

## NIGERIAN FEDERALISM AND THE MINORITY QUESTION: A RETROSPECTIVE EXAMINATION

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### **Abstract**

The ethnic composition of a nation determines the type of system of government, it considers appropriate for their countries. In Nigeria, federalism as a system of government is suitable for its multi-ethnic nature. The adoption of the federal system of government is predicated on the character of federalism, with the quest to protect and unite its diverse ethnic groups. This paper attempts a retrospective examination of Nigerian Federalism to examine the extent to which unity in diversity in Nigeria could achieve. The research is largely descriptive, and relies more on secondary data gathered from textbooks, journals, magazines, Newspapers and other electronic means. In view of the central theme of this paper, analytical tool is employed to examine the practice of fiscal federalism, execution of the principles of federal character in Nigerian, while conflict theory has been adopted as the theoretical framework to guide the study. The paper recommends among other things, the need to restructure Nigerian federalism, an amendment of the constitution to allow State Governments create Local Governments Authorities, respect for the constitution, rule of law, etc, and finally, implementation of fiscal federalism in Nigeria.

**Keywords:** Federalism, Principles of Federal Character, Ethnic composition, Fiscal federalism.

### **Introduction**

It is an indubitable fact that federalism remains the most viable option for managing multi-ethnic and multiracial nations. This is premised on the character of Federalism as it seeks to protect the interest of the whole, without jeopardizing the interests of the federating units. The federal idea has continued to gain more currency, as such endeared Nigerians, to adopt it in 1954, under the supervision of the colonial administration, following the Lyttleton Constitution, (Ugwu-odo, 2014:353).

Nigeria, according to Egwu, (2014), is presently, a federation with an estimated 450 ethnic groups, 36 States and Federal Capital Territory (FCT) Abuja, and 774 Local Government Areas, all under one central authority. In the words of Mboho and Effiong, (2024), ever since the adoption of federalism, Nigeria has had some contradictions and frustrations in her federation, which to some extent, are inextricably traced to ethnicity and identity politics as the minorities assumed that the major ethnic groups are marginalizing them. Succinctly put, Okoko, (1992) argues that Nigerian Federation:

*“...is a federation that has deprived the rights of the minorities. It is a federation that appropriates and expropriates the wealth of the minorities....”*

*It is a federation that now stands on its head. It is a federation that has grown so insensitive to the political and economic rights of the minorities so much that all the political calculations therein are based on the need to sustain the tripod hegemony of its three dominant ethnic groups. It is federalism that has lost its soul...".*

This paper as an academic discourse attempts to examine the minority question in Nigeria federation. It argues that colonial administration sowed the seed of majority/minority dichotomy in Nigeria, and opined further that the dominant class, who constitutes the ruling elites, employed ethnic politics and sentiments to gain political popularity as evidenced present revenue sharing formula.

### **Conceptual Clarification**

In the course of writing this paper, certain terms and concepts is frequently used, and begs for operationalization of their meanings for clarity, particularly as they are used in this paper. The terms include: "Minority", "Ethnic Group" and "Federalism".

**Minority:** Egwu (2014), Scott and Marshall (2004) conceptualized "minority" as "a group of people distinguished on the basis of race, age, sexuality, religion and language, whose members see themselves and are even seen by others as a differentiated group, relatively lacking in power constitute a minority. The underlining expression is "lacking in power". They can be influenced and overpowered, and may not be able to take and enforce decisions. There are many other factors that may influence a minority group including political power, resources, numerical strength, etc.

The issue of numerical strength is important, however, there are cases where minorities can dominate and rule over majority - examples are White South Africa and Black South African, Hausa - Fulani in pre-colonial era, the minority Tutsis over the majority Hutus in Rwanda, and so on. Be that as it may, the central features of a minority as outlined by Egwu (2014) are as follows; numerically smaller than the vast population of the State or part of the State. Another is, not in a dominant position; whose language, culture, religion, or race is distinct from the rest of the population; and whose members are citizens of a State, where they have the status of a minority. On the other hand, the major ethnic groups, according to Effiong, Kingdom and Wordu, (2018), are those with numerical strength, economic and political powers, who at most times, are classified as, the dominant ethnic groups. Examples in Nigerian federation are Hausa-Fulani, Yoruba and the Igbo. While the minority ethnic groups in Nigeria are found in all the regions, examples, Tiv, Nupe, Igala, Idoma, Ibibio/Annang-Eflk, Ikwerre, Urohobo, just to mention a few.

**Ethnic group:** This refers to people who share a common ancestry, identity, language and culture (Alubo, 2008:5). The term 'ethnic' is derived from the Greek word, 'tribe'; and with time, it has developed a contextual meaning that disrobes it of its strict Eurocentric pejorative connotation (Orngu 2014:324). Some scholars, particularly in the past, used tribe and ethnic group interchangeably. Though, it is often difficult to essentially establish any theoretical difference. For the avoidance of any ambivalence, there is hardly a strait jacket differences especially drawing from the realization that both concepts have a basic commonality in content, intent and context.

Generally, most African scholars associate tribe with colonialism. As Orngu (2014), notes that some scholars have correctly argued that the concept of tribalism, as it applies to the African socio-political milieu, has a colonial origin with respect to dictates and design of colonialism. In the mental construct of European anthropologists and Eurocentric historians of the 19th and 20th centuries, the term, tribe came to be strongly associated with the description of African societies which were prejudicially adjudged primitive, illiterate, non-industrial and mentally unviable.

**Federalism:** The concept “federalism” has so many definitions and perspectives which in most cases are borne out of social environment. As Akinyemi, Cole and Ofonagoro (1979) (eds) assert that the vitality of the federal system lies in the fact that there is no one sacrosanct federal system, but there are as many federal systems as there are Federal States in the world. Each Federal system is a product of its environment.

However, one principle common to all the federations is the preservation of unity and diversity. On his part, Wheare, (1963:10), conceptualized federalism, as the method of dividing powers so that general and regional governments are each within a sphere coordinate and independent. To him, federalism is basically a system which the units are not subordinate to the centre. He equally emphasized constitutional division of power as a condition sine qua non for federalism. Appodorai (1966) also held the same view, when he writes:

*“A Federal State is one which there is a central authority that represents the whole and acts on behalf of the whole in external affairs and in such internal affairs as are held to be of common interest, and in which there are also provincial - or state authorities with powers of legislation and administration which the state allotted to them by the constitution”.*

Raphal (1989) on the other hand, conceptualized federalism as a process of unifying power within the cluster of states and centralizing power within unified state. He went further to describe the Constitution of the United States of America, Canada, Australia and Switzerland as classical federalism. This assumption runs contrary to other federalists, who reasoned that federalism cannot be put into such a *straight-jacket* conceptual framework. As Livingstone (1952:25) emphasized, the essence of federalism lies not in the institutional or constitutional structure, but in the society itself. Federal government is a device by which the federal qualities of the society are articulated and protected. Livingstone is also credited with the notion of the spectrum of federalism thus:

*“Federalism is not an absolute, but a relative term; there is no specific point at which a society ceases to be unified and becomes diversified. The differences are of degree rather than the kind. All countries fall somewhere in a spectrum which runs., from a theoretically wholly integrated society at one extreme to a theoretically wholly diversified at the other”.*

The essence of the above notion is that is to attempt to resolve the issue of an ideal type of federalism as Wheare, Raphal and others have assumed. The other aspect of Livingstone’s argument is that federalism is a product of interaction of social, cultural and political factors. He noted that the

constitution may be a poor guide to whether a political system is federal or not. This is a departure from Wheare's view on constitution as a criterion for the practice of federalism, as Livingstone's postulations are based on the fact that a federal society necessitates the federal constitution, which is to say that it is the sociological factors that determine a federal constitution.

Tamuno (1978) on the other hand, argues that federalism is a form of government where the component units of a political organization participate in sharing powers and functions in a cooperative manner through the combined forces of ethnic pluralism and cultural diversity among others tend to pull their people apart. This definition took the centripetal and centrifugal forces into consideration. This is of course the major problem which federal states are confronted with; the issue of maintaining a balance between these forces. If the pendulum swings too much to the centripetal, then the system could be leading to confederacy, if on the other hand, (i.e. it moves towards the centrifugal), then it could lead to unitary government. Eliajwu (1978) succinctly put it thus, "Essentially, a federation is a process of bringing about a dynamic equilibrium between the centrifugal and centripetal. It entails continuous adjustments between the federal government and the governments of the component units. These adjustments could either be in the direction of further differentiation and autonomy or of integration and unity."

Federalism as a concept therefore, does not emphasize uniformity, but unity without uniformity. It is an association of states that form a new one. This new union must as a matter of fact be predicated on the need to pursue a common course, which at the same time preserves the peculiarities of the federating units. A federation is only feasible when the federating units ab-initio must have seen the need for such a union. This, therefore, suggests that the federating units must have reached a compromise on how their common interests would act as a bond between the federating units.

### **Federal Character and the Minority Question**

Most scholars on federalism, Livingstone, Eliajwu and Awa, believe that federalism is malleable enough to be adopted by any nation. In other words, every federation may fashion out ways of managing the unity in diversity or ways of sharing powers between the federating units and the inclusive government. Hence, the real essence of federalism is to seek for compromise and consensus. Nigerians also devised the Federal Principle/Federal Character as a means of handling the minority question of domination. The 1979 constitution, section 14(3) states inter alia:

*"The composition of the government of the federation or arm of its agencies and conduct of its affairs shall be carried out in such manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command National loyalty thereby ensuring that there shall be no predominance of persons from a few states or from a few ethnic or sectional groups in that government or in any of its agencies".*

The aim of the Principle of Federal Character was to make sure that all ethnic groups are represented in the federally controlled public service, and also to promote national unity and ensure

that there shall be no predominance of persons from a few states or from a few ethnic or sectional groups in government and any of its agencies. The idea of federal character no doubt is a noble one; however, suffice it to say that its current application is about sharing and not contributing. Its initial principle has been jettisoned despite the value of the federal character. There are abundant evidence to illustrate that most Federal Parastatals and Agencies do not take into consideration the federal character principles as entrenched in the 1979 constitution in their enrolment and promotion. Thus there are more people of one particularly ethnic group in the Army, Navy, Immigration, Customs, Nigerian National Petroleum Cooperation (NNPC), ambassadorial appointments, just to mention a few.

### **The Minority Question**

One major watershed in the minority question in Nigeria Federalism during the colonial era was the Henry Willinks' Commission, which was inaugurated in 1956. The Willink's Commission was constituted in response to the fears of the minority of been dominated by the major ethnic groups, and was empowered to suggest possible ways of allaying their fears. The commission however, stopped short of making recommendation for state creation, stating in its report that state creation would in fact not be a solution to the fears of the minorities, (Hyam, 2007).

Despite the agitation for creation of states in the three region, the commission rejected the call for creation of states, rather, as Abdussalam, (2014) reported, the commission recommended the institution of unified police, central prison system and the promotion of minorities to position of power in order to balance inequalities in the control of power. Thus the report in all respects offered little support to allay the fears of the minorities. From all indications, it appeared to have served the interest of the ruling class and particularly the Northern region that was against state creation.

### **An Analysis of Minority Question in Nigerian Federalism**

At this point, it is important to ask some salient questions; where there evidences to justify the fears of the minorities of been dominated by the major ethnic groups? Why were states or regions created? Put differently, was state creation a panacea to the minority question? What devices were created to address the minority questions in Nigerian federalism?

In addressing these issues, it is fundamental to state that the analytic tool adopted in this paper is the conflict theory. The emphasis of this theory is predicated on the competitive need of controlling limited resources. Thus to both the major and minor ethnic groups, what is central and common to them is their economic interest. This explains why when a new state is created, another majority emerges and the minority groups complain of marginalization and domination.

The central focus of this paper is on the minority question in Nigerian federalism. The position of the paper is that state creation may not solve the ethnic minority questions. This explains why state creation exercises has not provided the solution from 3 to 4 regions, 12 to 19, 21, and later 36 states, yet ethnic groups are complaining of marginalization, as state creation creates new "majority and new minorities".

Retrospectively observed, regional politics in Nigeria vindicated the fears of the minorities. The creation of Mid-west Region and the subsequent creation of states were borne out of regional politics as dictated by the major ethnic groups and their political parties. Ugwu Odo (2014) pointed out that the creation of Mid-west Region in 1963 was however not an outright response to the demand for self-

determination and autonomy by the minority ethnic nationalities, rather it was motivated by two self-serving considerations.

First, was the desire by the two coalition partners in government, i.e., the Northern People's Congress (NPC); and the National Council of Nigeria Citizens (NCNC) to politically emasculate the opposition party; Action Group (AG), which was the dominant party in the Western Region. They therefore intended to reduce the influence of AG in national politics.

The second reason why the North and East supported the creation of Mid-east Region and denied creation of regions in their respective regions was to open up the Mid-west Region for political incursion by other parties, especially the NCNC which was the second strongest party in the Mid-west so as to enhance its national strength and relevance. Tyoden (2001), therefore commented that the main reason was to weaken the political powers of Action Group in the political equation of the country.

This vividly illustrates why NCNC and NPC supported the creation of mid-west, but refused the creation of Regions in their own respective regions, North and East, where the ethnic minorities of central Nigeria and the Niger Delta demanded for states. Ethnic consciousness is so deep and pervasive to the extent that it affects all facets of human endeavour. It manifests in job opportunities, political appointments, recruitments, even things of national interest could be affected negatively by ethnic considerations. For instance, Awa (1976:83) noted that one of the difficulties which confronted the Nigerian federation before the civil war was the inability of the major regional leaders to appreciate the need for national interest.

There were demands for the duplication of certain economic enterprises even when feasibility studies had indicated that it would be of maximum benefit to the entire country if the enterprise were located only in one area. This was particularly true with regards to attempts to install a steel and iron industry. The feasibility studies indicated clearly that the enterprise which would operate with the best results if it were located in the Eastern Region. On the insistence of the Northern Region, It was decided to duplicate the location of the mill, one in East and other in North; of course no action was taken before the civil war.

Historically, the origin of ethnic politics in Nigeria could be traced to colonial administration. Nnoli, (1978) in his famous work, *Ethnic Politics in Nigeria*, also illustrated how colonial policies created ethnic consciousness. He clearly differentiated between pre-colonial ethnic awareness and the colonial consciousness. According to him, "the fact is that tribalism or ethnicity in Nigeria is a creation of the colonial and post-colonial order."

Abdussalarn, (2014) notes also that the root of the minority-majority dichotomy and the conflicts emanating from it could be traced to the manner the Nigerian state evolved in the context of colonial domination. In order to ensure effective administration, the colonial state forcefully ended the different forms of political system in many cases complex, of the various nationalities that made up Nigeria and brought them under its subjugation. The best idea the colonial state could muster in order to consolidate its rule over the subjugated land and effectively exploit its resources and its people was to adopt the divide - and - rule tactics and impose perceived powerful 'majority' on the weak "minority" groups.

According to Inegbe, (2024), the colonial state did that with the collaboration of a small class of political elites who were poorly trained and so could not engineer national consciousness. The outcome is the inability to build a national image where every citizen considers himself/herself as a citizen. Thus,

the colonial administration, made no conscious efforts to integrate the people for mutual interaction. In fact, it had no intention to do so, as doing that would be counter-productive as far as the achievement of its colonial objectives was concerned - divide and rule. The colonial state for that purpose therefore not only divided the people more through bringing the question of ethnicity to the fore, but pitched them against themselves. (Abdussalam, 2014).

During the era of regionalism in Nigeria, the respective regions had some measure of autonomy. One major reason was the basic fact that the parties were purely ethnic based, Action Group - out of Egbe-omo, Oduduwa in the west, Northern People's Congress - Dominated by Arewa People - Hausa/Fulani and the National Council of Nigerian Citizens (NCNC) dominated by the Igbos. It was this political setting with ethnic sentiments that planted the seed for Nigerian civil war (Adego 2008). The first military coup had some elements of master plan to dominate while the counter coup was purely ethnic based.

One contentious issue, particularly with regard to the minorities of the Niger Delta (South South Nigeria) is the revenue sharing formula. As Chuku, (1999) noted, in a Federation, all the federating units contribute to the inclusive government. The formular for distribution may be based on the principles of derivation. In Nigeria, from the colonial era until Nigeria's independence of 1960, when agriculture was the economic main stay of the Nation, what was in practice was the principle of derivation. Chuku, (2008), reveals here, that immediately oil was discovered in the Niger Delta Region in 1956, the principles of derivation changed to "even development" and "national interest". The table below illustrates this point.

Derivation Principles and Changes overtime

| Year | Allocation in Percentages     |
|------|-------------------------------|
| 1953 | 100% to the respective Region |
| 1960 | 50% to the respective Region  |
| 1970 | 45% to the respective Region  |
| 1972 | 20% to the respective Region  |
| 1973 | 2% to the respective Region   |
| 1982 | 1.5% to the respective Region |
| 1992 | 13% to the respective Region  |

Source: Ibaba, 2007:46

### Summary

A theoretical explanation of federalism, ethnicity and minority were provided. A brief history of the evolution of Nigerian federalism was made. Nigerian federalism was not imposed on Nigeria, it was a general consensus. The Littleton Constitution of 1954 gave credence to it. The issue of minority question in Nigeria has a colonial origin. The colonial administration, did not do much to create national consciousness, rather it created the policy of divide and rule which intensified ethnic politics in Nigeria. Ethnic politics in Nigeria started during the colonial era and it was used as instrument to dominate the ethnic minorities in the respective regions. It is important to summarize that states and local government authorities were created during the military era with criteria they considered appropriate, hence most states were created without considering their economic viability.

## **Conclusion**

Federalism essentially is about the distribution of political power and economic resources among the federating units in a just and fair manner. It is concerned with preserving the identity of the federating units while promoting the unity of the inclusive government. With this, it ensures that no group/state is marginalized or smothered by the bigger regions/states. However, the conclusion of this paper is that the major ethnic groups in Nigeria have covertly and overtly dominated the ethnic minorities. This domination dates back from colonial to post-colonial era. The paper concludes therefore that what is delaying the development of the country is the non-implementation of fiscal federalism.

## **Recommendations**

1. The National Assembly should prioritize the political will to re-structure Nigeria to practice fiscal federalism.
2. The principles of derivation should strictly be adhered to, as the study recommends 50% each to the State and Federal Governments, respectively, as the ideal revenue sharing formula.
3. States and Local Governments were created during the military regimes. The 1999 Nigerian Constitution (As Amended) should be re-amended to allow State creates their respective Local Government Areas devoid of those hitherto created during the military regimes.
4. Devolution of power to the federating units allows building of strong institutions, such as the establishment of State Police can without it had been used by the ruling class to dominate others.
5. Rule of law should be adhered to, with strict protection of the rights of the minorities. No region is expected to dominate the national image, such as, the current Nigerian international passport does not represent/include any image from the Niger Delta.
6. The federal character principle also needs to be strictly adhered to, while the principle is expected to reflect in the Armed Forces and other Federal Agencies.
7. It is therefore important that Nigerian federalism be practiced with regard to giving premium to the principle of derivation and autonomy to the component units, as this would reduce the enormous power and resources at the centre and invariably tame the rush at the centre for the control of power.

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