

Original Research Article

Separatist Agitations and the Search for Political Stability in Nigeria

Zacchaeus Adangor

Associate Professor, Department of Public Law, Faculty of Law, Rivers State University, Port Harcourt, Rivers State, Nigeria.

Accepted 19th July, 2017.

This paper examines the causes of separatist agitations in Nigeria from its formative years as a British Colony and Protectorate and proffers solutions for stemming the drift toward disintegration. Moulded from a motley of ethnocultural groups by her colonialists, the stability of the Federation of Nigeria has often come under threats by separatist agitations by her diverse ethnic groups. It is argued that the ethnocultural diversity of the peoples of Nigeria and the mutual fear of domination amongst them accentuated by divisive colonial policies account for the persistence of separatism. Furthermore, the over-centralization of the federal system following decades of military rule has ensured the hegemony of the Hausa/Fulani in the federation and subjugated the states to the centre thus undermining the underlying principles of Nigeria's federal arrangement that no ethnic group shall be dominated by the others and that the states shall be encouraged to develop at their varying speeds according to their respective fiscal capacities and comparative advantages. The solution to the persistent threats of separatism lies in re-inventing Nigeria's federalism in line with its underlying principles through devolution of power from the centre to the constituent states which will strengthen the states to provide meaningful self-rule and reduce the dominance of the centre.

Keywords: Nigeria, Federalism, Separatism, Political Stability.

INTRODUCTION

The history of the Federation of Nigeria is one laced with separatist agitations. This may not be surprising to keen observers of Nigeria's political development given the diversity of her peoples and the disparities in demography, land mass, natural resource endowment, educational, social and economic development. Arguably, these disparities have created and continue to sustain mutual mistrust, acrimony and fear of ethnic domination not only amongst Nigeria's 250 ethnic groups but also amongst the majority groups *inter se* and between them and the ethnic minorities.

The centrifugal forces generated by Nigeria's ethnocultural diversity have continued to ignite separatism in the federation with each disadvantaged ethnic group agitating for greater space for self-expression. The military junta which ruled Nigeria for the longest period since post-independence effectively suppressed these tendencies through brazen force without necessarily exterminating them. However, the return to democratic rule since May 29, 1999 has witnessed a resurgence of separatist agitations which have polarised the federation along ethnic, regional and religious lines thus supporting the view expressed by Emerson that the introduction of democratic institutions may sometimes

accentuate existing ethnic divisions in ethnically divided polities.¹

Arguably, the ingrained ethnic rivalries amongst Nigeria's disparate ethnic groups were not hidden from the colonial government because as the Secretary of State for the Colonies, Oliver Lyttelton, once boasted, "the only cement which kept the rickety structure of Nigeria together was the British... left to themselves they would clearly fall apart in a few months."²

Although, and fortunately too, the above grim prediction has not materialized, there is no doubt that the country is more divided now than ever before. The increasing drums of separatism being beaten by several ethnocultural and militant groups including the Movement for the Actualization of the Sovereign State of Biafra (MASSOB), the Indigenous Peoples of Biafra (IPOB), the Niger Delta Avengers, Movement for the Emancipation of Niger Delta, Northern Elders Forum, Arewa

¹ Rupert Emerson, *From Empire to Nation: The Rise to Self-Assertion of Asian and African Peoples* (Harvard University Press, Cambridge 1960) 222.

² Oliver Lyttelton and Viscount Chandos, *The Memoir of Lord Chandos* (The Bodley Head, London 1962) 409.

Youths' Consultative Forum, etc., are irrepressible signs of the fractured state of the Federation of Nigeria. Only recently, the May 30, 2017 "sit at home" order issued to all Igbos by the leadership of the IPOB to honour Ndigbo that were murdered during the Nigeria/Biafra Civil War witnessed disturbing success in most Igbo dominated States in South-Eastern Nigeria which strongly suggests that while the Igbos may have been defeated during the Nigeria/Biafra Civil War, the Biafra spirit is still alive.³

The purpose of this paper is to examine the growing separatist agitations in Nigeria and its underlying causes and proffer means of averting the drift toward the disintegration of the federation. It is argued that a constitutional restructuring of the federation marked by devolution of power to the constituent states must be pursued as a sustainable option to save the federation from disintegration.

The paper is structured into six parts. The introduction deals with the background to the study and the need to call urgent attention to the threats posed to the stability of the federation by the growing separatist movements in the Federation. The second part of the paper examines the theoretical perspectives on separatist agitations in Nigeria. It is argued that separatist threats are deep-rooted in ethnicity and reflect not only the mutual distrust amongst Nigeria's ethnic groups but also the ingrained sense of injustice which Nigeria's federal practice has inflicted on sections of the country.

The discussion in this section dovetails into the third section where specific separatist threats are identified and analysed. In the fourth section, the paper reviews past efforts at finding solutions to political instability in Nigeria. The fifth part of the paper defines the way forward by recommending a reform of the federal system in line with its underlying principles. The concluding remarks are contained in the final section.

THEORETICAL PERSPECTIVES ON SEPARATIST AGITATIONS IN NIGERIA

The term "separatism" may be used to connote different things ranging from a demand by a unit of a federal state for greater regional autonomy or loosening of political control by the centre to outright secession of a federating unit by way of declaring its own political independence. Thus, "separatism" has been defined broadly to cover both greater regional autonomy and secession:

By separatism is meant the desire of some articulate portion of the population in a section (usually a province) of a sovereign state to loosen or break the political and legal bonds which tie the part to the whole. If only loosening is the aim, it is called autonomy; if secession of a province or of a member of a federation is in view, there may be further goals of either independence or union with some other, usually adjacent sovereign state.⁴

However, the term "separatism" is generally used in its narrow sense to denote agitation by a distinct political unit within a polity for enhanced decentralization of authority by the central government so as to guarantee the sub-national unit greater

autonomy in specified activities.⁵ In this narrow sense, separatism and secession are not coterminous although both represent varying forms of political instability or disintegration with secession, resulting in the breakup of the polity.

According to Badal, the aims of any separatist movement may change depending upon a number of factors including but not limited to (a) leadership of the movement; (b) the level of mass support it enjoys or can muster; and (c) the occurrence of supervening events such as war or revolution which may offer the separatists opportunity either for secession or compromise with the central government for greater regional autonomy.⁶ Thus, it is possible that a separatist movement that seeks originally to achieve greater regional autonomy within an existing political territory may enter into an alliance with another group sympathetic to its cause to pursue secession if the prevailing circumstances warrant such pursuit.

The history of separatist movements in Nigeria clearly shows that the objectives usually oscillate between the struggle for greater regional autonomy and outright threat of secession. Perhaps, apart from the Movement for the Survival of Ogoni People (MOSOP) which, whilst reaffirming the wish of the Ogoni to "remain a part of the Federal Republic of Nigeria", explicitly campaigned for political autonomy to participate in the affairs of Nigeria as a distinct and separate political unit including the right to control their political affairs, most other separatist groups have pursued regional political autonomy and secession simultaneously.⁷

Several factors may account for separatist agitations although these may vary from one polity to another. However, it would appear that the commonest of these factors may be a sustained sense of domination and deprivation amongst members of a culturally homogenous group within a polity. Where a culturally distinct group within a federation feel that their region is not receiving a fair share of the benefits of the union from the central government or has been set apart for marginalization and neglect by the state, the loyalty of the group to the state may be corroded thereby alienating its members from the state.

In relation to Nigeria, several views have been expressed on the direct and remote causes of separatist agitations right from its formative years as a British Colony and Protectorate. According to Tamuno, separatist tendencies in Nigeria are attributable to the country's "heterogeneous ethnic composition, cultural diversity, vast size... varied administrative practices, and controversial political and constitutional arrangements... and the absence of a strong ideological magnet."⁸

Rothchild, however, has argued that Nigeria's form of federalism comprising originally of "three large populous, semi-autonomous regions, hardly acts to discourage ideas of separatism since each of the regions possesses all the normal prerequisites of nationhood."⁹ For Kirk-Greene, Nigeria's political history had shaped and destined the country for

⁵ John R. Wood, "Separatism in India and Canada: A Comparative Overview" (1981) 42(3) *Indian Journal of Political Science* 1, 2.

⁶ Badal (n4) 468.

⁷ Ogoni Bill of Rights, Presented October 1990 <http://www.mosop.org/ogoni_bill_of_rights.html> accessed May 20, 2017.

⁸ Tekena N. Tamuno, "Separatist Agitations in Nigeria since 1914" (1970) 8 (4) *The Journal of Modern African Studies* 563, 564.

⁹ D. S. Rothchild, "The Politics of African Separatism" (1961) 15 *Journal of International Affairs* 18, 25.

³ Emeka Mamah, "Enugu Police Warn IPOB against sit-at-home-order" *Vanguard* (May 24, 2017) <http://www.vanguardngr.com/2017/05/enugu-police-warn-ipob-against-sit-at-home-order> accessed June 01, 2017.

⁴ Theodore P. Wright, Jr. "South African Separatist Movements" (Private), Nov. 1974, cited in R. K. Badal, "The Rise and Fall of Separatism in Southern Sudan" (1976) 75 *African Affairs* 463, 468.

disunity. In his words, the “forces of Nigeria’s political history have rarely been on the side of national identity.”¹⁰

It is submitted that the prevalence of separatist agitations in Nigeria are directly traceable to three critical factors namely, ethnic pluralism, fear of domination amongst the disparate ethnic groups and the divisive practices adopted by the British colonialists. These factors are inextricably linked and cannot be separated one from the other. For instance, the fear of ethnic domination which was the major stimulant for Nigeria’s federalism, is in many ways, the effect of the disparities in demography, land mass, educational, social and economic advancements amongst the peoples of Nigeria. Similarly, it is very arguable that the divide-and-rule policy of the British colonialists in Nigeria was dictated by the heterogeneity of her population.

Prior to the advent of British colonial rule in 1861 spanning over the vast territory now called Nigeria, there was no single political entity called ‘Nigeria.’ However, there existed at different times various sovereign states described as empires, emirates, kingdoms, chiefdoms, city-states, and village republics, each of which exercised sovereignty within its own territory without interference from the others. The various empires, emirates, kingdoms, chiefdoms, city-states and village republics comprised distinct ethnic groups which at one time or another, ‘were either making wars with each other or making alliances, on equal terms.’¹¹

However, the exact number of these ethnic groups in Nigeria has been the subject matter of controversy. According to the Federal Ministry of Information, scholars “have identified over 350 ethnic groups in Nigeria.”¹² The World Factbook, on the other hand, records that “Nigeria is composed of more than 250 ethnic groups.”¹³ Biodun Adediran and Kirke-Greene have estimated that there are over 400 ethnic groups in the country, each possessing a distinct language, social custom and belief¹⁴ but Afigbo has described this figure as absurd.¹⁵

According to Awolowo, there are about sixty ethnic groups in Nigeria.¹⁶ He identifies ten ethnic groups, namely Hausa/Fulani, Yoruba, Igbo, Efik/Ibibio, Kanuri, Tiv, Ijaw, Edo, Urhobo, and Nupe as principal national groups which make up

about 80 per cent of the entire population with Hausa/Fulani, Yoruba and Igbo representing the largest groups.¹⁷ In his own contribution, Osaghae estimates that there are about 250 ethnic groups in Nigeria but faults Awolowo’s classification of ethnic communities into ‘principal national groups’ and ‘ethnic minorities’ on the ground that before colonization, all the ethnic groups were equal notwithstanding the subordinate-superordinate relationships that may have existed among them.¹⁸

Although there is a general consensus amongst Nigerian historians and ethnographers that 250 ethnic groups (with over 400 distinct languages) represent the closest approximation of the ethnic communities in pre-colonial Nigeria, it would appear that the exact number of these groups may remain uncertain because of the absence of any empirical data.¹⁹ The uncertainties are exacerbated by the fact that the existence of distinct ethnic groups in Nigeria is sometimes politicized and exaggerated by the political class in order to lobby for the creation of new states or local government areas. In the quest for these political benefits, ethnic groups that are hitherto considered homogenous are presented as distinct groups in order to establish spread and large territory. One writer has, therefore, rightly concluded that no one can claim knowledge of the exact number of these groups.²⁰

Nigeria’s ethnic groups differ historically, culturally, linguistically economically, and even geographically. The Ijaw (Izon), Ogoni, Kalabari, Andoni, Ikwerre, Ibibio, and Efik of Southern Nigeria differ from the Hausa/Fulani/Kanuri of Northern Nigeria in language, social practices, cultural beliefs and religion. The traditional political system amongst the Izon, Kalabari, Andoni, Okrika, Ogoni and Ikwerre in the Niger Delta region of Southern Nigeria which is typically federal, differs radically from the traditional kinship system of the Igbo and the highly centralised systems amongst the Hausa/Fulani and Yoruba.

Similarly, although the Igbo of South-East Nigeria occupy the same southern belt with the Yoruba of South-West Nigeria, they differ from the Yoruba in terms of historical origin, language, custom, cultural beliefs, and traditional economics. The Igbo also differ markedly from the Hausa/Fulani/Kanuri in language, cultural practices, outlook, and way of life thus making these ethnic groups different peoples. As Ezera, a constitutional historian of Igbo extraction, has rightly observed, the Igbos are temperamentally distinct from the Hausa and Yoruba:

Unlike the Hausas but like the Yorubas, the Igbos have been readily adaptable to new and progressive ideas. But unlike both the Hausas and Yorubas, they are temperamentally different in that they are not only highly competitive of spirit and prone to place great values on achieved status, but they also tend to be dramatic and excitable.²¹

¹⁰ A.H.M. Kirk-Greene, “The genesis of the Nigerian civil war and the theory of fear” (Research Report No. 27: The Scandinavian Institute of African Studies, Uppsala 1975) 17.

¹¹ *Attorney-General Federation v Attorney-General Abia State (No.2)* [2000]4 NWLR (Part 764)542,640; see also Biodun Adediran, “The origins of Nigerian peoples” in Richard Olaniyan (ed), *Nigerian History and Culture* (Longman Group Limited, Essex 1985)10; Tekena N. Tamuno, *The Evolution of the Nigerian State –The Southern Phase, 1898-1914* (Longman Group Limited, Essex 1978) 7; the term ‘ethnic group’ is used herein to denote a territorially concentrated group whose members share belief of common ancestry and possess common cultural features like language, custom and religion. See Vernon Van Dyke, “The Individual, the State, and Ethnic Communities in Political Theory” (1977)29 *World Politics* 343, 344.

¹² Federal Ministry of Information, “Nigerian Peoples and Their Cultures” (2016)< <http://www.fmi.gov.ng/about-nigeria/history-people/#tabs-127-0-1>>accessed 25 May, 2017.

¹³ Central Intelligence Agency, “The World Fact-book” (2016)<<http://www.cia.gov/library/publications/the-world-factbook/geos/ni.html>> accessed 25 April 2017.

¹⁴ Adediran (n11)10; A. H. M.Kirk-Greene, “The People of Nigeria: The Cultural Background to the Crisis” (1967) 66 *African Affairs* 3, 4.

¹⁵ A.E. Afigbo, “Background to Nigerian Federalism: Federal Features in the Colonial State” (1991)26 *Publius: The Journal of Federalism* 13, 15.

¹⁶ Obafemi Awolowo, *The People’s Republic* (OUP, Ibadan 1968) 239.

¹⁷ Obafemi Awolowo, *Thoughts on Nigerian Constitution* (OUP, Ibadan 1966) 24.

¹⁸ Eghosa E. Osaghae, “Ethnic Minorities and Federalism in Nigeria” (1991)90 *African Affairs* 237, 238.

¹⁹ Ladipo Adamolekun, “Introduction: Federalism in Nigeria” (1991)21 *Publius: The Journal of Federalism* 1, 7.

²⁰ Sam Egite Oyovbaire, “Structural Changes and Political Processes in Nigeria” (1983)82 *African Affairs* 3, 6.

²¹ Kalu Ezera *Constitutional Development in Nigeria* (2nd edition CUP, London 1964) 9; B. O. Nwabueze, *Ideas and Facts in Constitution Making* (Spectrum Books Limited, Ibadan 1993) 221; Lord Milverton, ‘Nigeria’ (1948) 47 *African Affairs* 80, 81; Federal Ministry of Information (n8).

To these primary ethnic divisions, religion brought further elements of immense diversity. Islam came to Northern Nigeria some thousand years ago and today, Muslims account for about 70 per cent of the population of the North. Within the Middle-Belt, Christianity and African traditional religion competed for space. In the South-West, the population was fairly evenly divided between Islam and Christianity while in the South-East and South-South, the ratio was approximately 90 per cent Christians and 10 per cent animists.²²

Two points stand out clearly from the foregoing brief examination of pre-colonial Nigeria: first, pre-colonial Nigeria comprised ethnically, culturally and historically disparate groups that existed independently of each other. The matter has been well stated by Nwabueze:

The Nigerian society, on the other hand, is peculiarly plural not only because of the vast number of the different social groups comprised within it — about 300 or more — and the large number of different languages, religions, and traditional occupations but more importantly because the differences in attitude, outlook, character and way of life of the component groups are so deep and fundamental as to make them different peoples. . . . In terms of attitude, outlook, character and way of life, the Hausa/Fulani, Yoruba, Igbo and other Nigerian tribes are probably more different from each other than the English are from the Germans or the French from the Italians.²³

Secondly, pre-colonial Nigerian society was deeply divided and fragmented along ethnic and religious lines.²⁴ Although Choudhry has observed that the test of a 'divided society' does not lie merely in the heterogeneity of its population but in the salience of ethnic, cultural, linguistic, and religious differences, there is no doubt that the Nigerian society was defined along these lines.²⁵ The ethnocultural cleavages inherent in pre-colonial Nigerian society were so deep-rooted that they could not be blurred by the interactions, contacts and trading relationships that obviously existed amongst them.

Sir James Robertson (Governor-General of Nigeria 1955-1960) recalled how during his tenure, the Premier of Northern Nigeria had made it clear to him that he did not wish to replace expatriate officials working in Northern Nigeria with officials of Southern Nigeria origin and would, rather retain expatriate officials until northerners were available. The Governor-General summed up the salience of the deep ethnic, cultural and religious cleavages in the Nigerian society:

The second difficulty I had was the tribal jealousy, rivalries among all sorts of tribes but mostly between Northerners and Southerners. The Northerners despised the Southerners and had very little in common with them. I said at one stage that I thought that a Northerner from Sokoto was far more different from a Southerner from Ibo land than a Sicilian would be a Shetland Islander, because there was nothing to link them at all. We in this country (and the Sicilians) have religion, Graeco-Roman civilization and all that behind unifying ideas and cultures. But there was nothing

unifying these people at all except the boundary which the British had built around Nigeria.²⁶

It was these disparate ethnic groups that the British imperial power through a staggered process which commenced effectively on August 6, 1861 with the execution of the Treaty of Cession of Lagos, subjugated, conquered and forcefully brought together to form a single political entity with the amalgamation of the Protectorate of Northern Nigeria and the Colony and Protectorate of Southern Nigeria on January 1, 1914.²⁷ To be sure, the amalgamation itself which was recommended to the Colonial Office by the Niger Committee headed by Lord Selborne (1898) was conceived and executed by Britain without any input from the ethnic groups directly affected by it.

The overriding consideration for the amalgamation of the two blocks of Nigeria as far as Britain was concerned, was the administrative convenience of using "funds available from the richer 'South' to offset the adverse financial standing of the less prosperous 'North' and so reduce fiscal dependence on scarce imperial grants-in-aid."²⁸ This view is supported by Lord Lugard's Amalgamation Report which shows that the North, prior to amalgamation was dependent on grants from Britain "which in the year before amalgamation stood at £136,000, and had averaged £314,500 for the 11 years ending March, 1912."²⁹

It is very instructive to point out that although the amalgamation of 1914 remains indisputably the most historic event in Nigeria's colonial history, it has continued to elicit resentments from its diverse peoples who perceived it as an imposition by British imperial power.³⁰ To the Northerners, the amalgamation remains "the mistake of 1914."³¹ Prof. Ango Abdullahi, leader of the Northern Elders Forum (NEF) restated the northern position when he noted that the amalgamation of Nigeria in 1914 "was a fundamental mistake" and that "the question of a likely disintegration is not a too distant feature."³²

To the Ijaws (Izons) of the Niger delta, their membership of the Nigerian State as a result of the amalgamation was an "involuntary journey"³³ that has robbed them of their sovereignty. Even Obafemi Awolowo, one of Nigeria's foremost federalists, could not spare the Nigerian State erected on the amalgamation project which he described aptly as an "abominable, disrupting and divisive British heritage."³⁴

²⁶ Cited in A.H.M. Kirk-Greene, *Africa in the Colonial Period: The Transfer of Power, The Colonial Administrator in the age of Decolonization*, Proceedings of a Symposium held at St. Anthony's College, Oxford, 15-16 March, 1978 (University of Oxford Inter-Faculty Committee for African Studies, 1979) 39-40, 51.

²⁷ See the Nigeria Protectorate Order-in-Council, 1913.

²⁸ Tekena N. Tamuno, "Nigerian Federalism in Historical Perspective" in Kunle Amuwo, Adigun Agbaje, Rotimi Suberu, et al, *Federalism and Political Restructuring in Nigeria* (Spectrum Books Limited, Ibadan 1998) 13, 15.

²⁹ F. D. Lugard, "Report on the amalgamation of Northern and Southern Nigeria, and administration 1912-1919" (Cmd. 468 London 1920) para. 7.

³⁰ Sir Bernard Bourdillon and Richmond Palmer, "Nigerian Constitutional Proposals" (1945) *African Affairs* 120, 123-4.

³¹ Tamuno (n8) 565; see also Sir Ahmadu Bello, *My Life: The Autobiography of Sir Ahmadu Bello* (Cambridge University Press, Cambridge 1962) 133.

³² Cited in Is'haq Modibbo Kawu, "The 1914 myth and de-legitimisation of Nigeria" *Vanguard* (Lagos May 17, 2012) <http://www.vanguardngr.com/2012/05/the-1914-myth-and-de-legitimisation-of-nigeria/> accessed April 19, 2017.

³³ Ijaw National Congress (INC), *The Ijaws, the Niger Delta and the Nigerian State*, (University of Port Harcourt Press, Port Harcourt 2006) 7.

³⁴ Awolowo (n16) 69.

²² Federal Ministry of Information (n12).

²³ Nwabueze (n21) 221.

²⁴ Eghosa E. Osaghae, "Federalism and Management of Diversity in Africa" (2004) 5 *Identity, Culture and Politics* 162, 167.

²⁵ Sujit Choudhry, "Bridging comparative politics and comparative constitutional law: constitutional design in divided societies" in Sujit Choudhry (ed), *Constitutional Design for Divided Societies: Integration or Accommodation?* (OUP, Oxford 2008) 3, 4-5.

The result is that the amalgamation of 1914 is perceived by Nigerians as having brought into one country “nations and peoples who had no reason to think of themselves as members of a common society.”³⁵ Thus, the country has remained largely a gathering of ethnic groups forcefully brought together by Britain without any unifying force. The resentment of the peoples of Nigeria against the amalgamation of 1914 clearly justifies Lord Milverton’s assertion that “it is only the accident of British suzerainty which has made Nigeria one country.”³⁶

Clearly, the ethnocultural diversity of the peoples of Nigeria and the artificiality of the state itself have interplayed to produce a strong sense of ethnic consciousness and identity amongst the peoples of Nigeria. Put differently, in Nigeria, as in other parts of sub-Saharan Africa, subnational citizenship or citizenship at the ethnic group level provides a stronger bond of identity than national citizenship.³⁷ Generally, therefore, loyalties are owed primarily to the ethnic groups or the administrative regions encompassing them, rather than the artificial entity called the “State.”

However, the degree of ethnic allegiance to these groups may depend on the perception of the state by members of the diverse ethnic groups. For instance, where the state is perceived as oppressive, unjust or discriminatory by members of a particular ethnic group, ethnic loyalty may override national loyalty.³⁸ Although the reverse may also be true, it seems clearly that in almost “any analysis of contemporary African society, ethnic affiliation is an important independent variable.”³⁹

The provenance of ethnicity in Nigeria – the familial attachment of a person to his ethnic group which is manifested in a sense of allegiance or loyalty to the group – was recognized by the Constitution Drafting Committee (1976) which noted in its report that as a “general rule every Nigerian owes or is expected to owe some loyalty to his community and/or sub-community.”⁴⁰ Although the Committee equally noted that it was desirable that ethnic loyalty “ought not to be allowed to inhibit or detract from national loyalty, that is to say loyalty to the Nigerian State”,⁴¹ the persistence of ethnicity in ethnically-plural Nigeria is too obvious to be disputed.⁴² As

Glolabo Ogunsanwo, a public analyst, puts it, rather unapologetically:

Shorn of our hypocrisy, what we have are Yoruba-Nigerians, Hausa-Nigerians, Fulani-Nigerians, Igbo-Nigerians and so on. We all proclaim loyalty to Nigeria publicly but behind our closed doors, our first loyalty is to our various tribes.⁴³

A survey carried out in Northern Nigeria about 1967 suggested that 74 percent of the respondents aged 17 years agreed that a person’s loyalty “should be to his region, rather than to his country.”⁴⁴ And much later in 2000, a survey of public opinion involving a random sample of 3,603 respondents found that ethnic identity was the strongest form of identity among Nigerians. The survey revealed that “almost half of all Nigerians (48.2 percent) chose to label themselves with an ethnic identity, compared to almost one third (28.4 percent) who opted for class identity.”⁴⁵

Although another 21.0 percent of the sample opted for a religious identity, the survey did not suggest that a sense of national identity was totally lacking. On the contrary, it was found that 97.2 percent of the respondents agreed that “they were proud to call themselves Nigerians” although “they felt just as strongly about this national identity as about their sub-national group identity.”⁴⁶

Given that there are several perspectives on ethnicity including the primordialist⁴⁷ and instrumentalist,⁴⁸ this paper finds the constructivist approach most relevant for our present purposes because of its emphasis on the inextricable nexus between colonialism and the prevalence of ethnicity. According to the constructivists, the persistence of ethnicity in much of Africa was caused by colonial rule. Colonialism not only entrenched ethnic consciousness through “divide and rule” policy but also encouraged fierce competition among ethnic groups for access to limited socio-economic resources.⁴⁹

The experience of Nigeria under colonial rule would appear to lend considerable credence to the constructivist school of thought. For example, the British colonial policy of maintaining separate administrations in Northern and Southern Nigeria in spite of the amalgamation of both protectorates in 1914 encouraged the development of strong Northern and Southern

³⁵ B. R. Rubin and J. B. Asuni, ‘Transition, a new opportunity to transform Nigeria’s numerous conflicts’ in M. Mekenkamp et al. (eds), *Searching for Peace in Africa: An overview of Conflict Prevention and Management Activities* (European Platform for Conflict Prevention and Transformation/ African Centre for the Constructive Resolution of Disputes, Utrecht 1999)332.

³⁶ Lord Milverton, “Nigeria” (1948) 47 *African Affairs* 80, 81.

³⁷ John Boye Ejobowah, “Who owns the oil? The politics of ethnicity in the Niger delta of Nigeria” (2000) 47 *Africa Today* 28, 32.

³⁸ Martin Doornbos, “The African state in academic debate: Retrospect and prospect” (1990) 28 *Journal of Modern African Studies* 179, 193.

³⁹ Robert M. Price, “The pattern of ethnicity in Ghana: A research note” (1973) 11 *Journal of African Studies* 470; another writer thinks that it is a ‘dependent variable, rather than as a primordial political force in the new nation’ see Richard L. Sklar, ‘Political science and national integration – A radical approach’ (1967) 5 *Journal of Modern African Studies* 1, 6.

⁴⁰ Federal Republic of Nigeria, *Report of the Constitution Drafting Committee containing the Draft Constitution, Volume 1* (Federal Ministry of Information, Lagos 1976) viii.

⁴¹ Report of Constitution Drafting Committee (n40) viii.

⁴² The term ‘ethnicity’ is also used to define the behaviour of members of ethnic groups within the larger political community or the employment of ethnic identity to secure advantage or promote cooperation, collaboration or conflict. See Ukoha Ukiwo, “The study of ethnicity in Nigeria” (2005) 33 *Adjord Development Studies* 7, 8; Eghosa E. Osaghae, *Structural Adjustment and Ethnicity in Nigeria* (Nordic African Institute, Uppsala 1995) 11; Joshua A. Fishman, “Language, ethnicity and racism” in Joshua

A. Fishman et al (eds), *The Rise and Fall of the Ethnic Revival* (Mouton Publishers, Berlin 1985) 3, 4.

⁴³ *The Comet* (July 23, 2000) 11.

⁴⁴ Times Monthly Supplement (New York, March 1967) reporting a survey of 600 northern Nigerians, cited in Donald L. Horowitz, *Ethnic Groups in Conflict* (University of California Press, Berkeley 1985) 6-7.

⁴⁵ Peter Lewis and Michael Bratton, “Attitudes to democracy and markets in Nigeria” *Afrobarometer Paper No. 3* (The Institute for Democracy in South Africa Cape Town, April 2000) 24-25.

⁴⁶ Lewis and Bratton (n45) 25.

⁴⁷ Horowitz (n44) 59-60; Peter P. Ekeh, “Social anthropology and two contrasting uses of tribalism in Africa” (1990) 32 *Comparative Studies in Society and History* 660, 677-682; Martin Doornbos, “The African state in academic debate: Retrospect and prospect” (1990) 28 *Journal of Modern African Studies* 179, 193.

⁴⁸ Eghosa E. Osaghae, “From accommodation to self-determination: Minority nationalism and the restructuring of the Nigerian state” (2001) 7 *Nationalism and Ethnic Politics* 1, 4; John Coakley, “Comparing ethnic conflicts: Common patterns, shared challenges” (2009) 15 *Nationalism and Ethnic Politics* 261, 265; Andreas Wimmer, “Who owns the state? Understanding ethnic conflicts in post-colonial societies” (1997) 3 *Nations and Nationalism* 631.

⁴⁹ Donald Rothchild, “Ethnic bargaining and state breakdown in Africa” (1995) 1 *Nationalism and Ethnic Politics* 54, 56; Okwudibia Nnoli, *Ethnic Politics in Nigeria* (Fourth Dimension Publishers, Enugu 1978) 22.

identities in Nigeria.⁵⁰ The point has been well made by Ballard that:

The maintenance of separate staffs for the different groups of provinces, reinforced by the North's insistence on posting as Residents only officers raised in the local tradition and speaking Hausa, meant that the Northern and Southern administrations were kept in water-tight compartments with no possibility of developing a broad Nigerian outlook.⁵¹

Similarly, the practice prevalent in Northern Nigeria and supported by the colonial government of restricting Southerners living and doing business in the North to *Sabon Gari* (strangers' quarters) where they were designated "native foreigners" encouraged localism, thus making "the North inward-looking and suspicious of the outsider, especially if he came from the South."⁵² There is also indication that the alleged inflation of 1950-1953 census figures by British colonial administrators in order to "ensure that political power in the country remained with northern politicians who were regarded as more favourably disposed towards them"⁵³ contributed to the mutual mistrust and antagonism between northern and southern Nigeria.

Furthermore, although the 1922 Constitution commonly referred to as the 'Clifford Constitution'⁵⁴ established the Legislative Council of Nigeria for the whole Colony and Protectorate of Nigeria, the legislative authority of the Council was confined to Southern Nigeria because the governor continued to exercise legislative authority in Northern Nigeria.⁵⁵ Whilst the rationale for restricting the jurisdiction of the Council to Southern Nigeria was not apparent from the constitutive instruments, it would appear that it was not unconnected with the antagonistic attitude of Northerners toward Southerners which was tacitly approved of by the Colonial office.

According to Bourdillon, the Northern Emirs were not interested in having representation on the Council because they "were only concerned to manage their own affairs without interference from the South."⁵⁶ The Governor-general of the Colony and Protectorate of Nigeria, Sir Frederick Lugard, had in his own defence of this distinctly isolationist policy argued that it "would be manifestly unjust to place the Mohammedan Emirates of the North and the mining interests on the Bauchi plateau under a Council sitting on the Coast."⁵⁷

It is very clear from the foregoing that British colonial rule in Nigeria not only deepened but also gave very forceful expression to the ethnocultural diversity and divisions inherent in the Nigerian society. The Colonial Office did not make any efforts to unite the North with the South. On the contrary, every of its policies was designed not only to give overt recognition to the divisions between the two blocks of Nigeria but also to promote them.

The polarization of the Nigerian society along ethnic lines has been accentuated by the fear of domination amongst the ethnic groups and this by far, remains the major pathology of Nigeria's federal experiment. Southern Nigeria feared that the North has enormous political leverage because of its land mass and demographic superiority. The North, on its part, was deeply apprehensive of the economic and educational advancement attained by the South which it feared could be deployed to dominate the central government under any unitary arrangement. The North therefore, according to the Secretary of State for the Colonies, Alan Lennox Boyd (1954-59), "fears and dislikes the more educated Southerners and if they were not economically bound to the Federation would be glad to be quit of it."⁵⁸ Thus, the fear of southern domination became "the major stimulant of the northern awakening."⁵⁹

The fear of Northern domination by the Igbo was also not hidden. In reaction to the 1966 pogrom in which over 20,000 of their kinsmen were killed in Northern Nigeria, the Igbo, through the Eastern Nigeria delegation to the Ad hoc Conference on Constitutional Proposals for Nigeria 1966, advocated for a union of four autonomous regions and a weak centre as a way of diminishing northern domination.⁶⁰ The Yoruba were not only apprehensive of Hausa/ Fulani domination but were also deeply concerned about the domineering influence of the aggressively enterprising Igbo ethnic group. Birch has, therefore, rightly concluded that it was "the feeling that a two-state federation of Southern Nigeria would also be dominated by the politically ambitious easterners" that encouraged the Yoruba political leaders to accept "the idea of a federation of three states, hoping to ensure that the powers of the central government would be fairly restricted."⁶¹

Caught in between the intrigues and rivalries among Nigeria's three majority ethnic groups were the numerous minority groups both in the Northern and Southern regions including the Niger Delta ethnic minorities who specifically alleged domination by the majority groups at regional levels and, therefore feared that the attainment of political independence from the British rule would herald a new form of internal colonialism by the three dominant ethnic groups.⁶²

The fear of domination is still pervasive in present-day Nigeria as seen in the bitterness being expressed in some regions over lop-sided appointments into key offices and agencies in the government of the federation and in the skewed creation of states and local government councils. Presently, all the major security agencies in the country are headed by officers from Northern Nigeria.⁶³ Of the existing 36 States in Nigeria, 19 States were carved out of the defunct

⁵⁸Secretary of State for the Colonies, "Memorandum on Nigeria's Constitutional Conference (1957-1958) and Background to the Willink Commission" C. (58) 171, 31st July 1958, paragraph 7.

⁵⁹James S. Coleman, *Nigeria: Background to Nationalism* (University of California Press, Berkeley 1958) 363.

⁶⁰Memorandum Submitted by the Delegations to the Ad hoc Conference on Constitutional Proposals for Nigeria (Nigerian National Press Limited, Apapa 1967) 124-131; Henry E. Hale, "Divided we stand: Institutional sources of ethnofederal state survival and collapse" (2004) *56 World Politics* 165, 188.

⁶¹A.H. Birch, "Approaches to the study of federalism" (1966) *XIV Political Studies* 15, 24.

⁶²Secretary of State for the Colonies (n58) para. 9; Kimse Okoko, 'Restructuring Nigeria: Position of the Ijaw nation' *The Guardian* (Lagos, Tuesday, February 22, 2005) 118.

⁶³Femi Fani-Kayode, "The Seven-Fold Yoke and the Cabal that Own Nigeria" *Vanguard* (April 12, 2017)< <http://www.vanguardngr.com/2017/04/seven-fold-yoke-and-the-cabal-that-own-nigeria> >accessed June 20, 2017.

⁵⁰Jide Osuntokun, "Historical background of Nigerian federalism" in A.B. Akinyemi *et al* (eds.), *Readings on Federalism* (Nigerian Institute of International Affairs, Lagos 1979) 91, 93-95.

⁵¹J.A. Ballard, "Administrative Origins of Nigerian Federalism" (1971) *70 African Affairs* 333, 347.

⁵²A.E. Afigbo, *Federal Character: Its Meaning and History* (RADA Publishing Company, Owerri 1986) 3.

⁵³S. A. Aluko, "How many Nigerians? An analysis of Nigeria's census problems" (1965) *3 Journal of Modern African Studies* 371, 376.

⁵⁴Nigeria (Legislative Council) Order-in-Council 1922.

⁵⁵Nigeria (Legislative Council) Order-in-Council 1922, Art. 23; Nigeria Protectorate Order-in-Council 1922, Art. 9.

⁵⁶Bernard Bourdillon, 'The Nigerian Constitution' (1946) *45 African Affairs* 87, 89.

⁵⁷See Extraordinary Gazette, No.17 (January 1, 1914) 48.

Northern region alone whilst the remaining 17 States were created from the defunct Eastern, Western and Mid-Western regions thus giving northern Nigeria overt political dominance over Southern Nigeria. Northern Nigeria also has 405 local government councils out of the existing 774 local government councils leaving the South with 369 local government councils.

In a federation where the federating states including local government councils are largely dependent on the federal government for fiscal transfers through the revenue allocation system, the more states and local government councils are allocated to the dominant northern region, the more access that region secures to federally-distributable oil revenue. Thus, the current 19 states and 405 local government councils created out of the defunct Northern Region have served more as conduits for sharing oil revenue and far less as genuine and economically viable political units. The dominance of the Northern Nigeria in Nigeria's federal arrangement no doubt informs the reference to that region by leading northerners as the "almighty north."⁶⁴

The fear of domination has been heightened by hyper-centralization of power and resources. The concentration of power and resources in the federal government has turned it into the most powerful level of government in the federation with unquestionable capacity to over-run the constituent units. For instance, sixteen (16) out of the twenty-eight (28) items contained in the concurrent legislative lists under the 1960 and 1963 Constitutions representing about 57 per cent of concurrent items are now exclusive to the federal government under the 1999 Constitution. These items include arms, ammunitions and explosives; bankruptcy and insolvency, census, commercial and industrial monopolies, combines and trusts; labour, Prisons, drugs and poisons, promotion of tourist traffic, registration of business names; and traffic on federal roads.⁶⁵

Furthermore, given the inextricable link between legislative and executive powers, it is clear that the assignment of sixty-eight legislative items to the federal government under the 1999 Constitution implies that the power to raise and spend money on these items of legislation is also vested in the federal government. Thus, all productive tax sources such as customs and excise duties, Companies income tax, value added tax, petroleum profit tax, royalties, licences, and fees are centralized both in terms of jurisdiction to levy and to collect.⁶⁶ The only federal taxes which are collected and retained by state governments are capital gains tax and stamp duties while value added tax is collected and retained jointly by both levels of government.⁶⁷

Although under the existing revenue allocation formula, funds standing in the credit of the Federation Account are shared amongst the three levels of government, the formula allocates to the federal government an overwhelmingly large proportion of federally-collected revenue to the detriment of lower level governments whose internally generated revenue

are far too insufficient to meet even a reasonable portion of their recurrent expenditures.⁶⁸ The result, therefore, is that many states of the federation are not fiscally viable and face the risk of collapse without federal transfers. This point is thrown into relief by the fact that over 80 per cent of the annual budgets of state government are financed directly from statutory allocations and other inter-governmental transfers from the federal government including the recently introduced Budget Support Facility (BSF) which is a conditional loan programme designed to achieve amongst other things payment of staff salaries by state governments.

The vesting of ownership and control of natural resources, including oil and gas and solid minerals in the federal government under section 44(3) of the extant 1999 Constitution also implies that states of the federations with rich natural resource endowments are precluded from participating in the exploration, exploitation and management of these resources. The result is that oil-producing states in the Niger Delta region are barred from formulating policies and legal framework for natural resource extraction in ways that would maximize benefits to local populations without compromising environmental standards and safety.

The effect of the current hyper-centralization of power and resources is that any ethnic group that controls the apparatus of government at the federal level is able to dominate others in terms of redistribution of federally-generated wealth. Given that the structure of the federal government gives a decided advantage to Nigeria's three majority ethnic groups, particularly the Hausa/Fulani and Yoruba, these two ethnic groups have effectively manipulated federal power to their own advantage and to the detriment of other groups including the oil-producing ethnic minorities of the Niger Delta region. Considering that Nigerian politics is all about securing access to oil wealth from the Niger Delta, centralization has enabled the bulk of the oil wealth produced from the Niger delta to be "captured by the federal state and distributed to the so-called "ethnic majorities" in the politically dominant northern and western states."⁶⁹

Ethnic domination is also evident in the arbitrary and discriminatory manner in which the Hausa/Fulani and Yoruba ethnic groups have granted oil rights in the Niger Delta to their kinsmen. A recent account reveals that through the dubious process of discretionary allocation of oil blocks to indigenous oil firms, past Nigerian military leaders of northern extraction arbitrarily allocated oil blocks in the Niger Delta to their cronies, friends, family members and oil moguls from Northern Nigeria.⁷⁰ According to the former chairman, Senate Committee on Rules and Business, Senator Ita Enang, the result of this gross

⁶⁴Senator Dalhatu Sarki Tafida, former Nigerian High Commissioner to the UK and former Senate Majority leader during a live interview on Galaxy TV, Lagos on Sunday, June 18, 2017 described northern Nigeria as the "almighty north."

⁶⁵ See Item nos. 2, 3, 4, 6, 12, 16, 17, 20 and 24 in the concurrent legislative list in Part II of the Schedule to the 1963 Constitution and identical item nos. 2, 5, 8, 10, 21, 34, 43, 48, 60(d), and 63 in the Exclusive legislative list, Part I of the Second Schedule to the 1999 Constitution.

⁶⁶ See item nos. 16 and 25 of the exclusive legislative list; Taxes and Levies (Approved List for Collection) Act No. 21, 1998.

⁶⁷ Adeleke Salami, 'Taxation, revenue allocation and fiscal federalism in Nigeria: Issues, challenges and policy options' (2011) LVI Economic Annals 27, 29-30.

⁶⁸ See Ike Abony, 'ACN seeks Review of Sharing Formula' *ThisDayLive* (Lagos 16 June 2011) <<http://www.thisdayonline.com>> accessed 16 November 2016; Under the existing formula, federal government is allocated 52.68 per cent; States 26.72 per cent and local Government Councils 20 per cent respectively.

⁶⁹Michael Watts, "Crude Politics: Life and Death on the Nigerian Oil Fields" Niger Delta Economies of Violence Working Paper No. 25 (Institute of International Studies University of California Berkeley USA, 2009)18.<http://oldweb.geog.berkeley.edu/ProjectsResource/ND%20Website/NigerDelta/WP/Watts_25.pdf>accessed 07 December, 2016.

⁷⁰ Donald Ojogo, 'How north cornered Nigeria's oil blocks: north, south-south in battle royale over oil' *Nigerian Tribune* (Ibadan March 9, 2012)<<http://tribune.com.ng/index.php/-friday-edition-how-north-cornered-nigeria-s-oil-blocks-north-south-south-in-battle-royale-over-oil>>accessed May 7, 2017.

abuse of federal power is that “eighty-three per cent of all present oil blocks are held by northerners.”⁷¹

Unarguably, the spectre of ethnic domination has produced a rising tide of resentment against the Nigerian State by members of various ethnic groups including the Igbo which is the third largest group in the federation. As various ethnic groups within the polity begin to perceive the State as a symbol of domination structured to favour one group against the other, separatism becomes attractive as a mark of overt disloyalty towards the State. One therefore, agrees with Falae that the fundamental problem with Nigeria is that it is an unjust and distorted federation which has been manipulated to favour one section against the other. “There is no way,” declares Falae, “such an unjust arrangement can endure or generate peace and stability.”⁷²

A further perspective on separatism has been offered by Acting President of Nigeria, Professor Yemi Osinbajo, who attributes the upsurge in separatist agitations in the federation to the failure of the state to create an inclusive society that guarantees the protection of lives and properties and the provision of basic amenities. As the deprivation in the land which cuts across social classes deepens, citizens turn to their ethnic groups for succour thus giving their grievances ethnic expression.⁷³ As the Acting President puts it:

The right to a decent existence, to education, healthcare or jobs must not depend on how loudly my ethnic or religious group agitates; no, these are my rights as a citizen of Nigeria. It is the failure of the State to deliver on these essentials of life and livelihood that compels our people to run to their tribal and religious camps to seek succour by way of agitation for basic rights and services.⁷⁴

The argument that ethnic agitations are fuelled by grievances by individual members of ethnic groups which are merely presented as group-based discontentment with the State appears to ignore the fact that in Nigeria’s ethnically fragmented society, political leaders more often than not engage in activities which are intended to advance the interests of their ethnic groups based not only on the conviction that such activities would pacify their group members but also due to fear that failure to act may attract the disapproval of group members. In such instance, the mass public clearly provides the psychological fuel for ethnic agitations.⁷⁵ In Nigeria, junior military officers of northern extraction were known to have pressurized senior Northern military officers to stage the counter *coup d’état* of July 1966 as revenge against the Igbo officers’ orchestrated coup of January 1966.⁷⁶

⁷¹ Oluwole Josiah, “Northerners hold 83 per cent of oil blocks-senator” *Punch* (Nigeria March 7, 2013) <<http://www.punchng.com/news/northerners-hold-83-per-cent-of-oil-blocks-senator/>> accessed March 7, 2017;

⁷² Hakeem Gbadamosi, “Anyone who thinks Nigeria can stick together is either a fool or an enemy of the country-Falae” *Nigerian Tribune* (June 25, 2017) <<http://tribuneonline.com/anyone-who-thinks-nigeria-can-stick-together-is-either-a-fool-or-an-enemy-of-the-country>> accessed June 25, 2017.

⁷³ Johnbosco Agbakwuru, “Absence of inclusive society responsible for agitations—Osinbajo” *Vanguard* (June 12, 2017) <<http://www.vanguardngr.com/2017/06/absence-of-inclusive-society-responsible-for-agitations-osinbajo>> accessed 14 June, 2017.

⁷⁴ Agbakwuru (n73).

⁷⁵ John McGarry, ‘Explaining ethnonationalism: The flaws in western thinking’ (1995) 1 *Nationalism and Ethnic Politics* 121, 134.

⁷⁶ Ukoha Ukiwo, ‘The study of ethnicity in Nigeria’ (2005) 33 *Oxford Development Studies* 7, 13.

SEPARATIST AGITATIONS IN HISTORICAL CONTEXT

The threats by Nigeria’s ethnic nationalities to go their separate ways have been a recurring feature of the country’s political history. These threats first emerged during the formative years of the federation and have not abated ever since. Sometimes, separatist threats have been employed by political leaders of various ethnic groups as a tool of political negotiation to extract favourable concessions from other ethnic groups.

For instance, the series of negotiations that took place amongst representatives of various ethnic groups during the constitutional conferences organized by the British Colonial Office were almost aborted by separatist tendencies exhibited by most of the delegations. The Northern delegation had taken the firm and irreversible position during the General Conference on the Review of the 1946 Constitution held at Ibadan in 1950 that unless the North was allotted 50 per cent of the seats in the proposed House of Representatives (equal to the representation of Western and Eastern regions combined) in accordance with its preponderant population, it would seek “separation from the rest of Nigeria on the arrangements existing before 1914.”⁷⁷ The Southern delegation was initially opposed to this demand until the Legislative Council members from Eastern Region capitulated in order to save the country from disintegration.⁷⁸ According to Ezera, the decision taken by the eastern members in the Legislative Council to withdraw their opposition to the demand of the north for parity of representation in the legislature with the two southern provinces saved the country from disintegration.⁷⁹

The Yoruba had also threatened to opt out of the proposed federation of Nigeria if the decision of the British colonialists to constitute Lagos the Federal Capital Territory of Nigeria was not reversed. This threat was promptly countered by the Colonial Office which treated it as equivalent to a threat of the use of force.⁸⁰

To complete the circle of separatist agitations by Nigeria’s three dominant ethnic groups, the Igbo, had following the 1966 pogrom agitated for the restructuring of the federation.⁸¹ However, sensing that their call for restructuring the federation would fail, but determined to terminate the perceived Hausa/Fulani domination, the Igbo made a failed secessionist attempt to declare an independent Republic of Biafra in July 1967 thus plunging the federation into the Nigeria-Biafra Civil War of 1967-70 which became the first war of secession fought in the country.

The ethnic minorities of the Niger Delta region in south-south Nigeria had before the collapse of Nigeria’s first republic also joined the majority ethnic groups in pursuing secessionist goals. The first recorded history of such resistance in post-independent Nigeria was the “twelve-day revolution” carried out by Isaac Jasper Adaka Boro, an Ijaw from the Niger Delta region, who led members of the Niger Delta Volunteer Force (NDVF) in a failed attempt to secede from Nigeria by declaring an independent “Niger Delta Peoples Republic” on February

⁷⁷ Proceedings of the General Conference on Review of the Constitution held at Ibadan (Government Printers, Lagos 1950) 218.

⁷⁸ Ezera (n21) 123.

⁷⁹ Ezera (n21) 123.

⁸⁰ Secretary of State for the Colonies (n58); Tamuno (n8) 570.

⁸¹ Memorandum Submitted by the Delegations to the Ad hoc Conference (n60) 124-31.

23, 1966, forty days after the first military coup of January 15, 1966.⁸²

The revolution was driven by the quest for resource ownership by the Niger Delta ethnic minorities who feared that they would be marginalized in the exploration and governance of the vast hydrocarbon deposits in the region by the government of Eastern Region dominated by the Igbo ethnic majority and the central government headed by General Aguiyi-Ironsi, an Igbo.⁸³ This fear led the rebels to issue an order nullifying all existing oil contracts and directing oil companies operating in the region to negotiate directly with them.⁸⁴

Although the revolution was crushed by federal troops exactly 12 days after it was launched, it marked the first organized violent campaign by the ethnic minorities of the Niger Delta against exploitation and neglect by the Nigerian State. It is arguable that the failed rebellion implanted the spirit of resistance in the Niger delta region which was nurtured until the mass mobilization of the 1990s. Clearly, all subsequent resistance movements in the region have drawn inspiration from Adaka Boro's twelve-day revolution.⁸⁵

The incursion of the military into governance in Nigeria (from January 15, 1966-October 1979; December 31, 1983-August 27, 1993; and November 17, 1993- May 28, 1999) with its undemocratic tendencies and anti-human rights posture meant that all forms of rebellion and separatist agitation by ethnic groups were outlawed. Perhaps, the only time the unity of the country was visibly threatened by separatist threats during military rule was the annulment of June 12, 1993 presidential election which was supposedly won by a Yoruba politician, M. K. O. Abiola. The annulment of the result of the said election by Nigeria's self-styled military president, Ibrahim Babaginda, on June 23, 1993 ignited protests and civil disorder from mostly south-west Nigeria.⁸⁶ Thus, the period of military rule witnessed a drastic reduction in separatist activities across the federation.

The return to democratic rule on May 29, 1999 has witnessed a resurgence in separatist agitations. The tone for this phase of separatist movements was set in the Niger Delta region following the militarization of the agitations for resource control. Several militant groups emerged in the region under different commanders all purporting to pursue the resource control agenda.⁸⁷ Many of the militant groups had threatened at one time or the other to secede from Nigeria by declaring an independent Niger Delta Peoples' Republic. For instance, in 2016 the Adaka Boro Avengers issued a three-month notice to declare the independent Republic of Niger Delta on August 1,

2016.⁸⁸ However, the Avengers were to issue a statement later cancelling the planned declaration of secession on the ground that some prominent leaders from the region including former president Goodluck Jonathan, had intervened to abort the declaration.⁸⁹

There is also evidence of post-1999 secessionist threat by the Yoruba. Sometime in 2015, following incessant murderous attacks on several Yoruba farming communities by some Fulani herdsmen and the abduction of a prominent Yoruba politician, Olu Falae, by the same Fulani herdsmen, notable Yoruba leaders rising from an emergency summit held at Ibadan, issued a secessionist threat that the Yoruba would be reviewing their status in the Nigerian federation. According to the Yoruba leaders, since Nigeria's federal arrangement could no longer guarantee them security of lives and properties, they were left with no option than to seek political independence for the Yoruba.⁹⁰

Perhaps, the most ferocious post-1999 separatist campaign has been launched by two Igbo grass root-based groups, namely the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) and the Indigenous Peoples of Biafra (IPOB). Both groups which are led by separate leaders, have constantly campaigned for the declaration of the sovereign "State of Biafra" thus clearly making them secessionist groups.

The central goal of both groups is that the 5 core Igbo States in South-East Nigeria should secede from the Federal Republic of Nigeria and form an independent sovereign state of Biafra. By pursuing this mandate, the groups seek to resurrect the ghost of the Biafra Republic first declared by Col. Ojukwu in 1967 that led to the Nigeria/Biafra Civil War.⁹¹ The groups have carried out several pro-Biafra rallies in major cities in South-East Nigeria to sensitize the Igbos on the Biafra project in addition to running a pro-Biafra radio station.⁹²

It would appear that the major grievance of the pro-Biafra agitators is that the Igbos have not been re-integrated into the Nigerian State since the end of the Nigeria-Biafra Civil War and that their homeland, South-East Nigeria, has been subjected to perennial neglect and abysmal marginalization by the Nigerian State in terms of federal appointments, social infrastructure and economic development.

While the perennial neglect of south-east Nigeria by the federal government cannot be seriously contested, it is important to point out that this is not peculiar to the south-east geopolitical zone. The south-south geopolitical zone suffers from similar neglect in spite of her enormous contributions to the economic development and survival of the country.

The North has also recently manifested separatist tendencies. A coalition of Northern Youth Groups, in apparent

⁸² Isaac Adaka Boro and Tony Tebekaemi, *The twelve-day Revolution* (Idodo-Umeh Publishers, 1982).

⁸³ Cyril I. Obi, "Oil extraction, dispossession, resistance, and conflict in Nigeria's oil-rich Niger delta" (2010) *30 Canadian Journal of Development Studies* 219, 225-226.

⁸⁴ International Crisis Group, "The swamps of insurgency: Nigeria's Delta unrest" Crisis Group Africa Report No. 115 (Dakar, August 3, 2006)1, 2-<<http://www.crisisgroup.org/en/regions/africa/swamps-of-insurgency-nigerias-Delta-unrest.aspx>> accessed February 15, 2017.

⁸⁵ One of the major militant movements in the Delta led by Asari-Dokubo is named after Boro's NDVF.

⁸⁶ OluGbemiga Samuel Afolabi, "Nigeria: Ethnic Conflict in Multinational West Africa" in Joseph R. Rudolph (ed), *Encyclopaedia of Modern Ethnic Conflicts* (2nd edition, ABC-CLIO 2016) 517, 519.

⁸⁷ For a full account of militant activities in the Niger delta see, Michael Peel, *A Swamp full of Dollars: Pipelines and Paramilitaries at Nigeria's oil frontier* (Lawrence Mill Books Chicago, 2009);

⁸⁸ Emmanuel Addeh, "Military on high Alert as Militants Declare N'Delta Republic Today" *ThisDay* (August 1,

2016)<<https://www.thisdaylive.com/index.php/2016/08/military-on-high-alert-as-militants-declare-n-delta-today>> accessed June 22, 2017.

⁸⁹ John Owen Nwachukwu, "Why we cancelled declaration of Niger Delta Republic-Adaka Boro Avengers" *Daily Post* (August 1, 2016)<http://dailypost.ng/2016/08/01/why-we-cancelled-declaration-of-niger-delta-republic-adaka-boro-avenger/> accessed June 22, 2017.

⁹⁰ Ola Ajayi and Henry Umoru, "Fulani Invasion: Yoruba leaders threaten secession" *Vanguard* (October 9, 2015) <<http://www.vanguardngr.com/2015/10/fulani-invasion-yoruba-leaders-threaten-secession/>> accessed June 22, 2017.

⁹¹ BBC News Africa, "Biafran leader Nnamdi Kanu—The man behind Nigeria's separatists" (5 May, 2017)< <http://www.bbc.com/news/world-africa-397931857>> accessed June 20, 2017.

⁹² Rallies have also been carried out by the groups in Port Harcourt, South-South Nigeria which is geographically outside the proposed Biafra.

response to the activities of MASSOB and IPOB recently issued the “Kaduna Declaration” wherein they purportedly gave a “quit notice” to all Igbos currently resident in Northern Nigeria to quit on or before October 1, 2017.

The grounds for this unprovoked declaration of war on the Igbo were that the northerners were seeking their independence and freedom from the Igbo whom they described as “barbaric, uncultured, criminals and breakers of law.” They further declared that the north was no longer disposed to co-exist with the Igbos and shall take definite steps to end the partnership by pulling out of the current federal arrangement.⁹³ The northern (Arewa) youths have followed up the “quit notice” with a letter written to the Acting President, Yemi Osinbajo, persuading him to allow the Igbo to secede and have their Biafra Republic through universally “entrenched democratic options.”⁹⁴

There are indications that the Northern Elders Forum (NEF) through the statement issued by its spokesperson, Professor Ango Adullahi, is backing the northern youths’ quit notice issued to the Igbos living in the north. Indeed the co-convenor of the coalition of northern youth groups and leader of Arewa Consultative Youths Forum, Shettima Yerima, had recently boasted that he had the support of northern elders in issuing the quit notice to the Igbo.⁹⁵

The secessionist threats became aggravated when a coalition of youth organizations in southern Nigeria under the aegis of the Southern Nigeria Youths Coalition (SNYC) in apparent response to the isolationist posturing by the Arewa youths called upon the United Nations to conduct a referendum to determine the future of the country. To demonstrate their seriousness, the southern youths warned that “. . . if any section of the southern part of Nigeria is forcefully excised through the ongoing aggression being perpetuated by the Hausa-Fulani oligarchy”, the rest of the country should be “rest assured that every other constituent part of the southern region will also go their way.”⁹⁶

Apparently jolted by the above fast unfolding dangerous drama, the Acting President, Yemi Osinbajo, held meeting with governors of the 36 States at the end of which the nation was re-assured of the commitment of the federal and state governments to the protection of the sovereignty and indivisibility of the federation. Whether this fresh assurance will

halt the drift toward disintegration of the country is left to be seen in the days ahead.

THE SEARCH FOR STABILITY

There appears to be no misgiving about the fact that the future of Nigeria can only be assured if opportunity is granted to representatives of the diverse ethnocultural groups to discuss the future of the country and negotiate the terms on which the various ethnic groups will continue to co-exist as members of the same political entity. As one observer puts it:

The only long-term solution in Nigeria to the crisis that arise in a multi-ethnic state is for the various parties however many they may be, to sit down and negotiate how they want to govern themselves and how they want to share their resources, and to decide whether they ultimately want to live together. Until they begin that process of internal reconciliation, at best Nigeria will lurch from crisis to crisis. At worst it will fall apart.⁹⁷

Since the attainment of political independence in 1960, several constitutional conferences had taken place to fashion out a durable and sustainable political system for the country that will engender unity in diversity. It would be recalled that before the outbreak of the Nigeria-Biafra civil war, the General Gowon military junta had convoked the Ad hoc Conference on Constitutional Proposals for Nigeria with a view to aborting the drift towards instability and disintegration. Although several proposals were tabled before the delegates, the conference ended abruptly without achieving anything because of news of renewed killings in parts of the country.⁹⁸

The General Babangida military administration had set up its own Political Bureau sometime in 1986 which was charged with the responsibilities, amongst others, to review Nigeria’s political history, identify the basic problems which had led to the failure of the state in the past and suggest ways of resolving and coping with the problems. Some of the major recommendations of the Bureau included the rejection of the zoning principle in election to the office of president, unicameral legislature and creation of additional states. The Report submitted by the Bureau in 1987 led to the inauguration of a Constitution Review Committee and a Constituent Assembly. The works of these bodies produced the ill-fated Constitution of the Federal Republic of Nigeria, 1989 which never came into operation.⁹⁹

In furtherance of its efforts to return the country to democratic rule, the Abacha-led federal military government also inaugurated a constitutional conference in 1994. The Report of that conference called for a return to true federalism with “equitable distribution of political and economic powers between the centre and the component units.”¹⁰⁰ On February 21, 2005 former president Obasanjo inaugurated the National Political Reform Conference with the mandate to design the most appropriate and relevant institutional mechanism for managing Nigeria’s diversity.

Some of the major recommendations of the conference included rotational presidency amongst the six geopolitical

⁹³ Juliet Oyoyo, Ejikeme Omenazu, and Emmanuel Nzomiwu, “Northern Youths Give Igbos October 1 Deadline to Quit Region” *Independent* (June 7, 2017) <<http://independent.ng/northern-youths-give-igbos-october-1-deadline-to-quit-region>> accessed June 20, 2017.

⁹⁴ “Northern Youths write Osinbajo, beg him to allow Igbo go with Biafra” *Vanguard* (June 19, 2017) <<http://www.vanguardngr.com/2017/06/northern-youths-wite-osinbajo-beg-him-to-allow-igbo-go-with-biafra>> accessed June 22, 2017.

⁹⁵ “Igbo Quit Notice: Northern Elders Forum backs Arewa youth group” *Premium Times* (June 9, 2017) <<http://www.premiumtimesng.com/news/northern-elders-forum-backs-arewa-youth-group.html>> accessed June 12, 2017; Bayo Akinloye, “Igbo quit notice: I have the support of my elders, Yerima replies Falana” *Punch* (June 25, 2017) <<http://punchng.com/igbo-quit-notice-i-have-the-support-of-my-elders-yerima-replies-falana/>> accessed June 25, 2017; but the governor of Kaduna State, Malam El-Rufai, has ordered the arrest of the northern youths who issued the quit notice, see “El-Rufai Orders Arrest of Northern Youths Over ‘Quit Notice’ to Igbos” *Channels Television* (June 7, 2017) <<http://www.channelstv.com/2017/06/07/el-rufai-orders-arrest-of-northern-youths-over-quit-notice-to-igbos>> accessed June 12, 2017.

⁹⁶ Shola Oyeyipo, “Southern Youths Threaten Mass Secession, Call for Urgent Referendum” *This Day* (June 22, 2017) <<http://www.thisdaylive.com/index.php/2017/06-southern-youths-threaten-mass-secession-call-for-urgen-referendum/>> accessed June 22, 2017.

⁹⁷ Karl Maier, *This House has fallen* (Penguin Books London, 2000) xxviii

⁹⁸ Memorandum Submitted by the Delegations to the Ad hoc Conference on Constitutional Proposals for Nigeria (n59).

⁹⁹ Nigeria Political Bureau, *Report of the Political Bureau 1987* (Directorate for Social Mobilization, 1987).

¹⁰⁰ Federal Republic of Nigeria, *Report of the Constitutional Conference Containing Resolutions and Recommendations, Vol. II* (Nigerian Government Printer, Lagos 1995) 61.

zones of the country to give every zone a sense of belonging and the devolution of power from the federal to state governments by the transfer of certain items on the exclusive legislative list to the concurrent legislative list to enable states participate in those spheres of activity. However, the report of the conference was overshadowed by the general perception that the entire conference was designed to guarantee the president a third-term in office contrary to the extant constitutional prescription.

Perhaps, the most recent effort in the search for a stable polity in Nigeria was the convocation of the National Constitutional Conference in 2014. The Conference was inaugurated by former President Jonathan on March 21, 2014 "to engage in intense introspection about the political and socio-economic challenges confronting our nation and to chart the best and most acceptable way for the resolution of such challenges in the collective interest of all the constituent parts of our fatherland."¹⁰¹ The National Conference submitted its report in which it made far-reaching recommendations. For instance, on the question of protection of ethnic minorities against domination, it recommended that all executive and strategic positions in all tiers of government rotate among all the zones or states or ethnic nations making up Nigeria or senatorial districts or local governments making up a state or wards making up a local government in order to attain equity and justice for all constituent units.¹⁰²

With respect to the question of resource control by the oil-producing states or ethnic groups which has proved very divisive in the federation, the conference recommended that mines and minerals, including oil fields, oil mining and geological surveys and natural gas should continue to be retained as legislative items on the exclusive legislative list provided that the governments of states where the mining activities take place shall be involved in matters relating thereto and that the federal government shall create a special fund for the development of mines and minerals in states where such resources are undeveloped.¹⁰³

Dealing with the vexed question of Nigeria's federal practice, the conference recommended the retention of federalism with States as the federating units but without prejudice to the rights of states within a region that wish to merge to do so in accordance with constitutional prescriptions. The Conference ruled out a return to regionalism as a solution to Nigeria's national question but agreed that any group of states may create a self-funding zonal commission to promote economic development, good governance, equity, peace and security in accordance with the provisions of the extant Constitution of the Federal Republic of Nigeria, 1999.¹⁰⁴ Dealing with fiscal federalism, the Conference recommended a reduction in the allocation of resources to the federal government and an increased allocation to states from the federation account in order to achieve some measure of fiscal balance between the two levels of government.

The Conference also recommended the inclusion of the Nigerian Charter for National Reconciliation and Integration in the constitution aimed at encouraging inclusiveness and the need to build a fully integrated nation. The conference expressed concern that since the post-independence political

upheavals which terminated the terms of nationhood entered into by the nation's founding fathers, "the diverse ethnic nationalities of Nigeria have never had ample opportunities to formally express their consent to co-exist as one nation."

Therefore, without prejudice to the resolve of Nigerians to live in unity and harmony as one indivisible and indissoluble sovereign nation under God, the Conference recommended the recognition of the right to self-determination by the States as federating units and that such rights be extended to ethnic nationalities within the States. Accordingly, minority groups that wish to exist as separate states and meet the criteria for state creation shall be allowed to do so under the instrumentality of relevant laws and procedures as part of their right to internal self-determination.¹⁰⁵

It is clear from the foregoing that since the attainment of political independence in 1960, Nigerians have had opportunities of discussing the future of the federation in various constitutional conferences but the problem has basically been the lack of political will to implement the recommendations of these conferences. With specific reference to the recommendations of the 2014 National Constitutional Conference, calls for its implementation have come mostly from southern Nigeria. Curiously, the core northern Nigeria, which is the biggest beneficiary of Nigeria's current centralized federal system, appears at best indifferent and at worse averse to its implementation and this in spite of the fact that the conference itself was headed by the Justice Kutigi, former Chief Justice of Nigeria, who hails from the north and that virtually all the recommendations of the conference were arrived at by consensus.

Indeed, northern delegates to the 2014 national conference under the aegis of the Northern Delegates Forum had issued a communique questioning the legal validity of the report of the conference and calling on members of the National Assembly not to rely or act on the report.¹⁰⁶ More worrisome is the fact that President Buhari has also been quoted as reportedly saying that he wanted the report of the 2014 national conference to go into the archives where it belonged.¹⁰⁷

THE WAY FORWARD

The search for stability in Nigeria must start from the conscious recognition that Nigeria's federalism has failed to serve the dreams of its Founding Fathers and requires to be reinvented to secure the interest of all constituent units of the federation. Clearly, since the end of federalism may vary from one society to another, it follows that the form of federalism in any given polity may depend on the peculiar political and socio-economic problems it is designed to solve.

In other words, since federalism is a goal-oriented "pragmatic, prudential technique,"¹⁰⁸ designed as a solution to specific problems, the form of federalism should reflect its underlying goals because any lack of correspondence between the set goals of federalism and its actual practice may

¹⁰⁵ Report of National Constitutional Conference (n102) 294, 344.

¹⁰⁶ Saawua Terzungwe, "Northern delegates reject Jonathan's confab report" *Daily Trust* (April 13, 2017) <https://www.dailytrust.com.ng/northern-delegates-reject-jonathans-confab-report/193367.htm/> >accessed June 27, 2017

¹⁰⁷ Henry Umoru & Levinus Nwabughioqu, "Buhari: Confab report is for the archives" *Vanguard* (June 4, 2016) <http://www.vanguardngr.com/2016/06/buhari-confab-report-is-for-the-archives/> >accessed June 27, 2017.

¹⁰⁸ Watts (n15)116.

¹⁰¹ "Photonews: President Jonathan Inaugurates National Conference" Sahara Reporters (March 17, 2014) <http://saharareporters.com/2014/03/17/photonews-president-jonathan-inaugurates-national-conference/> >accessed June 25, 2017.

¹⁰² See Report of National Constitutional Conference (2014) 121.

¹⁰³ Report of National Constitutional Conference (n102) 138.

¹⁰⁴ Report of National Constitutional Conference (n102) 277-279.

jeopardize its stability. Nigeria's federalism, therefore, must be seen as a pragmatic and flexible system capable of responding to challenges. As Auclair states it:

Federalism is much more than a system of government. It is also a process of ongoing negotiations, an art of resolving conflicts, an approach based on compromise and co-operation... That flexibility is one of the greatest advantages of federalism... To satisfy all parties, the federal structure must first and foremost be flexible and reflect the particularities of its constituent groups or regions.¹⁰⁹

The point being made here is that federalism is not a static system of government. On the contrary, it is dynamic and ought to respond to the demands of the society it is designed to serve. Indeed, it has been likened to a "molten wax ready to receive impression."¹¹⁰ Arguably, this has to be so if federalism is to remain useful as an arrangement for finding solutions to the problems of integrating and accommodating diverse identities within a single country. The dynamic nature of federalism ensures that as new challenges are created by the diverse forces in society, new responses are developed by the system to meet such challenges.

It must also be stated that the essence of federalism does not lie merely in securing self-rule and shared-rule within the same polity because these goals could as well be attained in a unitary state through the creation of subnational units to which powers are devolved by the national government. Therefore, the essence of federalism lies in a higher goal which is its capacity to prevent the concentration of power at one centre with the inherent danger of abuse, through its dispersal to two independent and autonomous levels of government, each of which is endowed with constitutionally guaranteed existence. In this way, a true federal government guarantees the protection of all interests including those of ethnic and national minorities.¹¹¹

It follows from the foregoing that the re-invention of Nigeria's federalism must address its core value or underlying principles and identify ways of achieving them. In this respect, it is now taken as given that the mutual fear of domination among Nigeria's disparate ethnic groups produced by the deep diversity of history, culture and language and the marked differences in populations and levels of economic, educational and social advancement and the resolve to eschew the marginalisation of one ethnic group by another constituted the primary stimulant for Nigeria's federalism. Put differently, the federal system in Nigeria was "intended to provide a guarantee that no one tribe could easily dominate the rest."¹¹² Nixon had correctly stated the inextricable nexus between the fear of domination and the evolution of Nigeria's federalism:

One of the underlying premises of the Nigerian thought had been that the condition of association in the federal system was that no region would gain domination over the others, and no region need suffer domination from

another. This fear of domination had been the primary consideration in the shaping of the federal system...¹¹³

Thus, the elimination of ethnic domination amongst the disparate groups not only represents the core value of our federalism but also the panacea for its stability. This explains why Nigerians have consistently maintained their opposition against all forms of ethnic domination and insisted on a federation founded on the equality of all its constituent units and ethnic groups. This is clear from the Report of the Presidential Committee on the Review of the 1999 Constitution which stated the matter aptly:

One of the dominant issues which featured in a large number of the submissions and representations is the preferred political structure for Nigeria... It was emphasized in virtually all submissions on this question that the desired Nigerian federation should be a voluntary union (not a forced entity or unity) *where no section or unit should be dominated by the others, nor should any unit dominate the central apparatus.*¹¹⁴

Related to the question of ethnic domination was the need to encourage each region to develop at its own pace in accordance with its natural resource endowment and fiscal capacity. Given the mutual fear of ethnic domination, the dream of the Founding Fathers of Nigeria's federalism was that the system would enable each region to drive its own development process without being hamstrung by the central government. This second underlying principle of Nigeria's federal arrangement was captured by Governor Richard when he noted that:

The problem of Nigeria today is how to create a political system which is itself a present advance—a system within which the diverse elements may progress at varying speeds, amicably and smoothly, towards a more closely integrated economic, social and political unity, without sacrificing the principles and ideals inherent in their divergent ways of life.¹¹⁵

A development process driven by the resource and economic endowments of each constituent unit would engender co-operation, collaboration and interdependence amongst the constituent units and thereby strengthen the unity of the country as against a centre-driven development strategy that leaves all the constituent units dependent on the centre but economically separated from each other. As the Secretary of State for the Colonies puts it: "One of the great advantages of encouraging the regions to develop each along its own characteristic lines will be that by that very process the unity of Nigeria will be strengthened."¹¹⁶

This paper has already demonstrated that the present structure of Nigeria's Federation and the balance of power between the centre and the federating states undermine the

¹⁰⁹ Celine Auclair, "Federalism: its principles, flexibility and limitations" (2005) 5 (No.A-1) Forum of Federation 1, 5 > available @ www.forumfed.org> accessed June 27, 2017.

¹¹⁰ Harry N.S. Scheiber, "Re-defining the architecture of federalism—An American tradition: Modern devolution policies in perspectives" (1996) 14 *Yale L. & Pol'y Rev.* 227.

¹¹¹ James Madison, "The federalist No. 51" in Benjamin Fletcher Wright (ed.), *The Federalist* (Harvard University Press, Cambridge Massachusetts 1966) 355, 357.

¹¹² Walter Schwarz, *Nigeria* (Pall Mall Press, London 1968) 15.

¹¹³ Charles R. Nixon, "Self-Determination: The Nigeria/Biafra Case" (1972) 24 *World Politics* 473, 479.

¹¹⁴ Federal Republic of Nigeria, *Report of the Presidential Committee on the Review of the 1999 Constitution, Volume 1, Main Report* (Federal Ministry of Information and National Orientation, Abuja February 2011) paras. 3.1,3.2.

¹¹⁵ Secretary of State for the Colonies, "Despatch from the Governor of Nigeria to the Secretary of State for the Colonies" (Cmd.6599 London, 1945) para.3.

¹¹⁶ Nigeria, No. 464A, Official Despatch from the Colonial Office dated July 15, 1950.

underlying principles of our federalism and thus threatens its stability. Not surprisingly, calls for the restructuring of the federation have inundated the landscape of Nigeria although there appears to be no agreement as to the meaning of the term “restructuring” or the precise form of the restructuring being contemplated. According to the National Chairman of the ruling All Progressives Congress (APC), John Oyegun, contrary to the general belief that the APC-led federal government promised political restructuring as part of its campaign manifesto, the party only promised the enthronement of true federalism thus suggesting that restructuring and true federalism are not coterminous.¹¹⁷

Will restructuring involve the scrapping of the existing 36 states structure and a return to the 4 regional structure during Nigeria’s First Republic or the establishment of a federation with six federating regions based on the existing 6 geopolitical zones?¹¹⁸ Some have advocated for the restructuring of the federation in a manner that guarantees greater expenditure responsibilities and fiscal resources to the existing 36 federating states.¹¹⁹ For others, political restructuring in Nigeria “should provide the opportunity for a new form of federalism in which each of the states should have a constitution which must be consistent with the national constitution and legal order.”¹²⁰ Restructuring is also perceived in terms of a decentralized police system that will enable states to respond more effectively and proactively to security challenges in modern-day Nigeria as was the case under the Independent and Republican Constitutions.¹²¹

The Ogoni want a restructured Federation of Nigeria that guarantees them political autonomy to participate in the affairs of Nigeria as a distinct and separate political unit including the right to control their political affairs, the right to control and use a fair proportion of Ogoni economic resources for Ogoni development and the right to protect the Ogoni environment and ecology from further degradation.¹²² The Ijaw are advocating for a restructured Nigeria that establishes “a truly federal system where the component federating units own and control their resources and pay appropriate taxes to the centre.”¹²³ The Yoruba are also united in demanding for restructuring to reflect “true federalism and promote regional and national development.”¹²⁴

It is submitted that the solution to the problem of separatism in Nigeria lies in re-establishing her federalism in line with its core value and underlying principles. Put differently, the only sustainable form of federal arrangement for Nigeria is that which eliminates ethnic domination and

strengthens the capacities of the federating states to develop at their varying speeds as dictated by their resource endowments and fiscal capacities. This will require de-concentrating power at the centre and devolving more power to the constituent units to enable them serve as effective and functional units of government to provide meaningful self-rule to meet the legitimate expectations and demands of their citizenry.

Devolution of power to the constituent states will also engender growth and development at regional levels since each constituent unit will be able to design and drive its own development programme according to its fiscal capacities and comparative advantage without being dependent on the centre. A devolved federal arrangement will make the centre less attractive by strengthening the federating units and enhancing their capacities to engage the centre collaboratively and co-operatively and thereby engender unity in diversity.

In order to drive the devolutionary process, the current scheme of distribution of power between the federal and state governments needs to be re-drawn. First, some of the legislative items that were re-centralized under the 1999 Constitution such as labour, prisons, drugs and poisons, promotion of tourist traffic; and registration of business names should be devolved on the federating states to enhance self-rule.

Secondly, the federal balance maintained under the 1954, 1960 and 1963 Constitutions which enabled regional governments to participate actively in economic activities should be restored and enshrined in the extant 1999 Constitution. For instance, under the 1960 and 1963 Constitutions, while the federal legislature had power to make laws with respect to banks and banking, that power did not preclude any regional legislature from establishing an authority for the purpose of carrying on the business of banking in Nigeria or elsewhere subject to and in accordance with any Act of Parliament relating to banks and banking.¹²⁵

In the same vein, although s. 79(1) of the 1963 Constitution vested parliament with power to make laws for Nigeria or any part thereof with respect to electricity or gas, that grant of power did not authorise parliament by virtue of s.79 (2) (a) (b) of the self-same Constitution to prohibit or restrict the establishment by or on behalf of the government of a Region of an agency for the manufacture, distribution or supply of electricity or gas in the Region.

With respect to trade and commerce, s. 77 of the 1963 Constitution recognised the right of regional governments to establish regional commodity boards or purchasing authorities under relevant regional laws to engage in buying and processing of agricultural commodities for export. The active participation of Regional governments in these economic activities stimulated growth at regional levels and lessened not only the dependence of regional governments on the centre but also reduced the acrimonious competition amongst the diverse ethnic groups to capture control of the central government.

Thirdly, a decentralized system of natural resource ownership and governance founded on shared competences between the federal and state governments is recommended in preference to the current centralized system of natural resource ownership and governance. To be sure, the phrase ‘shared competences’ is used herein to “describe a situation in

¹¹⁷ Tony Akowe, “We promised true federalism, not restructuring- Oyegun”

The Nation (June 29, 2017)<<http://thenationonline.ng.net/promised-true-federalism-not-restructuring-oyegun/>> accessed June 30, 2017.

¹¹⁸ See generally, Emmanuel Aziken, Clifford Ndujihe, Dapo Akinrefon, et al., “Nigeria: what is restructuring?” *Vanguard* (June 30, 2017)<<http://www.vanguardngr.com/2017/06/nigeria-what-is-restructuring/>>accessed June 30, 2017.

¹¹⁹ Aziken, Ndujihe and Akinrefon (n118).

¹²⁰ Osarhieme Benson Osadolor, “The Development of the Federal Idea and the Federal Framework, 1914-1960” in Amuwo, Agbaje, Suberu et al. (n29) 34, 46.

¹²¹ Charles Abah, “Restructuring Nigeria is no secession, ex UN-envoy tells FG” *Punch* (September 2, 2016)<<http://punchng.com/restructuring-nigeria-no-secession-ex-un-envoy-tells-fg/>>accessed June 27, 2017.

¹²² Ogoni Bill of Rights (n7) clauses (i)-vii).

¹²³ Ijaw National Congress *The Ijaws, the Niger Delta and the Nigerian State* (University of Port Harcourt Press, 2006) 43.

¹²⁴ Ademola Babalola, “Again Yoruba Leaders Adamant on Nigeria’s Restructuring” *This Day* (June 30, 2017)<<https://www.thisdaylive.com/index.php/2017/06/again-yoruba-leaders-adamant-on-restructuring/>>accessed June 05, 2017.

¹²⁵ 1960 Constitution, s. 72(1), (2); 1963 Constitution, s. 78(1), (2).

which both levels of government are assigned sub-aspects within the same policy fields.”¹²⁶

Thus, the proposal rests on the principle of joint participation of the federal and state governments in resource ownership and governance as a means of protecting and preserving national and regional interests in natural resources. This will require the federal government devolving ownership rights over onshore natural resources to the federating states while retaining its legislative competence over mines and minerals, including oil fields, oil mining, geological surveys and natural gas so that the ownership rights devolved on states would be exercisable within the framework prescribed by federal legislation.

It is submitted that since every region of the federation is endowed with one natural resource or the other, devolution of resource ownership, rather than cause tension or instability amongst the constituent units would encourage robust economic activities across regions of the federation, stimulate independent economic initiatives at state levels, engender competition and collaboration among states, and reduce the overwhelming dominance of the federal government as the sole driver of economic activities.¹²⁷ The interaction of these factors would strengthen, rather than weaken the federation.

It is important to note that the Raisman's Fiscal Commission appointed by the colonial government based on the recommendations of the Nigeria Constitutional Conference 1957 to examine the division of powers to levy taxes and the system of allocation of revenue between the levels of government¹²⁸ had recommended that:

Whenever a profit sharing arrangement is negotiated in Nigeria between the Federal Government and an oil company, the Federal Government should consider the desirability of associating other governments within the Federation as parties to it.¹²⁹

The recommendation of the said conference which has been ignored by successive governments in Nigeria is consistent with the practice of resource federalism across classical and newer federations including United States of America, Canada, Argentina, India, Pakistan and Ethiopia which recognises and accommodates regional interests in natural resource ownership and governance.¹³⁰ Thus in most federations, natural resource ownership and governance are treated as

national and regional concern, rather than matters within exclusive national competence. Multi-ethnic federations like India, Pakistan and Ethiopia which have experienced the tensions between centrifugal and centripetal forces inherent in ethnic diversity, have employed resource federalism to address and resolve conflicting national and regional interests in natural resources and thereby achieve national cohesion and stability.

It is important to stress that devolution of power from the federal government to states as herein proposed would require constitutional amendments. This is because in a federation operating a written constitution such as Nigeria, power can only be devolved from federal government to state governments through constitutional amendment, rather than ordinary legislation. The rationale for this procedure is simple: given that the constitution is the source of all governmental power in a federation, the cession of any part of such power by the central government to the state governments can only be achieved through the constitution and not by means of an Act of the legislature.

This position is supported by the devolution practice in the United States of America, Pakistan and Canada. For instance, in the US, alcohol prohibition was originally within federal sphere of influence by virtue of the Eighteenth Amendment to the US Constitution. However, this legislative item was later devolved to the federating states through the repeal of the Eighteenth Amendment by the Twenty-first Amendment to the Constitution.

In Pakistan, the joint and equal vesting in the provincial and federal governments of mineral oils and natural gas within provincial boundaries or the territorial waters adjacent thereto by section 172(3) of the Pakistan Constitution 1973 (as amended) was introduced by means of the Eighteenth Amendment to the Pakistan Constitution. Finally, the “resource amendment” which granted provincial governments in Canada power to manage and tax natural resources within provincial boundaries was introduced by the Constitution Act 1982 by way of a new section 92A to the Constitution Act 1867.

CONCLUDING REMARKS

The unity and stability of the Federation of Nigeria are visibly threatened by mounting separatist agitations. For most keen observers of Nigeria's ethnic politics, the prediction that the country would not survive the 2015 presidential election was about to be fulfilled unless concerted efforts were made by the political leaders to avert the drift toward anarchy and disintegration.

As the research has shown, the problem with Nigeria is not necessarily her ethnocultural heterogeneity or divisive colonial experience but one of an unjust and discriminatory federal system that has been manipulated to favour one ethnic group at the expense of the others. Although her federal system was deliberately designed by the founding fathers to eliminate ethnic domination and encourage the constituent units to develop at varying speeds, years of military rule had done incalculable damage to these twin pillars of Nigeria's federalism by entrenching an unjust and hyper-centralized federal structure that facilitates ethnic domination and subjugates the constituent states to the fiscal dominance of the centre.

In this way, control of political power at the centre by any one ethnic group gives it dominance over other groups thereby turning the federal government into a veritable tool of ethnic domination. As Olu Falae, a perceptive Yoruba political leader,

¹²⁶ Nicole Bolleyer and Lori Thorlakson, ‘Beyond decentralization: The comparative study of interdependence in federal system’ (2012) 42 *Publius: The Journal of Federalism* 566,571.

¹²⁷ According to the Ministry of Mines and Steel Development, there are 34 types of solid minerals in Nigeria found in more than 450 locations all over the 36 states of the federation and the federal capital territory; See Ministry of Mines and Steel Development, ‘*The Solid Minerals Sector: Our 34 types of minerals*’ <http://www.mmsd.gov.ng/solid_minerals_sector/34_minerals.asp> accessed 28 May 2017.

¹²⁸ Secretary of State for the Colonies, “Report by the Nigeria Constitutional Conference” (Cmnd, 207 H. M. S. O., London 1957) para 57.

¹²⁹ Secretary of State for the Colonies, “Nigeria: Report of the Fiscal Commissioner” (Cmnd 481, H. M. S. O., London 1958) para. 115..

¹³⁰ Constitution (Eighteenth Amendment) Act 2010 which amends Articles 161 and 172 of the Pakistan Constitution 1973; Katharine Adeney, “A step towards inclusive federalism in Pakistan? The politics of the 18th amendment” (2012) 42 *Publius: The Journal of Federalism* 539, 544; Articles 294-295 of the Constitution of India 1949; Articles 51(5) and 52 (2) (d) of the Constitution of the Federal Democratic Republic of Ethiopia 1994; section 92A of the Constitution Act 1867 (Canada); Article 124 of the Constitution of Argentina 1994.

recently observed, no lover of Nigeria would expect her to survive in its present form.¹³¹

Nigeria's overbearing federal government which groans under the perpetual control of the Hausa/Fulani ethnic group poses the greatest threat to the stability of the federal system as the quest by other disadvantaged ethnic groups for greater space remains a constant source of tension and inter-ethnic rivalries. Given that Nigeria's multi-ethnic federation represents an institutional protest against ethnic domination, the current federal structure that entrenches ethnic domination questions the very foundation and essence of the federal state.

It is the position of this paper that national cohesion cannot be achieved through over-centralization of power and resources. Peoples of distinct ethnic groups cannot be forced to see themselves as one people merely by having a strong central government that represents and champions the interest of one dominant ethnic group. Indeed it seems idle to expect that tribal loyalty can be completely suppressed in a deeply fragmented society like Nigeria merely by adopting a centre-dominated federal system.

The spate of separatist agitations may continue unless Nigeria's federalism is re-invented to give clear expression to its core value and underlying principles. The paper has suggested devolution of power from the centre to the constituent states as a sustainable way of stemming the tide of separatism. Devolution will guarantee greater regional autonomy which underlies most of the separatist agitations and diffuse the hegemonic dominance of the central government and the acrimonious struggle amongst the ethnic groups for its control.

REFERENCES

- Abony, I., (2011), "ACN seeks Review of Sharing Formula' This DayLive (Lagos jne 16,) <<http://www.thisdayonline.com>> accessed 16 November 2016.
- Adamolekun, L., (1991), "Introduction: Federalism in Nigeria" 21 *Publius: The Journal of Federalism* 1.
- Addeh, E., (2016), "Military on high Alert as Militants Declare N' Delta Republic Today" *ThisDay* (August 1) <<https://www.thisdaylive.com/index.php/2016/08/military-on-high-alert-as-militants-declare-n-delta-today>> accessed June 22, 2017.
- Adediran, B., (1985), "The origins of Nigerian peoples" in Olaniyan, R., (ed), *Nigerian History and Culture* (Longman Group Limited, Essex) 10.
- Adeney, K., (2012), "A step towards inclusive federalism in Pakistan? The politics of the 18th amendment" 42 *Publius: The Journal of Federalism* 539.
- Afigbo, A. E., (1986), *Federal Character: Its Meaning and History* (RADA Publishing Company, Owerri).
- Afigbo, A. E., (1991), "Background to Nigerian Federalism: Federal Features in the Colonial State" 26 *Publius: The Journal of Federalism* 13.
- Afolabi, O. S., (2016), "Nigeria: Ethnic Conflict in Multinational West Africa" in Joseph R. Rudolph (ed), *Encyclopaedia of Modern Ethnic Conflicts* (2nd edition, ABC-CLIO).
- Agbakwuru, J., (2017), "Absence of inclusive society responsible for agitations-Osinbajo" *Vanguard* (June 12,) <<http://www.vanguardngr.com/2017/06/absence-of-inclusive-society-responsible-for-agitations-osinbajo>> accessed 14 June, 2017. .
- Ajayi, O., and Umoru, H., (2015), "Fulani Invasion: Yoruba leaders threaten secession" *Vanguard* (October 9) <<http://www.vanguardngr.com/2015/10/fulani-invasion-yoruba-leaders-threaten-secession>> accessed June 22, 2017.

- Akinloye, B., (2017), "Igbo quit notice: I have the support of my elders, Yerima replies Falana" *Punch* (June 25)<<http://punchng.com/igbo-quit-notice-i-have-the-support-of-my-elders-yerima-replies-falana/>> accessed June 25, 2017.
- Akowe, T., (2017), "We promised true federalism, not restructuring-Oyegun" *The Nation* (June 29) <<http://thenationonline.ng.net/promised-true-federalism-not-restructuring-oyegun/>> accessed June 30, 2017.
- Aluko, S. A., (1965), "How many Nigerians? An analysis of Nigeria's census problems" 3 *Journal of Modern African Studies* 371.
- Attorney-General Federation v Attorney-General Abia State (No.2) [2000]6 NWLR (Part 764) 542 at 640.
- Auclair, C., (2005), "Federalism: its principles, flexibility and limitations" 5 (No.A-1) *Forum of Federation* > available @ www.forumfed.org> accessed June 27, 2017.
- Awolowo, O., (1966), *Thoughts on Nigerian Constitution* (OUP, Ibadan).
- Awolowo, O., (1968), *The People's Republic* (OUP, Ibadan).
- Aziken, E., Ndujihe, C., Akinrefon, D., et al., (2017), "Nigeria: what is restructuring?" *Vanguard* (June 30) <<https://www.vanguardngr.com/2017/06/nigeria-what-is-restructuring/>> accessed June 30, 2017.
- Babalola, A., (2017), "Again Yoruba Leaders Adamant on Nigeria's Restructuring" *This Day* (June 30) <<https://www.thisdaylive.com/index.php/2017/06/again-yoruba-leaders-adamant-on-restructuring/>> accessed June 05, 2017.
- Badal, R. K., (1976), "The Rise and fall of Separatism in Southern Sudan" 75 *African Affairs* 463.
- Ballard, J. A., (1971), "Administrative Origins of Nigerian Federalism" 70 *African Affairs* 333.
- Bello, A., (1962), *My Life: The Autobiography of Sir Ahmadu Bello* (Cambridge University Press, Cambridge).
- "Biafran leader Nnamdi Kanu-The man behind Nigeria's separatists" (2017), *BBC News Africa* (5 May) <<http://www.bbc.com/news/world-africa-397931857>> accessed June 20, 2017.
- Birch, A. H. (1966), "Approaches to the study of federalism" XIV *Political Studies* 15.
- Bolleyer, N., and Thorlakson, L., (2012), "Beyond decentralization: The comparative study of interdependence in federal system" 42 *Publius: The Journal of Federalism* 566.
- Boro, I. A., and Tebekaemi, T., (1982), *The twelve-day Revolution* (Idodo-Umeh Publishers).
- Bourdillon, B., (1946), "The Nigerian Constitution" 45 *African Affairs* 87.
- Bourdillon, B., and Palmer, R., (1945), "Nigerian Constitutional Proposals" *African Affairs* 120.
- Central Intelligence Agency, (2016), "The World Fact-book" <<http://www.cia.gov/library/publications/the-world-fact-book/geos/ni.html>> accessed 25 April 2017.
- Choudhry, S., (2008), "Bridging comparative politics and comparative constitutional law: constitutional design in divided societies" in Choudhry, S., (ed), *Constitutional Design for Divided Societies: Integration or Accommodation?* (OUP, Oxford) 3.
- Coakley, J., (2007), "Comparing ethnic conflicts: Common patterns, shared challenges" 15 *Nationalism and Ethnic Politics* 261.
- Coleman, J. S., (1958), *Nigeria: Background to Nationalism* (University of California Press, Berkeley).
- Constitution (Eighteenth Amendment) Act 2010 (Pakistan).
- Constitution Act 1867 (Canada).
- Constitution of India 1949.
- Constitution of Pakistan 1973.
- Constitution of the Federal Democratic Republic of Ethiopia 1994.
- Constitution of the Federal Republic of Nigeria, 1999 (as amended).
- Constitution of the Federation 1963.
- Doornbos, M., (1990), "The African state in academic debate: Retrospect and prospect" 28 *Journal of Modern African Studies* 179.
- Dyke, V. V., (1977), "The Individual, the State, and Ethnic Communities in Political Theory" (1977)29 *World Politics* 343, 344.
- Ejibowah, J. B., (2000), "Who owns the oil? The politics of ethnicity in the Niger delta of Nigeria" 47 *Africa Today* 28.

¹³¹ Hakeem Gbadamosi, "Anyone who thinks Nigeria can stick together is either a fool or an enemy of the country-Falae" *Nigerian Tribune* (June 25, 2017)<<http://tribuneonlineng.com/anyone-who-thinks-nigeria-can-stick-together-is-either-a-fool-or-an-enemy-of-the-country>> accessed June 25, 2017.

- Ekeh, P. P., (1990), "Social anthropology and two contrasting uses of tribalism in Africa" 32 *Comparative Studies in Society and History* 660.
- "El-Rufai Orders Arrest of Northern Youths Over 'Quit Notice' to Igbo" (2017), Channels Television (June 7)
<<http://www.channelstv.com/2017/06/07/el-rufai-orders-arrest-of-northern-youths-over-quit-notice-to-igbo>> accessed June 12, 2017.
- Emerson, R., (1960), *From Empire to Nation: The Rise to Self-Assertion of Asian and African Peoples* (Harvard University Press, Cambridge) 222.
- Extraordinary Gazette, No.17 (January 1, 1914) 48.
- Ezera, K., (1964), *Constitutional Development in Nigeria* (2nd edition CUP, London)
- Fani-Kayode, F., (2017), "The Seven-Fold Yoke and the Cabal that Own Nigeria" *Vanguard* (April 12.)
<<http://www.vanguardngr.com/2017/04/seven-fold-yoke-and-the-cabal-that-own-nigeria>> accessed June 20, 2017
- Federal Ministry of Information, (2016), "Nigerian Peoples and Their Cultures"
<<http://www.fmi.gov.ng/about-nigeria/history-people/#tabs-127-0-1>> accessed 25 May, 2017.
- Federal Republic of Nigeria, (1976) Report of the Constitution Drafting Committee containing the Draft Constitution, Volume 1 (Federal Ministry of Information, Lagos).
- Federal Republic of Nigeria, (1995), Report of the Constitutional Conference Containing Resolutions and Recommendations, Vol. II (Nigerian Government Printer, Lagos).
- Federal Republic of Nigeria, (2011), Report of the Presidential Committee on the Review of the 1999 Constitution, Volume 1, Main Report (Federal Ministry of Information and National Orientation, Abuja).
- Gbadamosi, H., (2017), "Anyone who thinks Nigeria can stick together is either a fool or an enemy of the country-Falae" *Nigerian Tribune* (June 25)<<http://tribuneonlineng.com/anyone-who-thinks-nigeria-can-stick-together-is-either-a-fool-or-an-enemy-of-the-country>> accessed June 25, 2017.
- Gbadamosi, H., (2017), "Anyone who thinks Nigeria can stick together is either a fool or an enemy of the country-Falae" *Nigerian Tribune* (June 25)<<http://tribuneonlineng.com/anyone-who-thinks-nigeria-can-stick-together-is-either-a-fool-or-an-enemy-of-the-country>> accessed June 25, 2017.
- Hale, H. E., (2004), "Divided we stand: Institutional sources of ethnofederal state survival and collapse" 56 *World Politics* 165.
- Horowitz, D. L., (1985), *Ethnic Groups in Conflict* (University of California Press, Berkeley).
- "Igbo Quit Notice: Northern Elders Forum backs Arewa youth group" (2017), *Premium Times* (June 9)><http://www.premiumtimesng.com/news/northern-elders-forum-backs-arewa-youth-group.html/>> accessed June 12, 2017.
- Ijaw National Congress (2006), *The Ijaws, the Niger Delta and the Nigerian State* (University of Port Harcourt Press) 43.
- International Crisis Group, (2006), "The swamps of insurgency: Nigeria's Delta unrest" *Crisis Group Africa Report No. 115* (Dakar)
<<http://www.crisisgroup.org/en/regions/afrika/swamps-of-insurgency-nigerias-Delta-unrest.aspx>> accessed February 15, 2017
- Josiah, O., (2013), "Northerners hold 83 per cent of oil blocks-senator" *Punch* (Nigeria March 7)
<<http://www.punchng.com/news/northerners-hold-83-per-cent-of-oil-blocks-senator/>> accessed March 7, 2017.
- Kawu, I. M., (2012), "The 1914 myth and de-legitimation of Nigeria" *Vanguard* (Lagos)<<http://www.vanguardngr.com/2012/05/the-1914-myth-and-de-legitimation-of-nigeria/>> accessed April 19, 2017.
- Kirk-Greene, A. H. M., (1967), "The People of Nigeria: The Cultural Background to the Crisis" 66 *African Affairs* 3.
- Kirk-Greene, A. H. M., (1975), "The genesis of the Nigerian civil war and the theory of fear" (Research Report No. 27: The Scandinavian Institute of African Studies, Uppsala) 17.
- Kirk-Greene, A. H. M., (1979), "Africa in the Colonial Period: The Transfer of Power, The Colonial Administrator in the age of Decolonization" Being Proceedings of a Symposium held at St. Anthony's College, Oxford, 15-16 March, 1978 (University of Oxford Inter-Faculty Committee for African Studies) 39.
- Lewis, P., and Bratton, M., (2000), "Attitudes to democracy and markets in Nigeria" *Afrobarometer Paper No. 3* (The Institute for Democracy in South Africa Cape Town, April) 2
- Lugard, F. D., (1920), "Report on the amalgamation of Northern and Sothern Nigeria, and administration 1912-1919" (Cmnd. 468 London) para. 7.
- Lytleton, O., and Chandos, V., (1962), *The Memoir of Lord Chandos* (The Bodley Head, London).
- Madison, J., (1966), "The Federalist No. 51" in Benjamin Fletcher Wright (ed.), *The Federalist* (Harvard University Press, Cambridge Massachusetts) 355.
- Maier, K., (2000), *This House has fallen* (Penguin Books London).
- Mamah, E., (2017), "Enugu Police Warn IPOB against sit-at-home-order" *Vanguard* (May 24, 2017)
><http://www.vanguardngr.com/2017/05/enugu-police-warn-ipob-against-sit-at-home-order>> accessed June 01, 2017.
- McGarry, J., (1995), "Explaining ethnonationalism: The flaws in western thinking" 1 *Nationalism and Ethnic Politics* 121.
- Memorandum Submitted by the Delegations to the Ad hoc Conference on Constitutional Proposals for Nigeria (1967), (Nigerian National Press Limited, Apapa).
- Milverton, L., (1948), "Nigeria" 47 *African Affairs* 80.
- Ministry of Mines and Steel Development, 'The Solid Minerals Sector: Our 34 types of minerals'
<http://www.mmsd.gov.ng/solid_minerals_sector/34_minerals.asp> accessed 28 May 2017.
- Nigeria (Constitution) Order-in-Council 1960 (Independent Constitution).
- Nigeria (Legislative Council) Order-in-Council 1922.
- Nigeria Political Bureau, (1987), Report of the Political Bureau (Directorate for Social Mobilization).
- Nigeria Protectorate Order-in-Council 1922.
- Nigeria Protectorate Order-in-Council, 1913.
- Nixon, C. R., (1972), "Self-Determination: The Nigeria/Biafra Case" 24 *World Politics* 473.
- Nnoli, O., (1978), *Ethnic Politics in Nigeria* (Fourth Dimension Publishers, Enugu).
- "Northern Youths write Osinbajo, beg him to allow Igbo go with Biafra" (2017) *Vanguard* (June 19)
<<http://www.vanguardngr.com/2017/06/northern-youths-wite-osinbajo-beg-him-to-allow-igbo-go-with-biafra>> accessed June 22, 2017.
- Nwabueze, B. O., (1993), *Ideas and Facts in Constitution Making* (Spectrum Books Limited, Ibadan).
- Nwachukwu, J. O., (2016), "Why we cancelled declaration of Niger Delta Republic-Adaka Boro Avengers" *Daily Post* (August 1)<<http://dailypost.ng/2016/08/01/why-we-cancelled-declaration-of-niger-delta-republic-adaka-boro-avenger/>> accessed June 22, 2017.
- Obi, C. I., (2010), "Oil extraction, dispossession, resistance, and conflict in Nigeria's oil-rich Niger delta" 30 *Canadian Journal of Development Studies* 219.
- Ogoni Bill of Rights, (Presented October 1990)
<http://www.mosop.org/ogoni_bill_of_rights.html/> accessed May 20, 2017.
- Ojogo, D., (2012), "How north cornered Nigeria's oil blocks: north, south-south in battle royale over oil" *Nigerian Tribune* (Ibadan March 9)<<http://tribune.com.ng/index.php/-friday-edition-how-north-cornered-nigeria-s-oil-blocks-north-south-south-in-battle-royale-over-oil>> accessed May 7, 2017.
- Osaghae, E. E., (1991), "Ethnic Minorities and Federalism in Nigeria" 90 *African Affairs* 237.
- Osaghae, E. E., (1995), *Structural Adjustment and Ethnicity in Nigeria* (Nordic African Institute, Uppsala).
- Osaghae, E. E., (2001), "From accommodation to self-determination: Minority nationalism and the restructuring of the Nigerian state" 7 *Nationalism and Ethnic Politics* 1.
- Osaghae, E. E., (2004), "Federalism and Management of Diversity in Africa" 5 *Identity, Culture and Politics* 162.
- Osuntokun, J., (1979), "Historical background of Nigerian federalism" Akinyemi, A. B., Cole, P. D., and Ofonagoro, W., (eds.), *Readings on Federalism* (Nigerian Institute of International Affairs, Lagos) 91.
- Oyeyipo, S., (2017), "Southern Youths Threaten Mass Secession, Call for Urgent Referendum" *This Day* (June 22)

- <http://www.thisdaylive.com/index.php/2017/06-southern-youths-threaten-mass-secession-call-for-urgen-referendum/> accessed June 22, 2017.
- Oyovbaire, S. E., (1983), "Structural Changes and Political Processes in Nigeria" 82 *African Affairs* 3.
- Oyoyo, J., Omenazu, E., and Nzomiwu, E., (2017), "Northern Youths Give Igbos October 1 Deadline to Quit Region" *Independent* (June 7) <<http://independent.ng/northern-youths-give-igbos-october-1-deadline-to-quit-region>> accessed June 20, 2017.
- Peel, M., (2009), *A Swamp full of Dollars: Pipelines and Paramilitaries at Nigeria's oil frontier* (Lawrence Mill Books Chicago).
- Price, R. M., (1973), "The pattern of ethnicity in Ghana: A research note" 11 *Journal of African Studies* 470.
- Proceedings of the General Conference on Review of the Constitution held at Ibadan (1950) (Government Printers, Lagos) 218.
- Report of National Constitutional Conference (2014).
- Rothchild, D. S., (1961) "The Politics of African Separatism" 15 *Journal of International Affairs* 18.
- Rothchild, D., (1995), "Ethnic bargaining and state breakdown in Africa" 1 *Nationalism and Ethnic Politics* 54.
- Rubin, B. R., and Asuni, J. B., (1999), "Transition, a new opportunity to transform Nigeria's numerous conflicts" in M. Mekenkamp, M., et al. (eds), *Searching for Peace in Africa: An overview of Conflict Prevention and Management Activities* (European Platform for Conflict Prevention and Transformation/ African Centre for the Constructive Resolution of Disputes, Utrecht).
- Salami, A., (2011), "Taxation, revenue allocation and fiscal federalism in Nigeria: Issues, challenges and policy options" *LVI Economic Annals* 27.
- Scheiber, H. N. S., (1996), "Re-defining the architecture of federalism—An American tradition: Modern devolution policies in perspectives" 14 *Yale L. & Pol'y Rev.* 227.
- Schwarz, W., (1968), *Nigeria* (Pall Mall Press, London) 15.
- Secretary of State for the Colonies, (1945), "Despatch from the Governor of Nigeria to the Secretary of State for the Colonies" (Cmd.6599 London) para.3.
- Secretary of State for the Colonies, (1957), "Report by the Nigeria Constitutional Conference" (Cmd, 207 H. M. S. O., London) para 57.
- Secretary of State for the Colonies, (1957-1958), "Memorandum on Nigeria's Constitutional Conference."
- Secretary of State for the Colonies, (1958), "Nigeria: Report of the Fiscal Commissioner" (Cmd 481, H. M. S. O., London) para. 115.
- Sklar, R. L., (1967) "Political science and national integration – A radical approach" 5 *Journal of Modern African Studies* 1.
- Tamuno, T. N., (1970), "Separatist Agitations in Nigeria since 1914" 8 (4) *Journal of Modern African Studies* 563, 564.
- Tamuno, T. N., (1998), "Nigerian Federalism in Historical Perspective" in Amumo, K., Agbaje, A., Suberu, R., et al, *Federalism and Political Restructuring in Nigeria* (Spectrum Books Limited, Ibadan) 13.
- Tamuno. T. N., (1978), *The Evolution of the Nigerian State –The Southern Phase, 1898-1914* (Longman Group Limited, Essex).
- Taxes and Levies (Approved List for Collection) Act (No. 21) 1998.
- Terzungwe, S., (2017), "Northern delegates reject Jonathan's confab report" *Daily Trust* (April 13) <<https://www.dailytrust.com.ng/northern-delegates-reject-jonathans-confab-report/193367.htm>>accessed June 27, 2017.
- Ukiwo, U., (2005), "The study of ethnicity in Nigeria" 33 *Oxford Development Studies* 7.
- Umoru H., & Nwabughio, L., (2016), "Buhari: Confab report is for the archives" *Vanguard* (June 4) <<http://www.vanguardngr.com/2016/06/buhari-confab-report-is-for-the-archives/>>accessed June 27, 2017.
- Watts, M., (2009), "Crude Politics: Life and Death on the Nigerian Oil Fields" *Niger Delta Economies of Violence Working Paper No. 25* (Institute of International Studies University of California Berkeley USA, 18. <http://oldweb.geog.berkeley.edu/ProjectsResource/ND%20Website/NigerDelta/WP/Watts_25.pdf>accessed 07 December, 2016.
- Wimmer, A., (1997), "Who owns the state? Understanding ethnic conflicts in post-colonial societies" 3 *Nations and Nationalism* 631.
- Wood, J. R., (1981), "Separatism in India and Canada: A Comparative Overview" 42(3) *Indian Journal of Political Science* 1.
- Wright, T. P. Jr., (1974) "South African Separatist Movements" (Private), Nov.