

# Federalism and Intergovernmental Relations: A Case for the American-Type Federal System in Nigeria

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**Abstract:** Federalism is widely regarded as a formidable tool for managing plural societies. The federalist structure has remained relevant in Nigeria because it has been considered the style of government that captures our heterogeneous size, cultural diversity and ethno-religious pluralism. It is perceived as the ideal administrative system for a country with a multicultural audience. However, Nigeria's federalist style of administration, as codified in the 1999 constitution, has been a subject of controversy amongst political and constitutional analyst. Many have come to the conclusion that a pseudo-federalist system of government is what is obtainable in Nigeria. The idea for this research paper stemmed from the need to provide an in-depth analysis and report in response to the various controversial speculations that have raised the disconcerting constitutional question as to whether the Nigerian federalist structure is a crystal reflection of the US federalist system, or a warped version of it perhaps a replica of India's quasi-federalist system. This paper adopts a comparative study that examines the Nigerian federal structure and that of the United States, with the United States' federal system serving as a lens through which this analysis is made. The aim of this study is to provide a comprehensive and detailed report that objectively reflects the degree of Nigeria's federalism.

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## SECTION ONE

### INTRODUCTION

#### Background

Across the globe, Federalism has emerged as one of the most preferred form of government based on its integrative capability to approximate the heterogeneous political life of multi-ethnic and multi-linguistic societies. However in the Nigerian situation, the practice of federalism has remained a foreboding nightmare due to the skewed nature of federal practice which has led to serious contestations among the constituent nationalities thus resulting in endless tinkering and attempts at dissolution (Akinyemi and Cole, 2020).

Federalism is an arrangement whereby powers of government within a country are shared between a national, countrywide government and a number of regionalised (i.e., territorially localized) governments in such a way that each exists as a government separately and independently from others, operating directly on persons and property within its territorial area, with a will of its own and its own apparatus for the conduct of its affairs. Federalism is thus essentially an arrangement between government, a constitutional device by which powers within a country are shared among two tiers of government (Odukoya and Ashiru, 2007).

The subject of true federalism has been a pressing issue in Nigeria since the civil war. The grievances of the aggrieved parties in that war still linger today. There are imbalances in the distribution of the national wealth and ownership of natural resources is yet to be fully resolved, a federal constitution establishing a federal government. Examples of such states are Nigeria, USA, India, Russia, and so on (Dibie, 2018). Lazarus (1998) argued that in recent years, the clamor for true federalism has risen to crescendo, in some quarters there is the agitation for restructuring, resource control, secession based on religious and ethnic lines, a sovereign national conference, while in others, it is the cry for reparations for crimes committed during the civil war. Although the elections held recently were riot-stalled by these issues, they all the same point to the fact that the Nigerian Federal system is seriously threatened, and if urgent steps are not taken by the powers that be the cracks in the wall may become holes too big to fill (Abba, 2008).

The United States of America is seen today as the model of true federalism, a system which evolved after the revolutionary war of the eighteenth century. This study highlights the ideals and institutions which make for true federalism in that particular political system, these, vis-à-vis the elements that exist in the Nigerian Political system which either hinder the evolving of the true federalism or have actually helped to pave the way for it. This forms the background of this study

### **Statement of the Problem**

Despite the expansion from the colonial federal legacy of three political regions to a union of 36 states and 774 Local Governments, pressures for fundamental federal reforms have remained a persistent, intense and divisive feature of contemporary Nigerian politics.

Since over sixty years of the existence of federalism in Nigeria, there is still the contention as to whether or not Nigeria is truly practicing an ideal federal system of government. To some, Nigeria is practicing quasi-federalism, whereas to others Nigeria is a unitary system that disguises herself as a federal system (Sagay, 2004). The study seeks to identify those factors or variables which provide for true federalism. Put differently, we want to know the kind of political environment in which true federalism can blossom and thrive. In order to do this; the study will take a comparative study approach. This comparison holds the Nigerian system on one hand and the American system on the other.

This study can be better appreciated if we endeavor to elucidate its aims or objectives. These are outlined as follows:

- i. To identify the historical root of the present form of federalism in Nigeria and that of the USA
- ii. To identify areas of imbalance in the Nigerian political system especially in the aspect of the distribution of the nation's wealth
- iii. To investigate and identify those elements in the American system which have helped to establish and sustain true federalism in USA.
- iv. To examine variables like democracy, independent judiciary and a powerful legislature as prerequisites for true federalism to exist in a political system
- v. To suggest possible ways to promote true federalism in Nigeria.

### **Research Questions**

The under-listed research questions will guide the study:

- i. What is the historical root of the present form of federalism in Nigeria and that of the USA?
- ii. What are the areas of imbalance in the Nigerian political system especially in the aspect of the distribution of the nation's wealth?
- iii. What elements in the American system have helped to establish and sustain true federalism in that country?
- iv. How have variables like democracy, independent judiciary and a powerful legislature fostered true federalism to exist in a political system?
- v. How can we articulate a framework for the establishment of true federalism in the Nigeria?

### **Scope of the Study**

The study compares two political systems, that is, the federal system of the United States of America and that of the Federal Republic of Nigeria, within these two systems, the study is restricted to a comparative study of the workings of the democratic principles, the power exercised by the judiciary and the legislature. These three variables of democracy, judiciary and legislature form the limits of the study, because the analyses revolve mainly around them. Conclusions on these analyses will help to answer our research questions.

## Methodology

This work is a qualitative research. It applies the doctrinal method of research, thus secondary data is entirely used for the study. Therefore the work entails a comparative analysis of the various literatures on federalism using case law, textbooks, law reports, journal articles, constitutions, statutes, law dictionaries and so on.

### SECTION TWO

#### REVIEW OF RELATED LITERATURE

##### Conceptual Review

##### Federalism

A federation is well described as a sovereign state under a central or inclusive government with its federating units held under a unified nationality. A state that bases its principle on federalism is one whereby the power of the state is shared between the federal and the state governments.

As clearly defined, federalism is regarded as a philosophical theory and perhaps an ideology that advocates a distinct geographical pattern of government that combines the centralization of some political authorities and the decentralization of others. A federation is best described in English as a 'Federal Political System'.

The idea of modern federalism originated from the essays in *The Federalist* where Sir James Madison, an American founding father and major exponent of federalism, expounded on the ideals of a confederalist structure where powers were both held by a central authority as well as the 13 emerged states of America.

Ever since the experimental theory of federalism became highly successful and well-adopted in the United States, various political theorists have come up with various postulations which have made massive contributions to the advancement and clear understanding of the concept of federalism.

**J.S Mills** (1861) opined that no member unit should be so powerful as to require union for defense nor tempted unduly to secession; and rough equality of member units to prevent internal domination by one or two. **Sir John Marshall** (1918) propounded that the national government wielded power to the detriment of the units, under the constitution "ordained in the name of the people and that it was not a compact among the states". **Harold Laski** (1925) posited that the state cannot achieve liberty in the absence of federalism. He postulated that under federalism; checks and balances are prominent and also, the component state and the national government dwell in safety as each develops and co-operated under the law which in turn enhances the people's welfare and freedom.

**Kenneth C Wheare** (1963) the father of modern federalism, analyzed federalism as one that "exists when the powers of government for a community are divided substantially according to the principles that there is a single independent authority for the whole area in respect of some matters and that there are independent regional authorities for other matters each set of authorities being coordinate with and not subordinate to the others within its own prescribed sphere. **Professor Watts**, in support of Professor Wheare stated "...the fundamental character of a federal system is that it is a political system characterized by two sub-systems, one of central government and the other of state government, in which the components are coordinate, in the sense that politically subordinate to the other, but which interact with each other at many points both cooperatively and competitively."

Almost every country allows some degree of sub national self-government, in federations the right to self-government of the component states is constitutionally entrenched. Component states often also possess their own constitutions which they may amend as they deem fit, although in the event of conflict the federal constitution usually

takes precedence. Where's formulation of federalism is been drawn correctly from the United States of America which is regarded by him (and accepted globally) as the archetype of federal government. Since other formulation of federalism from other scholars are variations of his work, the basic tenets or elements of federalism according to K.C Where will be used as a template to determine Nigerian federalism and the extent to which Nigeria has fulfilled the basic tenets of federalism.

The basic tenets according to him are (Simbine, 2013):

There must be at least two levels of governments and there must be constitutional division of powers among the levels of governments.

Each level of government must be coordinate and independent.

Each level of government must be financially independent. He argued that this will afford each level of government the opportunity of performing its functions without depending or appealing to the others for financial assistance.

There must be Supreme Court of the independent judiciary. He argued that in terms of power sharing, there is likely to be conflict hence, there must be independent judiciary to resolve the case.

In terms of the amendment of the constitution, no levels of government should have undue power over the amendment process.

K.C Where maintained that, once a country is able to satisfy these conditions, such country is said to practice federalism. The thrust of Where's conception is the emphasis on decentralization, through the devolution of powers to different geographical level within the federal arrangement. This position is in line with the submission of that the notion of decentralization is far more important than as to whether it is a "particular political or constitutional order". Regardless of the temporal gap between the earliest and most current theories of federalism, it is axiomatic that the convergence of various thinkers resulted in the notion of federalism in its purest form.

## ***FEDERALIST STRUCTURE OF THE NIGERIA***

### **Historical Milestones**

Nigeria's journey towards federalism began in 1914, when the Northern and Southern protectorates became unified. The unification was made more for economic than political reasons. The economic reason being that the Northern Protectorate had a budget deficit and the colonial administration sought to use the budget surpluses in Southern Nigeria to offset the deficit<sup>21</sup>.

The unification also allows for an efficient and uniform utilization of its resources and for ease of convenience in the administration of the colony; it is no wonder that the former premier and head of the A.G political party, Chief Obafemi Awolowo viewed the amalgamation of Nigeria as a "mere geographic expression".

The Nigeria constitutional trajectory transcended to greater heights when it became a fully federalist polity in 1954 with an autochthonous constitution. This was after several years of foreign-made imperialistic constitutions and selfish colonial overrule. It is worthy of note that the Macpherson constitution of 1951 laid the groundwork for this milestone, though, many political and constitutional-law scholars

considered the 1951 constitution as a *Quasi- Federalist* Constitution.

The 1954 constitution became the pathway that led to the Nigerian independence of 1960. The constitution adopted a tripartite division of power a federal structure the provided for the sharing of power between the central and the regions; with the regions having autonomy to govern itself without much interference.

Also, the independence constitution of 1960 provided for a parliamentary system at the federal level while the region were given the latitude to govern itself, harness it resources and make its own laws that favors the region's peculiarities. It had the power to depart from some several laws that were not suitable or practicable with their native laws of the regions.

Many historian and scholastic writers agreed that this period was a productive time in the country's history. There was healthy competition amongst the regions, the central government did not determine the income for the regions nor did it decide how the regions should grow<sup>26</sup>. Each of these regions identified their areas of strength and developed human capacity building which resulted in a highly skilled national manpower. During this set time, the regions experienced massive infrastructural development and a solid economic policy. There was a real sense of belonging, everyone benefitted something from the government. It was indeed the people's government and there existed a higher level of patriotism...sadly, all these faded away quickly when the military took over power in 1966.

The major consequence of the military administration was the unitarisation of the entire polity, the creation of several states— which automatically led to the de-concentration of regional powers, an increased agitation for the creation of more states among several others. Nigeria further became divided as a result of the discovery and subsequent monopolization of crude oil by the then military government. During this period, Nigeria heavily suffered from the successive military incursions which severely battered its political structure and the spirit of its people.

The period not only witnessed a massive increase in corruption, misappropriation, and embezzlement of public funds, it also encouraged laziness and unpatriotic deeds among civil servants and the entire citizenry.

Moving forward, the 1999 constitution came into force with express provisions that provided for a democratic federal system of power sharing based on the principles of Federal Character, Separation of Power, Checks and Balances, and a tripartite power-sharing structure.

### **Account of Power Sharing and Intergovernmental Relations in Nigerian Federalism EXCLUSIVE LIST**

These are the areas the powers reserved exclusively for the central government are defined. This means that only the central or federal government can legislate on the subjects in the exclusive list. Interference of the regional or state governments on matters in the exclusive list can be declared null and void and unconstitutional:

### **CONCURRENT LIST**

These areas are where powers are shared jointly by both the central and regional or state governments as stipulated in the constitution. Even though both governments can make law on matters that fall under concurrent list, the central government is supreme. This means that in case there is a conflict of law made by both, central government law will supersede

that of the regional or state governments subject to all matters on concurrent list, including health, education, agriculture, road, housing.

**RESIDUAL LIST:**

These areas are the leftover powers not included in either the exclusive or the concurrent list. If powers in the residual list are left for the regions or states as is done in some constitutions, that will render the central weak and vice versa. In some constitutions, residual powers are exercised by both levels of government. Such matters in the residual list in Nigeria include chieftaincy matters.

In Nigeria, legislative lists provide for the division of powers - the exclusive legislative list, the concurrent legislative list and the residual legislative list. Section 4(1) of the Constitution provides that the legislative powers of the Federal Republic of Nigeria are vested in the National Assembly for the Federation and section 4(6) vests the legislative powers of a state in the House of Assembly of that State (Obaze, 2016). The National Assembly is a bicameral legislative body which consists of a Senate and a House of Representatives.

The 1999 Constitution of the Federal Republic of Nigeria contains 68 items in the exclusive legislative on which only the Federal Government of Nigeria can legislate. These include: accounts of the government of the federation; arms, ammunition, and explosives; aviation (including airports); awards of honours and decoration; bankruptcy and insolvency; banks, banking, bills of exchange, and promissory notes; borrowing monies inside and outside Nigeria for the purposes of the federation or any state; census; citizenship, naturalization, and aliens; commercial and industrial monopolies; construction and maintenance of federal trunk roads; control of capital issues; copyrights; creation of states; currency, coinage, and legal tender; customs and excise duties; defence; diplomatic, consular, and trade representation; drugs and poisons; election to offices of president and vice-president, governor, or deputy governor; evidence; exchange control; export duties; external affairs; extradition; immigration and emigration; implementation of treaties; insurance; incorporation, regulation, and winding up of corporate bodies other than those established by a law enacted by the state Houses of Assembly; labour; maritime shipping and navigation; meteorology; military (army, navy, and air force); mines and minerals; national parks; nuclear energy; passports and visas; patents; trademarks, trade, or business names; pensions and gratuities payable out of the public funds of the federation; police and other government security services established by law; posts, telegraphs and telephones; powers of the federal National Assembly and the privileges and immunities of its members; prisons; public debts; public holidays; public service of the federation; quarantine; railways; regulation of political parties; service and execution in civil and criminal processes, judgments, decrees, and other decisions of any court of law inside or outside Nigeria, except for laws made by the state; stamp duties; taxation of incomes; profits and capital gains, as provided by the Constitution; trade and commerce; traffic on federal trunk roads; water from

sources declared by the National Assembly to affect more than one state; weights and measures; wireless, broadcasting, and television other than those owned by states; any matter with respect to which the National Assembly has power to make laws under this Constitution; and any "matter incidental or supplementary to any matter mentioned elsewhere in this list (Obaze, 2016).

According to Simbine (2013), Second Schedule, Part 2. Contains the concurrent Legislative List where both the federal and state governments jointly perform as follows: 1. Subject to the provisions of this Constitution, the National Assembly may by an Act make provisions for (a) the division of public revenue – (i) between the Federation and the States; (ii) among the States of the Federation; (iii) between the States and local government councils; (iv) among the local government councils in the States; and (b) grants or loans from and the imposition of charges upon the Consolidated Revenue Fund or any other public funds of the Federation or for the imposition of charges upon the revenue and assets of the Federation for any purpose notwithstanding that it relates to a matter with respect to which the National Assembly is not empowered to make laws. 2. Subject to the provisions of this Constitution, any House of Assembly may make provisions for grants or loans from and the imposition of charges upon any of the public funds of that State or the imposition of charges upon the revenue and assets of that State for any purpose notwithstanding that it relates to a matter with respect to which the National Assembly is empowered to make laws. 3. The National Assembly may make laws for the Federation or any part thereof with respect to such antiquities and monuments as may, with the consent of the State in which such antiquities and monuments are located, be designated by the National Assembly as National Antiquities or National Monuments but nothing in this paragraph shall preclude a House of Assembly from making Laws for the State or any part thereof with respect to antiquities and monuments not so designated in accordance with the foregoing provisions. 4. The National Assembly may make laws for the Federation or any part thereof with respect to the archives and public records of the Federation. 5. A House of Assembly may, subject to paragraph 4 hereof, make laws for that State or any part thereof with respect to archives and public records of the Government of the State. 6. Nothing in paragraphs 4 and 5 hereof shall be construed as enabling any laws to be made which do not preserve the archives and records which are in existence at the date of commencement of this Constitution, and which are kept by authorities empowered to do so in any part of the Federation. 7. In the exercise of its powers to impose any tax or duty on – (a) capital gains, incomes or profits or persons other than companies; and (b) documents or transactions by way of stamp duties. the National Assembly may, subject to such conditions as it may prescribe, provide that the collection of any such tax or duty or the administration of the law imposing it shall be carried out by the Government of a State or other authority of a State. 8. Where an Act of the National Assembly provides for the collection of tax or duty on capital gains, incomes or profit or the administration of any law by an authority of a State in accordance with paragraph 7 hereof, it shall regulate the liability of persons to such tax or duty in such manner as to ensure that such tax or duty is not levied on the same person by more than one State. 9. A House of



Assembly may, subject to such conditions as it may prescribe, make provisions for the collection of any tax, fee or rate or for the administration of the Law providing for such collection by a local government council. 10. Where a Law of a House of Assembly provides for the collection of tax, fee or rate or for the administration of such Law by a local government council in accordance with the provisions hereof it shall regulate the liability of persons to the tax, fee or rate in such manner as to ensure that such tax, fee or rate is not levied on the same person in respect of the same liability by more than one local government council. 11. The National Assembly may make laws for the Federation with respect to the registration of voters and the procedure regulating elections to a local government council. 12. Nothing in paragraph 11 hereof shall preclude a House of Assembly from making laws with respect to election to a local government council in addition to but not inconsistent with any law made by the National Assembly. 13. The National Assembly may make laws for the Federation or any part thereof with respect to- (a) electricity and the establishment of electric power stations; (b) the generation and transmission of electricity in or to any part of the Federation and from one State to another State; (c) the regulation of the right of any person or authority to dam up or otherwise interfere with the flow of water from sources in any part of the Federation; (d) the participation of the Federation in any arrangement with another country for the generation, transmission and distribution of electricity for any area partly within and partly outside the Federation; (f) the regulation of the right of any person or authority to use, work or operate any plant, apparatus, equipment or work designed for the supply or use of electrical energy. 14. A House of Assembly may make laws for the State with respect to - (a) electricity and the establishment in that State of electric power stations; (b) the generation, transmission and distribution of electricity to areas not covered by a national grid system within that State; and (c) the establishment within that State of any authority for the promotion and management of electric power stations established by the State. 15. In the foregoing provisions of this item, unless the context otherwise requires, the following expressions have the meanings respectively assigned to them - "distribution" means the supply of electricity from a sub-station to the ultimate consumer; "management" includes maintenance, repairs or replacement; "power station" means an assembly of plant or equipment for the creation or generation of electrical energy; and "transmission" means the supply of electricity from a power station to a sub-station or from one sub-station to another sub-station, and the reference to a "sub-station" herein is a reference to an assembly of plant, machinery or equipment for distribution of electricity. 16. The National Assembly may make laws for the establishment of an authority with power to carry out censorship of cinematograph films and to prohibit or restrict the exhibition of such films; and nothing herein shall (a) preclude a House of Assembly from making provision for a similar authority for that State; or (b) authorise the exhibition of a cinematograph film in a State without the sanction of the authority established by the Law of that State for the censorship of such films. 17. The National Assembly may make laws for the Federation or any part thereof with respect to (a) the health, safety and welfare of persons employed to work in factories, offices or other premises or in inter-State transportation and commerce including the training, supervision

and qualification of such persons; (b) the regulation of ownership and control of business enterprises throughout the Federation for the purpose of promoting, encouraging or facilitating such ownership and control by citizens of Nigeria; (c) the establishment of research centres for agricultural studies; and (d) the establishment of institutions and bodies for the promotion or financing of industrial, commercial or agricultural projects. 18. Subject to the provisions of this Constitution, a House of Assembly may make Laws for that State with respect to industrial, commercial or agricultural development of the State. 19. Nothing in the foregoing paragraphs of this item shall be construed as precluding a House of Assembly from making Laws with respect to any of the matters referred to in the foregoing paragraphs. 20. For the purposes of the foregoing paragraphs of this item, the word "agricultural" includes fishery. 21. The National Assembly may make laws to regulate or co-ordinate scientific and technological research throughout the Federation. 22. Nothing herein shall preclude a House of Assembly from establishing or making provisions for an institution or other arrangement for the purpose of scientific and technological research. 23. The National Assembly may make laws for the Federation or any part thereof with respect to statistics so far as the subject matter relates to – (a) any matter upon which the National Assembly has power to make laws; and (b) the organisation of co-ordinated scheme of statistics for the Federation or any part thereof on any matter whether or not it has power to make laws with respect thereto. 24. A House of Assembly may make Laws for the State with respect to statistics and on any matter other than that referred to in paragraph 23 (a) of this item. 25. The National Assembly may make laws for the Federation or any part thereof with respect to trigonometrical, cadastral and topographical surveys. 26. A House of Assembly may, subject to paragraph 25 hereof, make laws for that State or any part thereof with respect to trigonometrical, cadastral and topographical surveys. MBBS in Ukraine Study In Ukraine 27. The National Assembly shall have power to make laws for the Federation or any part thereof with respect to university education, technological education or such professional education as may from time to time be designated by the National Assembly. 28. The power conferred on the National Assembly under paragraph 27 of this item shall include power to establish an institution for the purposes of university, post-primary, technological or professional education. 29. Subject as herein provided, a House of Assembly shall have power to make laws for the state with respect to the establishment of an institution for purposes of university, technological or professional education. 30. Nothing in the foregoing paragraphs of this item shall be construed so as to limit the powers of a House of Assembly to make laws for the State with respect to technical, vocational, post-primary, primary or other forms of education, including the establishment of institutions for the pursuit of such education (Odukoya and Ashiru (2007)).

The Local Government system, composed of democratically elected Local Government Councils, is guaranteed under the 1999 Nigerian Constitution, section 7. Based on this section 7, the 1999 Nigerian Constitution provides for the functions of a Local Government Council under its Fourth Schedule. According to the Fourth Schedule 1 of the

1999 Nigerian Constitution, the main functions of a Local Government Council are as follows: the consideration and the making of recommendations to a state commission on economic planning or any similar body on; the economic development of the State, particularly in so far as the areas of authority of the council and of the State are affected, and proposals made by the said commission or body; collection of rates, radio and television license; Establishment and maintenance of cemeteries, burial grounds and homes for the destitute or infirm; Licensing of bicycles, trucks (other than mechanically propelled trucks), canoes, wheel barrows and carts; Establishment, maintenance of and regulation of slaughter houses, slaughter slabs, markets, motor parks and public conveniences; Construction and maintenance of roads, streets, street lightings, drains and other public highways, parks, gardens, open spaces, or such public facilities as may be prescribed from time to time by the House of Assembly of a State; Naming of roads and streets and numbering of houses; Provision and maintenance of public conveniences, sewage and refuse disposal; Registration of all births, deaths and marriages; Assessment of privately owned houses or tenements for the purpose of levying such rates as may be prescribed by the House of Assembly of a State; and k) Control and regulation of:

- i. Out-door advertising and hoarding;
- ii. Movement and keeping of pets of all description,
- iii. Shops and kiosks,
- iv. Restaurants, bakeries and other places for sale
- v. Laundries, and
- vi. Licensing, regulation and control of the sale of liquor

Under section 2 of the Fourth Schedule, the functions of a Local Government Council shall include participation of such council in the Government of a State as respects the following matters: the Provision and maintenance of primary, adult and vocational education; The development of agriculture and natural resources, other than the exploitation of minerals; The provision and maintenance of health services; and Such others functions as may be conferred on a Local Government Council by the House of Assembly of the State.

### ***Resource Allocation and Sharing Between the Federal and Component Units***

The idea of revenue allocation and sharing in Nigeria came into existence in 1946 when regionalism was introduced in Nigeria. The sharing revenue formula has been debated and revised time and time again, with different governments coming up with their own system of revenue allocation.

The discovery of crude oil in 1956 played a crucial role in the advancement of the revenue-allocation system in the country. Seeing the major contributions crude oil played in the economy, several dissenting opinions and suggestive formulas on how the oil wealth should be shared became a major controversy. This air of differences on the issue of the oil-sharing formula became a remote cause of the 1967-1970 Civil war.

After the ghastly war in 1970, the military government promulgated the Petroleum Decree of 1969 which

centralized and monopolized all mineral resources of the entire federation to be at the exclusive dispensation and control of the federal government.

During the Second Republic, the Petroleum Act was revised by the 1979 Constitution which provides that all minerals resources, both onshore and offshore to be at the exclusive control of the federal government with 5% going to the derivational states.

However, the revenue-allocation percentage improved in 1999 with the FG taking 52.68%, while the State takes 26.72%. The Local Government were given 20.60% with 13% derivative revenue going to all oil-producing states.

Sadly, the 1999 constitution reenacted the 1979 constitutional provisions which bestowed all mineral resources in the entire federation to the exclusive control of the federal government<sup>36</sup>. By so doing, the components regions (including the derivational states) are deprived from claiming royalties from natural resources.

The monopoly of natural resources by the Federal Government has in recent times, been considered to be an arrogant and unjust treatment of other level of government and most importantly, to the derivational states. The federal government's actions and inactions has only sown feelings of anger, disloyalty and hatred in the heart of agitating citizens. Their anger and hatred is physically expressed and manifested through the sabotaging of pipelines, taking of hostages, even hijacking of companies helicopters among other things.

In spite of the violent displays of the agitators, many have considered their acts of violence as well justified. They is as a result of the environmental degradation as well as the hazardous effect of oil pollution the oil-producing states continues to suffer which in negative effect, is slowly turning the Niger Delta into a wasteland.

## ***The Centralization of Nigeria Police***

All over the world, Federations have instituted policing and law enforcement functions at both the federal and local levels of government. Their aim was to enable effective performance of law enforcement and a well-coordinated policing structure. Even confederations such as the United Kingdom and New Zealand practice a well decentralized policing system. This enable their Counties and Districts to create their own local policing force. In Nigeria, the 1999 constitution provisionally established the Nigeria Police Force with the duty of providing law enforcement functions all across the federation. The implication of this provision was that no other police force shall be established for the entire federation or any part thereof.

Presently, the Nigerian police force has a contingent of 371,800 officers charged with the overwhelming task of detecting and preventing crime throughout the federation. This number is way too low for a populous nation like Nigeria. Based on statistics, the ratio of law enforcement agents to the civil populace is way below international best standards. Even the arrival of 10,000 newly minted community police officers is well considered inadequate and vastly insufficient to police the country. This poor statistics gives reasonable grounds to state that it is unjustifiable, inexcusable and unconscionable that a country as highly populated with its heterogeneous society should not give its component states the power to establish their own police force. The failure to provide for a decentralized police force only amounts to the federal government charging the component units with policing responsibilities without giving them the necessary administrative power and body to carry out this duties.

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From the unjustifiable centralization of the policing outfits to the corrupt practices, human rights violations

and all the other atrocities carried out by the Nigeria Police Force only demonstrates the federal government's lack of initiative to take necessary actions to revamp and strengthen the police force. It is no secret that the ghastly October 2020 #EndSars protest, which resulted in the deaths of several youths, was a major catalyst that brought about some reforms in the police force.

### ***The Tax Policy and administration***

The idea of fiscal federalism and efficient revenue allocation is to ensure an equitable, flexible and convenient system of revenue generation that affect the structure and sphere of government at all levels.

Unlike what was obtained during the First Republic (1963 -1966), the 1999 constitution gave the federal body, the exclusive power to collect Customs & Excise tax, Company tax, Education tax, Valued Added Tax (VAT), Mining and Petroleum tax among others. All of these tax revenues are collected and retained in the Federation account<sup>41</sup> which are then distributed by the federal government to the component regions. With the major tax levies being collected by the federal government, the state and local government are only left with other ancillary tax and levies which are jointly shared between them<sup>42</sup>. Though, the autonomy of local governments is not absolute, they retain their functions and fiscal relations with both states and federal government<sup>43</sup>.

This complete overhauling of the major tax across the federation by the central government has greatly impeded on the economic development and revenue generation of the components, as it limits their fiscal autonomy and make them ridiculously dependent on the central government.

### ***The Immunity Clause***

The 1999 constitution as well as the Legislative (Powers and Privileges) Act provided for immunity of elected public officers with the intention of protecting them from potential legal proceedings. This was well positioned in a notable dicta by George Oguntade JSC in *Amaechi's* case where he stated inter alia, "...it is a provision put in place to enable a governor, while in office, to conduct the affairs of governance free from hindrance, embarrassment and the difficulty which may arise if he is being constantly pursued and harassed with court processes of a civil or criminal nature while in office".

Though the intention of the immunity clause is to insulate elected political leaders from being distracted with court processes, efforts were not made in ensuring that this privilege is not being exploited by the same elected public office holders and used for their own personal and malicious gains.

Joseph T. Tur JCA succinctly reaffirmed this point in *Joshua Dariye v FRN* where he posited that, "Experience has however shown that the immunity clause in the constitution has been abused by Governors and Deputy-Governors, and Nigerians have been clamoring for its removal from the constitution".

### ***The Neglect of Local Government in Nigerian Federalism***

Finance is a key element that is highly required in governmental for its proper and effective administration.

One of the major issues confronting local governments is their search for autonomy and the effort to free themselves from various forms of control.

The 1979 local government reform gave the local governments the needed autonomy to internally generate revenue, but sadly, this wasn't implemented as it only existed in theory.

The Local Government's reliance on the State and Federal governments has made them unable to embark on projects or even plan programs. This is due to irregularities and the meager revenue provided to Local

Government to maintain itself, earning him the derogatory term “Zero Allocation”. Over the course of time, the state government have maintained overwhelming control over the local governments by performing majority of their duties.

The utter neglect and lack of autonomy, as well as the complete marginalization of the third tier of the federal structure's tripartite arrangement, have rendered the third tier completely unproductive, redundant, and unviable in its responsibilities of addressing the people's yearnings and aspirations at the grassroots level.

In addressing this issue, the local governments should be made more economically viable and given more autonomy so as to enable them internally generate revenue on their own and become more self-sustaining. Also, the local governments should be allowed to maintain control over all financial and administrative activities that affects them.

### ***Federalist Structure of the United States of America***

The chronological development of modern Federalism started in 18<sup>th</sup> century, when the 13 original states of America came together and signed the Declaration of Independence in 1776. The workable tool of Federation was birth from the Articles of Confederation (1777) and was enacted after independence. The Article of Confederation provided for a government at the centre, but the central government had no functional power and was in essence, weak and ineffectual.

After the British-American Revolutionary War (1775-1783) and the Peace Treaty signing (1783) which commemorated America independence from the British Empire, the Article of Confederation was replaced with the United States Constitution. The Constitution was adopted and ratified by the 13 member-states in 1791. The Constitution established a federalist style of administration which provided a sizeable amount of power to the central.

The Sovereignty of the USA is embodied in its Constitution<sup>7</sup>; with its Preamble setting the exceptional nature and framework of the government's federal structure.

In line with the principle of constitutional federalism and separation of powers, the powers of the US government is divided the Executive, Legislature and the Judiciary. The Congress, Executive President and Federal courts are the respective symbolic representation of the US government<sup>8</sup>. These three branches of government are exercised independently and separately, with the operation of a system of checks and balances that allows for each branch to look into the actions of the other in order to scrutinize and review their activities. This has been well justified by one of America's founding fathers James Madison in *The Federalist*, where he succinctly stated that “Ambition must be made to counteract Ambition”.

The founding fathers, motivated by the need to create a government free of bigotry and injustice, envisioned a structure in which the excesses of the central government would be controlled while the excesses of the constituents would be retained.

James Madison, further stated “...in the extended republic of the United States, the General government would hold a fairly even balance between the parties of a particular state while being sufficiently restrained by its dependence on the community...<sup>10</sup>”

The adoption of a coordinating and independent method of dividing power by the founding fathers is largely in tandem with the contemporary theorist principles of Kenneth Clinton Wheare. This coordinating style of government was adopted in Article IV of the US constitution which was termed ‘Dual-

Federalism'. A dual system of federalism provided for a concurrent sharing of power where the central and state government engaged in similar responsibilities, possesses a similar duplication of authority but their powers are exercised in different jurisdiction. This dual style of federalism is what K.C. Wheare had termed 'concurrent powers'.

Based on this conceptual and historical analysis, it is well understood that the founding fathers established an equitable government structure which serves to protect one government from being marginalized by another while also allowing each government to function independently without any unjustified acts of interference.

This quick overview of the US government's federalist structure has laid the groundwork for the indicia of the US federal structure to be carefully evaluated and analyzed.

### ***Natural Resources Control and Revenue Sharing in US-Type Federal System***

The US fiscal-federalist structure provided for an equitable arrangement between the central and component units that grants all 50 member states, including private individuals and corporate entities, the liberty and autonomy to harness their natural resources for the collective growth and utilization of government at each level.

This resource derivative principle and control encapsulates all lands, oil, gas, coal, and other minerals found beneath the surface can be owned by private individuals and corporations, as well as federal, state, local, and tribal governments.

The privatization of the US natural and land resources makes it different from nearly every other country in which these resources simply belong to the natural government.

### ***The Decentralization of Law Enforcement across the Federation in US-Type Federal System***

The federalist system of the US empowers all tiers of government to institute and run their respective police force. In fact, the US policing structure does not provide for a national or federal police force as all policing and law enforcement outfits are all organized by the States as well as County and Administrative District.

In its entirety, the US policing force is about 500,000 officers strong with a total of 40,000 separate police forces, half of which are simply a one to two-man Sheriffs' offices in small towns<sup>16</sup>. These various policing outfits are given the latitude to own their own distinctive police force with distinctive laws and nomenclature, all of which the state's government have overall control and management.

The multiplicity of the law enforcement agencies is to strategically maintain security, provide first response to emergencies and foster welfare amongst its populace.

By having a policing outfit at each tier of government, law enforcement agents became an effective and proactive unit in their business of crime detection and prevention.

### ***Autonomous and Coordinating Taxation System in US-Type Federal System***

The US federal tax administration allows for a decentralized and equitable tax administrative arrangement that empowers each state with tax capacity and levy and collect taxes to carry out their functions.

The tax system is divided into two parts, the Federal and State tax system. This inter- governmental tax relationship cut across personal income tax, company tax, selective sale taxes, alcohol excises, estates, property, custom duties and capital gains inter alia. Federal and state taxes are well separated with each government having its own taxing authority. The federal government has no authority to intervene in state taxation. Each state has its own tax system that is distinct from those of other states; Excise Duties are evenly shared between the federal and state governments. Several administrative districts within a state may be allowed to levy taxes on properties and other ancillary matters.

Though the Personal Income Tax is collected by the federal tax authorities, the revenue accrued from the Personal Income Tax fund are distributed between the federal and the state governments.

This well-structured and decentralized tax system provides the component units with a profitable revenue source for them to be self-sufficient and capably administer themselves without having to rely ridiculously on the federal government all the time for monetary incentives.

### ***Immunity Clause of Public Office Holders***

The US constitution expressly provide that “the President, Vice-President and all civil officers of the US shall be removed from office impeachment for conviction of treason, bribery or other high crimes and misdemeanor”.

The implication of this express provision is that neither the articles of the US constitution nor any legislation created by the US Congress made no clause which provides or even suggest that the executive office holders enjoy any privilege of immunity during their tenure in office.

The intent of the above constitutional provisions is to ensure accountability, transparency and most of all, to protect the citizens from arbitrary leadership.

### **SECTION THREE ANALYSIS**

#### **FINDINGS**

Federalism and Intergovernmental Relations in Nigeria and the USA

#### **Federalism in the USA**

The United States is often seen as the archetype of federalism. The U.S. Constitution, adopted in 1787, established a federal system where power is divided between the national government and the states. The Constitution delineates specific powers to the federal government (such as defense, foreign affairs, and interstate commerce), while the 10th Amendment reserves all other powers to the states.

#### **Intergovernmental Relations in the USA**

In the U.S., intergovernmental relations are characterized by a system of checks and balances and a strong emphasis on states' rights. The relationship between the federal and state governments is dynamic and has evolved over time. For example, during the New Deal era, the federal government expanded its role significantly in response to the Great Depression, leading to cooperative federalism. However, in recent decades, there has been a push towards devolution, where states seek more autonomy and less federal intervention. The U.S. federal system also allows for judicial review by the Supreme Court, which has



played a critical role in mediating conflicts between state and federal authorities.

### **Federalism in Nigeria**

Nigeria's federalism is quite different, shaped by its colonial history and post-independence political dynamics. Nigeria became a federal state in 1954 with the Lyttleton Constitution, which recognized the country's ethnic diversity and aimed to balance power among the regions. Nigeria's federal system is composed of the central government and 36 states, plus the Federal Capital Territory in Abuja. However, unlike in the U.S., where states have substantial autonomy, Nigerian states are often heavily dependent on the central government, particularly for revenue distribution from oil, which is the nation's primary income source.

### **Intergovernmental Relations in Nigeria**

In Nigeria, intergovernmental relations are often marked by centralization of power at the federal level. The federal government wields considerable influence over the states, particularly through control of financial resources. This has led to a system where state governments often rely on federal allocations, making them less autonomous compared to their U.S. counterparts. Additionally, Nigeria's federalism has been shaped by military rule, which has periodically interrupted democratic governance and further centralized power. Intergovernmental disputes in Nigeria often revolve around resource control, revenue sharing, and issues of federal character, which seeks to ensure equitable representation of Nigeria's diverse ethnic groups in federal institutions.

### **Comparative Analysis**

While both Nigeria and the U.S. are federal systems, the degree of state autonomy and the nature of intergovernmental relations differ significantly. The U.S. model is characterized by a more balanced division of power and a robust system of checks and balances. In contrast, Nigerian federalism is more centralized, with states largely dependent on the federal government, particularly for financial resources. This centralization reflects Nigeria's unique historical, political, and economic context, where managing ethnic diversity and resource distribution have been central challenges. While both countries practice federalism, the implementation and dynamics of intergovernmental relations vary, reflecting the distinct historical, political, and economic contexts of each nation.

Federalism in the United States and Nigeria has similarities and differences rooted in their historical contexts, political structures, and socio-cultural dynamics.

The U.S. federal system was established with the ratification of the Constitution in 1789. Federalism was a compromise between those who wanted a strong central government and those who favored strong state governments.

Nigeria adopted federalism in 1954 with the Lyttleton Constitution. The federal structure was influenced by the need to manage ethnic, linguistic, and religious diversity. Nigeria's federalism has been shaped by colonial history and military rule, which has led to a more centralized form of federalism.

### **Political Structure**

The U.S. has a clear separation of powers among the executive, legislative, and judicial branches at both the federal and state levels. The Constitution delineates specific powers to the federal government, with all

other powers reserved for the states (10th Amendment). There are 50 states, each with its own constitution and government.

Nigeria has a federal system with a strong central government and 36 states. The Nigerian Constitution grants significant powers to the federal government, with limited autonomy for the states. Political power in Nigeria is highly centralized, with the federal government controlling key areas like security, oil revenue, and major infrastructure.

In United States, States have significant fiscal autonomy, with the ability to generate their own revenue through taxes and other means. The federal government provides funding for various programs but states have considerable control over how they are implemented.

In Nigeria, the federal government controls major revenue sources, particularly oil revenue, which is distributed to the states. States have limited fiscal autonomy, and the dependence on federal allocations creates a centralizing tendency. Federalism is challenged by ethnic and regional tensions, corruption, and uneven development. The centralization of power and resources often leads to disputes between the federal and state governments. Efforts to restructure and devolve more power to the states are ongoing but face significant political and practical challenges.

### **Comparative Analysis of Local Government in United States of America and Nigeria**

United States of America practices multi-tier system of Local Government. There are five types of local government system. These are the Counties, Municipalities, Towns and townships, Special districts and School districts. The number of local government varies from state to state. For example, Pennsylvania had 4,871 local jurisdictions. The state contains 66 counties, 1016 cities, 546 townships, 1728 special districts and 515 school districts.

On the other hand, Nigeria operates a single-tier system of Local Government. This is based on a given population range of 150,000 and 800,000 with equal status and powers. As a third tier of government, it receives statutory allocations from federal government. Today, Nigeria has a total of 774 local governments.

Local government has no status in the American constitution. State legislatures created local governments, and state constitutions and laws permit local governments to take on some of the responsibilities of the state governments (Wilbern, 1971).

In United States, local governments always want legal capacity to raise additional revenues themselves, especially through local option sales and income taxes. A share of gasoline, tobacco and other, tax benefits is greatly appreciated. In Nigeria, section 2 of the fifth schedule of the constitution strengthened the financial resources of local governments through federal allocation to 1 local governments.

The idea of Electoral College is unique to America. A candidate may lose in the popular vote and yet win through the Electoral College. In Nigeria, State Independent Electoral Commissions conducts all elections into local government councils at different periods.

In USA, local authorities rely heavily on intergovernmental relations transfers. In general, local government responsibilities have increased but their own revenue sources have kept pace. Therefore, intergovernmental transfers have filled the void. Also, revenue patterns by the local governments vary in both countries. In US, revenue patterns by the local government type, diversity of purpose, delegated authority and outside financing. Counties and municipalities are general purpose units (as opposed to special districts that are limited to specific purposes and revenue sources related to them (Fahim, 2009). Likewise, in Nigeria revenue patterns vary depending on the geographical zone of the local government councils. For example, in Northern Nigeria, cattle tax is imposed on the cattle rearers but in Southern Nigeria taxes are paid on agricultural products.

Both states lack financial autonomy. Most of the local governments in Nigeria do not possess viable sources of generating funds; they therefore depend heavily on the allocations from the federation account for purpose of carrying out their basic responsibilities (Nchuchuwe, 2011). As Ekweremadu (2009) puts it, over dependence on the federal allocation is the bane of most local governments in Nigeria today. Also, section 162, sub-section 6, of the 1999 constitution of Nigeria provides for a state-local government joint Account. This has been grossly abused by some state governments as a result of unlimited and inordinate influences exerted by states on local government funds (Nchuchuwe, 2011).

In United States of America, localities always go to the states to have more control over how money is spent and the independent power to raise it. They have both experienced reforms in their local governments. In the early years, the American cities like the English boroughs functioned under a form of "council government". In other words, local governmental powers were vested in the council. The reform in the 20th century introduced the Mayor Council, the Commission and the Council, and Manager Plans. In Nigeria, the major Local Government reform was 1976 reform which made local government a third tier system of administration and introduced a democratically elected Local Government council.

Also, the most essential characteristic of local government in both countries is the element of autonomy or self-government. In other words, local authorities, whatever they may be, are permitted certain powers independent of external control. In Nigeria, the functions of local government are contained in the fourth schedule of 1999 constitution. According to Professor William Anderson, "a unit of local government in the United States can be defined as one which has a defined area and resident population, a separate and continuing governmental organization of its own, the legal power to raise revenues and some elements of autonomy and usually of popular participation in the handling of local affairs (Odoh, 1985).

The federal system of government practice in the United States of America remains the best model of true federalism. The federal system of government in Nigeria discovered in this study is diluted because most of the attributes of federalism are discarded in the practice of federalism in Nigeria.

The study also reveals that the democratic process with particular regards to the conduct of elections is far more effective and efficient in the United States of America (USA) than it is in Nigeria. This also has adversely affected the Nigerian federal system of government.

The legislature as the study clearly reveals is more powerful in the United States of America than it is in Nigeria and the judiciary in Nigeria is not completely independent from the executive and the legislative arms of the government (even with the recent alteration of the 1999 Constitution of the Federal Republic of Nigeria by the 9<sup>th</sup> National Assembly in 2023 which grants both organs of government autonomy) unlike what is obtainable in the United State of America where both the legislature and the judiciary exercise fully independent powers without influence from the executive or any other institution of government. There are no checks and balances in the Nigerian federalism and this has also contributed to the non- attainment of true federalism in Nigeria. The story is not the same with the USA where the system of checks and balances as advocated by Baron De Montesquieu is very much in effect among the three branches of government (Dibie, 2018).

We discovered in the course of this study that there are two major ways through which a federation is formed these are, the coming together of different autonomous states or regions and the creation of states by an already existing federal state. The former is what is found in the American federal system while the latter can be said to be applicable to the Nigerian federal system (Hearts, 1999).

The second path to the formation of federal state as mentioned above, is one in which in response to some conditioning factors the central government divides the country into constituent states. This is the path to federalism followed by Nigeria. As Oyoubaire (1979) succinctly puts it:

“The Nigeria federation was neither a contract between states nor a voluntary union of originally independent states. Historically, the federated units did not have separate existence as political system prior to the colonial experience. The pre-colonial entities were empires, kingdoms, chiefdoms and villages, republics of varying territorial sizes and organizations and with varying degrees of autonomy and dependence upon each other. Federalization was not a process of unfettered negotiation among these units but initially colonial structures for purposes of effective colonial domination and later (1963,1976, etc) series of further fragmentation by the central government of the three independent regions, including the North, West and Eastern regions”

Clearly in Nigeria the states are creations of the central government because of the predominant position of the federal government in this path to a federal state, the federal government appropriates to itself powers such as ownership and control of natural resources and assigns to the constituent states only those powers it deems fit, The unilateral constitutional amendments by the federal government under military regimes are a pointer to the supremacy of the federal government in assigning power to the states (Abba, 2008).

Duchacek (1970) emphasized that both in Nigeria and in USA the constitutional position regarding the ownership and control of natural resources is unlikely to change. It is indeed doubtful that states in Nigeria and the federal government in USA would ever own and control natural resources. Rather, what we might expect is further widening and strengthening of existing control of natural resources in both countries, natural resources in Nigeria- minerals and mineral oil and gas are found and exploited in the minority states; Bayelsa, Rivers, Edo, Delta and Akwa-Ibom. In the power configuration in Nigeria’s multi-ethnic political system the minority states can have their say while the majority states always have their way. In essence, the powerful big brothers (Ibo East Yoruba West and Hausa- Fulani North) in this country are united in conspiracy against these states irrespective of the political parties that govern these states (Alamieyeseigha, 2004). This Conspiracy of the powerful over the powerless is fraught with dangers: it is ominous for the future political order; the implication is that, any move by the minority states to demand ownership and control of natural resources would be jettisoned by the majority states/ethnic groups who stand to lose if the constitutional position is changed (Azaiki, 2003).

## **CONCLUSION**

Based on this comparative study it is crystal clear and unassailable that the federal structure, as stipulated and codified by the 1999 constitution is not germane and true to the ideals and doctrines of true federalism.

The US being the pioneer of the federalist structure, is highly regarded as the paragon of federalism and by juxtaposing the Nigerian federalist structure with the US, that of Nigeria has been revealed to be an elusive imposter that parade itself as a federalist nation, when in actual reality it possesses all the peculiarities of a *unitary-federalist* or a *quasi-federalist* as elegantly described by the father of modern federalism, K.C Wheare.

Quasi-federalism has been described as federal in structure but unitary in spirit, unlike in Nigeria countries like USA, Australia where the center and components units share equal powerfully laws.

In the same vein, Elaigwu posited that Nigeria practices a military federalism; as most of the besetting issues we have in Nigeria are constitutionally related. This is evident in the preamble of the 1999 constitution which, unlike the US constitution, is a false political statement. Also, the same constitution is well known to be a creation of the military government. A creation that they drafted, passed into law as the *fon juris* and supreme law of the land, without even consulting the Nigerian citizens. The end result of their creation is a constitution that places all the power of the state at the central authority. As already compared to the US, the Nigeria federal structure lacks all the core ingredients of true federalism and at best is seen as a quasi-federalism nation.

## **RECOMMENDATIONS**

Adopting aspects of American-style federalism and intergovernmental relations could help Nigeria create a more balanced and autonomous relationship between the federal and state governments. However, such a shift would require significant constitutional, political, and economic reforms. Here are some recommendations for Nigeria to move towards a more decentralized, U.S.-style federalism:

1. **Constitutional Reforms: There is need to amend the Constitution to Expand State Powers:** Nigeria's Constitution could be amended to provide more autonomy to states, similar to the U.S. system where states have significant control over issues like education, transportation, and law enforcement. This would involve clearly defining the powers of the federal and state governments, ensuring that states have exclusive control over certain areas of governance. **There is need to also strengthen the Judicial Review Process:** Empowering the judiciary, particularly the Supreme Court, to mediate disputes between the federal and state governments would ensure a balanced federal structure. This would require enhancing the independence of the judiciary and ensuring that constitutional interpretations favor a clear division of powers.

2. **Revise Revenue Allocation Formula:** Nigeria's revenue allocation formula could be restructured to allow states to retain a larger share of the revenue they generate, particularly from natural resources. This would reduce states' dependency on federal allocations and encourage them to develop their economies and tax bases. **There is need to decentralize Revenue Collection:** States should be granted more authority to collect taxes and generate revenue independently. This could include taxes on resources, property, and sales, similar to the U.S. where states have significant taxation powers.

### **3. Political Reforms**

- **Promote State Autonomy in Policy Implementation:** Nigeria should encourage states to design and implement policies that address local needs, rather than imposing uniform federal policies across the country. This would involve reducing federal intervention in areas like education, healthcare, and infrastructure, allowing states to innovate and address issues specific to their populations.

- **Encourage Competitive Federalism:** By fostering a system where states compete to attract businesses and residents through favorable policies (like lower taxes or better infrastructure), Nigeria can create a more dynamic and responsive governance system, similar to the U.S. This would encourage states to be more self-reliant and less dependent on federal support.

### **4. Institutional Reforms**

- **Strengthen Local Government Autonomy:** Enhancing the role of local governments can improve service delivery and governance at the grassroots level. The federal and state governments should allow local governments to function independently, with adequate

funding and authority, similar to the U.S. where municipalities play a crucial role in governance.

- Improve Intergovernmental Relations Mechanisms: Establishing formal mechanisms for dialogue and collaboration between the federal and state governments can help resolve disputes and coordinate policies. This could include regular intergovernmental conferences, councils, or commissions that involve federal, state, and local leaders in policy-making.

#### 5. Cultural and Social Reforms

- Promote a Federal Culture: Nigeria could benefit from promoting a political culture that values federalism, emphasizing the importance of state autonomy and local governance. Public education campaigns and civic education in schools could foster a greater understanding of federalism and its benefits.

- Ensure Fair Representation: Reforming the federal character principle to ensure that it does not stifle meritocracy while still promoting diversity and inclusion can create a more effective federal system. Balancing these goals can reduce the centralization of power and promote equitable development across states.

#### 6. Economic Diversification

- Encourage Economic Diversification in States: To reduce reliance on federal allocations, states should be encouraged and supported to diversify their economies. This could involve investing in agriculture, technology, manufacturing, and other sectors, reducing the over-dependence on oil revenue, and encouraging states to become economically self-sufficient.

#### 7. Security Reforms

- Adopt State Policing: Allowing states to establish their police forces, similar to the U.S. model, can improve security by enabling more localized and responsive law enforcement. This requires careful consideration of training, oversight, and coordination between federal and state security agencies to avoid conflicts and ensure effective policing.

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