

NIGERIAN FEDERALISM AND OBASANJO'S CIVILIAN ADMINISTRATION IN NIGERIA, 1999-2007

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ABSTRACT: *Adopting the systems and behavioural theories, this article examines the impact of military ethos and orientation on the principle of true federalism during the Obasanjo's civilian administration in Nigeria. The paper argues that Obasanjo's military ethos, orientation and behavior largely led to the distortion of the principle of true federalism during his tenure as Nigeria's civilian president. Against the backdrop of what is contained in the existing literature which usually focus on the distortion of federalism by military rulers, the present work looks at the issue of distortion of federalism from the perspective of military orientation of civilian leaders who had consciously and unconsciously imbibed military behaviours, norms, attitudes, values and practices as a result of long association with military government. It submits that this trend adversely affected the practice of true federalism, a principle believed by the vast majority of Nigerian people as panacea for stability and peaceful co-existence. Thus, it calls for a proper re-orientation and the alteration of the mind-set of every civilian and all retired military men now in leadership positions in Nigeria to see themselves as civilians rather than military men in order to handle issues of national importance in line with federal rules and democratic principles.*

KEYWORDS: Nigerian Federalism, Obasanjo, Civilian Administration, Nigeria

INTRODUCTION

When the military administration ended in May 1999, every Nigerian heaved a sigh of relief with the hope that the military government and its attendant autocratic system was over but unfortunately, the civilian administration that followed got the 'scar' of military administration in the form of 'carry-over' of military ethos and administrative behaviours to civilian administration. It is against this backdrop that this paper argues that the carry-over of military ethos and orientation into civilian administration significantly distorted the practice of federalism, and that the trend no doubt, adversely affected the stability of the Nigerian state during the administration in question.

Nigeria gained her independence on October 1, 1960. The period 1960 to 1966 witnessed the growth and development of Nigeria along political, social and economic lines. During the First Republic Nigeria practiced what scholars call the ideal federal system of government¹. For example, the regional governments were highly autonomous and independent of the Federal Government. In other words, the relative political and economic strength of the regional governments was matched by the weakness of the Federal Government. Many other federal principles which were equally observed rightly described the Nigerian First Republic as the 'Era of True Federalism'². But what happened when the military came to power in 1966? The military did not only disobey the fundamental principles of federalism, instead, under General Aguiyi Ironsi, federalism was abolished through the Unification Decree No. 34 of 1966.

The abolition of federalism under this regime foreshadowed what was to come during the subsequent military regimes in Nigeria. However, the adoption of the title, 'Federal Military Government of Nigeria' by the subsequent military regimes in the country has been described as not just a misnomer and an irreconcilable contradiction in the use of concepts but also a criminal offence termed "Criminal Phrasal Distortion"³. Simply put, though the subsequent military regimes affixed the name "Federal" to a military government (which is clearly the opposite of federalism), but with regard to mode of governance, the regimes were even worse than that of Ironsi. In other words, apart from the total negation of federalism, the regimes unleashed on Nigerians the greatest brutality in the history of mankind and which is comparable only to the massacre of the Jews by the Nazi troops during World War II.³

One very regrettable aspect of this development and which is the concern of this article is that this attitude has naturally crept into civilian administration in Nigeria. Though this attitude is still evident in Nigeria today, but we have chosen the period 1999-2007 as the terminal date as it marked the end of the first civilian administration in the Nigerian Fourth Republic and considering the fact that the administration came immediately after the end of military rule in May 1999. The systems and the behavioural theories were used as frameworks of analysis. We also attempted a definition of key terms to further elucidate our point of view and for an easy assimilation of the contents of this paper. Finally, we gave concrete examples of how the civilian leaders in Nigeria between 1999 and 2007 allowed their military orientation to jeopardize the fundamental principles of federalism. In other words, we presented in strong and concrete terms, the clear details of how federalism was thwarted by dictatorship at the federal, state and local government levels. This is done by citing several instances to substantiate the arguments.

It is hoped that the discussions in this paper will assist civilians in Nigeria imbibe a new orientation which will enable them to identify the difference between military behaviour and civilian behavior that would guarantee the practice of true federalism for the continued existence of Nigeria as a single/political entity.

DEFINITION AND EXPLANATION OF KEY TERMS

Ethos:

Ethos has been defined as the moral ideas, attitudes, nature and characteristics that belong to a particular group or society. Ethos can also be defined as the disposition, character, or fundamental principles and values particular to a specific person, people, group, corporation, culture or movement. Therefore, when we talk of military ethos, we mean the fundamental values, nature, attitudes, moral ideas and characteristics of the military.⁴

Orientation:

First Meaning of Orientation as it Affects Soldiers or those who had Military Training

In this respect, the Oxford Dictionary states that orientation means the training and information which a person receives before starting a new job, a new course of study et cetera. It is evident that former President Olusegun Obasanjo and many other civilian leaders under him had the above military orientation because they were at one time or the other pure military men or soldiers in Nigeria.

Second Meaning of Orientation as it Affects the Pure Civilians who never had Military Training.

In this respect, the Oxford Dictionary states that Orientation means a person's basic beliefs or feelings about a particular issue or subject or put differently, the basic beliefs or feelings which an individual has about a particular subject or issue. Note that this type of orientation comes naturally without any deliberate effort and without any formal education or training. An individual may acquire it because of the kind of environment he finds himself. May be he comes from a country where military rule is in practice or because he comes from a family where everybody behaves tough and violent. He is likely to behave that same way even though it may be injurious to people around him and therefore needs to be changed.

Examples of such orientation are:

- (a) Political orientation
- (b) Religious orientation
- (c) Sexual orientation et cetera.

Now, when we talk of political orientation, religious orientation or sexual orientation, it is evident that a person does not need any formal training or education before he engages in politics of brutality, politics of blood shed or military attitude to politics or before he becomes a Christian or Muslim or even before he engages in heterosexual or homosexual activities. Instead, what he believes or feels is good for him or whatever he is comfortable with determines his actions or choices, and this can come from what he sees his friends doing or what he sees people around him doing. For example, in the case of Nigeria, if civilians believe that due process is necessary before a bill is passed into law, the military does not believe this as whatever is the will of the head of state becomes law automatically because of the military structure of centralized command and authority whereby order flows from top to bottom and whenever such an order is given, no question is allowed or even expected. Unfortunately, this attitude has found its way into civilian governance in Nigeria as civilians no longer consider due process necessary because they had stayed and worked with past military leaders hence the adoption and absorption of military behaviors by imbibing military norms, attitudes, values and practices.

Federalism

Federalism is the principle where various levels of government and its component units exist side by side in the state; each possessing certain assigned powers and functions; each level of government is limited to its own sphere and within that sphere is autonomous and independent; neither may arrogate to itself powers assigned to the other; each operates directly upon the people and none is dependent on the other for its legislation, taxes or administration.

General Features of Federalism are:

- (a) Decentralization of powers/power sharing among the various levels of government
- (b) Existence of a federal constitution
- (c) Supremacy of the constitution and the rule of law.

- (d) Respect for the spheres of influence of one level of government by another.
- (e) Existence of a bicameral legislature
- (f) Separation of powers between the executive and the legislature.
- (g) Existence of a written and rigid constitution.
- (h) Accountability
- (i) Independence of the judiciary
- (j) Autonomy of the various units or levels of government
- (k) Equitable distribution of powers between the federal government and the component units.⁵

True Federalism:

This is a situation whereby the above listed features, characteristics or fundamental principles of federalism are respected and observed in a country. In other words, it means sincere or genuine commitment to the fundamental principles of federalism in a country. When this is done, the country in question is said to be practicing the ideal federal system of government⁶. This ideal federal system of government can only be achieved under a civilian administration (especially, a sanitized one), but there is no way a military government can obey or respect a single principle of federalism because military rule is simply the opposite of federalism.

Military Government

We shall under this sub-heading describe the nature, features and characteristics of the military and military government which when put together constitutes the military ethos. It is important to note that a military government is generally a dictatorship. The military comes to power by force through a coup d'état especially by overthrowing, arresting and seizing power from civilians or an existing military government which often involves bloodshed or killing of existing political leaders. In other words, military administration is a system of government in which all the governmental powers of a state are taken over by the military class who exercises absolute governmental powers of the state. It is a process by which the military class imposes and exercises absolute political powers on the people. It involves an exercise of political powers of a political community, without popular mandate or political responsibility. The military ruled Nigeria from 1966 to 1979 and from 1983 to 1999. In other words, the military has ruled Nigeria more than the civilians.

Military government is often described as an aberration. Military rule is therefore a form of social injustice imposed on a helpless people. It justifies its stay with a package of hurriedly prepared socio-economic and political programmes which is hardly properly executed.

The general characteristics of the military include:

- (i) Forceful and Aggressive Behaviour
- (ii) Discipline

- (iii) Esprit de corps
- (iv) Bureaucratic organization
- (v) Desire to give command
- (vi) Speed and fast behaviour
- (vii) Professionalism
- (viii) Radicalism
- (ix) Brutality and hardened behaviour⁷.

Because of the above, it is a known fact that military men are trained to kill. Their training and all forms of orientations are conditioned and made to serve this purpose. In the process of training military men to be suited to their functions, become hardened and manifest brutality in their behaviour. This characteristic is intensified by the deadly climate of wars and by the fact that they are isolated to the barracks from the entire society. Their brutal nature has made it necessary to confine them to the barracks so that they do not have conflicts with the civilian population. Furthermore, they are never used to maintain peace where there is social conflict. The police is used to quell riots, dispel angry demonstrators or settle minor disputes or clashes. When soldiers are drafted in to quell social conflicts and riots instead of using the police, the problem would be complicated for the nation. The military have generally no consideration for human lives or human feelings.

The main features of military government are:

- (a) Centralization of all the powers of government/total absence of power sharing between the central government and the various units.
- (b) Absence of a constitution
- (c) Lack of respect for the rule of law
- (d) Violation of the spheres of influence of one level of government by another especially by the central government.
- (e) Total absence of a legislature
- (f) Fusion of the powers of the executive and the legislature into one person, the head of state/separation of powers is completely absent.
- (g) Non-Accountability
- (h) Absence of an independent judiciary.
- (i) Lack of autonomy of the component units of the government.
- (j) Opposition is completely banned and any form of it is forcefully resisted and crushed.
- (k) Rule by decrees, edicts and ordinances which can be changed any time, any day and indeed are changed from time to time depending on the mood of the Head of State or

what and how he feels at any given moment and therefore done to suit his whims and caprices.

- (l) Speed of administration without administrative efficiency.
- (m) Inadequate discussion and lack of participative management et cetera.⁸

It is important to note that all the above attributes of the military are totally contrary and completely opposed to the principles of federalism. However, all the above is what is taught military men during their orientation. In other words, military men acquire the above attributes and qualities during their military training/orientation. For this reason, no military man or a person with military orientation can obey or respect even one principle of federalism. This is why such a person or such individuals are not in any way suitable to head a federal government.

Theoretical Framework

In an attempt to explain how military orientation or military style of government found its way into civilian administration and indeed into the Nigerian Fourth Republic, leading to the distortion of federalism, we shall adopt two theories. First, the systems theory and second, the behavioural theory.

In accordance with the principles of the systems theory, in every system (international, national, regional, continental and so on), there are smaller systems termed subsystems. In other words, every system has different parts. A defect, change or problem in one variable or in any part of the system affects the entire whole. It is for this reason that J. Harlesworth maintains that “when there is malfunctionality or dysfunctionality in any of the parts, others will be affected and hence, the whole will equally feel the imbalance⁹.”

In this work, the military institution is one variable while the federal system of government is another variable in the same political system called Nigeria. If the military departs from its constitutional role of defense and seizes power in a country like Nigeria, this change or defect in the military unit will adversely affect other elements in the same system. The military population in Nigeria is one variable while the civilian population is another variable. There was an interaction between present civilian leaders in Nigeria and past military leaders. In other words, because of the interference of the military in the administration of Nigeria, our present civilian leaders had co-existed with the military, dined with the military and worked together with the military in the same offices and in the same political system called Nigeria when they naturally imbibed the military norms, attitudes, values and practices. Put differently, their interaction with the military made them to have a behavioural change which today adversely affects the federal system of government in Nigeria.

Nevertheless, in spite of the application of the systems theory and its importance to this work, it is pertinent to state that the systems theory has been criticized for its inability to aid the study of political institutions, political culture and other domestic variables. For this reason, scholars hold the view that the systems theory is not very useful for the purposes of explanatory and predictive analysis. This calls for another theory, the behavioural theory which will address the shortcomings of the systems theory. In other words, the behavioural theory is also applied to this work because of the failure of the systems theory to clearly explain how the behaviour and attitudes of political leaders influence the performance of a given political system or shape the character of a political institution. James Rosenu

maintains that the behavioural theory presents a scientific – oriented theory about human behaviour and how the behaviour of prime actors or decision makers in a given political system shapes the character of the political processes and patterns of interaction and determines the outcome of political events¹⁰. Richard C. Snyder maintains that the behaviour of states is shaped by the human characteristics of the individual decision-makers. The state according to him is made up of so many decision makers that have varying perceptions, attitudes, motivations, feelings and prejudices¹¹. Applying this to the present study, it is argued that the behaviour of Nigerian leaders is one great factor that has shaped the character of the Nigerian political process and has always determined the outcome of political events in Nigeria such as the rigging of elections, emergence of bad leaders, embezzlement of government funds, violent conflicts, lawlessness, the distortion of federalism and many others.

FACTORS WHICH VIOLATED FEDERALISM DURING THE 1999-2007 CIVILIAN ADMINISTRATION IN NIGERIA

The same factors characteristic of a military regime which severely damaged federalism were all evident during the civilian administration of President Olusegun Obasanjo. We are going to enumerate them and at the same time explain them in detail.

Weak Legislature

Federalism guarantees the existence of a legislature, especially a bicameral one. The legislature is also expected to be effective, competent and powerful. But unfortunately, between 1999 and 2007, the manner in which political leaders handled the legislature rendered the Nigerian legislature incompetent, ineffectual, ineffective and even redundant. First, this arose from the fact that the President of the transitional civilian government, Olusegun Obasanjo was not only a Military General but was also a military Head of State from 1976 to 1979. Second, the Nigerian civilian leaders were under military rule for a long time when they naturally imbibed the military norms, attitudes, values and practices.

The civilian leaders of the Nigerian Fourth Republic at the federal, state and local government levels manifested authoritarian leadership style in their various administrative and political behaviours. For instance, the President of the Federal Republic of Nigeria, Olusegun Obasanjo controlled and directed the National Assembly as if he were a military Head of State. In this process, he ensured that all the discussions and issues concerning the National Assembly complied to his will. Also, the various elected state governors during the period directed the state Houses of Assembly like military rulers. In other words, these civilian leaders at the federal, state and local government levels controlled and manipulated the legislature according to their whims and caprices. For example, in 2004, the Senate decided to set up a committee to investigate the activities of the FCT Minister, Mallam Nasir El Rufai with a view to discovering his areas of incompetence and ineffectiveness as a result of the various complaints and cries of anguish from the general public that this minister destroyed houses out of malice as well as the destruction of structures which were properly located and should not have been destroyed.

The Senate President put the question for the investigation and subsequent removal of the FCT Minister, if found guilty, the majority supported the action. A committee was set up but

the President, Olusegun Obasanjo ordered for the immediate cancellation of any proposal and the dissolution of any committee for the investigation of the activities of the F.C.T Minister. The President also ordered EL-Rufai to continue his work of demolition and to cover areas yet untouched¹². That was the end of the move.

Again, at the federal level, the President of the Federal Republic took several actions without consultation with the legislature as contained in the constitution. Examples of such actions were the deployment of troops to quell Odi riot in Bayelsa State between 1999 and 2000, in which the army killed 1,600 innocent civilians and burnt more than 4,000 houses, the deployment of troops to quell Jos riot of September 2000 in which the army killed 350 civilians¹³. These and others are cases of violations of the federal principles as a result of military ethos and orientation of the president.

Emasculation of the Legislature by the Executive

This looks like the fusion of the powers of the executive and the legislature into one person which was witnessed during military rule in Nigeria. Therefore, one major way in which the administration under review fused the powers of the executive and the legislature into one person was through non-tolerance of opposition. Another was that the President and his governors did the work of both the Executive and the legislature. For example, in 2004, a state governor embezzled a total of N60 Billion Naira meant for his state. When the State House of Assembly attempted to impeach him, the governor spent over 500 million in bribery to fight against his impeachment and for the suspension and impeachment of the Speaker of the State Assembly¹⁴.stop

Again, in 2002, a report has it that a State House of Assembly adopted a motion for the establishment of a scheme that would employ a total of 5000 teachers in the State. This was because of the lack of sufficient and qualified teachers in the State's primary and secondary schools. But unfortunately, the then Governor of the State, directed the legislature to consider the motion before them as an unnecessary enterprise. The Governor further warned that if the legislators must go ahead with the motion, they should equally make available from their own pockets funds for the payment of the salaries of such teachers. According to the Governor, the State Government was already spending much on several meaningful projects and was not ready to embark on any white elephant project. That was the end of the motion as the legislators did not have the courage to continue with it¹⁵. There are hundreds of other similar instances.

The point here is that this attitude violated the federal principle which guarantees separation of powers between the executive and the legislature.

Centralization of the Powers and Functions of the Federal Republic

During the First Republic, Nigeria operated the ideal federal system of government in which the Federal Government and regional governments were co-ordinate in powers and functions. But, the position of regional powers, functions and revenue sources changed during the military regimes in Nigeria which gradually centralized all the powers and functions of the Federation. It is important to note that the concentration of powers at the federal level which is currently in existence in Nigeria today is not the way to achieve the much needed rapid development¹⁶.

Unfortunately, the Obasanjo's civilian rule of 1999-2007 continued the military policy of centralizing the powers, functions and financial resources of the federation, leaving the states and local governments with little powers, functions and financial resources. For instance, during Obasanjo's civil rule, the Federal Government enjoyed a total of 56% allocation, the thirty-six states received 24%, while the local government areas (LGAs) received only 20%. This situation always made the states and LGAs to beg for funds from the Federal Government for financing of important projects. And since it is he who pays the piper that dictates the tune, the Federal Government continued to control and manipulate the states and LGAs according to its will¹⁷.

Furthermore, the Federal Government under Obasanjo's civil rule dominated all the important sources of revenue in the country, making the states and LGAs over-dependent on it. For example, the Federal Government dominated the oil and gas sector-NNPC (Nigerian National Petroleum Corporation), PHCN (Power Holding Company of Nigeria), Nigerian Airways, Nigerian Railways, Nigerian Ports Authority and so on¹⁸. Other instances abound.

The point here is that, this manner of governance violated the federal principle which guarantees equitable distribution and decentralization of powers between the federal government and its component units.

Non-Observance of the Constitution

The civilian administration of President Olusegun Obasanjo violated the constitution recklessly and without qualms at it had great disregard for the constitution. For example, the President of the Federal Republic of Nigeria, contrary to section 217 (2) (c) of the 1999 Constitution of the Federal Republic of Nigeria, ordered troops of armed soldiers to quell Odi riot in Bayelsa State between 1999 and 2000¹⁹. The action violated the above section of the constitution as the President did not obtain the consent of the National Assembly. As a consequence of the military operation against Odi Community in Bayelsa State, over 1600 lives were lost and about 4000 houses were burnt. Indeed, the Odi community was plundered and destroyed by the military operation which was meant to quell the civil riot²⁰.

Again, the Constitution of the Federal Republic of Nigeria (1999) section 3 (6) and section 8 (3) provides the guidelines/procedures for the creation of new local government councils. But unfortunately, after the installation of the Fourth Republic in May 1999, many state governments in an attempt to score political points recklessly created new local government areas without observing the provisions provided by the above sections of the Constitution. By the fourth quarter of 2002, almost all the state governments had unilaterally created local governments, thereby violating the Constitution²¹. Furthermore, the House of Representatives on September 4, 2002, alleged that the President of the Federal Republic committed a total of 117 constitutional breaches between May 1999 and September 2002²². There are many other instances.

In summary, all the above violated the federal principles which guarantees respect for the constitution.

Frequent Tampering with and Amendments of the Constitution

Nigerian civilian leaders are very notorious for their frequent tampering with and amendments of our constitution to suit their whims and caprices. At both the federal and state levels of government during the period under review, political leaders in Nigeria amended the

constitution based on what and how they felt at any given moment. In other words, the civilian leaders at that time tampered with the constitution to accommodate any of their personal desires including the ones that came up suddenly. When we talk of a rigid constitution, it means the constitution is not amended frequently and even when there is need to amend it, the process is cumbersome and is not done immediately. But unfortunately, during the period under review, the state governments and even the Federal Government amended the constitution recklessly, frequently and easily too, and this most times was done in one day or at most one week. For example, a report has it that in January 2004, a state governor wanted to reduce the tenure of office of elected local government chairmen in his state from four years to two years, he simply ordered the legislature on Monday the 19th of January 2004 to make sure the arrangement was concluded before the end of the week. Dramatically, before Friday the 23rd of January 2004, the Constitution was amended²³.

Another report states that in September 2004, a state governor decided to dissolve a branch of the public service (a Sanitation Agency instituted by a previous administration) which he felt was not productive and which had employed over 11,500 workers. Therefore, in order to reduce the amount of money spent on salary by sacking the workers or reducing the state workforce through the dissolution of the Agency, the Governor directed the State House of Assembly to amend the Constitution (by abolishing the law providing for the establishment of the Agency) as quickly as possible to accommodate his plan. Sadly, in just one sitting (one day) the Constitution was amended and the law abolished²⁴.

Furthermore, another report has it that when in 2005, the President of the Federal Republic, Olusegun Obasanjo decided to go for a third term in office, he simply ordered the legislature to amend the Constitution to enable him stay another four years in office. This plot failed because of the intervention of the United States of America and Britain who warned him to stay away²⁵. There are hundreds of other examples.

In summary, the decision of Nigerian political leaders to frequently, easily and as fast as possible amend the constitution in order to satisfy their selfish desires is a total violation of the federal principle which states that, a federal constitution must be rigid and never to be amended simply to satisfy an individual or group interest.

Invasion of the Spheres of Influence of One Level of Government by Another

During the period under review, there was no respect for the spheres of influence of one level of government by another. It is on record that the component units of the Federation always had their authority and areas of functional jurisdiction encroached upon by the Federal Government with flagrant impunity. For example, in May 2000, President Olusegun Obasanjo imposed on state governors the amount of money they would pay their workers (with regard to the National Minimum Wage) without negotiation, discussion or consultation with the state governors or even the National Assembly. The governors were angered and reminded the President that the era of centralization under military rule was over. They insisted that only the states could negotiate wages with their employees, as contained in the constitution²⁶.

Also, during the period under review, state governments controlled the monthly allocations from the Federal Government meant for the local government areas. There were also cases whereby state governors dismissed democratically elected local government chairmen who refused to allow the state governments to control the monthly allocations from the Federal

Government meant for their areas. It is important to note that these LGA chairmen were dismissed through radio announcements and not through the constitutional procedures²⁷. This violated the authority of the local government as a separate and autonomous level of government. There are other examples which are too many to be contained in this article.

Simply put, this attitude violated the federal principle of non interference in the spheres of influence of one level of government by another.

Weak Judicial System

During the democratic rule of President Olusegun Obasanjo, 1999 to 2007, the judiciary was not free from external control and influences in the performance of its duties. First, judicial appointments were not done on the basis of the merit system, second, there was government's use of threats to intimidate judges, third, there was government's direct interference in the judicial process and fourth, there was government's non-compliance with court orders, injunctions, rulings and judgments. For example, a report has it that in 2003, a journalist was made to appear before the court for reporting what the Federal Government considered as offensive. But the judge handling the case reaffirmed the right of the journalist to do his job. Unfortunately, after four days, the judge was relieved of his appointment. The Federal Government also sent thugs, not the police or even the army, to arrest the journalist and bring him Aso Rock. At Aso Rock, he was flogged, tortured and brutalized mercilessly. After this, the thugs took him to the police station where he was detained for two years without trial²⁸.

It was also reported that in 2005, when the court declared a member of the A.D. (Alliance for Democracy) the winner of a local government election, the Governor of the State who was a member of the P.D.P (Peoples Democratic Party) in defiance of the court order, sent more than one hundred police men to block the gates of the Local Government headquarters to prevent the chairman from entering²⁹. There are hundreds of other similar instances.

In summary, this violated the Federal Principle which guarantees the existence of an independent judiciary.

Non-Participation in Governance by Citizens at the Grass-Roots Level

One major way in which the administration under review robbed the grass-roots of participation in governance was by maintaining the Single Tier Local Government system which was instituted by the military during the era of military rule in Nigeria. We should remember that, before the emergence of military administration in Nigeria, all the regions in Nigeria were operating the tier system of local government, precisely, the Three Tier System. For example, in the Eastern Nigeria, there were the County Council, the District Council and the Local Council. This tier system brought government very close to the people and provided opportunities for participation in government by the rural dwellers. But, by the 1976 Local Government Reform under the military, a single tier all purpose local government councils were created throughout the Federation. Consequently, the Three-Tier System was abolished in the country.

This single tier system of local government continued into the civilian administration of President Olusegun Obasanjo and was sustained throughout the period, 1999-2007. The military governments adopted the single-tier system because of the principle of centralism and uniformity of standard for which the military is known. Unfortunately, this single-tier

system during the civilian dispensation cut off a direct link between the government and the rural dwellers and made it difficult for them to participate in governance. The single tier system has a serious weakness of having structures which are not big enough to be very viable as to handle big local government functions or small enough as to be very close to the people so that they can command their interests, aspirations and sympathies³⁰. This system adversely affected the performance and operation of the federal system of government during the period under review.

It is equally on record that during this period, legislators at both the federal and state houses of assembly abandoned their duties in pursuit of personal wealth. They forgot the people they were meant to represent³¹. This no doubt denied the Nigerian citizens adequate representation which at the same time robbed them of that aspect of participation in governance.

All the above violated the federal principle which guarantees participation in governance by citizens at the grass-roots level.

Ineffective Governance at the Grass-Roots Level

One major reason why the administration under review failed to govern effectively at the grassroots level was because it neglected the role of traditional rulers in the scheme of things, especially, in the Nigerian Constitution. We should know that traditional rulers in Nigeria are very important. They maintain law and order and peace in their domain. They make laws, rules and regulations for the people. They administer justice, protect their domains and plan the development of their communities.

One cannot operate a true federal system without assigning constitutional roles or functions to these traditional rulers who are very close to the local populace. But unfortunately, the Obasanjo's government did not recognize them in the running of the federal system. This robbed the government of the needed touch with a vital segment for governance, the local communities³².

In summary, the above violated the federal principle which advocates effective governance at the grassroots level.

Lack of Autonomy of the Component Units of the Federal Government

One way in which the Federal Government failed to grant autonomy to its component units was by neglecting the issues of derivation and resources control. Another was by robbing its component units of financial autonomy, administrative autonomy and political autonomy.

First, during the Obasanjo's civil rule from 1999 to 2007, the demand for resource control heightened because of the total neglect of the oil producing states by the administration. The situation was so serious that the South-South governors and federal legislators held a meeting in Benin City for their first time in order to wrestle the Federal Government on resource control. In response to this agitation, the Federal Government took the affected southern state governors to court to maintain its stand against resource control. This caused a lot of social conflicts and youth restiveness in the oil producing societies³³. A report has it that the Federal Government was so powerful that apart from totally controlling the resources belonging to the states, the President, Olusegun Obasanjo even sold those resources (including the refineries) to private individuals and close friends towards his exit from office³⁴.

Another example is that, under the Obasanjo's civil rule between 1999 and 2007, the component units of the Federal Government were not financially autonomous. For instance, the state governments and local governments were not free to determine and authorize their annual budget and expenditure without the intervention of the Federal Government. Again, although the states and LGAs may generate revenue, yet they were not allowed to allocate their financial and material resources without the influence of the Federal Government. The state governments for their part, did not allow the LGAs to impose local taxation³⁵.

Again, there was no administrative autonomy. In other words, the component units of the Federal Government lacked administrative autonomy during the period. For example, the local governments were not free to recruit, promote, discipline and control their staff and manage local affairs within the limits of law and regulations without the intervention and influence of the state governments. The state governments also laid down the number of council members and even went further to dictate their powers and their functions. Staff regulation in the LGAs was also done by the state governments³⁶.

Also, the component units of the Federal Government lacked political autonomy during the period under review. For example, the states and LGAs under Obasanjo's civil rule were not free to make bye-laws and policies on the functions allocated to them without Federal Government's intervention and influence. Also, the bye-laws of the local governments must be approved by the state government before their implementation. The Federal Government also laid down the guidelines for the conduct of council elections/the election of local government chairmen and councilors³⁷. This system rubbished the three-tier system of the Federal Government of Nigeria.

In summary, the above violated a very important federal principle which gives the regions or states and local governments the right to be autonomous financially, administratively, and politically, and then to control and manage the resources within their domain.

CONCLUSION

We have seen in this work that during the First Republic, (1960-1966), Nigeria operated what scholars call the ideal federal system of government. But with the intervention of the military in Nigeria politics in 1966, federalism was abolished. The subsequent military regimes continued the distortion and utter negation of federalism because military rule is simply the opposite of federalism. Therefore, no matter how benevolent a military government may be, Nigeria under military rule, whether in the past, in the present or in the future cannot correctly be regarded as a federal state, in actuality.

This work also holds the view that in line with the principles of the systems theory and the behavioural theory, the above practice has naturally crept into civilian administration in Nigeria. Put differently, we discovered that the military orientation of civilian leaders derailed the process of good governance in Nigeria such that they found it impossible to govern the country in accord with the federal principles from 1999-2007. Therefore, under the President Olusegun Obasanjo's civilian administration between 1999 and 2007, there was destruction of federalism by government-civilian political leaders.

Finally, this work suggests that Nigeria should embark on a serious process of civilianization of the political and administrative systems and processes in the country. First, our civilians,

especially, the leaders should understand that they are civilians and not military men. In other words, both the leaders and the led should strive to identify the difference between military behaviours and civilian behaviours and then purge themselves of military tendencies and attributes that are detrimental to the practice of federalism. Again, there should be genuine review of the 1999 Constitution of Nigeria with a view to eliminating all the anti-federal and military characteristics in it. This will guarantee the success of federalism and the continued existence of Nigeria as a nation.

REFERENCES

- [1] www.countrystudies.us/nigeria/68.htm
- [2] www.fedraco.com/another-look-at-federalism/2014/in-nigeria.htm
- [3] Hearts G.A Ofoeze, "Politics and Administration in Nigeria and the Human Rights the Igbo" in A.E. Afigbo, "The Tears of a Nation and People: The Igbo and the Human Rights Situation in Nigeria" (Okigwe: WHYTEM PUB. Nigeria, 2000), pp.27-39
- [4] Oxford Advanced Learners Dictionary; Edited by Jonathan Crowther (London: Oxford University Press, 1989), p.395.
- [5] Alex I. Ofoegbu, "Theory of Federalism" (Ibadan: Johnny-MAT Press & Publishers, 2008), p.85.
- [6] Ibid., pp.115-116.
- [7] G.O. Ezeadi, "The Role of the Military in Politics" (Enugu: MAS FOUNDERS Printers, 2001), p.21
- [8] Ibid., pp.84-85
- [9] J. Harlesworth cited in Chris Obiukwu, "Contending Paradigms and Theoretical Perspectives in Contemporary Political Analysis" (Owerri: AMBIX Printers Nigeria, 2004), p. 99
- [10] Marshall Fitzgerald, "Theory Theorizing in Political Science," (New York: Sheffield Press, 2004), p.215
- [11] Chris Obiukwu, op. cit., p. 89.
- [12] Premium Times Update: "Why Senate Questions Demolition of Structures" (Lagos: Hos-Wagen Press, 2004), p.1
- [13] Dalhatu Tambuwal, "Authoritarian Leadership in a Democratic Era" The Nigeria Newspoint Newspaper (Vol. X1, No. 73, Oct. 19, 2007), p.4
- [14] Nigeria Timeline, "The Future of Nigeria Democracy is Bleak Unless the Stakeholders Take Action" (Ibadan: Brobougx Wins, 2005), p.2
- [15] Ibid, p.3
- [16] www.althingsnigeria.com/2011/decentralization-o...
- [17] Bede Ibeakalam, "Centralizing Trends in Nigerian Federalism" The Nation Newspaper (Vol. iv, No. 133 of February 27, 2009), p.1
- [18] Ibid, p.5
- [19] www.hrw.org/the-destruction-of-odi-and-rape-in-choba/1999.htm
- [20] www.waado.org/introduction-to-the-documentation-of-the-invasion-odi/1999.htm
- [21] Herbert Nwosu, "The Executive in Nigerian Government Since the Fourth Republic" Journal of Political and Social Sciences. Vol. 7, March 2009.p.82
- [22] Ibid., p.84
- [23] Ibid., pp.85-86
- [24] Ibid., p. 83

- [25] Ibid., p. 85
- [26] J.D. Nwabueze, “The Political Foundation of the Nigerian State” (Lagos: Harris. Pub.Com.2009), 107
- [27] Ibid., p.112
- [28] Nigeria Timeline, op. cit., p.3
- [29] Ibid., p.I
- [30] Bede Ibeakalam, op. cit., p.4
- [31] Ibid., p.5
- [32] Herbert Nwosu, op. cit., p. 87
- [33] Nduka Okere, “The Rugged Life: Youth and Violence in Southern Nigeria” Quarterly Journal of Administration Vol. xvi, Oct/Jan. 2007/08. p.21
- [34] Nkolika E. Obianyo, “Reconstructing the State in Africa: Good Governance, Market Reform and Virtual Governance – The Experience of Nigeria” Nigerian Journal of International Affairs, Vol. 35, No. 1, 2009. p.26
- [35] G.E. Maduagwu, “Federalism and Intergovernmental Relations in Nigeria” (Ilorin: Nobel Publishers, 2008), pp. 55-57.
- [36] Ibid., p.59
- [37] Ibid., pp. 60-61