

RESTRUCTURING: RESOLVING THE NATIONAL QUESTION IN NIGERIA

Marietu .S. Tenuche

Department of Political Science, Kogi State University, Anyigba

Joseph .O. Achegbulu

Department of Public Administration, Kogi State University, Anyigba

ABSTRACT: *The paper titled “Restructuring Resolving the National Question in Nigeria” x-rays the challenges befalling the country in the quest for national unity and integration. The study using content analysis and qualitative research through adoption of secondary data and oral interview found amongst others the divergent and often contradictory opinions of Nigerian elites on wide range of issues such as national structure, fiscal federation, national security to mention but few. The primordial character of the ruling class, poor governance at all levels as well as selfish disposition of elites as largely responsible for the loud demand for restructuring. The study therefore concludes that the centrifugal tendencies of Nigerian ruling class is responsible for the outcry for restructuring. The study recommended amongst others the strengthening of institutions and governance mechanisms and behavioural modifications of Nigerians.*

KEY WORDS: restructuring, national integration, federating units, good governance, national conference.

INTRODUCTION

Two main issues have defied resolution since the amalgamation of the entity called Nigeria in 1914. These are the structure of the Nigeria Federation or the perceived imbalance in the structure of Nigeria as a federation and fiscal federalism or resources allocation in the country. These two issues have been at the root of agitations by the various ethnic nationalities that make up the Nigerian state from the pre-independence era till date. Every administration since the amalgamation of Nigeria in 1914 had to contend with agitations that culminated in one form of restructuring adjustment or the other. The traditional method which made appeal to the various administrations is the convocation of a national conference which in turn gave birth to new or revised constitutions. Between 1914 and 2014 eleven conferences were held to fashion out an acceptable federal structure and the best method for an acceptable model of resource sharing and yet since the APC Government led by Muhammadu Buhari came to power in 2015 there has been a had push by some ethnic nationalities demanding for a new structure for the Nigerian federation. The push has culminated in the emergence of a group called the Independent People of Biafra which has since been criminalized as a terrorist group, the Avengers in the South South among other militant groups. The activities of these groups have generated a lot of reactions and counter reactions from other groups. Specifically, the Arewa Youths responded to the activities of IPOB by given an ultimatum to the Igbos from the South East to vacate the Northern State. Efforts by the APC led government is further aggravating agitations as governments actions and

inactions in terms of public policies are given ethnic colorations. At the inception of the Buhari administration, the administration attempted to play down on the demands for restructuring calling it the antics of the opposition- Peoples Democratic Party (PDP). However, the loud agitations it would appear has forced government to shift ground as the ruling APC have had to consider setting up a committee to advise government on the thorny issue.

The concern of this paper is to examine the reactions of some opinion leaders in Kogi and Kwara States on the on-going national discourse on restructuring with a view to eliciting from them a most likely method of finding a way out of the seemingly intractable problem. A number of issues are germane to the study. One is, is the loud clamour for restructuring of genuine concern to the ordinary Nigeria citizen. The fundamental question are demand for a larger and better share of the national cake. How widespread is this demand across the country? What is the nature and dimension of the demand? What is the perception of the articulate members of the country on the seemingly hydra headed monster called restructuring?

METHODOLOGY

The concern of this paper is to collate the perception and reaction of some opinion leaders to the on-going national discourse on restructuring. In doing so, efforts were made to randomly select respondents from each of the Senatorial Districts in the two States (Kogi and Kwara) surveyed. Our secondary sources of data include textbooks, journals, newspaper reports and the reports of the National Conference of 2005, 2014 and the Executive Summary of the Report on National Conferences.

REVIEW OF RELATED LITERATURE

National Conferences in Nigeria: A Historical Perspective

Every administration since the amalgamation of Nigeria in 1914 contended with agitations that culminated in the convocation of a conference. The conferences that occurred before Nigeria's independence were convened to address the issues of the low representation of Nigerians in governance. However, the perceived imbalance in the structure of the country and the appropriate constitution to adopt had started to generate some reactions even before independence. They became issues for consideration at some of the conferences. This was however played down by the nationalists to confront the pressing issue of independence from colonial rule.

Specifically, between 1914 and 2014, eleven Conferences were held on Nigeria. That translates to the country organizing a Conference at least once in every decade of her existence. The Conferences include:

1. Accra 1920 which led to the Clifford Constitution of 1922
2. Macpherson Constitutional Conference, Ibadan, 1950
3. London Constitutional Conference, July 30 to August 22 1953 concluded from January-February 1954 (to revise the 1951 Constitution that adopted a federal constitution)
4. Nigerian Constitutional Conference, London, May and June 1957

5. Adhoc Constitutional Conference, September 12, 1966
6. Constitution Drafting Committee (CDC), September 1975
7. Constituent Assembly, 1977
8. Constitutional Review Committee September 1987 (This culminated in the inauguration of the Constituent Assembly which gave birth to the 1989 constitution).
9. National Constitutional Conference, June 26 1994 to June 1995
10. National Political Reform Conference, February to July 2005
11. The National Conference, 2014, April-July 2014

These conferences made modest contributions towards resolving the national question at each epoch during the growth of Nigeria where each conference built upon the previous. However, the conferences were not without challenges. The major difficulty was usually the achievement of the set objectives for the conferences.

Upon the attainment of independence in 1960, the issue of the imbalance of the federal structure became quite contentious and the management of the country's plurality became problematic. The popular phrases of some of the founding fathers of Nigeria readily come to mind. One of such is the statement credited to the late Premier of the Northern Region and Sardauna of Sokoto, Sir Ahmadu Bello who asserted that "the mistake of 1914 has come to light" in apparent response to the 1914 amalgamation of the Northern and Southern protectorates. The Premier often told his contemporaries that the differences among the various communities should not be swept under the carpet but should be understood for the successful management of our plurality. Chief Obafemi Awolowo described Nigeria "as a mere geographical expression".

The contentious issues that have continued to defy solutions in Nigeria are power sharing and resource distribution. These issues have generated a lot of debate during military regimes and in the present democratic dispensation. In President Abacha's inaugural address to the 1994 Constitutional Conference; he explained that

A contentious controversial issue that has dogged our nation's political history is the question of revenue allocation. The primacy of this problem is evidenced by the series of memoranda which the Constitutional Conference Commission received on the subject. Since independence successive Administration has grappled with the question of an equitable statutory distribution of revenue from the Federal Account. In fact, this issue predates our independence when the question was whether allocation should be based on derivation or on need. We have always looked for a formula which takes into account the facts of nationhood, and the overall national interest. Any useful and long lasting revenue allocation formula has a conform to the political structure of t h e country. One of the valid observations which have been made is that, revenue allocation should complement rather than substitute revenue generation.

With the advent of democratic rule in 1999, there was a strong push for the convocation of a Sovereign National Conference. Civil society groups dubbed the 1999 constitution a military document that did not emanate from the people although the preamble to the document read "WE THE PEOPLE". There was also the feeling by proponents of the Conference that the structure and nature of the federalism we operate required an overhaul.

The Federal Government of Nigeria under the leadership of President Olusegun Obasanjo eventually acceded to the calls for a National Conference when on 21st February, 2005 inaugurated what he called the National Political Reform Conference (NPRC) under the chairmanship of Justice Niki Tobi (Rtd). The demands for the convocation of a Sovereign National Conference have been part and parcel of the agenda of democracy movements across the country especially during the days of military absolutism. Specifically, the call had begun to gather momentum under the Babangida Regime (1985-1993). It however reached a crescendo following the annulment of the 12th June, 1993 Presidential election (see, Agbaje et al, 2004; Ojo 2000). The orchestrated attempt by the late General Sani Abacha to succeed himself also added bite to the struggle (Okpe, 2003:32). It was perhaps this development that warranted the deeply entrenched contempt with which General Abacha's 1994/95 Conference was treated.

Given the foregoing background, it was therefore not surprising to see the high upsurge in the emergence of many more forces, especially of identity, calling for convocation of the national conference when Nigeria transited to democracy in May, 1999. This is because given the expected opening of the public space for democratic discussion, deliberation, disagreement, and consensus as a result of the political liberalization of the public sphere, room was created "for the expression of bottled up anger and frustration, which successive military regimes unduly suppressed through the executive suffocation and constriction of the public space" (see Omotola, 2005: Adebani, 2003). Despite the fact that various nationalists had different issues to be tabled at the conference, a common denominator of the call was unanimity of the opinions on the types of conference to be convened-a Sovereign National Conference (SNC), whereby the decisions of the conference will have a force of law and binding on the state and society as well as their agents. Not quite unexpectedly, the idea of SNC did not go down well with the managers of the state, particularly the presidency and the National Assembly. For them, the convocation of the SNC amounts to creating a parallel centre of power to those of duly elected representatives of the people. More fundamentally, the comparative experience of SNC across the globe especially in Benin Republic has not been very palatable to the conveners (see, Nzouanke, 1993; Heibrunn, 1993: Omitogun and Onigu-Otite, 1996). In Benin for example, the sovereignty accorded the national conference empowered it such that at the end, the convener, President Mathieu Kerekou, was totally stripped of his powers (Omitogun and Onigu-Otite, 1996:25-26).

But as the tempo of the call heightened in Nigeria, President Olusegun Obasanjo eventually saw the need for a form of forum for National Dialogue, hence the inauguration of the NPRC. Justifying the NPRC, President Obasanjo declared while inaugurating it on the February 21, 2005 that:

Our history as a nation shows very clearly that we have been through some difficulty times. We have missed great opportunities. Our historical experience at constitutional making and political reform shows that we may have some structural defects that require adjustment so as not to constrain the deepening, widening and consolidation of democratic values and practices (Obasanjo, 2005).

The above suggests that the president not prepared for any fundamental changes in the state and society but mere “adjustments”. One may therefore submit that the NPRC was carefully packaged and designed to ensure “adjustments” in areas considered to be contentions so as to placate and silence the advocates of SNC particularly the progressive forces.

Nevertheless, following months of deliberations, at times under tumultuous atmosphere especially toward the last days of the Conference, the NPRC formally submitted its report to the president of the Federal Republic of Nigeria in Abuja on Sunday, July 24, 2005.

Setting Framework for National Question

The issue of the national question is fundamental in Nigeria, as in elsewhere, Onyeoziri (2002:10) avers that the national question “afflicts many political systems, hardly has a final solutions, is complex or multi-dimensional in nature, and is historically contingent”. Despite this generalization, the national question may vary in its form and character among nations and within a nation. To fully grapple with the national question would therefore require a contextual analysis that emphasizes the particularities of the question in a given policy. At a general level, the national question connotes “the totality of issues that can take heavy tolls on national rebirth, integration and development” (Saliu and Omotola, 2006). Within the Nigerian context, however, the national question has been defined as “the perennial debate as to how to order the relations between the different ethnic, linguistic and cultural groupings so that they have some rights and privileges, access to power and an equitable share of national resources”. (Ajayi, 1992 in Saliu and Omotola). In a related vein, Albert (2001:272) defines the national question in Nigeria as primarily concerned with group rights, self-determination, truth, justice, fairness and respect for others”. For Oyovbaire (1989:385 in Saliu and Omotola), the national question pertains to “the concrete problem of social existence arising from assertive competition among persons who possess multi-ethnic or multi-communal and regional consciousness, with which was created in its foundation by the turn of the 19th century, and of its articulation since that time, by and under colonial domination” (Saliu and Omotola, 2006).

What the following conceptualization of the national question in Nigeria suggests is that, for us to be able to decipher and grapple very decisively with the national question in Nigeria, there is need for some historical insights on the evolution and development of Nigeria. It is within such historical insights that we can locate the deepening crisis of the Nigerian state and society particularly the crisis and condition of the federal framework and democracy in Nigeria (see, Amuwo, etal, 1998; Gana 2003; Onwudiwe and Subera, 2005).

Historical perspectives to the National Question

It is a well-known fact that Nigeria was a colonial creation. Before the advent of colonialism, the various groups that constituted Nigeria today had operated different political and administrative systems suitable for them (see Omotola, 2004). It was these various groups, which scholars have put at over 400 that colonialism forcefully brought together under British control but administered through divide and rule policy. As such, while Lagos was run as a crown colony via direct rule, the Northern part was administered as a protectorate via indirect rule. This was in order to maximize the benefits of colonial adventure and perhaps lay precarious foundation for

nation building. As it turned out, the amalgamation of 1914 evidenced this as it was much more real on paper than in practice. Years after the amalgamation, the North and South continued with their separate administration (Omotola 2004:243).

The chain of conferences and constitutions that evolved under colonial administration, though largely borne out of the precarious balance of the polity, was however incapable of redressing the problem rather, it complicated it. For instance, the elective principle introduced by the Clifford Constitution was restricted to Lagos and Calabar on the basis of limited franchise. The regionalism introduced by Richard Constitution of 1946, remains till today, the very foundation of mainstreaming of identify politics into National life. The adoption of a perverted Federal System by the Lyttleton Constitution of 1954, given its violation of J.S Mill's law of federal stability that requires that no part of the federating units be larger than other sides combined together and the eclectic attempt by the post-colonial state to redress the imbalance, has also been a major source of contradiction (see, Nwosu, etal, 1998). As such, at independence in 1960, the political economy of the country was already well distorted and therefore not strong enough to receive shocks (see Osaghae, 1998). Under the first Republic (1960-1966), the organization of the state was done in such a way that regional governments were empowered both in terms of power sharing and resources allocation, culminating in reasonable degree of autonomy for the regions. For instance, by the 1963 Republican Constitution of Nigeria, each region was entitled to 50 percent of their natural resources. However, by section 142 of that Constitution, each region was expected to contribute to the costs of administration in a consolidation revenue fund proportionate to the share of duties received by it in a financial year (cf Daily sun, June 18, 2005.5). This was to be drastically altered as a result of the civil war that engulfed the country between 1967 and 1970. During this period, Nigeria tended towards a unitary system despite its publicly avowed commitment to federalism. As part of the measures to weaken the secessionist Biafra, new states were created in 1967 and the principle of derivation was introduced to revenue allocation and was assigned 5 percent. Today, derivation attracts 13percents as provided by the 1999 Constitution. The Constitution apportions ownership of all natural resources to the Federal Government via its section 44(13).

Over the years, this development has been a major source of tension in Nigeria. There has been a persistent call for an upward review of the relative weight assigned to derivation especially from the oil producing states in the Niger Delta. This is particularly so since oil remains the major sources of revenue generation and foreign exchange earnings for the country (see Obi, 1998). Besides the massive destruction of farmlands and rivers due to oil exploration and exploitation in the area, the poor living condition of the people has been another justification for the demand, which has in recent times graduated to the struggle for resource control.

Unfortunately, the response of the government to these agitations has been through propaganda, indifferences and the use of force (see, Ovwasa, 1999). In most cases, the government preferred the violent option as epitomized by the response to the Ogoni uprising, and the infamous Odi massacre. These years of neglect and deprivation have led to a massive emergence and proliferation of ethnic militias. Notable among them are the Egbesu boys; Chikiko movement, Niger Delta Volunteer people Force (NDVPF) led by Alhaji Mujahid Dokubo Asari; and the

Ateke Tom Niger Delta vigilante group (NDVG) and more recently the Niger Delta Avengers. With the recommendation of the 17 percent by the NPRC as the new derivation formula in 2005, these groups threatened war unless they are given power to control their resources.

But for the non-oil producing states specifically the Northern states, the demand of the Niger Delta was unnecessarily, too high. According to Sam Aluko(Sam), the revenue used to explore oil in Niger Delta in the first instance came from other regions of the country; second, agriculture still contributes a higher percentage of 41% to the GDP of the country as against the 1.4 from oil. The issue of resources control is therefore considered as unjustified. The people of the Niger Delta region debunked this position. They argued that the capital for exploration of oil in the region was sourced by foreign firms that were interested in the oil industry. These companies included the Nigerian Bitumen Company in 1908, Shell D. ARCY 1940 and in 1946 Shell Company and British Petroleum (BP) Company that finally discovered oil at Oloibiri in 1956 (ANNKIO BRIGGS 2014). They also argued that at present oil revenue contributes 88% of Nigeria's total revenue earning. For the people of the Niger Delta, it estimated that oil will expire in the region in another thirty years and that given the level of the degradation of the environment as a result of oil exploration activities and the difficult terrain, the region requires huge sums of money to clean up the environment.

Beyond revenue allocation, there is also the dimension of power sharing among the various groups that make up the federation. Nigeria has over the years operated a form of centralized federalism where the central government has overwhelming control of power and resources thereby placing other tiers of government at the mercy and as appendages of the central government (see, Onwudiwe and Suberu 2005). The 1999 Constitution shows that 68 items are on the exclusive list, while the concurrent list has only 10 broad items, which are further split into 30. But in the event of a clash between the federal and state government on any of such issues, the federal position takes precedent. The implication of this, as Festus Keyamo has observed, is that the federal government can legislate on 98 areas to the detriment of the state (cf, sun, 19 June, 2005:11). This issue also resonated at the National Conference 2014.

The issue of vertical revenue allocation among the three tiers of government has been another crises spot. While the relative weight assigned to each tier varies under different regimes, one obvious fact is that the federal government has always been over patronized. As at today, the Federal Government takes 56 percent, states 24 percent and local government 20 percent. This leaves at the disposal of the federal government enormous financial resources mostly used for unproductive activities such as servicing an over bloated and lazy bureaucracy at the centre.

The implications of the foregoing on Nigerian's political development are glaring. Most importantly is the unhealthy rivalry and competition for power at the centre so as to have access to the federal wealth by the various groups in the country. This partly explains the rise in the spate of secessionist threats, proliferation of ethnic militias and ethno-religious conflicts (see, CFCR, 2002:30). Indeed, the concern among the elites and politicians is "who lost powers, who won powers, and who wants power back". This has been well played out in Nigeria especially since independence. But in the struggle, the Northern part of the country is alleged to have

gained considerably at the expense of the other parts (see Ayoade,1998). It was the annulment of the June 12, 1993 presidential election by General Babangida and the attendant impasse that precipitated the power shift agenda. Today, the Northerners are clamoring for a return of “their” power, having relinquished, it for 15 years. For the South South, it is their turn to produce the President of Nigeria, as the “hen that lays the golden egg” of the country. The South East too felt that as third largest ethnic group in Nigeria, they should automatically produce the president, the two larger groups (Hausa and Yoruba) having had their turns.

The foregoing analysis attests to the fact that the Nigerian Federalism is really a project in crisis (Osaghea, 2005: Olukoshi and Ogbu, 1996). These deepening crises and contradictions, as illustrated above, underscore the call and justification for a SNC. After initial resistance, the Obasanjo presidency finally succumbed to pressures from the challenges posed by increasing spate of national insecurity, ethnic militants and secessionist threats by setting up a NPRC to pacify these groups and address some of the bases of agitations.

The view of the Nigerian government on the national question as well as how to effectively manage it were articulated in president Obasanjo’s inaugural address to the NPRC on 21st February, 2005 (see, Obasanjo, 2005). The national question in Nigeria, according to president Obasanjo, revolves around some basically contentions issues, which he identified to *include the issues of national identity, freedom and liberty, social justice, rights and obligations, electoral reforms that ensure credibility and respectability of elections, relations between tiers of government: performance of government and how to ensure truly democratic governance for all. These issues, according to the President, pose a serious challenge of constitutionalism and constitutional reform; the opportunity to bring all stake holders together to discuss the preferred path for the Nation; the challenge of building new, accountable, responsible and focused leadership, and how to build, operate and sustain real political parties. Accordingly, the President sums up the central challenge as “how to strengthen the social contract between the custodians of state power and the governed” (Obasanjo, 2005:8).*

The submission of the president suggested that the government was not unmindful of the position of different groups as they related to the call for a restructuring of Nigeria federalism, equity among various nationalities, and more importantly, the increasing pressure on the government to deliver on its promises and social responsibilities to the citizens. The official view was that government’s economic reforms have begun to yield positive results and according to the president, “if we stay on course and remain resolute, we are all bound to reap the benefits of our sacrifices and investments in the reform agenda”

But for gains of the economic reforms to be sustainable, the government saw the need for a political reform agenda. Such an exercise was generally seen as capable of providing a conducive political environment for the consolidation of the gains from economic reforms, hence the NPRC. The NPRC is not the same as Sovereign National Conference (SNC) properly advocated for by the people. The bases for the rejection of SNC were all articulated by the President. For one, Nigeria does not exhibit the features of a collapsed state that requires a SNC. In such a state, the structures of states have effectively collapsed, amidst a deep-seated

legitimacy crisis. Two, in the few African states where a SNC was convened; it did not result in the institution of democracy (Obasanjo, 2005:14). Given these realities, it may therefore sound absurd to convene a SNC in Nigeria.

Furthermore, the President considered the call for a conference of ethnic nationalities as uncalled for. According to him, the idea is “rather unrealistic, inequitable and unworkable” as it may not necessarily guarantee the fear of marginalization expressed by minority groups. The resilience of identity crisis in Nigeria according to the President was due to negative manipulation of identity by “ethnic entrepreneurs” for selfish ends. The president also rejected the use of class analysis in the explication of the crisis of the Nigeria state. Rather, classes and strong adherence to ideas and methods were a language of the past that have been transcended all over the world but had combined the retard Nigerian’s march towards unity and development.

Given the foregoing, the president considers certain issues as given in Nigeria and must therefore are not to be compromised. These issues includes: The oneness of Nigeria; Federalism and Federal System of government; presidentialism; Multi-religiosity (security); Federal character, popular participation, the fundamental objective and directive principles of state policy; and separation of powers. The NPRC was therefore charged to device workable means of strengthening these issues, as they constitute the core of democratic governance.

One basic fact that emanated from the above was the government was not prepared for any form of radical departure from the status quo. This could better be gleaned from the president’s inaugural speech to the NPRC, which repeatedly emphasized the need for redressing “structural defects that require adjustments” (Obasanjo, 2005:5-6). In fact, the NPRC was “to assist constitutionally established legitimate structures of government the executive, legislature and judiciary to grow, become more dynamic, more accountable and more capable of delivering service to the people”.

Without any doubt, the structure and institution of government in Nigeria suffer some deficit. This has resulted in a seeming alienation of some constituencies, coups and counter-coups, weak political parties, poor leadership, corruption and inability of the state to meet the basic needs of the people perhaps. It was this that informed government’s position on the need to strengthen the structure of governance, redefine and reform these institutions without necessarily pulling them down.

BUILD UP TO THE NATIONAL CONFERENCE 2014

The 2005 National Political Reform Conference cannot be adjudged to be conclusive first because towards the concluding part of the Conference there was an allegation that the then President Olusegun Obasanjo sought to elongate his stay in office as President by introducing a third term agenda into the Conference. More fundamental was the fact that the issue of resource control and derivation to accrue to the oil producing states could not be resolved. The Conference was also not able to resolve the issue of an acceptable federal structure for the country.

On assumption of office as President of the Federal Republic of Nigeria in 2007, Umaru Yar'adua had to contend with dwindling oil revenue as a result of heightened militancy by youth in the Niger Delta region. To restore peace and security in the Niger Delta region and ensure increased oil extraction from the region, President Yar'Adua introduced the Amnesty Programme to assuage the militants in the area. The youth gangs had intensified the vandalization of oil pipelines and resorted to the kidnapping of workers of multinationals in the oil industry. That resulted in the reduction of oil production to about 50%. Nigeria is largely dependent on oil for survival and that forced the President to take urgent action to stem the tide of violence in the region by introducing the amnesty programme.

On assumption of office, President Goodluck Jonathan was also confronted with strong agitations for the convocation of a Sovereign National Conference (SNC). The circumstances that forced the Senate to adopt the doctrine of necessity that led to the confirmation of the then Vice President Goodluck Jonathan as President fuelled the agitations for a Sovereign National Conference. Those that agitated for a Sovereign National Conference held the strong position that only such a Conference could guarantee a true sense of belonging among the various ethnic groups that constitute Nigeria.

The decision by President Goodluck Jonathan to contest for another term in office in 2015 and the strong opposition to this by politicians of the Northern extraction gave further bite to the call for the convocation of a Sovereign National Conference. Some Scholars (Jinadu, Egwu and Elaigwu 2014) have identified several other factors that contributed to overheating the polity in the build up to the 2015 general elections and therefore heightened the calls for a National Conference. These include:

1. The desire of the North to regain power in 2015
2. The decision of President Jonathan to run for a second term in 2015
3. The structural character of the Nigerian state as the site for zero-sum electoral competition for the acquisition of political power and with it access to and control of the vast economic power in confers.
4. The mutual fear of ethnic domination among the country's political elite, resulting in the political mobilization of ethnicity and the creation of ethno-regional voting bank.
5. Boko Haram insurgency in the North-East that is seeking to dismember the Nigerian state since 2008. The rise in insurgency terrorism including suicide bombings in Maiduguri, Kaduna, Kano, Abuja, Gombe, Bauchi, Jos etc.
6. Intensified kidnapping in the South-South, South-East, communal violence, insurgency and terrorism in the Northern States.
7. Weak institutionalization of democracy and accountability-promoting institutions, reflecting persistence/apparent intractability of corruption, flawed competitive and electoral politics.
8. Anti-people oriented public policies, reflecting the failure of the state at the Federal, State and Local Government to live up to their obligation as evidenced in unprecedented high level of corruption, mass unemployment and grand scale level of impunity.

Against this backdrop, President Jonathan was compelled to convoke a National Conference in order to restore calm in the overheated polity. Given this background to the convocation of the National Conference 2014, most participants at the Conference has set minds on key national issues. The plural nature of the state and the various cleavages therein was visible from the inauguration of the Conference. This was evidenced in the positions of various groups that came with written position papers on what they wanted from the Conference.

Specifically, there were demands from the South. The position of the South was presented by the delegates from the South West, South East and the South- South. The Middle Belt also made some strong demands at the Conference. Although the Middle Belt operated as a part of the Northern Delegate Forum, they made specific demands that were not necessarily a part of a common Northern position.

The demands of the different groups could be summarized as follows:

A. SOUTH-SOUTH

1. Nigeria reverts back to the 1963 constitution
2. Resource control to ensure that oil producing states exercise some control over the production and management of mineral resources in their area and only pay royalty to the central government

B. SOUTH WEST

1. Nigeria should revert back to the old regional governments with the regions having their separate constitutions.

C. SOUTH EAST

1. Full integration into Nigeria as citizens after the Biafran war with equal rights and parity of states in the geo-political zones

D. MIDDLE BELT

1. The Middle Belt demanded for the protection of minority rights
2. Creation of additional states to accommodate the interest of minority groups in the North
3. Development of solid minerals in their respective states
4. Power rotation
5. Completion of the Ajaokuta Steel Project

These positions appear to define the concept of restructuring as is been canvassed by proponents. The instrument used for the study therefore solicited responses on a number of issues that include regionalism, resource control, derivation, Unity of the country, the preferred revenue sharing formula and the desired formula for sharing resources among States, local government autonomy among others.

PERCEPTION ON THE ON the CONTEMPORARY DEBATE ON RESTRUCTURING AND THE NATIONAL QUESTION IN NIGERIA (FROM KWARA AND KOGI STATES.)

There was a general consensus that the concept restructuring meant different things to the various entities that make up Nigeria. The divergent opinions based on interview conducted are presented below:

President of the Front for Ebiraland Solidarity(FES):

According to the President of the Front For Ebiraland Solidarity (FES), *for the South West restructuring means going back to Regionalism based on the 1963 Constitution. For people in the South West, the region witnessed development that was sustainable during that period. For the South South restructuring is synonymous with resources control. For the North West, the concern is the demand that leadership position is rotated among the Hausa Bakwai. The feeling is that presently Kano, Sokoto and Katsina has been ruling anytime the presidency is zoned to the North. The North East would want their destroyed home land rebuilt. Another respondent was of the view that the word restructuring is part of human nature as people desire changes from time to time. In Kogi State for example, people advocated for the creation of Kogi State now some want Idah State some want Osara State. Even in the advanced societies such as Britain the desire for adjustments led to the breaking away of some communities. A respondent said restructuring means changing position to allow citizens feel the impact of government.*

The President Ilorin Emirate Forum

According to the President of the Ilorin Emirate Forum *“restructuring was not new to Nigeria. He gave the example to include the fact that Nigeria had 3 regions which was increased to 4. The regions were broken to 12 states then to 19 and now 36 states. He said the quota system was introduced into the civil service to address inequity in states representation in the service and that there was power rotation when Jonathan from the minority group was given a shot at the presidency to douse the cry of marginalization by his kinsmen”.*

There was a consensus among respondents from Kogi and Kwara States that there is the need for some form of adjustments. However, restructuring should not degenerate to the dismemberment of the country and subscribed to Obasanjo’s view that the desired restructuring for Nigeria is that of the mind of citizens. The changes required is attitudinal and not systemic and that what is required is a change of our mind-sets and attitudes as Nigerians are generally selfish, always thinking of the benefits they can derive from the leaders in position of authority. The respondent from Kwara State is also of the view that Nigeria is not united. In his words “ a house that has not been built cannot be said to have fallen apart. “He argued that people do not have the consciousness of being Nigerians except during football matches or when stopped by the police for checking of ‘documents’

Despite the strong position of some Nigerians on the need for restructuring, most of the respondents interviewed were of the opinion that Nigeria is a united country. Nigerians still

reside in any part of the country even where they are not indigenes of those areas. Another position was that inter-ethnic marriages had strengthened the bond of unity among Nigerians and so had the Land Use Decree that allowed citizens to own land in any part of the country. The respondent said we must agree that there are disagreements among Nigerians on a number issues but that does not suggest that the country is not united.

The Former Chairman Edu Local Government Kwara State.

According to the former Chairman of Edu Local government in Kwara State said the fact remains that Nigerians have been together since 1914 suggests that the country is united.

Respondents interviewed were of the opinion that Nigerians would not wish to go back to regionalism as practiced under the 1963 Constitution and regions that were a creation of the colonial regime that would no longer work. The view was expressed that having enjoyed some level of autonomy after alleged marginalization by some majority groups, smaller groups would resist any arrangement to go back to regionalism. The State would not want to lose the autonomy they have.

Former Minister and Chairman, People's Democratic Party

According to the former Minister and Chairman, People's Democratic Party, *"the South Eastern Nigeria was made up of the South East and the South South. At the end of the civil war in 1970, the Ibos were not able to retrieve their properties seized by the people of River states till date, so bringing them back together will be vehemently resisted by the Rivers people. The respondent was of the view that the values of the leaders and citizens had since changed and so regionalism is no longer feasible. Their position was premised on the argument that the leaders at that time like Sir Ahmadu Bello, Obafemi Awolowo and Nnamdi Azikiwe were not materialistic and were more concerned about using resources available to develop the communities. The respondent said regionalism on its own would not have been successful but for the selfless attitudes of the leaders back then. The argument was that the present corps of leaders are selfish and materialistic as such regionalism cannot work in cotemporary Nigeria. Some of the respondents also expressed the opinion that the population of the country presently is much high than it used to be and as such regionalism is no longer feasible.*

On Devolution of Powers, respondents however generally agreed that the Federal Government would have to devolve some of its powers to the units closer to the people. For the respondents devolution of power is required in Nigeria. A respondent agreed that the Federal Government should have coercive powers. A respondent from Kwara State was of the view that State Governors are so powerful that they have to be begged to pay wages to civil servants so a strong central government is required to check the excesses of the State Governors and their State Assembly members.

On Security Matters, all the respondents were of the opinion that security matters should be under the jurisdiction of the Federal Government and that the Federal Government should have no business in agriculture, sports and the mining sectors. There is some consensus that the Federal Government should have exclusive powers over external affairs, immigration, and

currency control while the States should have jurisdiction over power generation, roads, infrastructure and even education.

On State Police, most respondents were averse to the having state Police not because the objectives are not laudable but due to the fact that the State Governors as we now have them will abuse the powers to regulate the police. A respondent argued that under the regions the traditional rulers used the Native Authority Police to oppress the citizen. Their powers back then were checked because they had their families' names and crown to protect that in contemporary Nigeria, the State Governors are so powerful and reckless with power that state police where allowed will be deployed to persecute citizens. This according them can be observed even where the security matters are presently under the jurisdiction of the federal government, the State Governors use security operatives to harass the citizens and as such where we have State Police, the Governors will use the institution to harass perceived opponents.

On autonomy for local governments, there was a consensus of opinion among respondents that the Local Governments should be given autonomy and more resources to operate as a tier of government because it is closest to the people. The respondents were of the view that the Joint State Local Government Accounts should be scrapped. The respondents however cautioned that the leadership of the local government should be closely scrutinized and checked. He argued that when in 1976, Government opted that the local government was made a third tier of government it was envisaged that very matured and experienced public officers would be attracted to work at the local government level. The youth however took over control of the Local Government claiming it was theirs and that accounted for the high level of poor governance at that level.

On Revenue Sharing Formula, all respondents are of the view that the revenue sharing formula for the three levels of government should increase the allocation to the Local Governments. A respondent suggested that the Federal Government should be allocated 50%, State 20% and Local Government 30% as the States do not have constituencies. Another respondent is of the view that the Local Government should have the highest allocation; this should be followed by the States with the least allocation given to the Federal Government. Along this line of argument, the respondent suggested a formula that gives only 30% to the Federal Government and 70% to the other federating units.

On the desired Federating Units, most of the respondents from the two States were of the opinion that the present structure of three tiers of government should remain. However, the local governments should be given more powers and more resources deployed to that tier. A respondent however had preference for a federating unit that consist of the central and local government as it operates in Britain. This is due to the abuse of power by the State Governors who appears uncontrollable. However, another respondent is of the view that the States must exist to serve as a break to the overwhelming powers of the Federal Government. One respondent has preference for a structure that accommodates the Federal Government and the States. For this respondent from Kwara, whatever happens at the Local Government should be determined by the States. Some state do not even need as many Local Governments as they presently have whereas some need more. According to the respondent, presently monies meant

for the Local Governments are given to the State. Meanwhile the allocations to States are not enough for them so what do we expect the states to give to the Local Governments he queried. For him we are funding irresponsibility in Nigeria.

On the controversial issue of resource control and derivation, respondents were of the opinion that the calls are unreasonable as states over the years have not been able to justify the monies collected. The argument is that even where there is an increase, the monies are likely to be abused. A respondent from Kogi went down memory lane and said the issue of derivation has always been controversial. He said at the Constituent Assembly in 1977, the consensus reached by members was that derivation should be put at 13% of oil revenue derived from the land area. This decision was curiously changed to read that the derivation should include revenue derived from offshore i.e the oil in the sea. This has been contentious because most of the country's oil about 90% is found in the sea and no state can lay claim to ownership of the sea. Respondents expressed the fear that if the Niger Delta Region is allowed to have derivation that is based on oil revenue derived from offshore resources, there will be too little money available to other states. A respondent said even where derivation was increased to 100% the resources would be misappropriated and abused. He said with the excess money that some states derive from derivation they are no able to pay monthly salaries to workers. He said we need strong institutions and appropriate sanctions to check the excesses of people in authority and not an increase in of the derivation formula.

On the formula for the allocation of resources, members agree that it is a contentious issue that will be difficult to resolve due to the high level of suspicion among the various nationalities that make up Nigeria. The various criteria used presently are adequate as they take cognizance of the areas of strength of the various regions. Land must be included as a criterion otherwise the region with a large landmass and where food is largely produced will be shortchanged by areas endowed with mineral resources.

Some of the respondents said that the crises of the national question can be addressed by the National Assembly as citizens are becoming weary of Reports of Conferences that are not implemented. There was also the view that conferences consume a lot of resources and they are seen as unconstitutional bodies that run parallel to established institutions. A respondent was of the opinion that Reports of Conferences were not implemented due to the selfish attitudes of leaders. Specifically, he said the Abacha conference was rejected by many because it was seen as a design by Abacha to transform from a military dictator to a civilian president. Obasanjo's Conference was seen as design to smuggle in a third term agenda so it was generally not acceptable. The respondent said Buhari would not accept to implement the Jonathan 2014 Conference because Justice Kutugi chaired the 2014 Conference. He said, Kutugi was the Chief Justice of Nigeria whose vote allegedly denied him court victory when he challenged Goodluck Jonathan, election at the 2007 election.

Most of the respondents, however agreed that the National Assembly should work had to earn the trust of the people. A respondent said the electoral system that brought in the National Assembly members required an overhaul. For him, it is only where the electoral system is able

put in place credible representatives in the National Assembly that such an Assembly will be able to address issues of National interest that will be acceptable to majority Nigerians. A respondent was of the strong position that the National Assembly as presently constituted cannot address serious issues of national interest. He said the Assembly will not want to change the structure that helped him to get to office so no fundamental change can come from the National Assembly.

On Nigerians unity, some of the respondents are of the opinion that Nigeria is highly divided largely because the elites are selfish and use religion and ethnicity to arouse division in the country. A respondent is of the view that agitations are made to negotiate for a date power will be zoned to their area. He argued that when the June 12, 1993 election was annulled, the loud protest forced the zoning of office of the President to the South West and that brought Obasanjo to power. He said the North used the Boko Haram crisis to oust Jonathan because they felt that Yar'adua did not complete his two terms in office. The agitation that is presently on-going is seen as reactions from the south to make governance difficult for Buhari from the North for not allowing Jonathan go for a second term. For the respondent, the East is agitating with an aim to get a date when the region will have a shot at the highest office.

The respondents are of the opinion that Buhari has not helped matters when he was alleged to have said he owes more allegiance to the section of the country that gave him 92% of the votes that brought him to power in 2015. A respondent was of the view that the 2014 National Conference addressed a number of issues agitating the minds of the agitators of restructuring and as such the Report of that Conference should be adopted and debated by the National Assembly.

POSITION OF THE NATIONAL CONFERENCE 2014 ON MAJOR ISSUES

The Conference had 20 committees that deliberated on various issues of national interest that include the various sectors of the economy, politics and religion, corrupt practices, economic development, national security among others.

There were committees on; Devolution of Power, Political Restructuring and Forms of Government; National Security, Environment, Politics and Governance, Law, Judiciary, Human Rights and Legal Reform, social Sector, Transportation and Science, Technology and Development. Others were committees on Agriculture, Civil Society, Labour and Sports, Public Service, Political parties and Electoral Matters, Foreign and Diaspora Matters; Land tenure and National boundaries, and Economy, trade and Investment. Others include: Energy; Religion, Public Finance and Revenue, immigration and related matters.

The Conference Delegates were generally agreed and reached consensus on the reports of 19 Committees and made over 600 resolutions after exhaustive deliberations and amendments of Committee Reports. A few of such that touch on the contemporary debate on restructuring are highlighted below: The Conference decided/resolved:

1. That legislators at national and state levels would operate on part-time basis
2. That power would be devolved from the federal to the states.
3. That each state of the federation should have its own State Character Commission to protect the interest of minority ethnic groups in the state. This implies that minority groups in

the 36 states of the federation would enjoy equal treatments in appointments into public service of their different states. This is geared towards addressing the obvious restrictions to the application of federal character principles at the state and local government levels.

4. That the civil service across the nation would operate common rules and practices so that the citizenry is not confronted with different procedures when dealing with each arm and tier of government.

5. That a separate Foreign Service Commission should be created with a chairman and six commissioners, one of whom should be from each of the six geo-political zones.

6. That effort be made by government at all levels to make public offices disability-friendly by providing special access facilities in line with international charters and treaties.

7. That henceforth, where either the President or the National Assembly fails to meet timelines set for the passage of the appropriation Bill, government will have to shut down operations. Consequently, Conference agreed that section 82 of the 1999 constitution which deals with authorization of expenditure in default of appropriation be amended to stop any expenditure by government in the event of a delay in the passage of the budget with established timelines.

8. That the Federal Character Commission be renamed the Federal Character and Equal Opportunities Commission to put it in better stead to address issues of affirmative action for people living with disabilities.

9. That government should fund science and technology development programmes up to 2% of the Federation Account while state government should contribute to research by way of research projects.

10. That the immunity clause as enshrined in the constitution should be removed and as such both the President and their Deputies could be dragged to court over criminal and civil cases.

11. That the Nigerian National Petroleum Corporation should be made to pay prevailing interest rates on duly delayed remittances to the Federation Account. The resolution was meant to discourage late or non-remittances of money by the corporation into the Federation Account for allocation to the different tiers of government as demanded by law.

12. That Nigeria adopts a true federal structure with the states operating as the federating units. With this, it was agreed that the creation of local government areas should be done by the states as they deem necessary.

13. On right to self-determination, Conference agreed that minority groups that wish to exist as separate states and meet the criteria for state creation should be allowed to do so under the instrumentality of the relevant laws and procedures as part of their right to internal self-determination. In making this proposal, Conference recognizes the unconditional rights and freedom of every and any other ethnic nationality that considers itself as unjustly subjected to real and perceived injustice and marginalization to join their kith and kin through the instrumentality of relevant laws.

14. Conference also proposed stiff penalties for elected public office holders who move from one political party to another before the expiration of their mandates. It said such elected public office holders who abandoned their parties' midway for new ones without cogent reasons are to lose their seats.

15. That the States Independent Electoral Commission (SIEC) be scrapped and its functions be transferred to the Independent National Electoral Commission (INEC). It was observed that the commission at the state levels has outlived its usefulness and has become a tool for governors to manipulate elections into local government councils.

16. That the Electoral Act should be further strengthened to increase INEC's capacity to effectively monitor party conventions.

17. That the minimum academic qualification for candidates seeking elective positions should be reviewed. For instance, for the Presidential, Governorship and National Assembly candidates, first degree or its equivalent was set as the mandatory qualification. Candidates seeking to contest for state Houses of Assembly and Local Government Chairmanship elections are also expected to possess a first degree certificate or its equivalent while secondary school leaving certificate or its equivalent was set as the minimum academic qualification for candidates seeking election as local government councilors.

18. That government should not fund any political party but that they should be funded through membership subscription, levies, donations, investments, sales of party cards and other fund raising activities.

19. On anti-corruption and ethics in governance, conference accepted the proposal that Anti-Corruption Agencies (ACAs), especially the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices Commission (ICPC), should take up any corruption case that is in public domain without waiting for a petition. It said refusal by the anti-corruption agencies to act on any corruption cases that has come to their knowledge shall constitute an act of misconduct, criminal negligence or dereliction of duty that will attract appropriate sanctions.

20. That henceforth, the office of the President of Nigeria shall rotate between the North and South and revolve among the geo-political zones. It was also agreed that the office of the state governors shall be rotated among the three senatorial districts of each state while that of the local government chairman shall be rotated within the local government areas and

21. That local government councils not democratically elected shall not be recognized by all authorities and persons and would not be entitled to any revenue allocation from the Federation Account or the Account of the State Government or exercise any function exercisable by local government councils.

The two main issues that could not be resolved at the conference are. First, the principle of derivation to be enshrined in the constitution. As was the case in previous conferences when the matter was tabled, it generated so much controversy and almost marred the outcome of the Conference. Second, the issue of an acceptable structure for the federation generated serious opposition especially by some section of the Northern delegates.

Although Conference adopted the position that Nigeria would remain a federation and that there shall be a central government with states as the federating units, a section of the Northern delegates were not comfortable with the arrangement as the local government ceases to be a third tier of government. Their opposition was premised on the fact that the present arrangement whereby the North has many more local governments than the other sections of the country will be lost resulting in some loss in revenue accruing to the affected states from the federation account.

Other areas the North stand to lose is the number of seats it currently has in the National Assembly specifically in the House of Representatives. Although the Northern delegates were not able to overturn the decision of Conference, that position strengthened their resolve to block the popular position by delegates from the South and a large number of delegates from the Middle Belt who were agreed that the derivation formula should be reviewed to 18% from the present 13%.

All efforts made to resolve the impasse was not successful. Conference therefore proposed to Government to constitute a Technical Committee to:

- a. Review the percentage of revenue to states producing oil (and other resources)
- b. Reconstruct and rehabilitate areas affected by problems of insurgency and internal conflicts; and
- c. Diversify the Nigerian economy by fast tracking the development of solid minerals sector.

To address the contentious issue of an acceptable Federal structure for Nigeria, the Conference proposed some amendments to the Constitution as follows:

1. Any state of the Federation wishing to do so may enact and give its self a Constitution for that state but if any provision of the constitution of that state is inconsistent with any provision of this constitution, this constitution shall prevail and that other provision shall to the extent of the inconsistency be void.

2. If any other law is inconsistent with the provisions of this constitution, this constitution shall prevail, and that other law shall, to the extent of inconsistency be void.

1. Nigeria is one indivisible and indissoluble sovereign state to be known by the name of the Federal Republic of Nigeria.

(2a) Nigeria shall be a federation consisting of States and a Federal Capital Territory

(2b) Nigeria shall be a Federal Government with States as the federating units.

3. The Federal Republic of Nigeria shall be a state based on the principles of democracy and social justice.

4. It is hereby, accordingly declared that:

(a) Sovereignty belongs to the people of Nigeria from whom government through this constitution derives all its powers and authority.

(b) The security and welfare of the people shall be the primary purpose of government and

(c) The participation by the people in their government shall be ensured in accordance with the provisions of this Constitution.

5. The composition of the government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the Federal Character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few ethnic or other sectional groups in that government or in any of its agencies.

6. The composition of the Government of a State, a Local Government Council, or any of the agencies of such government or council, the conduct of the affairs of the government or council of such agencies shall be carried out in such a manner as to recognize the diversity of the

people within its areas of authority and the need to promote a sense of belonging and loyalty among all the people of the federation.

Conference also resolved to push for creation of additional states to assuage the feelings of minority groups. This in addition to the power rotation will put to rest the real and imagined fear of minority groups in the country. Conference therefore proposed an amendment to the Constitution to read:

There shall be fifty-four states in Nigeria, consisting of, Aba, Abia, Adada, Adamawa, Akwaibom, Amana, Anambra, Anionma, Apa, Bauchi, Bayelsa, Benue, Borno, Cross River, Delta, Ebonyi, Edo, Edu, Ekiti, (-) Enugu, Etiti, Ghari, Gombe, Gurara, Ijebu, Imo, Jigawa, Kaduna, Kainji, Kano, Katagum, Katsina, Kebbi, Kogi, Kwara, Lagos, Nasarawa, New Oyo, Njaba-Anim, Niger, Ogoja, Ogun, Oil Rivers, Ondo, Ose, Osun, Oyo, Plateau, Rivers, Savannah, Sokoto, Taraba, Yobe and Zamfara.

On the issue of derivation, Conference acknowledged that Nigeria is blessed with abundant mineral resources and where these resources are fully developed, the issues of derivation will be resolved as all states stand to earn trillions of dollars and benefit from any percentage set as derivation. Conference resolved that 5% of funds accruing to the Federation account should be set aside for solid minerals development.

CONCLUSION

There is a generally held belief that our differences and plurality along ethnic and religious lines are only been negatively mobilized by the political elite. It can be observed at the Conference that the divisions along these divides are deeply rooted in the consciousness of the average Nigerian. Some policy decisions must be taken if only to assuage the feelings of some disadvantaged groups and restore their faith in the Nigerian project.

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