FEDERALISM AND THE CHALLENGES OF DEMOCRATIZATION IN NIGERIA: LESSONS FROM THE SWISS MODEL

Kennedy OHAZURUIKE,

Political Science and International Relations, Nile University of Nigeria,

kenzy4god@gmail.com

Michael Udo MBANASO,

Political Science and International Relations Nile University, and Nasarawa State

University, mbanasomu@gmail.com

Abstract

Switzerland, a country composed of four major language groups, is comprised of 26 cantons and many municipalities, with each canton being linguistically homogenous, has always been a model of a federal state that is practising an inclusive democracy. The Nigerian federation, on the other hand, has evolved from a colonial federal legacy that was based on three unwieldy component regions into a union of 36 states and 774 constitutionally entrenched localities. Pressures for fundamental federal reforms have remained a persistent, intense and divisive feature of contemporary Nigerian politics, characterised by ethnic, religious and regional contestations that frequently produce episodes of violence. The paper examines the impact of federalism and Democratization process in Nigeria with particular focus on governance, political representation and participation using the Swiss federalism as a model in a comparative perspective. Both primary and secondary sources of data are applied with the theory of Separation of Powers guiding the discourse in the paper. The findings suggest that the Swiss federation has been built into a state where governance is institutionalised, while diversity is seen as strength with the people and the cantons well represented through participation in decision making, whereas in Nigeria, the practice of federalism has thrown up many challenges of governance. The paper recommends that Nigeria should borrow a leaf from the Swiss model of federalism through the devolution of power and decentralisation of functions from the federal government to the states and local governments. Also, Nigeria could adopt the Swiss model of direct democracy, which would allow for more citizens' participation in decision making and governance.

Keywords: *Federalism, political representation, political participation, governance, theory of separation of power*

1. Introduction

The idea of federal arrangement as particularly suited for managing diversity in the political order is such a popular view in the literature on federalism that some scholars have even regarded this as the sole rationale of federalism. The acclaimed mechanisms through which federalism achieves these goals are twofold: sharing of authority and competencies between levels of government and protecting identity and autonomy against domination. The idea of federalism which originates with the concept of inter-governmental relations dates back to the Greek civilisation when efforts were made to describe the legal relationships between the leagues and the city-states (Ogunnoiki, 2017). Federalism is all about "the need for an orderly arrangement of relationship among different tiers of government in a nation" (Aliff, 2015, p. 72). In other words, federalism is an "institutional arrangement in which (a) public authority is divided between state governments and a central government, (b) each level of government has some issues on which it makes final decisions, and (c) a high federal court adjudicates disputes concerning federalism (Kelemen, 2003, p. 185).

There are currently about 25 federations populated by about two billion people out of just over five billion worldwide. Some of these federations are developed countries whilst others are underdeveloped and developing countries such as Nigeria. Some countries such as Russia, India, Canada, Australia and the USA span entire continents, and have immense populations, whilst others are very small in size and population. In the small size population category are the Comoros (just over half a million people) and St. Kitts and Nevis (42,000 people). Some are well-established federations, like the USA, 1789, Switzerland, 1848, Canada, 1867 and Australia 1901, whilst others are either relatively new or are unstable like Nigeria, which is yet to achieve the type of federalism that is appropriate to its over 400 nationals and ethnic groups. Some federations like Switzerland are loose, giving the federating units considerable autonomy and limiting the powers of the central government, whilst others, like Nigeria, have powerful centres and relatively weak states (Sagay, 2003).

Switzerland, a country composed of four major language groups, is composed of 26 cantons. From a linguistic point of view, each canton is homogenous. However, each language group is not identified with only one canton. Instead, each of the four major language groups is divided into multiple cantons. As major powers reside with the cantons, the geographical configuration of Swiss federalism discourages the development of ethno-nationalism across language community lines (McGarry & O'Leary, 1993:31). The Swiss political parties have not

experienced fragmentation along linguistic lines. Moreover, crosscutting cleavages are expressed in the cantonal system (Fessha, 2007). Cultural diversity is an intrinsic part of the concept of the Swiss State. The historic cohabitation of four different languages and cultures in the restricted space that characterises it, associated with the presence of people from cultures of various origins, led the Helvetic Confederation long ago to integrate the principle of cultural diversity into its Constitution, its political and administrative system and its cultural policy measures. The wide variety of cultural initiatives, integration and sustainable development of the Swiss cantons and municipalities serve as a hallmark of Swiss federalism, which can, therefore, be considered a key feature stimulating diversity of cultural expressions in Switzerland. On the other hand, the deliberate choice of federalism as the only viable and acceptable form of government for Nigeria was a product of the diversity of its peoples, politically, historically, culturally and linguistically and the experience gained from the attempts to create a viable polity, forced amalgamation of Northern and Southern Nigeria in 1914 (Sagay, 2003).

Nigeria is arguably Africa's leading experiment in the building and remodeling of federalist institutions to manage the challenges of unity, democracy and development. Over the course of five decades of independent nationhood, including 30 years of military rule, the Nigerian federation has evolved from a colonial federal legacy that was based on three unwieldy component regions into a union of 36 states and 774 constitutionally entrenched local government areas. Yet, pressures for fundamental federal reforms have remained a persistent, intense and divisive feature of contemporary Nigerian politics. In spite of this, Nigeria has remained a highly divided state characterised by ethnic, religious and regional contestations (Ifeka, 2000) that frequently produce episodes of violence. Since the country's transition from military dictatorship to democratic rule in 1999, communal conflicts have raged like wild fire claiming several thousands of human lives and taking a debilitating toll on the country (Lewis, 2012; Human Rights Watch, 2012). At least over 700 incidents of communal violence have erupted in different parts of the country within this period (Lewis, 2012), most of which have been fought along ethnic and religious fault lines (Salawu, 2010).

The conflicts usually involve adherents of the two main religions, Christians and Muslims, and because ethnic and religious identities overlap or crosscut each other (Osaghae & Suberu, 2005), such conflicts easily snowball into ethno-religious confrontations. This situation is compounded by the geographical dimensions of ethnic and religious distributions in Nigeria,

which splits the country roughly into a Muslim dominated North and a predominantly Christian South.

As mentioned above, the Swiss federation appears to be an ideal one, as it has been able to build a state where governance is institutionalised, where diversity is seen as strength and the people and the cantons well represented and participate in decision making. The separation of power is also well institutionalised between the arms of government and between the central government and the cantons. The situation is quite different in Nigeria that is similar in diversity in terms of ethnicity, culture and religious affiliation. The practise of federalism in Nigeria has thrown up many challenges of governance, the differences inherent in the intergovernmental relationships between the arms of government at the centre, and between the central government and the states government in terms of applying the doctrine of separation of powers. This over the years has had a debilitating impact on governance, political representation and political participation.

Deriving from the above exposition, the paper examines the intertwining impact of federalism and Democratization process in Nigeria with particular focus on governance, political representation and political participation using Swiss federalism as a model in a comparative perspective. Methodologically, multiple methods of data collection known as data triangulation were employed in order to obtain an in-depth understanding of the phenomenon under investigation. Primary data were obtained from focus group discussion and interviews, while secondary data were gathered through documentary sources. The qualitative descriptive method of analysis was adopted to guide our discourse in the paper. The paper is divided into seven sections namely: Introduction, theoretical framework, review of related literature; Nigerian federalism: a historical overview, Swiss federalism: a historical review, federalism, Democratization and governance in Nigeria, and conclusion and recommendations.

2. Theoretical Framework

Our discourse in this paper is anchored on the theory of Separation of Powers as propounded by Baron De Montesquieu (1748) and popularised by John Locke, John Stuart Mills, J. J. Rousseau and Jeremy Bentham, etc. The theory of separation of powers dates back to ancient Greece when Aristotle favoured mixed government composed of monarchy, aristocracy and democracy since he saw that none was ideal. John Locke, an English political philosopher (1632-1704), idealised the theory of separation of powers in his Second Treatise of Civil

Government 1690. This was after he had noted that there was temptation to corruption which existed where the same persons who have powers of making laws also have the power to execute them. Locke's views were part of a growing English radical tradition and this prepared the ground for separation of powers in England. Paradoxically by a faulty analysis of the English concept of separation of powers, Baron de Montesquieu, the French political and legal philosopher who admired the English concept of separation of powers, gave the impetus and moving spirit to the theory of separation of powers as a real antidote to abuse of powers. Thus, western political thought rests on the theory of separation of powers and limited government, as reflected on the works of John Stuart Mills, Rousseau and Jeremy Bentham. Democracy cannot be sustained without the theory of separation of powers being properly put in place, since civil disobedience and revolution would ensue, because of concentration of powers either in the hands of one person or body of persons. Thus, for the people to enjoy good government which enhances sustainability of democracy, division of powers is imperative and indispensable (Maduekwe, Ojukwu & Agbata, 2016).

The theory of separation of powers has been deemed to be the cornerstone principle of democracy. Democracy is one of the best forms of government due to its inclusive nature; the superiority of democracy to other forms of government predicates on the theory of separation of powers and the corresponding checks and balances exercised amongst the organs and levels of government. To consolidate and sustain democracy in Nigeria, the Judiciary must fearlessly and boldly rise to its statutory and constitutional roles, thus, the imperative and paramount importance of the theory and practice of separation of powers in Nigerian political system. The theory of separation of powers, as applied in this paper examines the impact of federalism on the Democratization process; using Nigeria and Switzerland in comparative perspective.

3. Review of Selected Literature

3.1. Federalism

Conceptualising the term 'federalism' is somewhat herculean as myriads of scholars over the centuries, have continually suggested definitions to the concept with contending views. Authors tend to focus on a comparative perspective with most being a compendium of federal states in the world. Karmis and Norman (2005: 6) opined that etymologically, the word 'federalism' is derived from the Latin word "foedus", which means an alliance among individuals or collectivities aiming at the "promotion of both specific and common interests".

Historically, federalism was used to unite people in different political units who might share the same culture and language but is now being used to unite people who are of different cultures and beliefs. Montesquieu was one of the first political scholars to underscore the necessity of federalism as a solution to accommodate diverse peoples. He opines that; since this form of "government is composed of small republics, it enjoys the internal happiness of each component" (Montesquieu, 2005: 56). Karmis and Norman (2005: 223) suggest that in states that are "characterised by the plurality of identities, federalism becomes a kind of an institutional panacea". Kymlicka (2005:227) notes that federalism is a system of government which provides the most "appropriate mechanism for accommodating the increasingly 'multicultural' nature of modern societies". KC. Wheare and Daniel Elazar are regarded as the father of modern federalism. Elazar (1987:4) conceptualises federalism as a covenant in which the constituent units are equals "who come together freely and retain their respective integrities even as they are bound in a common whole". Furthermore, Wheare (1964), as cited in Ikeanyibe (2016:385), conceived a number of principles which define a federation. These are:

1. The division of governmental responsibilities between levels of government.

2. A written constitution spelling out this division and from which federal and state authorities derive their powers.

3. A judiciary independent of both levels of government that acts as an arbiter in cases where there are conflicts over the jurisdictions enumerated in (1) above.

4. The federal arrangement emphasising co-equal supremacy of the various levels each in its respective field of operation.

5. The citizens of the federation being concurrently under two authorities and owing loyalties to them.

There are scholars who argue that federalism goes beyond the simple division of legislative powers or arrangement of institutions. Livingstone for instance avers that:

The essential nature of federalism is to be sought for not in the shading of legal and constitutional terminology but in the forces of economic, social, political and cultural (systems) that have made the outward forms of federalism necessary... The essence of federalism lies not in the institutional or constitutional structure, but in the society itself... A federal government

is merely a device by which the federal qualities of society are articulated and protected (Livingstone, 1971:22)

Federalism is one of the most widely studied political institutions. Scholars have shown how federalism's effects span across a wide range of economic, policy, and political dimensions (Wheare, 1964; Riker 1964; Mazrui, 1971; Chandler 1987; Elazar, 1987; Suberu 2001; Ojo, 2002; and Sagay, 2003). In general usage, federalism is understood to mean the organisational principle of a state. Examples of federal states are Switzerland, United State of America, Germany, Austria, Nigeria, South Africa, Brazil and Russia.

3.2. Democratisation

The concept of Democratization as a derivative of democracy refers to a conscious, deliberate and committed attempt at entrenching enduring democratic values and ideals in political actors and the entire citizenry with a view to ensuring the continuity and sustainability of a democratic system. It can also be referred to as the process of engineering the behaviours and attitudes of the political actors and citizenry towards imbibing positive democratic ideals and values required for building and sustaining a democratic system. Such ideals and values include adhering to the tenets of the rule of law, equality, citizens' participation in democratic activities, respect for the rights of all including the rights of the majority and minority groups, tolerance for one another and creation of equal opportunities for all citizens among others. Democratization is a gradual process of political growth often synonymous to emerging democracies that need to imbibe and attain genuine democratic ideals and values necessary for building enduring democratic system (Momodu & Ika, 2013).

4. Nigerian Federalism: A Historical Overview

The adoption of federalism in Nigeria dates back to 1954 when it emerged a federation of three regions defined by the three major ethnic groups. Federalism was adopted in Nigeria as a compromise device to help the country avoid the prospects of piecemeal independence from the British. Some contend that it was a clever imposition by the British to appease the reactionary North. Like all federal systems, Nigeria's federalism since its adoption in 1954 has been operating in both fiscal and political contexts. Despite what may or may not have been the real reasons or causes, four things are incontrovertible. One, Nigerian federalism was not arrived at through social contract or plebiscite. It was a model agreed to by a handful of political leaders at the pre-independence London constitutional conferences. Two, Nigerian federalism

is very sick, unbalanced and lopsided especially in terms of the over-centralisation of power. Three, national integration has remained an illusion at best, even after sixty years of independence, with few prospects for change. Nigeria has remained a state rather than a nation. Four, pronounced injustices exist in the Nigerian federation (Achinike & Ogbonna, 2016).

4.1. The Features of Nigerian Federalism

Oyediran, Nwosu, Anifowose, Badejo, Ogboghodo & Agbaje (2008) cited in Auwalu (2014:323) provides the general features of Nigerian federalism which are summarised as follows:-

1. Division and sharing of governmental powers between the federal and the regional or state governments;
2. The derivation of the powers of the different levels of government from the constitution;
3. Adoption of a written and rigid constitution;
4. The supremacy of the federal government;
5. The existence of a supreme court for judicial interpretation and review;
6. Unified police force;
7. Decentralisation of the public service and the judiciary;
8. The existence of a bicameral legislature at the federal level;
9. The principle of the federal character; and
10. A three tier system of government.

4.2. Factors that Necessitated the Adoption of Federalism in Nigeria

Oyediran (2008) and Oneyeye (2001) cited in Auwalu (2014: 321) summarise the factors that necessitated the adoption of federalism in Nigeria as follows:-

1. **Divide and Rule Policy of the British Colonial Administration:** The British policy of divide and rule was a deliberate attempt to keep Nigeria weak and decentralised. The British considered unity among the various ethnic groups as a threat to their imperialistic interest.

2. **Historical /Colonial Factor:** The different ethnic groups in Nigeria had developed different administrative structures. The colonial principle of indirect rule allowed each region to preserve its cultural and traditional practices different from those of other regions.

3. **Heterogeneity/Cultural Differences:** Nigeria is made up of diverse ethnic groups, religions, customs, traditions and languages. These diversities are a problem to the operation of a unitary system. The peoples therefore opted for federalism to retain as much as possible their identity.

4. **Size and Population:** The country is too large both territorially (size) and in population for a unitary system of government, and federalism became inevitable for administrative convenience.

5. **Economic Factor:** In Nigeria, natural resources are scattered, therefore component units must unite as a federation to harness the resources for their overall benefit in addition to even and rapid economic development.

6. **Fear of Domination:** There has been suspicion among the various ethnic groups, particularly the major ones like the Yoruba, the Igbo, and the Hausa-Fulani. There was also fear by the minority groups that they would be dominated by the majority ones. Federalism therefore offers opportunity for self-preservation by different groups.

5. Swiss Federalism: A Historical Review

Federalism has been of central importance in the governance of Switzerland since the founding of the modern state in 1848 and its special place is enshrined in the constitution (Wolf, 2012). Switzerland is arguably the longest standing federation, dating as far back as the thirteenth century. It has 26 cantons and almost 3,000 communes with different historical backgrounds and cultures confederated into what is recognised today as the first modern federation built on indigenous ethnic and linguistic differences (Wolf & Steffen, 2006: 222).

According to Schmitt (2018), in 1291 the first three cantons – Uri, Schwyz, and Unterwalden, founded a confederal alliance, although their pact of 1291 makes reference to an earlier 'antiqua confoederatio' of 1273. These three original cantons were later joined by all other cantons, one after another. The last three cantons – Geneva, Neuchatel, and Valais – joined as part of the Pact of 1815 following the defeat of Napoleon. Thus, it took more than 500 years to complete Switzerland's integration process. After the short-lived war of the Sonderbund (i.e., modernist Protestants versus the conservative Catholic separatist league) in 1847, Switzerland, as it is known today, began to take shape. Its foundation rests on the first federal Constitution of 1848,

which reflected the outcome of the Sonderbund War as well as the popular revolutions that had swept through Europe at the time (Schmitt, 2018).

In 1874 a total revision of the Constitution was undertaken to correct problems with the 1848 version, though this was approved by a double majority (the population and the cantons), it did not significantly alter the Swiss system. Although subject to 155 partial revisions, the Constitution has remained in force for 125 years. In 1999, an 'update' of the previous text was undertaken to modernise the document and clarify and order the previous 155 revisions. This was adopted by popular vote on 18 April 1999 and entered into force on 1 January 2000. In most basic respects, then, the Swiss political system has remained largely unchanged since 1848 (Schmitt, 2018).

Although the 1848 Constitution was rejected by eight cantons, due in part to the citizens' fear of its modernity, it soon acquired full legitimacy. Cantons were able to preserve their individual identities, even a certain patriotism, to the point that they could be considered microstates. On the other hand, as the country was based on a fragile consensus after a war, federal authorities have always (and successfully) taken great care not to upset cantons (Schmitt, 2018). Swiss federalism is a kind of dualistic federalism, mixed with executive federalism. The cantons have the right to legislate and execute laws in a not inconsiderable number of areas, and they simultaneously implement federal laws (Musia³-Karg, 2012, p. 107; Nitszke, 2014).

The basic features of the Swiss federal system are defined in the Swiss Federal Constitution, which lays out the institutional structure of the Swiss State, the respective powers of the cantons and the confederation and mechanisms for coordinating the two levels. The basic concept is that of federalism, which is not only a rule governing state organisation, but also a fundamental political principle, deeply rooted in the Swiss legal culture. This principle has lost none of its importance under the new Federal Constitution revised in 1999 (Werro & Viret, n.d.). The main features according to Werro and Viret (n.d.) can be summarised as follows:

1. *The Cantons' Autonomy:* the Cantons are sovereign insofar as their sovereignty is not limited by the Federal Constitution (art. 3 i.c. with 42 and seq. Cst).

2. *The Subsidiarity Principle:* The Cantons are competent for any task that is not explicitly allocated to the Confederation by the Federal Constitution (art. 3 and 42 Cst).

3. *The Cantons' Rights of Participation:* as a compensation for the powers transferred to the Confederation, Cantons have constitutionally enshrined rights to participate in the decision-making process on the Federal State level (art. 45 Cst).

4. *The Loyalty Principle:* this rule commands that the Cantons and the Confederation shall grant each other support and assistance in the fulfillment of their tasks. The Confederation and the Cantons are under a mutual duty to cooperate in the State's best interest (art. 44 Cst).

One of the secrets of the livelihood of the Swiss federal system is the important part played by the instruments of direct democracy at each level of the system. Direct democracy in this context means that the people's influence on the State affairs is not limited to electing representatives to the parliament or government. Citizens can express their views and intervene directly into their representatives' activities. There are two main institutions through which the citizen can become involved in the decisional process: popular initiative and referendum. Popular initiative is an instrument that allows a portion of the citizens to ask for a proposal of legal amendment to be submitted to the people's vote. At the federal level, this right exists only for amendments of the constitution (Church, 2004).

5.1. Federalism, Democratization and Governance in Switzerland

5.1.1 Basic structures of the federal system

As shown in the table below, the Swiss federal system consists of three levels. The federation, the (today) 26 cantons and about 3000 communes elect their own political authorities (Lutz/Strohmann 1998). At each level, we find a separation of powers with the executive, the legislative and the judicial authorities.

Table 1: Basic Structure of the Swiss Federal System

	Executive Power	*Legislative Power*	*Judicial Power*
Federation	Federal Council Seven Federal Councillors elected by the Federal Assembly for a period of 4 years One of the Councillors acts as President. Rotation every year	Federal Assembly ▪ National Council 200 National Councillors elected by the people. Number of representatives of each canton depends on population size of the canton ▪ Council of the States 46 State Councillors elected by the people. Each (half) canton elects (one) two representatives	Federal Supreme Court About 75 Supreme Judges Elected by the Federal Assembly
Cantons	Cantonal Council 5-7 members, elected by the cantonal people every 4-5 years	Cantonal Parliament, Elected by the cantonal people every 4-5 years	Cantonal Court Elected by Cantonal Council or Parliament
Communes	Communal Council Elected by the people	Large Communes (cities) Parliament elected by the people Small Communes General Assembly of all citizens	District Court Elected by authority or the people of the district

Source: Wolf (2012).

The political autonomy of the sub-national units is ample. It is guaranteed trough different institutional devices.

5.1.2. Organization of federal institutions in Switzerland

a) The Federal Council

The Federal Council is a collegial government composed of seven members (Councillors) who have equal powers. Each member is elected independently by the Federal Parliament for four years. He or she may be re-elected indefinitely. In practice, re-election is the rule, thus ensuring the continuity and stability of Swiss policy, particularly as neither the federal council nor any of its members may be deposed by parliament. This principle is reflected in the saying, "the federal council yields, but is not deposed". Each year, the federal assembly chooses one of the seven federal councillors as president of the confederation. The president does not have any special powers. His or her main role is to chair meetings of the government and to discharge representation duties. Each federal councillor is the head of a department (ministry), whose interests he or she represents in the government. As a collegial body, the federal council takes its decisions only by consensus or by a simple majority, and each member assumes responsibility for joint decisions.

b) The Federal Assembly

Switzerland has a bicameral parliamentary system. The Council of States and the National Council compose the Federal Assembly.

i.   **The National Council** represents the people and has 200 members elected for a four-year term under the proportional system. The majority system applies on a *de facto* basis in a few cantons. The seats on the National Council are divided up among the 26 cantons in proportion to their population. The Canton of Zurich, which is the most populous, has the greatest number of seats (35) whereas the cantons of Uri, Obwald, Nidwald, Glaris, Appenzell Innerrhoden and Appenzell Ausserrhoden have only one.

ii. **The Council of States** is the representative body of the cantons and has 46 members, most of whom are elected by a majority vote. Whatever the size of its population, each canton is entitled to two seats, except for the six former half-cantons (Obwald, Nidwald, Basel-Stadt, Basel-Landschaft, Appenzell Ausserrhoden and Appenzell Innerrhoden), which each elect just one councillor. The procedure for electing the Council of States is governed by cantonal law. Elections are usually conducted according to the majority system, except

in the cantons of Jura and Neuchâtel which use proportional representation (UNODC, 2015).

c) The Federal Judiciary

The federal judiciary of Switzerland consists of the Federal Supreme Court, the Federal Criminal Court, the Federal Patent Court and the Federal Administrative Court. The Swiss judiciary plays a less vital role than the judiciary in other nations of the world. The federal supreme court of Switzerland is known as federal tribunal and is the only national court in the country " (Chauhan & Guha, n.d.). It guarantees respect for federal law not only in criminal, civil and administrative matters, but also in constitutional matters, to the extent that a remedy is available for violations of constitutional rights. In ruling in last instance on the decisions of the cantonal courts referred to it, the federal Supreme Court ensures uniform application and interpretation of federal legislation and guarantees respect of the federal constitution (UNODC, 2015). However, the federal tribunal has only limited judicial review. "It can declare only a cantonal law unconstitutional if it conflicts with the federal constitution or even cantonal constitution. It does however uphold the federal constitution against cantonal laws and administrative acts." The Swiss federal court does not possess the power to declare federal law unconstitutional if it violates the constitution. "This right is earmarked for the federal assembly subject to the final verdict of the people through referendum" (Chauhan & Guha, n.d.).

5.2.   Direct Democracy and Political Participation in Switzerland

Direct democracy is one of the most important features of the Swiss political system, as it allows the people to have the last word on important decisions of parliament or to formulate propositions of law. Since the building of the modern nation state, at the municipal, the cantonal, as well as at the federal level, different instruments of direct democracy have been introduced. The most frequent instrument at the national level is the mandatory referendum, meaning that every constitutional change requires a popular vote. The other two instruments that citizens can initiate themselves are the optional legislative referendum and the popular initiative. Fundamentally, direct democracy is a permanent control of political elites and gives important political decisions higher acceptance and legitimacy. As an indirect effect, direct democracy helped to transform the political system from a majoritarian democracy to a democracy towards compromise and consensus. Due to these diverse direct democratic instruments, Swiss citizens vote on federal ballots two to four times per year, with each voting

day including votes on multiple proposals. Vote top- ics vary broadly, from social issues, to military policy, to infrastructure, to participation in international organisations (Bursztyn, Cantoni, Funk & Yuchtman, 2019).

Direct-democracy opens up potentials for participation with a very low threshold. In Switzerland for example, it takes only 1 % of the voters to start a facultative referendum and 2 % can launch a popular initiative. Because of the open structure of participation the political process becomes more diffuse. Direct-democracy subjects the government to a permanent control by the citizenry; therefore the relevance of the representative institutions and of the elections is lowered. Popular rights help to ensure that the politicians keep in mind the interests of the common people (or to be precise: of the interest groups which are able to organise themselves efficiently), thereby they raise the overall level of responsiveness of the political system.

5.2.1. Intergovernmental relationship in Swiss Federalism

The federal and cantonal constitutions permit intensive horizontal cooperation at the cantonal and communal levels of government. Cantons and Municipalities are free to conclude agreements with one another on cooperation in the most varied areas and so establish themselves the optimum size of area necessary for the performance of government tasks. One of the four traditional pillars of Swiss constitutional law is federalism (Art 42 to 135, address the relationship between the Swiss confederation and the twenty-six Cantons). The powers of the government have been divided between the national and the cantonal governments. The Federal government has been vested with powers of national importance and the residuary powers have been left to the Cantons.

The cantons, however, enjoy supremacy in their own sphere, though some restrictions have been imposed upon them viz. they must have republican constitution; their constitution must not be contrary to the federal constitution; they must be subject to revision or amendment by popular vote. The cantons are allowed to keep their own military force [Art 60(3)]. This is a unique provision because in other federations of the world, defence is usually the concern of the centre. During emergency, the Federal government is vested with exclusive authority over the cantonal forces. The Swiss constitution expressly recognises the judicial personality of the cantons. One can therefore conclude that the cantons on the whole possess large amount of autonomy (Chauhan & Guha, n.d.).

Table 2. The Division of Power between the Federal, Cantonal and Municipal Levels

Federal Powers	Cantonal Powers	Municipal Powers
• Based on the Swiss Constitution Organisation of federal authorities Foreign affairs • Army and civil protection • National streets (highways) • Nuclear energy • Postal services and telecommunication • Monetary policy • Social security (pensions, invalids) • Civil law, criminal law • Civil and criminal procedure • Customs • Education (technical universities) • Energy policy • Principles for zoning • Protection of the environment • Citizenship • Federal taxes	• Based on cantonal constitutions • Organisation of cantonal authorities (own constitution, own anthem, own flag) • Cross-border cooperation • Police • Relations between religion and state • Culture • Public health • Cantonal streets • Forests, water, natural resources • Education (secondary schools and universities) • Protection of the environment • Protection of nature and heritage Citizenship • Cantonal taxes	• Depending on cantonal legislation • Education (kindergarten and primary schools) • Waste management • Municipal streets • Local infrastructure • Local police • Zoning • Citizenship • Municipal taxes

Source: Koller (2002).

Switzerland has a lively multiparty system with 12 parties represented in the Federal Assembly at the time of the election. Parties having members in the federal council included the

Conservative Democratic Party (BDP), the Christian Democratic People's Party (CVP), the Radical Free Democratic Party (FDP), the Social Democratic Party (SP) and the Swiss People's Party (SVP). Over the past several years, the Swiss party system has undergone significant changes, with several traditional parties stagnating or declining in cantonal elections, and new parties such as the Swiss Green Party (GPS), BDP, and the Green Liberal Party (GLP) emerging. Four institutional points that made Swiss nation building successful according to Wolf (2012) are:

a) Political Nation-State for a Culturally Segmented Society
b) Bottom-Up Nation Building Respecting Regional and Local Autonomy
c) Strong Political Participation of the Cantons in Federal Decisions
d) Proportional Representation of the Different Political Cultures

Governance in Switzerland has shown considerable continuity with sustainable governance indicators report of 2016. By implication, the country's strengths and shortcomings have remained unchanged. These strengths include the stability and quality of democracy, efficient rule of law, excellent system of public education and research, and competent system of public transportation. The country is rich in terms of GDP per capita (one of the highest in the OECD) and accumulated wealth as well as in an ecologically sound natural environment. Social and economic policies are pragmatic, solution-oriented, and heterodox. The Swiss government can be commended for maintaining a highly competitive economy, sustainable fiscal position, comparatively sustainable and generous welfare state, and moderate and stagnant income inequality. The flexible labour market has maintained full employment and high employment rates for both sexes. These policies have resulted in an absence of deep social divides and marginalisation (at least among the Swiss citizens). As a result, citizens report a high life satisfaction and positive opinion of the national political system as compared to neighbouring and other countries (Armingeon, Sager & Zohlnhofer, 2017).

6. Federalism, Democratization and Governance in Nigeria

In Nigeria, federalism was adopted as a mechanism for holding the country together to ensure that the various ethnic nationalities, religious groups and geographical regions transfer their loyalties to the state (Adibe, 2012). Adibe (2012: 18) posited that: "Nigerians embraced federalism as a way for fashioning out 'unity in diversity' and managing the inevitable conflicts that result from the interaction of previously autonomous entities that were brought together into one state by the colonial order". Therefore, the underlying principle behind Nigeria's

federalism is the quest to promote the idea of national unity and peaceful coexistence among the country's diverse population. To this end, Suberu asserted that: "Uniquely among African countries, Nigeria has consistently maintained a formal federal polity as a constitutional design for holding together this deeply divided society of three major ethnic groups, hundreds of smaller ethno-linguistic communities, and almost equal numbers of Muslims and Christians" (Suberu, 2009:549).

6.1. Basic Structures of the Federal System in Nigeria

Nigeria is grouped into six geo-political zones and divided into thirty-six states with a federal capital territory and seven hundred and seventy-four local government areas.

Table 3. States per Geo-Political Zone in Nigeria

S/N	Geopolitical Zone	States	Number of State
1	North Central	Benue, Kogi, Kwara, Nasarawa, Niger and Plateau	6
2	North East	Adamawa, Bauchi, Benin, Gombe, Taraba and Yobe	6
3	North West	Jigawa, Kaduna, Kano, Katsina, Kebbi, Zamfara and Sokoto	7
4	South West	Lagos, Oyo, Ekiti, Ondo, Osun and Ogun	6
5	South South	Cross River, AkwaIbom, Rivers, Edo, Delta and Bayelsa	6
6	South East	Anambra, Abia, Imo, Ebonyi and Enugu	5

Source: 1999 Constitution of the Federal Republic of Nigeria

The structure of Nigerian federalism has three levels of governments namely: Central, State and local governments. The central government has more powers allocated to it by the 1999 constitution leaving the state government with lesser powers as indicated in the table below.

Table 4. Nigeria: Expenditure Assignments

Tier of Government	Expenditure Category
Federal only	Defense; Shipping; Federal trunk roads; Aviation; Railways; Posts, telegraphs and telephones; Police and other security services; Regulation of labour, interstate commerce, telecommunications; Mines and minerals; Social Security; Insurance; National statistical system; National Parks; Guidelines for minimum education standards at all levels; Water resources affecting more than one state;
Federal-State (shared)	Antiquities and monuments; Electricity; Industrial, commercial and agricultural development; Scientific and technological research; Statistics and surveys; University, technological and post-primary education; Health and social welfare;
State-Local (shared)	Primary, Adult and Vocational Education; Health Services; Development of agriculture and non-mineral natural resources;
Local government	Economic planning and development; Cemeteries, burial grounds; Homes for the destitute and infirm; Markets; Sewage and refuse disposal; Roads, streets, street lighting, drains, other public facilities;

Source: 1999 Constitution and various sector policy reports, culled from Khemani, (2001).

Table 5. The Structure of Nigeria's Present Political Economy

North	Number	South	Number
Number of States	**19**	**Number of States**	17
North East	6	South East	5
North West	7	South South	6
North Central	6	South West	6
Number of Local Governments	419	**Number of Local Governments**	357
House of Representatives	**191**	**House of Representatives**	**169**

North East	48	South East	43
North West	92	South South	55
North Central	49	South West	71
Number of Senators	**57**	**Number of Senators**	**51**
Federal Allocation	**56%**	**Federal Allocation**	**44%**
States	57%	States	43%
Local Governments	55%	Local Governments	45%
Contribution to Major Revenue Source	**14%**	**Contribution to Major Revenue Source**	**86%**
Oil and Gas	0.0%	Oil and Gas	100%
Value Added Tax	28%	Value Added Tax	72%
*** FCT's Contribution of 20% is inclusive			

Source: Nwaeze, N. C. (2017). 'True' Federalism in a well-structured Nigeria: The Panacea to her Economic Development Challenges.

From the table above, the political and economic imbalance is evident. This structural imbalance in Nigeria's political economy cannot guarantee peace, stability, progress and/or economic development. Whereas the political structure shows obvious inequalities in the number of states, local governments, Senators, House of Representatives and federally allocated revenues, skewed to favour the Northern region, the Southern region contributes 86 percent of the revenues used in running the present political architecture. For instance, while contributing a meagre 14 percent of revenues, the Northern region receives an average of 56 percent of federally allocated revenues against 44 percent received by the Southern region which contributes an average of 86 percent of the revenues. The reasons for the continued militancy and other regional agitations from the Southern region is not far fetch as the region believes that they are massively short-changed by the current structure of Nigeria and has arguably decelerated the process of national development. Apart from the economic analysis,

the structural imbalance of the present structure has given the North the exclusive right to rule the country or decide who rules the country at every point in time. The inequality between the North and South, therefore, has made it virtually impossible for the South to control political power at the centre, given the ethno-regional politics of the country, without power concession from the North. These inequalities as being promoted by current political and economic structures are therefore antithesis to stability, peace, and national development.

Of the 109 members of the Nigerian senate the North contributes a total number of 58 while the South has 51, creating the tendencies for the North to always dominate on all issues that require a simple majority vote. As it is with the states and senate so it is with the Federal House of Representative. Of the 360 House members the North has 191 and the South has 169. In term of the Local Government Councils of 774, the Northern states control a total of 418 while the South has 355; the list of this lopsidedness goes on and on. Therefore the Nigerian political structure is fundamentally skewed in favour of the northern region. Aside the basic injustice identified in the structure of those institutions as highlighted above, the current leaderships of the three organs of the federal government; the Executive, the Legislature and the Judiciary is also skewed toward northern advantage. The President is of northern extraction, so also is the President of the Senate. Of the 11 security chiefs, only 2 are from the southern part of the country (Avbuere, 2019).

A prominent characteristic feature of the Nigeria's federal arrangement is that of over centralisation of power and resources at the centre. This centralism has not only manifested itself in the political and administrative realms, but also in the allocation and distribution of resources. Undue concentration of power and resources at the centre has created a crisis of governance, with its attendant fallout of frustration, insecurity, alienation and subjugation. Given the concentration of resources and real powers at the centre, the competition for control of the federal government has tended to be vicious, corrupt, politically and ethnically explosive (Suberu, 2005). This unmediated struggle for power and influence at the centre has occasioned the emergence of a governing elite class that have elevated primordial and self-interest over and above the common good and general will of the Nigerian people. The obvious outcome has been a corrupt, undemocratic and self-seeking leadership and style of governance by this elite class that is more interested with the sharing of the country's resources than with the ideals of good or effective governance – equity, fairness, justice, transparency and accountability (Ihonvbere, 1995:9-13; cited in Omotosho & Abe, 2014:67). Similarly, the over-concentration

of resources has virtually reduced Nigeria's federal system into a conduit for the dissemination of centrally collected oil revenues to sub-national communities and constituencies, creating an oil-cent ric distributive federalism in which all governments in the federation derive an average 80 percent of their budget from a common national pool of oil revenue (the federation account).

Indeed, the essence of the presidential system of government is to prevent executive lawlessness and legislative recklessness and instil a regime of checks and balances. Ordinarily, a presidential system does not promote the abuse of executive power. The concept of imperial executive is apt to describe the exercise of power in Nigeria's presidential system. This attribute is a contraption of the leaders who at different times, seek to consolidate power through habitual resort to violation of the rule of laws. The executive dominance was made more glaring by the actions of former president Obasanjo who while in power assumed the position of 'Alpha and Omega' in administering the country. The ex-president was dubbed "impatient, intemperate and very often dictatorial" (Utomi, 2002:29 as cited in Oke, 2010). Also in the words of Professor Wole Soyinka, democracy has been openly, blatantly and contemptuously rubbished by the president" (Soyinka, 2005, p.1). Violence and political intolerance have now become the hallmark of politics in Nigeria. There has always been the use of violence or the threat of violence within and between parties and candidates. The ultimate prize is the capture and retention of state power at all costs. Thus by implication the practice and nuances of democracy have never been allowed to germinate in the country.

Recently the administration of President Muhammadu Buhari has also shown serious contempt and abuse of constitutional process with his flagrant disobedient to court orders, rule of law, and abuse of federal character principle which tries to address the challenges thrown up by Nigerian diversity. Evidence of executive dominance of both the legislature and the judiciary by the Buhari administration abounds; the attempt to impose the leadership of the legislature on the members between 2015 to 2019, and the civilian coup which lead to the un-ceremonial removal of the former Chief Justice of Nigeria, Justice Walter Onoghen who was replaced with Justice Tanko Muhammad, a former Sharia Court Judge are all glaring examples.

In recent times, the attacks by Boko Haram insurgents in the North-East, Fulani-herdsmen conflicts in the North-Central, bombing and militancy attacks in the South-South, kidnappings in the South-East, and ritual killings, cultism and recently kidnapping in the South-West regions portend danger to the process of nation-building, political stability and national cohesion in Nigeria.

Governance in today's Nigeria is such that has portrayed and presented a mockery of the widely acclaimed symptom of good governance; democracy the official governmental practice has been hijacked by military apologies to the extent that citizens now experience despair instead of hope, insecurity instead of security, tragic and untimely death instead of long life and high life expectancy, illusion instead of expectation, deficits instead of dividends, militarisation instead of civility, dictatorship instead of rule of law, political selection instead of election etc. thus the Nigerian political landscape seem headed for disaster. Some of the country's political leaders have stripped naked the rules of civil engagement, jettisoned the constitution and have allowed a cacophony of dictatorial tendencies to hold sway. The instructive statement by Lord Acton (1834-1902) as cited in Oke (2010:35), that: "power corrupts, and absolute power corrupts absolutely" seems to have fallen on deaf ears with reference to the Nigerian polity. Doubtlessly, Nigeria is one of the leading corrupt countries in the world. The Transparency International in her annual rating over the years has made Nigeria third, fourth and fifth most corrupt nation in the world respectively, thereby making corruption to become part of governance in Nigeria (Epelle & Thom-Otuya, 2014).

6.2.   Challenges of Nigerian Federalism

For want of time and space, the challenges bedevilling Nigeria's federalism are summarised in the key-points presented below.

1. Structurally imbalanced federation
2. Crisis of fiscal federalism, revenue generation and allocation in Nigeria
3. Oppressive and unconstitutional exercise of federal executive power
4. Ethnicity and the problems of national unity
5. Marginalisation of ethnic minorities in Nigeria
6. The challenges of military incursion in Nigeria politics
7. Ethno-religious crisis and intolerance
8. The politics and challenges of state creation
9. Introduction of quota system and abuse of the federal character principle
10. Resource control controversy
11. Indigene-settler divide / dichotomy
12. Threat of secession from regions of the country
13. The presence of pervasive corruption in the Nigerian polity
14. Rising level of poverty and unemployment in Nigeria

15. Unproductive consumption among nigeria's leaders and Nigerians
16. Struggle for political of hegemony and ethno-religious dominance
17. Rising incidence of violence, insurgency, terrorism banditry in Nigeria

7. Conclusion and Recommendations

This paper has examined the intertwining impact of federalism and Democratization process in Nigeria with particular focus on governance, political representation and political participation using Swiss federalism as a model in a comparative perspective. The paper noted that Swiss federalism was shaped over a long time; indeed it was a bottom-up process which relied on the voluntary cooperation of previously independent entities. The partners, therefore, had the opportunity to get to know each other well, although it is clear from history that quite often there occurred conflicts, even in an armed capacity. The political system is strongly influenced by direct participation of the people in elections, referenda and initiatives which are the key elements of Switzerland's well-established tradition of direct democracy. Institutions such as the consensus type of democracy in the Swiss political system are designed to represent cultural diversity and to include all major political parties in a grand-coalition government. This leads to a non-concentration of power in any one hand but the diffusion of power among many actors. Swiss federalism gives guarantees of considerable autonomy to the cantons, not denying at the same time the possibility of implementing federal tasks.

On the other hand, the Nigerian federal arrangement was expected to be instrumental for forging national unity out of the plural society and at the same time preserve the separate social identities cherished by its component parts. Adoption of federalism notwithstanding, Nigeria's political system has continued to operate with minimum cohesion. There is no doubt that the increasing instability and tension in the Nigerian federation has cast doubt over its adaptability to solving Nigeria's plurality problems.

Nigeria can borrow a leaf from the Swiss model of federalism through the devolution of power and decentralisation of functions from the federal government to the states and local governments. The 1999 constitution of Nigeria as amended, if respected and followed diligently is sound enough to create an enabling environment for development to take place and also give room for a more people oriented constitution to be made through elected constituent assembly. The federal system of government in Nigeria could adopt the Swiss

model of direct democracy which would allow for more citizens' participation in decision making, so as to make the Nigerian leaders more accountable to the people.

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