tude seemed prevalent among Lugard's successors. And all these led not only to the inevitable "crisis of empathy"[180] among the various ethnic groups in Nigeria, but marginalized the extent of inter-ethnic interactions.

The attitude of treating one ethnic group as "foreigners" or "interlopers" within the same country, coupled with a marginal degree of social interaction manifested in the social isolation of one resident ethnic group in another ethnic environment, strengthened the bedrock of hostility, suspicion and mistrust among the groups. As pointed out by Claude Ake,

> if the different cultural entities within the political system are so profoundly dissimilar that they cannot `communicate' with one another, mutual trust and a sense of collective identity cannot develop. The essential preliminary for political integration is the broadening and intensifying of `social communication.'[181]

We can examine the problems of political integration and its effects on the parliamentary process or politics in Nigeria by examining how Nigerians relate to one another politically.

Within the realm of electoral politics, the idiosyncratic pattern of voting among Nigerians reflected two modes of what can appropriately be referred to as the symmetrical and asymmetrical voting patterns. A symmetrical voting pattern exhibits a consistent and

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uniform electoral behavior, manifested in an unbroken electoral support for a given political party vis-a-vis the other existing political parties over a long period of time (see Table 9).

Within each of the encapsulated regional units of the North, East and West, of the Nigerian Federation of the First Republic, major dominant political parties were developed which came to represent the socioeconomic interests of the dominant ethnic groups. The NPC, NCNC and the Action Group became synonymous with both the government and the regions of the North, East and West respectively. What we find in a symmetrical voting situation of the First Republic was a kind of "compartmentalized solidarities"[182] behind the dominant parties in each of the regions of the Federation. The people consistently voted for the same political party at the regional and federal levels of government to the extent that an electoral challenge to each of the dominant political parties became almost an impossibility. However, the Action Group support among the Yorubas was weak in comparison with the support the Ibos gave to the NCNC. The Ibo people had been branded as the most tribalistic group for their primordial support for the NCNC or, more specifically, for not diversifying their poli-

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tical outlook vis-a-vis the Yorubas.[183]   Most of the
seats won by the Action Group in the East were primarily
from the minority areas of the region, while the NCNC
made a spectacular electoral showing in Yorubaland.[184]

Basically, two factors underlined the symmetrical
voting pattern during the First Republic: (I) the nature
of the political parties, and (II) the fear of domination
by one ethnic group over the other. James O'Connell put
forward what he described as an "appropriate
classification of the Nigerian parties" when he referred
to them as "parties of communal integration."[185]
According to O'Connell, political parties in Nigeria gave
the "communities the sentiment of being represented and
it is through them that the communities are integrated
into the play of national and regional politics."[186]

Again, when political parties depend on what Clif-
ford Geertz has called the "primordial loyalty"[187] of a
particular ethnic group to survive politically, as was
the case in Nigeria during the First Republic, the abil-
ity to attract a strong followership, beyond their encap-
sulated ethnic niches, is not only hampered but such
"communal framework also sharply limits freedom in
altering political allegiances."[188] A stable political
process can hardly be maintained in a complex society

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without the requirement of what David B. Truman has called "multiple memberships"[189] within the various political organizations in the polity. Similarly, as pointed out by Seymour M. Lipset, "the chances for stable democracy are enhanced to the extent that groups and individuals have a number of crosscutting, politically relevant affiliations."[190]

One of the inevitable consequences of the British administrative policies in Nigeria was the "ossification of regional separation"[191] which marginalized the perspectives of the Nigerian political parties.

The NCNC and the Action Group were much more "national" in their territorial spread and attracted membership from all over Nigeria. In contrast, the Northern People's Congress has been described as "a product of an avowed cultural organization for `Northerners.' The extreme, uncompromising and obscurantist provincialism of the party is only too clear from its unchanging name throughout its existence."[192] Ironically, the NPC, with its membership apparently "restricted" to the North, dominated the national politics of the First Republic. Under the Nigerian parliamentary system with its politics of winner-takes-all, the "national" government of the First Republic could not avoid the usual

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frailty of authority characteristic of many African states because of its tenuous support base. Most African states maintain a semblance of what K.J. Holsti has described as "conditional viability," that is, according to him, "they can exist only with the minimal support of all groups within their boundaries."[193] The marginality of the popular support base of African regimes often encourages leaders to seek new political order through one-party system, as a "strategy of political engineering"[194] designed to broaden the support base and legitimacy of such regimes. Thus, systems are designed, redefined and sometimes institutionalized as "necessary" steps to counterpoise divisive tendencies within the polity.

The politicization of ethnicity which began under British colonial rule did not end with independence. Ethnicity became an important instrument of mobilization in the hands of the three dominant political players of the First Republic, viz: Bello (NPC), Azikiwe (NCNC), and Awolowo (AG). As pointed out by Professor Ayandele, the Nigerian political leaders "built up their followerships on the fulcrum of tribal jingoism in order to win immediate personal gains which were to be ultimate ruin to Nigeria."[195]

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The persistent utilization of ethnicity by the Nigerian politicians became more noticeable in the electoral game of politics under three basic rules: (I) mobilizing the totality of their cultural clientele; (II) soliciting the support of minorities, whose immediate fears were governed by the culturally dominant group within the region where they were situated; and (III) seeking social and cultural fissures within the other two major groups.[196]

The symmetrical voting pattern during the First Republic did not necessarily mean that a party -- with the exception of the NPC party, which restricted its membership to a particular region -- could not attract votes from another region. But, the suggestion here is that the sum total of such votes would not generally be sufficient to unseat a dominant party from power. As we have pointed out before, in Nigeria during the First Republic, ethnic identity was generally believed to correlate with political party membership. In other words, an Ibo man would presumably be a member of the NCNC party from the East or Midwest. The complementarity of ethnicity and political party membership underlines the saliency of the former in Nigerian politics. As Wolfinger has indicated, "the most powerful and visible

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sign of ethnic political relevance is a fellow's ethnic name at the head of the ticket, evident to anyone who enters the voting booth."[197]

The fear of domination is another fundamental factor underscoring not only the persistent pattern of voting by Nigerians for a particular political party dominated by a particular ethnic group, but also responsible for the politicization of ethnicity in Nigeria. By domination, I mean political domination, manifested in the control of the machinery of the state. We have already noted that it is the character of the Nigerian state that has created a cut-throat struggle for power among the dominant ethnic groups. The control of the government as an authoritative instrument of the state, by one ethnic group or a combination of ethnic groups to the exclusion of others, has the tendency of undermining the acceptability of the government by those ethnic segments not included in government.[198] Again, because of the character of the state in a developing polity like Nigeria, its role is crucial in meeting the rising expectation of the people. And whosoever is in control of the government is better placed to manipulate the instrumentality of the state to dominate and exploit. "Perhaps the most notable effect of colonial rule on our

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evolving political culture," wrote Professor Ajayi, "was the notion that the purpose of government is to exploit the governed and that it behooves all those wishing to avoid being exploited to seek control of the government."[199]

An element of fear of political domination is equally reflected in the formation of political parties in Nigeria. As pointed out by Crawford Young, "the dialectic of fear quickly produced a triangular pattern; Yoruba fears of Ibo domination produced the AG; Northern fears of Southern domination gave birth to the NPC."[200] Unfortunately, it is this fear reflex among Nigerians that led to their civil war, 1967-1970.[201] Also, the fear of domination further compounded the uncertainty about Nigeria's political future as an independent sovereign state. And this resulted in the mobilization of ethnic sentiment behind each of the major dominant parties. According to Crawford Young, it is "the sheer drama of competitive elections, the uncertainties concerning what independence would really be like, and the pervasive fears of domination resulted in the politicization of ethnicity."[202]

Ethnic loyalty or solidarity, clustering around the major political parties, was generally the result of fear

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of the ethnic group controlling the government as an authoritative instrument empowered with the public dispensation of job opportunities and social amenities. As Morton Grodzins said, "One is loyal to the groups that provide gratifications because what serves the groups serves the self; what threatens the group threatens the self."[203]

An asymmetrical voting pattern is obviously a departure from the mode of voting exercised under the symmetrical pattern in the sense that the people (voters) may vote for two different political parties at the regional and federal levels of government. The asymmetrical voting pattern may well represent, in a plural society, a triumph over the dominant singularity of ethnic issues in the choice of a political party or candidate during an election. Under the symmetrical voting pattern, an appeal to primordial sentiment was not the only reason for the success of the political parties in power but, in Nigeria's experience, such parties have always adhered to the basic idea echoed by the Deputy Premier of Western Nigeria, Chief Fani Kayode, that "whether you vote for us or not, we will remain in power."[204] No government was unseated during the First Republic without military intervention.

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Under both the symmetrical and asymmetrical voting patterns, according to Downs' theory, the people (voters) have to make a rational decision based on the benefits they expect to derive from the implementation of the policies espoused by the political parties should any one of them win.[205] The people voting for a particular party or candidate on the basis of ethnic consideration do so because of the facts we have already mentioned. However, under the asymmetrical voting pattern, we may assume that the people tend to look beyond ethnic consideration to other variables such as the character of the party, its leadership, its ideology and the competence of the party to deliver its electioneering promises.

During Nigeria's First Republic, ethnicity was an important deterministic factor in the outcome of regional and national elections.[206] And this had made it possible for the same political parties controlling the regional governments in the North, East and West to maintain their dominant presence at the federal level.

The ethnic support base for the political parties of the First Republic also stymied their development towards truly national parties and the process of national integration. A national integration process, as pointed by Professor Mazrui "is not only a partialization of

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older affiliations" but "a quest for a new kind of total identity" and in this endeavor, the "success comes when partially eroded group-personalities coalesce to form a new national identity."[207] Perhaps this aspect is still missing in Nigeria. And, within the ethnic diversity of the Nigerian polity, if democracy is to survive at all, the people "need to find social and psychological sustenance within its framework."[208]

Conclusion

The Lugardian concept of dual mandate explains the whole essence or rationality of the British colonial rule in Africa.[209] Specifically, the concept of dual mandate is predicated on the mutuality of interests between the colonized and the colonizers. For example, dual mandate is the rationalization for the British quest for self-interest. Its protagonist, Lord Lugard, admitted as much when he said, "European brains, capital, and energy have not been, and never will be expended in developing the resources of Africa from motives of pure philanthropy" and that the European scramble for colonies in Africa was for the "mutual benefit of her own industrial classes."[210]

The European apologia for the acquisition of colo-

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nies in Africa had been, from the beginning, disguised under the catch phrase of _mission civilisatrice._ But there was a definite credibility gap between what could have been the excusable European desire for African colonies, as a means to "civilize" Africans, and the actual motive for such an undertaking. It is obvious that the overall interests of the colonized people are generally subordinated to the interests of the colonial rulers.

To the European colonizer, even as the chief bene- factor, colonial rule has been regarded as a burden of humanistic obligation. Their role has been seen as guides to the colonized people, "in their progress to a higher plane"[211] of development. Or, more specifically, as Lugard puts it:

> ...the civilized nations have at least rec- ognized that while on the one hand the abound- ing wealth of the tropical regions of the earth must be developed and used for the benefit of mankind, on the other hand an obligation rests on the controlling power not only to safeguard the material rights of the natives, but to promote their moral and educational progress.[212]

The British colonial administration was, presumably, a tutorial system. In other words, the colonial environment was reminiscent of an institutional enclave of teaching and learning, particularly in the democratic

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process.[213] If parliamentary democracy faltered in Nigeria, therefore, could it be because of the way the colonial British taught their students? But how democratic could the colonial administration afford to be in order to sufficiently prepare the colonized people in the governing of themselves democratically?

It has been pointed out that "colonial rule was obviously a poor classroom for the techniques of democracy"[214] and definitely ill-suited for the propagation of the principle of self-determination because "the system of rule was authoritarian and dictatorial."[215] A similar observation has been made by Ruth First that "if there was any training and adaptation before independence, it was schooling in the bureaucratic tools of colonial government, a preparation not for independence, but against it."[216] First also maintains, however, that it could not be otherwise because colonialism was based on authoritarian command and therefore incompatible with any preparation for self-government. According to another Africanist scholar, Margery Perham, the "British Africa's resources for nation-building, for immediately successful independence and, above all, for democracy are very deficient."[217] Professor Ake has also pointed out that the European colonial rule was an "antithesis of

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democracy, for it was premised on the usurpation of self-determination."[218]   European colonial rule was, then, a rule of incompatibility, for the simple reason that "one could not be a colonizer and a democrat at the same time" because "if the colonizers allowed popular participation in government, colonialism would automatically end."[219]

The British colonial rule in Nigeria lasted for about sixty-one years[220] and it was not until the tail end of its rule that the British began to allow a modicum of what amounted to an experimental process of democratic practices.[221]

The praetorian nature of the colonial rule was totally dysfunctional to the political socialization process of the colonized people because, "it brought about an incongruence and a dissonance between acquired attitudinal dispositions and the institutional structure which finally emerged from the `transfer' process."[222] Additionally, in explaining the impact of colonialism on the process of political socialization, Dudley wrote that:

> On one hand, it left with the nascent political elite a role profile of political leadership cast in an elitist mold and created political structures calculated to foster in the elite particularistic values. On the other hand, while creating institutions whose operating principles demanded a participant and

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responsive political culture, it socialized the local population into a subject and passive behavioral disposition. As an inheritance, nothing could be more conflict generating.[223]

The European colonial rulers cannot exonerate themselves from the failure of democracy in their ex-colonial states, because as pointed out by Werner Levi,

it was the legacy of the colonial powers, more because they preached [democracy] than they practiced it. Only some rudiments of parliamentary government had been established by some of the colonial powers, but apparently just enough to create some corresponding habits and vested interests to build upon when independence came...[224]

It has also been argued that "a political system cannot be abstracted from its cultural context and then transferred in general form to a strange culture in the expectation that it will flourish on the strength of its own laws and inherit merits."[225] The transplantation process of parliamentary democracy was undertaken without due consideration for the nature of African states. According to L.C.B. Gower, "if one is proposing to sow the seed elsewhere an obvious first step is to carry out a careful survey of the soil and climate of both countries." He concludes that "the delicate seed of parliamentary democracy was planted in Africa without any such survey."[226]

Monopoly of the apparatus of state by one ethnic

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group in a plural society like Nigeria is potentially very dangerous. The resultant effect of the zero-sum game politics during the First Republic was vividly illustrated by Larry Diamond when he wrote, "no nation has come more graphically to symbolize the political explosiveness and human tragedy of competitive ethnic mobilization than Nigeria in its decade of independence."[227]

During the life span of their occupation of Nigeria, the British had become an enthusiastic defender of dyed-in-the-wool conservatism and a protector of the verdant political outlook of the North and its leaders. To Chief Awolowo, the British bequeathed to Nigeria what amounted to a "paradoxical heritage of good and evil" legacies. As he pointed out,

> on their departure, the plants of public order
> were in the process of being choked by the
> weeds of insensate intolerance. The forces of
> progress were deliberately subordinated to the
> dead-weight of decadent and unsophisticated
> reaction and the country, though politically
> emancipated, was firmly held in leash by for-
> eign economic interests.[228]

It has also been argued that the Westminster model of democracy "has been the most sought after of the British's exports to the commonwealth"[229] partly because it has enjoyed admiration of African politicians. However, despite adoption of the Westminster model by the

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African political elites, the fact of the matter is that colonial rule itself is a negation of any opportunity of choice that may have presented itself to the colonized people vis-a-vis the Westminster model. Nonetheless, as has been said, "as a matter of fact, it is a declared policy of the British that no colony can be considered ready for self-government until it has made parliamentary democracy a political reality."[230]

The demise of parliamentary democracy in Nigeria is the result of the congenital defect of its structural foundation, the phenomena of British colonial rule, and more importantly, the arbitrary imposition of parliamentary rule, which defied the sociological reality of its ethnic pluralism. The glorification of Nigeria as a model of democracy in Africa actually belied the reality of its heritage. According to Stanley Diamond,

> Nigeria has been a prime example of our denial of African realities. As an anchor of British sovereignty in West Africa, as the arena for the most comprehensive colonial experiment of indirect rule, as the most populous and heterogenous of the emerging African nations, Nigeria was celebrated as the model of colonial success...Nigeria's `moderation,' the vaunted `conservatism' of Northern leadership, the well-publicized `democratic character' of the coalition have all been political myths sanctioned by legal and constitutional documents. For the fact is, that the majority of Nigerians did not participate effectively in their government under the cloak of tradition, which was little more than a heritage of domestic conquest, the Northern leadership

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utilized every conceivable political weapon to maintain its power. Nigeria, held together in an absurd and corrupt coalition, had forfeited that vanguard role that ordinary Africans, within and beyond its borders, had logically anticipated. In reality, Nigeria was the very model of a colonial failure; for Africa, the critical model.[231]

One of the tragedies of Nigeria's political history is the failure of its leaders to thoroughly perceive the reality of the nation's social formation, and their own preoccupation with parliamentary democracy. But, if on one hand the failure of parliamentary democracy can be attributed to what Nigeria inherited from her past, on the other hand, the political elite of the First Republic finally performed the role of gravediggers and buried the system.

In 1947, Chief Awolowo wrote, in _Path to Nigerian Freedom_, that "Nigeria is not a nation. It is a mere geographical expression,"[232] and, again, in 1968, undaunted about his view of the country, wrote in _The People's Republic_,

The so-called common Nigeria nationality ...is a complete misnomer, as there is no such thing as a Nigerian nation anyway -- is a veneer or facade consciously or unconsciously put up by some Nigerians to cover up what many of their fellow men see quite plainly as rabid nationalism.[233]

In contrast to Chief Awolowo's conceptual view of Nigeria, the Nigerian Governor-General (later Presi-

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dent), Dr. Azikiwe, offered a fundamentally different opinion:

> the British came in 1851 and found us hope-
> lessly divided in tribal compartments. When the
> British transferred power to us on 1st October,
> 1960 we were no longer an expression of geogra-
> phy but a reality of history...We have
> crystallized common nationality.[234]

Despite the purported crystallization of common na-
tionality in Nigeria, the fact of the matter is that the
First Republic collapsed under the gravitational pull of
ethnic politics that marginalized national consciousness
and stifled a sense of accommodation among the potpourri
of the Nigerian ethnic groups. A sense of common
nationality is a rarity among the Nigerian elite of the
First Republic. "For the new elite at the time of inde-
pendence," wrote Bretton, "Nigeria primarily represented
not a society in which one believed `with passionate
conviction,' but one which was more of a vehicle for
personal advancement."[235]

Another inconsistency one finds among the Nigerian
leaders is the rhetorical exaltation of the untested
system of parliamentary democracy prior to the formal
surrender of political power to Nigerians by the Brit-
ish. While acknowledging the principle of tolerance as
a necessary prerequisite for the development and survival
of democracy, the first Prime Minister, Alhaji Tafawa

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Balewa, disabused the notion that parliamentary democracy could not survive in the colonies because of differences in historical experience, and the innate qualities that separate the British supplier of parliamentary democracy from her colonial receivers.[236]

It is ironic that the same Prime Minister later indicted his own political class for its failure to make democracy tailor-made to the Nigerian social reality. In his last interview, before being kidnapped and later killed in 1966, the Prime Minister said,

> I have told people all along that we are not ripe for a system of government in which there is a full-fledged opposition. In Nigeria, no party can agree to be in opposition for long. A political opposition in the Western accepted sense is a luxury that we cannot afford. You see, today in Parliament -- there the MPS are performing ... some of the duties of an opposition...Let them criticize; let them condemn this government -- let them say anything they like. The trouble is that the Nigerian member of Parliament wants to criticize the government and to be in it at the same time. Democracy, democracy -- what is it? There is American democracy, British democracy -- why not Nigerian democracy? I wish we could find that.[237]

Nigerian parliamentary democracy was built on mutual exclusivity of ethnic interests and thus deprived its leadership of the will to act in a manner conducive to the survival of the system.[238]

Perhaps it was the failure of the Nigerian leaders

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to appreciate the realities of their own society, vis-a-vis the British society, that made them philosophically Anglophilia. The political leaders characteristically became "Windsowers" by imitation and ignorance. As pointed out by Professor Ayandele:

> The Windsowers were ideologically barren as they were politically mischievous because it never occurred to them to examine and under stand in historical perspective the Western concepts and institutions they quixotically and naively thought should be applied in Nigeria. Thus none of them had understood the concepts of tolerance and Westminster-type parliamentary democracy as logically necessarily connected with evolution of political stability in Britain, which concepts became part and parcel of the British after a slow process lasting more than two hundred years. More of them questioned the obvious inapplicability of such Anglo-Saxon concepts to the entirely different Nigerian scene, where the vast majority of the population do not have the vaguest idea of the context of evolution of the two-party system, the concept of an official `opposition,' and the virtues of the ballot box in English society for which these concepts were conceived. Nor were the Windsowers equipped for creative and constructive study of indigenous concepts of politics, law, constitution, authority, power and so on which had worked very well in states and empires before the British colonial intrusion, with the aim of examining these for adoption to a society that has not entirely turned its back to its rich cultural and political heritage For the Windsowers had been brought up in schools in Nigeria and abroad with the intention that they should be ignorant and contemptuous of the Nigerian past and heritage.[239]

The demise of parliamentary democracy in Nigeria,

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then, is a product of her past colonial heritage, compounded by the bankruptcy of the political class to observe "the conventions or rules on which the operation of Western democratic forms depend" and which ironically "have no roots in Nigerian experience and social conditions."[240]

The survivability of democracy in Nigeria depends on how the political class is able to adapt the process to meet some of the exigencies of the local social formation. As Melson and Wolpe have indicated:

> Political arrangements must be found which accord to all communal groups a meaningful role in national life and which are able to keep communal conflict within manageable bounds. The stability of culturally plural societies is threatened not by communalism, per se, but by the failure of national institutions explicitly to recognize and accommodate existing communal divisions and interests.[241]

To accomplish the type of accommodationist goal necessary for the survival of democracy in a plural society like Nigeria will entail a conscious recognition among Nigerians that their own democracy is a "developmental democracy" which must synthesize "all that has been learned from the many experiments with simpler types."[242] Recognition of this developmental nature may not be sufficient guarantee of its survival, unless there is "a firm consensus among Nigerians that their several

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destinies would be best served by working together."[243]
This is the survivability caveat if democracy is to
blossom in Nigeria.

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Notes

[1] Stanley Diamond, _Nigeria: Model of Colonial Failure_ (New York: American Committee on Africa, 1967), 1-11.

[2] C.S. Whitaker, "Second Beginnings: The New Political Framework" in _Perspectives on the Second Republic in Nigeria_ ed. C.S. Whitaker Jr., (Massachusetts: Crossroads Press, 1981), 2.

[3] Kalu Ezera, _Constitutional Development in Nigeria_ (Cambridge: Cambridge University Press, 1964), 259.

[4] Obafemi Awolowo, _The People's Republic_ (Ibadan: Oxford University Press, 1968), 92.

[5] Obafemi Awolowo, _Thoughts on Nigerian Constitution_ (Ibadan: Oxford University Press, 1966), 146.

[6] Ibid, 146.

[7] Sam Epelle, ed. _Nigeria Speaks_ (Ikeja: Longmans of Nigeria Ltd., 1964), 39. The emphasis is mine.

[8] Basil Davidson, _Can Africa Survive? Arguments Against Growth Without Development_ (Boston: Little, Brown and Company, 1974), 36.

[9] Stanley Diamond, _Op.cit._

[10] James O'Connell, "The Inevitability of Instability" _Journal of Modern African Studies_ Vol 5, No 2, (1967), 181-191.

[11] Rupert Emerson, "Crucial Problems Involved in Nation-building in Africa" _Journal of Negro Education_ Vol XXX, No 3, (Summer 1961), 195.

[12] Flora Shaw, who later became Lady Lugard, was the wife of Lord Lugard, the man who was instrumental in the unification of the Northern and Southern protectorates in 1914. Also see A.H.M. Kirk-Greene, "Who Coined the Name `Nigeria'?" _West Africa_ December 22, 1956.

[13] See Coleman, _Nigeria: Background to Colonialism_, 44.

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[14]Michael Crowder, <u>The Story of Nigeria</u> (London: Faber and Faber, 1978), 172; and Coleman, <u>Nigeria: Background to Nationalism</u>, 44.

[15]Coleman, Ibid, 45.

[16]Dudley, <u>Instability and Political Order</u>, 22.

[17]Ibid, 23.

[18]Ibid, 23-4.

[19]Ibid, 24.

[20]Nwabueze, <u>A Constitutional History of Nigeria</u>, 79.

[21]Awolowo, <u>The People's Republic</u>, 18.

[22]Awolowo, <u>Thoughts on Nigerian Constitution</u>, 3.

[23]Awolowo, <u>The People's Republic</u>, 7. I should point out that with the exception of the Egba United Government, other units were directly under the control of the British.

[24]For a more detailed account of the amalgamation issue, see A.O. Anjorin, "The Background to the Amalgamation of Nigeria in 1914" <u>Odu</u> Vol 3, No 2, (January 1967), 72-82; Margery Perham, <u>Native Administration in Nigeria</u> (London: Oxford University Press, 1962), 61-80; A.H.M. Kirk-Greene, <u>Lugard and the Amalgamation of Nigeria: A Documentary Record</u> (London: Frank Cass and Co. Ltd., 1968); N.R. Crocker, <u>Nigeria: A Critique of British Colonial Administration</u> (London: George Allen and Unwin Ltd., 1936); and Lord Lugard, <u>The Dual Mandate in British Tropical Africa</u> (london: Frank Cass and Co. Ltd., 1965).

[25]Coleman, <u>Nigeria: Background to Nationalism</u>, 46.

[26]Crowder, <u>Op.cit.</u>, 196.

[27]Ibid.

[28]Magubane, <u>op. cit.</u>; 544. K.W.J. Post, like Magubane, also faulted the colonizing power for not promoting a "sense of transcending loyalties" among the hotch-potch of people brought together. See his article, "Is There a Case for Biafra?" <u>International Affairs</u> Vol 44, No 1, (January 1968), 28.

[29]Kirk-Greene, <u>Lugard and the Amalgamation of Nigeria</u>, 12.

[30]Coleman, _Nigeria: Background to Nationalism_, 45.

[31]See Margery Perham's "Introduction" to Joan Wheare, _The Nigerian Legislative Council_ (London: Faber and Faber Ltd., 1950), x.

[32]Awolowo, _Thoughts on Nigerian Constitution_, 10. The capital letter emphasis is the author's. It has been said too that, "the British did more to unify the country economically than politically." See Schwarz, _Nigeria: The Tribes, the Nation, or the Race -- The Politics of Independence_, 23.

[33]John Hatch, _Nigeria: The Seeds of Disaster_ (Chicago: Henry Regnery Company, 1970), 183.

[34]Perham, _Native Administration in Nigeria_, 326.

[35]Dudley, _An Introduction to Nigerian Government and Politics_, 42-43.

[36]Schwarz, _Op.cit._, 29.

[37]Coleman, _Nigeria: Background to Nationalism_, 322.

[38]J. Isawa Elaigwu and Victor A. Olorunsola, "Federalism and Politics of Compromise" In _State Versus Ethnic Claims: African Policy Dilemmas_ ed. Donald Rothchild and Victor A. Olorunsola (Boulder, Colorado: Westview Press, 1983), 284.

[39]Quoted in A. H. M. Kirk-Greene, "Ethnic Engineering and the 'Federal Character' in Nigeria: Boon of Contentment or Bone of Contention?" _Ethnic and Racial Studies_ Vol 6, No 4, (October 1983), 457-8.

[40]Awolowo, _Thoughts on Nigerian Constitution_, 5.

[41]Lugard, _Op.cit._, 81.

[42]Perham, _Native Administration in Nigeria_, 361.

[43]Margery Perham, "Some Problems of Indirect Rule in Africa" _Journal of the Royal Society of Arts_ Vol LXXXII, No 4252, (1934), 690. Also see Lugard, _Op.cit._, 193-229.

[44]Crocker, _Op.cit._, 211. Also, according to Sklar and Whitaker, "Indirect rule in Northern Nigeria was the offspring of expediency and parsimony," See their "The Federal Republic of Nigeria" in _National Unity and Regionalism in Eight African States_ ed. Gwendolen M. Carter, _Op.cit._, 19.

[45]Margery Perham, "Nigeria's Civil War" In <u>Contemporary</u>
<u>Record</u> ed. Colin Legum and John Drysdale (London: Africa
Research Ltd., 1969), 4.

[46]See Price, <u>Political Institutions of West Africa</u>, 21; B.J.
Dudley, <u>Parties and Politics in Northern Nigeria</u> (London: Frank
Cass and Co. Ltd., 1968), 13. Although Margery Perham has called
the system of indirect rule Lugard's "own invention." See
Perham, <u>Native Administration in Nigeria</u>, 345.

[47]Van den Berghe, <u>The Ethnic Phenomenon</u>, 99.

[48]Crowder, <u>Op.cit.</u>, 199.

[49]Ibid, 51.

[50]Peter C. Lloyd, <u>The Political Development of the Yoruba</u>
<u>Kingdoms in the Eighteenth and Nineteenth Centuries</u> (London:
Royal Anthropological Institute of Great Britain and Ireland,
1971); and Peter C. Lloyd, "The Traditional Political System of
Yoruba" <u>Southwestern Journal of Anthropology</u> Vol 10, No 1,
(Spring 1954), 366-384.

[51]Margery Perham, "Introduction to the Fifth Edition" of
<u>Dual Mandate</u>, xliii.

[52]Post, "Is there a case for Biafra?" 28.

[53]Awolowo, <u>Our People's Republic</u>, 67.

[54]Crocker, <u>Op.cit.</u>, 215.

[55]See Schwarz, <u>Nigeria: The Tribes, the Nation or the Race</u>,
23-36.

[56]See an excellent treatment of the development of
regionalism in Nigeria and its ramifications on Nigerian politics
in Coleman, <u>Nigeria: Background to Nationalism</u>, 319-369.

[57]David Easton, <u>The Political System: An Inquiry into the</u>
<u>State of Political Science</u> (New York: Alfred A. Knopf, 1953),
129.

[58]Dudley, <u>Instability and Political Order</u>, 14.

[59]Harold D. Lasswell, <u>Politics: Who Gets What, When, How</u>
(New York: McGraw-Hill Books, 1950).

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[60]Gavin Williams, State and Society in Nigeria (Idanre, Nigeria: Afrografika Publishers, 1980), 68.

[61]Quoted in Herbert J. Spiro, Politics As the Master Science: From Plato and Mao (New York: Harper and Row, 1970), 2.

[62]Vernon Van Dyke, International Politics (New York: Appleton-Century-Crafts Inc., 1957), 5.

[63]Robert A. Dahl, "What is Political Science?" in American Politics and Government: Essays in Essentials ed. Stephen K. Bailey (New York: Basic Books, 1965), 6.

[64]Lewis, Op.cit., 78.

[65]Electoral politics in Nigeria has become a catalyst for the various chains of negative reaction. The election of 1965 organized by Nigerian politicians produced an immediate military intervention and, finally, a thirty month civil war precipitated by secession of the Eastern Region (as the "Republic of Biafra") from the Nigerian Federation. Again, the 1983 elections precipitated an unsolicited military intervention against the Government of President Shagari. It has been pointed out that "political struggle in Nigeria has tended to promote political disintegration." See Dean E. McHenry, "Political Struggle in Nigeria's Second Republic: The State Creation Issue in the Politics of Cross River State" Journal of Commonwealth and Comparative Politics Vol XXIV, No 2, (July 1986), 131.

[66]Claude Ake, "Off to a Good Start but Danger Awaits..." West Africa May 26, (1981), 1162.

[67]Ibid, 1163. For more on the character of the Nigerian State, see the following: Williams, State and Society, op.cit.; Joshua B. Forrest, "The Quest for State 'Hardness' in Africa" Comparative Politics Vol 20, No 4, (July, 1988), 423-442; Bjorn Beckman, "Whose State? State and Capitalist Development in Nigeria" Review of African Political Economy No 23, (January-April, 1982), 37-51; Otwin Marenin, "The Nigerian State as Process and Manager: A Conceptualization" Comparative Politics Vol 20, No 2, (January, 1988), 215-232; Robert Fatton Jr., "Bringing the Ruling Class Back in Class, State, and Hegemony in Africa" Comparative Politics Vol 20, No 3, (April 1988), 253-264; Robert H. Jackson and Carl G. Rosberg, "Why Africa's Weak States Persist: The Empirical and the Juridical in Statehood" World Politics Vol XXXV, No 1, (October, 1982), 1-24; Segun Osoba, "The Deepening Crisis of the Nigerian National Bourgeoisie" Review of African Political Economy No 13, (May-August, 1978), 63-77; Bjorn

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Beckman, "Political Science and Political Economy" <u>Political Science in Africa: A Critical Review</u> ed. Barongo, op.cit., 101-111; Richard Joseph, "Class, State and Prebendal Politics in Nigeria," <u>Journal of Commonwealth and Comparative Politics</u> Vol. XXI, No. 3 (1983), 21-38; Peter Anyang' Nyong'o, "The Economic Foundations of the State in Contemporary Africa: Stratification and Social Classes" <u>Presence Africaine</u> Nos 127/128, (1983), 187-196; and Joshua B. Forrest, "State Formation in Contemporary Africa and Medieval Europe" An unpublished paper presented at the 84th Annual Meeting of the American Political Science Association, (September 1-4, 1988).

[68]Oyovbaire, "The Tyranny of Borrowed Paradigms," 239.

[69]Ibid, 244.

[70]Ibid.

[71]Ake, "Off to a Good Start," 1153.

[72]Ibid.

[73]Ibid.

[74]Joseph, "Class, State and Prebendal Politics," 130.

[75]James S. Coleman and Carl G. Rosberg, "Conclusions" in <u>Political Parties and National Integration in Tropical Africa</u> ed. James S. Coleman and Carl G. Rosberg. (Berkeley and Los Angeles: University of California Press, 1964), 656.

[76]Ibid, 662-3.

[77]Sklar and Whitaker, <u>Op.cit.</u>, 111-2.

[78]Robert Melson and Howard Wolpe, "Modernization and the Politics of Communalism: A Theoretical Perspective" <u>American Political Science Review</u> Vol XIV, No 4, (December, 1970), 1122.

[79]J.F.A. Ajayi, <u>Milestones in Nigerian History</u> new edition (Essex: Longman Group Ltd., 1981), 37.

[80]Dudley, <u>Instability and Political Order</u>, 75.

[81]Huntington, <u>Political Order in Changing Societies</u>, 195.

[82]Ibid, 83.

[83]Ibid, 196.

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[84]Ibid.

[85]I. Robert Sinai, <u>The Decadence of the Modern World</u> (Cambridge, Massachusetts: Schenkman Publishing Company Inc., 1978), 87, and 97.

[86]See Bernard Crick, <u>In Defence of Politics</u> 2nd ed. (Chicago and London: University of Chicago Press, 1972).

[87]Mulford Q. Sibley, <u>Political Ideas and Ideologies: A History of Political Thought</u> (New York: Harper and Row Publishers, 1970), 1.

[88]The word "politicians" is used here to refer to those who are professionally active in politics as a vocation.

[89]A.S.Y. Androp, "The Nature of Government and Politics in the `Natural' African Environment of Poverty and Tribalism" <u>Presence Africaine</u> No 62, (1967), 110-111.

[90]Barongo, <u>Op.cit.</u>, 145.

[91]Ibid, 144.

[92]Androp, <u>Op.cit.</u>, 107.

[93]Lewis, <u>Politics in West Africa</u>, 79. It has been pointed out that in Nigerian politics, "poverty intensifies the struggle for power among the ruling elite." See H.O. Davies, <u>Nigeria: The Prospects for Democracy</u> (London: Weidenfield and Nicholson, 1961), 84.

[94]Arnold Wolfers, <u>Discord and Collaboration: Essays on International Politics</u> (Baltimore: The Johns Hopkins Press, 1962), 6.

[95]Scott Greer, "Sociology and Political Science" in <u>Politics and the Social Sciences</u> ed. Seymour Martin Lipset (New York: Oxford University Press, 1969), 59.

[96]Forrest, "State Formation in Contemporary Africa and Medieval Europe."

[97]Forrest, "The Quest for State `Hardiness' in Africa," 424.

[98]Gunnar Myrdal, <u>Asian Drama: An Inquiry into the Poverty of Nations</u> Vol 2 (New York: Twentieth Century Fund and Pantheon, 1968), 895-896.

[99]Jackson and Rosberg, Op.cit., 1-24.

[100]Mazrui, "Political Engineering in Africa," 293.

[101]See the following: R.D. Dikshit, "Nigeria, From Federation to the Civil War: A Study in the Dynamics of Federalism" Political Science Review Vol 15, No 1, (January-March, 1976), 27-40; Awolowo, The People's Republic, op.cit.; Awolowo, Thoughts on Nigerian Constitution, op.cit.; S. D. Tansey and D. G. Kermode, "The Westminster Model in Nigeria" Parliamentary Affairs vol XXI, no 1 (Winter 1967/68),19-37; Richard L. Sklar, "Nigerian Political System: Contradictions" Journal of Modern African Studies Vol 3, No 2, (1965), 155-173; B.J. Dudley, "Federalism and the Balance of Power in Nigeria" Journal of Commonwealth Political Studies Vol IV, (March, 1966), 16-29; Nwabueze, A Constitutional History of Nigeria, Op. cit.; Nwabueze, Constitutionalism op. cit.; Uma O. Eleazu, Federalism and Nation-Building: The Nigerian Experience 1954-1964 (Elms Court, Ilfracombe, Devon: Arthur H. Stockwell Ltd., 1977); Eme O. Awa, Federal Government in Nigeria (Berkeley and Los Angeles: University of California Press, 1964); Oyovbaire, Federalism in Nigeria; Sklar and Whitaker, "The Federal Republic of Nigeria,"in National Unity and Regionalism in Eight African States ed. Gwendolen M. Castes, Op. cit; 7-150; Okoi Arikpo, The Development of Modern Nigeria (Baltimore, Maryland: Penguin Books, 1967); and J.A.A. Ayoade, "Federalism in Africa: Some Chequered Fortunes" Plural Societies Vol 9, No 1, (Spring 1978), 3-17.

[102]The Northern Region contained 75% of the land area and over 55% of the total population. See Phillips, "Nigeria and Biafra," 153.

[103]Jide Osuntokun, "The Historical Background of Nigerian Federalism" in Readings on Federalism ed. A.B. Akinyemi, P.D. Cole and Walter Ofonagoro, Op.cit.

[104]Crowder, Op.cit., 243.

[105]Osuntokun, Op.cit., 91.

[106]Ibid.

[107]Ibid.

[108]Ibid.

[109]Ibid.

[110]Ibid.

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[111]Tarlton, Op.cit., 869.

[112]Thomas M. Franck, ed. Why Federations Fail (New York: New York University Press, 1968), 191.

[113]B.O. Nwabueze Federalism in Nigeria Under the Presidential System (London: Sweet and Maxwell, 1983), 382.

[114]Ibid, 383.

[115]Ibid.

[116]Dudley, "Federalism and the Balance of Power in Nigeria," 16-29.

[117]Wheare, Op.cit., 50.

[118]Awolowo, The People's Republic, 70. Also see Awolowo, Thoughts on Nigerian Constitution, 161.

[119]Dudley, Parties and Politics in Northern Nigeria, 288.

[120]Luckham, op. cit., 208. Tansey and Kermode have also pointed out that, "the boundaries of the federation were deliberately maintained to ensure Northern dominance." See Tansey and Kermode, op. cit., 35.

[121]James O'Connell, "The Fragility of Stability: The Fall of the Nigerian Federal Government" in Protest and Power in Black Africa ed. Robert I. Rothberg and Ali A. Mazrui (London: Oxford University Press, 1970), 1017.

[122]Bello, Op.cit., 19.

[123]Coleman, Nigeria: Background of Nationalism, 388.

[124]Ibid.

[125]Azikiwe, Zik: A Selection From the Speeches of Nnamdi Azikiwe, 108.

[126]Awolowo, Awo, 160-212; Awolowo, Thoughts on Nigerian Constitution 23-105; Awolowo, The People's Republic, 61-71, and 230-252.

[127]Bello, Op. cit.; Also see Bruce, Op. cit.; 111-139.

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[128]Nwabueze, _A Constitutional History of Nigeria_, 154.

[129]The British Government had made it clear that the creation of more regions would delay the transfer of power. The principle of fundamental human rights was entrenched in the Constitution to protect the minorities from the fear of political domination by the dominant ethnic groups.

[130]Awolowo, _Awo_, 207.

[131]Franck, _Op.cit._, 180.

[132]Dame Margery Perham, "Reflections on the Nigerian Civil War" _Journal of International Affairs_ Vol. 46, No. 2 (April 1970), 232.

[133]See A. Bamisaiye, "Ethnic Politics as an Instrument of Unequal Socio-Economic Development in Nigeria's First Republic" _Africa Notes_ Vol 6, No 2, (1970), 94-106; Stephen O. Olugbemi, "The Ethnic Numbers Game in Inter-Elite Competition for Political Hegemony in Nigeria" in _Culture, Ethnicity, and Identity Current Issues in Research_ ed. William C. McCready (New York: Academic Press Inc., 1983), 265-281; R. Ayo Dunmoye, "Ethnic Ideology, Bourgeois Democracy and Nigerian Politics" _Journal of Ethnic Studies_ Vol 12, No 1, (1984), 123-137; Okwudiba, Nnoli, _Ethnic Politics in Nigeria_ (Enugu, Nigeria: Fourth Dimension Publishing Co. Ltd., 1980); and Larry Diamond, "Class, Ethnicity, and the Democratic State: Nigeria, 1950-1966" _Comparative Studies in Society and History_ Vol 25, No 3, (July 1983), 458-489.

[134]Shridath S. Ramphal, "Keynote Address" in Akinyemi, Cole and Ofonagoro, _Op.cit._, XIX. Also see Franck, _Op.cit_.134.

[135]Walker Connor, "Nation-Building or Nation-Destroying?" _World Politics_ Vol XXIV, No 3, (April 1972), 353.

[136]Ahmadu Bello was the national leader of the NPC and the Prime Minister. Sir Tafawa Balewa was his deputy.

[137]See Takena N. Tamuno, "Separatist Agitations in Nigeria" _Journal of Modern African Studies_ Vol 8, No 4, (December 1970), 563-84.

[138]For detailed analysis of the causes and prosecution of the Nigerian Civil War, see: John de St. Jorre, _The Nigerian Civil War_ (London: Hodder and Staughton, 1972); Ola Balogun, _The Tragic Years: Nigeria in Crisis 1966-1970_ (Benin City: Ethiope Publishing Corporation, 1973); Olusegun Obasanjo, _My Command: An_

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Account of the Nigerian Civil War, 1967-70 (Ibadan, Nigeria: Heineman, 1980); and John J. Stremlau, The International Politics of the Nigerian Civil War, 1967-70 (Princeton: Princeton University Press, 1970).

[139]A. Bolaji Akinyemi, "National Unity Within the Context of Regional Relations: in The Nigerian Experience" in The Search for National Integration in Africa ed. David R. Smock and Kwamena Bentsi-Enchill (New York: The Free Press, 1976), 69-70. Also see Bello, Op.cit., 228-9.

[140]Dikshit, Op.cit., 33.

[141]Jinadu, "Federalism, the Consociational State," 98.

[142]Essien Udom, "Nigeria: From Colony to Nationhood" Afriscope Vol 2, No 1, (1972), 33. The capitalized emphasis is the author's.

[143]Ayoade, "Federalism in Nigeria," 6.

[144]Eleazu, Op.cit., 251. Also see Nwabueze, A Constitutional History of Nigeria, 147-160; Nwabueze, Constitutionalism, 111-138; Donald Rothchild, "The Limits of Federalism: An Examination of Political Institutional Transfer to Africa" Journal of Modern African Studies Vol 4, No 3, (November 1966), 275-93.

[145]Arikpo, Op.cit., 87.

[146]Nwabueze, Constitutionalism, 137.

[147]M.G. Smith, "Some Developments in the Analytic Framework of Pluralism" in Pluralism in Africa ed. Kuper and Smith, Op.cit., 427.

[148]Crowder, Op.cit., 207.

[149]See A.I. Asiwaju, "Partitioned Culture Area: A Checklist" in Partitioned Africans: Ethnic Relations Across Africa's International Boundaries 1884-1984 ed. A.I. Asiwaju (Lagos, Nigeria: University of Lagos Press, 1985), 252-259.

[150]Rupert Emerson, "Pan Africanism" International Organization Vol XVI, No 2, (Spring 1962), 276.

[151]A.O. Chukwura, "The Organization of African Unity and African Territorial and Boundary Problems 1963-1973" Nigerian Journal of International Studies Vol 1, No 1, (July 1975), 56-81.

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[152]See the "OAU Resolution on Border Disputes in 1964" in Ian Brownlie, ed., _Basic Documents on African Affairs_ (Oxford: At the Clarendon Press, 1971), 360-1.

[153]Zolberg, "The Structure of Political Conflict in the New African States of Tropical Africa."

[154]See Saadia Touval, "Africa's Frontiers: Reactions to a Colonial Legacy" _International Affairs_ Vol 42, No 4, (October 1966), 641-654.

[155]Dudley, _Instability and Political Order_ op.cit.; Schwarz, _Nigeria_ op.cit.; Kirk-Greene, _Crisis and Conflict_, 155.

[156]Ake, _A Political Economy of Africa_ op.cit.; Walter Rodney, _How Europe Underdeveloped Africa_ (Dar-es-Salam: Tanzania Publishing House, 1972); Kwame Nkrumah, _Neo-Colonialism: The Last Stage of Imperialism_ (New York: International Publishers, 1965).156.

[157]Androp, _Op.cit._, 112.

[158]Abdul A. Said, _The African Phenomenon_ (Boston, Massachusetts: Allyn and Bacon Inc., 1986), 151.

[159]Carl G. Rosberg, "National Identity in African States" _African Review_ Vol 1, No 1, (March 1971), 79.

[160]James S. Coleman and Carl G. Rosberg, "Introduction" to _Political Parties and National Integration in Africa_, ed. James S. Coleman and Carl G. Rosberg _Op. cit_, 8.

[161]Throughout this section, the terms "national integration" and "political integration" can be considered as referring to the same situation of political inquiry and they will be used interchangeably.

[162]For the various uses or interpretations of this term see Myron Weiner, "Political Integration and Political Development" in _Political Development and Social Change_ Second Edition, ed. Jason L. Finkle and Richard W. Gable (New York: John Wiley and Sons Inc., 1971), 643-654.

[163]Ibid, 643.

[164]Ibid.

[165]Ibid.

[166]Richard L. Sklar, "Political Science and National Integration -- A Radical Approach" Journal of Modern African Studies Vol 5, No 1, (May 1967), 2.

[167]Ali A. Mazrui, "Rapid Development and the Crisis of Empathy: An African Perspective" Third World Review Vol 2, No 2, (1970).

[168]Ibid, 94.

[169]Ibid, 94.

[170]Ibid.

[171]Claude Ake, A Theory of Political Integration (Homewood, Illinois: The Dorsey Press, 1967), 1.

[172]Gabriel A. Almond and G. Bingham Powell, Comparative Politics: Systems, Process, and Policy Second Edition (Boston: Little, Brown and Company, 1978), 28.

[173]Gabriel A. Almond and Sidney Verba, The Civic Culture (Princeton: Princeton University Press, 1963), 14.

[174]Ibid.

[175]Ibid.

[176]Ladipo Adamolekun, "Towards a Pan-Nigerian Political Culture" West Africa August 26, (1985), 1757-8.

[177]Quoted in Evolution of Political Culture in Nigeria ed. J.F. Ade Ajayi and Baslur Ikara (Ibadan: University Press Ltd., 1985), 214.

[178]Quoted in Coleman, Nigeria: Background to Nationalism, 360.

[179]Margery Perham, Lugard: The Years of Authority 1898-1945 (London: Collins Press, 1960), 413.

[180]Mazrui, "Rapid Development and the Crisis of Empathy," 93.

[181]Claude Ake, "Political Integration and Political Instability" World Politics Vol XIX, No 4, (July 1967), 488.

[182]Young, The Politics of Cultural Pluralism, 518.

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[183]Olatunde J.B. Ojo, "The Impact of Personality and Ethnicity on the Nigerian Elections of 1979" African Today Vol 28, No 1, (1981), 52.

[184]See Chapter Seven for more on the 1959 elections.

[185]James O'Connell, "Political Parties In Nigeria" In The Politics and Administration of Nigerian Government ed. L. Franklin Blitz (London: Sweet and Maxwell, 1965), 165. Also see James O'Connell, "Political Integration: The Nigerian Case" in African Studies in Economic and Political Union ed. Arthur Hazlewood (London: Oxford University Press, 1967) 149-150.

[186]O'Connell, "Political Parties in Nigeria," 165.

[187]Clifford Geertz, "The Integrative Revolution: Primordial Sentiments and Civic Politics in the New States" in Political Modernization: A Reader in Comparative Political Change Second Edition, ed. Claude E. Welch (Belmont, California: Wadsworth Publishing Company, Inc., 1971), 197-218.

[188]Lucian W. Pye, "The Non-Western Political Process" in Comparative Politics: A Reader ed. Harry Eckstein and David E. Apter (London: Free Press of Glencoe, 1963), 658.

[189]David B. Truman, The Governmental Process: Political Interests and Public Opinion, (New York: Knopf, 1951), 119.

[190]Lipset, Political Man, 77.

[191]Hatch, Nigeria, op.cit., 239. Also, as pointed out by Okwudiba Nnoli, the "politicization of ethnicity and regionalization of politics was encouraged by the colonialists." See his book, Ethnic Politics in Nigeria, 154.

[192]E.A. Ayandele, The Educated Elite in the Nigerian Society (Ibadan: Ibadan University Press, 1974). The official motto of the NPC added more credence to the provincialism of the party. It's motto was, "One North, One People, Irrespective of Religion, Rank, or Tribe." See Dudley, Parties and Politics in Northern Nigeria, 314.

[193]K.J. Holsti, International Politics: A Framework for Analysis Second Edition (Englewood Cliffs, New Jersey: Prentice Hall Inc., 1972), 274.

[194]Ali A. Mazrui, "Political Engineering in Africa" International Social Science Journal Vol XXXV, No 2, (1983), 281.

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[195]Ayandele, Op.cit., 100.

[196]Young, The Politics of Cultural Pluralism, 292.

[197]Raymond E. Wolfinger, The Politics of Progress (Englewood Cliffs, New Jersey: Prentice Hall, 1974), 49.

[198]This is an issue of political integration described by Professor Mazrui as the problem of "vertical identification." See pages 222-223.

[199] Ajayi, "Factors in the Evolution of Political Culture in Nigeria."

[200]Young, The Politics of Cultural Pluralism, 291.

[201]Kirk-Greene, The Genesis of the Nigerian Civil War and the Theory of Fear (Upsala, Sweden: The Scandinavian Institute of African Studies, 1975), 1-26.

[202]Crawford Young, "Patterns of Social Conflict: State, Class, and Ethnicity" Daedulus: Journal of the American Academy of Arts and Sciences Vol III, No 2, (Spring 1982), 89.

[203]Morton Grodzins, The Loyal and Disloyal: Social Boundaries of Patriotism and Treason (Chicago: The University of Chicago Press, 1956), 7.

[204]Quoted in Dudley, "Failures of the Political Class," 480.

[205]Anthony Downs, An Economic Theory of Democracy (New York: Harper and Brothers, 1957), 36-50.

[206]See Mackintosh, Nigerian Government and Politics, 289-357; Post, The Nigerian Federal Election of 1959, 26-191.

[207]Ali A. Mazrui, Violence and Thought: Essays on the Social Tensions in Africa (London: Longmans, Green and Co. Ltd., 1969), 104.

[208]David E. Apter, Ghana in Transition (New York: Atheneum, 1963), 13.

[209]Lugard, Op.cit.

[210]Ibid, 617.

[211]Ibid, 617.

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[212]Ibid, 18. According to Chief Awolowo, "at no time did philanthropy or humanitarianism enter into consideration." See Awolowo, The People's Republic, 60.

[213]According to Rupert Emerson, "Colonialism is a school for democracy." See his book From Empire to Nation, 22-237.

[214]Donald Rothchild, "Progress and the One-Party State" Transition Vol III, No 10, (September 1963), 32.

[215]Dudley, Instability and Political Order, 36.

[216]Ruth First, Power in Africa (New York: Pantheon Books, 1970), 40.

[217]Margery Perham, "The Psychology of African Nationalism" in Independent Black Africa: The Politics of Freedom, ed. William John Hanna (Chicago: Rand McNally and Company, 1964), 190.

[218]Claude Ake, "Why is Africa not Developing?" West Africa June 17, (1985), 1213.

[219]Ake, Revolutionary Pressures, 86.

[220]Awolowo, The People's Republic, 72.

[221]Ibid, 60. According to Awolowo, "the training of Nigerians in democratic practices only got to a half-hearted start in 1954." Nigeria got her independence in 1960.

[222]Dudley, Instability and Political Order, 39.

[223]Ibid.

[224]Werner Levi, "Democracy in Asia" in Comparative Politics: Notes and Readings ed. Roy C. Macridis and Bernard E. Brown (Homewood, Illinois: The Dorsey Press, 1961), 555.

[225]Ibid.

[226]L.C.B. Gower, Independent Africa: The Challenge to the Legal Profession (Cambridge, Massachusetts: Harvard University Press, 1967), 17. Also see William A. Robson, "Transplanting of Political Institutions and Ideas" Political Quarterly Vol 35, No 4, (October/December, 1964), 407-419.

[227]Diamond, "Class, Ethnicity, and the Democratic State," 458. Also see Melson and Wolpe, Op.cit., 1112-1130.

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[228]Awolowo, The People's Republic, 61.

[229]S.A. de Smith, The New Commonwealth and its Constitutions (London: Stevens and Sons, 1964), 68.

[230]Azikiwe, Op.cit., 85.

[231]Diamond, Nigeria: A Model of Colonial Failure, 5-6.

[232]Awolowo, Path to Nigerian Freedom, 47.

[233]Awolowo, The People's Republic, 237.

[234]Quoted in Ayandele, Op.cit., 100.

[235]Henry L. Bretton, Power and Stability in Nigeria: The Politics of Decolonization (New York: Frederick A. Praeger, Publisher, 1962), 49.

[236]Abubakar Tafawa Balewa, "Foreword" to H.O. Davies, Nigeria: The Prospects for Democracy, ix-xii.

[237]See West Africa January 29, (1966), 113-4. The underlined emphasis is mine.

[238]Seymour M. Lipset, "Some Social Requisites of Democracy" in Comparative Politics: Notes and Readings ed. Macridis and Brown, Op.cit., 476.

[239]Ayandele, Op.cit., 142-3.

[240]Mackintosh, Nigerian Government and Politics, 617.

[241]Melson and Wolpe, Op.cit., 1130. Also, as Ivor Jennings has pointed out, "a process of adaptation to local circumstances is essential" to the survival of democracy in Africa. See Jennings, Op.cit., 42.

[242]Richard L. Sklar, "Democracy in Africa" African Studies Review Vol 26, Nos 3/4, September/December, (1983), 19.

[243]Schwarz, Jr., Nigeria, 81.

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CONSOCIATIONALISM AND THE NIGERIAN

POLITICAL SYSTEM, 1960-1988

Volume 2

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CHAPTER FIVE

Praetorian Consociationalism in Nigeria,

1966 – 1988

Introduction

This chapter examines Nigerian military rule and the peculiarity of its consociational practices between 1966-1988. Since military rule is distinct from democratic government, the problem that arises is how an authoritarian military regime can operate a political arrangement designed principally with a democratic polity in mind. Is the concept of consociationalism incompatible with military rule because its derivative, consociational democracy, is generally applied to fragmented polities governed through a democratic process?

Even though a Praetorian rule[1] is an aberration of the democratic process, Jinadu points out, "If, however, we view Consociationalism and Federalism not as strictly legal but also as sociological phenomena, military rule is not necessarily fatal to experiments, with Consociationalism and Federalism."[2]

The term "Praetorian Consociationalism" is used more as a _sui generis_ to denote the peculiarity of the consociational practices under the military rule in Nigeria between 1966-1988. The peculiarity of military

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institutions and organization are evident in their own set of values and norms,[3] vis-a-vis a democratic government. As a result, military participation or involvement in running the Nigerian State is bound to reflect those values and norms. As pointed out by Oyovbaire, "military ethos and norms were clearly intended as the yardsticks for the conduct of leadership at all levels of the political system."[4] It is against this background that the conceptual utility of "Praetorian Consociationalism" is evident relative to the consociational practice under a democratic but fragmented polity.

Consociationalism in Nigeria under military rule has varied with the predisposition of each of the Nigerian military rulers. The basic argument here is that each of the rulers has looked through different perceptual prisms of their socio-political environments before making any institutional or structural change seemingly compatible with some of the elements of consociationalism. We shall examine how different military rulers in Nigeria have responded to their socio-political environments in terms of institutionalizing such consociational devices as the principle of grand coalition, proportionality and the broadening of the segmental units of the Nigerian

Federation.

On the general topic of militarism in Nigeria or elsewhere in Africa, many books and articles have been written to assist those who might be interested in military matters particularly in the countries where military coup has become endemic.[5]

Military rule in Nigeria can be characterized essentially as a diarchy; that is, the coalescing of two autonomous interest groups: the military and the civilian politicians and bureaucrats in government. Each of the military rulers in Nigeria from Ironsi, 1966; Gowon, 1966-75; Mohammed/Obasanjo, 1975-79; Buhari/Idiagbon, 1984-85 and Babangida, 1985 to the present, has consistently coopted the civilian politicians and bureaucrats into the governing process of military administration.[6]

The military coup of January 15, 1966 that unseated the Nigerian democratic government was an important historical development that brought the military men for the first time into the driver's seat of Nigerian statecraft. The coup itself hardly came as a surprise given the political paralysis that had characterized the Nigerian political landscape since the early 1960's.

We shall examine each of the Nigerian military regimes since 1966 and some general implications of these

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regimes. The final part of the chapter will examine specifically the contribution of military rule to the promotion and development of consociationalism.

The Ironsi Regime 1966-67:
The Centralization of Authority Prescription

Major General J.U.T. Aguiyi-Ironsi, who was, at the time of the 1966 coup, the general officer commanding the Nigerian Army, did not initiate or spearhead the coup that brought down the democratically elected government in Nigeria. However, although Ironsi was a non-participant in the planning and execution of the coup, evidence suggests a disproportionate involvement of Ironsi's own ethnic group, the Ibos, in bringing about the coup.[7]

Thus, as pointed out by Dudley, Ironsi's ascension to power "had all the characteristics of a sectional coup."[8] However, despite the overwhelming participation of the Ibo soldiers in the coup vis-a-vis the other ethnic groups, the overriding consideration of the plotters in staging the coup seemed to suggest a patriotic concern rather than an attempt to advance the ethnocentric interests of the Ibo people. Explaining the motive for the coup, Major Nzeogwu (who was also the leader of the "young Turks" that masterminded the coup), in his broadcast over radio Kaduna on January 15, 1966, said:

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> Our enemies are the political profiteers, swindlers,
> the men in the high and low places that seek bribes
> and demand ten percent, those that seek to keep the
> country divided permanently so that they can remain
> in office as ministers and VIPs of waste, the
> tribalists, the nepotists, those that make the
> country look big for nothing before international
> circles, those that have corrupted our society and
> put the Nigerian political calendar back by their
> words and deeds.[9]

In the South, there was a sense of general applause
and jubilation for the coup that virtually displaced the
Nigerian politicians from power. However, in the North,
the initial euphoria for the coup quickly disappeared and
gave way to general apprehension and violence because (I)
the Ibos, particularly those residing in the North,
quickly and undisguisedly reduced the significance of the
coup to an ethnic triumph of the Ibos over the
backwardness of the Northerners, and (II) as we shall
later find out in this chapter, the Ironsi regime pursued
a particularistic policy that alienated the Northerners
and thus heightened their sense of apprehension and
resentment towards his regime. And, at the same time, the
policy of this regime re-echoed the "initial sectionalist
image of the coup."[10]

While the coup was successfully carried out in the
North, West and Lagos in terms of eliminating key Nigerian
political leaders, in the East and Midwest, the execution
was bungled.[11] Incidentally, the political chieftains of

these two regions were Ibos.[12] The failure to carry out the coup in the East and Midwest underscored its sectionalist nature and mission. With the failure of the coup to achieve its designed objectives, General Ironsi ultimately became the beneficiary of a failed mission. With the ascendancy of General Ironsi to the helm of national affairs, coupled with his inability to rise above Sectionalist interests, the coup was soon robbed of its "missionary idealism."[13]

One of the first actions taken by General Ironsi upon his assumption of office as the Head of the Federal Military Government (FMG) was the promulgation of the Constitution (Suspension and Modification) Decree otherwise known as Decree No. 1 of 1966.[14]

The decree redefined the relationship between the federal and state governments in a manner somewhat different from the pre-military era. Under its provisions the FMG was given the "power to make laws for the peace, order and good government of Nigeria or any part thereof with respect to any matter whatsoever." Also, as in Nigeria's previous constitutions, regional military governments could not legislate (through edict) on matters included in the exclusive legislative list of the federal government. However, on matters included in the con-

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current legislative list where both the federal and regional government could legislate, Decree No. 1 made an unusual exception that precluded regional military governors from making any law with respect to any matter included in the concurrent legislative list without "prior consent of the Federal Military Government." This is an atypical characteristic of the Nigerian Federalism.[15]

Although regional governments had power "to make laws for the peace, order and good government" in their regions under Decree No. 1, similar power vested in the Federal Military Government gave the latter supreme legislative authority vis-a-vis the regions.

The legislative and the executive powers of the FMG were vested in the Head, while the exercise of similar powers was vested in the regional governors within their jurisdictions. The powers exercised by both the Head of the FMG and the regional governors were those similarly performed by Parliament and the cabinet under the Nigerian Parliamentary system. The legislative instrument of the Federal Military Government is known as Decree while that of the regions is Edict. The federal Decrees and the re-gional Edicts must be signed by the Head of the Federal Military Government and the military governors. In addition to this requirement, such Decrees and Edicts must

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be published in the Federal and Regional Gazettes.

Decree No. 1 also created two institutions -- the Supreme Military Council (SMC) and the Federal Executive Council (FEC). The composition of the SMC included the Head of the FMG as its President; the Head of the Nigerian Army; the Head of the Nigerian Navy; the Head of the Nigerian Air Force; the Chief of Staff of the Armed Forces, the Chief of Staff of the Nigerian Army; the military governors of Northern Nigeria, Eastern Nigeria, Western Nigeria and Mid-Western Nigeria; and the Attorney General of the Federation.

The SMC was a powerful organ that exercised the legislative and the executive authority of the state. The FEC consisted of the following: the Head of the FMG as its President; the Head of the Nigerian Army; the Head of the Nigerian Navy; the Head of the Nigerian Air Force; the Chief of Staff of the Armed Forces; the Chief of Staff of the Nigerian Army; the Attorney General of the Federation; and the Inspector General of Police and the Deputy Inspector General of Police. The FEC was largely a political instrument in the execution of policies of the federal government.

The participation or inclusion of the military governors in the supreme organ of decision-making of the

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Federation has been interpreted as "an arrangement which obviously made the regions less independent of the federal government than they had been before 1966."[16] Obviously, this arrangement has given a new explanation to Federalism under a military rule. As pointed out by Oyovbaire, "the contrast between the intentions of a formal military structure and the actual organization of federal-state relations helps in understanding the official designation of the system as a Federal Military Government which was in no way mere semantic or fiction."[17] Implicitly, the way the military is structured does not negate its federal practice. Although Decree No.1 deliberately avoided the imposition of what Oyovbaire has called the "command-obedience" relationship[18] between the federal and the regional governments, the original intention of the Ironsi regime was to make the regional governor "directly responsible to the Federal Military Government for the good government of the region."[19]

Decree No. 1 seems to be a document ephemerally designed to give General Ironsi time to think and define the political direction of his government given the circumstances that brought him to power. After several months of indecision and vacillation, Ironsi finally opted for greater centralization of power reminiscent of a

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unitary system.

General Ironsi's proposal for greater centralization of power was contained in Decree 34, promulgated on 24 May, 1966.[20] The Ironsi centralization proposal was a radical departure from the decentralized power structure characteristic of Nigerian politics since the mid 1950's. One of the salient objectives of the Decree was indicated by General Ironsi in a broadcast abolishing the existing regions. According to General Ironsi,

> the provisions of the Decree are intended to remove the last vestiges of the intense regionalism of the recent past, and to produce that cohesion in the governmental structure which is so necessary in achieving and maintaining the paramount objective of the National Military Government, and indeed of every true Nigerian, namely, National Unity.[21]

Other sweeping changes embodied in the Decree include: (I) the administrative class of the civil service was to be unified; (II) the existing regions were to be abolished and "the Group of Provinces"[22] put in their place; (III) regional military governors were to be replaced by Military Governors of the "Group of Provinces;" (IV) the administration of each group of provinces was subject to the authority of the Head of the National Military Government; and (V) military prefects were to be appointed who would be in charge of the various provinces.[23]

Despite the suspicion and objection of the
Northerners to some of the provisions of Decree 34, and
particularly its centralization provision, the Ironsi
regime defended it by underscoring the transitional nature
of the whole arrangement and cautioned that "it cannot be
too seriously emphasized that the military government
while in office can only run the government as a Military
Government under a unified command," and that "it can not
afford to run five separate governments and separate
services as if it were a civilian regime."[24] One of the
consequences of the above statement was the abolition of
the Nigerian Federation. Nigeria simply became the
"Republic of Nigeria." Also, unlimited legislative power
was vested in the "National Military Government" which
superceded the "Federal Military Government." In the
exercise of its legislative powers, the National Military
Government was merely required to delegate some of its
powers to the Military Governors "considered necessary for
purposes of efficient administration" of the Group of
Provinces.[25]

Decree 34 radically altered the relationship between
the Federal and the Regional Governments by the
re-institutionalization of a "command-obedience"
relationship between them.[26] This relationship not only

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compromised the traditional criteria of existence of the regions as independent and co-ordinate entities but made the Head of the National Military Government extremely powerful relative to the regional governors.[27]

In another policy statement made on January 28, 1966, General Ironsi said that "all Nigerians want an end to regionalism. Tribal loyalties and activities which promote tribal consciousness and sectional interests must give way to the urgent task of national reconstruction."[28] Whatever the reasons behind the pro-mulgation of Decree 34, whether necessitated by the alleged drift of the country towards an intolerable "extreme" of regionalism or as an altruistic concern for the socio-political consequences of such regional tendencies, General Ironsi's action was quickly interpreted as a precursor to the ultimate "Igbo hegemony"[29] or "Ibo Imperialism"[30] in Nigeria. Ironsi's style of governing did more to reinforce the apprehension of other ethnic groups towards his regime, particularly for depending "heavily on the advice of senior civil servants and professionals from the Eastern region," and for pursuing "policies hitherto advocated by the NCNC for a more centralized administration."[31] Ironsi's reliance on his own ethnic group was more evident in the

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appointment of Mr. F.C. Nwokedi as the sole "commissioner" charged with the responsibility to oversee the possibility of unifying the federal and regional public services into one single structure.[32]

Other "commissions" set up by the Ironsi regime included a Constitutional Review Commission under the distinguished constitutional lawyer, Chief Rotimi Williams, charged with the following responsibilities: (I) to identify those faults in the former constitution of Nigeria which militated against national unity and against the emergence of a strong central government; (II) to ascertain how far the powers of the former regional governments fostered regionalism and weakened the central government; (III) to consider the merits and demerits of a Unitary form of government and a federal form of government; (IV) to suggest possible territorial divisions of the country; (V) to examine the voting system, electoral act, and revision of voter registration; (VI) to consider the merits and demerits of one-party and multi-party systems and the extent to which such party politics foster tribal consciousness, nepotism and abuse of office; and (VII) to determine the extent to which professional politics contributed to the deficiencies of the past regime and the extent to which Regionalism and

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party politics tended to violate traditional chieftaincies and institutions and to suggest possible safeguards.[33] Another commission was headed by Mr. Justice Stephen Peter Thomas and was charged with the responsibility of examining "what problems, if any will be encountered in reverting to a unified judicial service."[34]

Even though Ironsi had appointed other "commissions" with specific responsibilities, the Nwokedi Commission received attention because of the sensitive nature of the Commission's assignment and its consequences for the educationally backward Northern area. Before the Constitutional Review Commission could even start on its assignment, the Nwokedi Commission submitted its report. On the basis of that report the Ironsi regime proceeded, on the 24th May, 1966, to make some fundamental changes in the Nigerian federal framework. The changes included: (a) the abolition of Federalism as a system of government in Nigeria; (b) the abolition of the former regions which were henceforth to be known as "Groups of Provinces;" (c) the banning of all political parties and ethnic associations (the total number of the associations banned was eighty); (d) the establishment of a national military government; (e) the appointment of a number of military prefects; and (f) the introduction of a new economic

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plan.[35]

Within the short period of his regime, Ironsi promoted twenty-one Army officers from the rank of Major to Lieutenant-Colonel. Eighteen of those promoted were Ibo-speaking. Although these promotions conformed to the Nigerian Army's standard criteria, Ironsi's decision to announce them against the Supreme Military Council's one-year moratorium on promotions[36] was ill-advised. In a situation of growing political volatility and with a perception of nepotism in the Ironsi regime emerging, the announcement of the promotions could not have come at a worse time. It merely reinforced the belief of those who saw him as the agent of an Ibo plot to dominate Nigeria.

Ironsi's downfall arose from the fact that he was blind to the nuances of Nigerian politics. Worse still, he was generally perceived as a willing instrument in the ethnocentric search for political advantage or domination of the Ibo people over the rest of the country. According to Elaigiwu,

> Ironsi's tragedy may be seen in his vacillation. He missed the opportunity he had to effect changes in January, 1966. By May, he had lost his credibility appreciably, and suspicions had heightened once again. Perhaps Ironsi should have realized that political leadership required the ability to know the environment well, to feel the political temperature of the system, and to know the limits of which decisions can be taken without threatening the basic consensual values which bind the society together. In fact, the fall of the first military regime is

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illustrative of the relative weakness of the centre,
in the face of centrifugal pulls in the regions. As
regions pulled their strings, instability wormed at
the centre.[37]

The attack on regionalist tendencies through the cen-

tralization of authority by General Ironsi could be seen

as necessary to correct what the General perceived to be

a   menacing   factor   in   Nigerian   politics,i.e.   the

regionalist disposition of Nigerian politics of the First

Republic.   However, as we shall see, Ironsi's policies

failed in their tactical approach to solving the Nigerian

problem.

The Gowon Regime 1967-1976:
A Threshold of "Military "Federalism"

We   have   already   indicated   that   Northerners   have

generally sought control of the central government as a

shield for the protection of their regional interests.

When these interests were threatened -- not necessarily

as a result of the change to Southern control of the

central government, but when the existing governmental

arrangements favorable   to   them   were   about   to   be

fundamentally altered, they struck back.

Ironsi's policy to do away with regional tendencies

ran counter to the northernization policy that barred the

Southerners since the 1950's from civil service posts in

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the North and, in most cases, gave preferential treatment to foreigners vis-a-vis the Southerners in employment and recruitment.[38] The reaction of the Northerners to the unification provisions of Decree 34 was violent even though the Decree "contained a number of accommodations to regional interests including protection for Northerners from Southern competition in the civil service."[39]

The purpose of the counter-coup that removed Ironsi from power in July 1966 was to reverse the trend towards a unitary system of government. The July coup hardly restored political normalcy to the country; instead it served as another critical event in the Nigerian politics of vulnerability.

Lieutenant-Colonel Yakubu Gowon (later General), who emerged as the head of the Federal Military Government after the July coup, was the former Army Chief of Staff under General Ironsi and a Christian from the minority ethnic group of Angas in the North.

In his maiden speech, after assuming office on August 1, 1966, Gowon declared that:

> As a result of the recent events and other previous similar ones, I have come to strongly believe that we cannot honestly and sincerely continue in this wise, as the basis of trust and confidence in our military system of government has not been able to stand the test of time.[40]

> The declaration was followed by Decree 59, issued on

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August 31, which abolished Ironsi's Decree 34 and restored Nigeria once again as a Federal State.

The restoration of Nigeria as a Federal State did not bring peace and tranquility to Nigeria. By and large, the July coup came to be seen as an act of revenge by the Northerners and unleashed a gruesome attack on the Easterners residing in the North. The traumatic experience of the Easterners in the North became an emotional rallying issue exacerbating their sense of insecurity and strengthening their resolve to pull out of the Federation. This sense of insecurity aggravated by the experience of pogrom in the North and the personal animosity between the Nigerian Head of State, General Gowon, and the Military Governor of Eastern Nigeria, Lieutenant-Colonel Ojukwu, made it impossible to organize any meeting of the Supreme Military Council, save when it was organized outside Nigeria in Aburi-Ghana.[41]

The personal animosity between Gowon and Ojukwu grew out of the circumstances under which Gowon became the Head of State in succession to General Ironsi. "To Ojukwu the idea of being subordinate to a junior, less educated, less experienced officer of Gowon's calibre"[42] was totally unacceptable. It was this sense of resentment coupled with the atmosphere of suspicion and mistrust created as

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a result of the July coup that underlined Ojukwu's refusal to recognize the FMG headed by Gowon. For instance, during the Aburi meeting of the Nigerian military leaders, Major Mobolaji Johnson (later Brigadier) posed the question: "Gentlemen, is there a central government in Nigeria today?" Ojukwu retorted, "That question is such a simple one and anyone who has been listening to what I have been saying all the time would know that I do not see a central government in Nigeria today."[43] Ojukwu's reply did not imply the non-existence of a central government in Lagos but rather that such a government as headed by Gowon did not "exist."

The Aburi meeting of the Nigerian military leaders on January 4th and 5th, 1967, did not provide the magic formula capable of resolving the deepening political crisis. As Gowon himself pointed out, it was impossible "to solve all Nigeria's problems in the two day meeting of minds of Nigeria's military leaders."[44] Rather than untying the Gordian knot of the Nigerian political crisis, the Aburi meeting further complicated things as irreconcilable differences developed over the interpretation of the Aburi agreements between the FMG and the Eastern Nigeria government.

At the Aburi meeting, the Nigerian military leaders

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agreed on the following reorganization of the Army:

A) The Army is to be governed by the Supreme
Military Council, the Chairman of which will be known as
Commander-in-Chief and Head of the FMG;
B) there would be a military headquarters in which
the regions would be equally represented and which will
be headed by a Chief of Staff;
C) in each region there was to be an area command
under the charge of an Area Commander and corresponding
with the existing regions;
D) all matters of policy including appointments and
promotions of persons in executive posts in the Armed
Forces and police would be dealt with by the SMC;
E) during the period of the Military Government,
Military Governors would have control over their Area
Commands in matters of regional security.
It was also agreed that the following appointments
must be approved by the SMC: diplomatic and consular
posts; senior posts in the Armed Forces and Police, and;
super-scale Federal civil and Federal corporation
posts.[45]

The positions taken by the FMG and the Eastern

Nigerian Government became particularly irreconcilable

over the interpretation and implementation of the

agreements reached at the Aburi meeting. This development

prevented any further meeting of the Supreme Military

Council scheduled to take place inside Nigeria. The

fundamental bone of contention between the FMG and the

Eastern Nigerian Government was over the structure of the

Federation, particularly the powers of the central

government relative to other constituent units.

Prior to the Aburi meeting, Gowon had consistently

rejected the adoption of "a temporary confederation" on

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the grounds that once accepted, "because of the current difficulties it will be hard to come together again."[46] It was ironic that what Gowon and the other members of the SMC agreed to in Aburi "amounted to a de facto confederation."[47] The interpretation of the Aburi agreements offered by the Federal Permanent Secretaries was consistent with the interpretation of the Eastern Nigerian Government, particularly on the power sharing relationship between the central and the regional governments.[48] One of the critical implications of the Aburi agreements was the transfer of the legislative and executive authority of the FMG (concerning decisions affecting the whole country) to the SMC, where the concurrence of the regional military Governors was required on any major decision of the FMG. In a situation like this, the central government is bound to become politically spineless relative to the constituent units because of the joint concurrent power of the two bodies. Apparently conscious of the consequences of such an arrangement, the Federal Permanent Secretaries recommended that "the powers and functions of the Federal Government as contained in the exclusive and concurrent legislative lists should be restored."[49] Also, Gowon himself later admitted that "the position of regional Governments has

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actually been considerably strengthened"[50] to the position reminiscent of the pre-January 1966 coup. Ostensibly, one of the contributing factors that led to the collapse of the First Republic was the result of the phenomenal growth in the power of the regional governments vis-a-vis the federal government. If the Aburi agreements had been carried out, it could have created a situation similar to that of the First Republic where regional governments could afford to treat "the central government like an extra-terrestrial intruder."[51]

One of the themes emphasized by General Gowon since coming to power was how to restructure the country geopolitically into more states (out of the four existing regions) so as to allay the fear of domination by one state over the other. On 30 November, 1966, Gowon laid down five basic principles to guide the FMG in the creation of new states: (I) no one state should be in a position to dominate or control the Central Government; (II) each state should form one compact geographical area; (III) administrative convenience, the facts of history, and the wishes of the people concerned must be taken into account; (IV) each state should be in a position to discharge effectively the functions allocated to the Regional Governments; and (V) the new states should be

created simultaneously.[52] As the political situation in Nigeria deteriorated, the Eastern Nigerian Government became more and more emboldened (because of the confederal implications of the Aburi Accord) to challenge the authority of the central government.[53] In addition, Ojukwu irrevocably committed the East to the full implementation of the Aburi Accord as they saw it and as the basis for any future reconciliation with the rest of the country.[54]

With the growing deterioration of the political situation in Nigeria, it became apparent to the federal authority in Lagos that the government of the Eastern region, under the leadership of Ojukwu, was irreversibly committed to pulling out of the Federation. After all reconciliatory attempts had failed,[55] the Federal Government responded to the situation by declaring a state of emergency and proceeded with the creation of twelve states out of the existing four regions (see map # 3).

A background explanation of the factors and events that precipitated the Nigerian Civil War must focus on (I) the historical evolution of the Nigerian state; (II) the nature, suitability, and the operational dynamics of the Nigerian Parliamentary system; (III) the sociological implications of the Nigeria's ethnic composition on

Nigerian politics; and (IV) the sequential events of the post-Parliamentary democracy leading to the outbreak of hostility including the immediate precipitant of the civil war itself.

The Nigerian Civil War of 1967-1970 had an important historical underpinning of factors and events which cannot be divorced from its etiology. We have alluded to some of these historical factors and events in some of the previous chapters and in this chapter.

Gowon's division of the Nigerian federation into twelve states from four regions was the penultimate event that provoked an immediate response from the eastern region and consequently, a civil war. Why did the federal military government create more states? Why did Ojukwu

Map #3

NIGERIA — 1967

(Twelve-state arrangement)

Kano State

North-Western State

North-Central State

North-Eastern State

Benue-Plateau State

West-Central State

Western State

Mid-Western State

Lagos State

East-Central State

South-Eastern State

Rivers State

Source: Phillips, "Nigeria and Biafra" Op.cit., 171.

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respond to the creation of states by declaring the eastern region as a sovereign state of Biafra? Why did the federal military government fight the `Biafran' secession?

The creation of twelve states (which was immediately followed by Ojukwu's declaration making the eastern region a `Republic of Biafra') was a masterstroke intended to undercut the support base of what seemed to be an imminent secession of the East from the rest of the federation. In fact, the creation of states became an attractive bait from the federal government to the minority groups in the East who had viewed state creation as a way of freeing themselves from Ibo domination.

The federal military government in Lagos irrevocably committed itself to the preservation of Nigerian territorial integrity for three reasons: (I) The Lagos government found itself obligated to defend and protect the interests and rights of the minority groups in the East when it became evident that the act of secession was initiated, encouraged and secretly planned by the Ibo intellectuals in and out of the University of Ibadan without the active support or connivance of the minority groups.[56] There was a shared belief among the Ibos that their mass exodus from Nigeria would incapacitate Nigeria economically because of the perceived numerical advantage

of Ibos in education and their employment in various parts of Nigeria.[57] (II) The Nigerian federal military government was not totally indifferent to the economic and political ramifications of secession. The apparent concentration of Nigeria's oil wealth in the minority areas of the Eastern region created an additional pressure on the Nigerian government to prevent secession or, at best, allow the secession of the Ibo-speaking area without the minority areas. However, to allow secession to succeed in whatever fashion could have been catastrophic politically to the Nigerian federation. Nigeria could have inevitably disintegrated into many mini-sovereign entities. Also, in socio-economic terms, Northern Nigeria could have suffered more than the rest of the federation because (a) Northern Nigeria as an independent sovereign state could have been land locked. Its strategic access to the sea could either be denied by its neighbours to the South or made extremely costly. It should be recalled that the underlying goal of the July Coup carried out by the officers and men of the Northern Nigeria origin in the army was to declare Northern Nigeria a sovereign state. The advice of officials in the British High Commission and the American Embassy in Lagos prevailed over their secessionist plan.[58] They were reminded of their relative

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underdevelopment including the non-strategic location of the north in terms of access to the sea. (b) In the event of Nigeria's disintegration, Northern Nigeria could have been compelled to redefine the its geographical size to exclude other minority areas, particularly the Yoruba areas of Ilorin and Kabba. If this could not be achieved amicably through negotiations, it is almost certain that this could precipitate a civil war between the Hausas and the Yorubas. (III) Again, to allow the `Biafran' secession to succeed according to the Nigerian propaganda during the war could open up a Pandora's box of secessionism in Africa. The Nigerian military government was successful in propagating the implications of balkanization of African States should the `Biafran' secession be allowed to succeed. Many African states incorporate a multitude of ethnic groups brought together by the European colonizers. The potential for secession in most African states was greatly magnified through Nigerian propaganda. And this profoundly influenced the overwhelming support which African states gave to Nigeria in the fighting of the war, including the Organization of African Unity (OAU) which feared a further weakening or vulnerability of African states should the act of secession be tolerated.[59]

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With all the above factors taken into consideration, Nigeria quickly found itself compelled to defend or preserve the Nigerian territorial integrity. "To keep Nigeria one is a task that must be done" became a campaign slogan to rally public support in defeating the secessionist rebellion.

Predictably, the Ibo-dominated government of Eastern Nigeria rejected the Gowonian federation of twelve states apparently because, as pointed out by Kirk-Greene,

> it saw the dismemberment of the soi-disant Biafra into three states, two of which comprised non-Ibo majorities and contained the oil installations as well as Port-Harcourt and access to the sea, a ploy to strike at the very concept of a viable, sovereign Biafra and reduce it to nothing more than an impoverished, land locked, over-populated Ibo province.[60]

The degree of economic viability of Eastern Nigeria as a politically constituted sovereign entity without the non-Ibo areas would be extremely marginal. As pointed out by Diejomaoh, an Ibo sovereign state "would have suffered from severe economic disabilities."[61]

The economic inviability of an exclusive Ibo-speaking area before the secession was reflected in the level of its contributions to the national purse. The major export from the Ibo-speaking area was coal (exported mainly to Ghana) with an annual export value of £0.1 million just before the civil war.[62] With the increasing use of diesel

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engine locomotives relative to the use of coal, the
economic value of the latter becomes insignificant.
Again, the total export value from the Ibo-area before the
civil war was less than £ 20 million out of the Nigerian
total of £ 283 million.[63] In the area of crude oil
production, the Ibo-speaking area accounted for only 2.8
percent of Nigeria's total crude oil exports while the
non-speaking Ibo areas accounted for 5.5 percent.[64] There
was an indication too that before the outbreak of the
Nigerian civil war, Eastern Nigeria was the poorest region
in terms of revenues generated to the federal purse.[65]
However, the eastern region was suddenly transformed from
the poorest to a potentially rich region with the
discovery of oil in the Delta areas. The prospect for
the ultimate control of the huge oil wealth in an
independent state of `Biafra' by the Easterners actually
galvanized or emboldened Ojukwu's daring attempt to
secede.[66]

The killing of the Easterners in the North,
aggravated an intense feeling of insecurity or fear,
particularly among the Ibos, and at the same time aroused
their sense of self-determination. Moreover, the
possibility of sharing the new oil wealth with other
Nigerians without any reciprocal benefit of control over

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the federal system of rewards made secession a more attractive option to the Ibos than any possibility of reconciliation with the rest of Nigeria.

The etiology of the Nigerian civil war cannot be reduced to the failure of the Nigerian governing elite of the First Republic to adhere to consociational democracy. As we have indicated in Chapter Three, the Nigerian political system of the First Republic was apparently aconsociational, particularly in terms of its design.

The rehabilitation or integration of the Ibo people into the Nigerian political system was made possible by the constant assurances given by the military government to the Ibo people during and after the war of their security and safety in a united Nigeria. Such assurances were manifested in the appointment of an Ibo man, Ukpabi Asika, to the administratorship of the east central state, the re-absorption of Ibos into the federal public service, the failure of the military government to go after the Ibo people or those involved in the Biafran rebellion against Nigeria, and the open-mindedness of other Nigerians to the Ibo people.

Gowon's division of the Nigerian Federation from the existing four regions to twelve states was historically significant for the following reasons: (I) It was a

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courageous political act that departed markedly from the long history of unanswered demands for the creation of more states in Nigeria since the time of the British rule; (II) It undercut the hegemony of the dominant ethnic groups over the minority ethnic groups. Of the twelve states created in 1967, six were from the northern area, while in the southern area three were created in the southeast and two in the southwest, in addition to the midwest state which was left intact.

The idea of creating an equal number of states from the northern and southern parts of the country was significant as one important remedy for the stability of the country. As pointed out by Mr. Ayida,

> The most sensitive potential threat to the stability
> of the Nigerian federation was and remains a
> North-South confrontation and it was of great
> strategic importance that the number of states in the
> `Northern' parts of the country should be seen to be
> equal to the number of `Southern' states (this was
> an important consideration which could not be made
> explicit in the days of the gathering storm in early
> 1967)...[67]

Essentially, the division of the country into twelve states was based on the realization that "the main obstacle to future stability in Nigeria is the present structural imbalance in the Nigerian federation."[68] (III) The creation of more states in 1967 represented a critical stage in the long and arduous struggle of minority groups

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in Nigeria. However, the states created outside the dominant ethnic groups were not ethnically homogeneous. Each of the newly created states contained a multitude of smaller ethnic groups differentiated by language, customs and historical experience. Having a state of their own gave the minority groups a sense of identity which for a long time had been overshadowed by the dominant groups. Additionally, the minority groups gained a moral sense of assertiveness, expression and participation in the affairs of the country long dominated by the dominant groups. While the creation of twelve states was a means but certainly not an end to solving the problems of the minority groups, having a state of their own gave them the power of "rule making" and "rule application" within their own segments. (IV) A concomitant effect of state creation was the rapid development of the minority groups long neglected by the governments of the North, East and West dominated by the Hausa-Fulanis, the Ibos and the Yorubas respectively. The creation of these states brought the government closer to the people and thus made government more sensitive and responsive to the needs of the people. And, (V), the creation of more states gave the minority groups the opportunity to be represented at the federal level, particularly in the Federal Executive Council

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composed of representatives from each of the states in the Federation. The significance of this development is summed up by Professor Dudley:

> The twelve state system provided greater safeguards for group interests because by extending the basis of coalition formation it created, for the first time, the opportunities for more genuine (n)-person games, a more realistic recipe for stability.[69]

It is ironic that the unitarian implications of Decree 34, which provoked an instantaneous violent revulsion against the Ironsi regime, and finally its demise, was nothing more than "a paper unification" or "an illusion of uniformity."[70] By contrast, Gowonian Military "Federalism" was nothing more than a disguise of unitarianism effectively maintained without any serious political repercussions. As one political observer has put it, "the Federal Military Governments that have existed since 1966 have been on the whole Unitary rather than Federal."[71] In his address to the newly appointed Military Governors on the 31st of May, 1967, Gowon said:

> Each state is an autonomous unit within the Federation of Nigeria. Each state is equal in all respects to other states. You as Military Governors therefore, have full powers over all constitutional responsibilities allocated to the states. No one Military Governor is subordinate to another in the discharge of his constitutional responsibilities.[72]

Gowon's statement to the Military Governors truly illustrated how a federal system actually works.

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Nwabueze has pointed out that military rule in Nigeria is characterized by the exercise of an absolute power which, judging by implications of the supremacy of the military decrees and edicts, could hardly be challenged. The supremacy of the military decrees and edicts is closely related to the phenomenon of how the military rule came to power. First, a military government came to power through extra-legal means -- a coup d'etat -- and "derived its power from that event."[73] A military government is an a-constitutional one having no basis or justification within the corpus of Nigerian law. It exists solely through its interventionist intrusion into the Nigerian body politic. In a nutshell, a military government is not a creation of Nigerian constitutional law and its democratic process. Secondly, the military is generally inclined to permit the operation of some aspects of the constitution side by side with the promulgation of their own decrees and edicts; however, this development "could not be a grundnorm of the military legal order...to control and limit the powers of the Military Government."[74] Whatever aspects of the pre-existing constitution (before the coup) that are permitted to continue operating after the emergence of military rule also owe their existence to the whims and

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caprices of the military rulers. The tolerated aspects of the constitution are generally subordinated to the almightiness of the military decrees and edicts because their validity cannot be challenged "in any court of law."[75] The military, in response to a challenge posed by the Nigerian legal system, quickly asserted its supremacy through the promulgation of Decree No. 28 (1970). This made decrees and edicts virtually unchallengeable within the Nigerian court system.[76] The Federal Military Government (Supremacy and Enforcement of Powers) Decree of 1970 specifically stated among other things that:

> Any decision, whether made before or after the commencement of this Decree, by any court of law in the exercise or purported exercise of any power under the constitution or any enactment or law of the Federation or of any state which has purported to declare or shall hereafter purport to declare the invalidity of any Decree or any Edict (insofar as the provisions of the Edict are not inconsistent with the provisions of a Decree) or the incompetence of any of the governments in the Federation to make the same or shall be null and void and of no effect whatsoever as from the date of the making thereof.[77]

Again, the military government did not derive its existence from the constitution, and with no formal, legal document to regulate and define its style of governance and the exercise of its powers, the military was free to make laws "not limited by a constitutionally prescribed form of law-making."[78] Also, as pointed out by Richard

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A. Joseph, the Supreme Military Council as highest law making body "is a kind of Rousseauian Grand Legislator, which not only governs but can also function as a constitution giver to the Nigerian nation."[79]

The military administration of Nigeria under General Gowon retained the two powerful institutional bodies that had existed during the time of General Ironsi, namely: the Supreme Military Council (SMC), and the Federal Executive Council (FEC). The Regional Military Governors retained their membership in the SMC as it was under the previous regime. Also, the FEC continued to exercise its traditional control over the affairs of the Federal Government as embodied in the exclusive legislative list with additional items such as revenue allocation and university education.[80]

The composition of the FEC under General Gowon deserves more elaboration because, under the previous regime, no executives were appointed to head Federal Ministries. However, under General Gowon, Federal Commissioners (mostly civilians) were appointed from each of the newly created states of the Federation to head Federal Ministries. This became an institutionalized pattern of proportional representation at the federal level involving all the states of the Federation regard-

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less of size and population. The practice of proportional representation at the federal level was equally imitated by the state Military Governors by appointing regional commissioners (mostly civilians) from the various administrative units or divisions under their jurisdiction to head the various regional ministries.

The promulgation of the constitution, (Suspension and Modification) Decree No. 59 of 1966, reinstated Nigeria as a federal system, as did Decree No. 8 of 1967, which, by design, required that in the exercise of the legislative and executive powers of the Federal Government, "the concurrence of the Head of the Federal Military Government and of all the Military Governors is, for the first time, made essential in respect of certain matters which are set out in Section 69 (6) of the (1963) constitution."[81] In other words, the FEC was divested of its legislative and executive powers and, as a result, left with functions delegated to it by the SMC which assumed those powers hitherto exercised by the FEC. Items which require the concurrence of the Head of the FMG and the Governors in the exercise of the legislative and executive powers of the SMC include: trade, commerce, industry, transport, the Armed Forces, the Nigerian Police, higher education and the territorial integrity of

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a region, etc.[82] By this development, as pointed out by Oyovbaire,

> the Military Governors retreated into their regional communities -- from being primarily assistants to the Head of State and soldiers on professional assignments to being themselves essentially as political figures and rulers with political responsibility not to the Federal Military Government but the peoples of their regions.[83]

The outbreak of civil war in Nigeria in 1967 had fundamentally altered the relationship between the Federal and State governments to the advantage of the former as a result of the following factors: (I) the nature of the military legislation by decrees without constraint; (II) the increase in "petro-naira" which heightened the tempo of dependency of the states on the Federal Government; (III) the smallness of the states relative to the size and resources of the central government; (IV) the war itself, which had enabled the Federal Government to take certain measures that were not easily reversible, e.g. the declaration of a state of emergency enabling the FMG to assume enormous power; and (V), the emergence of a strong "military-bureaucratic complex" at the center which further strengthened the power of the Federal Government vis-a-vis the states.[84] The regime of General Gowon may have given the impression of a federal system, but reality was quite different. The centralization of power, the

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hegemonial military system and structures, and the war situation in Nigeria during the greater part of Gowon's administration, made the system more unitary than federal.[85]

Mohammed/Obasanjo Regime 1976-1979:
The Architect of the Second Republic:
Its Structures and Politics

General Yakubu Gowon was overthrown in a bloodless coup in 1975 after almost a decade in control of Nigeria (1967-75). Gowon was succeeded by Brigadier Murtala Mohammed (later General) who was also a northerner from Kano state.

Since it is generally the practice of a succeeding regime, particularly a military regime, to justify the displacement of the old regime, General Mohammed, in his first address to the nation, gave an explanation of why a change of government was necessary. The charges against Gowon and his regime included a lack of sensitivity to public yearnings and the unrestrained greed and lack of probity among members of its administration including an ostentatious life style exhibited by the Military Governors. According to Richard A. Joseph, some of the Military Governors "ran their states as personal fiefdoms."[86] To the new regime of General Mohammed the prior situation constituted a "trend clearly incompatible

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with the philosophy and image of a corrective regime."[87] With Gowon removed from power, the "de-Gowonization process"[88] began, apparently intended to give Nigeria "a new lease of life."[89]

The fall of Gowon from power was not unexpected given the public disenchantment over his decision not to restore the democratic process to Nigeria in 1976 (the target date. originally set by Gowon himself). In his Independence Day broadcast to the nation in 1976, Gowon said that "it would indeed amount to a betrayal of trust to adhere rigidly to that date" adding that "those to lead the nation on the return to civilian rule had not learned any lesson from past experiences" and for that reason, it would "be utterly irresponsible to leave the nation in the lurch by a precipitate withdrawal which will certainly throw the nation back into confusion."[90] The foot-dragging tactics of Gowon to defer indefinitely the return of Nigeria to civilian rule was not unusual for military rulers. As pointed out by Claude Welch,

> It is notoriously easier for the Armed Forces to seize control than to give it up...Having tasted power, excitement and rewards of political life, of-ficers may be personally reluctant to step aside. Second thoughts and procrastination about handing over to the civilians thus become common phenomena in the history of military dominated governments.[91]

The Mohammed/Obasanjo regime offered to Nigerians a

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new sense of direction and a set of goals matched with concrete actions toward their realization. On the fifteenth anniversary of Nigerian independence, General Mohammed made a solemn pledge to return Nigeria to civil rule by October 1, 1979. According to General Mohammed, "the present military leadership does not intend to stay in office a day longer than is necessary, and certainly not beyond this date."[92]

In furtherance of his pledge to return Nigeria to civil rule, General Mohammed set up a five stage transitional program of action to be accomplished before 1979:

> Stage One: (I) Settlement of the question of states;
> (II) the state review panel to report by December
> 1975; (III) the creation of states to be completed
> by 1976.
> Stage Two: (I) Local government re-organization;
> (II) elections at the local government level without
> politics; (III) establishment of the constituent
> assembly partly elected and partly nominated.
> Stage Three: Lifting of the ban on politics and the
> abrogation of emergency decree.
> Stage Four: The elections to state and federal
> legislature in 1979.
> Stage Five: Handover to a civilian government on
> October 1, 1979.[93]

To demonstrate to the public that his own regime was fundamentally different from the ousted regime of General Gowon in style, integrity, and commitment, General Mohammed set up many bodies and structures with specific responsibilities directed towards the realization of the

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five point program. On August 7th, 1976, the Federal Military Government appointed a panel charged with the following:

(1) To examine the question of the creation of more states in the Federation, and should the committee find the creation of more states necessary and desirable, to a) advise on the delimitation of such states; b) advise on the economic viability of the proposed states; c) advise on the location of the administrative capitals of the proposed states; and d) examine and advise on all other factors that may appear to the committee to be relevant, so as to enable the government to make a decision which would ensure a balanced federation.

(2) To receive and examine written requests from individuals, groups, or organizations who had views on the desirability of creating states in particular areas.[94] The commission was headed by a Supreme Court judge, Justice Ayo Irikefe. Other members of the panel included an Army Brigadier, a political scientist, a retired civil servant and a lawyer in private practice.[95]

The Irikefe Commission (as it came to be known) received and examined written requests from all over the country and based its final recommendation for the creation of more states on those requests. When the

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commission submitted its report, the Federal Government accepted all its recommendations for the creation of nineteen states, with two exceptions.[96] And with these two exceptions, the FMG announced on February 3, 1976, the creation of nineteen states out of the existing twelve state structure created by General Gowon in 1967 (see map # 4).

In another dramatic move to demonstrate the commitment of the FMG to the program already laid down, a Constitution Drafting Committee (CDC) of fifty-one members was set up under the distinguished chairmanship of Chief Rotimi Williams, an eminent Lagos lawyer, to prepare a draft constitution for Nigeria in preparation for the return to civil rule in 1979.

Map # 4
Nigeria 1976
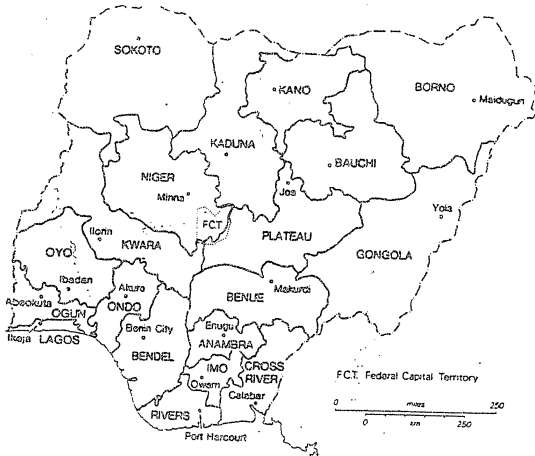
Source: Keith Panter-Brick, ed. Soldiers and Oil: The
Political Transformation of Nigeria (London: Frank Cass
and Company, 1978), 354.

Chief Awolowo declined an invitation to serve on the Committee and thus reduced its membership to fifty. Explaining how members of the Committee were chosen, General Mohammed, in his address to the members on 18 October, 1975 said:

> Members of this Committee were selected, first on a basis of two per state, so as to obtain as wide geographical coverage as possible and, secondly, from our learned men in disciplines considered to have direct relevance to constitution-making, namely...history, law, economics and other social sciences especially political science. Eminent Nigerians with some experience in constitution-making were brought in to complete the spectrum. It is enough to ensure that all the broad areas of interest and expertise are brought into the committee, and I am satisfied that members of this committee gathered here today represent a cross-section of opinion in this country that can be trusted to do a good job.[97]

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TABLE 10

Membership of the Constitution Drafting Committee

University Staff		Other Categories	
Position/Discipline	No.	Position/Type of Work	No.
Political Science	4	Private legal practice	6
Economics	3	Businessman/entrepreneur	5
History	3	Civil commissioner	5
Law	2	Company director/chairman	4
Chemistry	1	Company legal advisor	2
Medicine	1	Army Chaplain	1
Public administra-tion	1	Chairman, local govt. authority	1
Sociology	1	Chairman, Nigerian Indig-enization Board	1
Registrar	1	Ex-member of Parliament	1
Vice-Chancellor	1	Farmer	1
		Newspaper managing director	1
		Permanent secretary	1
		Private medicine	1
		State Attorney General	1
		State Chief Justice	1
TOTAL	18	TOTAL	32

Source: Claude Phillips "Nigeria's New Political Institutions, 1975-79," Journal of Modern African Studies Vol 18, No 1, March, (1980), 4.

The composition of the Constitution Drafting Committee (CDC), as shown in Table 10, hardly reflected the inclusion of all "the shades of opinion and interests" as presented by the Head of State.

As pointed out by Professor Claude Phillips, "members were selected to produce a pre-determined outcome...in favour of conservatism and a high degree of private

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enterprise, as well as a commitment to law and order."[98]
While the credentials of those selected cannot be
questioned, the Committee had a lopsided composition in
favor of the middle and upper class elites in business,
bureaucratic, administrative and intelligentsia circles,
and thus allowing them "to design the constitution in its
favour and to perpetuate the socio-political and economic
status quo."[99]

Although the FMG gave full responsibility to the CDC
to fashion a new constitution for Nigeria, during the
inaugural meeting of the Committee, General Mohammed gave
them what amounted to specific guidelines reflecting the
preferentiality of the FMG concerning the nature of the
constitution it wanted for Nigeria, namely:

(I) A commitment to a federal system of government
and free, democratic and lawful system of government
which guaranteed fundamental human rights;
(II) the creation of viable political institutions
which will ensure maximum participation and consensus and
orderly succession to political power;
(III) the Committee should look into means of
eliminating "cut-throat political competition based on a
system of winner takes all;"
(IV) the Committee should examine ways to discourage
institutionalized opposition to the government in power,
and instead, develop consensus politics and government;
(V) to introduce a system which would recognize
public accountability for an office holder, depoliticize
the census, guarantee a free and fair electoral system
and eliminate over-centralization of power in a few hands;
and
(VI) to look into how genuine and truly national
political parties could be formed or whether governments
could be formed without the involvement of political
parties.[100]

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Before the CDC could complete its assignment, General Mohammed was killed in an abortive coup in February, 1976 and succeeded by General Olusegun Obasanjo, the Chief of Staff, Supreme Headquarters. Upon his assumption of office as the new Head of State, General Obasanjo was quick to reiterate the determination of his regime to continue with the policies of his predecessor. In his broadcast, "No Policy Change in Nigeria," General Obasanjo said: "We are all now obliged to continue with these policies laid down by the Supreme Military Council under the dynamic leadership of General Mohammed."[101]

On 14 September, 1976, the chairman of the CDC submitted a draft of the constitution to General Obasanjo. Speaking about the draft in a television interview, the chairman of the Drafting Committee, Chief Williams, said: "What we have designed is to counter the difficulties of the past."[102]

Seven of the fifty members of the CDC refused to sign the final draft of the constitution submitted to the FMG. The dissenting members submitted a separate draft and general reports to the FMG; however, they were not published by the government.[103] A basic criticism of the report, as articulated by one of the seven members of the dissenting group, Dr. Yusufu Bala Usman, was that the it

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had failed to focus on Nigeria's problems of poverty, uneven development, and dependency.[104]

To ensure public participation in support of the draft constitution, the FMG printed thousands of copies for distribution to the general public in all the states of the Federation.[105] The relevance of this action was pointed out by Brigadier Shehu Yar' Adua (later Major General), the Chief of Staff, Supreme Headquarters, when he said, "it is the responsibility of (the) government to ensure that the adoption and modification of the draft constitution is freely done by the people of this country as a whole."[106]

On October 7, 1976, General Yar' Adua announced the setting up of a Constituent Assembly (CA) to be charged with the responsibility of receiving and collating comments and memoranda from the public until March 31st, 1977. Even with the termination of these responsibilities, public debate was still permitted to continue "until such a time that a constitution emerges."[107]

The Constituent Assembly was made up of 203 elected members, the membership by states being as follows: Anambra, 11; Bauchi, 10; Bendel, 10; Benue, 10; Borno, 11; Cross-River, 12; Gongola, 10; Imo, 13; Plateau, 9;

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Sokoto, 14; Kaduna, 13; Kano, 16; Kwara, 8; Lagos, 8; Niger, 7; Ogun, 8; Ondo, 10; Oyo, 16; Rivers, 8.[108] Each state (regardless of size) had five members making a total of 95, while the balance was computed on the basis of population.[109]

The make-up of the Constituent Assembly (CA) included elected members (on a non-partisan basis) from the various local government councils serving as electoral colleges in addition to the seven sub-committee chairmen of the CDC as ex-officio members, while twenty other members, largely representing specific interest groups, were appointed by the Supreme Military Council, which reserved to itself the prerogative to make each appointment of people who otherwise may have not been represented because of the electoral system through the local government councils.

Under FMG Decree No. 50, Section 1, the Constituent Assembly had "full powers to deliberate upon the draft constitution of the Federal Republic of Nigeria drawn up by the Constitution Drafting Committee appointed by the Federal Military Government."[110]

After eleven months of intensive and acrimonious debate, a new constitution was formally presented to the Head of State, General Obasanjo, on August 29, 1978.[111] The new document was not fundamentally different from the

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draft constitution earlier presented to the Federal Military Government. However, while preserving the presidential form of government, including the supportive structures and institutions, the SMC did introduce some changes.[112] The SMC disagreed with the recommendation of the CA which made English the official language of business in the National Assembly. The SMC added the three most widely spoken languages in Nigeria, Hausa, Ibo and Yoruba, as official languages, proclaiming that "it is unacceptable to make English the only language of business"[113] at the present stage of Nigeria's national development.

Certain decrees relating to the Land Use Decree, National Youth Service Corps, Public Complaints Bureau, and the National Security Organization were entrenched in the constitution in order "to strengthen the constitution and to further ensure stability, progress and continuity after the military would have handed over the reins of government."[114]

The FMG also deleted from Section 8 of the constitution a provision that permitted the merger of another sovereign state or its parts with the Federation of Nigeria because such a provision "is at variance with the Nigerian foreign policy objective as enunciated in

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the constitution itself."[115]

Under Decree 25 of September 21, 1978, the
constitution of the Federal Republic of Nigeria was
promulgated into law and became operationally effective
on October 1, 1979.[116]

The Mohammed/Obasanjo military administration was a
marked departure from the previous military regimes in
style, probity, innovation and dedication to the programs
it set out to accomplish before returning power to the
civilians. Also, under the Mohammed/Obasanjo regime, like
the previous military administrations, the Supreme
Military Council continued to function as the "highest
governing body in providing the general policy guidelines
within which the affairs of the nation are conducted."[117]
Quite apart from retaining this institution, the
Mohammed/Obasanjo regime broke with the long established
tradition of retaining the Military Governors as members
of the SMC. With the door of the SMC closed to the
Military Governors, a new institution -- the National
Council of State -- was created to function as "a forum
for states' representation in the discussion of matters
affecting their interest."[118] The National Council of
State is made up of the Head of State, the Chief of Staff,
Supreme Headquarters; the Chief of Army Staff; the Chief

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of Naval Staff; the Chief of Air Staff; the Inspector General of Police; and the Military Governors. The reason for the exclusion of the Military Governors from the SMC was to counteract the considerable influence wielded by the Military Governors in Gowon's Supreme Military Council.

Under a new dispensation, the Military Governors were responsible to the Chief of Staff, Supreme Headquarters, instead of directly responsible to the Head of State.[119]

The Federal Executive Council (FEC) as the third organ of government continued to function as a body responsible for the formation of "policies and the execution of decisions ... within the framework of the guidelines which the Supreme Military Council and the National Council of State lay down from time to time."[120]

The Buhari/Idiagbon Regime, 1984-1985

The seizure of power by the military through the phenomenon of a coup d'etat is not necessarily a presage to the total annihilation of the basic freedoms normally enjoyed by the people under a civil government. However, certain key provisions of the existing constitution are generally suspended by the military upon their ascendancy

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to power.[121] The suspension of the constitution in addition to the general attitude of intolerance of the military to public criticisms of its rule constitute an infringement on the basic rights of the people. Thus, a military rule, to a degree, constitutes an abridgement of constitutionalism.[122] Ostensibly, a military rule is an a-democratic rule accountable to no one but itself, and generally unrepresentative of the general will of the people. A military rule, as pointed out by Dr. Tunde Adeniran, is an "instrumental suppression of popular will" of the people.[123]

Despite the a-democratic rule of the military, its authoritarian tendencies in the management of statecraft are sometimes tempered with the realization that the military cannot govern the people solely through the barrel of a gun. The effectiveness of the military to govern depends by and large on the relative support of the public which the military can muster to legitimize itself.[124]

The Buhari/Idiagbon regime came into being when the government of President Shehu Shagari fell as a result of the erosion of public confidence and support over the conduct of the 1983 presidential elections that brought him to power for a second term in office.[125]

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On the eve of 1983 New Year, the government of President Shagari was overthrown by the military. This coup, like the previous coups in Nigeria, was greeted by the usual mood of elan and exhilaration.[126]

In the characteristic swiftness of a "corrective" military regime, Major General Buhari, who headed the new regime, quickly charged the ousted government of President Shagari with the "twin evils of corruption and indiscipline." In his first broadcast to the nation on January 1, 1984, General Buhari said,

> The corrupt, inept and insensitive leadership in the last four years has been the source of immorality and impropriety in our society, since what happens in any society is largely a reflection of the leadership of that society.[127]

The leadership of the new regime was not only captivated by the activist style of the governing characteristics of the Mohammed/Obasanjo regime, but consistently viewed their new regime as an off-shoot of the Mohammed/Obasanjo government in which some of them had actually participated.[128]

By declaring the regime as an off-shoot of the old Mohammed/Obasanjo regime, the Bahari/Idiagbon regime sought to accomplish certain goals: (I) The regime wished to enhance its popular support base by invoking nostalgic memories of the popularity and accomplishment of the

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Mohammed/Obasanjo administration;[129] (II) By closely identifying with the previous regime, the leadership in the Buhari/Idiagbon regime sought for the validation of their place in history alongside the leadership of Mohammed/Obasanjo. (III) By identifying with the old system under Mohammed/Obasanjo, the Buhari/Idiagbon regime was implicitly calling for a juxtapositional appraisal of the two administrations.

The initial excitement that greeted the coup that brought General Buhari to power soon disappeared and the general expectation for a more responsive administration under this regime quickly developed into a nightmarish experience of unsavory authoritarianism.

One of the actions taken by the Buhari/Idiagbon regime was the establishment of special military tribunals for the trial of ousted politicians. Under the Recovery of Public Property (Special Military Tribunals) Decree of 1984, the country was divided into five military zones: Enugu, Jos, Kaduna, Ibadan, and Lagos. Each zone had a chairman and four other members appointed by the Federal Military Government.[130] Under the provisions of this Decree, anyone found guilty of abuse of office and corruption was to be sentenced up to a maximum term of life imprisonment. The Decree was designed for the trial

of the 475 politicians who had been detained shortly after the military came to power in 1983. Many politicians and public officials from both the federal and state levels of government were found guilty and sentenced to various terms of imprisonment.[131] The trial and conviction of some of the Nigerian public officials was unprecedented in the annals of Nigerian history. It marked a sharp departure from the policies of the previous regime, which faced a similar situation when General Gowon came to power in 1967, and the half-hearted approach given to the issue of corruption in the First Republic.

The courage of the Buhari/Idiagbon regime to arrest, try and convict some of the Nigerian public officials was commendable. However, the overall handling of the trials left much to be desired. It is ironic that the Buhari/Idiagbon regime came to power largely because the ousted government of President Shagari was corrupt, inept, and lacked a sense of frugality in the management of the Nigerian economy, yet the regime began to prosecute the political opponents of the ousted government more than members of the ousted government.[132] Worse still, public suspicion persisted that the Buhari/ Idiagbon regime was an accomplice to the escape of some members of the National Party of Nigeria (NPN) from the country shortly

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after the coup's success.[133]   It was this lack of even-handedness of the government that led to the widespread suspicion that the coup that brought Buhari to power was staged by the NPN as a face-saving measure to pre-empt the radicals in the Army from taking control of the government.[134]   Again, public suspicion that the military regime of Buhari/Idiagbon was in fact a re-incarnation of the NPN government in mufti was reinforced when Mr. S. G. Ikoku, an aide to President Shagari, upon hearing about the appointment of Buhari as the new Head of State, proclaimed "there is no coup."[135]

The Buhari/Idiagbon regime responded to public criticisms of its handling of state affairs through the promulgation of a series of Draconian decrees to silence its critics. For instance, Decree No. 24 of April, 1984 specifically forbade the publication or broadcast of any material that could remotely bring the government or its functionaries into ridicule and disrepute. Under the retributive punishment of this decree, two Guardian newspapermen were each sentenced to two years imprisonment for daring to publish an "embarrassing" article on the prospective diplomatic postings to London and Washington. When the two journalists were finally released, after spending nearly a year in prison, they were welcomed as

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national heroes. Chief Rotimi Williams, who defended the two journalists, reminded the military government, in a lecture delivered at Ogun State University, Ago-Iwoye, in July 1985, that a "complete disregard of public opinion can only breed social and political instability, particularly during a military regime."[136]

Unmindful of the underlying frustrations of the people, and confident of its own ability to handle the problems confronting Nigeria, the Buhari/Idiagbon regime persisted in maintaining a posture of Olympian indifference to public opinion. This uncompromising attitude, as well as the regime's belief in its own capacity to overcome public opposition to its policies through intimidation, prompted the Nigerian Nobel laureate, Professor Wole Soyinka, to remark that "criticizing the present military regime (Buhari/Idiagbon) is like talking to the deaf and I don't talk to deaf people."[137]

Under the Bahari/Idiagbon regime, the Nigerian Security Organization (NSO), by Decree No 2, January 1984, was given unfettered power to detain indefinitely any person suspected of being a state security risk. The NSO became an instrument of the Buhari/Idiagbon regime, ready to silence anyone who dared criticize the government or

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any of its functionaries. Under the provisions of Decree No. 2, Dr. Tai Solarin, one of the most articulate social critics in Nigeria, was detained along with people like Haroun Adamu and Rufai Ibrahim, two other formidable critics of President Shagari's government.

Quite apart from the fact that military regimes are generally authoritarian, the Buhari/Idiagbon regime grappled with the challenge to its moral justification to rule and sought refuge under what David Brown has called "siege legitimacy."[138] Under siege legitimacy, the "commitment to the society and its survival are (generally) equated with the support for the government."[139] A regime whose legitimacy is in question is generally intolerant to any opposition. And very often, the "unofficial" opposition to the military government, whatever form it takes, is looked upon as a potential threat to the survival of the regime. The response is usually swift and brutal. As pointed out by James O'Connell, "a consciousness of the fragility of their own legitimacy tends to spur governments to over-react to every threat that they discern."[140] Additionally, siege legitimacy is often characterized by scapegoating the economic failures of the government to domestic or external threats posed by a particular group

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of people, international situation, or a conspiratorial plot of a foreign power to sabotage the "fine" economic blueprint of the State.[141] The use of "siege legitimacy" is itself a diversionary tactic designed to turn away public attention from the existing problems of the country.

The use of siege legitimacy applies to both the military and civilian regimes. The Buhari/Idiagbon regime, like the ousted government of President Shagari, issued an expulsion order on illegal aliens in 1983 and 1984, and both regimes blamed the problems in Nigeria on illegal aliens.[142]

Now that Nigeria has successfully pushed for the implementation of the second phase of the protocol of the Economic Community of West African States (ECOWAS) (at its 1986 Summit) Nigeria may have now "lost a good whipping-dog and scapegoat for its economic problems."[143] Under the terms of the protocol, ECOWAS citizens residing in any of the Community's member states can no longer be branded as "illegal aliens."[144]

During the Buhari/Idiagbon regime, the concept of War Against Indiscipline (WAI) was introduced into Nigerian social life as a socio-political program of action against what the regime perceived as acts of

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lawlessness, moral degeneration, and indiscipline. The neologism of WAI "extolled the virtues of queuing, cleanliness, and patriotism."[145] Major-General Tunde Idiagbon, who was deeply involved in the propagation of WAI and its goals, once explained its relevance to the Nigerian social reality as follows:

> without discipline in the society at large, the country would degenerate into a jungle where respect for law and order is disregarded, traditional norms and principles cast aside, criminal activities find fertile ground to flourish in and a sense of insecurity of life and property haunts the citizens.[146]

The WAI cannot be successful or even meaningful if its application is lopsided or mainly directed to the general public alone. The problem with the WAI is that it has served more as reminder of the moral indiscipline and lawlessness of the Nigerian ruling class. It is on record that General Buhari, as the General Officer Commanding (GOC) the Third Armoured Division, was defiant of President Shagari's order as his Commander-in-Chief during the border conflict between Nigeria and the Republic of Chad in 1983.[147] The Nigerian ruling class can hardly claim to be a positive moral guide or a role model to other Nigerians.[148]

Although the Buhari/Idiagbon regime has claimed itself to be a facsimile of the Mohammed/Obasanjo regime,

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both in the style of governing and sensitivity to public opinion, the regime of the former is an aberration. For example, during the Mohammed/Obasanjo regime, there was an established principle of appointment at the federal level reflecting the character of Nigerian ethnic complexity. This appointment criteria was explained by the former Head of State, General Obasanjo: "We balanced the North and South, and then balanced the Christians and the Moslems."[149] General Obasanjo, who is himself a Christian and a Yoruba from the South, chose General Yar'Adua (then Brigadier), a Moslem from the North, as his number two man, in preference to General Theophilus Yakubu Danjuma, who was also a Northerner, but a Christian with a far superior military rank than Yar'Adua, as the Chief of Staff, Supreme Headquarters. Danjuma retained the third position as the Chief of Staff, Nigerian Army.[150]

Under the Mohammed/Obasanjo regime, the three most important personalities in the political-military hierarchy of the State, like the other military regimes before it, were: the Head of State, who was also the Commander-in-Chief of the Armed Forces; the Chief of Staff, Supreme Headquarters; and the Chief of Staff, Nigerian Army. The geography of birth and the consideration of religion were the most paramount criteria in the

allocation of positions of authority during the Mohammed/ Obasanjo regime. However, during the Buhari/Idiagbon regime, such considerations became virtually irrelevant. General Buhari, who was himself a Moslem from the North, chose two other Northerners and Moslems for the sensitive positions of Chief of Staff, Supreme Headquarters and Chief of Staff, Nigerian Army.[151]

Again, while Buhari, Idiagbon and Babangida formed the _troika_ of the inner circle of the military ruling class, the control of the Supreme Military Council was virtually dominated by the Moslem Northerners. Of the nineteen members of the SMC, only seven were from the southern states. Ogun, Oyo and Ondo states were not represented in the Council. Also, of the four Commanders heading the Divisions of the Nigerian Army during Buhari's regime, only one was from the South and the rest were Northerners and Moslems.[152] The Northern domination of the FMG during the Buhari/Idiagbon regime and the insensitivity of this regime to public opinion actually provided the opportunity for the expression of frustration and disappointment in the South and also precipitated a call for a confederal experiment in Nigeria.[153]

The Buhari/Idiagbon regime was a typical example of a regime that virtually alienated every important

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"categoric group" like the Nigerian Bar Association, the Nigerian Student Union, the Nigerian Medical Association and the Academic Staff Union and, at the same time, remained highly insensitive to the needs and aspirations of the larger society as a whole. The erosion of the popular support base of the Buhari/Idiagbon regime occurred because the regime had offended the sensitivity of these groups in addition to its gross encroachment on the basic freedom of Nigerians as a whole. Claude E. Welch, Jr. has pointed out that African military rulers can achieve legitimacy of their rule through three inter-locking ways: (1) by gaining or creating a social and political basis of support; (2) by avoiding recourse to excessive use of force; and (3) by building effectiveness over an extended period.[155] Even with the best of intentions to tackle some of the socio-political problems facing Nigeria, the approach and means adopted by the Buhari/Idiagbon regime also helped to create an ambivalent environment that worked to its disadvantage in terms of popular support. The regime was contemptuous of those factors capable of strengthening its popular support base and sought to institutionalize "a militarized Leviathan in Nigeria," and to reduce the entire society "to a Hobbesian `state of war'."[156]

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In a fusillade of criticisms and rhetorical attacks, the regime of Major-General Ibrahim Badamosi Babangida (now a General and President) charged the ousted regime of Buhari and his strongman Idiagbon of having attitudes of indifference to public opinion, of developing a complexion of rigidity and authoritarianism, and of throwing overboard the "tradition" of consensual style of governance characteristic of the Nigerian military regimes. These charges became the _raisons d'etre_ for a change of government.[157]

It should be recalled that Babangida was the third most powerful man during the Buhari/Idiagbon regime by virtue of his position as the Chief of Staff, Nigerian Army. Thus, by virtue of his number three position in the hierarchy, coupled with the fact that he was the Army Chief of Staff dealing with military matters, Babangida was sure to be in constant contact with other top military officers. Babangida could have taken advantage of this strategic position vis-a-vis the top officers in the Armed Forces (some of whom were members of SMC) to influence policy and to accommodate public yearnings. Alternatively, he could take direct control of the government. His preference was for the second option,

notwithstanding the risks and uncertainties inherent in staging a successful coup. It has been pointed out, by the retired Lt. General Danjuma, that "coup making is not an act of bravery but a function of opportunism."[157]

It is common knowledge that the first few weeks or months of military rule anywhere -- in Nigeria, elsewhere in Africa, Asia or Latin America -- are generally eventful and action-packed, often setting the stage for what Abner Cohen has called the "dramaturgy of power."[158] Having endured a severe economic hardship under the ousted regime of General Buhari, Nigerians were quick to welcome the new regime of General Babangida as a liberator from the oppressive rule of his predecessor. Despite little knowledge of the motives of the new regime, beyond rhetorical assurances, the Nigerian people remained characteristically optimistic. Taking full advantage of the prevailing frustration of the Nigerian people and their desperate desire for a more liberal minded leadership, the new regime began to offer grandiose assurances to placate the frustration that existed under the Buhari/Idiagbon regime.

In his maiden speech to the nation upon his assumption of office, General Babangida told Nigerians precisely what they were longing to hear: "we recognize

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that a government be it civilian or military needs the consent of the people to govern if it is to reach its objectives." Having said that, the Head of State assured Nigerians that the "military do not intend to rule by force" and that "fundamental rights and liberties will be respected." However, the Head of State cautioned Nigerians not to allow the aura of civil liberties promised to "degenerate into irrational expressions that border on subversion."[159]

General Babangida brought some sweeping changes to his administration as the new Head of State. First, he adopted the title of "President" -- an unusual phenomenon in the history of military rule in Nigeria. Under the pre-existing constitution before the military coup of 1983, the seizure of power either through a coup or any other means not procedurally related to a democratic process were proscribed.[160] Thus, by adapting the title of "President" from the constitution of 1979 to a Praetorian rule, a title reserved for the leadership of a constitutional government under the presidential system, Babangida has acquired a legal title "illegally."[161]

Second, the designation of the Supreme Military Council as the highest decision-making body under the Nigerian military administrations since the time of Gowon

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was changed to the Armed Forces Ruling Council (AFRC), and its expanded membership (twenty-eight members) included officers of the rank of lieutenant-colonel, whereas members of the SMC under the previous military administrations were composed of officers not below the rank of colonels.[162]

Third, the seat of the government, Dodan Barracks, was renamed the General Staff Headquarters, instead of the Supreme Military Council Headquarters.[163] Other changes initiated by President Babangida included changing the name of the Chief of Staff, Supreme Headquarters, to the Chief of General Staff, who, unlike his predecessor, is now limited in responsibility to purely political issues. Issues concerning military affairs are now handled by the newly created Joint Chiefs of Staff, whose chairman is the current Minister of Defense, Major-General Domkat Bali.[164] This restructuring was motivated by the desire to avoid concentration of power in one individual as was the case under Major-General Tunde Idiagbon when he was the Chief of Staff, Supreme Headquarters, with both political and military responsibilities concentrated in his office.

President Babangida also retains the other two organs of decision-making at the federal level, namely: the

Federal Executive Council, which is now renamed the
National Council of Ministers (NCM) and the National
Council of State (NCS), previously known as the Council
of State. Each of the Councils is allocated a Permanent
Secretary to head their Secretariats.[165] These two
organs, including the Armed Forces Ruling Council (AFRC),
function in a similar fashion to those existing in the
previous military administrations.

The regime of President Babangida, like the
Mohammed/Obasanjo regime, initiated a process for
returning Nigeria to a civilian administration, by 1990.
However, the date has since been changed to 1992.[166]

In his determination to return Nigeria to a
democratic process in 1992, the President inaugurated a
seventeen-member committee known as the Political Bureau
to serve as the launching pad for the process. In his
address to the Bureau, the President urged members to come
up with suggestions "as to how Nigeria can evolve a
political system which can enable its people to aspire to
a predictable and stable political culture."[167] The
Bureau, which was headed by Professor Sylvanus Cookey,
has the following terms of reference which include: (1)
to review the Nigerian political history; (2) to identify
the basic problems which led to failure in the past and

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suggest ways of resolving these problems; (3) to identify the basic philosophy of government; (4) to collect relevant information and data for the government as well as identify any political problems that might arise in the course of debate and deliberation on those problems; and (5) to gather, collate and evaluate the contributions of Nigerians in the search for a viable political future and to provide guidelines for the attainment of the consensus objectives.[168]

After sitting for fifteen months,[169] the Political Bureau, which was set up in October, 1985, finally submitted its report to the FMG on March 27, 1987. Following receipt of the Bureau's report, the FMG appointed a nine-member committee charged with the responsibility of studying the four-volume report. The committee, which was headed by Major-General Paul Amu, included five other members of the AFRC, three members of the Presidential Advisory Committee, and a Permanent Secretary.[170] The completion of the Committee's report was followed by a White Paper publication by the AFRC on the political future of Nigeria. The AFRC substantially revised the Bureau's report reflecting its own dispositions and interest.

The Bureau was of the opinion that capitalism "tended

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to foster poverty, ignorance, disease and squalor among the masses" and therefore recommended "a socialist socio-economic system" under which the "state shall be committed to the nationalization and socialization of the commanding heights of the national economy."[171] The AFRC rejected a socialist ideology on the grounds that an ideology "will eventually evolve with time."[172] On the "political and constitutional systems," the AFRC accepted the recommendation of the Bureau for the continuation of a presidential system, a federal system of government, a bicameral legislative body over the unicameral legislature recommended at the federal level, and a two party system functioning under the strict observance of the following conditions: (a) that both political parties accept the national philosophy of government; (b) that the differences between the two political parties are the priorities and strategies of implementation of the national objectives; (c) that membership of the political parties be opened to every citizen of Nigeria irrespective of origin, sex, religion, or ethnic grouping; and (d) that the national executive organ and the principal officers of each political party reflect the federal character of Nigeria.[173] The AFRC accepted the recommendation of the Bureau that Nigeria have a two-party system, however, with

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a proviso attached to the third condition banning the participation of certain categories of Nigerians from "politics."[174]

The report of the Political Bureau also focused on (I) the role of special groups in Nigerian politics such as the traditional rulers, the military and labor,[175] (II) other special issues in Nigerian politics involving the problems of national census, revenue allocation, creation of states, national language, state and religion, federal capital territory, regionalism and statism and federal character,[176] (III) a new political orientation for Nigeria focusing on corruption and indiscipline in the social life of Nigerians, code of conduct for public officers, and political morality in public life.[177]

In another dramatic initiative undertaken by President Babangida to underscore the commitment of his government to a democratic process in 1992, a forty-six member Constitutional Review Committee was set up and charged with the responsibility of designing a constitutional document that would prove acceptable, workable, adaptable, enduring, and well-suited to Nigeria's circumstances, needs, and temperament of the people now and in the foreseeable future.[178] The Constitutional Review Committee (CRC) was headed by

Justice Baba Ado and assisted by the former Inspector-General of Police, Chief Etim Inyang, as his deputy.

During President Babangida's speech at the inaugural meeting of the CRC, he consciously vacillated concerning the scope of the Committee's deliberations; nonetheless, the Committee was given some specific guidelines in its task.[179]

While some of the measures proposed by the president to the Review Committee were really new and innovative, like the Directorate of Food, Roads and Rural Infrastructures, the Directorate of Employment and Mobilization, and a two-party system, others were just a rehash of some of the principles inherent in the two previous political systems; for example, the secularization of the Nigerian state, and the principle of separation of power under the presidential system.

Babangida has also undertaken the most unprecedented political action to ban certain categories of Nigerians from participating in the post-military politics in 1992.

In a special broadcast to the nation on September 23, 1987, President Babangida announced that "three groups of persons have to be disqualified from participating in elections to any elective office in the country and from

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holding any position in any political party if a new political leadership is to emerge."[180] The first group includes five categories of people: (I) all politicians who held office from 1960-1963 and 1979-1983, and who were subsequently found guilty of offenses by any tribunal, panel, commission, or inquiry; (II) all who served as secretaries to federal and state governments, Permanent Secretaries, judges, chairmen and members of federal and state boards of statutory corporations and state-owned companies, and all other public officers found guilty of misdeeds by any panel, tribunal, etc. between October 1, 1960 and the end of the transitional period; (III) all military and policy personnel who held office during the period of January 15, 1966 to the end of the transitional period "who were removed from office or dismissed from services or who were or are hereafter found guilty of corruption or other misdeed" or indicted by various courts martial, tribunals, panels, inquiries, etc.; (IV) all persons in both public and private sectors who "have been or will be dismissed" from office or any employment during the period of October 1, 1966 to the end of the transitional period; (V) all persons who may not have held office but who have been indicted for "corrupting public office holders."[181]

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The second group of disqualified persons is made up of those who held high offices but who may not have been found guilty of any offence. It includes holders in First and Second Republics of the offices of President, Vice-President, Regional Premier, State Governor, Minister, Presidential Advisor/Assistant, Commissioner, Parliamentary Secretary, Presidential Liaison Officer, President of Senate and Deputy Speaker of House of Representatives and Deputy Speaker of regional/state House of Assembly, and Deputy, Chairman of Committees in Senate and Federal House, and regional/state Houses of Assembly, members of national executive committees of all political parties and members of regional working parties/committees or state executive committees of same.[182]

The third group comprised all military personnel who held or were currently holding high political offices who were banned from contesting election "during the period of political transition." These included President/Head of State; Chief of Staff, Supreme Headquarters and Deputy; Chief of General Staff; Chairman, Joint Chiefs of Staff; Chief of Defense Staff and Deputy; Chiefs of Army, Naval and Air Staff; Inspector-General of Police; Military Governors/Administrators; members of the Supreme Military Council and AFRC from December 3, 1963 to the end of the

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transitional period.[183]

The banning of certain categories of Nigerians from participating in the Nigerian politics of the post-military regime in 1992 is a redemptory action intended to create a "new political order" in Nigeria. The action of Babangida's regime was certainly not unrelated to the recommendation of the Political Bureau that a "new political order cannot produce the expected result without a high standard of morality in the conduct of government business."[184] The necessity for the creation of a "new political morality" in government stemmed from the political malfeasance of those political office holders "who looted the nation's treasury and flouted the constitution with impunity."[185] The institutionalization of a new political order is to ensure that the political gangsterisms of the past "do not resurface" again.[186]

Taking the bull by the horns, President Babangida made history by trying to put Nigeria once again at the threshold of new political life by announcing that "the old brand of politics will not be permitted in our new political order."[187] Troubled with the knowledge of the Nigerian past, the President stated that the "time has come for a new generation of men and women to take up the

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leadership mantle of Nigeria," adding that "we cannot forget the past no matter how inglorious it might be, but we cannot be prisoners to it no matter how glorious it may be."[188] To do that, the President emphasized, "is to mortgage the present and stultify future growth"[189] of the country.

Although rustication of the old politicians may have been a solution to some of the problems in Nigeria it was hardly the sole guarantee for the success of politics in the Third Republic. Clearly, the political problems in Nigeria are not easily reducible to the this single issue, without consideration for the Nigerian political culture.

The Political Bureau was not unaware of the nature of the political culture in Nigeria when it wrote in its report on "A New Political Orientation for Nigeria" that "the behavior of Nigerians in the political process has been largely negative" and that "the low consciousness of the people had made them vulnerable to manipulations of the power elite in the society" and "the backlash from such actions has been the emergence of a culture of helplessness, apathy, and indifference to the political process."[190] To overcome these vices, the Bureau has called for social mobilization "in terms of involving the people in taking part actively and freely in discussions

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and decisions affecting their general welfare" with the purpose of creating "a new culture that will transcend the multitude of negative factors in the Nigerian nation."[191]

Since the Political Bureau maintained that "a new political culture was indispensable for the success of the social, political and economic order"[192] in Nigeria, the Federal Military Government responded by launching the Mass Mobilization for Economic Recovery, Self-Reliance, and Social Justice (MAMSER). The aim of MAMSER, according to Vice-Admiral Augustus Aikhomu, the number two man to the President, is to "establish an appropriate framework for the positive mobilization and education of all Nigerians towards economic recovery and development, and a new social and political order."[193]

How the mobilization drive will affect the political process in the post-military rule is still an open question. The irony of such a program as MAMSER is that its goals may be greater than any determined effort to achieve them. "The trouble with Nigeria," as pointed out by Chinua Achebe, is that:

> National pledges and pious admonitions administered
> by the ruling classes and their paid agents are
> entirely useless in fostering true patriotism. In
> extreme circumstances of social, economic and
> political inequities such as we have in Nigeria,
> pledges and admonitions may even work in the reverse
> direction and provoke rejection or cynicism and
> despair. One shining act of bold, selfless
> leadership at the top, such as unambiguous refusal

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to be corrupt or tolerate corruption at the fountain of authority will radiate powerful sensations of well-being and pride through every nerve and artery of national life.[194]

The AFRC has been pursuing a two-dimensional policy designed on one hand to ensure the emergence of a new breed of politicians for the Third Republic, and on the other hand preparing an institutional framework through a constitutional arrangement capable of providing a new political order in Nigeria. Despite the convergence of the two policies in terms of their goals, undoubtedly a constitution cannot on its own produce good government. "A constitution is but a means to an end; and the end is good government. The quality of government depends upon the people who exercise it, not upon the constitution."[195]

The knowledge of Nigeria's political history and the interplay of forces shaping her politics seemed to be generally present in the minds of the military rulers prescribing solutions to the Nigerian problem of governance, at least to the best of their understanding of the situation. However, as of now, there is hardly any assurance that the magnitude of malpractices perpetuated during the Second Republic will not be repeated in the Third Republic because, as Larry Diamond has put it, "public accountability will be difficult to

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institutionalize in a new democratic regime if its
predecessor has not begun to establish a precedent."[196]
What is particularly relevant here is not the imprisonment
of some of the Nigerian politicians for corruption by the
military but the fact that the whole process leading to
their conviction was done _in camera_. Despite public
protestation over the conduct of the tribunal, the
military did not budge and thus raised the question of
·fair play. In Nigeria, it is much more convenient to
humiliate a highway robber who robs less than ten Naira
(N10) through public execution, than to humiliate those
public officials who pillage public coffers and get away
with it through legal technicalities in court.

       Shagari's administration was overthrown by the
military amid allegations of corruption, incompetence,
and mis-rule; yet the military could justify the release
of Shagari and his Vice-President on grounds that "legal
justice is not necessarily social justice."[197]   The
exclusion of the President and his Vice-President from
prosecution, even when Babangida has alleged that under
their leadership the Nigerian economy was "plundered
ruthlessly,"[198] would remain a precedent more likely to
render the enforcement of public accountability impossible
in the future. According to Achebe, "Nigerians are

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corrupt because the system under which they live today makes corruption easy and profitable; they will cease to be corrupt when corruption is made difficult and inconvenient."[199]

Given the volatility of the Nigerian regimes, no one can confidently say for sure whether the steps so far undertaken by President Babangida and his government to prepare Nigeria for the Third Republic in 1992 will actually result in successful implementation of the regime's disengagement programs.[200]

The success of President Babangida's programmatic commitment to the 1992 civilian rule will depend by and large on his ability to carry out these programs scrupulously and without recourse to any diversionary tactics, such as Gowon used, to prolong his rule. Anything resembling such tactics could be seriously damaging to the credibility of the government and its ability to survive public opposition.

Despite the uncertainty of how long the regime of President Babangida will last, given the characteristic vulnerability of Nigerian regimes (either military or civilian), the regime has an abiding commitment to its own disengagement programs. Another significant political development that has taken place under President Babangida

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is the creation of two more states in addition to the existing nineteen states in Nigeria. The states are: Katsina State, which is composed of the following local government areas: Daura, Mani, Dutsin-Ma, Katsina, Malumfashi, and Funtua; and the Akwa-Ibom State, comprised of Ikot-Ekpene, Abak, Eket, Ukanafam, Ikot-Abasi, Uyo, Etinam, Ikono, Itu and Oron.[201] The creation of two additional states in Nigeria, with one in the North and one in the South, is politically significant in maintaining a quasi-symmetry of power between the two sides.

The creation of two additional states was a reaction to the report of the Political Bureau that "the agitation for creation of states has been one of the most persistent problems in Nigerian politics."[202] Although thirteen additional states had been requested from the Political Bureau during the time the Bureau was writing its report, it recommended only six states, out of which two were created.[203]

Nigeria is not likely to have witnessed the last hurrah in the agitational politics of state creation; however, in creating the two states, President Babangida has made it clear that "for his administration, the number of states in Nigeria shall remain twenty-one".[204]

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While we have highlighted the basic programs to which the AFRC committed itself before its total disengagement from politics in 1992, a successful completion of these programs may very well depend on how it handles certain key issues outside the programmatic context of its disengagement policies. These are issues with the potential to strain the social atmosphere in Nigeria either before or after the military rule ends in 1992. The issues are (1) religion and (2) Army-Civilian relations.

The issue of religion[205] remains the most potent Achilles' heel of the Nigerian polity. Nigeria does not need to look far to discover the horror of sectarian conflict, similar to the strife in Lebanon and Northern Ireland, over religious issues. Sporadic outbursts of sectarian conflict have continued to plague and threaten the Nigerian socio-political fabric.[206]

The religious issue in Nigeria constitutes a social time-bomb, whose detonation could be calamitous to the corporate existence of Nigeria. As one observer has pointed out, "Nigeria's religious contour is underlaid with dormant tension."[207] Even The New Nigeria, whose editorial comments are generally representative of the views of the predominantly Moslem North, has described

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the mixing of politics and religion as "a singularly potent socio-political time-bomb"[208] that Nigeria cannot afford.

It should also be recalled that in 1978 when the Constituent Assembly was meeting over the draft constitution, the Moslem members of the Assembly, particularly those from the North, had demanded that the Sharia court system be incorporated into the constitution. The controversy over the Sharia issue precipitated not only the personal intervention of the Head of State, General Obasanjo, but public demonstrations in some parts of the Northern states, complete with banners carrying the following inscriptions: "No Sharia, No Peace"; "No Sharia, No Constitution"; and "Sharia is the Only Answer."[209] Religion in Nigeria is a tension-causing issue that sometimes overrides the basic national interest.[210]

Given the sensitivity of religion in Nigeria, it is quite inconceivable why the government of President Babangida would seek the country's admission into the Organization of Islamic Conference (OIC), knowing full well that such a move would certainly generate immense public opposition, particularly from the non-Moslem community. Prior to becoming a full member of the OIC,

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Nigeria held an observer status in it.

The formalization process of Nigeria's admission to the OIC was done surreptitiously. Nigerians were not officially informed of the action. Neither was the OIC issue a subject of discussion in the AFRC, the highest decision-making body in Nigeria. The Chief of General Staff, Commodore Ebitu Ukiwe, when asked by the press whether Nigeria had joined the OIC, said, "I am not aware that Nigeria has joined the Organization of Islamic Conference" and intimated that the issue was never discussed at the Armed Forces Ruling Council.[211] Commodore Ukiwe's response may have provided the final straw that led to his removal as President Babangida's second in command.[212]

What are the underlying reasons for the Federal Military Government's decision for joining the OIC despite the secular status of the Nigerian State as evident in Section 10 of the 1979 constitution? Specifically, Section 10 of the 1979 constitution states that "the government of the Federation or of a state shall not adopt any religion as state religion." Is the admission of Nigeria to the OIC tantamount to the adoption of a national religion by the Nigerian State? Is a military government bound by a constitutional document that is not

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"relevant" to its governing process? How does Nigerian

membership in the OIC affect its politics, or more

importantly, its existential foundation? In the absence

of any official statement as to why Nigeria has joined the

OIC, we can only base our analysis on the statements made

either by private individuals or government officials.

What seemed to be the government's first official

explanation of the admission of Nigeria to the OIC came

when President Babangida told a delegation of Catholic

Bishops that the government could not afford to treat

religion with neglect as "this could be inconsistent with

the central role that religion plays in the lives of

Nigerians." And for that reason, the possibility of

"religion as a potent weapon of social mobilization"[213]

being ignored during the military administration of

Nigeria under Babangida was unrealistic. But, could

religion still serve as an instrument of social

mobilization without necessarily dragging Nigeria into the

OIC as a member?

Nigeria sought admission into the OIC as a

requirement for her membership in the Islamic Development

Bank (IDB). Presumably, it was a cost-benefit

calculation. As pointed out by a Moslem scholar at the

Nigerian Institute of International Affairs, Dr. Layi

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Ogunbambi, "we stand to benefit from the creation of soft loans which entails borrowing by Islamic rules with little or no interest, and payment spread over a long period of time."[214] Having found herself in dire financial straits from the intimidation of the International Monetary Fund (IMF), Nigeria may have been driven, in desperation, to the OIC fold to counterbalance her dependency on the international financial institutions dominated by western countries.[215] .

The rancor generated over the OIC issue prompted the government to appoint a Presidential Select Committee of twenty people to examine Nigeria's membership. The Committee was composed of eight members, each drawn from both the Moslem and Christian communities, and four Ministers: the Minister of Internal Affairs as the chairman of the Committee, the Minister of Information, the Minister of External Affairs, and the Minister of Education.[216]

Another reason Nigeria may have decided to join the OIC was indicated by President Babangida when he addressed members of his own appointed Presidential Select Committee on the issue. According to the President, the OIC must be seen as another powerful "forum in which Nigeria can mobilize support for the battle against racism

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and colonialism, as well as advance the interests of the nation."[217] The irony of an argument like this is that if Nigeria cannot bring pressure to bear on Saudi Arabia to stop supplying oil to Nigeria's arch-enemy, South Africa,[218] (because of its apartheid policies) and from financing Jonas Savimbi's side of the war in Angola[219] (Savimbi is a close ally of Botha), how can Nigeria justify joining the OIC in order to use her membership as a forum to fight racism and the forces of destabilization which Savimbi's Angola and Botha's South Africa represent? What is not known at the moment is whether Nigeria has ever utilized the OAU forum or her relationship with Saudi Arabia to pressurize the government of that country to change her policies.

The fear of Islamization of Nigeria through its membership in the OIC as well as the possibility of using the OIC forum "to adopt the Arab view of global geo-political conflicts, especially on the Israel issue"[220] underscores the major concern of the Christian community in Nigeria.

In the face of unsettling volatility surrounding the OIC issue, an eminent Moslem scholar from the North, Sheikh Abubakar Gumi, waded into the controversy by declaring that, "Nigerian unity can only come by trying

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to convert Christians and non-Moslems (to Islam), until the other religions become a minority and do not affect our society." On the future of politics in Nigeria, Gumi expressed the view that "it would be difficult for a non-Moslem to be leader in Nigeria by election" and "if Christians do not accept Moslems as their leaders we have to divide the country."[222] Gumi's words strengthened the resolve of the Christian community to continue fighting for the withdrawal of Nigeria from the OIC.[223]

Even though the Presidential Select Committee has submitted its report, the ill-feeling and mistrust generated over the issue still remain. For instance, the Christian members of the Presidential Committee have consistently argued for an unconditional withdrawal of Nigeria from the OIC on the grounds that Nigeria's membership in the organization grossly violated the secular entity of the Nigerian State under Section 10 of the 1979 constitution. Conversely, the Moslems have argued that membership of Nigeria in the OIC does not contravene the principle of secularity. To emphasize this position, attempts have been made to differentiate between an "Islamic state" and a "Moslem country." According to this analysis, the former is a theocratic state ruled according to Islamic tenets, the latter is one with an

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identifiable number of Moslems regardless of how small the Moslem element might be.[223] However plausible these arguments might be, the perception is that Nigeria is participating in an organization that is undisguisedly theocratic. And since there is no financially strong and attractive organization exclusive to the Christians, like the IDB, to which Nigeria can belong to balance the sectarian interest of the Christian community, the continued membership of Nigeria in the OIC and IDB will continue to be viewed as a deliberate attempt by those in power to offset the delicate balance of the sectarian interests in Nigeria in favor of the Moslem community. Also, members of the Moslem community are more likely to view the membership of Nigeria in the OIC and IDB as a de facto recognition of Nigeria as a "Moslem country." When a country like Nigeria is trapped in the crossfire of sectarian conflict, particularly over its secular identity, the consequences can be fatal to the process of political development.

Religion in Nigeria is not an innocuous issue that can easily be mobilized for political development. The membership of Nigeria in the OIC and the IDB will definitely weaken the secular posture of the Nigerian State. It has been pointed out that the role of religion

in the politicization of the masses is harmful to the process of secularization as well as to the process of political development.[224] Moreover, experience has shown that "neither Islam nor Christianity is an unmitigated blessing to political integration" in Nigeria, Niger Republic, Sudan or Uganda.[225]

The Federal Military Government has acted in a secretive manner over the issue of Nigeria's admission to the Organization of Islamic Conference and thus, in effect, belied the credibility of a "corrective" regime. When the credibility of a government becomes questionable, its legitimacy suffers. Apart from the insensitivity of the AFRC over the OIC issue, its decision to apply for membership was apolitical. Quite often, military leaders in Nigeria have maintained that they are not "politicians," that they have nothing to do with politics. This is naive. Military men are politicians in mufti.[226] The myth of the apolitical character of the Nigerian military was destroyed with the decision to seek admission into the OIC. As pointed out by the former Nigerian Head of State, General Obasanjo, "we have crossed the Rubicon of the non-secular state by involving religion with politics."[227]

In an already polarized society like Nigeria, a sure

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way to heighten the various divisions in the country is
to mix religion with politics. Perhaps President
Babangida, himself a Moslem, is responding to the Islamic
principle of inseparability of religion and politics.[228]
However, Nigeria is neither a "Moslem" nor a "Christian"
country and her survival as a corporate entity will very
much depend on the strict observance of secularity.[229]
Nigeria, like many other African countries, has a "triple
heritage"[230] of traditional, Islamic, and Christian
values. They should all be respected. Despite
Babangida's rhetorical justification for the admission of
Nigeria to the OIC, he has continued to play down its
relevance and, at the same time, stressed caution against
the entrenchment of any religious values into the
constitution of Nigeria's Third Republic.[231]

The erosion of public support for a military regime
depends by and large on how the military handles its
civilian population. When coercion and force are
constantly unleashed on the civilian population by a
military regime, its support system is more likely to be
weakened. The parcel-bomb killing of Dele Giwa (the
brilliant chief executive of the magazine Newswatch) in
1986 was a dangerous precedent in Nigerian history.[232]
The attitude of the Federal Military Government concerning

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this incident and its failure to find and prosecute those responsible cannot but strain the military administration of President Babangida. Whatever the motive behind Dele Giwa's slaying, this unprecedented act is bound to have a chilling effect on the propensity of the people to participate critically and constructively in public discussion.

Again, the Babangida regime, which was originally predicated on openness and human rights, has now degenerated to the level of the ousted regime of Buhari/Idiagbon.[233] Despite some measures, such as the civil service and local government reforms,[234] the regime of President Babangida remains defiant of any criticism of the way it handles state affairs. Like the Buhari/Idiagbon regime, Babangida has responded to the criticisms by proscribing such organizations as the Student Union, the Labor Union, and the Academic Staff Union. This action of the government has prompted one supporter of Babangida's regime, professor Wole Soyinka, to label the regime as a "government of proscription," and accuse it of replacing "what was once openness" with "an atmosphere of fear."[235]

Whatever the shortcomings of President Babangida, both in the performance and conduct of his government,

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the whole world is watching patiently for the completion of his transitional programs and the restoration of democracy to Nigeria's Third Republic.

Conclusion

Consociational practice under Nigerian military rule is likely to evince both positive and negative reactions. For example, Nigerian military rulers score high marks as "consociational engineers." That is, they have promoted consociational devices designed "for the attainment of stable democracy."[236] For instance, since the administration of General Gowon, the military has been quick to recognize the structural asymmetry of the constituent units of the Nigerian Federation as one of the causes of political instability in Nigeria.

Conscious of the reality of Nigerian political development relative to this intrinsic asymmetry, the military rulers from Gowon to Mohammed/Obasanjo to Babangida have created more states not only to redress the existing structural imbalance among the constituent units, but to ensure representation of the states in the ministerial appointments to the Federal Executive Council. But, with the exception of the Ironsi regime, which barely lasted for six months, the Buhari/Idiagbon and Babangida

regimes virtually abandoned the concept of federal character, even though it had become a widely acceptable form of promoting an equitable representation of the states in the appointive or elective positions at the federal level.

Military rule may be undemocratic in nature, yet ironically it is the Nigerian military rulers and not the politicians who have consistently addressed the issue of vulnerability in the Nigerian political process. It is also the military rulers who have been quick to recognize that "institutional architecture is a key to democratic viability."[237]

Apart from the creation of more states, which is politically healthy to the stability of the Nigerian political process, it was also the military rulers who institutionalized a youth program -- the National Youth Service Corp (NYSC) -- not only to inculcate discipline into Nigerian youth, but to divest them of any particularistic ethnic nationalism by requiring them to serve the nation in areas other than their state of origin. The National Youth Service program came into being with the promulgation of Decree 24 in 1973, under the regime of General Gowon. The Decree made it mandatory for every Nigerian student from institutions of higher learning such

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as the polytechnics and universities to serve the federal
government for a year after graduation.

Besides General Ironsi, whose regime tilted towards
the embrace of a unitary system, other military rulers
from Gowon to Babangida have tried to adhere to a federal
system.   However, the mere embrace of a theoretical
federal system by the military may prove quite misleading,
if we are to assume that the operation of such a system
under military rule is analogous to a similar system under
a non-military government. As Read has pointed out, "`a
Federal Military Government' was always a contradiction
in terms, the hierarchical command structure of an army
being inherently incapable of operating in a federal
form."[238] Other scholars like Jinadu,[239] Akinsanya,[240]
Elaigwu,[241] Nwabueze,[242] Joseph,[243] and Achike[244] have
argued that federalism is hampered by the hierarchical
structure of the military; its command style of governing
and the concentration of power at the centre are
reminiscent of a unitary system.

Nevertheless,   military   rule   is   not   totally
inconsistent with a federal system, despite some
characteristics that run counter to its dynamics. What
we have to recognize is that "the major differences in
the operation of civilian and military Federalism are to

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be found in the style and structures of their administration."[245] Obviously, a state military government cannot be duly assertive of its "independent and co-ordinate" existence vis-a-vis the federal government, in a situation where, for example, the loyalty of the State Governor is required to remain in office. Again, regardless of the existing structure of federal government, under a military rule there exists a command-obey relationship between the superior federal military authority and the state military governments. As pointed out by Nwabueze, "a state military government was only an agent of the Federal Military Government, and the authority it exercised was merely a delegated authority."[246]

However, under the military rulership of the period covered in this chapter, two types of grand coalition are discernable: (I) the grand coalition of the ministerial appointees to the Federal Executive Council (FEC), who are mostly civilians, and (II) the grand coalition of the nation's top military officers in the Army, Navy, Air Force and the police force, coalescing as members of the Supreme Military Council or the Armed Forces Ruling Council (AFRC) as adopted by the Babangida regime.

Beginning from the military administration of General

Gowon, civilians have been appointed to the Federal Executive Council. These civilians were not necessarily appointed to the FEC to serve regional interests. However, it does give the impression that each of the states has a voice in at least one of the important decision-making organs of the federal government. Also, in the SMC, which served as the highest organ of decision-making under military rule in Nigeria, each of the states of the Federation was represented by their military Governors, in addition to the Heads of the Service Chiefs and Police. This was the organizational makeup of the Supreme Military Council during the military administrations of Ironsi and Gowon. We might add that the coalescing of regional interests in both the SMC and the FEC under Gowon helped in the consolidation of public support behind the Federal Military Government during the Nigeria-Biafra war and in the preservation of Nigeria's territorial integrity. Under the Mohammed/Obasanjo regime, the participation of the military Governors as representatives of the states in the SMC was discontinued, but another avenue of participation was opened to them in the Council of State. The Mohammed/Obasanjo regime has been able to build a "military-led consensual government,"[247] more successfully because, unlike the

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military administration of General Gowon, the Mohammed/Obasanjo regime developed a system of collective leadership, or troika, in which General Mohammed as the Head of State came from the North, the number two man in the administration, General Obasanjo, came from the South and the third position, occupied by General Danjuma as the Chief of Staff, Nigerian Army, came from a minority ethnic group. However, when General Mohammed was killed in February, 1976, in an abortive coup, both Obasanjo and Danjuma retained their membership in the SMC; but this time as the Head of State and the Chief of Staff, Nigerian Army, respectively, while General Yar'Adua was appointed to the number-two slot as the Chief of Staff, Supreme Headquarters.

Under the Buhari/Idiagbon regime, the consensual rule application, derived from the principle of grand coalition of regional interests, became a matter of peripheral concern and was partially responsible for the overthrow of the regime. At the state level of military administration, there was a similar consensual rule application generally built around a multitude of interests representing the various administrative units.

The law-making procedure through decrees and edicts is not ideally comparable with the law-making procedure

under democratic rule. A democracy is a marketplace of ideas and viewpoints. And such ideas and viewpoints are thoroughly debated until a decision is reached. The law-making procedure of the military is much more elitist and lacks grass-roots consultation common to democratic polities. As pointed out by Okay Achike, "the very character of military rule negates the requirement for full and adequate consultation with the Nigerian citizens prior to legislative enactments whereas such consultation is the rule rather than the exception in a parliamentary democracy."[248]

The exercise of mutual veto during the military administrations falls into two categories:

(I) That exercisable by the military Governors between 1967 when Decree No. 8 was promulgated to the time when a state of emergency was declared on the 27th of May, 1967. Decree No. 8, according to General Gowon, "restored the powers of the regional governments to the constitutional position before January 17, 1966."[249] As we have noted in Chapter Three, treaty-making power was vested in the federal government under the provisions of the Republican Constitution of 1963. However, any treaty or agreement entered into by the federal government on behalf of Nigeria cannot be operational in any of the

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regions of the Federation without an enabling law signed by their Governors. Thus, by implication of Decree No. 8, any treaty obligation entered into by the Federal Military Government cannot be operational in any of the regions without their approval. In other words, regional Governors had the power of mutual veto.

(II) If there was anything comparable to mutual veto during the military administrations of Nigeria, it was exercised not by the constituent segments of the Federation but by the "leadership core of the federal civil service -- the Super Permanent Secretaries."[250] During the military administration of General Gowon, these Super Permanent Secretaries became the mouthpieces of the federal government on sensitive political issues in Nigerian affairs. It is for this reason that the character of administration of Nigeria under Gowon has been likened to a "military bureaucratic complex."[251] Because of their privileged position under Gowon, this group was able to persuade him to abandon his pledge to return Nigeria to civilian rule in 1976.[252] Understandably, the attack on the top civil service by the Mohammed/Obasanjo regime, which succeeded the Gowon regime, was the result of the immense influence and deep attachment of this group to the ousted General Gowon.

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These Super Permanent Secretaries have prevailed in the exercise of what I will call their administrative veto power on General Gowon's decision to return Nigeria to civilian rule in 1976. Gowon's decision to renege on his promise ran counter to the popular expectation among Nigerians for a democratic government.[253] Similar administrative veto power was exercised by the Super Permanent Secretaries to prevent public enterprises and universities from enjoying an autonomous status that could enhance their prestige and efficiency as recommended by the Udoji Commission.[254]

Nevertheless, the military have contributed immensely to the institutionalization of some of the elements of consociationalism in Nigeria. First, the increase in the segmental units of the Nigerian Federation (made possible through the creation of more states) has made control of the central government by any of the hegemonic ethnic groups like the Hausas, Ibos and Yorubas virtually impossible. As pointed out by Nwabueze, "a multiplicity of units creates a feeling of interdependence, which in return encourages cooperation and mutual tolerance."[255] Second, under the initiative of the military, the principle of federal character has become mandatory in the allocation of appointive and elective positions in

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government. Third, even though the military has not
promoted the principle of mutual veto, the creation of the
National Council of State has provided both an opportunity
and a forum for representatives of the state and central
governments to meet to discuss national issues and to
resolve their differences.

On the opposite side of the coin, the constant
intrusion of the military into Nigerian politics is
partially responsible for the erosion of democracy.[256]
Democratic tradition cannot prosper in an environment long
dominated by military authoritarianism. It is also common
knowledge (at least in Nigeria) that military rulers have
generally spent far more money on military materiel and
personnel than on such social issues as education, health,
or transportation.[257] This does not bode well for the
democratic polity which the military rulers are trying to
build, for two reasons:

(I) The military generally want to see the
preservation of privileges earmarked for themselves during
their own rule. Subsequent democratic governments are
vulnerable when they diminish these privileges. In many
cases, the military wait on the sidelines watching
meticulously for the civilian government to falter, using
that as a justifiable excuse to stage a return to

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power.[258]

   (II) Related to the first point is the problem of
durability of a post-military government when faced with
the hard choice of satisfying its campaign promises to
the electorate as well as the military, whose interests
the government cannot easily forsake without the risk of
gratuitous intervention.

   Bargaining and compromise are quintessential elements
of democratic politics; yet, although they might seem
quite antithetical to military rule, it is the Nigerian
military leaders and not the civilian politicians who have
actually excelled in the institutionalization of some
elements of consociationalism. The politicians have the
responsibility to improve on what the military have done
in promoting institutional stability in Nigeria. However,
so far, they have failed.[259]

<center>Notes</center>

[1]For a thorough examination of the concept of Praetorian rule, see Huntington, _Political Order in Changing Societies_, 78-263, and Amos Perlmitter, "The Praetorian State and the Praetorian Army: Toward a Taxonomy of Civil-Military Relations in Developing Polities," in Finkle and Gable, _Op. cit._, 305-324.

[2]Jinadu, "Federalism, The Consociational State," 82.

[3]These values and norms include: (I) puritanism; (II) discipline; (III) rationality; and (IV) achievement orientation. See T.O. Odetola, _Military Regimes and Development: A Comparative Analysis of African States_ (London: George Allen and Unwin, 1982), 27-56.

[4]Oyovbaire, _Federalism in Nigeria_, 112.

[5]Theophilus Olatunde Odetola, _Military Politics in Nigeria: Economic Development and Political Stability_, (New Brunswick, New Jersey: Transaction Books, 1978); Odetola, _Military Regimes and Development_, _op. cit._; Luckham, _The Nigerian Military_ _op. cit._; Henry Bienen, _Armies and Parties in New Africa_ (New York: African Publishing Company, 1978). Oyeleye Oyediran, ed. _Nigerian Government and Politics under Military Rule 1966-79_ _op. cit._; Roger Murray, "Militarism in Africa" _New Left Review_ No 38, July-August, (1966), 35-59; and Eric A. Nordlinger, "Soldiers in Mufti: The Impact of Military Upon Economic and Social Change in the Non-Western Societies," _American Political Science Review_ Vol LXIV, No 4, December (1970), 1131-1148.

[6]Each of the military rulers in Nigeria from 1960 to the present has consistently coopted the civilian politicians into the governing process of the country.

[7]Seven army officers participated in the planning and execution of the coup. The ethnic breakdown is as follows: 5 Majors, Ibo; 1 Captain, Ibo; 1 Major, Yoruba. See de St. Jorre, _Op. cit._, 44.

[8]Dudley, _An Introduction to Nigerian Government and Politics_, 80.

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[9]See A.H.M. Kirk-Greene, _Crisis and Conflict in Nigeria: A Documentary Sourcebook 1966-1969 Vol 1_ (London: Oxford University Press,1971), 126.

[10]Dudley, _An Introduction to Nigerian Government and Politics_, 80.

[11]For the detailed explanation of the planning and execution of the coup and raisons d'etre for the failure in the East and Midwest, see Adewale Ademoyega, _Why We Struck: The Story of the First Nigerian Coup_ (Ibadan, Nigeria: Evans Brothers Ltd., 1981).

[12]Dr Michael Okpara, the Premier of the Eastern Region, and Chief Dennis Osadebey, the Premier of the Midwestern Region.

[13]Opeyemi Ola, "Nigeria: A Decade of Freedom" _Afro-American Studies_ Vol 2, (1972), 256.

[14]See the full text of the Decree in Kirk-Greene, _Crisis and Conflict_, 130-138.

[15]Typically in a federalism, both the central and regional governments can legislate on matters included in a concurrent legislative list. However, should the regional legislation conflict with the federal, it is the federal government that prevails.

[16]Oyovbaire, _Federalism in Nigeria_, 94.

[17]Ibid.

[18]Ibid.

[19]See the text of General Ironsi's first statement on January 16, 1966, in Kirk-Greene, _Crisis and Conflict_, 127-129.

[20]Decree No 34 of 1966, otherwise known as the "Unification Decree." See Kirk-Greene, _Crisis and Conflict_, 169-177.

[21]Ibid, 174.

[22]The grouping of the provinces was made to coincide with the former regional boundaries.

[23]Kirk-Greene, _Crisis and Conflict_, 169-173. Also see Dudley, _An Introduction to Nigerian Government and Politics_, 88.

[24]Kirk-Greene, _Crisis and Conflict_, 185.

[25]See the statement made by General Ironsi in his broadcast to the Nation in May 1966; in Kirk-Greene, _Supra_, 174.

[26]Oyovbaire, _Federalism in Nigeria_, 96.

[27]Under the provisions of Decree 34, the administration of each group of provinces was subject to the authority of the Head of the National Military Government.

[28]Kirk-Greene, _Crisis and Conflict_, 154.

[29]Williams, _State and Society_, 79.

[30]Balogun, _Op. cit._, 27.

[31]Ajayi, _Milestones in Nigerian History_, 40.

[32]Dudley, _An Introduction to Nigerian Government and Politics_, 88.

[33]_West Africa_, April 2, 1966, 391.

[34]Ibid, 390.

[35]Dudley, _Instability and Political Order_, 123-124. Also see Dudley, _An Introduction to Nigerian Government and Politics_, 88.

[36]Dudley, _Instability and Political Order_, 119-120.

[37]J. Isawa Elaigwu, "The Military and State Building: Federal-State Relations in Nigeria's `Military Federalism'

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1966-1976." in <u>Readings on Federalism</u> ed. Akinyemi, Cole and Ofonagoro, <u>op. cit.</u>, 164.

[38]Taylor Cole, "Bureaucracy in Transition" in <u>The Nigerian Political Scene</u>, ed. Robert O. Tilman and Taylor Cole (Durham: Duke University Press, 1962), 89-114. Also see Bello <u>op.cit</u>,110-111.

[39]Harold D. Nelson, et al., <u>Area Handbook for Nigeria</u> (Washington D.C.: U.S. Government Printing Office, 1972), 234.

[40]Kirk-Greene, <u>Crisis and Conflict</u>, 197.

[41]See the official record of the minutes of the meeting of Nigeria's military leaders held at Aburi-Ghana on January 4-5, 1967, Ibid, 315-345.

[42]de St. Jorre, <u>Op. cit.</u>, 81.

[43]Kirk-Greene, <u>Crisis and Conflict</u>, 322.

[44]Ibid, 353.

[45]Kirk-Greene, <u>Crisis and Conflict</u>, 314.

[46]Ibid, 308.

[47]de St. Jorre, <u>Op. cit.</u>, 95.

[48]See the full text of the commentaries on the Aburi agreements between the federal permanent secretaries and the Eastern Nigerian Government in Kirk-Greene, <u>Crisis and Conflict</u>, 340-345 and 355-356, respectively.

[49]Ibid, 343.

[50]Ibid, 411.

[51]Dunmoye, <u>Op. cit.</u>, 131.

[52]Kirk-Greene, <u>Crisis and Conflict</u>, 309.

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[53]The Eastern Nigeria Government promulgated an edict to appropriate the Federal Government revenues originating from Eastern Nigeria and also took over some of the statutory corporations belonging to the Federal Government, eg. Airways, Broadcasting, Shipping, Post and Telecommunications, etc.

[54]Ojukwu, in a speech on January 25, 1967, said that "On Aburi we stand ... there will be no compromise." See Kirk-Greene, Crisis and Conflict, 362-367.

[55]Several representations were made to Gowon and Ojukwu to resolve the crisis peacefully, to no avail.

[56]Dudley, Instability and Political Order 149, 194-199.

[57]Victor P. Diejomaoh, "The Economics of the Nigerian Conflict" in Nigeria: Dilemma of Nationhood: An African Analysis of the Biafran Conflict edited by Joseph Okpaku (New York: The Third Press, 1972), 318-321.

[58]Dudley, Instability and Political Order, 142.

[59]Akintola O. Falaiye, Conflict Resolution in Africa: The OAU Involvement in the Nigeria/Biafra War Unpublished Master's Thesis, Kansas State University, 1979.

[60]Kirk-Greene, Crisis and Conflict in Nigeria, 97.

[61]Diejomaoh op cit., 331.

[62]Ibid.

[63]Ibid.

[64]Ibid.

[65]Ibid., 332.

[66]Ajayi, Milestones in Nigerian History, 44.

[67]Quoted in Dudley, An Introduction to Nigerian Government and Politics, 321.

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[68] Kirk-Greene, _Crisis and Conflict_, 446.

[69] B.J. Dudley, "Western Nigeria and the Nigerian Crisis" in _Nigerian Politics and Military Rule: Prelude to the Civil War_ ed. S.K. Panter-Brick (London: Athlone Press, 1970), 110.

[70] Oyovbaire, _Federalism in Nigeria_, 99.

[71] Dele Olowu, "The New Priorities" _West Africa_ 23/30 December, (1985), 2689.

[72] Kirk-Greene, _Crisis and Conflict_, 96.

[73] Nwabueze, _A Constitution History of Nigeria_, 206.

[74] Ibid, 206. The emphasis is that of the author.

[75] Ibid, 207. Also see Oyovbaire, _Federalism in Nigeria_, 143-4.

[76] See A.G. Karibi-Whyte, "Federal Military Government (Supremacy and Enforcement of Powers) Decree No 28, of 1970" _Nigerian Journal of Contemporary Law_ Vol 1, (1970), 284-292. Also see Nwabueze, _A Constitutional History of Nigeria_, 206-209.

[77] Quote in Nwabueze, _Supra_, 207.

[78] Ibid, 206.

[79] Richard A. Joseph, "Principles and Practices of Nigerian Military Government" in _The Military in African Politics_ ed. John E. Harbeson (New York: Praeger Publishers, 1987), 71.

[80] Elaigwu, "Nigerian Federalism Under the Civilian and Military Regimes," 184.

[81] Kirk-Greene, _Crisis and Conflict_, 401.

[82] Ibid.

[83]Oyovbaire, _Federalism in Nigeria_, 122. Also see Elaigwu, "Nigerian Federalism Under the Civilian and Military Regimes," 185-6.

[84]Oyovbaire, Ibid, 108-9; Elaigwu, Ibid, 187; and Adamolekun, _Politics and Administration_, 109-120.

[85]For more on the unitary implications of the military federalism, see the conclusion of this chapter.

[86]Joseph, "Principles and Practices of Nigerian Military Government," 71.

[87]_West Africa_, August 4, (1975), 913.

[88]James J. Olúleye, _Military Leadership in Nigeria, 1966-1979_ (Ibadan: University Press Limited, 1985), 169-173.

[89]_West Africa_ August 4, (1975), 913.

[90]See _West Africa_ October 7, (1974), 1236.

[91]Claude E. Welch, Jr., "The Roots and Implications of Military Intervention" in _Soldier and State in Africa: A Comparative Analysis of Military Intervention and Political Change_ ed. Claude E. Welch (Evanston: Northwestern University Press, 1970), 50; Leo Dare, "Dilemma of Military Disengagement: The Nigerian Case" _Nigerian Journal of Economic and Social Studies_ Vol 16, No 12, July (1974), 297-309.

[92]_West Africa_, October 6, (1975), 1167.

[93]Falola and Ihonvbere, _Op.cit._, 22.

[94]Ali D. Yahaya, "The Creation of States" in _Soldiers and Oil: The Political Transformation of Nigeria_ ed. Keith Panter-Brick (London: Frank Cass and Company, Ltd., 1978), 204.

[95]Ibid.

[96]The Federal Military Government rejected the Commission's recommendation for the merger of Lagos State

with Ogun State and the split of South-Eastern into two. Instead, the Federal Military Government wanted to retain the South-Eastern State as a single political entity, but under a totally different name; Cross-River State. See Dudley, An Introduction to Nigerian Government and Politics, 109.

[97]Falola and Ihonvbere, Op.cit., 23-24.

[98]Phillips, "Nigeria's New Political Institutions," 3.

[99]Falola and Ihonvbere, Op. cit., 24.

[100]Ibid, 25.

[101]West Africa, February 23, (1976), 233.

[102]Africa Research Bulletin Vol 13, No 9, September 1-30,(1976), 4153.

[103]Africa Research Bulletin Vol 13, No 9, October 15, (1976), 4185.

[104]Ibid.

[105]Ibid.

[106]Ibid.

[107]Ibid.

[108]Ibid.

[109]Ibid.

[110]The twenty members approved by the SMC included women representatives of labor, press, students, public service and traditional rulers. See Phillips, Op. cit., 9.

[111]African Research Bulletin, Vol 15, No 8, September 15, (1978), 4951.

[112]See _West Africa_ October 9, (1978), 1984-5.

[113]General Obasanjo, "Let The Game of Politics Begin" _West Africa_ October 2, (1978), 1984.

[114]_West Africa_ October 9, (1976), 1984.

[115]Ibid, 1984.

[116]See Chapters Six and Seven for more on the government and politics of the Second Republic.

[117]Federal Ministry of Information: _Nigeria 1978-1979   Official   Handbook_   (Lagos: Third   Press International, 1979), 270.

[118]Ibid, 271-2.

[119]See Oyovbaire, _Federalism in Nigeria_, 112.

[120]_Federal Ministry of Information_ op.cit., 272-3.

[121]See the full text of Decree No 1 of 1966: The Constitution (Suspension and Modification) Decree 1966. In Kirk-Greene, _Crisis and Conflict_, 130-8. Also see _Africa Research Bulletin_ Vol 21, No 2, March 15, (1984) 7137.

[122]For an interesting explanation of the concept of constitutionalism see Nwabueze, _Constitutionalism in Emergent States_, 1-53.

[123]Tunde Adeniran, "Military Rule and Nation-Building: Praetorianism Revisited" _Nigerian Journal of Economic and Social Studies_ Vol 27, No 3, (1985), 337.

[124]L.O. Dare, "Nigerian Military Governments and the Quest for Legitimacy January 1966-July 1975" _Nigerian Journal of Economic and Social Studies_ Vol 17, No 2, (1975), 95-118.

[125]See Chapters Six and Seven.

[126]See the Nigerian press comments on the coup in

Africa Research Bulletin Vol 21, No 1, February 15, (1984), 7111.

[127]Ibid, 7110.

[128]Major General Buhari (Head of State) had served as the Military Governor of Borno State, as well as the Minister of Petroleum and then the first Director of the Nigerian National Petroleum Corporation (NNPC), and so also was Major-General Tunde Idiagbon (then Colonel) who became the second most powerful man to Buhari as the Chief of Staff, Supreme Headquarters. He served as the military administrator of Borno State before the transition period to the civil rule in 1979.

[129]The Mohammed/Obasanjo regime will long be remembered as a regime that was irrevocably committed to a program of action for the return to civil rule and which adhered to that commitment unwaveringly.

[130]For details of the zonal members of the five tribunals see *Africa Research Bulletin* Vol 21, No 4, May 15, (1984), 7219-7220.

[131]See a partial list of those convicted in the trial in *Newswatch*, August 11, (1986), 21.

[132]See Chapter Seven for more on corruption during the Second Republic, 1979-84.

[133]It was widely reported for instance that the General Secretary of the NPN Party, Uba Ahmed, was arrested on his arrival at the Murtala Mohammed International Airport in Lagos shortly after the coup. The Government issued a statement acknowledging his arrest. However, a few days later, they issued a statement of denial of the arrest of Uba Ahmed.

[134]Larry Diamond, "Nigeria Between Dictatorship and Democracy" *Current History* Vol 86, No 520, May (1987), 224; Jimoh Omo Fadaka, "A Coup to Prevent a Coup" *New Africa*, No 197, (1984), 18-19.

[135]See extracts from Ikoku's book in *Vanguard* (Nigeria) July 16 & 17, (1984). Ikoku was later arrested by the FMG because of the publication.

[136]The Guardian (Nigeria) July 13, (1985), 6.

[137]West Africa August 5, (1985), 1614.

[138]David Brown, "Crisis and Ethnicity: Legitimacy in Plural Societies" Third World Quarterly vol 7, No 4, (1985), 988-1008; David Brown, "Sieges and Scapegoats: The Politics of Pluralism in Ghana and Togo" Journal of Modern African Studies Vol 21, No 3, (1983), 431-460; Daniel Mou, "The Politics of Deceptive Scapegoatism: `Illegal Aliens' and Domestic Social Order in Nigeria" Nigerian Journal of Economic and Social Studies Vol 28, No 3, (1986), 297-318.

[139]Brown, "Crisis and Ethnicity," 989.

[140]O'Connell, "Political Integration: The Nigerian Case," 159.

[141]Brown, "Sieges and Scapegoats," 431.

[142]Roger Gravil, "The Nigerian Aliens Expulsion Order of 1983" African Affairs Vol 84, No 337, (1985) 523-7; Olajide Aluko, "The Expulsion of Illegal Aliens from Nigeria: A Study of Nigeria's Decision-making" African Affairs Vol 84, No 337 (1985) 539-60.

[143]Oye Ogunbadejo, "Nigeria and the Economic Community of West African States: From Vision to Reality" in Africa Contemporary Record ed. Colin Legum (New York: Holmes & Meier Publishers, 1988), A127.

[144]Ibid.

[145]Tom Forrest, "The Political Economy of Civil Rule in Nigeria 1979-84" Review of African Political Economy No 35, (1986), 23.

[146]Quoted in New African, March (1985), 49-50.

[147]See West Africa June 3, (1985), 1097-1098.

[148]Achebe, Op.cit.

[149]See the interview conducted by Dele Giwa with General Obasanjo in _National Concord_ (Nigeria) November 22, (1983).

[150]According to General Obasanjo, "It was Danjuna who suggested the arrangement of Yar' Adua as the Second-in Command to balance the power of the North and the South, and of a Christian and a Muslim." Ibid.

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[152]Major-General Tunde Idiagbon (then Brigadier) was the Chief of Staff, Supreme Headquarters while Major General Babangida was the Chief of Staff, Nigerian Army.

[153]See Peter Ezeh, "The State of Nigeria" _New African_ No 230, November (1986), 16-17; "The Buhari Administration" _New African_ No 197, February (1984), 20: Herbert Ekwe-Ekwe, "The Nigerian Plight: Shagari to Buhari" _Third World Quarterly_ Vol 7, No 3, (1985) 621.

[154]The retired Brigadier Benjamin Adekunle was one of the leading advocates of a confederal experiment in Nigeria so as to force the Buhari/Idiagbon regime to change its policies.

[155]Welch, _Op.cit._, 47.

[156]Joseph, "Principles and Practices of Nigerian Military Government," 83.

[157]See statements made on the radio by Brigadier Joshua Dogonyaro, Major-General Sanni Abacha and General Babangida reported in the _Daily Times_ (Nigeria) August 28, (1985) and _National Concord_ (Nigeria) August 28, (1985).

[158]Both Danjuma and Babangida have been involved in coup planning and execution in the past. See _West Africa_ September 8, (1986), 1876.

[159]Abner Cohen, _The Politics of Elite Culture: Explorations in the Dramaturgy of Power in a Modern African Society_ (Berkeley: University of California Press, 1981).

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[160] *Daily Times* (Nigeria) August 28, (1985) and *National Concord* (Nigeria) August 28, (1985).

[161] See Chapter Six for more on the "illegality" of the Nigerian Military Coups since 1983.

[162] In an interview, Babangida intimated that the title "President" came from the partially suspended constitution of 1979.

[163] See *West Africa* September 9, (1985), 1844.

[164] Ibid.

[165] Ibid.

[166] *Africa Research Bulletin* Vol 22, No 8, September 15, (1985), 7769.

[167] *Africa Research Bulletin* Vol 24, No 7, August 15, (1987), 8567.

[168] *West Africa* January 20, (1986), 152.

[169] Ibid.

[170] *West Africa* April 6, (1987), 688.

[171] *West Africa* April 6, (1987), 688.

[172] *West Africa* August 3, (1987), 1482.

[173] Ibid.

[174] *West Africa* August 10, (1987), 1531.

[175] Ibid, 1531. See pages 340-343 for the categories of those banned from participating in partisan politics.

[176] *West Africa* August 17, (1987), 1578-1580.

[177] *West Africa* August 24, (1987), 1631-1633.

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[178]West Africa August 31, (1987), 1688-1690.

[179]Africa Research Bulletin Vol 24, No 4, October 15, (1987) 8626.

[180]Ibid, 8625-8626.

[181]West Africa September 28, (1987), 1936.

[182]Ibid.

[183]Ibid.

[184]Ibid.

[185]West Africa August 31, (1987), 1689.

[186]Ibid, 1690.

[187]Ibid.

[188]Africa Research Bulletin Vol 24, No 7, August 15, (1987), 8567.

[189]Africa October (1986), 12.

[190]Ibid.

[191]West Africa August 31, (1987), 1688.

[192]Ibid.

[193]Ibid.

[194]West Africa August 17, (1987), 1563; West Africa September 26 - October 2, (1988), 1774.

[195]Achebe, op. cit., 16-17.

[196]Jennings, Op.cit., 82.

[197]Diamond, "Nigeria between Dictatorship and Democracy," 224.

[198] *West Africa* July 14, (1986), 1457.

[199] *West Africa* July 13, (1987), 1336.

[200] Achebe, *Op.cit.*, 38.

[201] *Africa Research Bulletin* Vol 24, No 7, August 15, (1987), 8568.

[202] *Africa Research Bulletin* Vol 24, No 4, October 15, (1987), 8630.

[203] *West Africa* August 24, (1987), 1632.

[204] The six additional states recommended were: Katsina, Akwa-Ibom, Delta, Wawa or Enugu, Koji and Sardauna.

[205] *Africa Research Bulletin* Vol 24, No 4, October 15, (1987), 8630.

[206] Religion here is given a minimal definition as a "belief in spiritual beings." See Clifford Geertz, "Religion: Anthropological Study" *International Encyclopedia of Social Sciences* Vol 13, ed. David L. Sills (Crowell Collier and MacMillan, 1968), 399.

[207] See Raymond Hickey, "The 1982 Maitatsine Uprisings in Nigeria: A Note," *African Affairs* Vol 83, No 331, April (1984) 251-25; Jato Thompson, "Nigeria: Religious Ructions," *New African* No 245, February (1988), 21; Eluem Emeka Izeze, "Nigeria: Under Cover Islam," *New African* No 222, March (1986) 21-22, "Nigeria: Religious Controversy" *West Africa* February 3, (1986) 2310-1; and Maxwell Nwagboso, "Nigeria: The Religious Dimension," *West Africa* July 18, (1988), 1294.

[208] Ikhenemho Okomilo, "Matter of Faith" *Africa* No. 177, May (1986), 27.

[209] *West Africa* November 8, (1982), 2871.

[210] *West Africa* April 24, (1978), 776-779.

[211] Levi Nwachuku and Mal Garba Ibrahim, "Nigerian Political Debate: A System of Stability" West Africa September 15 (1986), 1915-1918.

[212] Thompson, Op.cit., 21.

[213] Dele Omotunde, "Power Games" Newswatch October 20, (1986), 13; Dare Babarinsa, "One Man's Loss," Newswatch October 20, (1988), 17.

[214] Izeze, Op.cit., 21.

[215] Ibid.

[216] See Peter Blackburn, "Nigeria: The Year of the IMF" Africa Report Vol 31, No 6, November - December (1986), 18-20; Franklin Vivekanada and Julius O. Ihonvbere, "Debts and Falling Oil Prices: A Case Study of Nigeria" Scandinavian Journal of Development Alternatives Vol VI, No 4, December (1987), 164-185.

[217] Okomilo, Op.cit., 27.

[218] Ibid.

[219] Saudi Arabia was mentioned in the Iran-Contra Hearings as a country supplying oil to South Africa.

[220] While Morocco is providing the training ground for the Savimbi Forces, Saudi Arabia is paying the bill. See New York Times Sunday, June 21, (1987), 10.

[221] Ad' Obe Obe, "Panel Bridges the Gap" West Africa 31, March, (1986), 665.

[222] Thompson, "Nigeria: Religious Ructions," 21. Also see West Africa October 19, (1987), 2089.

[223] The general belief among Christian leaders is that Gumi's statement may have been encouraged by the powerful Muslim leaders.

[224] West Africa April 14, (1986), 801.

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[225]Donald Eugene Smith, _Religion and Political Development_ (Boston: Little, Brown and Company, 1970), 85-279.

[226]Ake, _A Theory of Political Integration_, 35.

[227]Nordlinger, "Soldiers in Mufti," 1131-42.

[228]_West Africa_ December 7, (1987), 2389.

[229]Islam is much more organic in the sense that it deals practically with every social aspect of human existence; government, family, politics, law etc.

[230]Secularization has four basic characters: (I) The separation of the polity from religious ideologies and ecclesiastical structures; (II) the expansion of the polity to perform regulatory functions in the socio-economic sphere which were formerly performed by religious structures; (III) transvaluation of the political culture to emphasize non-transcendent temporal goals and rational, pragmatic means, that is, secular political values, and; (IV) the dominance of the polity over religious beliefs, practices and ecclesiastical structures. See Smith, _Religion and Political Development_, 85-6.

[231]Mazrui, _The Africans: A Triple Heritage_.

[232]See _West Africa_ May 23, (1988) 937; Kaye Whiteman, "Stability and Prosperity" _West Africa_ September 28, (1987), 1895-1900.

[233]For the accounts of Dele Giwa's death, see _Newswatch_ November 10, (1986), 15-20.

[234]Pini Jason, "Back to the Bad Old Days" _New African_ No 252, September (1988), 17.

[235]See Greg Obong-Oshotse, "The New Civil Service" _West Africa_ March 7, (1988), 396-398; "Nigeria: An Election without Politics" _West Africa_ October 12, (1981), 2010-11; Salisu Na'inna, "Nigeria: Pioneers of Disengagement" _West Africa_ April 18, (1988), 678-9.

[236] *West Africa* August 1, (1988), 1409.

[237] Lijphart, *Democracy in Plural Societies,* 223.

[238] Whitaker, "Second Beginnings: The New Political Framework," 2.

[239] Read, *Op.cit.,* 132.

[240] Jinadu, "Federalism, The Consociational State."

[241] Adeoye Akinsanya, "The Machinery of Government During the Military Regime in Nigeria" *International Review of Administrative Sciences* Vol XLII, No 4, (1976), 357-368: Adeoye Akinsanya, "Federalism and Military Rule in Nigeria, 1966-1975" *Indian Journal of Public Administration* Vol XXIII, No 1, January - March (1977), 34-53.

[242] Elaigwu, "The Military and State Building," Elaigwu, "Nigerian Federalism Under the Civilian and Military Regimes."

[243] Nwabueze, *A Constitutional History of Nigeria,* 205-235; Nwabueze, *Federalism in Nigeria,* 348-9.

[244] Joseph, "Principles and Practices of Nigerian Military Government."

[245] Okay Achike, *Groundwork of Military Law and Military Rule in Nigeria* (Enugu, Nigeria: Fourth Dimension Publishers, 1978.

[246] Elaigwu, "Nigerian Federalism Under Civilian and Military Regimes," 188.

[247] Nwabueze, *Federalism in Nigeria,* 349.

[248] Adamolekun, *Politics and Administration,* 120-121.

[249] Achike, *Op.cit.,* 155.

[250] Kirk-Greene, *Crisis and Conflict,* 411.

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[251]Adamolekun, _Politics and Administration_, 110.

[252]Ibid, 109-120.

[253]Ibid, 110.

[254]A deluge of criticism came down on Gowon soon after the announcement to abandon his own plan for civilian rule.

[255]Adamolekun, _Politics and Administration_, 116.

[256]Nwabueze, _A Consociational History of Nigeria_, 148.

[257]Emerson, _From Empire to Nation_, 282.

[258]See Robert Looney, "Military Expenditures and Socio-Economic Development in Africa: A Summary of Recent Empirical Research" _Journal of Modern African Studies_ Vol 26, No 2, (1988) 319-325; Ikenna Nzimiro, "Militarization in Nigeria: Its Economic and Social Consequences" _International Social Science Journal_ Vol XXXV, No 1, (1983) 125-139.

[259]See _West Africa_ February 4, (1980) 189-192; and William R. Thompson, "Regime Vulnerability and the Military Coup" _Comparative Politics_ Vol 7, No 4, July (1975), 459-487.

[260]See Chapter Six for an analysis of the presidential system in Nigeria and its failure.

The Elements of Consociationalism in the Nigerian

Presidential System, 1979-1983

Introduction

The Nigerian Constitution of 1979 introduced an experimental framework based on the principles of consociationalism, viz: proportionality, grand coalition, federalism (segmental autonomy) and mutual veto.

The constitution, which was signed into law in 1978, only became fully operational when the Nigerian first Executive President was formally installed on October 1, 1979. It was designed as a presidential system modelled along the United States prototype.[1]

Institutionalization of all the elements of consociationalism into the Nigerian presidential system was bound to raise the question of whether the presidential design of the 1979 Constitution was any better than the Nigerian parliamentary system, particularly in reducing the vulnerability of Nigerian politics. Or, is a presidential system suitable for consociational practice?

Theoretically, the purpose of consociational practice

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in a plural society is to create a suitable environment for peaceful co-existence among the mosaic of ethnic, religious, linguistic and social groups. Consociational devices are designed to minimize the de-stabilization effect of the politics of exclusion characteristic of a Westminster model. That being the case, the basic question should no longer be whether a presidential system or, for that matter, a parliamentary system is suitable for the practice of consociational democracy in a plural society like Nigeria, but whether such systems significantly relate to the history, experience and socio-cultural realities of the polity to warrant the application of consociational devices. As pointed out by Professor Victor A. Olorunsola,

> [for a system or constitution] ... to succeed it is absolutely essential that it be grounded in the socio-cultural and political realities of the particular society.[2]

A presidential system is not necessarily incompatible with the practice of consociational democracy, but the predominance of presidential leadership does raise the question of its suitability to a plural society.[3] A parliamentary political system unlike the system of presidentialism has the propensity to promote a collegial cabinet structure in which a large segment of the polity can be represented.[4] However, despite the purported

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predominance of a single leader in a presidential system it is not uncommon nowadays to find that the prime-ministerial model of political leadership has, in some parliamentary systems like Canada and Britain, become much more presidential.[5]

In another situation, atypical of the Canadian or British experience, but found in some African countries, particularly Tanzania, Ghana (under President Kwame Nkrumah), Kenya, and Malawi, the parliamentary political systems bequeathed to them by the British have been adapted to presidential systems.[6] The phenomenon of "neo-presidentialism"[7] in Africa is manifested in the development and consolidation of executive power in an individual, generally under a mono-political system. And, in most cases, the appearance of neo-presidentialism in Africa has degenerated to "personal rule."[8]

Lijphart has indicated that the principle of grand coalition can be adapted to a presidential system by adopting a "diachronic grand coalition"[9] system of alternating the leadership positions among the various segments of the polity, or a system of "collegial presidency"[10] designed with the capacity to promote executive power-sharing among the various political interest groups. Calhoun, too, has argued for the

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institutionalization of "a plural executive" of two people acting concurrently on all congressional acts. He contends that the concentration of power in the American Presidency is a phenomenon incompatible with "the permanence of a popular government." Calhoun's arrangement might facilitate and maintain "an equilibrium between the larger and small states" of the federated polity.[11]

One other solution advocated by Lijphart to avoid the concentration of power in the hands of one single leader, which would obstruct the principle of grand coalition, is to have a system of separation of powers.[12] The principle of separation of powers is an inherent feature of the American presidential system. In practical politics, the essence of the principle of separation of powers is to serve as a "potent means to the outlawry of tyranny"[13] through a system of checks and balances.

The principle of separation of powers is only marginally relevant, if at all, to the promotion of grand coalition rule in a presidential system. But it is equally possible for a presidential system to accommodate all the elements of consociationalism espoused by Lijphart. What is important is the recognition that the system must be specifically designed to reflect the prevailing socio-political realities of the polity. The

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argument that consociational devices are impractical in a presidential system is based on preoccupation with the archetypal American example where such devices are non-existent, except for the principle of segmental autonomy (federalism) and proportionality (representation in Congress). Nevertheless, we should not immediately assume that a parliamentary system is suitable to the practice of consociationalism.

Many African countries, be they presidential or parliamentary, democratic or authoritarian, have resorted to the "politics of inclusive coalition"[14] whereby all the major interest groups are included in the governing process as a means of mitigating the inherent conflict in partisan politics, particularly over the allocation of resources.

Below, we shall examine the application of all of the principles of consociationalism under the Nigerian presidential system.

The Principle of Segmental Autonomy

The Constitution of 1979 reaffirms the indispensability of a federal system for Nigeria. Like the other constitutions before it since the adoption of a federal system under the Lytellton Constitution of 1954, the Constitution of 1979 committed Nigeria once again to a federal system. Not only was this an important element

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of Nigeria's political process but very much "an article of national faith"[15] for her existence as a legal political entity. A manifestation of Nigeria's commitment to a federal system is evident in the body of the constitution.

Under the provisions of Section 2 (i) and (ii) of the 1979 Constitution, Nigeria was firmly dedicated as "one indivisible and indissoluble sovereign state to be known by the name of the Federal Republic of Nigeria" and, as "a federation consisting of states and a federal capital territory." Also, Section 3 (I) of the Constitution specified the various constituent units of the Nigerian federation.[16]

A federation is a system of enumerated powers arranged into specifically defined categories -- the exclusive legislative list, the concurrent legislative list and the residual list -- held between two levels of government, the federal (national) and the state (regional) governments. In a federally structured system of government, as in Nigeria under the Constitution of 1979, the allocation of legislative powers between the federal and state governments was done partly through specific provisions in the body of the constitution and partly by enumeration set out under the two lists

scheduled to the constitution -- one exclusive to the national government and the other concurrent to both the federal and state governments.[17]

Under the exclusive legislative list, sixty-five items were mentioned. However, the last item on this list (item 67) related to "any matter incidental or supplementary to any matter mentioned elsewhere in the list. (See Appendix A.)

The concurrent list which contained twelve items (set out under part II of the concurrent legislative list (see Appendix B) also defined the respective extent to which the federal and state governments could legislate. The central government (federal) was given the upper-hand constitutionally to prevail under the concurrent legislative matters in the event of conflict between the central and state governments.

The Constitution of the Second Republic had its own characteristic uniqueness, atypical of the Constitution of the First Republic in terms of reverting "to the 1951-4 form of organizing the federal and state governments under one single constitutional document."[18] In other words, there is no separate constitutional document for each of the states of the federation as was the case under the previous post-independence Nigerian constitutions.

As stated earlier, the legislative responsibilities of the federal and state governments were listed in separate schedules of the constitution. However, any matter not included or listed in the exclusive and concurrent legislative categories was presumably a residual matter reserved for the state by virtue of Section 4 (7) (a) and (b) of the Constitution.

Contrary to the general practice in most federal systems, the Constitution of 1979 virtually made the local government councils independent of the state governments by subordinating them to federal control and regulation. This was, according to Professor Jinadu,

> because the idea underlying home rule as well as a "third tier" of government is that Local Government should be treated, within the states, as a residual authority in much the same sense in which the residual authority of the state vis-a-vis the federal government is guaranteed.[19]

> One of the distinguishing characteristics of a federal system is the degree of autonomy and independence enjoyed by the constituent units relative to the central government. Or, the constituent units,

> exist not as an appendage of another government, but as an autonomous entity in the sense of being able to exercise its own will in the conduct of its affairs, [free] from direction by another government.[20]

> Under a federal system, autonomy implies a degree of equality conferred on each of the constituent units in

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their relationship with one another, by virtue of their independent existence relative to the central government. However, the quality of state equality, "in the common councils of the federal state,"[21] is misleading because: (I) the territorial scope of power of the federal government extends to every nook and cranny of the country relative to the small territorially delineated jurisdiction of the states; (II) matters within the jurisdiction of the federal and state governments differ in relative importance, and the preponderance of the federal power vis-a-vis the constituent units as specified in the Constitution is greater. A conjunction of the giant status of the central government vis-a-vis the states and the immense power conferred on the former relative to the latter in the Constitution seem to have neutralized the dual conception of two equal and competing sovereignties. For instance, Section 4 (2) of the 1979 Constitution conferred on the National Assembly the power "to make laws for the peace, order and good government of the federation or any part thereof with respect to any matter included in the exclusive legislative list ..." Also, Section 4 (4) (b) further conferred on the National Assembly the power to make laws on "any other matter with respect to which it is empowered to make laws in

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accordance with the provisions in the Constitution." At the state level, the legislative authority of each of the states of the federation was vested in the House of Assembly under Section 4 (6) and Section 4 (7) which conferred on the state legislative body the "power to make laws for the peace, order and good government of the state," on matters relating to the concurrent legislative list. Similarly, according to Section 4 (7) (c), on "any other matter with respect to which it is empowered to make laws in accordance with the provisions of the Constitution." Additionally, while the state legislative organ could not legislate on any matter in the exclusive legislative category under Section 4 (7) (a), Section 4 (5) also sided with the national legislative organ (The National Assembly) to prevail over the state legislative organ in the event of inconsistency over any law enactment between the two.

This variation in the quality of equality between the federal and constituent units of a federation is tantamount to saying that, empirically, inequality exists in the federal political organism. And such inequality is generally manifested in the system of revenue allocation.

Less than two months after his assumption of office

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as the Chief Executive President of The Federal Republic of Nigeria, Alhaji Shagari appointed a Presidential Commission on Revenue Allocation under the chairmanship of Dr. Pius Okigbo to design a revenue formula among Nigeria's three tier system of government -- federal, state and local. In June 1980, the Okigbo Commission submitted its report with a recommendation of revenue disbursement as follows:

Federal Government	53%
State Government	30%
Local Government	10%
Special Fund	7%

The 7% Special Fund was intended mainly for ecological problems in the oil-producing areas and to be administered by the Federal Government or its agent, without involving the state governments where the oil wells were located.

The Federal Government accepted Okigbo's recommendations with some minor modifications relating to the distributional percentage among the three units of government. The Federal Government White Paper on the Okigbo Report was later submitted to the National Assembly for passage into law under the following arrangements:

Federal Government	55%
State Government	30%

Local Government   8%

Special Fund   7%

While the federal government had increased its own
share of the revenue by 2% of the total, the 30% share
for the states as recommended by the Okigbo Commission
was retained, and the local government slice of the
revenue pie was slashed by 2% from the Commission's
recommended figure, presumably to make up for the
additional federal allocation. The Special Fund was left
the same.

The federal government's recommendations provoked
bitter political wrangling

> between the oil-producing states and the federal
> government, between the NPN/NPP alliance and non-
> alliance members of the National Assembly, between
> the two rival factions of the PRP members of the
> National Assembly, and between the Senate and the
> House of Representatives.[22]

The political bone of contention over the revenue
allocation formula centered on the "percentage shares
between the Federal Government and the states."[23]

At the National Assembly, the House of
Representatives modified the allocation formula on the
basis of 50:40:10, for the federal, state and local
governments respectively. However, the Senate version
provided 58.6% for the federal government (including 2.5%
for the development of the capital territory and 1.0% for

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ecological problems), 31.5% for the states and 10% for the local governments.[24] The Finance Committee, charged with the responsibility for resolving deadlocks between the Senate and the House, adopted the Senate version after an emotionally charged debate on the issue. The Revenue Allocation Act was finally signed into law by the President "only minutes"[25] after its passage by the National Assembly.

The issue of revenue allocation is a typical example of Professor Ake's "over-politization" of issues in Nigerian social life. In fact, the politics of revenue allocation has been pointed out as one of the principal causes of the collapse of parliamentary democracy of the First Republic.[26] The basic problem was the unwillingness of the regional or state governments to invest too much fiscal power in the federal government, which could easily erode their autonomous status, while the federal government usually demanded the lion's share of the revenue allocation to enhance its political and fiscal preeminence vis-a-vis the constituent units.

The Revenue Act of 1981 stipulated that the 10% revenue allocated to the local governments should be distributed to them directly by the federal government. The Bendel State Government challenged the

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constitutionality of the Act on behalf of itself and
other dissatisfied states on the grounds that the Act
contravened the provision of Section 149 (7) of the
Constitution which stipulated that the total amount of
funds

> standing to the credit of the local government
> councils of a state shall be distributed among the
> local governments of that state on such terms and in
> such manner as may be prescribed by the House of
> Assembly of the state.

The Supreme Court upheld the challenge from the Bendel
State Government by declaring the Finance Act of 1981 null
and void.[27] And this prompted the federal government to
submit a new bill to the National Assembly on the basis
of a 55:35:10 formula for the federal, state and local
governments respectively. The bill was passed into law
in December, 1981 and came into force in January, 1982.[28]

Of the 35% allocated to the state governments, 1%
was to be paid into a fund to be administered by the
federal government to ameliorate ecological problems and
2% of the state's share was to be paid directly to the
mineral-producing states in proportion to mineral
extraction in each state. Additionally, 1.5% of the
state's share was to be paid into a fund administered by
the federal government for the development of mineral-
producing areas. The law then provided that the remaining

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30.5% be allocated to the state governments on the basis of 40% on equality of the states, 40% on population, 15% on social development, and 5% on internal revenue effort.[29] The social development factor was for the enrollment of children into primary schools. The greater the aggregate number of children a state had in its enrolment in primary education, the more the state received in this category.[30]

The configuration of revenue allocation in a federal state like Nigeria may have prompted a perceptive observer to notice that "federalism accommodates a certain amount of inequality in power and resources between the national and regional governments..."[31] The preponderant imbalance in power and resources between the central and state governments can erode the autonomy status of the states if the balance tilts too much towards the central authority. In fact, the Constitution of 1979 epitomized the pre-eminence of the Nigerian Federal government vis-a-vis the states.[32]

Justification for the position of pre-eminence occupied by the federal government is a product of the polyethnic character of Nigeria. As pointed out by Dudley,

> in a multi-ethnic and highly fractionalised society
> such as Nigeria's the need for a central authority
> capable of containing the centrifugal forces inherent

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in such a society [becomes an irresistible option to ensure a continued survival of the corporate existence.][33]

Professor Nwabueze expressed a similar predilection that in "an emergent state [like Nigeria] federalism should be so structured as to favor unity against regional autonomy."[34]

It is against this background that the Constitution of 1979 was more disposed to the ascendancy of the central authority, "by transferring a considerable amount of powers from the states to the federation."[35]

The Principle of Mutual Veto

The practice of mutual veto during the Second Republic was very similar to that during the First Republic, particularly in treaty making and operation.

The Nigerian Constitution of 1979 vested in the federal government the power to ensure the "implementation of treaties" (item 29) under the exclusive legislative powers of the federal government. However, nothing was specifically mentioned as to who had the actual responsibility for the negotiation of treaties on behalf of Nigeria, leaving the assumption of understanding in Section 5 (I) (a) of the Constitution, which vested the executive powers of the federation in the president.

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The Constitution of the United States, unlike its Nigerian counterpart, has a specific element in Article II Section 2, which vests in the president the power to make treaties. However, this must be with the concurrence of two-thirds of the Senate.[36] Also, under Section 5 (1) (b) of the 1979 Constitution, the executive powers of the federation exercisable by the president and his subordinates, "shall extend to the execution and maintenance of the Constitution," including all legislations enacted and passed into law by the National Assembly.

The power of treaty-making falls within the domain of external territoriality of the federal government, and the Constitution grants similar powers to the federal government with respect to some other specific matters in foreign affairs, such as diplomatic, consular and trade representation (item 18); deportation of non-citizens (item 17); foreign trade (items 15, 22, 24 and 61); extradition (item 26); immigration and emigration (item 29); defence of the country against external aggression (item 16), including the power to maintain a deterrence force (navy, air force and army) capable of defending Nigeria from external aggression and protecting its territorial integrity (Section 197 (1) and item 39). The

grant of exclusive power to the federal government is a constitutional affirmation of the undivided external sovereignty of the Nigerian State.[37]

Like the Constitution of the United States, the Nigerian Constitution of 1979 gave the responsibility for treaty-making concurrent to both the executive and legislative branches of the federal government. That is, while the president was solely responsible for negotiating or for making treaties on behalf of Nigeria, such treaties could not become fully operational without the consent of the National Assembly. This was stipulated under Section 12 (1) of the Constitution:

> No treaty between the federation and another country shall have the force of law except to the extent to which any such treaty has been enacted into law by the National Assembly...

In addition, even when the National Assembly had given its consent to a treaty, it could not,

> be presented to the President for assent and shall not be enacted, unless it is verified by a majority of all the Houses of Assembly in the Federation.[38]

Juxtapositionally, "a treaty has no self-implementing operation under the 1979 Constitution"[39] as exists under the Constitution of the United States. This, in effect, denied the Nigerian president of

> a potent source of power available to his American counterpart to legislate for the nation by means of treaties [which sometimes override] ... laws made by the legislatures of the states, since the

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Constitution, acts of congress and treaties made by the President with the concurrence of the Senate are by express constitutional provision, declared the supreme law of the land.[40]

The practice of mutual veto, with regards the making and implementation of treaties, was manifested in the 1979 Constitution in two ways: (I) procedurally, no treaty could become law without the concurrence of the representatives of the states in the House of Representatives and the Senate, otherwise known collectively as the National Assembly; (II) even when the representatives of the states in the National Assembly had consented to a treaty, the legislative assembly from the majority of the states still had to ratify the treaty before the President could formally sign it into law. This is quite different from the formality of treaty making in the United States,

where the treaty making power has been used by the federal government to regulate many areas of activities reserved exclusively to the states.[41]

The participation of the states in the penultimate process of treaty making (ratification) enhances not only the autonomous status and interests of the states but at the same time it helps to

safeguard the states' reserved powers against unilateral take-over by the federal government as well as to ensure that the states will participate effectively in judging of the necessity of legislation implementing a treaty on a concurrent or on an exclusively state matter.[42]

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The process of treaty making was made more complex by the requirement of ratification by the majority of the legislative body of all the states of the Federation. It is very unlikely that the system of inclusion of the representatives of the regions in any treaty negotiating conference, as was the case during the First Republic, could be imitated under the presidential system because the number of states had risen to nineteen, instead of the four regions during the First Republic.

Another significant area of mutual participation of the states in the decision-making process, either directly affecting them individually or collectively, was the issue of new state creation. Under Section 8 (1) of the Constitution:

> ... an Act of the National Assembly for the purpose of creating new states shall ... be passed [only if, among other things,] a request, supported by at least two-thirds majority of members (representing the area demanding the creation of new states) in each of the following; (I) The Senate and the House of Representatives, (II) The House of Assembly in respect of the area, and (III) the local government councils in respect of the area, is received by the National Assembly.[43]

Such a proposal must also be approved in

> ... a referendum by at least two-thirds majority of the area where the demand for the creation of the state originated.[44]

And, if the result of the referendum is

> ... approved by a simple majority of all the states

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of the Federation supported by a simple majority of members of the Houses of Assembly.[45]

Similarly, the mutual participation of all the states of the Federation was required particularly with regards to (a) the issue of boundary adjustment[46] and (b) the issue of alteration of the Constitution.[47]

Under the 1979 Presidential Constitution, the president was vested with the power to issue an emergency proclamation -- Section 265 (3) of the Constitution -- when: (a) the Federation is at war; (b) the Federation is in imminent danger of invasion or involvement in a state of war; (c) there is actual breakdown of public order and public safety in Nigeria or any part thereof to such an extent as to require extraordinary measures to restore peace and security; (d) there is a clear and present danger of an actual breakdown of public order and public safety in the Federation or any part thereof requiring extraordinary measures to avert the same; (e) there is an occurrence of imminent danger, or the occurrence of any disaster or natural calamity affecting the community or a section of the Federation; (f) there is any public danger which clearly constitutes a threat to the existence of the Federation; or, (g) the president receives a request from the governor of a state that he should issue a proclamation because there is in existence in that state

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any of the situations specified in Subsections (c), (d), or (e) of this Section and such a situation does not extend beyond the boundaries of the state.

Under Section 265 (5), the president could still declare a state of emergency in a state if the governor of the state failed within a reasonable time stipulated in Section 265 (4) to advise the president of the need to declare a state of emergency.

One significant difference between the procedural rule requirements of a state of emergency under the parliamentary system of the First Republic vis-a-vis the presidential system of the Second Republic was that under the former, the Parliament could unilaterally declare a state of emergency in any region without any formal consultation with the region, whereas under the latter, when a state of emergency was to apply to a particular state the approval of that state was required. Although the approval of the state, supported by two-thirds of its legislature, was required for the governor to request the president for the declaration of a state of emergency, this requirement could be negated by Section 265 (5). The approval requirement was developed to prevent any recurrence of exceptional emergency powers held by the central government, such as was the case when the federal

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government seized control of Western Nigeria in 1962.

A mild version of the principle of mutual veto, as existed under the Nigerian presidential system, was quite appropriate given the nature of the Nigerian polity. However, because the system itself was short-lived, an assessment of its relevance on a success/failure continuum is extremely difficult.

The Principle of Proportionality

The principle of proportionality was a novelty under the Nigerian presidential system. It was specifically written into the 1979 Constitution and attuned to the realization that the monopolistic grip on the system of rewards by one section of the country to the exclusion of others -- as was the case during the First Republic -- could be overcome through a system of prudent rationing of the appointive and elective positions among all the segments of the Nigerian polity. The principle of proportionality is grounded, in most cases, on arithmetical equality of representation among the states, with consideration to such things as size and numerical headcount of each state. This becomes particularly significant in the allocation of public revenue.

The 1979 Constitution imposed a statutory rationing

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of rewards, in the form of representation in the affairs of the state, among the various segments of the polity. Under the 1979 Constitution, the principle of proportionality was another euphemism for what is commonly referred to as "Federal Character."[48] The concept of "Federal Character" has become the most venerable phrase in Nigerian political consciousness since the time of the Mohammed/Obasanjo regime. It became one of the fundamental objectives and directive principles of state policy under the 1979 Constitution.

The historical origin of the concept of federal character dates back to the time when the Head of the Federal Military Government, General Mohammed, was addressing members of the Constitution Drafting Committee in 1976. Recounting the distributional system of rewards during the First Republic, the General said:

> We feel that there should be a legal provision to
> ensure that (the President and the Vice President)
> are brought into office in a manner so as to reflect
> the <u>federal character</u> of the country; and the choice
> of <u>members of the cabinet</u> should also be such as
> would reflect the <u>federal character</u> of the country.[49]

With the above statement, the Nigerian concept of federal character has emerged as an important locution in the Nigerian political lexicon.

The practical application of the concept of federal character is bound to face certain difficulties of

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interpretation and implementation, particularly in a polyethnic complexity like Nigeria. We shall examine some of the problems most likely to be associated with the implementation of this concept.

What is federal character? In what way was federal character manifested in the Nigerian politics of the Second Republic? What are the probable consequences of implementing the concept of federal character? Considering the vulnerability of Nigerian politics, could the concept of federal character become a metaphor for the "boon of contentment or bone of contention" in Nigerian society? The following section examines these questions.

Under Section 277 of the 1979 Constitution, the concept of federal character "refers to the distinctive desire of the peoples of Nigeria to promote national unity, foster national loyalty and give every citizen of Nigeria a sense of belonging to the Nation." By its definition, the concept of federal character underscores one of the problematic issues of national integration in the developing Nigerian polity.[50]

The concept of federal character is operationally linked to a number of important questions and processes of Nigerian government, viz: (1) the election of the president; (2) the formation of political parties; (3)

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the composition of the Cabinet; (4) the recruitment of the armed forces; and (5) the establishment of federal commissions and control.

The institutionalization of federal character in the election of the president is intended to broaden the national acceptability of the presidency. In other words, the president is to become an embodiment of the collective aspiration and symbol of all Nigerians and not just a section of the community. Thus, under section 126 of the Constitution, the president was required not only to have the majority of the votes cast, he was also required to have "not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the states in the Federation."[51] As pointed out by Kirk-Greene, "Section 126 encapsulates the pan-national character of the president's election to office."[52]

In the presidential elections of 1979 and 1983, the principle of federal character was reflected in the politics of choice of presidential candidates and their running mates (see Table 11). Apart from the few exceptions -- particularly the choice of a running mate from the South by Chief Awolowo, who is himself a Southerner, and Dr. Azikiwe's choice of a Christian, when he himself is a Christian -- there was a cross-cutting

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balance in the criteria of choosing presidential candidates and their running mates. Apparently, Chief Awolowo was not unaware of the necessity to choose a running mate from the North, but he was given a cold rebuff when he approached some of the Northern politicians.[53] As pointed out by Richard A. Joseph,

> Clientelistic and ethnic politics presented impermeable barriers to the UPN's attempt to wean the masses of the people from their local "sons of the soil" outside the Western State.[54]

The method of choosing a presidential candidate and his running mate from different regional, ethnic and religious backgrounds in the country has become an important convention and generally accepted practice. However, such a practice is not constitutionally mandatory. It is most likely, however, depending on the nature of the political system that emerges after the current period of military rule ends in 1992, that this practice will continue.

Consideration for regional, religious and ethnic factors relating to presidential candidates vis-a-vis their running mates may be politically expedient as bait to attract votes from a particular section of the country. However, the basic raison d'etre for such practice was to lend a pan-Nigerian legitimacy to the candidacy of each of the parties and, more importantly, to avoid the

concentration of political power in a particular section of the country.[55]

The National Party of Nigeria (NPN) even went further in introducing a rationing system in its recruitment for top Party positions, under the rubric of "zoning system."[56]

Table 11

The Principle of Federal Character and its Reflections
On the Nomination of the Presidential Candidates
And Their Running Mates in the 1979 and 1983 Elections

YEAR	PARTY	PRESIDENTIAL CANDIDATE & RUNNING MATE	STATE OF ORIGIN	RELIGIOUS BACKGROUND	ETHNIC ORIGIN
1979	UPN	Awolowo Umeadi	Ogun Anambra	Christian Christian	Yoruba Igbo
	NPN	Shagari Ekwueme	Sokoto Anambra	Moslem Christian	Hausa Igbo
	NPP	Azikiwe Audu	Anambra Kaduna	Christian Christian	Igbo Hausa
	GNPP	Ibrahim Nzeribe	Borno Imo	Moslem Christian	Kanuri Igbo
	PRP	Kano Ikoku	Kano Anambra	Moslem Christian	Hausa Igbo
1983	UPN	Awolowo Kura	Ogun Bauchi	Christian Moslem	Yoruba N.A.
	NPN	Shagari Ekwueme	Sokoto Anambra	Moslem Christian	Hausa Igbo
	NPP	Azikiwe Mustapha	Anambra Borno	Christian Moslem	Igbo N.A.
	GNPP	Ibrahim Nnaji	Borno Imo	Moslem Christian	Kanuri Igbo
	PRP	Yusuf Ogunbos	Borno N.A.	Moslem N.A.	N.A. N.A.
	NAP	Brathwaite N.A.	Lagos N.A.	Christian N.A.	Yoruba N.A.

Sources: Compiled from West Africa 1979-1983; Africa Diary 1979-1983 and Africa Research Bulletin 1979-1983. (N.A. Not Available.)

Under Article 21 of the NPN Constitution, the zoning system

> ... shall be understood by the Party as a convention in recognition of the need for adequate geographical spread ... At the national level, the following offices shall be zoned: namely the office of the National Chairman, the President, the Vice-President, President and Deputy President of the Senate, National Secretary. the Speaker and Deputy Speaker of the House of Representatives; the Senate Leader and the Majority Leader in the House of Representatives.[57]

Also, at the state level, in the unicameral House of Assembly,

> zoning shall affect the offices of the State Chairman, the Governor, the Deputy Governor, State Secretary, Speaker and Deputy Speaker, Majority or Minority Leader.[58]

> The division of the country into four zones was not

specifically written into the constitution of the NPN Party. However, it was generally assumed that the configuration of the zoning system should be as follows: Zone A would include all 10 Northern states; Zone B would be composed of the Yoruba states (Lagos, Ogun, Ondo and Oyo); Zone C would be exclusive to the two Ibo states (Anambra and Imo); and Zone D would encompass the minority areas of Bendel, Rivers and Cross-River.[59] The constitution of the 10 Northern states into a single zone had two important ramifications. (I) It gave the impression that the North was an homogeneous entity like

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zones B and C. But, to treat the North Zone either as an homogeneous entity or as a monolithic bloc would certainly be detrimental to the interest of the minority groups that had a long history of bitter struggle to free themselves from the domination of the Hausa/Fulani group.[60] (II) Treating the ten Northern states as one entity was bound to reinforce the fear of Northern domination of the country. In an electoral or nomination contest for positions within the Party hierarchy, the North was likely to have an advantage because of its numerical superiority. Again, Zone C, encompassing the two Ibo states, was likely to benefit from the zonal system because of the low population density compared, for instance, with Zone B.[61] The ethnic minority groups in the North could have been treated in much the same manner as those in the South, Zone D, by putting them in their own separate zone, exclusive of the Huasa/Fulani majority group.[62]

On the formation and operation of political parties, Sections 201, 202 (a) to (f), 203 1 (a) and (b), 2 (a) and (b), 204, 205 (1) to (5), 206 (1) to (3), 207, 208 (a) to (d) and 209 specifically defined their criteria for existence.[63]

The concept of "federal character' was also extended to the constitution and rules governing the operation of political parties. While Section 203 (1) (b) of the

Constitution enjoined political parties to ensure that "members of the executive committee or other governing body of the political party reflect the federal character of Nigeria," Section 203 (2) (b) stipulated that the executive committee shall satisfy the federal character "only if the members thereof belong to different states not being less than two-thirds of all the states comprising the Federation."

The intent of the 1979 Constitution was to reinforce the political outlook of the Nigerian parties under stringent rules of compliance for their formation or operation. This differed from the typical provincialism of the political parties of the First Republic. The Nigerian Constitution of 1979 seemed to suggest, as pointed out by Rupert Emerson, that the "survival of Nigeria as a political entity was conditioned on the existence of a federalism of parties as well as of constitutional structure."[64] This is an important development given the fact that political parties constitute an indispensable catalyst for political development.[65]

On the composition of the Cabinet, the president was constitutionally required under Section 135 (3) to appoint "at least one minister from each state, who shall be an

indigent of such state." Unlike the president, the prime-minister in the Nigerian parliamentary system was not under such constitutional constraint in the appointment of cabinet ministers. However, the prime-minister generally appointed cabinet ministers from the members of his own party who were also members of Parliament.

Under Section 157 (5) of the Constitution, the president was enjoined in the exercise of his powers of appointment to "have regard to the federal character of Nigeria and the need to promote National Unity" in his appointments to the following offices, namely: Secretary to the Government of the Federation; Head of the Civil Service of the Federation; Ambassador; High Commissioner or other Principal Representative of Nigeria abroad; Permanent Secretary and other Chief Executive in any Ministry or Department of Government of the Federation; and any office on the personal staff of the president.[66]

The 1979 Constitution also made a deliberate attempt to proportionalize the composition of the Armed Forces under Section 197 (2) where it stipulated that "the officer corps and other ranks of the Armed Forces of the Federation shall reflect the federal character of Nigeria." An enforcement of Section 197 (2) was contained in Section 199 (b) which empowered the National Assembly

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to establish a body to oversee compliance with the provisos of Section 197, particularly with respect to the federal character mandate in the Armed Forces. The introduction of a federal character principle in the composition of the Armed Forces was not new. As Dr. J. Bayo Adekanye has pointed out, it was an "old quota formula writ large."[67] The neologism of federal character under the 1979 Constitution merely re-affirmed the principle already in existence,

> that the unit of recruitment or composition is the plurality of politically relevant segmented groups which compose the society.[68]

The establishment of certain federal executive bodies such as the Council of State, the Federal Civil Service Commission, the Federal Electoral Commission, the National Defence Council, the National Economic Council, the National Population Commission, the National Security Council, and the Police Commission were set out in Section 140 (a) to (1) of the Constitution. The composition and powers of each of the bodies established under Section 140 were governed by the provisos set out in Part I of the Third Schedule in the Constitution. While state representation was statutorily required in some of these federal executive bodies, in others there was no such requirement.[69]

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The principle of proportionality was also reflected in the allocation of seats to each of the states of the Federation to the House of Representatives. The allocation was relative to the size of their population as shown in Table 12.

Table 12

House of Representatives: Allocation of Seats by States

STATE	TOTAL POPULATION	SEATS	POPULATION REPRESENTED per MHR
ANAMBRA	3,596,618	29	124,000
BAUCHI	2,431,296	20	122,000
BENDEL	2,460,962	20	123,000
BENUE	2,427,017	19	128,000
BORNO	2,997,498	24	125,000
CROSS-RIVER	3,478,131	28	124,000
GONGOLA	2,605,263	21	124,000
IMO	3,672,654	30	122,000
KADUNA	4,098,306	33	124,000
KANO	5,774,840	46	126,000
KWARA	1,714,485	14	122,000
LAGOS	1,443,568	12	120,000
NIGER	1,194,508	10	119,000
OGUN	1,550,996	12	129,000
ONDO	2,729,690	22	124,000
OYO	5,208,884	42	124,000
PLATEAU	2,026,657	16	127,000
RIVERS	1,719,925	14	123,000
SOKOTO	4,538,787	37	123,000

Source: Dudley, _An Introduction to Nigerian Government and Politics_, 199.

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The division of the country into 499 constituencies in the Federal House of Representatives and five Senatorial districts for each state of the Federation for the purpose of election is the responsibility of the Federal Electoral Commission (FEDECO).[70]

In a plural society like Nigeria, the application of the principle of proportionality or federal character is a desirable exercise to meet the exigency of development in her still fragile democratic framework. The desirability of the principle of proportionality was articulated by the former Nigerian Head of State, General Obasanjo, whose administration was the accidental brainchild of the concept of federal character. According to General Obasanjo:

> There is no doubt that for a multi-ethnical society like Nigeria in the early stage of nation-building, geographical representation or federal character must be ensured in our national representative appointments but merit should not be completely sacrificed on the altar of federal character ... Federal character must be practiced but its application must be judicious and must not be extolled to the detriment of patriotism and nationalism.[71]

General Obasanjo's statement on the desirability of application of the principle of federal character to the Nigerian social reality actually touches on the crux of its implementation. Let us examine some problems which the principle is most likely to face in Nigeria's social

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complexity.

Kirk-Greene has pointed out that the principle of federal character embodies "two potentially opposite principles" which he has aptly described as (I) the concept "irrespectivity" or "equitability"[72] (that no Nigerian shall be caused to suffer from the disability of exclusion on the grounds of his place of origin, sex, religion or ethnic grouping as enshrined in Section 202 (b) and (II) the concept of "irreducibility" or "equality"[73] whereby the composition of certain key institutions shall include representation by at least one member from each state, who shall be an indigent therefrom; a principle enshrined in Section 135 (3).

The two problematic concepts of federal character adumbrated by Kirk-Greene have been further complicated by the provision of Section 15 (2) (that National integration shall be actively encouraged whilst discrimination on the grounds of place of origin, sex, religion, status, ethnic or linguistic association or ties shall be prohibited). The provision of Section 15 (2) of the Constitution thus constituted an outlawry of discrimination against any Nigerian on the grounds mentioned in this section. The prohibitory clause against discrimination in Section 15 (2) underscored one of the

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fundamental objectives and principles of state policy under the 1979 Constitution.[74] The crux of the major problem was how Nigeria could sufficiently afford to provide for each of the 250 or more ethnic groups in the nation on the basis of equitability under the rubric of the federal character principle.

Again, could the Nigerian government afford to marginalize consideration for merit, competence, integrity, experience and scholarship whenever these sterling qualities were needed or demanded for the purposes of appointment? Or, in another sense, can the merit system of appointment be de-emphasized at the expense of satisfying the statutory obligation which the principle of federal character places on the system of appointment?

The application of federal character in a plural society like Nigeria is a highly desirable means of protecting the interests of the "permanent minorities." However, in a developing polity, to extol mediocrity as a virtue in the practiced application of federal character can be a factor of developmental regression. In fact, however, the principle of federal character is not specifically designed as a shield to protect the interests of the "permanent minorities" against the "permanent

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majorities." The 1979 Constitution deliberately avoided
the use of such catch-phrases as "permanent minorities"
and "permanent majorities" to designate specific areas of
the country in the rationing process under the principle
of federal character.   However, the method of
implementation of the principle is more likely to provoke
a shrieking voice of resentment. Perhaps the former Head
of State, the retired General Obasanjo had this in mind
when he intimated that the application of federal
character becomes

> counter-productive, divisive and demoralising more
> so if the recipient of such seemingly undue favor is
> arrogant, disrespectful, overbearing, immodest and
> uncooperative with his fellow workers or colleagues
> he is brought to supersede or supervise.[75]

Federal character has emerged in the national
consciousness of Nigerians as a means by which the
allocation or distribution of appointive offices of the
state are made. The principle of federal character is an
institutionalized formula of who shall get what and how.
The issue of who gets what and how has been complicated
by the elusive nature of the principle.

As Kirk-Greene has pointed out,

> The notion of the "federal character" too, carries
> an inherent tug-of-war between the claims of
> belonging to the nation and the claims of local
> loyalty to recognized diversity. How far can one go
> in insisting on literally equal representation, on
> state as well as individual rights, without rocking
> the National Boat? If we are to accept the intent

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> of the concept, namely that it carries an unambiguous and unchallengeable nation-building mandate, then the foresaid definition is too susceptible to extreme interpretation.[76]

Moreover, while the Constitution of 1979 placed too much emphasis on "satisfying" the concept of federal character quantitatively, on the qualification criteria of appointment, it is silent.

As a distributional formula, the principle of federal character cannot be construed as an innocent catch-phrase divorced from the opportunity problems among the various segments of the Nigerian population. Given the social reality of diversity in Nigeria, the 1979 Constitution "did not specifically reserve or earmark statutorily specified public elective or appointive offices for specific ethnic groups or states," as was the case in other consociational polities such as Belgium, Cyprus, Malaysia and Lebanon.[77] On the issue of ethnic representation in the appointive or elective positions, the principle of federal character is silent in making any "distinction between majority or minority ethnic groupings in both numerical and sociological senses, as in the case of India."[78]

The absence of specific guidelines to regulate the implementation of the principle of federal character will surely make it possible to strain the political process

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through the phenomena of intra-ethnic or inter-ethnic competition characteristic of the Nigerian. polity. Manipulation of the principle has become easy and this undermines its relevance. If the principle of federal character is to achieve its desired objectives it cannot continue to be applied loosely.

On the president's obligation to apply the principle of federal character when making ministerial appointments, or other appointments specified in the Constitution, an argument has been made that "the allocation of executive functions within the federal government has not evinced sufficient fidelity to the federal principle," simply because a preponderance of the strategic ministries like Industry, Agriculture, Petroleum, Steel, Defense, Transport and Internal Affairs have been concentrated in the hands of the Northerners.[79] Similar allegations of infidelity have been made against President Shagari with regard to the provision of Section 197 (2) of the Constitution under which the "composition of the Officer Corps and other ranks of the Armed Forces of the Federation" is to reflect the principle of federal character.[80]

The concentration or the monopolization of the strategic ministries in the hands of Northerners was a

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"violation" of the spirit of the law under the provision of Section 14 (3) of the Constitution which defined the basic goal of the principle of federal character or proportionality.

We have noted earlier that the principle of federal character is a principle of equity which must recognize the basic elements of Nigerian diversity. Again, the principle of federal character was poorly executed by President Shagari, when 70% of all executive and board positions during his administration went to Moslems.[81] Shagari's favoritism towards followers of the Islamic religion may have created dubious situations. One Christian member of his presidential staff even changed his Christian name to a Moslem name in a desperate attempt to retain his job.[82] The president was bound by Section 157 (5) of the Constitution to "have regard to the federal character of Nigeria and the need to promote national unity" in the appointment to "any office on the personal staff of the President" under Section 157 (2) (e). The president should not have been overtly partisan in his religious preference when making his appointments. It undermined the inherent accommodationist principle of federal character. In fact, the interpretation of federal character under the Shagari administration demonstrated

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that the distribution of appointive positions on a state basis may not necessarily prevent the domination of one ethnic group over the others.[83]

At the state level, the Constitution also enjoined the governor to adopt an inclusive approach in state appointments. According to Section 173 (2),

> Any appointment of the Office of Commissioner of the Government of a state shall, if the nomination of any person to such an office is confirmed by the House of Assembly of the state, be made by the Governor of that state, and in making such appointment the Governor shall conform with the provisions of Section 14 (4) of this Constitution.

Although the Constitution made it mandatory for the president to appoint an indigent from each of the states of the Federation to a ministerial position at the federal level, the implementation of this constitutional requirement was likely to face two problems. (I) Given the complexity of ethnic diversity in Nigeria, the basic problem is not only the degree of reception an appointed indigent receives from his home state but how the people of other states perceive such an individual as representative of their collective interests. For instance, in a state like Bendel which has a total number of twenty different ethnic groups[84] and with the individuality of each group recognized and constantly asserted, could the president's appointment from one of

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the ethnic groups help to mitigate ethnic tension or accentuate a shared sense of collective identification with the choice of the president? (II) Or, can an appointed indigent enjoy the confidence of his home state if that state is firmly in the control of another party hostile to the president's party or when the popular support base of the indigent's party is weak? These are the problematic issues which presidential appointees are likely to face.

In Nigeria each of the states in the Federation is characteristically a composite of many ethnic sub-groups. The issue of national integration is still weak in terms of overcoming not only the individualization of each ethnic group but also in creating a shared sense of collective interest, particularly in an appointment issue of this sort.

The power of the president to appoint an indigent from each of the states of the Federation was a discretionary one in practice. There was no compelling provision in the 1979 Constitution that spelled out in detail the appointment criteria which the president must follow. Yet, importantly, the relevance of appointing an indigent was to promote national integration under Section 15 (2) and (3) of the Constitution.

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Even though the principle of federal character deliberately avoided what Professor Crawford Young has called "rigid mathematical quotas"[85] in the system of appointments to the Federal Public Service on the basis of ethnic or state consideration, as shown in Table 13, a quota system has, nevertheless, become an instrument by which admissions and scholarship awards were made to the federally owned higher institutions.[86]

The application of a quota system in higher education embodies two principles. On the one hand, the quota system is premised on a universalist consideration which does not favor any particular ethnicity or state. On the other, the particularistic consideration of the admission procedure is discriminatory to the extent that it espouses special provisions designed to favor particular areas with respect to admissions to federal institutions.[87]

Table 13

The Distribution of Federal Permanent Secretaries
in May 1982 by State of Origin

State	Number of Permanent Secretaries
ANAMBRA	2
BAUCHI	1
BENDEL	8
BENUE	2
BORNU	2
CROSS-RIVER	1
GONGOLA	2
IMO	1
KADUNA	2
KANO	1
KWARA	2
LAGOS	2
NIGER	1
OGUN	1
ONDO	2
OYO	2
PLATEAU	1
RIVERS	2
SOKOTO	3

Source: Jinadu, "Federalism, the Consociational
State, 93.

While the universalist principle of admission is non-discriminatory in the sense that those who are qualified, or meet the admission requirements for the federal institutions are admitted without consideration for the geography of their births, the particularistic principle is a semblance of "affirmative action of a reverse discrimination type."[88]

The application of federal character to the

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admissions to higher institutions in Nigeria was intended to redress the monstrous educational imbalance between the North and the South. The North-South disparity in education is a product of Nigerian colonial history which was manifested in both the introduction and enthusiastic embrace of western education in the South through the activities of missionaries. Conversely, the Northerners had shunned such activities, with the result of confining western education to a few specific areas of the North sanctioned by the British colonial administration.[89] The Northerners were not only suspicious of western education, they showed a definite preference for "Koranic schools and Islamic culture."[90] The educational imbalance between the North and South has been a continual source of tension and social hiatus among Nigerians. While the introduction of federal character into the Nigerian system is desirable for the promotion of national integration and development, there should be, at the same time, a balance between the requirement for academic excellence and the application of the principle itself.[91]

The Principle of Grand Coalition

The principle of grand coalition was not specifically written into the 1979 Constitution. However, by implication of the proviso of Section 135 (3), the president was enjoined to "appoint at least one minister from each state, who shall be an indigent of such state." Obviously, the constitutional stipulation of Section 135 (3) did not constitute a _sine qua non_ requirement for the formation of a grand coalition government encompassing members of all the political parties in the country. Thus, under the 1979 Constitution, consideration for a grand coalition government was a matter of political expediency rather than a necessity to satisfy any constitutional obligation.

Constitutionally, the president was simply required to appoint an indigent from each state of the Federation to cabinet office. The Constitution had no obligatory clause that compelled the president to appoint members to his cabinet other than those indigents who were members of his party.

Quite apart from the one-dimensional focus of Section 135 (3) of the Constitution with regards to the appointment of one indigent from each state to the Federal Cabinet, the composition of the Federal Cabinet of the Second Republic did not truly conform to the principle of

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grand coalition in the sense that only two political parties of the five registered for the presidential elections of 1979 actually participated in the 1979-80 government.[92] It is for this reason that the 1979-80 structure of the federal government has been appropriately labelled as a "limited coalition."[93]

If, on one hand, the composition of the Federal Cabinet in the 1979-80 government was not truly representative of a grand coalition embracing all the registered political parties, on the other it was a grand coalition of "persons selected from among the political class of the various ethnic groups aggregatively represented in the nineteen states of the Federation."[94]

One of President Shagari's major political acts after the 1979 elections was his invitation to the leaders of other political parties -- the ones that participated unsuccessfully in the presidential election -- to join with his party to form a national party.[95] The PRP favored the idea of forming a national government on the condition that other political parties would agree to participate. Both the UPN and GNPP strongly rejected the offer to participate in any government headed by the NPN, "because they preferred competitive to consensus

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politics."[96] Even more importantly, it was the insistence of the UPN Party that its four cardinal programs, free education at all levels, free medical services, full employment and integrated rural development, be incorporated into the federal government programs.[97] Furthermore the UPN Party consistently insisted that before it could participate in any national government, the first thing was to

> agree on the minimum programmes, the economic and political objectives and goals which the parties would pursue, if and when they agree to participate.[98]

The UPN insistence on what Lijphart has called a "policy-blind coalition" or "policy-based coalition"[99] government as a necessary condition for its participation was to ensure at least a maximal level of performance or coordination of such government.

The NPP was the only political party that responded favorably to the NPN invitation to participate in a national government and did so principally for the following reasons: (I) For the sake of enhancing the personal gratification of its national leader, Dr. Azikiwe, who incidentally, was the first titular President of Nigeria under the Nigerian parliamentary system. The NPN-NPP accord contains a key provision that would enable,

> Nigeria's former Heads of State, beginning with Chief The Right Honourable Dr. Nnamdi Azikiwe, Nigeria's

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first Head of State (also national leader of the NPP), enjoy for life Commensurate Security cover, compensation, state maintenance and other honour and protocol privileges attached to the position and status of former Heads of State, as is done in other countries with similar systems, such as the U.S.A.[100]

(II) To have a share in the distribution of federal appointments for NPP members. Although the accord left the appointment of Ministers to the discretion of the president it was stated, however, that the NPP would be allotted "not less than eight ministerial positions of which not less than four will be with portfolio."[101]

(III) To seek federal government funding for the development of the three states under NPP control, namely Anambra, Imo and Plateau. To accomplish this goal, a special development agency was proposed that would ensure

the rapid economic development of those states in the country whose social and economic development are lagging behind the other states or have suffered serious setbacks arising from national disasters, war or difficult nature of the terrain.[102]

The alliance between the NPN and NPP seemed to be redolent of the alliance between the NPC and the NCNC during the First Republic. In fact, arguments have been made that both the NPN and the NPP were the Second Republic reincarnations of the NPC and the NCNC respectively.[103]

What were the probable reasons for President Shagari's disposition towards forming a national

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government in which all the registered political parties could participate? Why was the accord between the NPN and the NPP necessary? And why did the accord consequently fail?

The inability of the NPN Party to have a working majority in the National Assembly (the House of Representatives and the Senate) actually necessitated the formalization of a working relationship with the NPP. The strength of each party in the National Assembly was as follows: The NPN led in the Senate elections with 36 seats, followed by the UPN's 28. The others were: NPP 16, GNPP 8 and PRP 7.[104]

In the House of Representatives the result was as follows: NPN 168, UPN 111, NPP 78, GNPP 43, and PRP 49.[105] According to the terms of the accord, the two contracting parties agreed to

> pool their resources together ... so as to promote a more effective government and usher in a more healthy atmosphere of calmness, continuity and stability for the overall greater good for the greatest number.[106]

Ostensibly, the NPN formalized this accord as a means of securing an arithmetical working majority in the National Assembly necessary for the passage of its programs.

Unfortunately, the NPN accord with the NPP did not provide the much needed support base for the president

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and his party in the National Assembly for the simple reason that, "the NPN wanted the accord to prevent opposition in the National Assembly," while the NPP craved the accord as "a cheap avenue to power and resources, with which it intended to develop its `undeveloped states.'"[107]

Apparently, the accord was not predicated on a sufficiently strong mutuality of common interest to enhance the stability of the system even though on paper it pretended to be so. It was an accord based on two selfish interests. Despite the different programmatic commitments of the two parties in their ideological leanings,[108] their interests notwithstanding, they occasionally converged -- particularly during the sweepstakes contest for the sharing of the ministerial positions.[109]

President Shagari explained the profound divergence of interests between the accord members when he said in a statement:

> The NPP leader thought that an accord was basically an arrangement for sharing the booty, so to speak, but we did not regard it as such. Our understanding of the accord was that it provided for cooperation between two parties in order to help stabilize government and get things moving. We found that the NPP was rather more interested in what it could get out of the accord than really working for the Government and the Nation. They kept on demanding all sorts of favours and privileges from us ... We found to our astonishment that these people were only interested in what they could get out of us and the Government.[110]

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The accusation of "greed" levelled against the NPP by the president was one-sided, an explanation which hardly revealed the manipulative skill of the president's own party in its attempt to eliminate the NPP, not only as a partner to the accord, but as a credible political force in the country. With the NPN visibly in control of the system of rewards, the Party was able to use pressure, luring baits like contract awards, ministerial positions and other lucrative government appointments to cause defection, or "carpet-crossing," from the NPP to the NPN.[111] In fact, President Shagari has been referred to as a "chartered manipulator"[112] for the use of his presidency to maximize the political gain of his party vis-a-vis the NPP coalition partner. Or, as Professor Adamolekun has pointed out, the president had used his power of appointment in a manner deliberately calculated "to obtain partisan advantage of his party" and in doing so, "it became obvious that his declared preference for consensus politics was not a total commitment."[113]

The idea of forming a broad-based national government is often fraught with the danger of not respecting the individuality of each of the political parties participating in such government. In most cases, the tendency exists for the dominant party to take advantage

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of its position either to co-opt other parties or to make them politically impotent. As one observer of Nigerian politics has written:

> Demanding a so-called broad-based national government in the Nigerian circumstance seems to be another way of saying: "we are in power, join us or we crush you. You have no right to exist in the first place ..." Quite often, broad-based governments result in the buying up of prominent members of the opposition parties which eventually become weakened. The presentation of an alternative set of policies, programmes and administration then becomes difficult, if not impossible. The result is a gradual tilt to one-party deteriorating or at least one dominant system. Joining a so-called national government would, therefore, be the signing of a death warrant of the rival parties.[114]

One of the reasons why the accord between the NPN and NPP failed was that the former arrogated to itself a position of _primus inter pares_ vis-a-vis the latter, simply because of its electoral superiority. A statement articulated by the Political Affairs Advisor to the president, Dr. Chuba Okadigbo, gave the impression that the accord partners could not be treated as equals in the running of the State's affairs. In an apparent reference to the relationship between the two parties, Dr. Okadigbo said:

> We are [the] senior partner. It is an illusion to think of equality between two unequal partners ... the NPN has more territorial spread and influence throughout the country than NPP.[115]

While it is true that the NPN Party had more "territorial

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spread and influence" than the NPP, under the terms of the accord, the two parties had rejected such designations as "senior" or "junior" partner in their relationship.[116] The working coalition between the NPN and the NPP was neither logically a "policy-blind" coalition nor a "policy-based" coalition system, but rather it was "based on an extreme version of the power maximization principle."[117]

Presumably, the other reason why President Shagari sought the formation of a nationally-based coalition government was to overcome the legitimacy crisis of his presidency.[118]

Given the nature of Nigeria's ethnic composition and the ethnic predisposition of the political parties in terms of their political support base, it is necessary to maintain a representative balance of the two elements in government, particularly in the areas of appointment and election of public officials. As pointed out by Professor Larry Diamond,

> The balance on which a democratic system in Nigeria depends for its survival is a balance of parties as well as ethnic groups.[119]

Conclusion

We have argued at the beginning of this chapter that

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a presidential political system is not incompatible with
the practice of consociationalism. In fact, the design
of the Nigerian presidential system has shown great
potential for integration of the disparate social elements
of the Nigerian polity.[120]

However, while the Nigerian experience under a
presidential system has demonstrated the practicality of
implanting the elements of consociationalism into a
presidential political environment, there have been
problems. One problem concerns not so much the implanting
of these elements and devices, but their end results,
manifested in the ability of the political elites to make
them work.

The reasons behind the institutionalization of such
devices as federalism (segmental autonomy), mutual veto,
proportionality (federal character) and grand coalition
were intended to accomplish certain specific goals.
Presumably, the failure to accomplish the goals is
attendant to the collapse of the presidential system
itself.[121]

We have alluded to some of the problems associated
with each of the consociational devices throughout this
chapter. In this concluding section, our attempt is to
further appraise some implementational problems of such

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devices.

Even though a federal system has continuously formed an integral part of the Nigerian political process since the 1950s, the creation of new states has given new impetus to its operation under the recent presidential system.

Borrowing from Georges Burdeau, a French political scientist, Andre Molitor in his article "The Reform of the Belgian Constitution" points out that a federation rests upon three essential elements: autonomy, participation and control.[122]

Autonomy here is reminiscent of the Whearean conceptualization of a federal system in which the constituent units are not completely subordinated to the central government; in other words, where the independence and coordinate existence of the constituent entities are recognized relative to the central government. Participation involves the right of the constituent units to have a say in any constitutional revision or any matter in which the whole federation is affected. Control includes measures for resolving conflicts of competence on any given issue between the central government and its constituent units including the existence of a body that can adjudicate on the constitutionality of such issue.

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The elements of autonomy, participation and control have existed under the Nigerian federal system, as in other federal systems, at varying degrees. However, the Nigerian federalism under a presidential system manifested another experience of "federal octopus,"[123] in which the power of the central government permeated the other political entities -- the state and local governments -- to the extent of threatening their autonomous existence. When the power of the central government is tremendously increased, relative to that of the states, the inevitable result is the marginalization of the autonomous status of the latter. No state government can reasonably be adjudged viable, even when it possesses all the outward trappings of authority under the constitution, if it still depends on the central government for financial support in the discharge of its constitutional obligations.

The operation of a federal system is generally predicated on the assumption that

> both general and regional governments each have under its independent control financial resources sufficient to perform its exclusive functions. Each must be financially coordinate with the other.[124]

New states have been created in Nigeria not only to redress the structural geography of the constituent units, or for the fear of political domination, but as "a device to reduce the perceived over-centralizing predisposition

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of the federal government." However, "unfortunately,
Nigeria's states might be in the throes of a dependence
paradox."[125]

One of the paradoxes in the existential foundation
of the Nigerian federalism under a presidential system
was the movement of Nigeria from "a peripheralized to a
centralized federalism,"[126] a legacy of the "military
federalism" in which the central government became an
omnipresent political "tiny god" which other entities --
state and local governments -- had to depend upon for
the bulk of their financial needs.

The principle of federal character under the 1979
Constitution was a principle with dual application --
grand coalition and proportionality. The principle of
federal character required equal representation of all
the basic social elements of the Nigerian polity,
coalescing either in the appointive or elective positions
in government. And, by implication of this representation
requirement, a grand coalition of basic interests became
totally unavoidable. The principle of federal character
under the 1979 Constitution was, paradoxically, more
concerned with "ethnic arithmetic"[127] --representation on
the basis of zero sum game politics with the implication
of exclusion of losers in the electoral process. The

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Constitution of 1979 institutionalized competitive politics in a multi-party environment without any insistence on a mechanism of power-sharing among the legally sanctioned political parties that participated. In plural societies, as pointed out by Lijphart,

> majority rule spells majority dictatorship and civil strife rather than democracy. What these societies need is a democratic regime that emphasizes consensus instead of opposition, that includes rather than excludes, and that tries to maximize the size of the ruling majority instead of being satisfied with a bare majority: consensus democracy.[128]

The economic foundation upon which the whole political process rests is equally fundamental to the successful execution of some of these principles, particularly that of federal character. As Kirk-Greene and Rimmer have explained:

> Whether the new Nigeria of the 1980s will be conserved by the conviction that the country's past malaise can be cured by the guarantee of a real and ethnic equality, is a moot point. The new constitution clearly places its faith in this nostrum, without paying much constitutional attention to providing comparable prescriptions to promote some form of overt social justice and regulate the risk of a growing "class" -- or at least haves/have nots -- antagonism. A satisfactory formula to contain Nigeria's critical ethnic arithmetic may prove inadequate in the absence of a complementary theorem for solving her socio-economic mathematic.[129]

The crux of upholding the equity requirement which the principle of federal character supports is the vulnerability of democracy in a plural society like

Nigeria where the legitimate claim of regimes (either civilian or military) to govern effectively is often undermined by some segments of the polity and hampered by the inability of the economic base to sustain the `rising expectations' of the people. Argues C. B. Macpherson,

> the ideal of liberal democracy is consumer sovereign -- we buy what we want with our votes. An underdeveloped country cannot afford this kind of political consumers' sovereignty: it has too few political goods to offer.[130]

Nevertheless, this purported unavailability of political goods has not been sufficient reason to override the shared determination of some of these underdeveloped polities to institutionalize a democratic process. But, Macpherson's "political goods" cannot be disregarded as a factor affecting the stability of a democratic polity.

The difficulties of implementing the principles of consociationalism have been intrinsically related both to the nature of politics under the Nigerian presidential system itself and the behavior of its politicians.[131]

[1]See James S. Read, "The New Constitution of Nigeria, 1979: `The Washington Model'?" _Journal of African Law_ Vol 23, No 2, (1979), 131-169.

[2]Victor   A.   Olorunsola,   "Questions   on Constitutionalism and Democracy: Nigeria and Africa" in _Democracy and Pluralism in Africa_ ed. Dov Ronen (Boulder, Colorado: Lynne Rienner Publishers MC, 1986), 119.

[3]Lijphart, _Democracies in a Plural Society_, 33.

[4]Ibid, 33-4. Also see Lijphart, _Democracies_, 67-86.

[5]See Denis Smith, "President and Parliament: The Transformation of Parliamentary Government in Canada" in _Apex of Power: The Prime Minister and Political Leadership in Canada_ ed. Thomas A. Hockin (Scarborough, Ontario: Prentice Hall of Canada, 1977), 308-325. The British parliamentary system under the dominant Prime-Ministerial rule of Margaret Thatcher is another typical example, similar to Pierre Trudeau's administration in Canada.

[6]B.O. Nwabueze, _Presidentialism in Commonwealth Africa_ (New York: St Martin's Press, 1974), 37-57.

[7]Bereket H. Selassie, _The Executive in African Government_ (London: Heinemann, 1974), 19-71.

[8]Robert H. Jackson and Carl G. Rosberg, _Personal Rule in Black Africa: Prince, Autocrat, Prophet, Tyrant_ (Berkeley: University of California Press, 1982).

[9]Lijphart, _Democracy in Plural Societies_, 33.

[10]Lijphart, _Democracies_, 85-6.

[11]Calhoun, _op. cit._, 101-4

[12]Ibid.

[13]Awolowo, _Thoughts on Nigerian Constitution_, 144.

[14]Donald Rothchild and Michael W. Foley, "African States and the Politics of Inclusive Coalitions" in _The Precarious Balance: State and Society in Africa_ ed. Donald Rothchild and Naomi Chazan (Boulder: Westward Press, 1988) 233-264.

[15]Sklar, "Democracy in Africa," 13.

[16]Section 3 (i) specified that there shall be 19 states, namely: Anambra, Bauchi, Bendel, Benue, Borno, Cross-River, Gongola, Imo, Kaduna, Kano, Kwara, Lagos, Niger, Ogun, Ondo, Oyo, Plateau, Rivers and Sokoto. See _The Constitution of the Federal Republic of Nigeria 1979_ (Lagos, Nigeria: Federal Ministry of Information, 1979), 9.

[17]See Nwabueze, _Federalism in Nigeria_, 59-75, and Nwabueze, _The Presidential Constitution of Nigeria_. 53-75.

[18]Nwabueze, _The Presidential Constitution_, 50. Also see L. Adele Jinadu, "The Constitutional Situation of the Nigerian States" _Publius: The Journal of Federalism_, Vol 12, No 1, Winter (1982), 163-166.

[19]Jinadu, "The Constitutional Situation of the Nigerian States," 170. Also see Jinadu, "Federalism, the Consociational State," 97.

[20]Nwabueze, _Federalism in Nigeria_, 1.   Also see Nwabueze, _The Presidential Constitution_, 41.

[21]Nwabueze, _Federalism in Nigeria_, 3.

[22]Oyovbaire, _Federalism in Nigeria_, 259. Also see "Oil Governors Reject Okigbo Report," _West Africa_ September 1, (1980) 1641-2, "Issues Behind Okigbo Debate" _West Africa_ 8, December (1980), 2476-2478.

[23]Oyovbaire _op. cit._

[24]Ibid.

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[25] Ibid.

[26] Okoli, Institutional Structure and Conflict in Nigeria, 68.

[27] Enukora, Joe Okoli, "Revenue Allocation Bill `A Nullity'" West Africa, 12, October, (1981) 2369-2370.

[28] "Military Rule in Nigeria: Consistency in Economics" West Africa, April 2, (1984), 719.

[29] Ibid, 718-9. Also see Oyovbaire, Federalism in Nigeria, 259-260, and Jinadu, "Federalism, the Consociational State," 97.

[30] "Military Rule in Nigeria: Consistency in Economics" Op. Cit., 19.

[31] Nwabueze, The Presidential Constitution, 41.

[32] Jinadu, "Federalism, the Consociational State," 97.

[33] Dudley, An Introduction to Nigeria's Government and Politics, 167.

[34] Nwabueze, Federalism in Nigeria, 378.

[35] Ibid. Also see more discussion of the Nigerian Federation in the concluding section of this chapter.

[36] See Elbert M. Byrd, Treaties and Executive Agreements in the United States: Their Separate Roles and Interpretations, The Hague, Netherlands: Martinus Nijhoff, 1960.

[37] Nwabueze, Federalism in Nigeria, 254.

[38] Section 12 (3).

[39] Nwabueze, The Presidential Constitution, 164.

[40] Ibid.

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[41]Nwabueze, _Federalism in Nigeria_, 258.

[42]Ibid.

[43]Section 8 (1) (a).

[44]Section 8 (1) (b).

[45]Section 8 (1) (c).

[46]Section 8 (2) (a) and (b).

[47]Section 9 (1) (2) (3) and (4).

[48]For the definition of the concept of "Federal Character" see page 385.

[49]Quoted in Kirk-Greene, "Ethnic Engineering," 460. The emphasis is mine.

[50]The problems of national integration have been treated in Chapter 4.

[51]Section 126 (2) (a) and (b).

[52]Kirk-Greene, "Ethnic Engineering," 462.

[53]See _Africa Diary_ Vol XIX, No 2 January 8-14, (1979), 9344.

[54]Richard A. Joseph, _Democracy and Prebendal Politics in Nigeria: The Rise and Fall of the Second Republic_ (Cambridge: Cambridge University Press, 1987), 120.

[55]Section 14 (3) of the 1979 Constitution.

[56]Ugbana Okpu, "Nigerian Political Parties and the `Federal Character'" _Journal of Ethnic Studies_, Vol 12, No 1, (1984), 107-122; Enukora Joe Okoli, "The NPN's Zoning Dilemma," _West Africa_ November 22, (1982), 3003-3005.

[57]Quoted in Okoli, "The NPN's Zoning Dilemma."

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[58]Ibid.

[59]Ibid.

[60]Okpu, Ethnic Minority Problems in Nigerian Politics, 51-80.

[61]See Table 12 for the population breakdown of each of the Nigerian states.

[62]The Governor of Benue State, Mr. Aper Aku, was one of the proponents of this arrangement.

[63]For a detailed analysis of the criteria of existence and operation of political parties, see Chapter Seven.

[64]Rupert Emerson, "Parties and National Integration in Nigeria," in Political Parties and Political Development, ed. Joseph LaPalombara and Myron Weiner (Princeton, New Jersey: Princeton University Press, 1966), 290.

[65]Myron Weiner and Joseph LaPalombara, "The Impact of parties on Political Development" in Political Parties and Political Development, ed. Weiner and LaPalombara, Op. Cit., 399-439.

[66]Section 157 (2) (a), (b), (c), (d), and (e).

[67]J. Bayo Adekanye, "`Federal Character' Provisions of the 1979 Constitution and Composition of the Nigerian Armed Forces: The Old Quota Idea by a New Name," Plural Societies Vol 14, Nos 1/2 Spring/Summer, (1983), 73.

[68]Ibid.

[69]The following bodies have a representative from each of the states of the federation, namely: the Federal Electoral Commission; the National Economic Council; the National Population Commission. No state representation is required or stipulated in the Federal Civil Service Commission, the Federal Judicial Service Commission, the National Defence Council, the National Security Council and the Police Service Commission.

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[70]Section 65 (a) and (b).

[71]General Olusegun Obasanjo, "Nigeria: Which Way Forward?" West Africa, August 19, (1985), 1694.

[72]Kirk-Greene, "Ethnic Engineering," 471.

[73]Ibid, 472.

[74]Sections 13 to 22 of the 1979 Constitution come under the Fundamental Objectives and Directive principles of the State policy.

[75]Obasanjo, "Nigeria: Which Way Forward?" 1694.

[76]Kirk-Greene, "Ethnic Engineering," 471.

[77]Jinadu, "Federalism, the Consociational State," 91.

[78]Ibid, 91. According to Jinadu, the Constitution Drafting Committee (CDC) deliberately avoided making such a distinction between the majority and minority ethnic groups because of the repercussions of legitimizing "ethnic parochialisms."

[79]Nwabueze, Federalism in Nigeria, 369.

[80]Ibid, 370.

[81]Ayoade, "Ethnic Management," 134.

[82]Ray Ekpu, et.al., "Fall of the Second Republic," Newswatch, VOL 1, No 7, (May 27, 1985), 20.

[83]Ayoade, "Ethnic Management," 86.

[84]Ibid, 85.

[85]Young, The Politics of Cultural Pluralism, 525.

[86]See Benoni Briggs, "Federal Character and Higher Education in Nigeria," Bulletin of the National Universities Commission No 2 July/September, (1980), 47-74.

[87]Jinadu, "Federalism, the Consociational State." 95-97.

[88]Ibid.

[89]See Chapter Four for an analysis of the British colonial administration in Nigeria.

[90]Coleman, _Nigeria: Background to Nationalism_, 139.

[91]Briggs, _op. cit._, 62-67.

[92]Of all the nineteen political parties that applied for registration for the 1979 presidential elections only five were registered by the Federal Electoral Commission (FEDECO), namely: the Unity Party of Nigeria (UPN); the National Party of Nigeria (NPN); the Nigerian People's Party (NPP);and the Great Nigeria People's Party (GNPP). Again, out of these five registered political parties, only NPN and NPP members actually participated in the running of the government.

[93]Adamolekun, _The Fall of the Second Republic_, 50.

[94]Jinadu, "Federalism, The Consociational State," 90.

[95]Falola and Ihonvbere, _op. cit._, 75.

[96]Adamolekun, _The Fall of the Second Republic_, 37.

[97]Enukora Joe Okoli, "Strategic Split in PRP" _West Africa_ 18, January (1982), 159.

[98]Ibid.

[99]Lijphart, _Democracies_, 47-59.

[100]Enukora Joe Okoli, "Causes of NPN and NPP Discord," _West Africa_ 16, March (1981), 541.

[101]Ibid, 539.

[102]Ibid, 539.

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[103]See Chapter Seven.

[104]Falola and Ihonvbere, _Op. cit._, 66.

[105]Ibid.

[106]Okoli, "Causes of NPN and NPP discord," 539.

[107]Falola and Ihonvbere, _Op. cit._, 77.

[108]Ibid., 49-65. Also see Richard A. Joseph, "Political Parties and Ideology in Nigeria," _Review of African Political Economy_ No. 13 (1979), 78-90.

[109]However, during the confirmation hearing of the ministerial nominees, the exercise did not progress smoothly during the first rounds because of NPP skepticism about how many ministerial positions it would get, vis-a-vis the NPN, and therefore withdrew its support for the NPN nominees.

[110]Quoted in _Africa Now_ November (1982), 48.

[111]Among the top members of the NPP Party that decamped to the NPN Party was Professor Ishaya Audu, who was a presidential running mate to Dr. Azikiwe in the 1979 presidential elections. As a result of the accord between the NPN and NPP, Professor Audu was appointed to a Cabinet position as Minister of External Affairs. The Professor later switched party to join the NPN. Other defectors were Brigadier Adekunle (retired), Mr. Mathew Mbu -- who was the National Vice-Chairman of the NPP Party, Chief Okoi-Obuli, a Minister of State for Communications. See Okoli, "Causes of NPN and NPP Discord," 540.

[112]Ekpu, et al., "Fall of the Second Republic," 22.

[113]Adamolekun, _The Fall of the Second Republic_, 39.

[114]Quoted in Okoli, "Strategic Split in PRP," 159.

[115]_West Africa_, April 13, (1981), 793.

[116]Okoli, "Causes of NPN and NPP Discord," 540.

[117]Lijphart, _Democracies_, 53.

[118]See Chapter Seven for more analysis of the "Crisis of Legitimacy" under the Nigerian presidential system.

[119]Larry Diamond, "A Tarnished `Victory' for the NPN," _Africa Report_, No 6, November-December, (1983), 23.

[120]See Anthony A. Akinola, "Nigeria: The Quest for a Stable Polity: Another Comment," _African Affairs_, Vol 87, No 348, July, (1988), 441-439.

[121]See Chapter Seven for an analysis of why the Nigerian presidential system failed.

[122]Andre Molitor, "The Reform of the Belgian Constitution," in _Conflict and Coexistence in Belgium: The Dynamics of a Culturally Divided Society_, ed. Lijphart, _op. cit._, 150. "Control" is added to the other two elements by Molitor.

[123]Morton Grodzins, "Centralization and Decentralization in the American Federal System," in _A Nation of States: Essays on the American Federal System_, ed. Robert A. Goldwin (Chicago: Rand McNally and Company, 1963), 4.

[124]Wheare, _Federal Government_, 93.

[125]J. Isawa Elaigwu and Victor Olorunsola, "Federalism and Politics of Compromise," in _State versus Ethnic Claims: African Policy Dilemmas_, ed. Donald Rothchild and Victor A. Olorunsola. (Boulder, Colorado: Westview Press, 1983), 300.

[126]Brian Smith, "Federal-State Relations in Nigeria," _African Affairs_, Vol 80, No 320, July, (1981), 378.

[127]Ruth Schachter, "Single-Party Systems in West Africa," _American Political Science Review_ Vol LV, No2, June, (1961), 301.

[128]Lijphart, _Democracies_, 23.

[129]Anthony Kirk-Greene and Douglas Rimmer, *Nigeria Since 1970: A Political and Economic Outline* (New York: Africana Publishing Company, 1981), 30.

[130]Macpherson, *The Real World of Democracy*, 33.

[131]See Chapters Seven and Eight for more on the impact of these factors on consociationalism.

The Fall of Nigeria's Second Republic, 1979 - 1983

Introduction

The purpose of this chapter is to examine and analyze the fall of the Second Republic. The term "Second Republic" is used here as a euphemism for the period between 1979 and 1983; a period under a presidential system of government.

One of the factors attributed to the fall of the First Republic (1960-1966) was the structural framework of the colonial foundation which failed to promote a stable polity. The British colonial rule left behind a legacy of democratic process which, within two years of political independence, precipitated a cycle of crises that ultimately destroyed the First Republic.

The fall of the Second Republic, however, is not reducible to a single issue of British legacy. One cannot agree more with Professor Larry Diamond when he wrote that "after a quarter century of independence, the utility of attributing political failures to colonial legacies becomes increasingly dubious."[1]

The constitution of 1979 which provided the institutional framework for the politics and government

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of the Second Republic was initiated, extensively deliberated upon, and formalized by Nigerians for Nigerians. Elaigwu and Olorunsola showed that the 1979 constitution was tailor-made for Nigeria's socio-political reality, taking into consideration the bitter experiences of the past.[2]

The fall of the Second Republic is related not only to the 1979 constitution, under which the presidential system operated, and which brought out the worst excesses of the politicians, but also the method of operation of the system, which rejuvenated some of the vices that led to the collapse of the First Republic.

The constitution of 1979 was hastily drafted.[3] But this fact alone cannot be held responsible for all the malpractices of the Second Republic. A constitution is a dormant legal document, having no political relevance except when it is applied or tested. The quality of its operation is the true test. Those responsible for its application must show discretion for its inviolability, if the system for which it is designed is to survive. As pointed out by Nwabueze,

> A constitution cannot be adequately sanctioned by organized force alone. More important is the sanction of a national attitude which regards the constitution as something inviolable, something so fundamental in the life of the nation that respect for it should be regarded as almost a kind of

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religion, and any violation of it as a sacrilege. In short, a constitution should enjoy sacrosanctity.[4]

The fall of the Second Republic was not entirely due to the inadequacy of the constitution, but in part to the behavior of the politicians who encroached on its sacrosanctity.

The Birth of the Second Republic

Active partisan politics remained virtually frozen throughout the thirteen-year period of military rule, until the Federal Military Government lifted its ban on civilian politics in a speech delivered by the Head of State on 21 September, 1978. In his broadcast, General Obasanjo said:

> From now on let the game of politics be played according to the laid-down rules. Let all players be good sportsmen. No matter the result of the competition, let all players remain friendly and without bitterness look forward to another competition. Let the players, the spectators and the umpires all resolve to make the competition a successful one. And let the umpires be firm, fair and just. Let all Nigerians show commitment in bringing about civilian rule through the process of peaceful and fair election.[5]

The General also reminded Nigerians that:

> With the resuscitation of party politics, I would like to remind all aspirants, participants, and indeed all Nigerians that the issues which led this country into tragic civil war are not too far behind us, and we must refrain from them. Democracy is not synonymous with unhealthy and excessive competition

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for power; neither does it necessarily mean getting at all times the best man or the best team to run a government. Rather, democracy means that government should be guided by the wishes of the majority in the interests of all. In that situation, those participants who hold contrary views from the government would have to wait for a legitimate mandate from the electorate before they can govern. Our new system allows for differences of opinion and ideas which must be put to the electorate for their judgement and decision. Their decision must be respected and we should do nothing to trample on their wishes and desires.[6]

This eloquent and didactic speech underscored not only the expectation of the military about how democracy should be conducted, but also put the burden of responsibility on the politicians, the voters and those officials charged with the responsibility of conducting the elections. Additionally, the military, as the framer of the 1979 constitution, envisioned a paradoxical friendly-enemy game of politics in which a defeated party at the poll would accept its defeat graciously and still cooperate with the victorious party in power. Reciprocally, the victorious party would recognize and respect the legitimate voices of dissent in the opposition. In effect, the military anticipated the emergence of Lijphart's politics of accommodation for the Second Republic. The way Nigerians conducted themselves politically would be seen as an important litmus test for the survival of Nigeria's presidential democracy.

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Formation of Political Parties

The constitution of 1979 was a meticulous document of great political significance, particularly in defining the criteria of existence which political parties must satisfy before they could be allowed to operate. In Chapter Six we have elaborated on some of the stringent provisions which a political party must satisfy before registration. The following discussion of the rules governing the formation of political parties is an expansion on that written earlier.

The hurdles which political parties must overcome before official registration were set out in the body of the constitution itself. For instance, Section 202 states that

> no association by whatever name called shall function as a political party, unless: (a) the names and addresses of its national officers are registered with the Federal Electoral Commission; (b) the membership of the association is open to every citizen of Nigeria irrespective of their place of origin, sex, religion, and ethnic grouping; (c) a copy of its constitution is registered in the principal office of the Commission in such form as may be prescribed by the Commission; (d) any alteration in its registered constitution is also registered in the principal office of the Commission within thirty days of the making of such alteration; (e) the name of the association, its emblem or motto does not contain any ethnic or religious connotation or give the appearance that the activities of the association are confined to a part only of the geographical area of Nigeria; and (f) the headquarters of the association is situated in the capital of the Federation.

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Also, the constitution and the governing rules of every political party must provide (a) for the periodical election on a democratic basis of the principal officers and members of the executive committee or other governing body of the political party; and (b) ensure that the members of the executive committee or other governing body of the political party reflect the federal character of Nigeria.[7]

Although the constitution allows the political parties to define their own objectives, they must be consistent with the fundamental objectives and the directive principles of the state policy in Chapter II of the constitution.[8] The finances of political parties were not immune from the scrutiny of the constitution. Under Section 205 it stated: (1) every political party shall, at such times and in such manner as the Federal Electoral Commission may require, submit to the Federal Electoral Commission and publish a statement of its assets and liabilities; (2) every political party shall submit to the Commission a detailed annual statement and analysis of its sources of funds and other assets together with a similar statement of its expenditures in such form as the

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Commission may require; (3) no political party shall hold or possess any funds or other assets outside Nigeria nor shall it be entitled to retain any funds or assets remitted or sent to it from outside Nigeria, and any such funds or other assets remitted or sent to a political party from outside Nigeria shall be paid over or transferred to the Commission within twenty-one days of its receipt with such information as the Commission may require; (4) the Commission shall have power to give directions to political parties regarding the books or records of financial transactions which they shall keep, and to examine all such books and records; and (5) the powers conferred on the Commission under Section (4) of this Section may be exercised by it through any member of its staff or any person who is an auditor by profession, and who is not a member of a political party.

The Federal Electoral Commission was further charged under the provision of Section 206 (1) to prepare and submit to the National Assembly every year, "a report on the accounts and balance sheet of every political party." Also, the provisions of Section 206 (2) and (3) were a reinforcement of the power of the Electoral Commission in preparing its report "to carry out such investigations as will enable it to form an opinion as to whether proper

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books of accounts and proper records have been kept by any political party; and if the Commission is of the opinion that proper books of accounts have not been kept by a political party, the Commission shall so report" while at the same time, under Section 206 (3), reasonable access to the books, accounts and vouchers of all parties was given to every member of the Commission or its authorized agent; however,

> if the member of the Commission or such agent fails or is unable to obtain all the information or explanation which to the best of his knowledge and belief are necessary for the purposes of the investigations, the Commission shall state that fact in its report.

> The formation of quasi-military organizations was prohibited under Section 207. It stated:

> No association shall retain, organize, train or equip any person or group of persons for the purpose of enabling them to be employed for the use or display of physical force or coercion in promoting any political objective or interest or in such manner as to arouse reasonable apprehension that they are organized and trained or equipped for that purpose.

> The provision of Section 207 is particularly significant in two ways: (I) it was intended to inject a new mode of electioneering campaign, free from intimidation, harassment, and hooliganism characteristic of the electoral politics of the First Republic; and (II) it recognizes that such a-democratic means can only

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subvert the democratic political process if they are tolerated.

The constitution also conferred on the National Assembly powers to oversee the conduct of political parties and to impose punishment on any person for the contravention of the provisions of Sections 201, 205 (3), and 207.[9] Furthermore, after due inquiry, the National Assembly may by law provide (b) for the disqualification of any person from holding public office on the grounds that he knowingly aids or abets a political party in contravening Section 205 (3) of the constitution; (c) for an annual grant to the Federal Electoral Commission for disbursement to political parties on a fair and equitable basis to assist them in the discharge of their functions; and (d) for the conferment on the Commission of other powers as may appear to the National Assembly to be necessary or desirable for the purpose of enabling the Commission more effectively to ensure that political parties observe the provisions of this part of the constitution.[10]

These constitutional provisions on the formation or activities of political parties were intended to accomplish the following objectives: (1) to nationalize the outlook, activities and membership criteria of the

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parties, thus making it impossible for anyone to operate a regionally based political party reminiscent of the First Republic; (2) to make the political parties, as well as their officials, accountable for the operational conduct of their activities and with a measure of punishment for any violation of the provisions of the constitution relating to their existence and activities; (3) to foreclose any exogenous support, control or manipulation of the political parties through funding or the supply of materials that may not be consistent with the national interest of the country. On the issue of foreign power involvement in what is purely a domestic affair of the country General Obasanjo warned that, "it is very unpatriotic and selfish for any Nigerian to mortgage the interests of this country to foreign powers for the sole purpose of gaining political leadership. The foreign powers...have been warned not to get involved in our internal political activities."[11]; and (4) to ensure the survival of the presidential political process, through a break with past organizational methods.

Although there was a ban on political parties or party politics, this did not prevent underground political activities during the era of military rule. For example, "the National Committee of Friends," which later

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metamorphosed into the Unity Party of Nigeria (UPN) included, mostly, the close associates of Chief Obafemi Awolowo from the defunct Action Group. The Nigeria People's Party (NPP) emanated from the fusion of the three loosely formed clandestine organizations, viz. the "National Union Council" led by Alhaji Waziri Ibrahim, a former minister of Economic Development in the First Republic; the "Council for National Unity" led by Dr. Kinsley Mbadiwe, also a former minister during the First Republic, and the Progressives led by Chief Adeniran Ogunsanya and who were members of "Club 19" operative during the time of the Constituent Assembly -- a body charged with the responsibility of receiving and collating comments from the public on the 1979 draft constitution. Also, the National Party of Nigeria (NPN), grew out of the "National Movement," also surreptitiously operating during the military administration.[12]

The flurry with which political aspirants rushed to form parties is not surprising given the duration of thirteen years of military rule that deprived them of their vocation. But, out of fifty political associations[13] formed after the ban on political parties was lifted, only nineteen actually registered. Five of these were approved by the Federal Electoral Commission:

the Unity Party of Nigeria (UPN) led by Chief Obafemi Awolowo (who was also its presidential candidate for the 1979 and 1983 elections); the National Party of Nigeria (NPN) led by Chief Akinloye as its national chairman (its presidential candidate was Alhaji Shehu Shagari); the Nigerian People's Party (NPP) whose national chairman was Chief Adeniran Ogunsanya (its presidential candidate was Dr. Nnamdi Azikiwe for the 1979 and 1983 elections); the Great Nigeria People's Party (GNPP) led by Alhaji Waziri Ibrahim and the People's Redemption Party (PRP) led by Alhaji Aminu Kano. The Nigerian Advance Party (NAP) led by Tunji Braithwaite was approved for the 1983 presidential elections.

The ideology of each of the political parties was deeply ingrained in the programmatic commitment which each of them espoused. The UPN party, which was the first to be formed barely 24 hours following the Head of State's announcement to lift the ban on party politics, espoused a socialist goal for Nigeria. In announcing the formation of the party, Chief Awolowo stated the objectives of the party as follows: (a) free education at all levels for all, with effect from October 1, 1979; (b) integrated rural development under which rural areas would be reorganized into optimum communities, each capable of

supporting a secondary school and free medical services;
and (c) full employment.[14] Even though the party was
committed to a socialist agenda, Chief Awolowo maintained
that

> no one nation ever attains a worthwhile goal designed
> for the benefit of the entire people in one fell
> swoop without counting irreparable or prolonged
> disaster for the people concerned. Indeed any
> attempt to attain the goal of socialism in one
> frantic leap is bound to generate widespread alarm,
> social upheaval and distress and attendant
> violence.[15]

Chief Awolowo maintained that a "revolutionary leap will
be without bloodshed and it will be a necessity to entail
rigorous planning, dedication, toil, sweat, resolution and
discipline."[16]

The formation of the UPN, with its support base in
the Yoruba heartland, the core dramatis personae of the
party, seemed to suggest a rebirth of the Action Group of
the First Republic.

The NPN, like the UPN, emerged as a "lineal successor
of the NPC"[17] party that dominated the Federal and
Regional politics in the North during the First Republic.
The party was basically committed to six aims: social jus-
tice and social welfare; equality of opportunity for all
the citizens; personal liberty and fundamental rights and
freedom of the citizens; supremacy of the will of the
people democratically expressed; self-respect and

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self-reliance; and unity of Nigeria.[18] These aims were more elegantly elaborated in the objectives of the party as follows: (a) to maintain and protect the unity and sovereignty of Nigeria as one indivisible political entity; (b) to promote unity, solidarity, harmonious coexistence amongst all Nigerians irrespective of their religions, tribal and other differences; (c) to uphold federalism as a form of government for Nigeria; (d) to ensure the practice and maintenance of democracy, the rule of law and social justice in the Federal Republic of Nigeria; (e) to promote mutual respect for and understanding of the religions, cultures, traditions, and heritage of all the various communities in Nigeria; (f) to preserve, promote and safeguard Nigerian cultural heritage; (g) to eradicate illiteracy throughout Nigeria and to promote learning, science and culture; (h) to achieve and consolidate real political and economic independence and self-respect for Nigeria; (I) to build and sustain a strong, modern economy under the control of Nigerians; (j) to promote the principle of equal opportunity and treatment for every citizen of Nigeria; (k) to cooperate with progressive African and other nationalist movements and organizations working for the eradication of colonialism, imperialism, neo-colonialism,

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and racism from African continent; (1) to cooperate with all members of the OAU and UNO and any regional groupings that shall be in the best interest of Nigeria; and help to find just and peaceful settlements of international problems; and (m) to undertake other activities which in the opinion of the party are conducive to the attainment of the aims and objectives of the party.[19]

The NPP began as a promising political organization, unattached to any of the dominant ethnic groups like the UPN and NPN, but was confronted with a terrible political crisis soon after its formation. The NPP crisis began during its first national convention when delegates from Benue state moved an amendment that would have separated the post of the National Chairman of the party from its presidential candidate. The amendment was rejected by supporters of Alhaji Waziri Ibrahim, the party's chief financial backer. The rejection of this amendment precipitated the formation of two irreconcilable factions within the party; one led by Alhaji Ibrahim, and the other spearheaded by Chief Adeniran Ogunsanya, the protem chairman of the party before the convention. While Ibrahim's faction emerged under a new name, the Great Nigeria People's Party, the faction headed by Ogunsanya retained the original name of the party, the NPP.[20]

Dr. Azikiwe, the former president of the Federal Republic of Nigeria, who had consistently reiterated his lack of interest in partisan politics, suddenly emerged as the party's leader and presidential candidate.

The party that was once unaffiliated with any of the dominant ethnic groups (Hausa-Fulani, Ibo and Yoruba), soon became a familiar rendezvous for old NCNC members. The support base was now firmly established in Iboland. Old political rivalries among the three dominant ethnic groups were redeveloped. Thus, the politics of the Second Republic was transformed into a triangular contest among the old political rivals -- NPC, NCNC, and the Action Group -- each in a new nomenclatural outfit.

The objectives of the NPP party were as follows: (1) preserve Nigeria's constitution; (2) promote and sustain national unity, territorial integrity and defend Nigeria's independence and sovereignty; (3) work for national integration and equal opportunity for all without any regard to ethnic group, religion or sex; (4) work towards a virile and self-reliant economy, emphasizing industrialization, and equitable distribution of the fruits of economic development; (5) protect the fundamental human rights and freedoms of all persons living in Nigeria; (6) work towards free and high quality

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education at all levels; (7) work for a secular democratic state; (8) fight against poverty, disease, ignorance, intolerance, undiscipline, feudalism, racism, neo-colonialism, and unjust exploitation of man by man; (9) make the rule of law the bedrock of all aspects of life in Nigeria; and (10) do other necessary things for the lawful achievement of the party's aims and objectives.[21]

The Great Nigeria People's Party was probably better known for its campaign slogan of "politics without bitterness," than any well articulated political agenda. Both the GNPP and NPP had similar political objectives.[22] Also, like the UPN, NPN and NPP, the leader of GNPP, as shown in Table 14, derived his political support mainly from among his own ethnic group, the Kanuri of Borno state.

The formation of the People's Redemption Party was perhaps accidental. The man who initiated the formation of PRP, Alhaji Aminu Kano, was originally one of the promising political stars of the NPN party. However, when he was elected as the national publicity secretary of the party, a position considered by his supporters as demeaning to his personality and presidential

Table 14

Party Shares of the Vote
(percentage of totals)

State	Leading party	Share of vote in gubernatorial election	Share of vote in senatorial election	Share of vote in presidential election	Increase from Senate to presidential vote
Anambra	NPP	76.0	73.4	82.8	9.4
Bauchi	NPN	53.2	45.6	62.5	16.9
Bendel	UPN	54.6	46.0	53.2	7.2
Benue	NPN	78.7	70.9	76.4	5.5
Borno	GNPP	55.8	53.9	54.0	0.1
Cross River	NPN	60.3	50.2	64.4	14.2
Gongola	GNPP	47.6	37.2	34.1	3.1
Imo	NPP	80.8	74.0	86.7	12.7
Kaduna	NPN*	44.4*	38.4	43.1	4.7
Kano	PRP	79.0	70.6	76.4	5.8
Kwara	NPN	51.9	49.1	53.6	4.5
Lagos	UPN	79.0	80.2	82.3	2.1
Niger	NPN	74.1	65.2	74.9	9.7
Ogun	UPN	93.6	87.4	92.6	5.2
Ondo	UPN	94.8	89.2	94.5	5.3
Oyo	UPN	84.4	77.8	85.8	8.0
Plateau	NPP	62.1	48.4	49.2	0.8
Rivers	NPN	76.9	50.0	72.7	22.7
Sokoto	NPN	62.8	60.2	66.6	6.4

(a) The PRP won the gubernatorial election with a 45.2% share of the vote, though the NPN remained the states leading party.

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Source: Henry Bienen, "Nigeria" in *Competitive Elections in Developing Countries* ed. Myron Weiner and Ergun Ozbudun (Durham: Duke University Press, 1987), 228.

aspiration, he resigned to form his own party.[23] Another
justification for his abrupt departure was attributed to
ideological differences between Kano and the NPN organiz-
ers.[24]

Aminu Kano, who was also the erstwhile political
leader of the defunct Northern Elements Progressive Union
(NEPU) during the First Republic. He was well known as
a maverick by the conservative mainstream. He was also
an avowed revolutionary socialist. His political support
base in the past had been derived from his uncompromising
opposition to the perpetuation of the feudal system in the
North and his close identification with the Talakawa
people (commoners). The PRP was virtually a rebirth of
the Northern Elements Progressive Union and again, it was
no accident, as shown in Table 14, that it derived its
electoral support base mainly from Kano state.

The PRP can thus be positioned on the leftist fringe
of the ideological spectrum of Nigerian politics.
According to Alhaji Aminu Kano, the ideological lodestar
of the party was proclaimed as "democratic humanism ...
which teaches self-reliance and the take-over of the
economy from the grips of neo-colonialists and into the
hands of the people."[25] Unlike the UPN, which also
embraced socialism, the PRP has distinguished "itself from

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the UPN by emphasizing the need for the expansion and socialization of the economic structures of the country over the immediate implementation of a programme of increased welfare benefits and social amenities."[26] No other political party formed during the Second Republic was more plagued with internal factionalism or in-fighting than the PRP. The unsettling dust of political wrangling within the rank and file of the party left its bitter mark making reconciliation impossible.[27]

The Nigerian Advance Party (NAP), founded by Mr. Tunji Braithwaite, was not approved for the 1979 elections. However, the party was given legal recognition by the Federal Electoral Commission to contest the 1983 presidential elections. According to Professor Claude Ake, the Nigerian Advance Party was a disguised "satellite of the NPN" merely recognized "in the hope that it will be a serious nuisance to the UPN"[28] in the Yoruba heartland states of Ogun, Oyo, Lagos, Ondo and Kwara. The party was nondescript ideologically because of its jumbled political programs.[29]

One of the primary goals of the 1979 constitution was to promote an entirely new political order divorced from the ethnic politics of the First Republic. However, contrary to this goal, "the makers of the new Republic had

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inadvertently rendered ethnicity a more viable basis of political organization and management in Nigeria."[30] Equally discernable was a re-emerging "trinitarian perception" of Nigerian politics, dominated by the Hausa/Fulanis, the Ibos and the Yorubas. Among the five legally sanctioned political parties contesting the 1979 presidential elections, four of them -- the NPN, UPN, NPP and PRP -- were dominated by these three ethnic groups. Only the GNPP was headed by someone from a minority ethnic group, Alhaji Waziri Ibrahim from the Kanuri in Borno state.

Ethnic hegemony still remain an important element of Nigerian politics, even though there had been some improvement in the cross-cutting memberships within each of the parties.[31]

Presidential Elections and the Crisis of Legitimacy

The electoral system during the Second Republic was designed as a safeguard against the repetition of the Nigerian experience under the parliamentary system, whereby a national leader could be elected on a narrow geo-ethnic support base. Under the 1979 constitution, the process for the election of the president was stringently designed in such a way as to ensure the

nationalization of the president's electoral support base. According to Professor Dudley, the intention of the constitution was to ensure the emergence of a national leader representing "the concrete actualization of the singularity of the state."[32]

Under the provisions of Section 125 (a) and (b) of the constitution, a single presidential candidate shall be deemed duly elected only if such candidate has "a majority of YES votes over NO votes cast at the election" and "has not less than one quarter of the votes cast at the election in each of at least two-thirds of all the states in the Federation." A fresh nomination is expected to take place if the only candidate is unable to meet the electoral requirements of Section 125 (a) and (b).

When two candidates are in the presidential race, the Constitution requires the winning candidate to have obtained "a majority of the votes cast" and "not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the states in the Federation."[33] However, if no candidate is duly elected under the above provisions, "the Federal Electoral Commission shall within seven days of the result...arrange for an election to be held" in (a) "each House of the National Assembly;" and (b) "in the House of Assembly of every

state in the Federation."[34] The outcome of the electoral
exercise was to be determined by simple majority of all
the votes cast.

The electoral requirements of Sections 125 and 126
of the constitution implicitly underscored the fundamental
criteria of satisfying the principle of federal character
in its application to the election of the president. As
pointed out by Nwabueze, the election of the president un-
der the provisions of the constitution embodies two basic
principles: (a) the principle of popular approval and (b)
the principle of territorial spread.[35] A combination of
these principles implies reducing the opportunity for
electoral victory to any political party tied to a
parochial ethnic support base. As pointed out by
Nwabueze, "victory at the election is made difficult, but
it is made deliberately so, in the hope of fostering truly
national parties and encouraging coalition, alliance or
accord among them."[36] The attempt to nationalize the
political support base of the president through the
electoral process was also designed to overcome the
legitimacy problem inherent in the First Republic. The
NPC control of the federal government was looked upon
generally "as a mere reflection of Northern interest, the

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federal government had no legitimacy in the eyes of the Southern populations."[37]

Legitimacy is a moralistic issue; it entails submission of the people to authority on the basis that such authority is just and proper. Legitimacy thus implies the loyalty of the people to a constituted authority; a willingness to carry out their civic responsibilities consciously without the coercive exercise of power of the state. As Almond and Powell have put it,

> Political authorities are legitimate if the citizens in the society are willing to obey the rules that the authorities make and implement, not merely because the citizens will be punished if they disobey, but because the citizens believe that they ought to obey.[38]

This attitudinal dimension of legitimacy is also that which provides the people with the basis to pass moral judgement on their government, and determines their attitude towards it. According to Gurr and McClelland, "the sentiments of worthiness, or legitimacy" affect not only the performance of the government but "provide a psychological cement of a polity."[39]

Professor David Apter has also pointed out that legitimacy has two dimensions derived from two different sets of values, viz: the consummatory values and instrumental values.[40] The consummatory values "are based on a particular set of moralities" expressed in

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ideological terms either as "an integrated set of cultural norms that are widely dispersed in the population or contradictory set held by mutually antagonistic groups." Morality in government, according to Apter, constitutes a "viability test" which no government can afford to fail. Otherwise, it loses its "consummatory political values" to sustain itself. The instrumental values are related to the judgmental evaluation of the people of their government "on the basis of efficiency." However, "when government is regarded as inefficient or powerless to deal with problems and unable to make provision for the future of the society, support is withdrawn." The viability of the government depends by and large on its ability to sustain these two related values of legitimacy.

Lipset,[41] Gurr and McClelland,[42] and Eckstein[43] have also made the point that the legitimacy of a government depends on the effectiveness of its actual performance in the socio-economic sense and this, in return, affects its stability. A government facing problems with the issue of legitimacy is equally susceptible to crises associated with the "sequences of political development" such as penetration, identity, integration, distribution and participation.[44]

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The presidential elections of 1979 produced one of the most sensational legal battles in the history of leadership succession in Nigeria. The outcome of the elections left a lingering sense of political bitterness that underscored not only the credibility of President Shagari but also the legitimacy of his presidential leadership.

In plural societies, the governability problem is generally related to the denial by some segment of that society to acknowledge the moral right of the national leader to rule over them. As far as the UPN states were concerned, the presidential elections of 1979 did more to undermine the legitimacy of the presidential leadership of Shagari than it did to enhance it. As pointed out by Nwabueze:

> The feeling of resentment which this created in them had thus embittered their attitude to the NPN-controlled federal government right from the very beginning to the extent that the UPN-controlled state governments initially refused to recognize the presidency of Alhaji Shehu Shagari, and manifested this by refusing to display his photograph in public buildings in their state. Acceptance by the state governments of the leadership of the federal government cannot be divorced from the legitimacy in their eyes of the individual who heads the federal government. It can be said that, because of this factor, the federal system has not really had a fair chance in Nigeria since the inception of the Second Republic on October 1, 1979.[45]

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In making the announcement on August 16, 1979 that Shagari had won the election, the officials of FEDECO stated that he "has satisfied the provision of Section 34 A, Subsection (1)(c)(I) of Electoral Decree No. 73 of 1977, that is to say, he has the highest number of votes cast at the election." And "from the details of the state by state results...this candidate has also satisfied the provision of Subsection (1)(c)(II) of the same Section as he has not less than one-quarter of the votes cast at the election in each at least two-thirds of all the states in the Federation." And, for these reasons, the Commission "considers that in the absence of any legal explanation or guidance in the Electoral Decree, it has no alternative than to give the phrase `at least two-thirds of all the states in the Federation' in Section 34 A, Subsection (1)(c)(II) of the Electoral Decree the ordinary meaning which applies to it," that is, "the candidate who scores at least one-quarter of the votes in twelve states and one quarter of two-thirds, that is, at least one-sixth of the votes cast in the thirteenth state satisfied the requirement of the Subsection" and, according- ingly declared Shagari as the "elected President of the Federal Republic of Nigeria."[46]

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As shown in Table 15, Shagari had satisfied the first requirement under the provision of Section 126 (2)(a) by scoring the highest number of votes cast. However, he failed to satisfy the requirement in Section 126 (2)(b), which requires not less than one-quarter of the total votes cast in each of at least two-thirds of all the states of the Federation. Shagari had scored 5,688,857 votes (33.8% of the total number cast) or roughly 770,000 more votes than his closest rival in the race, Chief Obafemi Awolowo, received.[47]   Shagari also scored 25 percent or more of the vote in twelve states, but only 20 percent in the thirteenth state, Kano. The critical

Table 15

Presidential election results, 1979

States	Registered voters	Total votes cast	Turn-out (%)	GNPP N°	%	UPN N°	%	NPN N°	%	PRP N°	%	NPP N°	%
Anambra	2,609,663	1,209,038	46.38	20,228	1.67	9,063	0.75	163,164	13.50	14,500	1.20	1,002,083	82.88
Bauchi	2,094,162	998,683	47.64	154,218	16.44	29,960	3.0	623,989	62.48	143,202	14.34	47,314	4.74
Bendel	2,400,174	669,511	27.89	8,242	1.20	356,381	53.2	242,320	36.2	4,939	0.7	57,629	8.6
Benue	1,636,371	538,879	32.93	42,393	7.97	13,864	2.57	411,648	76.38	7,297	1.35	63,097	11.77
Borno	2,945,925	710,968	24.13	384,278	54.04	23,885	3.35	246,778	34.71	46,385	6.52	9,642	1.31
Cross River	2,464,184	661,103	26.83	100,105	15.14	77,775	11.76	425,815	64.40	6,737	1.01	50,671	7.66
Gongola	2,300,355	639,138	27.69	217,914	34.09	130,561	21.67	327,057	35.52	27,750	4.34	27,856	4.35
Imo	3,490,484	1,153,355	33.04	34,616	3.00	7,335	0.64	101,516	8.80	10,252	0.89	999,636	86.60
Kaduna	3,455,047	1,382,712	40.02	190,936	14	92,382	7	596,302	43.0	437,771	31	65,321	5
Kano	5,226,598	1,195,136	22.87	18,482	1.54	14,973	1.23	243,423	19.94	932,803	76.41	11,081	0.91
Kwara	1,108,029	356,605	32.00	20,251	5.71	140,006	37.48	190,142	53.62	2,376	0.67	1,830	0.52
Lagos	1,229,369	828,414	45.39	3,943	0.48	681,762	82.30	59,515	7.18	3,074	0.47	79,320	9.57
Niger	1,051,160	313,347	36.67	63,273	8.66	14,155	3.67	207,072	74.68	14,555	3.77	45,292	1.11
Ogun	1,663,668	744,668	44.76	3,974	0.53	689,655	92.61	46,358	6.23	2,338	0.31	2,343	0.32
Ondo	2,575,960	1,384,788	53.80	3,561	0.26	1,394,666	94.50	57,361	4.19	2,509	0.18	11,752	0.85
Oyo	4,521,773	1,396,547	30.80	8,029	0.57	1,197,983	85.76	177,999	12.75	4,804	0.32	7,732	0.55
Plateau	1,748,046	548,495	31.36	37,400	6.82	72,020	5.29	190,408	14.72	21,852	3.98	269,666	49.2
Rivers	1,675,934	687,951	41.05	15,025	2.18	71,114	10.33	499,843	72.65	3,312	0.46	98,754	14.35
Sokoto	3,618,094	1,348,697	35.52	359,031	26.61	34,102	2.52	898,094	66.58	44,977	3.33	12,503	0.92
Total	48,633,782	16,846,033	34.64	1,686,489	10.01	4,916,651	29.18	5,688,857	33.77	1,732,113	10.28	2,822,523	16.75
Percentage					10.01		29.18		33.77		10.28		16.75

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question was, what constituted "two-thirds of the nineteen states"? FEDECO chose a liberal interpretation, "in the absence of any legal explanation or guidance" to mean twelve and two-thirds and not thirteen.

Predictably, at least based on the improbable expectation that no candidate would be able to satisfy the requirement of Section 126 (2)(b) of the constitution, FEDECO had sought the legal opinion of the Attorney-General of the Federation and the officials of the Ministry of Justice. There seemed to be an agreement that the two-thirds interpretation of the states in the Federation would be thirteen.[48] It was therefore incorrect for FEDECO to have given the impression that it lacked "legal explanation or guidance" for its interpretation of the two-thirds of the nineteen states of the Federation.

Prior to the announcement of the final results of the presidential elections, Chief Richard Akinjide, the NPN legal adviser and later the Attorney-General of the Federation under Shagari, had hinted publicly about the new interpretation of Section 126 (2)(b). On August 15, Chief Akinjide declared that the two-thirds of nineteen states could not be thirteen but twelve and two-thirds: an interpretation that was in consonance with FEDECO's

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own interpretation, announced shortly after Chief Akinjide's press statement. Was the congruent interpretation of the two-thirds of the nineteen states of the Federation by Chief Akinjide and FEDECO a coincidence or a collaborative effort? Interestingly, Chief Akinjide's interpretation had generally been attributed to his own ingenuity. In fact the esoteric interpretation was leaked to him by someone in the Ministry of Justice.[49]

Amidst charges of electoral malpractice and the unsatisfactory legal justification to warrant the declaration of Alhaji Shagari as the winner, because of the purported non-compliance with the provisions of the electoral laws, the leader of the UPN party, Chief Awolowo, challenged the validity of FEDECO's declaration. In his petition to the Electoral Tribunal, Chief Awolowo claimed that (a) Alhaji Shehu Shagari was "at the time of the election, not duly elected by a majority of the lawful votes at the election as he has not satisfied Section 34 A, Subsection (1)(c)(II) of the Electoral Decree 1977"; (b) Alhaji Shagari "had less than one-quarter of the votes cast at the election in each of at least two-thirds of all the states in the Federation"; and (c) the election of Alhaji Shagari was "invalid by non-compliance with the

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provisions of...the Electoral Decree 1977..." Awolowo
therefore requested the Tribunal to (I) declare that
"Alhaji Shehu Shagari was not duly elected or returned and
that his election or return was void"; and (II) order the
Secretary of FEDECO and the Chief Returning Officer "to
arrange for an election to be held in accordance with the
provisions of Section 34 A (3) of the Electoral
(Amendment) Decree 1978."[50]

   At the commencement of the trial, Chief Awolowo
argued that the natural meaning of the two-thirds of
nineteen states is thirteen and not twelve and
two-thirds. According to Chief Awolowo, the
fractionalization of the state was not practicable. He
argued that "the state is a legal person -- a corporate
body with eyes, legs and head."[51] Chief Awolowo also made
a frantic effort to have two relevant documents subpoenaed
during the trial, namely: (a) the certified copy of the
press release made by the chairman of FEDECO on 22nd
December, 1978; and (b) a certified copy of a press
release by the Executive Secretary of FEDECO issued on
13th November, 1978 -- both releases purportedly agreed
to the interpretation of the contentious phrase: "in each
of at least two-thirds of the states..." to mean thirteen
states but was ruled inadmissable by the Tribunal.[52]

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Chief Awolowo's petition was rejected by the Tribunal, and so was his appeal to the Supreme Court.[53]

It has been argued that FEDECO's premature declaration of Shagari "as winner is clearly a distortion of the constitutional requirement" and that the Supreme Court's affirmation of Shagari's candidacy could have been influenced or "justified by the circumstances created by the declaration."[54]

The overall performance of FEDECO in the handling of the presidential elections left much to be desired.[55] From the quagmire of legal battle over the outcome of the 1979 presidential election, what was hoped to be a highly treasured historical transition to civilian rule left instead a legacy of unhealing wounds, from which the Second Republic could hardly recover. The presidential elections of 1979 and the contested legality of its outcome produced an unpleasant chain of political reaction from both winner and loser. This undermined the operational dynamics of the system. As the most aggrieved group in the quest for the presidency, the UPN gradually constituted itself into an "opposition" party to the federal government controlled by the NPN. What began as a protest movement against the central government by the five UPN Governors of Ondo, Ogun, Oyo, Lagos and Bendel

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states soon developed into a more expansive association of twelve "progressive" Governors from the GNPP (Borno and Gongola), NPP (Anambra, Imo and Plateau), and PRP (Kano and Kaduna) states. These Governors formed a loose association called the Progressive People's Party (PPA). But the PPA was unable to transform itself into a nationally well-organized political force, because of the "conflicting aspirations of its members, its failure to evolve a unanimous programme of action, its ideological bankruptcy and the infiltration of the NPN into its rank and file."[56] However, even though the PPA members were unable to form a unified front against the federal government, they did not hesitate to show their lack of affection towards it. There seemed to be a preconceived notion among members of this group not to see anything good, meritorious or progressive coming from the NPN party in control of the federal government. The non-NPN Governors were bitterly opposed to the Presidential Liaison Officers (PLO) appointed by President Shagari to oversee federal projects in each of the states of the Federation.[57]

In an ambivalent political environment like this, characterized by an adversarial relationship between the center and the states, and where the necessary consensual

harmony among the governing political elites is lacking, it was clearly difficult for the political system to survive. As Field and Higley have pointed out, "the presence of a consensual unified elite is necessary for institutional stability and, hence, for all the better features of political rule."[58]

The outcome of the 1979 presidential elections also greatly influenced the conduct and performance of the presidential system in the following ways. First, shortly after the confirmation of his election by the Supreme Court, President Shagari invited members of the Unity Party of Nigeria (UPN), the Nigerian People's Party (NPP), the Great Nigerian People's Party (GNPP), and the People's Redemption Party (PRP) to form a national government. The President's invitation was part of a desperate effort to neutralize the bitterness of politics generated over the outcome of the elections, and partly because of the inability of his own party to win a working majority in the National Assembly.

The President's action was inconsistent with the practice of a presidential system typical of the American model. The control of Congress is not a pre-condition for the political success of the U.S. President. After all, as pointed out by Richard Neustadt, the power of the

president is relative to his capacity to influence or to build a network of coalitional support bases behind his programs or policies.[59] Also, the character or personality of the president, including his articulated vision of the polity and the world, and his ability to inspire people, will go a long way to enhance the influence of the president beyond the power vested in his office.[60]

Secondly, in making his Presidential appointments Shagari allowed his search for conciliation both within his party and among his political adversaries outside the NPN party to override the constitutional demands of his office.[61] He passed the buck of responsibility to his party members when he invited them to submit nominations for his executive appointments. By so doing, the President has,

> turned ministerial posts into party patronages and ended up getting an admixture of people that were not appointed especially on the basis of proven ability or on the commitment to particular goals other than they were strong party men who took advantage of the President's approach to the problem.[62]

Again, during Shagari's presidency, it is difficult to draw the line between the activities of his party and government. During the presidential politics of the Second Republic, as pointed out by Dr. Tunde Adeniran,

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"the government is the government of the party in power and not that of the individuals elected or of the electorate who elected them."[63] It is for all these reasons that the Nigerian presidential system has been likened in its operation and character to a "presidential parliamentarianism"[64] for "employing parliamentary techniques to operate a presidential machinery."[65]

The operation of a presidential system in a parliamentary fashion is quite understandable. The simple reason is that Nigerian politicians have been brought up politically in the tradition of the Westminster model of parliamentary democracy.

The initial support for President Shagari can be attributed to: (I) the utopianism of the electioneering campaign promises to the electorate -- grandiose promises which, when ultimately confronted with an "inert economy,"[66] remained unfulfilled. But "the great danger...is that when promises are not realized, the authority of the leaders may quickly erode."[67] (II) The increasing sense of public disenchantment with the military which had been in power far more than the civilians and with the result that the people were prepared to transfer their allegiance or support to any democratically elected government.

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When the electoral process is perceived to be grossly conducted or manipulated, the crisis of legitimacy is inevitable, as those who lost in the process are likely to withdraw their support from the victorious party. Shagari's victory in the 1983 presidential elections was farcical. It resulted in protest, resentment and revulsion. According to Professor Diamond, the conduct of the 1983 presidential elections was crude, corrupted by electoral malpractice, thus producing a "tarnished victory"[68] for Shagari and his party. Some of the responses included a call for experimentation with a confederal system,[69] an open invitation to the military to seize control of the government, and persistent mockery of the whole electoral process.[70]

The Legal Rationality of an "Illegal" Coup of 1983

When the democratically elected government of President Shagari was overthrown in 1983 by the military, the legality of such an extra-legal phenomenon was never questioned or challenged, even though the 1979 constitution was particularly explicit on who should or should not be in control of the Nigerian Government. By implication of Section 2 of the 1979 constitution, the

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seizure of political power by whatever means that does not conform with the principle of democratic process is illegal. Specifically, Section 2 states that,

> the Federal Republic of Nigeria shall not be governed, nor shall any person or group of persons take control of the Government of Nigeria or any part thereof, except in accordance with the provisions of this constitution.

Thus, the constitution, according to Nwabueze, "contemplates the legal immutability of the constitution"[71] by implication of Section 2.

Some of the fundamental provisions reinforcing the stipulation of Section 2 were to be found in Section 14 of the constitution. According to Section 14 (1) of the constitution, "the Federal Republic of Nigeria shall be a state based on the principles of democracy and social justice." Moreover, Section 14 (1) is supported by Section 14 (2) of the constitution when it declared that "sovereignty belongs to the people of Nigeria from whom government through this constitution derives all its powers and authority." Thus, the principles of election, accountability, popular sovereignty, social justice and so on were the bedrock of the Nigerian presidential democracy.

The interpolation of Section 2 into the 1979 constitution was an indication of the collective

aspiration or, in another sense, a consequence of the shared collective frustration of the members of the CDC who wished to put an end to the phenomenon of military interventionism in Nigerian politics.

It is rather too idealistic to anticipate that military intervention in Nigerian politics would come to an end automatically via constitutional provision. Incorporation of Section 2 into the constitution was superficial, unnecessary, and apparently shortsighted of the historical phenomenon of military ascendancy to power. The illegalization of a military seizure of power is merely symbolic and obviously incapable of pre-empting such occurrence, as long as the military continues to consider itself as an alternative to democratic rule, and as long as the Nigerian public is generally sympathetic toward such intervention when the democratic process is foundering.

Can a military coup be prevented after the post military rule in 1992? Once again, members of the Constituent Assembly preparing the final draft of the constitution for Nigeria's third Republic have taken to the pleasure of romanticism, by suggesting that the constitution under their consideration, like the constitution of the Second Republic, would contain an

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entrenched provision debarring military intervention in the Nigerian body politic.[72] However, Dr. Hamed Kusamotu, a constitutional expert, has suggested four ways of preventing a military coup in Nigeria: (I) by turning National Youth Service into a para-military program; (II) by having adult Nigerians carry weapons for the defence of their democratic rights; (III) by educating members of the Armed Forces as to their main duty which is solely to protect the country and not to rule it, and (IV) by developing a mass mobilization program to stimulate members of the public to support democracy.[73] The first two suggestions constitute an invitation to national suicide, not only because of the demand for the use of force to defend democracy, but because of the expectation that members of the general public would confront the military in an environment of unrestrained use of force by the military. This would be devastating in human terms. The education of members of the Armed Forces as to their professional role as defenders of the territorial integrity of Nigeria against external aggression or attack is perhaps the most realistic of the four suggestions. Additionally, members of the Armed Forces must be made to understand that defending the territorial integrity of the country is tantamount to defending its institutions and

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the paraphernalia of authority of the state. The problem with the fourth suggestion is not the lack of public support for democracy or democratic institutions in Nigeria; but the ruling class itself, which finds difficulty in living up to the expectations of the democratic process and in showing an exemplary attitude in their conduct of the business of governing the country in accordance with the provisions of the constitution. They would need to be more accountable for their own conduct as public officials.

Military intervention in the Nigerian body politic is not curable by constitutional provisions alone but by good government, whose legitimacy will generally depend on its performance. A statement by Lieutenant-General Sani Abacha, the Chief of the Army Staff, that "no constitution can prevent coups" is apropos. According to General Abacha, "the constitution does not give room for military intervention. The situation dictates what the military will do." He adds that the only way out is to have "good government."[74] Also, as pointed out by Hans Kelsen, a successful revolution and coup d'etat are "law creating facts"[75] in the eyes of international law and they cannot be negated even when carried out as illegitimate acts, except if the emerging governments from

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these two phenomena lacked the efficacy of maintaining "a social order."[76]

Nigeria has had two successful military coups (Buhari and Babangida) and one unsuccessful attempt, organized against the Babangida regime, since the collapse of the Nigerian presidential system in 1983. Apparently, not one of the two successful regimes has ever suffered any legal disability, either as a result of any challenge to the "illegality" of their usurpation of power or from the denial of a _de jure_ recognition from members of the international community.

Although Nigerian law has proscribed the phenomenon of a _coup d'etat_, or any a-democratic means to usurp political power from a democratically elected government, as Dr. Elias has shown, customary international law recognizes revolutions or coups d'etat "as a proper and effective legal means of changing government" provided the following requirements are fulfilled: (a) there must have been an abrupt political change, i.e., a coup d'etat or revolution; (b) the change must not have been within the contemplation of an existing constitution. If it were, then the change would be merely evolutionary, i.e., constitutional; it would not have been revolutionary; (c) the change must destroy the entire legal order except what

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is preserved. In order for the <u>coup d'etat</u> to be complete, the new regime need not have abrogated the entire existing constitution and, (d) the new constitution and government must be effective. There must not be a concurrent rival regime or authority functioning within or in respect of the same territory.[77] Similarly, as pointed out by Hans Kelsen, "the government brought into permanent power by a revolution or <u>coup d'etat</u> is, according to international law, the legitimate government of the state, whose identity is not affected by these events."[78] We might even add, that a coup or a revolution becomes "illegal" only when it is unsuccessful and "legal" when it is successful. The legality of a successful "illegal" coup or revolution is hardly questionable as long as the emerging regime is able to consolidate itself. Furthermore, while the illegalization provision in Nigerian municipal law is in conflict with the public international law, "either legal order has the power to create or alter rules of the other."[79] In other words, the illegalization provision on a coup or revolution in Nigerian municipal law is not necessarily negated by public international law, which seems to suggest that coups and revolutions are legal phenomena that must be recognized.

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Presidential Politics: A New Wine in an Old Bottle

Haunted by the experience of the past, particularly the politics of the First Republic, the Mohammed/ Obasanjo regime made a determined effort to move Nigeria away from the rough and tumble politics that characterized the Nigerian polity under the parliamentary system. It is against this past experience that the Head of the Federal Military Government, General Mohammed, told members of the CDC in 1975 that "the constitution which we need has to reflect our experience, while at the same time paying attention to the equally important fact that a good constitution must also be capable of influencing the nature and orderly development of the politics of the people."[80] The rationalization for a "good constitution" as envisaged by General Mohammed, sought among other things to (I) "eliminate cut-throat political competition based on a system of winner-takes-all"; (II) "discourage institutionalized opposition to the government in power, and instead, develop consensus politics and government"; (III) "establish the principle of accountability for all holders of public office"; (IV) "eliminate over-centralization of power in a few hands, and as a matter of principle, decentralize power wherever

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possible"; (V) "evolve a free and fair electoral system which will ensure adequate presentation of our peoples at the center"; and (VI) "considering our past difficulties with population counts," provide "measures which will have the effect of depoliticizing population consensus in the country."[81]

It is ironic that soon after the informal life of the Second Republic began, with the lifting of the ban on party politics, the politicians unleashed what Carl J. Friedrich has called the "pathology of politics"[82] that sickened the entire body politic. The sickening politics of the Second Republic eventually led to its own inevitable self-destruction. In many respects the problems outmatched some of the excesses of the First Republic.

With the newly discovered oil wealth, accounting for a considerable percentage -- about 80% -- of total revenue earning, the state enjoyed unfettered managerial control over the economy. The 1979 Constitution envisaged the utilization of state power, by whosoever is in control of the federal government, to further the general interest of the people in accordance with the stipulations in the Constitution. For instance, Section 40 (3) of the

Constitution gave exclusive control of the oil riches to
the federal government:

> ...the entire property in and control of all
> minerals, mineral oils and natural gas in, under, or
> upon any land in Nigeria, or in, under, or upon the
> territorial waters and the Exclusive Economic Zone
> of Nigeria shall vest in the Government of the
> Federation and shall be managed in such a manner as
> may be prescribed by the National Assembly.

Under the general umbrella of the "Fundamental Objec-
tives and Directive Principles of the State Policy" the
1979 Constitution in Section 16 (I) and (II) defines the
management responsibility of the state as follows:

> 1) The state shall, within the context of the
> ideals and objectives for which provisions are made in
> this constitution --
> a) control the national economy in such a manner as
> to secure the maximum welfare, freedom and happiness of
> every citizen on the basis of social justice and equality
> of status and opportunity;
> b) without prejudice to its right to operate or
> participate in areas of the economy other than the major
> sectors of the economy, manage and operate the major sec-
> tors of the economy;
> c) without prejudice to the right of any person to
> participate in areas of the economy within the major
> sector of the economy, protect the right of every citizen
> to engage in any economic activities outside the major
> sectors of the economy.
> 2) The state shall direct its policy towards
> ensuring a) the promotion of a planned and balanced
> economic development;
> b) that the material resources of the community are
> harnessed and distributed as best as possible to serve
> the common good;
> c) that the economy system is not operated in such
> a manner as to permit the concentration of wealth or the
> means of production and exchange in the hands of a few
> individuals or of a group;
> and d) that suitable and adequate shelter, suitable
> and adequate food, reasonable national minimum living

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wage, old age care and pensions, and unemployment and sick
benefits are provided for all citizens.

It is almost certain that the struggle for leadership
succession to the post-military government is going to be
nerve-racking, given the nature of the newly acquired re-
sponsibility of the Nigerian state. Like the First
Republic, the politics of the Second Republic reflected
a struggle for the capture of the economic power of the
state. Political power or its control in Nigeria has
enhanced the economic prospects of those in control of the
state power. As Professor Larry Diamond has pointed out:

> The primary source of economic crisis and political
> decay in Nigeria today is the lengthening shadow of
> the state over every other realm of society. Since
> independence the state has been the chief arena for
> the accumulation of wealth and the acquisition of
> resources, and has been becoming so ever more
> decisively. Too much of the country's wealth is
> mediated through government contracts, jobs, import
> licenses, development projects and so on. Too little
> is accessible through any activity substantially
> independent of the state.[83]

Dan Agbese, reflecting on the gloomy economic
situation of the post-Shagari era, summed up the situation
under a synoptic caption: "Not an Act of God" and
concluded his appraisal couched in a metaphorical term:
"we have arrived at a Golgotha..."[84] In less than five
years of Shagari's presidency, Nigeria had been brought
close to the brink of total calamity, both economically
and politically. As pointed out by Professor Joseph,

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Shagari's presidency literally pushed Nigeria into an "economic cul de sac."[85] The economic dire straits which Nigeria found itself in could hardly sustain a vibrant democratic process. A floundering economy is the Achilles' heel of a flowering democracy, particularly in developing polities.[86] The rising frustration of the people is compounded when the political system can no longer sustain either current levels of development or rising expectations. As pointed out by Tom Farer, "in Africa and Asia, the tangibles of development are the principal currency for the purchase of legitimacy"[87] and when the tangibility of development can no longer be sustained, political crisis is usually inevitable.

Soon after the administration of the Second Republic began, the country was confronted once again with the excesses of the politicians; this time unparalleled, on a relative scale, with those of the First Republic. What amounted to a politics of narcissism, to amass wealth, stultify public accountability and to pillage the economic resources of the country, began when -- as part of their first legislative agenda -- members of the National Assembly gave themselves fabulous salaries and allowances, despite public protestations. In addition to this, members of the National Assembly rejected the official

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accommodations reserved for them, in preference for more elegant houses, normally reserved for the Permanent Secretaries. The homes initially allocated to them did not match their perceived status as members of the highest legislative chambers of the country.[88] It can hardly be gainsaid that public interest became peripheral to the concern or consideration of those elected to serve the public, as they did not disguise their selfish interest for pleasure and wealth accumulation. As Dan Agbese et al. have pointed out:

> The lure of money in the Assembly was too strong. The lure of good life was irresistible. They broke laws and damned convention in pursuit of the good life. For instance, in some cases, they behaved like common criminals. They had no qualms about doing the wrong things.[89]

And

> ...virtually every bill passed at the National Assembly was auctioned for a fee. It was an era of trunk box politics, where money, fresh naira from the mint, was heaped high in solid boxes and distributed to members of the National Assembly, either to pass a bill or to kill it.[90]

To be a member of the National Assembly should have been a full time job requiring the fullest devotion to, participation in, and knowledge of the responsibilities of law makers. The Constitution actually reflected this. For example, Section 59 made it mandatory for the National Assembly to "sit for a period of not less than 181 days

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in a year." Nevertheless, the legislative record of the
National Assembly during the Second Republic was badly
marked with absenteeism. The law makers openly ignored
their primary responsibility in pursuit of private
money-making ventures as lawyers and doctors. They
continued to operate their chambers and clinics, while
others indulged in private business to supplement their
livelihoods in an atmosphere rank with the ever growing
desire for material acquisition.[91] This conduct, of
course, contravened constitutional requirements. As
stipulated under the code of conduct for public officers
in Part I of the Fifth Schedule of the 1979 Constitution,
"A public officer shall not put himself in a position
where his personal interest conflicts with his duties and
responsibilities" and such officer shall "not engage or
participate in the management or running of private
business, profession or trade, but nothing in this
sub-paragraph shall apply to any public officer who is not
employed on full-time basis."

In the executive branch of government, the conduct
of the politicians was practically the same as, if not
worse than, those in the legislative branch.

The Nigerian Government earned less than one million
naira from oil revenues in the 1958/59 period. But, for

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the first time in 1979, the total oil revenue entered
double digit numbers.   The figure actually reached
billions (see Table 16).

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Table 16

Oil Revenues Since 1958/59

YEAR	RECEIPTS (Million Naira)		
1958/59	0.2		
1959/60	3.4		
1960/61	2.4		
1961/62	17.0		
1962/63	17.0		
1963/64	10.0		
1964/65	16.0		
1965/66	29.2		
1966/67	45.0		
1967/68	41.0		
1968/69	29.6		
1969/70	75.4		
1970/71	176.4		
1971/72	603.0		
1972	1,403.3		
1974	5,365.9		
1975	4,190.4		
1976	5,224.2		
1977		6.4	billion
1978		5.2	billion
1979		10.4	billion
1980		13.123	billion
1981		10.4	billion
1982		14.3	billion
1983		9.6	billion

Source: Falola and Ihonvbere, Op.cit., p. 87.

Shagari's administration was one of the fortunate
beneficiaries of this historic oil boom. The total oil
revenue earnings during the four years of his
administration, between 1979 and 1983, was about 50
billion naira ($66.8 billion) higher than the entire

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earnings from 1958 to 1978; a period of almost twenty years.[92] However, it is ironic that within the same period, the Nigerian Foreign Reserves plummeted from $8 billion to less than $1 billion, while the external debt skyrocketed from roughly $4 billion to $15 billion.[93] Also, in the oil industry, the Nigerian government lost as much as 12.5 billion naira ($16.7 billion)[94] in oil income through fraud, while between $5-7 billion[95] was siphoned into private foreign accounts by top officials of the Second Republic, even though the law prohibited the operation of private foreign accounts by Nigerian officials.[96]

The Nigerian presidential system of the Second Republic was a period of wildcat corruption unmitigated by the 1979 Consntitution designed to regulate the conduct of public officials. Even though a code of conduct was embodied in the 1979 Constitution, it actually went further, to institutionalize a Code of Conduct Bureau as a quasi-judicial body charged with the power to investigate complaints. Where contravention could be proven, it could impose any of the following punishments:

> (a) vacation of office or seat in any legislative house as the case may be; (b) disqualification from membership of a legislative house and from the holding of any public office for a period of not exceeding ten years; (c) seizure and forfeiture to

the state of any property acquired in abuse of corruption of office.[97]

The incorporation of a code of conduct for public officials in the Constitution and the establishment of a Bureau to serve as a watch-dog over the conduct of public officials reflected a down-to-earth belief by members of the CDC that such provisions were necessary or desirable as a means of holding public officials accountable for their conduct. However, the tragedy of Nigerian politics of the Second Republic is that

> public office was treated by most of [Nigerian] leaders, neither as electorally mandated, to be used strictly in accordance with law, nor as a matter of trust and responsibility, nor indeed as an occasion to set an example, and build tradition, to govern the future ruler-ruled relationships.[98]

In Nigeria, at independence, agriculture was the principal mainstay of the economy. Of the population of 56 million, 90% were engaged in agriculture.[99] During this period, the contribution oil made to national revenues was relatively marginal.[100] However, with a steady upsurge in oil revenues in the late 1960s, agriculture was systematically relegated to the bottom layer of priority. The lack of proper attention to agriculture had actually began under the military, particularly during Gowon's regime. Oil wealth -- as well as feeding corruption -- created a policy of

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neglect of the rural areas thereby affecting agricultural production and, concomitantly, triggering an exodus of people to the urban centers. Thus, "the population in the cities increased from 22 per cent in 1960 to 57 percent in 1980."[101] It is also ironic that while agriculture no longer enjoyed the attention or devotion of the Nigerian people and their governments (both military and civilian), expenditure on imported food grew astronomically: from 23.9 million naira in 1960, to 28.8 million naira in 1970, to 88 million naira in 1971, to 306.8 million naira in 1975, to 783.4 million naira in 1977, to 818.8 million naira in 1979, to 1.56 billion naira in 1980 and to 1.86 billion naira for the first three quarters of 1981.[102]

Like Obasanjo's "Operation Feed the Nation," President Shagari launched his own "Green Revolution" to revitalize the agricultural sector of the economy and to reduce dependency on imported food. As Shagari himself has admitted,

> Today, Nigeria is in a position where she cannot feed herself. It is unfortunate and embarrassing that a nation so richly blessed with all necessary human and material resources should find itself in such a sorry situation.[103]

> Distasteful as the situation might be, the impact

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of Shagari's "Green Revolution" was felt paradoxically in the continued spending spree of the government on the importation of food. The consequences were manifold: (I) as the dependency continued, it further implanted into the sub-consciousness of Nigerians what Chinua Achebe has called the "cargo cult mentality";[104] (II) the importation of food, particularly rice, became an economically profitable venture for members of Shagari's administration, including members of the National Assembly and card-carrying members of the NPN, who soon became "rice contractors," often creating artificial scarcity to boost prices in the increasingly destitute Nigeria.[105] As pointed out by Gavin Williams, "the ethics of business penetrated politics, the ethics of politics penetrated business; the ethics of the gangster penetrated both,"[106] and (III) with the undisciplined spending habit of Shagari's administration, which had inherited 5.6 billion naira[107] from the Mohammed/ Obasanjo regime, "by 1981 the treasury had become virtually empty."[108] As a consequence, thousands of factory workers were laid off, as most of the factories in the country could not adequately maintain production capacity because the much needed raw materials and spare parts could not be purchased with a depleted foreign

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exchange reserve. In the public sector, salaries of workers were sometimes not paid for periods of three or four months. It was hardly likely that a democratic political process could survive in such a poor environment, where few individuals were living well.[109]

The obsessive desire of Nigerian politicians to gain political power, clinging to the personal benefits of office, is a fundamental contributory factor to Nigeria's problem of underdevelopment and the vulnerability of the political system. It has been pointed out that:

> The practice of presidential democracy in Nigeria had left serious scars on the nation's morals, on its integrity, on its work ethics, on its unity and on its economy whose cost would probably be impossible to quantify in monetary terms.[110]

Ethnic Factors in the 1979 Presidential Election

We have already noted that the character, the ideology and the core dramatis personae of the various political parties were, in most cases, a facsimile of the old order of the First Republic. What is true about the nature of political parties of the Second Republic, relative to the First Republic, is equally true of the electoral behavior of Nigerians during the two periods, with some new developments, particularly the shift of allegiance among the ethnic minorities and the political

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import of this shift on the outcome of the 1979 presidential elections. In Chapter Four, we discussed the electoral behavior in Nigeria in terms of asymmetrical and symmetrical implications. The electoral politics of the Second Republic greatly reflected those of the First Republic, as evident in the presidential elections of 1979. (See Table 17.)

Table 17

The Asymmetrical and Symmetrical Voting Patterns In the 1979 Presidential Elections

STATE	HOUSE OF REPS	SENATE	STATE ASSLY	STATE GOVNR
1. Anambra	NPP	NPP	NPP	NPP
2. Banchi	NPN	NPN	NPN	NPN
3. Bendel	UPN	UPN	UPN	UPN
4. Benue	NPN	NPN	NPN	NPN
5. Borno	GNPP	GNPP	GNPP	GNPP
6. Cross River	NPN	NPN	NPN	NPN
7. Gongola	GNPP	GNPP	GNPP	GNPP
8. Imo	NPP	NPP	NPP	NPP
9. Kaduna	NPN	NPN	NPN	PRP
10. Kano	PRP	PRP	PRP	PRP
11. Kwara	NPN	NPN	NPN	NPN
12. Lagos	UPN	UPN	UPN	UPN
13. Niger	NPN	NPN	NPN	NPN
14. Ogun	UPN	UPN	UPN	UPN
15. Ondo	UPN	UPN	UPN	UPN
16. Oyo	UPN	UPN	UPN	UPN
17. Plateau	NPP	NPP	NPP	NPP
18. Rivers	NPN	NPN	NPN	NPN
19. Sokoto	NPN	NPN	NPN	NPN

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The voting pattern in Kaduna state represented a
unique exception to the tautological voting pattern
manifested in other parts of the country. In other
words, while the PRP was in control of the state House,
the people of the state voted for an entirely different
party, the NPN in both national and state Assemblies.
The asymmetrical voting experience in Kaduna state also
represented a test for the accommodationist politics
which the Constitution and the military, handing power
back to the civilians, had anticipated. However,
unfortunately, if there was one particular instance,
when the politicians of the Second Republic failed to
show tolerance and accommodation for one another in
politics, and to exercise restraint in the use of
impeachment power, it was in Kaduna state. Under
Section 170 (2) (b) of the 1979 Constitution, the
Governor and Deputy Governor can be removed from office
if either is proven "guilty of gross misconduct in the
performance of the functions of his office, detailed
particulars of which shall be specified." Similar
impeachment provision existed for the removal of the
president and the vice-president in Section 132 of the

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Constitution. Within barely twenty months of the restoration of presidential democracy to Nigeria, the Kaduna House of Assembly instituted an impeachment proceeding against the Governor of the state on charges that "were not of the gravity contemplated by the Constitution as warranting the impeachment of the Chief Executive of a State Government."[111] The impeachment proceeding instituted in Kaduna state largely manifested a politics of vindictiveness against the control of the state House by the PRP in a political environment dominated by the NPN.[112]

One of the political irritants of the First Republic was the asymmetry of the constituent units of the Nigerian Federation which was arguably thought to have given an unfair representative advantage to the North in Parliament vis-a-vis the other regions and thus allowed for the domination of the Nigerian government by the Northerners (see Chapter Four). Apparently, one of the basic justifications for the creation of more states in Nigeria was not unrelated to the sensitive issue of political domination of one group over others. With the creation of nineteen states by the Mohammed/Obasanjo regime, the question then arises: how does the creation of more states affect the electoral behavior of

Nigerians? Or, more specifically, how does the creation
of more states undercut the problematic issue of
political domination?

During the First Republic, each of the regions of
the Nigerian Federation virtually became the political
turf of each of the dominant ethnic groups, who also
controlled the major existing political parties: with
these dominant ethnic groups -- the Hausa/Fulanis, the
Ibos and the Yorubas -- in control of the major
political parties of the Second Republic, it should also
be expected that the politics of the Second Republic was
more likely to reflect the politics of the First
Republic.

Although ethnicity had a deterministic influence on
the outcome of the 1979 presidential elections, other
factors like religion[113] and personality[114] also played
a decisive role in some of the elections. In the
Nigerian context, the triple elements of ethnicity,
religion, and personality are so interwoven that where
one of the elements is weak or marginal, others usually
supersede or fill the gap. For instance, during the
1979 presidential elections, the UPN presidential
candidate, Chief Awolowo, a Yoruba Christian, won
handsomely against NPN arch-rival, Alhaji Shagari, a

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Moslem from the North in Oyo state (85.8); Ogun state (92.1); and Lagos (82.3). The Moslem population consists of 62.4, 54.3 and 44.3 percent of the total population of each state respectively (see Table 18).

Table 18

Percentage of Moslems in Each State
And Moslem Votes by Party

STATE	MOSLEMS	NPN	GNPP	PRP	UPN	NPP
Sokoto	97.6	66.5	26.1	3.3	2.5	0.9
Kano	97.4	19.9	1.5	76.4	1.2	0.9
Borno	93.1	34.7	54.0	6.5	3.4	1.4
Banchi	80.6	62.5	15.4	14.3	3.0	4.7
Kwara	75.2	53.6	5.7	0.7	39.5	0.5
Oyo	62.4	12.8	0.6	0.3	85.8	0.6
Niger	59.7	74.9	16.5	4.0	3.7	1.1
Kaduna	56.4	43.1	13.8	31.7	6.7	4.7
Ogun	54.3	6.2	0.5	6.2	92.1	0.3
Lagos	44.3	7.2	0.5	0.5	82.3	9.6
Gongola	34.1	35.5	34.1	4.3	21.7	4.4
Plateau	25.7	34.7	6.8	4.0	5.3	49.2
Ondo	12.3	4.2	0.3	0.2	94.5	0.9
Benue	11.3	76.4	7.9	1.4	2.6	11.7
Bendel	7.4	36.2	1.2	0.7	53.2	8.6
Rivers	0.2	72.7	2.2	0.5	10.3	14.4
Cross River	0.1	64.4	15.1	1.0	11.8	7.7
Imo	0.1	8.8	3.0	0.9	0.6	86.7
Anambra	0.6	13.5	1.7	1.2	0.8	82.9

Source: Bienen, "Nigeria," op. cit., p. 238.

When it comes to electoral behavior in

Yorubaland, as pointed out by Henry Bienen, "it is not

possible to parcel out religion and personality."[115]

However, conversely, personality factors rather than

ethnicity played a decisive role in the outcome of the

1979 presidential elections in places like Sokoto and

Kano states where Shagari (NPN) and Animu Kano (PRP),

both Moslems from the Hausa/Fulani ethnic group, and

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each coming from the two highly concentrated areas of Moslem population in Nigeria, ran on two different political party platforms (see Table 18).

For purposes of convenience let us divide the nineteen states of the Federation geopolitically into three sections, viz., East, North and West. Before the creation of two additional states to the existing nineteen states under the military administration of President Babangida, the Eastern section was composed of Anambra, Imo, Cross River and Rivers states, and the North was made up of Bauchi, Benue, Borno, Gongola, Kaduna, Kano, Kwara, Niger, Plateau, and Sokoto states, while the Western zone consisted of Ogun, Lagos, Ondo, Oyo and Bendel states. Each area corresponds to the old tripartite regions of the First Republic (before the creation of Bendel state in 1963), and each area is dominated politically by the three major ethnic groups of Nigeria.

Ethnicity was apparently a decisive indicator of how Nigerians voted during the 1979 presidential elections. For instance, each of the presidential candidates for the 1979 presidential elections won in the state or states where their ethnic group constitutes

a clear majority of the ethnic population, with few
exceptions.

Chief Awolowo, who led the UPN party, was
overwhelmingly favored in the electoral politics of the
Yoruba states of Ogun, Oyo, Ondo and Lagos. However, in
Kwara state where the Yoruba population constitutes 67
percent of the total population as shown in Table 19,

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Table 19

Major Ethnic Groups by Regions and State (Percentages)

Pre-1967 Regions	State	Ethnic Groups
Old Western Region	Lagos	Yoruba (80), Hausa (4),Ibo(5) Ibibio (4), Tiv (2), Bini (2)
	Oyo	Yoruba (94), Ibo (2), Bini(2)
	Ogun	Yoruba (96), Ibo (3)
	Ondo	Yoruba (96), Bini (2)
Old Midwestern Region	Bendel	Edo (60.88), Ibo (24.16) Ijaw (9), Others (5.96)
Old Eastern Region	Imo	Ibo (99.5)
	Anambra	Ibo (96), Bini (2), Yoruba (1.5)
	Rivers	Ibibio(1), Ijaw (94),Yoruba(1.5)
	Cross River	Ibibio (98)
Old Northern Region	Benue	Tiv (59), Idoma (34), Ibo (6)
	Bauchi	Hausa (10), Fulani (26), Ibo(3) Junkin (2), Yoruba (5),Tera(16) Bura (8), Tangale (26)
	Kwara	Yoruba (67), Igbira (19.89), Nupe (7.69), Others (12.11)
	Plateau	Hausa (23), Fulani (9), Tiv (8) Ibo (2), Angas (4), Idoma (16), Yoruba (2), Warjar (4), Gwandara (9), Gbari (7), Kanuri (7)
	Gongola	Marghi (16.68), Fulani (15.98), Mumuye (13.64), Chamba (13.64), Others (43.25)
	Bornu	Kanuri (52.04), Fulani (9.66), Marghi (95.9), Others (28.71)
	Kano	Hausa (71), Fulani (13), Ibo (3), Kanuri (4)

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                    Kaduna     Hausa (86), Fulani (5),

                    Niger      Hausa (31), Fulani (9), Nupe (4)
                               Yoruba (14), Ibo (3), Tiv (4),
                               Igala (2), Gbari (18)

                    Sokoto     Hausa(82.72),Fulani(12.31)
                               Others(4.97)
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Sources: Donald G. Morrison, "Inequalities and Social
Rewards: Realities and Perceptions in Nigeria" in The
Political Economy of Income Distribution in Nigeria,
eds. Henry Bienen and V.P. Diejomaoh (New York: Holmes
and Meier Publishers, 1981), p. 88; Joseph Uyanga
"Ethnicity and Regionalism in Nigeria", Plural
Societies, Vol. II, No. 3 (1980), 54-55.

Chief Awolowo got only 39 percent of the total votes

cast against Shagari's 53 percent in the 1979

presidential election. The poor electoral showing of

the UPN party in Kwara state may be due to the emergence

of a relatively unknown politician, Dr. Olusola Saraki,

a wealthy medical doctor who became a dominant political

force in the political landscape of Kwara state as a

member of the NPN party. Outside the Yoruba states,

Awolowo had a dismal record of electoral performance in

the rest of the states of the Federation, save in Bendel

and Gongola where his party had 53 percent and 21

percent respectively during the presidential election.

In the 1979 elections to the Senate, House of

Representatives, the State Assembly and including the gubernatorial election, the UPN retained its traditional support of the Yorubas (as shown in Table 14).

The Ibos too, like the Yorubas, threw their unflinching electoral support behind the NPP, led by Dr. Azikiwe, an Ibo man. In the two Ibo states of Anambra and Imo, the primordial preference for Dr. Azikiwe relative to the other non-Ibo presidential candidates, as shown in Table 14, gave the NPP its landslide victories in the presidential election and in the other categories of the 1979 elections.

Outside the two Ibo states, Dr. Azikiwe's NPP party was able to make spectacular inroads into the Plateau state once dominated by the NPC during the First Republic. Three factors can be adduced for the NPP victories in Plateau state: (I) the old specter of political mistrust toward the dominant Hausa/Fulani influence, including the repressive behavior of the NPC Government in the North during the First Republic toward its minority groups, manifested negative votes cast for the NPN party in Plateau state (see Table 14). To most people in Plateau state, the NPN was seen largely as an embodiment of the past; the Hausa/Fulani aristocratic interests which the NPC represented during the First

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Republic.[116] (II) The Ibo dominated NPP party was able
to work out an electoral alliance with the cream of
local elites in the state, an advantage that paid off
handsomely in electoral terms.[117] And (III), the
electoral behavior of the people in Plateau state, like
the other minority areas of the Federation, can be seen
as an expression of mastery over their own destiny. In
other words, most minority ethnic groups no longer see
themselves as political marionettes to be guided and
manipulated by the dominant ethnic groups. Essentially,
the creation of new states has given the minority groups
a sense of self-actualization to set their own agenda
and priorities, and to determine their political pref-
erences without the usual sense of retribution from the
dominant ethnic groups, as was the case during the First
Republic.

A conjunction of political interests with the new
political reality in Nigeria was largely instrumental in
the shift in electoral behavior of the minority areas of
Cross River and Rivers states. In the 1959 general
elections, the Action Group and the NCNC dominated the
politics of these two areas. We argued earlier that the
Action Group and the NCNC were both reincarnated as
surrogates in the UPN and NPP respectively. Of the

nineteen seats allocated to the present Cross River state during the 1959 parliamentary elections, the Action Group won the lion's share of twelve, while the remaining seven seats were won by the NCNC, the dominant political party in the East which encompassed the present Cross River and Rivers states. However, in the present Rivers state, the NCNC captured two of the three seats allocated to the area in the 1959 elections, with the Action Group winning the remaining seat.[118]

The following explanations can be offered for the electoral support given to the NPN, a "Northern" dominated party, vis-a-vis the other political parties:
(I) The political lordship of the Ibos over the minority areas had been removed, with the creation of two states out of the former Eastern region, for the minority people. The Nigerian/Biafran war of 1967-70, in addition to the long history of agitation for the creation of COR state, which finally culminated in the creation of Cross River and Rivers states, was a tumultuous struggle. The political fall-out from these two phenomena left an attitude of mistrust and resentment directed towards the Ibos. It is not surprising that the Ibo dominated NPP, like the NCNC, had not been successful electorally in the two areas (as shown in

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Table 14). (II) The political support system behind the agitation for more state creation, which the Action Group had promoted to the minority ethnic groups during the First Republic, and which was largely responsible for its popularity and support in these areas, was no longer necessary with the creation of more states in 1967 and 1976. Unfortunately, the popularity and support accorded Chief Awolowo's Action Group in the past could not be inherited by the UPN on the basis of past support for the principle of self-determination for minority groups. (III) It has been alleged that Chief Awolowo was bruised electorally as a result of the federal government's decision, made when Chief Awolowo was the federal Commissioner for Finance and the Vice-Chairman of the Federal Executive Council under Gowon, to divert the revenue derived from the crude oil production into the national off-shore pool. This had been interpreted as a deliberate act which deprived the people of Rivers and Cross River states what they considered to be their entitlement.[119] Similarly, the campaign rhetoric of the Ibo dominated NPP party to re-activate the issue of "abandoned property" of the people in the minority areas of Cross River and River

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states if it came to power, immediately resuscitated old resentment and anxieties among the minority groups.[120]

To attribute the electoral success of Shagari to his past "clean political record"[121] during the First Republic is too simplistic and belies the reality of the politics of the First Republic , dominated by the NPC -- a political party of which Shagari was a prominent member. If the "boomerang theory" of past political record is to be relevant as an explanatory factor underlying the electoral behavior of the people in the Cross River and Rivers states, Shagari might not have won the election with 64 percent in Cross River and 72 percent in Rivers, for three reasons: (I) the Northern dominated party in control of the federal government during the First Republic was vehemently opposed to the creation of new regions for minority ethnic groups, and its opposition virtually stymied the political aspirations of the minority ethnic groups from having their own regions. (II) Shagari, like the other Northern politicians, supported the Northernization policy that literally debarred Southerners from any job opportunity in the Northern public service during the First Republic,[122] while at the same time, foreigners were being courted and pampered to serve in the Northern

public service. (III) The unmitigated act of pogrom committed against the people of the Eastern region, of which the present Cross River and Rivers states were part, in the North between 1966 and 1967, could have been a sufficient reason for the people of these areas not to vote for any Northern dominated party.

While we may not totally discount the impact of the "boomerang theory" on the electoral behavior of the people of Cross River and Rivers states, one other logical explanation for the success of Shagari and the NPN party in Cross River and Rivers states may have to do with the pervasive belief that a Northern dominated party has the chance of winning the presidency over the "Southern" dominated parties because of the numerical strength of the North, still conceived as a monolithic entity. It thus behooves the people of Rivers and Cross River to be on the side of the party more likely to win, and share in the fruits of politics in economic and political terms, instead of joining with "Southern" parties with their slim chances of winning the presidency. It was this consideration that translated into an electoral preference for the NPN party vis-a-vis the other political parties.[123]

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Another minority area where the NPN did in fact
dominate the electoral politics was in Benue state (as
shown in Table 14). This was not surprising, given the
track record of the NPC during the First Republic,
particularly the political victimization of those daring
to challenge the Hausa/Fulani oligarchy in the NPC for
the creation of another separate region in the North.
The leader of the UMBC party, Mr. Joseph Tarka, a
staunch political ally of Chief Awolowo's Action Group,
became a symbol of defiance and aspiration for the Tiv
people against the NPC.[124] Given his popularity and
identification with the political aspiration of the Tiv
people in the past, it is almost certain that whichever
political party he joins, in Benue state where his
ethnic Tiv people constitute 59 percent of the total
population, this is bound to be a significant factor in
the electoral politics of that state. Mr. Tarka's break
with Chief Awolowo, an old political ally, to join the
NPN during the Second Republic, gave the party a tremen-
dous advantage. This was perhaps of greater
significance than any other factor affecting the
politics of Benue state.[125]

One important lesson learned from the electoral
politics of the Second Republic was the impossibility of

a decisive victory for any political party operating on
the fringe of ethnic sentiment, or failing to forge a
broad-based coalition from the kaleidoscopic variety of
ethnic interests. It was this new reality that had made
the ethnic minority vote a decisive factor in the
outcome of the Nigerian electoral process.[126]

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Conclusion

The Nigerian presidential politics of 1979-1983 contained the germ of its own destruction, by investing in the federal government enormous power and responsibility, reminiscent of the First Republic. It is this investment of power and responsibility in the state that accentuated the cut-throat competition for the control of state power by individual politicians in a manner detrimental to the stability of the political system. The investment of the lion's share of power and responsibility in the state was well-intended by the framers of the Constitution, as manifested under the provisions of Sections 16 (I) and (II). Additionally, the framers of the Constitution also anticipated the emergence of a "consensual politics" based on "compromise and accommodation"[127] among the various factional interests of Nigerian politics during experimentation with a presidential system. However, it "failed because there were serious conflicts and contradictions in the national consensus that was in-tended to underpin its operation."[128]

The Constitution of 1979 was also a well-intended legal document with a well-developed set of values and rules to guide the conduct and performance of Nigerian

public officials. The Second Republic was established
as a system of law under a presidential political
system. But, the law itself, regrettably, had only
marginal applicability to the conduct and performance of
public officials. As pointed out by Raymond Duncan
Gastil,

> A democratic constitution does not make a
> democracy, only democratic, constitutional behavior
> that follows a long period of experience and
> education can truly constitute democracy.[129]

When the constitution becomes marginally relevant
to the conduct and performance of public officials, or
when the primacy of the law is wilfully subordinated to
the whims and caprices of public officials, the
political system is doomed. The Constitution of 1979
became an innocent victim of the lawlessness of the
Nigerian politicians who operated it without due regard
for its sanctity. Although the state had enjoined its
politicians to "abolish all corrupt practices and abuses
of power," [130] Professor Larry Diamond's statement is
apropos: "Nigeria is not yet at a point in its
development when politicians can be expected or trusted
to regulate themselves,"[131] particularly through the
legal instrumentality of a constitution.

The politics of the Second Republic generally
evoked a profound sense of _deja vu_ in terms of the

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structure of the political parties, their electoral
behavior and the behavior of the politicians. Politics
in Nigeria has not been tamed. It is construed as
warfare rather than a milder game. This untamed
politics is symptomatic of Professor Ake's concept of
overpoliticization in Nigerian social life -- a matter
of life and death, a struggle to win at all costs. The
Second Republic failed because the politicians did not
heed the basic ground rule, as defined by General
Murtala Mohammed:

> Politics must be transformed from its previous
> scenario of bitter personal wrangles into a healthy
> game of political argument and discussion...It is
> important that we avoid a re-opening of those deep
> splits which caused trauma in the country.[132]

On the management of Nigerian affairs, what Dr.
Tai Solarin wrote about the country in 1963 is equally
true of Nigeria in 1979/1983, under a presidential
system of government. According to him,

> Today one thing is clear in the minds of the young
> elements of our country -- Nigeria is not being
> effectively governed. Our government is a
> hydra-headed octopus that veers and backs,
> depending on the prevailing planetary and political
> winds and that oscillates and flounders and hopes,
> whatever happens, for the best. It is not
> purposive; it is not logical;
> it is not disciplined.[133]

Shagari's administration of Nigeria during the Second Republic represented another distasteful chapter in the nation's history; an ugly spectacle of profound malfeasance; an undisciplined and reckless plundering of the resources of the country on a grand scale.

Notes

[1] Diamond, "Nigeria: Pluralism, Statism, and the Struggle for Democracy," 72.

[2] Elaigwu and Olorunsola, "Federalism and Politics of Compromise," 286.

[3] See Mr. Justice Akinola Agunda's criticism of the constitution in <u>West Africa</u> November 8, (1982), 2901.

[4] Nwabueze, <u>The Presidential Constitution of Nigeria</u>, 539.

[5] Obasanjo, "Let the Game of Politics Begin," 1937.

[6] Ibid.

[7] Section 203 (I) (a) and (b).

[8] Section 204.

[9] See Section 208 (a).

[10] Section 208 (b), (c) and (d).

[11] Obasanjo, "Let the Game of Politics Begin," 1937.

[12] See "First Political Parties Emerge," <u>West Africa</u> October 2, (1978), 1965-6.

[13] See <u>West Africa</u> January 1, (1979), 4; and <u>Africa Research Bulletin</u> Vol 15, No 12, January 15, (1979).

[14] See "First Political Parties Emerge," 1965.

[15] Ibid.

[16] Ibid.

[17] Dudley, <u>Introduction to Nigerian Politics</u>, 190.

[18]See "National Party Announces its Aims and Office Holders," _West Africa_ October 9, (1978), 2015.

[19]Ibid.

[20]See "Dr Azikiwe Throws His Weight Behind Part of the Split NPP," _West Africa_ December 4, (1978), 2397.

[21]Quoted in Ladun Anise, "Political Parties and Election Manifestos" in _The Nigerian 1979 Elections_ ed. Oyediran, _Op.cit._, 79.

[22]Ibid.

[23]See _West Africa_ October 16, (1978), 2064.

[24]_West Africa_ December 4, (1978), 2463.

[25]Ibid. For more on programmatic commitment of the PRP Party, see Anise _Op.cit._, 84-86; Falola and Ihonvbere, _Op.cit._, 60-65; and Joseph, "Political Parties and Ideology in Nigeria," 85-86.

[26]Joseph, "Political Parties and Ideology in Nigeria," 86.

[27]See Falola and Ihonvbere, _Op.cit._, 60-65.

[28]Claude Ake, "The State of the Nation: Intimations in Disaster" _Africa Development_ Vol IX, No 3, (1984), 12.

[29]Falola and Ihonvbere, _Op.cit._, 56.

[30]Joseph, "Political Parties and Ideology in Nigeria," 85.

[31]See "The Truth Behind the 1979 Elections" _West Africa_ September 28, (1981), 2233-5; and T.O Odetola, "National Integration and the Creation of States in Nigeria" _Journal of Black Studies_ Vol 9, No 2, December (1978), 181-193.

[32]Billy Dudley, "The Limited Power of an Executive President" _West Africa_ October 15, (1979), 1877-1880.

[33]Section 126 (I) (a) and (b).

[34]Section 125 (4) (a) and (b).

[35]Nwabueze, _Federalism in Nigeria_, 322.

[36]Ibid, 322-3.

[37]Ibid, 321.

[38]Almond and Powell, _Op.cit._, 30.

[39]Ted Robert Gurr and Muriel McClelland, _Political Performance: A Twelve-Nation Study_ (Beverly Hills, California: Sage Publications, 1971), 30.

[40]Apter, _The Politics of Modernization_, 236-7.

[41]Lipset, _Political Man_, 64-79.

[42]Gurr and McClelland, _Op.cit._

[43]Harry Eckstein, _The Evaluation of Political Performance: Problems and Dimensions_ Beverly Hills: Sage Publications, 1971.

[44]Lucian W. Pye, "The Legitimacy Crisis" in _Crises and Sequences in Political Development_ ed. Leonard Binder et al. (Princeton, New Jersey: Princeton University Press, 1971), 135-158; and Lucian W. Pye, _Aspects of Political Development_ (Boston: Little, Brown and Company, 1966), 62-67.

[45]Nwabueze, _Federalism in Nigeria_, 380. Also, Chief Awolowo said, in an interview, that he regarded Shagari only as a _de facto_ Head of State, certainly not as a _de jure_ Head of State. See _West Africa_ March 16, (1981), 357.

[46]Dudley, _An Introduction to Nigerian Government and Politics_, 169.

[47]Chief Awolowo obtained 4,916,651 votes, or 29.2% of the total.

[48]Dudley, An Introduction to Nigerian Government and Politics, 170-171. Also see Falola and Ihonvbere, Op.cit., 70.

[49]Obasanjo divulged this fact to Dele Giwa during an interview. See National Accord November 20, (1983).

[50]Quoted in Dudley, An Introduction to Nigerian Government and Politics, 171.

[51]See West Africa December 24/31, (1979), 2368.

[52]Dudley, An Introduction to Nigerian Government and Politics, 171.

[53]For more on Awolowo's appeal to the Supreme Court see the following: Falola and Ihonvbere Op.cit., 72-74; Dudley, An Introduction to Nigerian Government and Politics 170-178; and Nwabueze, Federalism in Nigeria, 370-376.

[54]Nwabueze, Ibid, 375.

[55]See Keith Panter-Brick, "Scandal of FEDECO'S Inaccuracies" West Africa March 9, (1981), 477-479; Keith Panter-Brick, "Nigeria: The 1979 Elections" Afrika Spectrum Vol 3, (1979), 314-333; and Peter Koehn, "Prelude to Civilian Rule: The Nigerian Elections of 1979" Africa Today Vol 28, No 1, (1981), 17-45.

[56]Falola and Ihonvbere, Op.cit., 78. Also see Femi Otubanjo, "Ethnic Interests and Political Alignments in Nigeria's Second Republic: The Failure of the Progressive Parties' Alliance (PPA)" Plural Societies Vol XVI, No 2, (June 1986), 176-188.

[57]For more on the Presidential Liaison Officers see Nwabueze, Federalism in Nigeria, 366-368.

[58]G. Lowell Field and John Higley, Elitism (London: Routledge and Kegan Paul, 1980), 119.

[59]Richard E. Neustadt, Presidential Power: The politics of Leadership from FDR to Carter (New York: John Wiley and Sons, 1980). See Chapter Three.

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[60]James David Barber, <u>The Presidential Character: Predicting performance in the White House Second Edition</u> (Englewood Cliffs, New Jersey: Prentice Hall, Inc., 1977).

[61]See Stanley Macebuh, "Minimum Government by Shagari" <u>West Africa</u> November 12, 1979, 2077.

[62]Tunde Adeniran, "Four Years of Presidential Democracy in Nigeria" <u>Africa Development</u> Vol IX, No 3, (1984), 17.

[63]Tunde Adeniran, "Three Years of Nigeria's New Constitution" <u>West Africa</u> October 25, (1982), 2769.

[64]Ibid.

[65]Ibid.

[66]Sayre P. Schatz, "Pirate Capitalism and Inert Economy of Nigeria" <u>Journal of African Studies</u> Vol 22, No 1, (March 1984), 45-57.

[67]Pye, "The Legitimacy Crisis," 143.

[68]Larry Diamond, "A Tarnished Victory for the NPN?" <u>Africa Report</u> Vol 28, No 6, (1983), 18-23.

[69]See Victor Olabisi Onabanjo, "Let Us Consider Confederation" <u>Daily Sketch</u> (Nigeria) October 3, (1983), 8.

[70]See Ray Ekpu, et al., "Shagari's Last Days" <u>Newswatch</u> Vol 1, No 16, May 20, (1985), 12-19.

[71]Nwabueze, <u>The Presidential Constitution of Nigeria</u>, 548.

[72]See Lindsey Barrett, "Nigeria: A Forum For Leadership" <u>West Africa</u> June 27, (1988), 1155-1188; and "New Constitution to Ban Coups" <u>West Africa</u> June 27, (1988), 1177.

[73]See "Four Ways to Stop Coups" <u>West Africa</u> June 13, (1988), 1089.

[74]See "No Constitution Can Prevent Coups" _West Africa_ July 11, (1988), 1273.

[75]Hans Kelsen, _General Theory of Law and State_, Trans. Anders Wedberg (Cambridge, Massachusetts: Harvard University Press, 1945), 368.

[76]Ibid, 221.

[77]T.O. Elias, _Africa and the Development of International Law_ (Dobbs Ferry, New York: Oceana Publications, 1972), 108-9.

[78]Kelson, _Op.cit._, 211.

[79]Ian Brownlie, _Principles of International Law_ (Oxford: Clarendon Press, 1966), 30.

[80]Quoted in Dudley, _An Introduction to Nigerian Government and Politics_, 126.

[81]Ibid, 127.

[82]Carl J. Friedrich, _The Pathology of Politics: Violence, Betrayal, Corruption, Secrecy, and Propaganda_ (New York: Harper and Row, Publishers, 1972).

[83]Diamond, "Nigeria In Search of Democracy," 915. Also see Larry Diamond, "Social Change and Political Conflict in Nigeria's Second Republic" in _The Political Economy of Nigeria_ ed. I. William Zartman (New York: Praeger Publishers, 1983), 25-84; and Henry Bienen, "Income Distribution and Politics of Nigeria" in _The Political Economy of Nigeria_, ed. Zartman _supra_ 85-104.

[84]Dan Agbese, "Not an Act of God" _Newswatch_ Vol 1, No 12, (1985), 10. The word "Golgotha" is a Biblical reference to the place on the hill in Jerusalem where Jesus was crucified. In a figurative sense, Golgotha implies a place of suffering.

[85]Richard A. Joseph, "The Overthrow of Nigeria's Second Republic" _Current History_ Vol 83, No 491, (March 1984), 123.

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[86]Juan J. Linz, "Crisis, Breakdown, and Re-equilibration" in The Breakdown of Democratic Regimes ed. Juan J. Linz and Alfred Stepan (Baltimore: The Johns Hopkins University Press, 1978), 3-123.

[87]Tom Farer, Africa's Goals: The Options of International Law (New York: Center for International Studies, 1967), 3.

[88]Ray Ekpu, et.al., "Fall of the Second Republic," 21; and "The High Cost of Democracy" West Africa February 6, 1984, 257-8.

[89]Dan Agbese, et.al., "The Law Breakers: A Chronicle of How the Law Makers Turned the Second Republic Upside Down" Newswatch Vol 2, No 6, (1985), 18.

[90]Ibid, 21.

[91]Ibid, 18.

[92]See "Nigerian Oil Fraud Exposed" New African April (1984), 11-12; Nnamdi Anyadike, "Nigeria: A Future Without Oil" West Africa August 26, (1985), 1744-5; and "Nigeria and Its Oil" West Africa, August 26, (1985), 1735.

[93]Larry Diamond, "Nigeria in Search of Democracy" Foreign Affairs Vol 62, No 4, (1984), 908.

[94]See, "Nigeria Oil Fraud Exposed," Supra.

[95]Diamond, "Nigeria in Search of Democracy," 908.

[96]Section 3 of the Fifth Schedule, part I, states that "The President, Vice-President, Governor, Deputy Governor, Ministers of the Government of the Federation and Commissioners of the Government of the States, members of the National Assembly and of the Houses of Assembly of the States and such other public officers or persons as the National Assembly may by law prescribe shall not maintain or operate a bank account in any country outside Nigeria."

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[97]Fifth Schedule, Part I, Section 20 (2) of the 1979 Constitution.

[98]A.H. Somjee, _Parallels and Actuals of Political Development_ (London: Macmillan Press, 1986), 49.

[99]Julius Omozuanubo Ihonvbere, "Oil Boom and Food production in Nigeria" _West Africa_ December 6, (1982), 3146.

[100]Ibid.   Oil revenue according to Ihonvbere accounted for less than 8% in the early formative years of the Nigerian State.

[101]Ibid, 3147.

[102]Ibid.

[103]Aminu Tijjani and David Williams, ed. _Shehu Shagari: My Vision of Nigeria: Selected Speeches_ (London: Frank Cass, 1981), 229.

[104]Achebe, _Op.cit._, 9. According to Achebe, a "cargo cult mentality" is a "belief by the people that some day, without any exertion whatsoever on their part, a fairy ship will dock in their harbour laden with every goody they have always dreamed of possessing."

[105]Several warehouses were found in Lagos after the overthrow of Shagari containing more than 500,000 tons of rice allocated by the Presidential Task Force, along with 200,000 bags of sugar and other hoarded items. See _West Africa_ January 16, (1984), 153.

[106]Williams, _State and Society in Nigeria_, 47.

[107]Ekpu, et al., _Op.cit._, 21.

[108]Falola and Ihonvbere, _Op.cit._, 113.

[109]Richard   A.   Joseph,   "Affluence   and Underdevelopment: The Nigerian Experience" _Journal of Modern African Studies_ Vol 16, No 2, (June 1978), 221-239.

[110]"The High Cost of Democracy," 257.

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[111]Nwabueze, <u>The Presidential Constitution of Nigeria</u>, 144.

[112]Adeoye Akinsanya, "Impeachment of Public Officers Under the Nigerian Presidential System: The Experience of Governor Abdulkadir Balarabe Musa of Kaduna" <u>Journal of African Studies</u> Vol 14, No 2, (Summer 1987), 47-67.

[113]Bienen, "Nigeria," 232-239.

[114]Ojo, "The Impact of Personality and Ethnicity on the Elections of 1979," 47-58.

[115]Bienen, "Nigeria," 238.

[116]P.E. Ollawa, "The Nigerian Elections of 1979: A Further Comment" <u>Journal of Commonwealth and Comparative Politics</u> Vol XIX, No 3, (November (1981), 302.

[117]Bienen, "Nigeria," 229.

[118]Oyeleye Oyediran, "Voting Behaviour in the Nigerian 1979 Elections" in Oyediran, <u>Op.cit.</u>, 95.

[119]Ollawa, <u>Op.cit.</u>, 301.

[120]Ibid.

[121]Ibid, 306.

[122]From 1954 to 1958, a total of 2,148 Southerners were dismissed from Northern Public Service, while only 24 Southerners were retained in the Senior Section of the permanent establishment. See Sklar, <u>Nigerian Political Parties</u>, 327.

[123]Ojo, "The Impact of Personality and Ethnicity on the Nigerian Elections of 1979," 55; and Ollawa, <u>Op.cit.</u>, 300.

[124]See M.J. Dent, "Tarka and the Tiv: A Perspective on Nigerian Federation" in <u>Nigeria: Modernization and the Politics of Communalism</u> ed. Melson and Wolpe, <u>Op.cit.</u>, 448-476.

[125]Ollawa, Op.cit., 303.

[126]Billy J. Dudley, "The Nigerian Elections of 1979: The Voting Decision" Journal of Commonwealth and Comparative Politics Vol XIX, No 3, (November 1981), 289.

[127]Adamolekun, The Fall of the Second Republic, 55.

[128]Ibid, 9.

[129]Raymond Duncan Gastil, "The Past, Present and Future of Democracy" Journal of International Affairs Vol 38, No 2, Winter (1985), 161.

[130]Section 15 (5) of the 1979 Constitution.

[131]Diamond, "Nigeria in Search of Democracy." 914.

[132]See "The Shape of Politics to Come" West Africa June 26, (1978), 1207.

[133]Quoted in Basil Davidson, Which Way Africa? The Search for a New Society (Middlesex, England: Penguin Books Ltd., 1964), 151.

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CHAPTER EIGHT

CONCLUSION

The adoption of basic principles of consociational democracy in Nigeria did not happen by chance but was the result of a thoughtful and often determined effort particularly by the Mohammed/Obasanjo regime for the Second Republic. Such an effort had been motivated largely by the desire to overcome the peril of incessant confrontational politics that underlay ethnic jockeying for political power after Nigeria became an independent sovereign state.

Nigeria's experimentation with consociationalism can hardly be said to be a successful one in terms of fundamentally re-ordering its politics. That is, it did not: (I) provide for the institutionalization or regularization of an orderly political change or succession; (II) depoliticize ethnic politics either in the direction of harmonizing the basic interests or ideologies of the "cartel of elites"[1] representing the various political parties or ethnic interests or, as an effective catalyst of resolving inter-ethnic conflicts

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and; (III) serve as an accommodationist instrument or framework for all the basic interests of the polity.

An analysis of the Nigerian political system can either take a holistic or reductionist approach. In other words, we can examine the whole political system and deduce from such analysis the reason or reasons why the consociational experiment has failed or, we can examine some of the constituent parts of the whole system and still come to the same conclusion. Or, we can take a middle-ground approach by examining the whole political system while at the same time focusing on its components or sub-systems.

In this study we have examined the collapse of both parliamentary and presidential democracies in Nigeria. Additionally, we have alluded to some of the operational difficulties and problems generally associated with the implementation of each of the consociational principles. In this section we attribute the failure of consociational practices, particularly under the two civilian administrations, to certain environmental factors, viz: (I) the role or conduct of the Nigerian governing elites; (II) a mutual contradiction between the design and operation of some of the consociational principles including the presidential system of the Second Republic;

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(III) the complexity and divisiveness of ethnicity; (IV) the general attitude of the Nigerian public, and (V) the vulnerability of the economic support base of the Nigerian political system.

The emphasis placed on the critical role of leadership or the elites in the successful application of consociational principles by Lijphart is pertinent to Nigeria. In Chapters Four and Seven we attributed the collapse of parliamentary and presidential democracies in Nigeria to the general behavior of the elites. Professor Claude Ake has pointed out in his study of political integration that

> the ultimate cure for the inherent instability of the new states was mainly in the modification of the political behavior of its elites.[2]

This requires, among other things, the institutionalization of a broad-based coalition rule involving, "leaders of the major social, religious, professional and ethnic groups."[3] The inclusion of these leaders is important because of the respect and attention they usually command among their followers, which can be put to practical use to "mediate between the government and the society."[4] A broad-based coalition government can be extremely useful not only in providing legitimacy, but also in hindering the tendency towards hegemonial rule of

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one ethnic group over the others. According to Ake, "a consensual political system will tend to minimize the politically divisive effects of social differences."[5]

The failure of elites as the major players on the Nigerian political scene (particularly during its early years of development) to moderate their adversarial relationship towards one another is coupled with the fact that Nigeria at the time lacked a nationally acceptable leader who might have brought together the disparate political elements. Nigeria's struggles for political independence, as pointed out by Chief Awolowo, "have produced no martyr --- no single national hero who is held in reverence and affection by the vast majority of people in Nigeria."[6]

Politics in Nigeria during the First Republic was characteristically Hobbesian in the sense that the pursuit of individual ethnic group interests vis-a-vis the others, no matter how detrimental they were to the country as a whole, became the norm.

The mobilization of inter-sectional hostility, perpetuated mostly by the elites, in addition to the unequal distribution of national wealth and political power, deepened belligerence among ethnic groups and

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helped in shaping the idiosyncrasies of their political leaders.

The Nigerian presidential system of the Second Republic, including its various consociational features, was designed with some specific aims in mind. Among these were: (I) to create distributional equity in the allocation of positions of authority, particularly the executive level of government; (II) to moderate the over-politicization of social life in Nigeria and the political behavior of its elites, (III) to serve as a system of accommodation for all the basic sectional interests in Nigeria and; (IV) to create a sense of shared involvement and participation, of national feeling and commitment among Nigerians. All these aims expressed the desire of the Mohammed/Obasanjo regime to create a stable environment for political development. Unfortunately, as we have already explained in Chapters Six and Seven, the politics of the Second Republic was reminiscent of the politics of the First Republic, as was the operational method -- that of the Anglo-American democracies -- which resulted in the collapse of the two Republics.

In Chapter Six we have shown that the principle of federal character, conceived both as a consensus building mechanism, through the process of a coalition arrangement

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involving all the basic sectional interests, and as a formula for the making of executive appointments, had been badly executed by President Shagari. While the execution of the principle of federal character was not consistent with the original aims of the framers of the 1979 Constitution, its poor execution under President Shagari cannot be excused solely because this principle was loosely defined in the Constitution. The strong tendency towards zero-sum game politics seriously undermined the usefulness of this principle as an instrument of political integration. Moreover, the electoral malpractices of the 1979 presidential elections and the ensuing legal challenge to Alhaji Shagari as the winner of the presidential race seriously impaired not only the legitimacy of Shagari's administration but its ability to form a broad-based coalition government.

The Nigerian presidential system of the Second Republic was operated as if it were still a parliamentary system, like the First Republic. Given this method of operation and its consequences, it is not surprising that the "presidential parliamentarianism" of the Second Republic suffered a similar outcome.

The description of Nigeria as an example of a consociational model in its early formative years as

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indicated in chapter one, is unrealistic. We have already indicated that the Nigerian Federalism of the First Republic was "imperfectly asymmetrical and not fully consociational" nor, in the operational sense, typical of a consociational state. Another disturbing feature of Nigerian Federalism, particularly during the First and Second Republics, was illustrated by Nwabueze when he wrote that:

> The autonomy of Government [was] misconstrued to mean competition and confrontation, with each trying to frustrate the other, whereas, the conception underlying the system is that federal and state governments are mutually complementary parts of a single governmental mechanism.[7]

In Chapter One we have cautioned against any over-reaching conclusions that consociational democracy can easily be replicated in all plural societies simply because the condition of socio-political cleavages exists. Comparing the structural complexity of ethnicity in African states with their European counterparts, Van de Berghe wrote:

> The important characteristic of ethnicity in the African context is both its complexity and fluidity, compared to more crystallized situations such as in Belgium or Switzerland where the basic cleavages are fewer.[8]

The two related problems of complexity and fragmentation of ethnicity in Nigeria, as in many other African countries form an impediment, or what Lijphart

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has called an "ambivalent factor,"[9] to an effective institutionalization of consociational democracy in Africa. Yet the lack of political integration in most of the African states has made it useful to adapt some of the principles of consociationalism to African political systems. Again, the question of whether such experimentation can bolster the fragility of these political systems sufficiently to sustain them will depend on the willingness of African political elites to establish an amicable framework for the process of conflict resolution.[10]

Democracy can hardly flourish in a political environment where public apathy towards the political process or towards the conduct of public officials exists. Neither can it exist where there is no effective institutional framework to check the abuses of power. In Nigeria, "the ruled ... are residually ... an unorganized globular mass" that can easily be "manipulated and mauled by the elite" for their own political ambitions.[11]

The nonchalance of members of the general public towards the conduct of public officials was partly responsible for the frequent maladministration and corruption in Nigeria. Until such time that the Nigerian public can do away with passivity, improve their image

from that of "one huge, helpless electoral dupe"[12] and demand competence and honesty of their politicians and not just vote for an ethnic political chieftain, they will continue to be victims of maladministration and of their own powerlessness.

The credibility of the Nigerian judicial system depends by and large on the impartiality, dedication and probity of those who are charged with the responsibility of abjudication. Democracy cannot prosper in an environment where the integrity of the judicial system is not only questioned or subverted but where public confidence of such a system is marginal.

Again, and more importantly, the legal system of a country claiming to be democratic must give equal access and protection to its citizens notwithstanding differences in social status. The life blood of a democratic process is the quality of the country's legal system; its potential to enhance and protect the fundamental rights of the people under the law. However, when the basic rights of the people are constantly violated and the avenue for a fair redress is either unreliable or closed, it is absolutely unrealistic to characterise such environment as democratic.

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Under the Nigerian parliamentary system of the First Republic, there was a public perception that the "justice administered in the courts was influenced by extra-legal considerations, by political or sectional interests; that it was intended not to uphold the law but to repress interests opposed to the government."[13] Worse still, the Nigerian judiciary was too sterile, manipulable, and unassertive in its judicial responsibilites to serve as an effective bulwark against the arbitrary use of power against members of the general public. However, on a comparative basis, the courts under the presidential system of the Second Republic "have shown themselves prepared to break away from a rigid application of the locus standi role, such as characterised constitutional adjudication in Nigerian in the past, resulting in many otherwise meritorious suits being frustrated in limine."[14] The phenomenon of activist judiciary under the presidential system was quite remarkable particularly in destroying the myth or perception of immunity of the government from the public challenge of its actions and policies.

The "Primordial" sentimentalism among Nigerians towards their various ethnic groups and the strong tendency of leaders to use ethnic sentiment to defend

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themselves in times of political troubles have continued to prevent the Nigerian public from holding public officials accountable for their conduct and performance.[15] The process of political development in a country like Nigeria requires continual vigilance by the general public over public officials who are, after all, the movers and shapers of public policies and, therefore of the country's future.

An efficient management of the economy is essential for the stability of the Nigerian political system as well as for strengthening the legitimate claim of the elites to rule. Historically, the Nigerian political systems, whether under the control of civilian or military authorities, have been highly vulnerable because of their inability to meet the basic needs of the people. Also, economic development in Nigeria has been hampered by many factors: (I) As was indicated in Chapter Four, the lack of a viable capitalist class able to spearhead economic development in Nigeria has greatly enhanced the power and responsibility of the state and exacerbated the struggle among the ethnic groups to control the state power. Moreover, the Nigerian bourgeoisie is, by nature, (a) an essentially non-productive successor to the elite, removed from direct ownership of the means of production and

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compelled to look to the state apparatus as the source of elite formation and consolidation, and, (b) a non-revolutionary class lacking a historical raison d'etre to seek out and deploy ersatz ideologies in order to retain a mass following and to forestall social reforms.[16] (II) The level of Nigeria's economic development is generally reflected in its characterization as a "rentier state"[17] while the national sovereignty of the Nigerian state over her resources is only an abstraction.[18] There is a strong correlation between elite political instability and economic development in sub-Saharan Africa.[19] (III) A crippling record of gross mismanagement and corruption among Nigerian politicians, which we have described in Chapter Seven, constitutes a powerful destabilizing force against the Nigerian political process.

In view of the economic foundation of the Nigerian political system, the issue may no longer be whether the consociational elements can be sustained despite their suitability to the social reality of Nigeria, but whether democracy itself can prosper. Unless Nigeria can come to grips with its burgeoning population,[20] its neglect of agriculture, its growing poverty[21] in the face of dwindling oil revenues (the mainstay of the Nigerian

economy), Nigerian democracy will remain highly vulnerable.[22]

The limited success of consociationalism in Nigeria is related to the low quality of political entrepreneurship of the elites. This includes the inability to promote inter-group harmony among the Nigerian multi-national entities; the failure to instill a shared sense of political direction to the country and of commitment to one another; the unwillingness to play by the rules of the political game; and to develop a workable framework of accommodation and compromise in politics as a means of governing their disparate socio-political entities. As a suggestion for the future political administration of Nigeria, Professor Adamolekun has proposed that "the rules of the political game should be written in such a way that coalition-minded politicians can succeed."[23]

In Chapter Five we noted that consociationalism is not usually associated with military rule. Nevertheless, Nigerian military rulers have made some use of consociational devices.

While military rulers in the Gowon and Mohammed/Obasanjo regimes performed admirably (at least in a comparative sense with other military rulers) in

ruling consensually, the regime of Buhari/Idiagbon operated under a system of corporate responsibility and nationalism within the confines of the army, promoting sectional interests. Generally, Nigerian military leaders have behaved "more like political champions of fractional groups rather than as members of a corporate, organic entity."[24] Again, that aspect of federal character which requires the inclusion of at least one representative from all the states of the federation in all the important organs of decision-making at the federal level was abandoned by the Buhari/Idiagbon regime. Neither has it been a principle adhered to by President Babangida.[25]

Interestingly, the Gowon and Mohammed/Obasanjo regimes, like the government of President Babangida, have created new states to accommodate the interests of minority groups.

With the exception of the Ironsi regime, which adopted a unitary system and which lasted only for a short period of time, the operation of Nigerian federalism under various military rulers has not fit the Whearean conceptualization of a federal system. The concentration of enormous power in the military became a legacy for the presidential system of the Second Republic. This affected the politics of the Second Republic, including the

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"warfare" relationship between the Federal Government and some of the state governments not under the control of the NPN Party.

As for the application of the principle of mutual veto, the command and organizational structure of the military impeded its application during the periods of military rule.

Consociational devices, such as the inclusion of representatives from all the states of the Nigerian Federation and, by implication, ethnic representation rather than representation of political parties, were applied during of the Second Republic and under military rulers who were determined to find a mechanism for ending ethnic conflict in politics.

Military rule in Nigeria, whatever its commitment to creating a new political order through the institutionalization of consociational devices, or to energizing national consciousness among Nigerians through slogans, remains contradictory. Military rule in Nigeria is delaying the development of democratic values and norms. The Nigerian military have been in power, off and on, for longer than civilian governments. This is bound to have a corrosive effect on the growth of democratic values and ideals among Nigerians.

From time to time, we may witness modifications in the design and application of the principles of consociationalism in Nigeria. The country, however, is not likely to abandon its federal system. The principle of federal character, with its two-dimensional implications, and a mild mutual veto, will continue to form part of the Nigerian political process. At the same time, some changes in the application of these devices may be necessary.

Political stability in Nigeria, whether it is achieved through consociational methods or other democratic processes, is essential to the country's survival. If it succeeds, it will be emulated by other African countries with similar ethnic configurations, and enhance Nigeria's leadership aspirations among the various African states.[26]

Consociationalism cannot solve all of Nigeria's problems, including its problem of political instability. A one-dimensional focus on social cleavages as an approach to the problem of political instability is obviously inadequate to our understanding of the Nigerian political process. An analysis of Nigerian politics requires, among other things, an eclectic approach that looks to the history of the Nigerian state and its political economy,

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as well as to its ethnic pluralism, its modernization, the socialization process, and the leadership role of its elites. The approach that I am suggesting is close to what Naomi Chazan et al. have called a "political choice" framework that "utilizes appropriate ideas for a variety of contemporary thinkers and theories to forge an eclectic method for understanding the relationships between historical, political, social, and economic dimensions of the contemporary ... experience."[27]

Unless our analysis of Nigerian politics goes beyond the parochialism of ethnic focus to encompass other ideas and theories, we may not adequately understand the phenomenon of political instability in Nigeria.

Notes

¹Ralf Dahrendorf, *Society and Democracy in Germany* (Garden City, New York: Doubleday and Company, 1967), 269.

²Ake, *A Theory of Political Integration*, 79, 112-113.

³Ibid, 112.

⁴Ibid.

⁵Ibid, 112-113.

⁶Awolowo, *Awo*, 299.

⁷Nwabueze, *Federalism in Nigeria*, vii.

⁸Pierre L. Van de Berghe, "Ethnicity: The African Experience" *International Social Science Journal* No 4, (1971), 516.

⁹Lijphart, *Democracy in Plural Societies*, 170-172.

¹⁰On the principle of amicable agreement as an alternative model to a majoritarian rule, see Jurg Steiner, *Amicable Agreement versus Majority Rule: Conflict Resolution in Switzerland* (Chapel Hill: University of North Carolina Press, 1974), 4-13; Jurg Steiner, "Conflict Resolution and Democratic Stability in Subculturally Segmented Political Systems" *Res Publica* Vol XI, No 4, (1968), 775-798.

¹¹Bill and Hardgrave, *Op. cit.*, 194.

¹²Achebe, *Op.cit*, 52.

¹³Nwabueze, *The Presidential Constitution of Nigeria*, 370.

¹⁴Ibid, 544.

¹⁵See *West Africa*, February 24, (1986), 398-99.

[16]William D. Graf, "Africa Elite Theories and Nigerian Elite Consolidation: A Political Economy Analysis" _Political Science in Africa_ ed. Barrongo, _Op. cit._, 193.

[17]Falola and Ihonvbere, _op. cit._, 83-100.

[18]Ake, _Revolutionary Pressures in Africa_, 17.

[19]John M. Mbaku, "Political Instability and Economic Development in Sub-Saharan Africa: Some Recent Evidence," _Review of Black Political Economy_ Vol 17, No 1, (1988), 89-112.

[20]The current population in Nigeria has been estimated to be more than 112.3 million. See _West Africa_ February 20-26, (1989), 265. The 1963 population census put the Nigerian population at about 55.7 million. However, the 1973 population census conducted under General Gowon's regime was embroiled in controversy over its results and was consequently cancelled by the Mohammed/Obasanjo regime in 1976. The accuracy of the current population estimate has been disputed by the chairman of the Nigerian Population Commission. See _West Africa_ February 27 - March 5, (1989), 329.

[21]See "The Poor Get Poorer" _West Africa_ November 7-13, (1988), 2075-6.

[22]Already, the present regime of President Babangida has been expressing the fear that the post-military civilian government will be highly assailable because of the weakness of Nigeria's economic base. See E.A. Wayne, "Nigeria Charts Paths of Major Reform: Government Sees Economic Progress as Essential to Secure Democracy" _Christian Science Monitor_ October 26, (1988), 3-5.

[23]Adamolekun, _Politics and Administration in Nigeria_, 183.

[24]Billy J. Dudley, "Military Government and National Integration in Nigeria" in Smock and Bentsi-Enchill, _Op. cit._, 43.

[25]See _West Africa_ September 29, (1986), 2013; and _West Africa_ February 27 - March 5, (1989), 329.

[26]Nigerians and their leaders have a shared sense of manifest destiny for their country to lead the rest of Africa, because of Nigeria's size, resources, population and its posture within the community of nations.

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[27]Naomi Chazan et al., _Politics and Society in Contemporary Africa_ (Boulder, Colorado: Lynne Rienner Publications, 1988), 13-14.

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APPENDIX A

LEGISLATIVE POWERS

PART I

EXCLUSIVE LEGISLATIVE LIST

Item
1. Accounts of the Government of the Federation, and of offices, courts and authorities thereof, including audit of those accounts.
2. Arms, ammunition and explosives.
3. Aviation, including airports, safety of aircraft and carriage of passengers and goods by air.
4. Awards of national titles of honour, decorations and other dignities.
5. Bankruptcy and insolvency.
6. Banks, banking, bills of exchange and promissory notes.
7. Borrowing of moneys within or outside Nigeria for the purposes of the Federation or of any State.
8. Census, including the establishment and maintenance of machinery for continuous and universal registation of births and deaths throughout Nigeria.
9. Construction, alteration and maintenance of such roads as may be declared by the National Assembly to be Federal trunk roads.
10. Citizenship, naturalisation and aliens.
11. Commercial and industrial monopolies, combines and trusts.
12. Control of capital issues.
13. Copyright.
14. Currency, coinage and legal tender.
15. Customs and excise duties.
16. Defence.
17. Deportation of persons who are not citizens of Nigeria.
18. Diplomatic, consular and trade representation.
19. Drugs and poisons.
20. Designation of securities in which trust funds may be invested.
21. Election to the offices of President and Vice-President or Governor and Deputy Governor and any other office to which a person may be electted under this Constitution, excluding election to a local government council or any office in such council.
22. Export duties.
23. Evidence.

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24. Exchange control.
25. External affairs.
26. Extradition.
27. Fingerprints, identification and criminal records.
28. Fishing and fisheries other than fishing and fisheries in rivers, lakes, waterways, ponds and other inland waters within Nigeria.
29. Immigration into and emigration from Nigeria.
30. Implementation of treaties relating to matters on this List.
31. Incorporation, regulation and winding up of bodies corporate, other than co-operative societies, local government councils and bodies corporate established directly by any Law enacted by a House of Assembly of a State.
32. Insurance.
33. Labour, including trade unions, industrial relations; conditions, safety and welfare of labour; industrial disputes; prescribing a national minimum wage for the Federation or any part thereof; and industrial arbitrations.
34. Legal proceedings between Governments of States or between the Government of the Federation and Government of any State or any other authority or person.
35. Maritime shipping and navigation, including—

    (a) shipping and navigation on tidal waters;
    (b) shipping and navigation on the River Niger and its affluents and on any such other inland waterway as may be designated by the National Assembly to be an international waterway or to be an inter-State waterway;
    (c) lighthouses, lightships, beacons and other provisions for the safety of shipping and navigation;
    (d) such ports as may be declared by the National Assembly to be Federal ports (including the constitution and powers of port authorities for Federal ports).

36. Meteorology.
37. Mines and minerals, including oil fields, oil mining, geological surveys and natural gas.
38. National parks being such areas in a State as may with the consent of the Government of that State be designated by the National Assembly as national parks.
39. Naval, military and air forces including any other branch of the armed forces of the Federation.
40. Nuclear energy.
41. Passports and visas.
42. Patents, trade marks, trade or business names, industrial designs and merchandise marks.

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43. Pensions, gratuities and other like benefits payable out of the Consolidated Revenue Fund or any other public funds of the Federation.
44. Police.
45. Posts, telegraphs and telephones.
46. Powers of the National Assembly, and the privileges and immunites of its members.
47. Prisons.
48. Professional occupations as may be designated by the National Assembly.
49. Public debt of the Federation.
50. Public holidays.
51. Public relations of the Federation.
52. Public service of the Federation including the settlement of disputes between the Federation and officers of such service.
53. Quarantine.
54. Railways.
55. Regulation of political parties.
56. Service and execution in a State of the civil and criminal processes, judgments, decrees, orders and other decisions of any court of law outside Nigeria or any court of law in Nigeria other than a court of law established by the House of Assembly of that State.
57. Stamp duties.
58. Taxation of incomes, profits and capital gains, except as otherwise prescribed by this Constitution.
59. The establishment and regulation of authorities for the Federation or any part thereof—

    (a) to promote and enforce the observance of the fundamental objectives and directive principles contained in this Constitution;

    (b) to identify, collect, preserve or generally look after ancient and historical monuments and records and archaeological sites and remains declared by the National Assembly to be of national significance or national importance;

    (c) to administer museums and libraries other than museums and libraries established by the Government of a State;

    (d) to regulate tourist traffic; and

    (e) to prescribe minimum standards of education at all levels.

60. The formation, annulment and dissolution of marriages other than marriages under Islamic law and customary law including matrimonial causes relating thereto.
61. Trade and commerce, and in particular—

(a) trade and commerce between Nigeria and other countries including import of commodities into and export of commodities from Nigeria, and trade and commerce between the States;

(b) establishment of a purchasing authority with power to acquire for export or sale in world markets such agricultural produce as may be designated by the National Assembly;

(c) inspection of produce to be exported from Nigeria and the enforcement of grades and standards of quality in respect of produce so inspected;

(d) establishment of a body to prescribe and enforce standards of goods and commodities offered for sale;

(e) control of the prices of goods and commodities designated by the National Assembly as essential goods or commodities; and

(f) registration of business names.

62. Traffic on Federal trunk roads.

63. Water from such sources as may be declared by the National Assembly to be sources affecting more than one State.

64. Weights and measures.

65. Wireless, broadcasting and television other than broadcasting and television provided by the Government of a State; allocation of wave-lengths for wireless, broadcasting and television transmission.

66. Any other matter with respect to which the National Assembly has power to make laws in accordance with the provisions of this Constitution.

67. Any matter incidental or supplementary to any matter mentioned elsewhere in this list.

CONCURRENT LEGISLATIVE LIST

Item	Extent of Federal and State Legislative Powers

A—Allocation of revenue, etc.

1. Subject to the provisions of this Constitution, the National Assembly may by an Act make provisions for—

    (a) the division of public revenue—
        (i) between the Federation and the States,
        (ii) among the States of the Federation,
        (iii) between the States and local government councils,
        (iv) among the local government councils in the States; and

    (b) grants or loans from and the imposition of charges upon the Consolidated Revenue Fund or any other public funds of the Federation or for the imposition of charges upon the revenue and assets of the Federation for any purpose notwithstanding that it relates to a matter with respect to which the National Assembly is not empowered to make laws.

2. Subject to the provisions of this Constitution, any House of Assembly may make provisions for grants or loans from and the imposition of charges upon any of the public funds of that State or the imposition of charges upon the revenue and assets of that State for any purpose notwithstanding that it relates to a matter with respect to which the National Assembly is empowered to make laws.

B—Antiquities and monuments.

3. The National Assembly may make laws for the Federation or any part thereof with respect to such antiquities and monuments as may, with the consent of the State in which such antiquities and monuments are located, be designated by the National Assembly as National Antiquities or National Monuments, but nothing in this paragraph shall preclude a House of Assembly from making laws for the State or any part thereof with respect to antiquities and monuments not so designated in accordance with the foregoing provisions.

C—Archives.

4. The National Assembly may make laws for the Federation or any part thereof with respect to the archives and public records of the Federation.

5. A House of Assembly may, subject to paragraph 4 hereof, make laws for the State or any part thereof with respect to archives and public record of the Government of the State.

6. Nothing in paragraphs 4 and 5 hereof shall be construed as enabling any laws to be made which do not preserve the archives and records which are in existence at the date of commencement of this Constitution, and which are kept by authorities empowered to do so in any part of the Federation.

D—Collection of taxes.

7. In the exercise of its powers to impose any tax or duty on—

    (a) capital gains, incomes or profits of persons other than companies; and

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(b) documents or transactions by way of stamp duties,

the National Assembly may, subject to such conditions as it may prescribe, provide that the collection of any such tax or duty or the administration of the law imposing it shall be carried out by the Government of a State or other authority of a State.

8. Where an Act of the National Assembly provides for the collection of tax or duty on capital gains, incomes or profit or the administration of any law by an authority of a State in accordance with paragraph 7 hereof, it shall regulate the liability of persons to such tax or duty in such manner as to ensure that such tax or duty is not levied on the same person by more than one State.

9. A House of Assembly may, subject to such conditions as it may prescribe, make provisions for the collection of any tax, fee or rate or for the administration of the law providing for such collection by a local government council.

10. Where a Law of a House of Assembly provides for the collection of tax, fee or rate or for the administration of such Law by a local government council in accordance with the provisions hereof it shall regulate the liability of persons to the tax, fee or rate in such manner as to ensure that such tax, fee or rate is not levied on the same person in respect of the same liability by more than one local government council.

E—Electoral law.
11. The National Assembly may make laws for the Federation with respect to the registration of voters and the procedure regulating elections to a local government council.

12. Nothing in paragraph 11 hereof shall preclude a House of Assembly from making laws with respect to elections to a local government council in addition to but not inconsistent with any law made by the National Assembly.

F—Electric power.
13. The National Assembly may make laws for the Federation or any part thereof with respect to—
(a) electricity and the establishment of electrical power stations;
(b) the generation and transmission of electricity in

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or to any part of the Federation and from one State to another State;

(c) the regulation of the right of any person or authority to dam up or otherwise interfere with the flow of water from sources in any part of the Federation;

(d) the participation of the Federation in any arrangement with another country for the generation, transmission and distribution of electricity for any area partly within and partly outside the Federation;

(e) the promotion and the establishment of a national grid system; and

(f) the regulation of the right of any person or authority to use, work or operate any plant, apparatus, equipment or work designed for the supply or use of electrical energy.

14. A House of Assembly may make laws for the State with respect to—

(a) electricity and the establishment in that State of electric power stations;

(b) the generation, transmission and distribution of electricity to areas not covered by a national grid system within that State; and

(c) the establishment within that State of any authority for the promotion and management of electric power stations established by the State.

15. In the foregoing provisions of this item, unless the context otherwise requires, the following expressions have the meanings respectively assigned to them—

"distribution" means the supply of electricity from a sub-station to the ultimate consumer;

"management" includes maintenance, repairs or replacement;

"power station" means an assembly of plant or equipment for the creation or generation of electrical energy; and

"transmission" means the supply of electricity from a power station to a sub-station or from one sub-station to another sub-station, and the reference to a "sub-station" herein is a reference to

an assembly of plant, machinery or equipment for distribution of electricity.

G—Exhibition of cinematograph films.
16. The National Assembly may make laws for the establishment of an authority with power to carry out censorship of cinematograph films and to prohibit or restrict the exhibition of such films; and nothing herein shall—

(a) preclude a House of Assembly from making provision for a similar authority for that State; or

(b) authorise the exhibition of a cinematograph film in a State without the sanction of the authority established by the law of that State for the censorship of such films.

H—Industrial, commercial or agricultural development.
17. The National Assembly may make laws for the Federation or any part thereof with respect to—

(a) the health, safety and welfare of persons employed to work in factories, offices or other premises or in inter-state transportation and commerce including the training, supervision and qualification of such persons;

(b) the regulation of ownership and control of business enterprises throughout the Federation for the purpose of promoting, encouraging or facilitating such ownership and control by citizens of Nigeria;

(c) the establishment of research centres for agricultural studies; and

(d) the establishment of institutions and bodies for the promotion or financing of industrial, commercial or agricultural projects.

18. Subject to the provisions of this Constitution a House of Assembly may make laws for that State with respect to industrial, commercial or agricultural development of the State.

19. Nothing in the foregoing paragraphs shall be construed as precluding a House of Assembly from making laws with respect to any of the matters referred to in the foregoing paragraphs.

20. For the purposes of the foregoing paragraphs of this item, the word "agricultural" includes fishery.

I—Scientific and technological research.
21. The National Assembly may make laws to regulate or co-ordinate scientific and technological research throughout the Federation.

22. Nothing herein shall preclude a House of Assembly from establishing or making provisions for an institution or other arrangement for the purpose of scientific and technological research.

J—Statistics. 23. The National Assembly may make laws for the Federation or any part thereof with respect to statistics so far as the subject matter relates to—
    (a) any matter upon which the National Assembly has power to make laws; and
    (b) the organisation of a co-ordinated scheme of statistics for the Federation or any part thereof an any matter whether or not it has power to make laws with respect thereto.

24. A House of Assembly may make laws for the State with respect to statistics and on any matter other than that referred to in paragraph 23(a) of this item.

K—Trigo-nometrical, cadastral and topographical surveys. 25. The National Assembly may make laws for the Federation or any part thereof with respect to trigonometrical, cadastral and topographical surveys.

26. A House of Assembly may, subject to paragraph 25 hereof, make laws for the State or any part thereof with respect to trigonometrical, cadastral and topographical surveys.

L—University, technological and post-primary education. 27. The National Assembly shall have power to make laws for the Federation or any part thereof with respect to university education, technological education or such professional education as may from time to time be designated by the National Assembly.

28. The power conferred on the National Assembly under paragraph 27 of this item shall include power to establish an institution for the purposes of university, post-primary, technological or professional education.

29. Subject as herein provided a House of Assembly shall have power to make laws for the State with respect to the establishment of an institution for purposes of university, professional or technological education.

30. Nothing in the foregoing paragraphs of this item shall be construed so as to limit the powers of a House of Assembly to make laws for the State with respect to technical, vocational, post-primary, primary or other forms of education, including the

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establishment of institutions for the pursuit of such
education.

PART III

SUPPLEMENTAL AND INTERPRETATION

1. Where by this Schedule the National Assembly is required to
designate any matter or thing or to make any declaration, it may do so
either by an Act of the National Assembly or by a resolution passed by
both Houses of the National Assembly.

2. In this Schedule, references to incidental and supplementary
matters include, without prejudice to their generality, references to—
  (a) offences;
  (b) the jurisdiction, powers, practice and procedure of courts of
      law; and
  (c) the acquisition and tenure of land.