



Editorial: Restructuring Nigeria, True Federalism or a Journey towards Confederacy?

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This maiden editorial of the Carnelian Journal of Law and Politics examines a vital question that is essential to the Nigerian polity. There have been many commentaries on the imperfect federalism practiced in Nigeria, which is the consequence of the foundational problems with the Constitution of the Federal Republic of Nigeria, 1999. Despite the attempt of the constitution to make evident the reflection of a federal character, yet ghosts from 1966 haunt Nigeria's federal status, and in fact, the integrity of its statehood. The fabric of Nigeria's statehood is ripping at the hems because of its outmoded power structure. On the 24th of May 1966, when General Aguiyi Ironsi issued Decree 34 that made Nigeria a unitary state,¹ the motion was set for the fragility of the Nigerian polity. Before the coming into existence of Aguiyi's Decree 34, political power in Nigeria was resident in the regional system through which the country was governed.²

Whatever the motive of the switch in the power structure in 1966, today, Nigeria's heavily divergent ethnic composition is working against the centralized power system that still reflects through the federalist façade

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¹ Ezenwa-Ohaeto, 'Reviewed Works: *The Bottled Leopard* by Chukwuemeka Ike; *Unborn Child* by Chidi Ikonne' 1988 26(2) *The Journal of Modern African Studies*

² University of Central Arkansas, 'Nigeria (1960-present)' (University of Central Arkansas, 2020) <<https://uca.edu/politicalscience/dadm-project/sub-saharan-africa-region/nigeria-1960-present/>> accessed 11 October, 2020

that the 1999 constitution masks the political system with. Apart from the argument that economic justice can be realized through effective judicial structures,³ the allocation of economic justice in Nigeria has been stymied by the faulty political system. This is because in Nigeria, political power determines where economic justice would be most concentrated. The weaponization of ethnicity in Nigerian politics has ensured that the game of numbers that accompany survival politics in a country with a heterogeneous population would be aligned with ethnic interests. Therefore it is important to consider that since federal government's power in Nigeria is actually a highly concentrated unitary power system, ethnic groups jostle for its control to maintain a stranglehold on the benefits that come with it. The complication to the unitary problem of the Nigerian governmental power structure is further ingrained into the polity by the civil war. The Nigerian civil war left many fractures in the Nigerian state that calcified into indifference and apathy to the Nigerian state by the Igbo people. These emotions have given themselves expression in the Igbo calls for the state of Biafra. It was these same emotions that brought about the Independent People of Biafra.

The ethnic distrust that has characterized the politics of Nigeria is a phantom of the post-war era. The necessity of restructuring Nigeria is so pressing that it is as urgent as the calls for the end to the terrorism in northern Nigeria. Restructuring Nigeria would be efforts to repair the broken polity. What would restructuring look like in a fast growing Nigeria? The clamor for restructuring has been inspired by claims of ethnic marginalization. Since the Nigerian civil war, the Igbos have yet to produce a president despite being one of the major tribes in Nigeria. Their history of agitation for the state of Biafra has endured decades, and it appears it has even become for them, a state of political ideal, leaving them to a cynical stance on Nigerian politics. According to Musa Abutudu, the national question on restructuring consists of the lack of specified grounds on which the various ethnic groups would engage each other within a restructuring agenda. This leaves a gaping problem.⁴ As a response the 2014 National Conference that took place in Abuja addressed the questions that restructuring posed. The resolutions that

³ Olalekan Moyosore Lalude and Ayodeji Fatehinse, 'Economic Justice and Judicial Structure: Realizing Economic Growth in Nigeria' 2020 2(1) *Society & Sustainability*

⁴ Musa Abutudu, 'Federalism, Political Restructuring, and the Lingering National Question' in Said Adejumobi (ed), *Governance and Politics in Post-Military Nigeria: Changes and Challenges* (Palgrave Macmillan, New York 2010)

resulted from that conference were enough to start with, if they were implemented.

Tochukwu and Orizu have argued that restructuring is pertinent to ensuring peace among ethnic groups in Nigeria and the development of the geopolitical zones of the country.⁵ This argument is valid in the light of the realities of unpatriotic feelings that the current statehood of Nigeria inspires in its citizens. The dissatisfaction of many citizens in the failings of the Nigerian social contract is indicting of the shared mistrust amongst the ethnic groups that make up Nigeria. Restructuring Nigeria towards true federalism just like it is in the United States will lessen power at the center. It will strengthen and reinforce political discretion at the regional level. An argument against restructuring in Nigeria is that it is the first step towards confederacy. This is because the devolution of power from the center is going to be quite extreme, since restructuring would require some reallocation of powers and resource control for regional development. Although restructuring Nigeria towards true federalism ensures that there is an easy transition to independent states in the eventual case of secession, however it is necessary since the fragility of the Nigerian state is emphasized by the flawed federalism.

Restructuring is essential because the continued practice of this flawed federalism presents Nigeria's democracy with severe challenges and prevents development and the civility required for good governance. One of the challenges that the flawed federalism practiced in Nigeria today, presents Nigeria's democracy with, is the absolute power that it grants the executive arm of government. Despite Nigeria's transition to democracy in 1999, there has been a sustained disregard for the rule of law to the point that every extension of the executive arm of government has consistently exploited power even beyond their legal capacities. There are subtle signs that the inferior pillars of this present political arrangement are giving way to a violent unraveling of the social and political problems that colonialism tucked away for its convenience. Restructuring Nigeria is not a negligible choice, it should be regarded as the first step towards redeeming the essence of statehood. It should be

⁵ Eze Kieran Tochukwu and Ideobodo Nwafor-Orizu, 'Political Restructuring In Nigeria: The Need, Challenges And Prospects' (ResearchGate, 2018) <https://www.researchgate.net/publication/328517752_POLITICAL_RESTRUCTURING_IN_NIGERIA_THE_NEED_CHALLENGES_AND_PROSPECTS/references#fullTextFileContent> accessed 12 October, 2020

seen as a redemptive act towards securing the soul of the state from self-destruction.