

**CHALLENGES OF NIGERIA'S FEDERALISM
IN COMPARISON WITH THE UNITED STATES OF AMERICA**

Mustapha Sheikh ABDULLAHI, (CA)

*Ibrahim Badamasi Babangida University, Department of Political Science, Lapai, Nigeria
m.sheikh4lyf@yahoo.com*

&

Kemal OZDEN,

*Nile University of Nigeria, Department of Political Science and International Relations,
ozden@nileuniversity.edu.ng*

Abstract

This paper investigates the challenges of Nigeria's federalism in comparison with that of the United States of America. Federalism to both Nations can explicitly be referred to as the devolution of powers from the center to the component units. While federalism can be traced back to the pre-independent Nigeria of 1914, it is more pronounced by Governor General Bourdillon in 1939 when the three provinces were created. Meanwhile, the United States of America is among the oldest federalism in the world. For the purpose of this study, the two Federations were compared alongside each other by adopting the secondary sources of data. The paper explicitly shows that both Nations seemingly have a lot of fascinating resemblance in terms of their core and peripheral representations. Each country with its peculiarity, but the semblance of indigene-settler dichotomy is a common problem to both Nations. For Nigeria, the indigene-settler dichotomy is a highly volatile issue, just like the black American-white/native American segregation that threatens national integration and unity of the United States of America, and both factors affect the operation of federalism and the attainment of national cohesion in multi-ethnic Countries. Constitutionally, both Countries gave an explicit explanation on who is a citizen and what makes one a citizen, but no further classifications of "indigeneity." Discriminatory treatments are consistently meted out to "non-indigenes," where they often denied certain privileges that ought to be accessible to all citizens. Given the above submissions, there is no doubt that these crises are deeply rooted in historical and socio-political underpinnings and are probably the most sensitive subject in both nations' public life and contributed to a circle of violence that often distorts National security. As such, if not resolved, it can threaten the very social fabric of both countries.

Keywords: *Federalism, Settlers, Indigeneity, Nations, Ethnic.*

DOI: 10.31039/jgeb.v2i6.62

1. Introduction

Nigeria being the largest black nation in the world and also the most populous country in Africa is categorized with extraordinary diversity and right from independence, the country has consistently been ridden with several ethnic conflicts. Housing over 250 ethnic groups, there has been the presence of social ethnic boundaries that has manifested and maintained its uniqueness and peculiarity in character, culture and beliefs. Even though there are three dominant ethnic groups of Hausa, Igbo and Yoruba. Hausa's on the north with their politically advantaged population and vast agricultural land, Igbo who are from the eastern plank of the country are known for their entrepreneurial prowess while the Yoruba's on the west coast are well appreciated for their intellectual exposure. The burning question of legitimacy, identity and ownership of the nations unified territory has been a constant cause for crisis. Perhaps the most significant cause of communal crisis between people considered "indigenous" to an area, and those regarded as "settlers" has been the question of the day. The founding fathers of Nigeria can be applauded for accessing and understanding the uniqueness of the union of Nigeria and embraced federalism as the most realistic medium of governing the nation.

In Nigeria, a person's status as "indigene" or "settler" has an impact to public services, opportunities and access to social amenities. Even though "settlers" may have lived in an area for hundreds of years, they are consistently discriminated against in terms of land ownership, control of commerce, political opportunities, jobs and education. Sometimes, what appears to be an ethnic or religious conflict is often closely linked to the "indigene-settler" dichotomy, often related to competition for political and economic influence. In Nigeria, since the return to civil rule in 1999, domestic stability arising from ethno-religious, inter and intra communal conflicts of varying degrees and dimensions have been recorded (Jega, 2002). In essence, the Nigeria union is a geographically based federal system that evolved into a system that is largely based on ethnicity in order to mitigate ethnic crisis. (Ejobowah 2010). Nigeria has had itself balkanized from a nation of three regions as at independence in 1960, especially during the military era that has resulted in 36 states and a capital territory (FCT).

While comparing the Nigerian federalism and that of the United States of America (USA), it can be understood that the contemporary federalism of USA particularly taking from the 1960's has evolved from a system that dwells on alternating powers strictly between federal and state governments but has advanced to a stage where fundamental questions are raised as to whether or not the contemporary federalism in USA has developed in the way of advancing effective

public policy performance. This work is primarily worked on to explain the challenges in Nigeria's federalist structure and in doing so, the USA federalist structure is being compared to that of Nigeria for obvious reasons. The striking resemblance in their operating systems and being in mind they both operate a presidential system under federalism. While Nigeria is a federal nation with 36 states, USA is a federal nation with 50 states.

This paper is divided into several sections. The first parts gave an overview of introduction, the second part will elaborate on literature on federalism while the third part will provide a theoretical framework of the paper and the fourth chapter will give a conclusion and recommendation to observations.

2. Literature Review

Scholars of repute have over the years made numerous attempts to provide an all-encompassing definition of the word and concept of federalism. Among many attempts to arrive at a definition of federalism was conducted by Wheare in his book titled "Federal Government" published in 1946. Wheare's work has since then been referred to as the bedrock of what is today known as modern literature on the concept of federalism. These, among others have subsequently formed the most common point of departure for likeminded scholars. Accordingly, it can be accepted as a unanimous submission with regards to (Bogdanor 2003, Burgess 2006, Galligan 2006, Laursen 2011 and Vile 1961) where federalism is seen as in the USA as a compound polity where two co-equally arms of government are in place and do eventually preside on the citizens their extant laws, mostly under a written constitution. It was on this believe that a federalism was defined as a means of dividing state powers to regional government with a degree of independence and expected coordination (Menon and Schain, 2006).

It was this submission that laid the main basis for scholarly criticisms on the definition of federalism that dominated the 1950's and 60's when Livingston, Vile and Friedrich challenged the definition of Wheare and its validity. They centered their criticism on the reality of growing interdependence between level of governments in the twentieth century and made adequate reference to the dynamic equilibrium in the polity. Law John (2012) was particular on the sustainability of independence among tiers of government. Even though Wheare's critics were themselves unable to proffer any alternate probability to his earlier definition, they were however able to arrive at a close scrutiny.

In simplistic terms, to relate the concept of federalism to this study, it is therefore important that a more universal definition is provided as against the scholastic deductions made above. To do so, the definition provided by Oxford dictionary was consulted and thus, I defined federalism as a mixture of government that constitutes a general government at the center with either state, regional, cantonal or any other sub-unit government within a defined political setting.

The two main variables of this study are Nigeria and USA. These two nations practice federalism and the research is primarily focused on understanding their peculiarities and similarities. Most scientifically, the concept of federalism has numerous and multifaceted definitions. According to Tamuno, "Federalism" is the form of government where the component units of a political organization participate in sharing powers and functions in a co-operative manner through the combined forces of ethnic pluralism and cultural diversity, among others (Amuwo, 2013). For the purpose of this study, Dicey's definition can be helpful in explaining more greatly the Nigerian scenario. Dicey opined that Federalism is a political invention which is intended to reconcile national unity and power with maintenance of rights and aggregation to distribute responsibility accordingly (Elaigwu, 1996). For ease of usage and comprehension, this study is aggregating all definitions of federalism to adopt it as "a system of sharing power and authority in a democratic way guided by constitutional provisions".

Among many questions that this study has sprung up is the issue of the composition of these federating units. Who forms the federal (center) and who and what forms the states (periphery) as far as Nigeria and USA is concerned. Thus, the brouhaha of identity steps in. In Nigeria for instance, what makes one an indigene, a settler and even a citizenry itself.

Indigene:

The indigene principle first appeared in the Native Authority Law of 1954 in Nigeria where it was defined as "someone whose genealogy can be traced to a particular geo-ethnic space within a local council or state in which he/she is resident" (International Crisis Group Africa, 2012)

Settler:

A non-indigene or stranger is a "native who is not a member of the native community living in the area of its authority" (International Crisis Group Africa, 2012).

Federalism:

It is from the above explanation that his paper will base its analysis in a bid to provide a plausible explanation to the challenges of federalism being experienced in Nigeria in relation to the Federalism in USA. Nigeria, a country of 200 million people (2019 UNDP) is a host to three major cultures but when clinically looked, there are actually over 250 ethnic groups with visible socio-cultural boundaries that has maintained its uniqueness and peculiarity in character, culture and beliefs with little will to assimilate. A classic example can be that of a Kanuri man from Borno state who will never accept to be referred to as a Hausa person. Incidentally, for an Igbo Man in Nnewi, this Kanuri Man if he finds himself becoming a settler in Nnewi, he is seen simply as a Hausa Man. In essence, there is a large stereotyping among cultures of a region.

This stereotyping has directly affected the political terrain in Nigeria, especially during this democratic phase when the idea of zoning came to limelight. Even though USA itself has smaller ethnic groups that often feel marginalized, it is safe to say they are not as submerged as those in Nigeria.

The perpetuity and constant desire to be at the center has led us to investigate deeper to find a rallying answer as to who fits to the center and who actually fits into the periphery. If the center is steadily defined, what happens to the minorities within the peripheries? Are they now a minority within a minority? If so, then there is a sure departure from the definitions of federalism earlier identified, especially as it was defined by Amuwo, (2013) "Federalism" is that form of government where the component units of a political organization participate in sharing powers and functions in a co-operative manner through the combined forces of ethnic pluralism and cultural diversity. Going in accordance with Amuwo's definition, Federalism in a complex nation like Nigeria can be chaotic for obvious reasons.

By juxtaposing these submissions with Harold Laswell's definition of politics as to who gets what, when and how with Dicey's opinion that federalism is a political invention which is intended to reconcile national unity and power with maintenance of rights and aggregation to distribute responsibility accordingly. It now becomes clearer that federalism and politics cum-democracy are a siamese twins. Similarly, democracy means the government in which "The People" rule and thus, it can be referred to as the ability of a people to determine who rules them. By this definition, the Yoruba traditional system of governance has been democratic

since from time immemorial. The existence of checks and balances in the ancient Yoruba kingdom in comparison with the existence of institutions in modern USA, that engages in same functions as the Yoruba system does not create any significant point of differential. The fact that the Yoruba's cultural democracy differ from that of USA does not make it invalid or inferior.

3. Theoretical Framework

Nigeria when related with the crux of this research that is the indigene-settler dichotomy in the presence of a federalist setting, it would be fully understood when we situate it within the sphere of the social identity theory. Primarily, the theory had Its origins from the writings of classic collectivists theorists such as William McDougal and David Emile. Social identity is the comfort and sense of belonging derived from an individual's perception of membership in a social group.

According to the theory, social identity is a person's ability to identify that they belong to a social group or unit. According to Peter and Jan (2000) "much of social identify theory deals with intergroup relations-that is how people come to see themselves as members of one group/category (in-group) in comparison with another (out-group)". To align with this, it can now be related to the instances of "us" vs "them" or "we" vs "they" in Nigeria and the direct consequences of this categorization includes nepotism and ethnocentrism. And in turn, these forms the basis for many foreseeable challenges that limits the perfection of federalism.

These social dichotomies according to this theory can now be placed side by side with racial and other socio-economic segregation in USA. Even though there are some skirmishes arising from cries emanating from a cluster of people that are referred to as "Native Americans", that of racial seclusion is more prevalent. Most identities such as "settler-indigene" and "black-white" are social constructs by people that serves beyond mere act of identifying oneself but is often leads to frosty competitions and violence which makes those with advantages do tend to manipulate situations by portraying themselves as prototype members to pursue and achieve their selfish interests.

4. Comparative Analysis

"Democratic experience, pluralist democratic policies, and civic democratic culture, whose levels differ from country to country, have a positive effect on national unity, social peace, and

a workable federalism (Nezihoglu, 2017)”. In comparing federalism in Nigeria and USA, it is very important to bring certain indices and historical fillings into consideration. Nigeria falls among the countries of the south and belongs to the third world league of countries, while America is often seen as the Alma-Omega in all issues of democracy and modernization. USA is believed to be the strongest democracy in the world and also falls among the nations of the north/first world nations. In essence, USA is settled to be a more advanced nation than Nigeria. USA has been practicing democracy for over two hundred years while Nigeria only got independence in 1960. However, the European Union (EU) promoted democracy in Africa including Nigeria through several initiatives (Arabaci, 2020). Arabaci and Ozden (2019) also indicate that the EU has tried to strengthen good governance, democracy and respect for human rights together with development policies towards Africa. If democracy and federalism were a process, Nigeria will therefore be assumed to be over one hundred and forty years behind USA.

In the battle to establish a workable federalism, Nigeria got engulfed in a civil war that lasted over thirty months between 1967 and 1970. USA also had their seemingly dirty past which can be related to weak federalism that harbors racial and religious discrimination. It was in USA where a white American is seen as more American than a black American. It was a thing of near impossibility in the last 100 years to think that a black Man will one day become the president of USA, even though Martin Luther King dreamt of such a day, it was taken as a mere rhetoric of an activist.

Yes, Nigeria has quit a number of lessons to take from the aged long federalism of the USA but it is equally critical to put into consideration that each country with its peculiarity and thus, the semblance does not warrant a copy-paste technique because what works for USA might be an outright disaster for Nigeria.

5. Conclusion

For nations that have laid their foundations on sentiments of ethnic nationalities mashed with visible primordial ideologies, based on insensitivities matters of national interest and cohesion are certainly on a collision course with the cardinal tenets of federalism. The consistency in inter-tribal or indigene-settler conflicts in Nigeria has no doubt been a weakening point in national unity and that has gone against the cardinals of federalism. Without national unity, federalism will only be a hoax. For the USA federalism to be where it is today, the nation

passed through a number of chaotic moments. In essence, compared to USA, Nigeria can be assumed to be passing through its formative stages of federalism.

Therefore, governments should take decisive actions to curb the excesses of any tribe or ethnic group so as to foster peace and unity in a bid to be where USA is in the nearest future.

It is my view therefore that, for smooth practice of federalism to thrive in Nigeria, all Nigerian citizens should have equal rights, equal opportunities and equal benefits irrespective of ethnic background or religion as it is was done in USA when racial segregation was criminalized.

In this regard, it is recommended that there should be an urgent need for a review of the extant laws bearing on indigeneship and citizenship in the ongoing process of the review of the 1999 constitution. Accordingly, indigeneship should be replaced with residency for a few stipulated years in a bid to strengthen Nigeria's democracy which will in turn further institutionalize Nigeria's federalism. The Nigerian government should also critically look into the issues of fake news by creating a viable bridge in communication gap among people, government and media agencies to meet up information needs sharply and precisely. By doing so, the government will dislodge the current trend of overbearing flow of fake news.

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