FEDERALISM AND POLITICAL PROBLEMS IN NIGERIA

THESIS

Presented to the Graduate Council of the
North Texas State University in Partial
Fulfillment of the Requirements

For the Degree of

MASTER OF ARTS

By

Olayiwola Abegunrin, B. S.
Denton, Texas
August, 1975
Abegunrin, Olayiwola, Federalism and Political Problems in Nigeria. Master of Arts (Political Science), August, 1975, 147 pp., 4 tables, 5 figures, bibliography, 75 titles.

The purpose of this thesis is to examine and re-evaluate the questions involved in federalism and political problems in Nigeria. The strategy adopted in this study is historical. The study examines past, recent, and current literature on federalism and political problems in Nigeria.

Basically, the first two chapters outline the historical background and basis of Nigerian federalism and political problems.

Chapters three and four consider the evolution of federalism, political problems, prospects of federalism, self-government, and attainment of complete independence on October 1, 1960.

Chapters five and six deal with the activities of many groups, crises, military coups, and civil war. The conclusions and recommendations candidly argue that a decentralized federal system remains the safest way for keeping Nigeria together stably.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>LIST OF TABLES</th>
<th>iv</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIST OF FIGURES</td>
<td>v</td>
</tr>
</tbody>
</table>

**Chapter**

**I. THE HISTORICAL BACKGROUND**
- Geography
- History
- The People
- Background to Modern Government

**II. THE BASIS OF NIGERIAN POLITICS**
- The Nature of Politics
- Cultural Factors
- The Emergence of Political Parties
- Organization of Political Parties

**III. THE RISE OF FEDERALISM AND POLITICAL PROBLEMS IN NIGERIA**
- Towards a Federation
- Constitutional Developments
- The North Against the South

**IV. THE PROSPECTS OF FEDERALISM IN NIGERIA**
- The London Conference of 1957
- Self-Government and Independence
- Federalism in General

**V. THE DISSENTING GROUPS AND THEIR INFLUENCES**
- The Political and Social Crises in Western Region
- The Dispute Over the Federal Election of 1964
- The Military Rule and the Civil War
Chapter

VI. CONCLUSIONS .......................... 130

Recommendations
Instruments for National Unity

BIBLIOGRAPHY .............................. 141
### LIST OF TABLES

<table>
<thead>
<tr>
<th>Table</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Nigeria: Legislative Council Under Richards' Constitution</td>
<td>63</td>
</tr>
<tr>
<td>II. Nigeria: Election Results and the Strengths of the Parties in the Federal House of Representatives in 1954</td>
<td>83</td>
</tr>
<tr>
<td>III. Nigeria: Federal Election Results in 1959</td>
<td>91</td>
</tr>
<tr>
<td>IV. Nigeria: General Election Results of 1964</td>
<td>110</td>
</tr>
<tr>
<td>Figure</td>
<td>Page</td>
</tr>
<tr>
<td>--------</td>
<td>------</td>
</tr>
<tr>
<td>1. The European Powers in West Africa Between 1885-1914</td>
<td>2</td>
</tr>
<tr>
<td>2. The Southern and Northern Protectorates of Nigeria in 1914</td>
<td>21</td>
</tr>
<tr>
<td>3. The Regions of Nigeria 1946-1967</td>
<td>65</td>
</tr>
<tr>
<td>4. The Twelve States Created in Nigeria in 1967</td>
<td>123</td>
</tr>
<tr>
<td>5. The Three Eastern States of Nigeria</td>
<td>128</td>
</tr>
</tbody>
</table>
CHAPTER I

THE HISTORICAL BACKGROUND

The Federal Republic of Nigeria, the most populous country on the continent of Africa, was born on January 1, 1914, when the two protectorates of Northern and Southern Nigeria were combined by the British Parliament. Such action came as the fulfillment of a suggestion made sixteen years earlier by Flora Shaw, in an article for The Times of London. At that time she proposed that the several British protectorates on the Niger River be known collectively as Nigeria—meaning the land of abundant waters in the African language.

Although Nigeria was the creation of European ambitions and rivalries in West Africa, it would be an error to assume that its peoples had little history before the final boundaries were negotiated by Britain, France, and Germany at the turn of the twentieth century (as shown in Figure 1). This newly created country contained not just a multiplicity of peoples, but a number of great kingdoms that had evolved complex systems of government independent of contact with Europe.

---

2Ibid.
Figure 1: The European Powers in West Africa between 1885-1914.
Within its frontiers were eight communities of people: the great Kingdom of Bornu, with a known history for more than a thousand years; the Fulani Empire, which for a hundred years before its conquest by Britain had ruled most of the Savannah areas of Northern Nigeria; the kingdom of Ife, which had produced art recognized as being among the most accomplished in the world; the kingdom of Benin, which received the same accolade; the Yoruba Empire of Oyo which had once been the most powerful of the states of the Guinea coast; the city states of the Niger Delta, which had grown in response to European demands for slaves and for palm oil; as well as, the loosely organized Ibo peoples of the eastern region, and a few Tiv-speaking peoples of the plateau. Between these very diverse groups there was much more commercial and cultural contact than has often been appreciated, and only recent research has begun to reveal how much the superficially disparate peoples of Nigeria have in common.

In a sense, any country can be called an artificial creation. In the case of Nigeria, union has been so sudden and has covered such widely differing groups of peoples that not only the British who created it, but the inhabitants themselves have often doubted whether it could survive as a political entity. Fortunately, on October 1, 1960, despite many difficulties which were mainly focused on the differences

---

4Crowder, op. cit., p. 23.
5Ibid.
between its various component groups, Nigeria became a sovereign federation. Some questions might be raised about the examining of the ancient political life of the Nigerian region, but to this, one can reply that the history of Merica and Wessex are considered a part of the history of the British people, thus the early times attract the present attention.  

Geography

Geographically, the Federation of Nigeria covers an area of 357,000 square miles, approximately the site of the states of California, Nevada, and Arizona combined. The Federal Republic of Nigeria is the largest single geographic unit along the west coast of Africa and occupies a position where the western parts of the African continent meet equatorial Africa. Nigeria lies between parallels 4° and 14° north of the Equator, so that it is entirely within the tropical zone, extending northward from the coastline for over 650 miles.

From the western border to the eastern border there is a distance of over 700 miles at the widest part. On the western border is the Republic of Dahomey, to the north are the Niger Republic and the Sahara Desert, and along the eastern border lies the Federal Cameroon Republic. The Atlantic Ocean, known variously along the west coast as the Gulf of

---

6Ibid.

Guinea, the Bight of Benin, and the Bight of Biafra, washes the southern coastline for about 500 miles.⁸

Four main topographic areas may be distinguished in terms of vegetation, altitude, and climate: (1) the warm, humid coastal belt of mangrove swamp, of between 60-100 miles northward; (2) northward from the tropical rainforest, an oil palm forest 50-100 miles wide stretches to a plateau area; (3) the high plateau of between 5,000-7,000 feet above sea level, with no significant mountains, relatively dry central plateaus of open woodland, and savanna forest covering the greater part of the northern region; (4) the semi-desert in the extreme north.

Nigeria has several navigable rivers, notably the Niger, the Benue, and the Cross. These rivers are useful means of communication. In addition, the extensive lagoons of the southern coastal area play an important role in transportation and economic activity.

Although Nigeria is wholly within the tropics, the climate varies from the typical tropical at the coast to sub-tropical farther inland. There are two well-marked seasons: the wet, or rainy season, which lasts from April to October, starting later and finishing earlier in the north, and the dry season, which lasts from November to March, and is usually made dusty by Sahara winds. In the south this later season extends from November to April, with considerable

desert wind in December and January. Annual rainfall varies from 150 inches on the coast to 30 inches or less in the extreme north. Temperatures at the coast seldom rise above 80° but humidity is high. Farther north the climate is drier and extremes of temperature are more common, sometimes reaching as high as 100° and falling to 50° and even below on occasions.9

History

The name Nigeria is derived from an African word "Nigr," meaning great river, and it therefore means Land of the Mighty River, or "The Country of the Great Waters."10

It is appropriate that the country should be named after the River Niger, its most striking physical feature and a very useful means of communication.11 In the early days, however, it was more useful internally than as a route for penetration from the coast into the interior. The delta greatly limited its value as a way in or a way out. So, for many centuries the country now called Nigeria was enclosed in the south by a difficult coastline and an impenetrable belt of rain forest along the coast, and in the north by the inhospitably dry and hot desert. The isolation of Nigeria would have been complete if the Sahara desert had really been the barrier it seems to be today, but throughout African history such has not been the case, access was possible.

11 Ibid., p. 2.
Across the desert came many of the people now in Nigeria. Before the nineteenth century, the history of the interior of West Africa dealt with the movement of different peoples and the constant process of fusion between them. Often these movements are impossible to follow in detail and legend has to come to the help of history; but there is no doubt that new peoples and dynamic contacts between old and new were constantly enriching the life of the Nigerian people from a very early date.\(^\text{12}\)

In the ninth and tenth centuries the great caravans across the Sahara Desert kept the interior in touch with the historic civilizations of Bornu, Fulani, Ife, and Benin, and permitted a valuable flow of trade. Slaves, ivory, and gold were sent northward from the inland areas stretching from the Senegal River to Lake Chad, and in return salt, cloth, iron, and other metals, coral, and other goods were brought back into Nigeria by merchants from the Barbary States along the cost of North Africa.\(^\text{13}\)

Besides trade, the merchants brought into Nigeria ideas, education, religion, and culture from the Arab-Berber Moslem civilization in the north. This was a rich and fruitful tradition from which the Western Sudan and particularly Nigeria greatly gained.

From the ninth and tenth centuries came new people, trade, the religion of Islam, the new intellectual influences,

\(^{12}\text{Federal Republic of Nigeria, op. cit., p. 2.}\)
\(^{13}\text{Ibid.}\)
so that with the ninth century, roughly, the history of Nigeria may be said to have begun.\textsuperscript{14}

Bornu, a city in the present north-eastern state of Nigeria, was the first part of the northern states to emerge clearly in the light of history. Bornu was well placed, geographically and strategically, for development, being a convenient settlement for early people coming from the Mediterranean Sea coast through Egypt. It was also at the receiving end of one of the most ancient trade routes in the world—from Cairo, through the region known as the Fezzan, then through the Oasis of Kawar, where the chief city of Bilma was famous for its salt mines, then on to Lake Chad.\textsuperscript{15}

To the west of Bornu were the seven Hausa states: Daura, Kano, Zauzau, Gobir, Katsina, Rano, and Biram. There was close association among the seven Hausa states, and each state had a specific duty. The great western state of Gobir had to defend the other six states against attack from Mali or Songhai.\textsuperscript{16} Kano and Rano were the productive states: producing iron and growing cotton from which their people made cloth. Katsina and Daura were the first ports of call on the trade routes from the north, while Zauzau, the present-day Zaria, to the south, was the slave raider. Besides these

\textsuperscript{14}Ibid.

\textsuperscript{15}Federal Republic of Nigeria, op. cit., p. 2.

\textsuperscript{16}Songhai, was the old name of the present Nigeria, but the actual location of the Songhai Empire was on the northwest of the present Nigeria. Nigeria was called Songhai until the end of the sixteenth century.
seven city states there were other lesser kingdoms, such as Kebbi, Nupe, Gwari, Yeiwa, Ilorin, Zamfara, and Kwarafara.17

To the south were the Yoruba Kingdoms. The traditional early history of the Yorubas is full of interesting legends and stories, but they are difficult to reconcile with each other and impossible to date.18 The Yorubas are the descendants of two main groups of people: one the older indigenous stock of the country, to whom Ile-Ife was a sacred place and the center of their religion; the other, invading people of the same stock as the Berber founders of Bornu and the Hausa states.

By the sixteenth century there was clear evidence of well organized societies in what is organized in present-day Nigeria. External trade (mainly in salt) developed with the Mediterranean states. These developments in commerce were followed by political stability and peace in the Nigerian region. During the period of peace, an ambassador was sent to Europe to further contacts. Yoruba's influence increased and her prestige reached its peak at the end of the seventeenth century.

Meanwhile, further south, the Benin Empire, an offshoot of the Yoruba kingdom, enjoyed a position of eminence and was beginning to attract the attention of European merchants.

18 Federal Republic of Nigeria, op. cit., p. 3.
The first recorded European visit to Benin was by a Portuguese adventurer, which took place in 1472, while the first English visit took place in 1553. When the Europeans arrived they found, in the words of Michael Crowder, a kingdom that was highly organized, backed by a large and efficient army, which gave it control of a large area of the coast. Its economy was such as to allow not only for sacred carving such as one finds in the small societies of Nigeria, but for a great deal of secular art, such as superbly carved ornaments, bells, lamp-holders, door and pillars, many of which are now scattered throughout the museums of the world. It seems that Benin city, with its defensive walls, its large army, its hierarchy of chiefs, its elaborate court ceremonial, must have been based on something more than subsistence agriculture. It probably carried on considerable trade with its immediate neighbors, as well as Oyo and the northern states. Possibly it supplied slaves for the Hausa market, though we have no definite evidence of this. What is remarkable about Benin is that its growth was stimulated neither by contact with Islam nor Europe.

The end of the sixteenth century proved a turning point for Nigeria in many ways. At that time, in the northeast, there was the powerful kingdom of Bornu. The Hausa states had reached a high level of material prosperity and cultural development. The Yoruba people were settling down, and trade was beginning. The Nupe, Bornu, and Kwarafara (Jukun) people were already settled. Along the southern coast, Benin was powerful, being in touch with Europe and open to European

---

20 Crowder, op. cit., pp. 64-65.
influences. The Ibo and Ibibio people were living in much the same areas as they had for centuries and those were "centuries of historical night." The period of stagnation, wars, the slave trade, and political disintegration ended in the early nineteenth century under the more creative, threefold influence of the Fulani wars in the north, the abolition of the European slave trade, and the early European exploration of the interior of Nigeria.

The causes of the decline in the north were not wholly due to factors in Nigeria itself. In the last decade of the sixteenth century, Moorish armies from Morocco descended on Songhai, bringing to an end the glorious age of the Songhai empire (Modern Nigeria).

Beginning with the annexation of Lagos in 1861, and the appointment of British consuls on the coast and the Niger rivers from 1849, British influence gradually penetrated further and further into Nigeria. From Lagos the British moved into the heart of Yorubaland. Then, as trade along the Niger delta developed, the delta areas came under the British influence in the second half of the nineteenth century, and at the very end of the century. At the beginning of the twentieth century the northern territories were brought under British control, prior to the amalgamation of the south

22 Ibid., p. 4.
and north protectorates of the country under the leadership of Sir Frederick Lugard in 1914.

The People

By far the most populous country in Africa, Nigeria accounts for over one-fifth of the continent's population. Its population density is about twice as high as of Africa as a whole, and is greater than that of the United States. About 30 per cent of Nigerians are urban dwellers. According to the November 1973 national census, Nigeria had a population of 79.7 millions, made up of 250 ethnic groups. This 1973 census identified twenty-four cities with population in excess of 100,000, and thirteen of these cities are in the western states alone. 23

The variety of customs, language, and character among Nigeria's 250 ethnic groups gives the country a remarkable cultural heterogeneity. 24

The three major ethnic groups, with their three main languages, are Hausa, Yoruba, and Ibo. The Hausa people dwell in the far north and are primarily of the Islamic faith. Smaller ethnic groups of the north include the Fulani, Nupe, Tiv, and Kanuri. The Hausas and the Fulani of the north were the first in Nigeria to be exposed to the Islamic culture.

23 Daily Times, May 9, 1974.
Over 40 per cent of the people of the northern region speak Hausa, which, in fact, constitutes the lingua franca for much of West Africa. The Hausas are conservative in outlook and possess an intense cultural consciousness and profound pride in themselves. Consequently the impact of Christianity upon them has been insignificant. By virtue of their Moslem faith and proud tradition, they look with contempt upon non-Moslems and they call the southern Christians "Kafiris" (unbelievers).\(^2^5\)

Possessing a highly developed skill in trading, Hausa traders have settled in almost all urban towns throughout Nigeria. In most of these places they tend to live together in exclusive Hausa "colonies" separate from the people of the other tribes, and thereby keep intact their traditional culture.\(^2^6\) By virtue of their religion and their theocentric government, the Hausas have become a well disciplined people, one of whose characteristic features is unquestioning obedience to constituted authority.

The Yoruba kingdom occupied a large area extending from the Niger river to the Republic of Dahomey. The Yorubas of the Western, Kwara, and Lagos states are divided into numerous subgroups. Many Yorubas are Muslim, as a result of the historic influence of the Emirate established at Ilorin.\(^n\)ow the


\(^{2^6}\)Ibid., p. 5.
capital of the state of Kwara). Christianity and Islam claim strong adherents among the Yorubas.

There are three distinguishing features of the Yorubas. The first is the comparatively large scale of political organization and the tradition of constitutional monarchy which the Yorubas possessed long before the advent of the British.\(^{27}\) The Alafin of Oyo with his council ruled over a kingdom of more than a million people. Similarly, the Alake of Abeokuta ruled over an Egba kingdom of about a million people. The second is the high degree of urbanization which even in pre-European times prevailed among the Yorubas. According to a recent writer, the Yoruba people are noted for their propensity to build large towns. Ibadan, the largest city in Tropical Africa, with over a million population, has often elicited surprise that it could survive on an essentially indigenous basis.\(^{28}\) Thirteen of the twenty-four largest cities in Nigeria are located in Yorubaland.\(^{29}\)

Finally, the Yorubas are generally a shrewd and reserved people, who have been subjected to more intensive westernization than any other group in Nigeria. This, of course, is due to the fact that they inhabit the southwestern approaches of the country and were, as a result, the first to come in

\(^{27}\) Ibid., p. 6.


\(^{29}\) Nigeria: Background Notes, op. cit., p. 2.
contact with European missionaries, traders, and officials. Another factor that has contributed to differentiating the Yorubas from other ethnic groups is that Lagos, a Yoruba city, was annexed by the British Crown as far back as 1861 and has since been the country's capital city and principal seaport. This means that a large percentage of Nigeria's exports and imports has traversed Yorubaland with resultant economic impact. This is, the Yorubas have enjoyed, relatively, a much higher per capita income than the people of other states of the country. Their early contact with Europeans aroused in them an interest in western education; this, coupled with a marked propensity for commercial activity, has enabled them to occupy leading positions not only in government services but also in the professional and commercial life of the country.

The great influence of the Yoruba people in the development of Nigerian politics, commerce, and education cannot be underestimated, and this influence will be dealt with under the appropriate chapter in this thesis.

The largest group in the eastern states of Nigeria is the Ibo people, who have historically exercised great influence in trade and the bureaucracy throughout the country. The Efiks, Ibibios, and Eastern Ijaws also reside in this area.

---

30 Ezera, op. cit., p. 7.
31 Ibid., p. 8.
The Ibos, Efik, and Ibibios, who, unlike the Hausas of the north and the Yorubas of the west, have had no indigenous overall political authority around which their loyalty was crystallized have lagged behind. The basic social unit among them is the family or a kindred composed of families, and the largest political unit has normally been the village group. According to C. K. Meek,

The most characteristic feature of Ibo society is the almost total absence of any higher political or social unit than the commune or small group of contiguous villages whose customs and cults are identical. The Ibos in former times took common action against an external enemy (though they frequently also fought amongst themselves), and their sense of solidarity is so strong that they regard themselves as descendants of a common ancestor. 32

Men and women have organization based on their dates of birth and marriage, and these societies transcend village and commune groupings, even going beyond clan boundaries. This was effectively demonstrated in the Women's Riots of 1929 and the disturbances arising from the Colliery shooting in 1949. 33

C. K. Meek records that Ibos have no tribal history other than those of the purely local traditions of the various communes or village groups. Their origin, indeed, is not precisely known except for speculations based on certain


33Ibid.
cultural similarities which point to a distant connection with the Near East.  

Unlike the Hausas, but like the Yorubas, the Ibos have been readily adaptable to new and progressive ideas. But unlike both the Hausas and Yorubas, they are temperamentally different in that they are not only highly competitive of spirit and prone to place great values on achieved status, but they also tend to be dramatic and excitable. The Ibos have been generally regarded as aggressive. It could be plausibly argued that this aggressiveness has been a feature resulting from stubborn demographic and socialological conditions. 

In the midwestern states are found several smaller linguistic groups such as the Benis and Ijaws. Ibos and Yorubas are in the minority in this area. 

At the time of the 1973 national census, about 100,000 non-Africans who were in various fields of business were residing in Nigeria. 

Communication between people of varying ethnic backgrounds frequently takes place in English. It is not unusual for a Nigerian to speak at least one language other than his own tongue.

---

34 Ezera, op. cit., p. 9.
35 Ibid.
36 Daily Times, May 9, 1974, p. 5.
Background to Modern Government

The first governments on Nigerian soil were those of the states and kingdoms that flourished particularly in the north and the west, though there were also some in the east, and village or clan governments in other sections of the country. Problems stemming from these early attempts at government have exercised considerable influence on the shaping of national constitution making. Efforts to provide first, a unitary government; second, a decentralized government; and third, a federal government all followed in train. Organized under varying conditions by people of different cultural backgrounds, and at times not definitely known to historians, the original political areas naturally gave rise to a wide variety of governmental arrangements. Except for the Fulani-Hausa integration in the north, and the loose hegemony of the Oni of Ife over various Yoruba kingdoms in the west, there was no tendency toward federation of the entire territory, and none toward uniformity until 1914.  

Politically Nigeria was divided by a civil war between 1967 and 1970. Today Nigeria comprises twelve states. According to General Gowon's message on the occasion of Nigeria's fourteenth Independence Anniversary on October 1, 1974, there are the possibilities of creating more states within the existing twelve states. The background causes of the tensions involving

---

38 Daily Times, October 1, 1974.
the existing states and possible additional states can be traced to the time of the official establishment of Nigeria and the appointment of its first governor, Frederick Lugard, by the British in 1914.

As a very strong imperialist, Lord Lugard was an exceedingly resourceful administrator and a brilliant soldier. To him more than to anyone else belonged the credit and discredit for setting Nigeria on a course which Nigerian nationalists and patriots felt themselves obliged to pursue, albeit with mixed feelings, till the present day. 39

Nigeria has been referred to as an "historical accident." Certainly the people of this new nation had little to do with the creation of the boundaries that surround them. The final agreement on northern borders was made between Britain and France at the conclusion of an era in which a variety of Nigerian kings and chiefs were cajoled or forced into accepting British authority.

Nigeria became independent as a compromise among the three largest ethnic groups or "tribes," as the western world is fond of calling them. 40

Although the two protectorates of Southern and Northern Nigeria were joined together in 1914, the two were still governed as separate units. The northern protectorate

maintained its own identity apart from its southern counterparts, and the two were subdivided further into twenty-two provinces, including the then colony of Lagos. The southern and northern provinces are the boundary demarcations drawn by Lord Lugard in 1914. (See Figure 2.)

The economic disadvantage of administering the two territories separately soon became manifest in the economic rivalries that ensued; for example, in the rival construction of railways in 1900 between the southern and northern provinces. In order to remove such unhealthy rivalry, some British leaders called for unified administration and economic development. Foremost among the advocates of this approach was E. D. Morel in his book Nigeria: Its People and Problems, 1911. In order to facilitate unified administration, Morel suggested the division of the two territories into four provinces, but his plan was rejected by Governor Lugard.

Since 1914, the problem of consolidating a united country out of the heterogenous peoples and languages of Nigeria has plagued succeeding governments. From 1914 till 1947, however, the fight for the enfranchisement of African colonial subjects

41 Old Calabar and Ogoja Provincial Communities, Minorities, States and Nigerian Unity (Lagos, 1967), p. 2.

42 F. D. Lugard, The Dual Mandate in British Tropical Africa (London, 1965), pp. 228-229. Lord Lugard was High Commissioner of the protectorate of Northern Nigeria, 1900-1906; Governor of the colony and the protectorate of Southern and Northern Nigeria, 1912-1914; and Governor-General of the colony and the protectorate of Nigeria, 1914-1919.
of Britain and their participation in government seemed to have overshadowed the problem of federation of southern and northern Nigeria.

Leaving their motives aside, the good that the British did in Nigeria, in material terms, is considerable and cannot be obliterated. They brought order, good and democratic government, and flourishing commerce to a territory bedeviled and torn asunder by petty strife and senseless wars. The British deserve absolutely exclusive credit for the creation of modern day Nigeria.

In spite of this fact, it must be admitted in all honesty that British rule nearly destroyed the Nigerian soul. There are four important grounds for making this assertion:

1. The closure of the North to Christian missionaries.
2. The fossilization of the political institutions in the North, under the aegis of indirect rule different from the indirect rule policy applied to the South.
3. The treatment of the North and the South as two distinct political and administrative units for all practical purposes, and the inflexible maintenance of disparate standards in them.
4. British maneuvers immediately before and in 1959 to place the control of the federal government in northern

---

*Awolowo, op. cit.*, p. 62.
hands, in order thereby, according to them, to ensure the unity and political stability of the country after independence.44

One major contributing factor to Nigerian political problems has been the lack of widespread education. From an educational standpoint, the northern section of Nigeria was not as easily penetrated by western influence as the southern section. The Arab influence to which the North was exposed was mainly commercial and religious, and only incidentally educational. Even the type of education acquired under this influence was purely religious, not functional. The latter kind of education, however, existed in different parts of the South for some fifteen years before the cession of Lagos, and for more than half a century before British rule was firmly established in Nigeria in 1900. Functional education was made possible because many parts of the South were comparatively accessible to Christian missionaries, who at that stage were responsible for the education of southerners.45

While at the commencement of British rule, the South could boast of a number of persons educated in the western sense, among whom were highly qualified professionals, the North was not at all in a position to make a similar boast. This initial handicap was aggravated by the policy of the British

44 Ibid.
government forbidding Christian missionaries to operate in the northern provinces of the country. Governor Lugard not only originated this policy, but he and his successors pursued it with unreasoning fervor and obstinacy.46

The psychological effect of Lugard's non-education policy on northern minds has been complex, baffling, and dangerous. In their dealings with their fellow citizens from the South, northerners sometimes evince feelings of inferiority or superiority, all depending on particular individuals and circumstances. They have regarded western education with contempt because they felt it to be morally degrading. But they have also inexplicable hostility and resentment toward southerners for being too far ahead of them in social, economic, and political achievements, and in western education. Since 1947, they have persistently demanded, either by word or by conduct, that the South should be halted in its progress until the North is able to catch up. On occasions, some ambitious southern politicians in an effort to gain northern votes have also lent support to this manifestly perverse and exceedingly harmful suggestion.47

Another cause may be added to the Nigerian federalism and political problems, which have grown out of British government policies. In spite of the amalgamation of 1914,

46 Ibid.
47 Ibid., p. 64.
to which historians have done so much deserving homage, the northern and southern provinces of Nigeria were for upwards of 47 years treated as two separate and distinct legislative, executive, and administrative entities.\textsuperscript{48} From this flowed much to both creative and destructive.

Governor Lugard's most lasting contribution in Nigeria was his development of local administration through the policy which he called "Indirect Rule System," which he described in his report of 1918.\textsuperscript{49}

Under the indirect rule system, the paramount rulers of the North were able to administer the affairs of their respective domains, subject only to the guidance of the resident officer. In the words of Governor Lugard himself, the attitude of the resident officer is that of a watchful adviser, not of a ruler interfering in native affairs.\textsuperscript{50}

In following such a policy the British gave their native authorities the complete backing of an alien rule, which within a century of calculated misrule had degenerated into an unstable and tottering despotism.\textsuperscript{51} For instance, from 1900, a fixed salary was established for each of the lower chiefs: twelve thousand nairas (eighteen thousand dollars)

\textsuperscript{48}Ibid., p. 64.
\textsuperscript{49}Akpofure and Crowder, \textit{op. cit.}, p. 191.
\textsuperscript{50}Ibid., p. 192.
\textsuperscript{51}Awolowo, \textit{op. cit.}, p. 65.
per annum plus a yearly establishment allowance of six thousand nairas (nine thousand dollars). These salaries and allowances were extravagant in regard to the general standard of living among the masses of the people in Nigeria of 1900. If the full facts about this had been publicly known in the South at that time, the educated Nigerian nationalists of southern origin would have spoken out against it. The British knew this and they therefore saw to it that the North was hermetically sealed to southern Nigerian nationalists. Nigerian lawyers, who were the champions of the rule of law in those days, had no locus standi in the courts operating in the North. Other educated self-employed southerners were discouraged from visiting the North. No Nigerian, however highly placed, was allowed to travel in a compartment higher than third class on the railways. For example, in the early twenties, a barrister, Kolawole Doherty, made a courageous attempt to visit the North. Apart from not being permitted to travel in the train class of his choice, he was beaten up severely at one of the northern railway stations and was obliged to return to Lagos from the station in the most humiliating circumstances without reaching his destination.52

Under the indirect rule system, the policy of the government was that the native kings and chiefs should govern their

52Ibid., p. 65.
people but not as independent rulers. While they (the kings and chiefs) were to be controlled by the British government in matters of policy and of importance, their peoples were to be controlled in accordance with that policy through rules set by the various native leaders. No government official was allowed to issue instructions directly to an individual African or even a town-head. The local courts were presided over by indigenous African judges, of which there were 417 in all. All that was required of them was that their court proceedings and their judgments, while not based on British practice or the criminal code, should not be obviously faulty, or contrary to government ordinances.53 These sentences were, however, subject to revision by the district officer, and their prisoners were confined in their own jails, which were under supervision of the British staff. Under the indirect rule system the taxes were raised in the name of the native rulers and by his agents, but he surrendered a fixed proportion of the tax which was granted to the local authority for maintaining services. Such amounts included the salaries of all local officials, subject to the advice of the government, with ultimate control by the governor.54

Flora Perham, Lugard's official biographer, has rightly considered this fundamental issues in the development of

53 Ibid., p. 65.
54 Akpofure and Crowder, op. cit., p. 192.
indirect rule in the northern provinces of Nigeria, and concluded that Lugard's policy was at least well worth attempting. She commented that, if the new direction Lugard tried to give had been steadily followed by his successors, the northern region of Nigeria today might have been more uniform and centralized in its administration, with more fully developed central services. Secondly, it would have presented today less of a political contrast with the southern regions of Nigeria.55

At its inception, the idea of indirect rule, with its concomitants, the Native Court and later Native Authority System, was designed to accomplish the following important objectives: (1) to preserve and foster British rule through the traditional political institutions; (2) to encourage the spontaneous evolution of these institutions in particular directions; and (3) to use the Native Authority System as a training-ground for the education of two groups. Tribal head's particularly those in the patriarchal stage of social development, were to learn the duties of rulers, while educated Africans were to gain experience in civic responsibility before they undertook a larger political responsibility in the central institutions of Nigeria.56 In Lugard's own words,

55Crowder, op. cit., p. 236.
56Lugard, op. cit., p. 288.
The object of substituting for British rule, in which the chiefs are mere agents of the government, a system of native rule under the guidance and control of the British staff, whether among advanced or backward communities, is primarily educative. . . . In all alike the endeavor is to prevent denationalization, to develop along indigenous lines, to inculcate the principle that the function of the ruler is to promote the welfare of his people and not to exploit them for his pleasure, and to afford both to rulers and the people the stimulus of progress and interest in life.57

Following the establishment of indirect rule in the northern provinces, Lugard decided to introduce it in the southern provinces. Here he met with some difficulties before he could successfully make indirect rule work in the western provinces of southern Nigeria. The riots that he encountered were essentially a protest against the introduction of a system of government quite alien to the traditional form of government of the people. In spite of many protests by southern officials, and doubts by the colonial office, direct taxation, which was an essential characteristic of indirect rule, was recommended and was successful in the western side (the Yoruba country) of the southern provinces.

Lugard found it almost impossible to introduce indirect rule to the eastern areas of the southern protectorate of Nigeria. The main reason for this difficulty was that there

57 Ibid., pp. 288-289.
were no kings or traditional chiefs of consequence in the eastern provinces who could serve as intermediate instruments to make the system work. A system that depended intimately on a fulcrum of authority obviously had no application in so loosely organized a society as that of the Ibo and Ibibio-speaking people. Eastern Nigeria was one of the areas in Nigeria where there was an apparent neglect of the development of the native authority system until the 1930's. The British administrative policy was applied in other areas of Nigeria long before it was brought into operation in the East. The intention of this policy was to use the native authority and local government system as a training ground for indigenous people in democracy and political leadership, as the Colonial Secretary, Arthur Creech-Jones, stated in 1947.

The essential and permanent objective of British policy is to bring forward the African territories to self-governing responsibility within the Commonwealth. To that end, an evolutionary process toward more liberal, representative and responsible political institutions is going on. Progress, however, depends on developing in African communities a sense of community obligation and social responsibility and service. In this, local government plays a conspicuous part.

---


After much trial and error, a system of democratically elected councils was formulated which closely corresponds to the traditional methods of delegating authority.\textsuperscript{60}

Having regard to relevance and space, the author has set out in this first chapter of this thesis, sometimes in detail and sometimes in outline, the background of the federalism and political problems in Nigeria.

\textsuperscript{60} Crowder, \textit{op. cit.}, p. 236.
CHAPTER II

THE BASIS OF NIGERIAN POLITICS

Politics is about influence and influential people; that is, about people who have influence and/or who achieve power. The fruits of power are economic advantage, social prestige, and security for those who possess it. Through the promulgation of laws, ordinances, and decrees, those in power apportion rights and privileges and enforce the apportionment by recognized sanctions. The institutions, rules, and customs according to which power is achieved and exercised form the constitution of a country, and in a sense these are the residue of past politics. The constitution is like a skeleton, which politics endows with flesh, blood, and the breath of life.¹

While sporadic efforts of the Nigerian nationalists were being made to protest against injustice and to revolutionize, and revitalize the approach of Nigerians to the problem of public affairs, there developed in the early 1920's groups that sought to obtain power and run the government. These groups organized themselves into political parties in response

to a provision in the Nigerian Constitution of 1922.\textsuperscript{2}

Under this constitution, a new legislative council was inaugurated for Lagos and southern provinces of Nigeria to replace the older council which had been devised by Lugard in 1914.\textsuperscript{3}

Under its provisions, which stayed in effect until 1946, the new council had four elected Nigerian members who were the first elected Africans in legislative councils in the British West African territories. The creation of this legislative body marked a turning point in the political history of Nigeria because it was the first step towards representative government in Nigeria. It provided a legitimate outlet for the political interests and ambitions of the educated Nigerians.\textsuperscript{4}

At the center of this growing political activity was Herbert Macaulay, a Nigerian British-trained civil engineer. Macaulay founded the Nigerian Democratic Party (NDP) in 1922 with the support of the leading Nigerian nationalists of the time. Later on this party was renamed the Nigerian National Democratic Party (NNDP). Macaulay was one of the harshest critics of the British administration in Nigeria, and

\textsuperscript{2}Joan Wheare, \textit{The Nigerian Legislative Council} (London, 1950), p. 38.


eventually he paid for his fearlessness by a term of imprisonment for a criminal libel.\textsuperscript{5}

The objectives of the NNDP were (1) to elect the Lagos members to the Legislative Council; (2) to secure municipal status and local self-government for Lagos; (3) to establish branches of the party in other parts of Nigeria; (4) to foster higher education in Nigeria and economic development of natural resources; (5) to ensure fair and free trade in Nigeria and equal treatment for Nigerian traders and producers; and (6) to work for the Africanization of the Civil Service. The party tried, but failed to establish branches all over the country.

But, throughout its history, its main function was to elect the Lagos members to the legislature, a function it performed exclusively until the late 1930's. For instance, three of the first four elected representatives into the Legislative Council of 1922 were from Lagos, and the fourth member was from Calabar.\textsuperscript{6} The Nigerian National Democratic Party was the most powerful political force in Nigeria, especially in Lagos, where it was most active. As Nigeria's leading political party it sometimes raised issues of a Nigeria-wide nature.\textsuperscript{7}

\textsuperscript{5}Awa, \textit{op. cit.}, p. 94.
\textsuperscript{6}Akpofo and Crowder, \textit{op. cit.}, p. 201.
\textsuperscript{7}Smythe and Smythe, \textit{op. cit.}, p. 29.
A number of factors made it impossible for the early parties of Nigeria to expand their activities beyond the confines of Lagos. Of these, the most important were parochialism, lack of common consciousness, and the desire of the leaders to keep the reins of power in their own hands.

In the period of the 1920's the concept of voluntary organizations had gradually developed to counter the above. These groups who framed the concept of voluntary organizations went beyond the political into the religious, recreational, occupational, entertainment, and social areas. Some of the newer associations emerged from the more traditional mutual and secret societies. A good example of this type of organization was the cultural association or union which developed among the peoples of the southern Nigeria.

The late 1920's saw the beginning growth of kinship and cultural unions in the main urban centers, some of which helped to make vocal previously inarticulate ethnic groups in the country. The dispersal of tribal members among the cities led in time to the federation of local units into an all-cultural organization like Ibibio Welfare Union (later called Ibibio State Union), the Edo National Union, the Yoruba Egbe Omo Oduduwa, and Ibo Federal Union later called the Ibo State Union). The more extensive type of organization was formed originally by tribal or ethnic migrants, especially

the Ibo people and later others from the eastern provinces of the South, to protect themselves from the hostility they encountered when they sought employment in the cities of the western and northern provinces of Nigeria.9

Fundamentally, during the time of amalgamation of the two protectorates of the southern and northern Nigeria, there were very considerable differences in the history of the various groups of Nigeria, as well as more points of contact than have generally been supposed. There were latent differences and antagonisms that could be called up by anyone so inclined; for instance, campaigns to end tribal organizations. The argument over tribalism has been between those, who believe that these differences were fixed, and that at best Nigeria was an arbitrary colonial creation in which any political settlement should take these factors into account by dissolving government by tribal groups, and those, who believed that politics should be worked out in terms of Nigerians rather than Ibo, Hausa, and Yoruba, and that this could be achieved if no one resorted to ethnic group politics of cultural organizations like the Ibibio State Union, the Edo National Union, the Yoruba Egbe Omo Oduduwa, and the Ibo State Union.10

Cultural Factors

In fact, originally, the increase in tribal feeling, as Kalu Ezera has shown, was caused by circumstances rather than

9Crowder, op. cit., p. 278.
10Ibid., p. 278.
design, and only later was it seized upon by the Nigerian politicians.

Before anyone can fully appreciate the underlying causes of the emergence of tribalism which is the root of Nigerian political problems, it is important to recall the unevenness in the social, economic, and political development of the various ethnic groups of Nigeria. Of all Nigerian tribes, the Yorubas had had a much earlier contact with the western world, as was pointed out in the first chapter of this thesis. They (the Yorubas) had also had an earlier advantage in education. As far back as the early decades of the century, many Yorubas had been visiting Europe. This was at the time when most of the Nigerian hinterland had not yet been completely pacified from inter-tribal wars, by the British administration.\(^1\) When, for instance, the Aro-chuku expedition of 1902 brought law and order, and subsequently schools and churches for the first time to the Ohafia and Aro-chuku districts of the Ibo land, the Egbas and the Lagosian Yorubas had been enjoying the blessings of British pacification and education.\(^2\) It was inevitable, therefore, the Yorubas not only controlled an overwhelming majority of the higher position in the Nigerian Civil Service but had complete control of business, professional, and political activities

\(^1\)Ezera, op. cit., p. 89.
\(^2\)Ibid., p. 90.
of the country. Thus, there was a wide gap economically, socially, and politically between the Yorubas on the one hand and the other ethnic groups of Nigeria on the other.

When the British occupied Nigeria they had almost no contact with the large Ibo and Ibibio population of the eastern provinces of southern Nigeria, while already many Yorubas in the western provinces had received English education and had provided a small intellectual "elite" in Lagos. It was not until the early forties that the Ibos, who hitherto had been regarded by the Yorubas as "kobo-kobo" (backward ones), made what looked like a serious effort to narrow the social, economic, and political gap between the Yorubas and themselves.\(^\text{13}\) By dint of great individual and group efforts the Ibos began to send their sons abroad for higher education in large numbers. With numerical size in their favor and scattered all over the country as traders or junior government employees, the Ibos banded themselves into tribal and village unions and began to assert themselves publicly.\(^\text{14}\)

Nearly always the Ibos and Ibibios settled in discrete communities, realizing that the key to success under the new administration they had entered into in the western and northern regions of Nigeria, was western education. Consequently, seeing how far behind the Yorubas they were in this

\(^\text{13}\) Ibid., p. 90.
\(^\text{14}\) Ibid.
respect, they formed mutual benefit associations in order to give some of their members the advantages of higher education. This tendency to group together was intensified by the close family ties that exist in most African societies, and by the fact that in northern Nigerian towns southerners were forced to live outside the city walls in the Sabo Garis or strangers' quarters. In the 1940's some of the Ibo and Ibibio tribal unions began to federate. These tribal unions gathered funds for unemployment assistance for the ill and, in addition, financial help for bereaved families.\(^5\)

Cultural unions wield extensive influences and power, and the larger ones have played a significant role in the spread of education. They have offered scholarship aids to young people, and some have even operated schools. Several members of the Nigerian House of Representatives, and some who have risen to other relatively high positions, especially in the eastern region owe their training in British or American universities to cultural union financing. And when most of these scholars went back to Nigeria they pledged their political loyalty and views in support of cultural parties instead of supporting national parties.\(^6\)

It is not, therefore, surprising that the Yorubas, who hitherto had held complete sway over Nigerian public affairs,

\(^5\)Smythe and Smythe, op. cit., p. 29.
\(^6\)Ibid., p. 30.
felt they were being eclipsed, and reacted by alleging that a systematic attempt was being made to bring about the Ibo domination. The effect of these efforts by the Ibo and the Ibibio peoples to improve themselves, by organizing on a tribal basis, was to provoke other ethnic groups to join together. That seems to prove the truth of Johnson's statement that it seems the disposition of man that whatever makes a distinction produces rivalry. Thus, a perfect setting for inter-tribal rivalry and disharmony created itself out of this social, economic, and political unbalance in the various ethnic groups in Nigeria. As an American scholar shrewdly observed, "unevenness in development sharpened the awareness of group differentiation which in turn intensified Nigerian intergroup competition and political tensions."  

Along with their immediate practical functions, the unions have concentrated on keeping alive in the new urban Nigerian an interest in his cultural heritage, his songs, language, social customs, and history, thus fostering a continuing link between the new city dweller and his rural traditions. Although leaders of these cultural organizations are typically urban-educated men, the membership includes representatives of all levels of society: non-literate

17 Ezera, op. cit., p. 90.
peasants or wage laborers, natural rulers, British trained lawyers and businessmen.19

In Kalu Ezera's own words,

Similarly with the North, it was only around 1948 that northerners awoke to the awareness of the wide gulf, educationally, politically and economically, that separated them from southerners. But the difference in their case was that their awakening came as a reaction to southerners' contempt for their educational backwardness and sustained itself on a base of anti-southern coalition.20

The Emergence of Political Parties

The development of political parties in Nigeria had its root in the evolution of the ethnic groups' nationalism of the 1920's. In contrast with racial nationalism was ethnic group nationalism, expressed in efforts to recapture the glories of particular ethnic groups. If an educated Nigerian did not turn his attention to all of Africa, he tended to turn to his own ethnic group, not to Nigeria itself. Samuel Johnson's History of the Yorubas was one of the earliest of many books written by Nigerians on their tribal customs or histories. He implied that the tribe was the natural political community for the future as it had been in the past.21

19 Smythe and Smythe, op. cit., p. 29.
20 Ezera, op. cit., p. 91.
21 Frederick Schwarz, Jr., Nigeria, The Tribes, The Nation or the Race (Cambridge, 1965), pp. 56-57.
The Nigerian Youth Movement, which started after the Nigerian National Democratic Party, was the first political organization ever to make real efforts to bring within its fold all the Nigerians who are politically conscious elements in the country.22

The Nigerian Youth Movement sprang out of the Lagos Youth Movement, which was founded in 1933. When H. O. Davies, a brilliant and patriotic Nigerian, returned to Lagos in 1937 from the United Kingdom and became the secretary of this organization, its name was changed to the Nigerian Youth Movement (NYM).23 In its charter, published in 1938, the Nigerian Youth Movement set forth the following objectives: (1) to obtain complete autonomy for Nigeria within the British Commonwealth and Empire; (2) to make Nigeria a united nation and thus foster understanding and sense of common purpose and common nationality among the people; and (3) to demand for Nigerians economic opportunities equal to those enjoyed by foreign powers.24

The movement for cultural consciousness had already been started in the early 1930's in the urban areas of the southern provinces of Nigeria; and young people in many parts of Nigeria were ready to accept a more dynamic leadership. Until

23Awa, op. cit., p. 95.
24Awolowo, Awo, pp. 121-123.
1937, politics in Nigeria had been subjected to what might be called the Lagos dynasty. In that city only those who had acquired a certain degree of refinement belonged to the elite group. No Ibos had taken part in politics or had belonged to this upper stratum of Lagos society.

In 1937, the first notable and powerful Ibo politician, a graduate of an American university, Nnamdi Azikiwe returned to Nigeria under auspicious circumstances. When Azikiwe came to Lagos in 1937 he joined the NYM. As a result, many Ibos and other young Nigerians inspired by him joined to swell the party ranks. Branches of this party were established in several important towns and cities throughout Nigeria, and by 1937 the Nigerian Youth Movement had about 10,000 followers and twenty branches in the provinces.

Azikiwe's association with the Nigerian Youth Movement was, however, short-lived. Serious quarrels with other leaders led to his resignation in 1941, and the party never quite recovered. As a consequence of Azikiwe's resignation, a number of Ibos and Yorubas went with him. Some Nigerian historians trace the origin of tribalism in Nigerian politics to this incident, but is difficult for this author to accept this interpretation. In a country whose people have diverse social and cultural backgrounds and where no efforts had

---

been made to inculcate the idea of one nationality and common citizenship, tribalism was bound to arise once people had acquired a fairly high degree of political consciousness. Indeed, the movement of cultural associations, which had its beginnings in the early part of the twentieth century in Nigeria, predicted the appearance of tribalism and consequently led to political problems of the 1960's in Nigeria.  

Organization of Political Parties

While tribalism gained ground, other efforts to establish political groups along different lines were being made. In 1942, Nnamdi Azikiwe and some Nigerian leaders founded the Nigerian Reconstruction Group. Its membership was limited to intellectuals, and its objective was to engage in social research of all sorts. The Nigerian Reconstruction Group tried to found a national front in collaboration with the Nigerian Youth Movement. Together, they tried to inculcate in the minds of Nigerians the idea of oneness and the consciousness of kind. In November, 1943 at a youth rally in Lagos, Azikiwe and some Nigerian political figures addressed hundreds of eager young people who were in attendance. This rally passed a resolution affirming the need for the formation of a national front, but its greatest achievement was  

to fire the imagination about the National Political Party of hundreds of these young Nigerians. The leaders of the Nigerian Youth Movement declined, however, to cooperate with Azikiwe, partly because they did not believe he was willing to work on a cooperative basis with his intellectual equals. 28

In August of 1944 another effort was made to establish a political party along national lines. Herbert Macaulay and some Lagos politicians founded the National Council of Nigerians and Cameroons, 29 (NCNC) by summoning all organizations to a conference in Lagos. At this conference the election of Herbert Macaulay as the president and of Azikiwe as the general secretary for the newly formed party brought together two leading personalities in Nigerian politics. After the death of Macaulay in 1946, Azikiwe became the national leader of NCNC and two years later became the president of the Ibo State Union, a cultural organization. 30

In 1948, Obafemi Awolowo, a British-trained lawyer returned to Nigeria and organized the Egbe Omo Oduduwa, a

---

28 Awa, op. cit., pp. 97-98.

29 In January 1962, National Council of Nigerians and Cameroons changed the name of the party to "National Council of Nigerian Citizens (NCNC)". Because of the southern Cameroons, former United Nations territory under British administration was administered as southern Cameroons province of Nigeria until February 1961, when it voted in general plebiscite to join the new Federal Republic of Cameroons rather than the Federation of Nigeria. See Crowder, op. cit., p. 316.

30 Ezera, op. cit., p. 91.
cultural organization which he had first formed in Britain in 1945. In 1951, Awolowo created, as the political wing of the Egbe Omo Oduduwa, the Action Group (AG), which was supported by aristocratic Yorubas and some Yoruba professionals and intellectuals. The Action Group had been organized originally as a western Nigerian party, because its leaders did not believe they could penetrate into other regions. The party constitution, however, provided for party organization on a Nigeria-wide basis and had a branch organization in Lagos.

Like some of its counterparts in the southern provinces, the Northern Peoples' Congress (NPC) evolved as a party from cultural organizations and was formed by a small group of western-educated northerners, including Balewa and Aminu Kano, in 1949. This party came out of the Northern Teachers' Association, first established back in 1947 by Aminu Kano on his return to Nigeria from London. But until the middle of the 1951 election campaign, the NPC was not operated as a political party, because, unlike the southerners, the northerners were not yet politically conscious.

A common feature of the three major Nigerian political parties that has contributed to the political problems in

---

31 Awolowo, Awo, p. 213.
33 Smythe and Smythe, op. cit., p. 41.
34 Coleman, op. cit., p. 358.
Nigeria is that the location of their headquarters, organization and their political powers are effective in the regions only. Moreover, each party during the early stages of development based the recruitment of party members mainly in its own region, and among its own ethnic group. This was particularly true of the Northern Peoples' Congress. The NPC basic premise was that "the north must and could only be saved by northerners; that the peoples of the north felt cautious friendship for the other peoples of Nigeria,"\(^{35}\) and that the NPC was not a subversive organization:

> The Northern Peoples' Congress does not intend to usurp the authority of our natural rulers; on the contrary, it is our ardent desire to enhance such authority whenever and wherever possible. We want to help our natural rulers in the proper discharge of their duties—we want to help them in enlightening the Talakaw.\(^{36}\)

Until the 1959 general election, which, led to Nigerian Independence, the Northern Peoples' Congress had not established a political branch in any of the southern regions.

On major factor that led to failure of federalism and encouraged ethnic groups' loyalty and promoted sectional and ethnic groups political parties in Nigeria can be seen in the formation of the three major political parties. First the National Council of Nigerian Citizens (NCNC), which was formed

\(^{35}\)Daily Comet, December 29, 1949.

\(^{36}\)Ibid. ("Talakaw" meaning common people.)
as a national party, was dominated by the Ibo people. Another important factor was that until the early 1950's the British officials in Nigeria did not allow the northern leaders to mingle with the southern leaders, who were already politically conscious in their outlook. Therefore, the National Council of Nigerian Citizens Party was only able to operate within the southern provinces until the first national election of 1952.

The second reason for sectional and regional parties was that all of the Yoruba leaders in the defunct Nigerian Youth Movement rejected the leadership of Azikiwe because of his divided loyalties as a result of trying to lead both the National Council of Nigerian Citizens so-called national party and the Ibo State Union, a cultural group. The Yorubas thus gave their full support to Awolowo, the leader of the Action Group, to promote this party as a Yoruba party.

A third, and probably the most significant element which contributed to political sectionalism was the Northern Peoples' Congress. The name, Northern Peoples' Congress and its motto, "one North, one people, irrespective of religion, rank or tribe," tended to weld the North and gave the southern people a very wrong impression about the aims and policies of this party. This showed that the Northern Peoples' Congress was

38 Walter Schwarz, op. cit., p. 105.
39 Ibid., p. 100.
established and formed for the people of the northern provinces only. The southern people tended to believe that the northern leaders were not for the unity of the peoples of Nigeria as one entity, which most of the southern leaders had been fighting for since the early 1920's.40

And last, the growth of political parties in Nigeria has also reflected social divisions. A case could easily be made out that in Nigeria before 1966, where one political party dominated each region, that party was little more than the vehicle of sectional aims and the instrument of sectional policy, totally lacking in appeal to the other parties in other regions.41 It is relevant to note the United States experience here, for in the United States, ethnic group political parties did not exist and the two major political parties had by law to be nationwide in their appeal.

40Ibid., p. 106.

CHAPTER III

THE RISE OF FEDERALISM AND POLITICAL PROBLEMS IN NIGERIA

The evolution of federalism and political problems in Nigeria can be traced to January 1, 1914, when the British Parliament officially proclaimed the amalgamation of the two protectorates of Southern and Northern Nigeria. The new government of Nigeria was proclaimed, with Lugard as its first Governor-General.¹

The administrative system for the amalgamated Nigeria was federal in character in that it recognized the existence of two already autonomous parts called Northern and Southern Protectorates. The immediate political problem of this new government was that the boundary between the two new protectorates largely remained the same as that between the old Northern and Southern Protectorates of Nigeria. This arrangement of leaving the old boundary before January 1914 still unchanged after the amalgamation was certainly a recognition of the differences between the peoples of these two parts, yet it did not take into account the natural or geographical basis which Morel had advocated. Nor indeed did the boundary

¹Ezera, op. cit., p. 20.
correspond either with geographical divisions or socio-cultural areas.²

Morel proposed what he called "an unauthorized scheme of amalgamation."³ The objects of amalgamation according to Morel would be four in number, namely:

1. Financial management directed not only to meeting present needs but to making provision for the future;
2. The right sort of man to fill the important and onerous post of governor-general;
3. The division of the country into provinces corresponding as far as possible with natural geographical boundaries and existing political conditions, involving as few changes as possible; and
4. A comprehensive system of public works. Morel wanted to end the entrenched hostility and frequent arguments between the northern and southern administrations of Nigeria; not by ignoring the difficulties but by a new division of the whole territory into four provinces.

Morel also suggested that each of the four provinces of the country should be sub-divided, and should have a Lieutenant-Governor, each with a provincial budget of its own, though there would also be a central budget for the proposed federal administration.⁴

²Ibid.
⁴Ibid., p. 201.
One very important point to note was that Morel did not limit himself to speculations about how to solve the problems of internal administration. He made an alternative constitutional proposal that there should be no Legislative Council at the center, but only an administration maintained by the provinces. He also qualified this idea by saying that if there was to be a Legislative Council at the center, he wanted educated Mallams on it.5

Though Morel's suggestions might seem out-of-date and irrelevant since they were officially rejected, it must be remembered that his aim was to end the total separation of north and south, to relieve the position of a Northern Nigeria which he found to be "anomalous, landlocked . . . and a poor pensioner on the Treasury, in part upon Southern Nigeria."6 and to facilitate administration of a vast country where neither wireless nor air travel was an aid to administration. He wrote,

The mush of anomalies now obtaining cannot be perpetuated without increasing detriment to imperial interest in Nigeria . . . . The existence of two public bodies side by side in a single territorial area where internal peace is rapidly fusing the indigenous communities, divided by an imaginary line which does not even correspond to natural boundaries and exhibiting multiple differences of aim and method in some cases actually antagonistic interest presents many obvious inconveniences and paves the way for future embarrassments of every kind.7

5Ezera, op. cit., p. 17.
6Morel, op. cit., p. 190.
7Ibid., p. 209.
Towards a Federation

Under Lugard's administration a Lieutenant-Governor was placed over each protectorate of the country, charged with the direct administration of the area to which he was appointed. The headquarters for the Lieutenant-Governor of Northern Nigeria was located at Kaduna, and that of Southern Nigeria at Lagos. The headquarters of the Governor was also established in Lagos. But by 1928 the headquarters of the Lieutenant-Governor of Southern Nigeria was removed from Lagos to Enugu. ⁸

One of the federal characteristics of the amalgamated Nigeria was that each Lieutenant-Governor was to produce an annual budget to be incorporated into the general budget of the central government in Lagos. A secretariat and the various necessary departments such as political, medical, public works, forestry, agriculture, education, police, prisons, and marines were established for the central government. Certain other notable departments common to both northern and southern provinces such as railway, military, audit, treasury, post and telegraphs, judicial, and legal were centralized under the Governor-General. From this time on there has

---

⁸ The headquarters of the Lieutenant-Governor of the Southern protectorate was temporarily located in Lagos until it was removed to Enugu in 1928 because Lagos was the seat of the central government and the Governor of Nigeria. Ezera, op. cit., p. 20.
been a steady development towards centralization with a great increase in the central secretariat in Lagos.\(^9\)

The provincial system of administration existing in the North before the amalgamation was now extended to the southern part, which was then divided into nine provinces. The use of the title of Resident was also adopted in the South. The colony of Lagos was recognized as a separate unit from the southern provinces and placed under an administrator. The Lieutenant-Governor of the southern provinces temporarily held the post of the administrator of the Lagos colony.\(^10\)

Another federal characteristic of Lugard's administration was that only those departments of government which needed to be controlled on a national level, such as the treasury, railways, surveys, judiciary, army, posts and telegraphs, and audit were under the control of the central authorities. As far as possible, Lugard left actual control of the administrative functions of both southern and northern provinces to the Lieutenant-Governors, who referred to him (the Governor, in Lagos) only those questions which seemed to affect Nigeria as a whole. Lugard was determined to maintain the administrative differences between North and South and avoid a strongly centralized government, for he believed that this was neither yet possible nor even desirable.\(^11\)


\(^10\)Ibid., p. 66.

\(^11\)Akpofure and Crowder, op. cit., p. 191.
Azikiwe's Federal Plan

The earliest attempt of federalism by a Nigerian for Nigeria was made by Nnamdi Azikiwe. A book published in 1937, *Renascent Africa*, was Azikiwe's statement of his basic social and federalist philosophy. Before this time, systematic theorizing about federalism in Nigeria had been negligible.

In this book, *Renascent Africa*, Azikiwe tended to gloss over the cultural differences among ethnic groups in Africa, apparently feeling that such differences had been magnified by the accident of European occupation of Africa.¹² In his later book, *The Political Blueprint of Nigeria*, Azikiwe implied that what needed accommodation in any constitution for Nigeria was not cultural diversity but the geographical configuration of Nigeria. He therefore suggested that Nigeria should have a federal system of government with eight component units, into which he arbitrarily divided the country. These units, to be called protectorates, would be (1) the northwestern comprised of Sokoto, Niger, and Ilorin provinces; (3) the northeastern, made up of Bornu, Bauchi, and Adamawa provinces; (4) the central consisting of Kabba, Benue, and Plateau provinces; (5) the southern, including Warri, Bennin, Onitsha, and Owerri provinces; (6) the

southerwestern, consisting of Ondo, Ijebu, Abeokuta, and Oyo provinces and colony (including Lagos); (7) the southeastern, made up of Calabar and Ogoja provinces; and (8) the Cameroons, embracing the northern and southern parts of the Cameroons.\footnote{Awa, op. cit., p. 20.}

In Azikiwe's federal plan, the federal government was to be called the Commonwealth government of Nigeria. The chief executive of the federal government was to be a governor-general. A cabinet of fifteen ministers working with the Prime Minister would be the principal policy-making authority of the government. The federal parliament would be made of ninety-six members, twelve members from each of the eight protectorates. The ninety-six members of the Parliament, including the ministers, would be four elected representatives from each province. The making of laws for the protectorates would be the sole responsibility of a legislative council, constituted on the basis of one representative per 50,000 people. The commonwealth government would have a parliament and a legislative council responsible, respectively, for federal and protectorates lawmaking body. The functions of the commonwealth Parliament were to levy and collect taxes, duties and excises, to borrow funds, to provide general services, to regulate internal and external trades, to enact laws concerning nationality and rights of aliens, to enact a law of bankruptcy, to establish a monetary system, and a
system of weights and measure, to enact laws in respect to natural resources, waters, forests, railways, banks, posts and telegraphs, radio, education, police, insurance, industrial and agricultural establishments, trading enterprises, transportation and communication, public health, and civil and criminal matters. 14

Each protectorate would have her own governor, who would be elected by the people, and an executive council to advise the governor on the ways and means of carrying out the policy of the Commonwealth government. The members of the Council were to be appointed by the Governor-General in consultation with the cabinet. Local administration would be shared by municipalities and rural authorities. The municipalities would function as corporations with technical experts manning the staff while councils of elected representatives directed their affairs. Municipal authorities were to provide social services such as schools, hospitals, police force, prisons, courts, roads, waterworks, electricity, cultural centers, community centers, and telephone. 15

Azikiwe suggested the separation of the judiciary from the executive branch of the government. In his approach, judicial institutions would include Federal (Commonwealth), The Supreme Court, protectorate courts, and municipal and

15 Ibid., p. 48.
The Federal Supreme Court would have appellate jurisdiction over cases from other courts; the protectorate courts would exercise original jurisdiction, and local courts would be given limited jurisdiction over many different matters. Interpretation of the laws was to be a function of the judiciary. Azikiwe suggested a codification of Nigerian laws and customs within the broad framework of what was generally regarded as natural justice. In other words, there were to be four categories of Nigerian law: constitutional law, statutory law, case law, and common law.\(^{16}\)

In his federal plan, Azikiwe drew up a list of human rights, including among others, the right to receive free education up to the university level, social security, social equality (he meant acceptance of the equality of citizens irrespective of tribe, race, color, or creed), religious toleration, protection of human life and property, collective bargaining and the right to assemble, to public meetings and engage in public discussions, and to demonstrate publicly. He strongly denounced the existence of chieftaincies and emirates, but he proposed that the natural rulers serve as presidents of local councils.\(^{17}\)

The political implications and problems of Azikiwe's federal plan are many. Initially his plan was fully


\(^{17}\)Ibid., p. 29.
formulated but unfortunately obscure in some respects. First, the Commonwealth Parliament and the Legislative Council are federal institutions and both are responsible for the making of laws for the nation as a whole and for the provincial units. Second, the functions of government are shared by the Commonwealth and the municipalities. The eight protectorates thus become merely geographical units, with neither legislative nor administrative functions. Municipalities are correctly recognized as creatures of the state, and thus cannot be regarded as coordinate units in a federation. Third, the Commonwealth Parliament was the organ for ensuring equal representation, not of the protectorates, but of the provinces from the eight protectorates. Fourth, it was not clear what Azikiwe regarded as the basic unit of his federal government: the protectorate, the province, the municipality, or the rural authority. Azikiwe could be given credit, for he planned for a strong government in the interest of all.

Azikiwe's federal plan created very strong criticism from his political opponents, and from others, who felt that he had created the component units in an arbitrary manner and thereby lumped together people of different ethnic groups who had nothing in common. When his party, the National Council of Nigerian Citizens (NCNC), prepared it Freedom Charter in 1948, Azikiwe seized this as an opportunity to proclaim the

---

principle of federalism along ethnic and linguistic lines. In 1951, however, the NCNC advocated the abandonment of a federal constitution in favor of a unitary one for the fact that federalism was being used to dismember Nigeria.\(^\text{19}\)

**Awolowo's Federalism**

Another important early advocate on Nigerian federalism was Obafemi Awolowo, whose reason and approach differed from those of Azikiwe. Awolowo saw federalism as a means of disintegrating the massive country in the interest of more efficient administration. Awolowo regarded federal approach as a philosophy of opportunity, which would enable the various ethnic groups to progress at their own rates. Azikiwe used eight arbitrarily created protectorates (regions) as the units of his federation, but Awolowo proposed instead of the ten main ethnic groups as his own units of Nigerian federation. Awolowo's ten units would include Hausa, Yoruba, Ibo, Fulani, Kanuri, Ibibio, Edo, Munshi, Nupe, and Ijaw. He considered each of these ten ethnic groups as a nation by itself, and maintained that there are as many differences among them as among the Germans, English, Russians, and Turks.\(^\text{20}\)

One major political problem in Awolowo's federal plan was that he did not attempt to spell out the allocation of

---

\(^{19}\) Azikiwe, *The Political Blueprint*, p. 227.

functions between federal and regional governments or the general problem of governmental organization. The second political problem in his approach was that he did not say, however, how separate regions could be created, for instance, for the Hausa and the Fulani, who are closely intermingled in Sokoto, Kano, Katsina, and Zaria provinces.

Awolowo's major contribution in his federal plan was to provide an intellectual justification for the incidence of tribalism in Nigeria. If a federation of Nigeria was to be created upon ethnic groups as units, each group should be well advised to seek the means of improving its social and political status, depending as much as possible upon its own resources and potentialities. Awolowo, however, did not originate the tribalist movement in Nigeria.

Awolowo strongly believed in a federal system that, in one of his books, *Thoughts On Nigerian Constitution 1966*, he categorically claimed that,

*Federal constitution is a necessity, it is a means to the welfare and happiness of the people, the fountain of which, in a material sense, is economic prosperity, and again in a material sense to the greatness of a nation and its people, the most important is political stability. Without it, natural resources, manpower, and capital, whatever their quantity and quality, plus technical knowledge, will avail very little.*

---


22 *Awa*, *op. cit.*, p. 97.

Constitutional Developments

The independence movement of the political geography of Nigeria first reared its head seriously during Governor Bernard Bourdillon's regime (1935-1943). As far back as the early 1940's, Bernard Bourdillon had opened discussion among the British officials and the Nigerians on what could be the most suitable basis of dividing Nigeria for administrative purposes so that each ethnic group could maintain its identity and culture. Under Bourdillon, efforts to bring the machinery of government and new developments to the various peoples of Nigeria continued.24

The constitutional proposals of Arthur Richards in March 1945, though they were attacked on almost every side by the Nigerian leaders, marked the real turning point in Nigeria's progress toward federalism. Without consulting public opinion or even letting the public know what he was intending to do, Richards drafted his constitutional proposals for a review of the 1922 Constitution. According to Arthur Richards, this constitution had three objectives: first, to promote the unity of Nigeria; second, to provide adequately within that unity for the diverse elements which made up the country; and third, to secure greater participation by Nigerians in their discussions of their own affairs.25

24Old Calabar and Ogoja Provincial Communities, op. cit., p. 3.
25Ezera, op. cit., p. 66.
The Central Legislative Council of 1946

Under Richards' Constitution of 1946, there was a legislative Council for the whole of Nigeria. Moreover, the new legislative council was enlarged to forty-four members as shown in Table I. The council was composed of the Governor as president, and twenty-eight unofficial members as opposed to sixteen official members. Of these twenty-eight unofficial

TABLE I

NIGERIA: LEGISLATIVE COUNCIL UNDER RICHARDS' CONSTITUTION*

<table>
<thead>
<tr>
<th>President of the Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governor</td>
</tr>
<tr>
<td>3 Nominated</td>
</tr>
<tr>
<td>4 Elected</td>
</tr>
<tr>
<td>13 Ex Officio</td>
</tr>
<tr>
<td>24 Nominated</td>
</tr>
<tr>
<td>16 Official Members</td>
</tr>
<tr>
<td>28 Unofficial Members</td>
</tr>
<tr>
<td>44 Members Excluding the Governor Who Was President of Council</td>
</tr>
</tbody>
</table>

*Source: Adapted from Joan Wheare, The Nigerian Legislative Council (London, 1950), p. 170.
members, however, only four were elected; the other twenty-four were nominated or indirectly elected by the newly created regional councils. Of the sixteen official members, thirteen were ex officio and three were nominated members.26

Under Richards' constitution, the southern region was divided into western and eastern regions, while Northern Nigeria was left intact. (See Figure 3.) What was really unique about Richards' constitution was its concept of regionalism. Each region was subdivided into provincial units. A regional council was established in each newly created region. The northern regional council had two chambers, a House of Chiefs and House of Assembly, while the eastern and western councils consisted only of a House of Assembly.27

Under the 1946 constitutional provisions, the Colony of Lagos was represented by three elected members, one official and one nominated unofficial member. The remaining one elected member represented Calabar as in the old constitution of 1922. The northern region was represented by two officials, the chief commissioner who was the president of the Northern Regional Council, one resident, and nine of the twenty-four unofficial members. The western region and the eastern region were also represented by two official members each,

26 Ibid., p. 68.

and by six and five nominated unofficial members respectively, as shown in Table 1.

The Regional Councils

The regional houses were primarily intended to forge a link between the native authorities and the Central Legislative Council. In addition, the regional houses were to consider and advise by resolution on any matters referred to them by the governor in Lagos or introduced by a member in accordance with the provisions of the Order-In-Council creating the regional houses.29

The regional houses scrutinized estimates of expenditure, both annual and supplementary, and also any bills whose terms were applicable to the region concerned. The Governor was not bound to adopt the recommendations of the regional houses in his certification of bills. Nor, could the regional houses themselves consider matters which were certified by the Governor to be either purely formal or extremely urgent. In short, the regional councils did not possess any legislative powers. They did not have power to appropriate revenue.30 They were indeed only deliberative and advisory bodies with the right to make recommendations regarding draft legislation. Thus, Nigeria became divided completely into east, west, and north, a step

28 Ezera, op. cit., p. 68.
30 Ezera, op. cit., p. 69-70.
which Bernard Bourdillon had first attempted in 1939.\(^{31}\) In so doing, Governor Richards ignored the diversity of the cultures and peoples of Nigeria. To him, and becoming of his high intellect, Nigeria fell naturally into three parts, the north, the west, and the east. Thus, a federation of three massive regions was imposed on Nigerians on August 2, 1946, when his constitution was promulgated. It became operative on January 1, 1947.\(^{32}\)

Before Richards' administration, the key note in Nigerian politics was unification towards a centralized state and the realization of a common nationality. But with the Richards' Constitution, the tendency toward unification was on the whole, arrested. Undoubtedly the Richards' Constitution was a dividing line in Nigerian constitutional development.

As it was, Richards established the basis of a very unyielding federation with one region twice the size in area and population of the other two regions combined. The grievous mistake made by Arthur Richards was dividing the country into three regional groups without the consultation of the Nigerian leaders, who were knowledgeable of the best way to divide the country equally, both as to size in area and in population.\(^{33}\)

---

\(^{31}\) Old Calabar and Ogoja Provincial Communities, op. cit., p. 3.

\(^{32}\) Ezera, op. cit., p. 68.

\(^{33}\) Ibid., pp. 68-70.
By the time that the Richards' Constitution was being considered in the government circles in Lagos and the colonial office in London, ethnic group consciousness had become the fact of Nigeria's social and political life. The first ethnic group cultural organization, the Ibibio Union, was born during this period. A large number of other cultural organizations soon sprang up in the wake of the Ibibio Union, but became more political in character. 34

Agitation for ethnic group self-determination and cultural sovereignty continued to heighten in the late 1940's. In 1945, a prominent Ibo lawyer publicly told Nigerians that "Ibo domination of Nigeria was a matter of time." 35 This statement sparked off attacks on the Ibos throughout Nigeria in that year. This statement intensified ethnic group suspicions and led to the rise in the number of cultural unions throughout Nigeria, such as the Ibo Union, the Edo Union, the Calabar Improvement League, the Egbe Omo Oduduwa, the Bornu State Union, and the Ijaw Progressive Union. 36

The fear of domination of the rest of Nigeria by any ethnic group reinforced the search for a form of government in Nigeria which would prevent such a situation.

35 Old Calabar and Ogoja Provincial Communities, op. cit., p. 4.
36 Ibid.
With the intensification of the ethnic group's drive for self-determination, the NCNC party which was banned by the colonial government in 1947 for political reasons, issued a freedom charter in 1948, after the ban on this party was lifted, because of their liberal political activities. In this charter the party advocated for federalism as the only form of government for Nigeria. The division of the country into compository units was to be on the basis of ethnic and linguistic affinities. Following the publication of the freedom charter by the National Council of Nigerian Citizens Party, many ethnic group organizations, most of which were active supporters of the National Council of Nigerian Citizens Party, changed their names to reflect this advocacy of ethnic group self-determination. For example, Ibibio Union became Ibibio State Union, Ibo Union changed to Ibo State Union, and Edo Union became Edo National Union.\(^{37}\)

A prime example of Nigerian fears that any single group would attempt to dominate came in 1948. At that time Azikiwe, who was the president of the National Council of Nigerian Citizens and had already protested against the Yoruba domination of Lagos politics, became the president of the Ibo State Union, a cultural organization. Naturally his opponents retaliated by accusing him of being a tribal politician. Azikiwe even made statements that seemed to confirm this view.

by proclaiming in his acceptance speech as the President of the Ibo State Union,

It would appear that the God of Africa has created the Ibo nation to lead the children of Africa out of the bondage of the ages—the Ibo nation cannot shirk its responsibility from its manifest destiny. 38

This statement coupled with the emerging overbearing behavior of the Ibos, entrenched distrust of Ibo intentions. Many actions of the Ibos since then had indicated a well-laid design to subjugate other ethnic groups to Ibo interest. It also strengthened the determination of the others to prevent it. 39

All the efforts to establish an acceptable constitution between 1947 and 1950 were unsuccessful, and instead the Macpherson Constitution of 1950 was provided. The new governor, John Macpherson, in his first address to the Nigerian Legislative Council of August 17, 1948, said that he had been greatly encouraged by the working of the 1946 constitution and considered, therefore, that it was appropriate to make constitutional changes to take effect at the beginning of 1950. 40 After the preliminary consultations through town councils, divisional, provincial, and finally regional assemblies, a constitutional conference, representing the whole

---

38 West African Pilot, July 8, 1949.
39 Old Calabar and Ogoja Provincial Communities, op. cit., pp. 3-4.
country, met in the city of Ibadan (western state capital), in March 1950. This conference was attended by 53 delegates sent by each region and the colony of Lagos. The final recommendations of this constitutional conference were approved by the British colonial secretary, who merely referred back to the Nigerian Legislative Council outstanding issues to be further examined. Finally in January 1952, the Macpherson Constitution came into force. 41

A quasi-federal system of government was created with a central legislature and an executive council. Residual powers were vested in the central government. The legislature, called the House of Representatives, had 148 members, consisting of the Governor, who is the president of the House, six ex-officio members, six special members appointed by the Governor to represent special interests and communities not otherwise adequately represented, and 136 representative members elected from the three regions. Of the 136 representative members, half of them (sixty-eight members) were chosen by the joint regional council of the north, thirty-one members by the Western House of Assembly, and three by the Western House of Chiefs, and thirty-four members represented the Eastern House of Assembly. The members were selected from the regional assemblies, which therefore became

the electoral colleges (i.e., through indirect election). The House of Representatives had power to make laws for the whole country, subject to the approval of the Governor. 42

The regional assemblies, to which election was indirect through a series of electoral colleges, were enlarged and given power to make laws for the region, including financial laws, and to impose regional taxation. Each region had its own executive council formed by the party with the majority of members in the assembly. In the North and the West, an upper house, called the House of Chiefs was set up as part of the regional legislature. But in the East there was only one house, because there were no traditional rulers and chiefs of importance in the eastern region. 43 In the regions the Executive Councils had a Nigerian majority over European officials. In the regions, the regional ministers were responsible to the legislature, because they were appointed by the latter. Like the Governor in Lagos, in the House of Representatives, the regional Lieutenant-Governors had considerable powers reserved to them to reject legislation which they considered dangerous to the interests of the region. They could thus exercise the power of "veto" especially in an emergency. 44 Revenues were to be distributed to the

43 Akpofure and Crowder, op. cit., p. 222.
44 Ibid., p. 223.
three regions on the principle of the greatest need rather than that of derivation, i.e., the source of such revenue. The regional boundaries were maintained as shown in Figure 3, which Richards' constitution created in 1946.\textsuperscript{45}

The 1952 Constitution gave the vote to all male adult taxpayers in the primary elections, i.e., those to elect the members of the electoral colleges who, in turn elected the regional assembly members. Under the 1952 Constitution there were neither premiers nor a prime minister. These roles were filled by the lieutenant-governors in the regions and the governor in Lagos respectively. Thus, the emphasis which began with the Richards' Constitution on the important of the regions, and dividing the country into three arbitrarily unequal regions, was now confirmed in the 1952 Constitution.\textsuperscript{46}

Under the Macpherson Constitution of 1950, and even before it came into effect in January 1952, the first general election in Nigeria was held in 1951-1952 winter. This election was contested by the three major regional parties, the Northern Peoples' Congress in the north, the Action Group in the west, and the Lagos-based but eastern dominated National Council of Nigerian citizens in the East. Each party won in its regions. For the first time in Nigerian

\textsuperscript{45} Akpofure and Crowder, \textit{op. cit.}, p. 223.

\textsuperscript{46} Ibid.
political history, it was halfway through this election of 1951-1952 that the Northern Peoples' Congress was transformed from a cultural organization into a political party, determined to secure the northern region for northerners. A national parliament was formed by the three parties but the Northern Peoples' Congress controlled half of the seats in the House of Representatives.\(^{47}\)

A Council of Ministers was established as the principal instrument of policy making in Nigeria. The Council of Ministers consisted of eighteen members; included was the Governor as the presiding officer, six official members, and twelve ministers appointed by the Governor. Of the twelve ministers, four were appointed from each of the regions from those representative members chosen by the regional legislature to be members of the House of Representatives. Under the 1952 Constitution, a public service commissioner was established to advise the Governor on matters affecting public service.\(^{48}\)

The 1952 Constitution worked for awhile, because of the compromise between a centralized form of government and a federal constitution in which as much power as possible was given to the regions. And since, because on its promulgation, it was stated to be only a step towards further constitutional development. The Nigerian political leaders, despite their

\(^{47}\) Sklar, op. cit., p. 203.

\(^{48}\) Burns, op. cit., p. 252.
initial willingness to make this constitution work, all the time had their eyes on future change.\footnote{Akpofure and Crowder, \textit{op. cit.}, pp. 282-283.}

The major defect of Macpherson's constitution was the position of the ministers. There was no real ministerial responsibility for their departments, but merely acting as spokesmen on departmental affairs in the legislature and in the Council of Ministers. The ministers had no responsibility for the formulation of policy in their own department. In addition, ministers were not held collectively responsible for all decisions made by the Council of Ministers. In an ordinary party or in a coalition government this kind of collective responsibility would be a reasonable proviso. But in a council where ministers were elected not by the national legislature but from the regional houses and the parties, it is possible for only four Nigerian ministers from one region together with the six foreign (European) official members to outvote the eight ministers from the other two regions. Therefore there was a definite possibility of political deadlock.\footnote{\textit{Ibid.}, p. 283.}

The North Against the South

The final break down of the Macpherson Constitution came from the center on March 31, 1953, as a result of an Action
Group member's motion. Anthony Enahoro, an Action Group member in the House of Representatives introduced a bill demanding self-government for Nigeria in 1956. The northern ministers felt they could not debate such a motion, and in the Council of Ministers, it was voted that no ministers should do so. The Sardauna of Sokoto, speaking for the North and the NPC, moved to substitute a weaker motion calling for self-government as soon as practicable, for 1956. The North he said, "does not intend to accept the invitation to commit suicide." Although it did not pass in the House, Enahoro's resolution plunged Nigeria into a political crisis which nearly led to the secession of the North, was followed by bloody tribal rioting in the North, and made certain that the only practicable system in Nigeria would be federalism rather than a centralized unitary system.

As a result of the weaker Northern Peoples' Congress motion, the northern members appeared in the public eye as the opponents of self-government, and they left the house, Amist recriminations against the northerners in public speeches and the press, the situation rapidly became worse. Awolowo described the northern members as the British stooges and northern despots. Seeing things with anger, the leader of the Northern Peoples' Congress then announced "the

52 Frederick Schwarz, op. cit., p. 77.
mistake of 1914, has come to light and I should like to go no further."\(^{53}\)

The major reason for the northern reluctance to agree to demanding a date for self-government was the fear of southern domination that had always shaped their political thinking. The northerners were convinced that the vastly greater number of educated southerners would control the country, leaving the North, as the Sardauna wrote in his autobiography, "with quite simply just nothing beyond a little window dressing."\(^{54}\)

The mounting tension between the southerners and the northerners erupted in May of 1953. Serious communal rioting broke out on May 15 in Kano, where a large southern minority lived and lasted for five days. By the time this violence caused by tribal and regional antagonism ended, at least thirty-six people had been killed and 241 were wounded.\(^{55}\)

The immediate result of the Kano riots was an announcement by the British Colonial Secretary that the Macpherson Constitution of 1952 would be revised. All the Nigerian leaders made declarations about the conditions that would

\(^{53}\) Frederick Schwarz, *op. cit.*, p. 78.

\(^{54}\) Bello, *op. cit.*, p. 111.

\(^{55}\) Frederick Schwarz, *op. cit.*, p. 79.
have to be met before they would take part in the proposed constitutional revision conference. In the face of threats of secession by the North, the National Council of Nigerian Citizens and the Action Group parties came to a temporary understanding with each other. However, there seemed little hope of success at the London Constitutional Conference.\footnote{Ezera, \textit{op. cit.}, p. 176.}

\textbf{The London Conference of 1953}

At the London Constitutional Conference of 1953, the three major parties, as well as the smaller parties were represented. The conference reached a surprising agreement on the issues before it, considering how unlikely this had seemed before the conference started. From the London meeting came a federal constitution even more decentralized than that of the 1952 constitution. The regions were made even stronger than the federal government, and the movement towards regionalization was completed.\footnote{Crowder, \textit{op. cit.}, p. 286.} All the political parties, however, had to make certain concessions in order to preserve the unity of the country. The newly established federal government obtained wider powers than the northern leaders wanted, while the NCNC abandoned its basic doctrine.
of centralization. An immediate decision on the vital question of self-government in 1956 was postponed by means of a formula which provided that any region that in 1956 demanded full internal self-government would receive it, but not the federation as a whole.58

At the London Conference, a list of specific functions to be assigned to the federal government was drawn up. This included among others the subjects of defense, external relations, foreign trade, water control, central court of justice, and others. It was also agreed to draw up a concurrent list of subjects in which both the central and regional governments could be competent, subject to the condition that in case of conflict central legislation would prevail. These concurrent subjects included higher education, industrial development, insurance, and regulation of labor.59

It was also agreed at the London Conference that consequent on the considerable enhancement of the responsibilities of the regional governments, the regional lieutenant-governors should be styled governors, while the governor of Nigeria should be designated as the Governor-General, an official title first used in 1914 by Lugard.60

58 Ibid.
59 Sklar, op. cit., pp. 126-190.
Failure of the London Conference to agree on the status of the city of Lagos resulted in bitter feelings among the two southern parties. The NPC, anxious to secure the main coastal outlet for its export goods, voted that Lagos should become federal territory. The NCNC, with an eye on Lagos as the traditional seat of the national authority and the home of many non-westerners, also wanted that city as a federal capital. The AG argued that Lagos had always been a Yoruba city with most of its trade carried on with the western region and seventy-one per cent of the population being Yoruba, and could not be separated. Finally, it was agreed to submit the matter to the arbitration of the colonial secretary, who decided that Lagos should become a federal territory and capital of the federation of Nigeria. The Action Group, however, swore it would never accept such a solution.  

The Lagos Conference of 1954

Indeed, at another conference held in Lagos in January of 1954, the Action Group demanded that a clause ensuring the right to secession should be written into the constitution. This was rejected by the colonial secretary, and there the matter ended.  

The constitution agreed on by the London Conference of 1953 and the Lagos conference of 1954 was essentially the

---

61 Crowder, op. cit., p. 286.
constitution under which Nigeria was governed until 1966. From 1954, Nigeria became a full federation of three regions; a federal capital and the quasi-federal territory of the British Southern Cameroons. A new national legislature of 184 members to be elected every five years, directly from single member constituencies, based on population was agreed upon. The constituencies, when drawn, were ninety-two in the North, forty-two in the East, forty-two in the West, two in the federal territory, and six in the Southern Cameroons. However, the elections were to take place on the regional basis and the election system varied from one region to the other. The 1954 Constitution provided for the appointment of the Central Executive Council to be made by the party which gained the majority of seats in each regional federal election. Each region had the right to three seats on the Central Executive Council.63

Under the 1954 Constitution, the Governor-General was to appoint the speaker of the House of Representatives and the ex officio members (these are the Chief Secretary, Attorney-General and Financial Secretary of the federation). The Governor-General retained control of the Nigerian police. In the regions provision was made for the post of premier and an all Nigerian Executive Council with the exception of

the governor who remained president, and a commissioner in charge of the Southern Cameroons.64

Since the 1954 Constitution had laid down the framework of the federal system, the period between 1954 and 1960 saw an end of the Nigerian political struggle against Britain. The main concern of Nigerian leaders during these years was to put into practice the 1954 Constitution and to prepare for independence. At the same time there was a general impatience with the restraint of the northern regional government not to be rushed into independence. This feeling of impatience was particularly strong in the two southern regions. In practice the 1954 Constitution gave Nigeria a very real degree of responsible self-government even though Britain retained final authority.65

In the federal elections held at the end of 1954, the NPC won 79 out of the 92 seats in the North. The NCNC was triumphant in the East and the AG in the West. None of the major parties, however, gained sufficient seats as shown in Table II to form a majority. In the end the NPC and NCNC agreed to form a coalition government under the new constitution. The Action Group, supported by the United National Independent Party (UNIP) and the opposition part in the East, became the opposition in the federal House of Representatives.66

64 Crowder, op. cit., p. 288.
65 Burns, op. cit., pp. 252-254.
66 Akpofure and Crowder, op. cit., p. 231.
TABLE II


<table>
<thead>
<tr>
<th>Party</th>
<th>Northern Region</th>
<th>Eastern Region</th>
<th>Western Region</th>
<th>Lagos</th>
<th>Southern Cameroons</th>
<th>Total Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>NPC</td>
<td>79</td>
<td>.</td>
<td>.</td>
<td>.</td>
<td>.</td>
<td>79</td>
</tr>
<tr>
<td>NCNC</td>
<td>2</td>
<td>35**</td>
<td>23</td>
<td>1</td>
<td>.</td>
<td>61</td>
</tr>
<tr>
<td>Action Group (AG)</td>
<td>1</td>
<td>.</td>
<td>18</td>
<td>1</td>
<td>.</td>
<td>20</td>
</tr>
<tr>
<td>UNIP Alliance</td>
<td>.</td>
<td>.</td>
<td>7</td>
<td>.</td>
<td>.</td>
<td>7</td>
</tr>
<tr>
<td>Kamerun National Congress (KNC)</td>
<td>.</td>
<td>.</td>
<td>.</td>
<td>.</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Commoner's Liberal Party (CLP)</td>
<td>.</td>
<td>.</td>
<td>1</td>
<td>.</td>
<td>.</td>
<td>1</td>
</tr>
<tr>
<td>Independent's Party</td>
<td>10***</td>
<td>.</td>
<td>.</td>
<td>.</td>
<td>.</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>92</td>
<td>43</td>
<td>42</td>
<td>2</td>
<td>6</td>
<td>184</td>
</tr>
</tbody>
</table>

*Source: Adapted from West Africa, November 20, 1954. Figures for eligible votes for the 1954 election are not available.

**The NCNC originally had 32 seats, and 3 independents declared for it making a total of 35 seats from the Eastern region.

***Most of the candidates supported the NPC.
By 1957, a new political crisis threatened. A motion presented in the federal House of Representatives on March 26, 1957, calling for early independence once again threatened to create crisis. It was an Action Group motion again, presented by the opposition leader, S. L. Akintola. The NCNC supported the Action Group motion and unanimously passed this motion. However, the northern leaders had made it clear that they would not be hurried into regional self-government in order to make national independence possible.67

67Bello. op. cit., p. 113.
CHAPTER IV
THE PROSPECTS OF FEDERALISM IN NIGERIA

The London Conference of 1957

In May and June of 1957, a constitutional conference was held at Lancaster House in London which was attended by representatives of all the political parties in Nigeria, under the chairmanship of the Colonial Secretary, Allen Lennox-Boyd. This conference resulted in further constitutional advance for Nigeria, and there was even greater agreement than at the previous ones. Delegates at this conference agreed that the first national government should be formed by all the political parties.¹

One of the most important recommendations of the 1957 constitutional conference was the provision for the creation of the office of Prime Minister of the Federation of Nigeria. Under the previous constitution, each of the regions had premiers, but there was no provision for a similar post in the central government. Also the new constitution empowered the Governor-General to appoint as Prime Minister the party parliamentary leader who appeared to him to command a majority in the House of Representatives. This prime minister

¹Burns, op. cit., p. 256.
should be free to recommend to the Governor-General the
appointment as a minister of any member of the House of
Representatives, including any member of the Senate when
established. The ministers should hold office at the dis-
cretion of the Prime Minister and should automatically
leave office when he (the Prime Minister) resigned. ²

There should be not less than ten members of the Coun-
cil of Ministers including the Prime Ministers. The three
ex officio members of the Council of Ministers were elimi-
nated, (the chief secretary, the attorney-general, and the
financial secretary) and the new council consisted of the
Governor-General, as President; the Prime Minister; and the
other ministers. The Governor-General and in his absence the
Deputy Governor-General, should preside over the Council of
Ministers until independence. After independence the Prime
Minister should then begin to preside. When the Prime Min-
ister was ill or absent from Nigeria the Governor-General
might, by instrument under the public seal, appoint another
minister to perform the functions conferred on the Prime
Minister by the Constitution. In exercising this power, the
Governor-General would normally act in accordance with the
advice of the Prime Minister.³

²Ibid., pp. 255-256.
³Ibid., p. 256.
The size of the House of Representatives was increased to 312 members from 184, and members were to be elected directly on the basis of universal adult suffrage, except in the northern region, women remained excluded from voting because of their Moslem tradition.  

There was also created at the federal level a second legislative house called the Senate to consist of twelve members from each of the regions and the Southern Cameroons, four from the federal territory of Lagos, and four special members to be appointed by the Governor-General with the advice of the Prime Minister.

The Constitution further provided for a federal Supreme Court and high courts for the regions, the Southern Cameroons, and Lagos. In matters involving distribution and control of the revenues of Nigeria, the public service commissions for the federation and the regions were given life control of the Public Service, and the pensions of the retired officials were set out clearly.

The House of Chiefs was to be set up in the Eastern Region, thus ensuring that each region, now had a bi-cameral legislature consisting of an upper and a lower house. The federal territory of Lagos was to be represented in the same

---

4 Blintz, op. cit., p. 5.

5 Burns, op. cit., p. 254.
manner as a region on all statutory boards, corporations, or commissions established by the federal government.\textsuperscript{6}

The most complex question at this conference concerned the fear of domination which the minority ethnic groups in the country felt against the larger ethnic groups. Because of this fear, the minorities demanded that more states should be created in the country, so as to avoid discrimination by the larger ethnic groups, a demand which was echoed by those who had always argued that many more states would enable the federation to be politically stable. The southern parties particularly believed such a plan to be the only means of ending northern domination of the federal house. At the end of the London Conference of 1957, the revised constitution came into effect.\textsuperscript{7}

Self-Government and Independence

On August 8, 1957, the East and the West regions formally became self-governing regions. The North with only a handful of educated leaders was still reluctant to have a regional autonomy, which depended on the British expatriates and southern officials. In spite of these, the way to national independence became clear, when on March 15, 1959, the northern region duly became a self-governing region within the federation.\textsuperscript{8}

\textsuperscript{6}Ibid., p. 254.
\textsuperscript{7}Frederick Schwarz, \textit{op. cit.}, pp. 82-100.
\textsuperscript{8}Akpofure and Crowder, \textit{op. cit.}, p. 236.
Despite its weaknesses, the all-party government of 1957 was able to carry the country through the period of preparation for independence. It was a tribute to Prime Minister Abubakar Tafawa Balewa's wisdom that a three party coalition in the cabinet, which was so potentially explosive in character, managed to remain together until the federal elections of December 1959. The holding of these elections for a federal parliament had been made a condition of independence by the British government at a conference of October 1959. Conference members had decided that if a new parliament, elected under the revised constitution of 1957, asked for independence, then the British government would be prepared to consider such a request. In the Queen's speech in London, one finds: "I confidently expect that a formal request will be received from the Nigerian legislature for the grant of independence within the Commonwealth to the federation of Nigeria in 1960." This was the British government's answer to the Action Group motion of 1957.

The federal elections of December 1959, which proceeded smoothly and peacefully, were a milestone on the road to independence. This event, more than anything else, reassured the British government that independence would be possible, and for the first time the request for it from Nigeria became a mere formality.

---


10The Times, December 29, 1959.
The results of the general elections of 1959 showed in Table III, however, that no party was able to control a majority of seats. After prolonged discussions the NPC was invited by the Governor-General to form a government. The NPC and the NCNC agreed to form a second coalition government under the leadership of Balewa, the NPC deputy leader, who had been Prime Minister since 1957. Nnamdi Azikiwe, the NCNC parliamentary leader, was appointed the President of Senate. From the results of the elections it became clear that the Action Group had, by 1959, spread its influence throughout the country far wider than other parties, and once again it formed the opposition.  

One of the first tasks of the new houses of parliament which met in January 1960 was to vote on the motion requesting Britain formally to grant independence to the federation of Nigeria. This motion was moved by the Prime Minister, and there was unanimity in the whole house. After a brief negotiation with the British government, the date for independence was fixed for October 1, 1960.  

On September 30, 1960, the British Union Jack flew over Nigeria for the last time. In the first moments of October 1, 1960, the Nigerian flag with vertical lines of

11 Akpofure and Crowder, op. cit., p. 256.
<table>
<thead>
<tr>
<th>Party</th>
<th>Percentage of Total Vote</th>
<th>North</th>
<th>East</th>
<th>West</th>
<th>Lagos</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>NPC and Allies</td>
<td>2,027,194</td>
<td>28.2</td>
<td>135</td>
<td>1 b</td>
<td>7 c</td>
<td>143</td>
</tr>
<tr>
<td>NCNC/NEPU Alliance</td>
<td>2,592,629</td>
<td>36.1</td>
<td>8</td>
<td>58</td>
<td>21</td>
<td>2</td>
</tr>
<tr>
<td>AG</td>
<td>1,986,839</td>
<td>27.6</td>
<td>25</td>
<td>14</td>
<td>33</td>
<td>1</td>
</tr>
<tr>
<td>Independents</td>
<td>578,893</td>
<td>8.1</td>
<td>6 d</td>
<td>.</td>
<td>1</td>
<td>.</td>
</tr>
<tr>
<td>Totals</td>
<td>7,185,355</td>
<td>100.0</td>
<td>174</td>
<td>73</td>
<td>62</td>
<td>3</td>
</tr>
</tbody>
</table>

aSources: The Times, December 14, 1959, and Sklar, op. cit., p. 36. The federal elections of 1959 was conducted on the basis of universal adult suffrage from single-member districts in the Western region, the Eastern region, and in the federal territory of Lagos, while only adult male suffrage was adopted in the Northern region. The NCNC, the Action Group, and the Northern Elements Progressive Union (NEPU) adopted the principle of female suffrage in the North, but the Northern Peoples' Congress refused to change its orthodox stand that the Moslem religion did not allow females to vote.

bNiger Delta Congress Party.
cMabolaje Grand Alliance
dDeclared subsequently for NPC.
green, white, and green was unfurled and thousands of voices raised the strains of the Nigerian National Anthem as the Prime Minister, accompanied by the Governor-General, saluted the independence of Nigeria.  

Federalism in General

A federal constitution is, in essence, a division of jurisdiction between equal autonomous bodies. Some basic principles of federalism are: (1) a nation-state, which is an independent unit from the point of view of international relations and law, is provided with a set of institutions required for the work of government having authority over the whole of that country; (2) this country is also divided into a number of geographical areas, each of which is also equipped with a set of institutions required for the work of government in that area; (3) the power to govern is distributed between the center and the regions or states in such a way that each set of governmental institutions has a direct impact on the individual citizens and other legal persons within its area of competence; (4) a constitution effects this distribution; (5) the constitution provides rules to determine any conflict of power between the center and the regions or states; (6) this distribution is interpreted and policed by a judicial authority.  

13Crowder, op. cit., p. 238.
In studying the idea of federalism in Nigeria, the first question one is faced with, is what is the difference between federalism in Nigeria and federalism in general? In presenting the forms of federalism as found in Canada, India, and Australia, one will find the answer to this question, because the Nigerian Constitution was based on the constitutions of these three countries. The form of federalism in these countries was dependent on the unique situation of each country.

In Canada, one finds that the role played by Quebec is very important in relation to the evolution of Canadian federalism. Quebec is chiefly opposed to centralization. It feels that centralization of power will take away from its autonomy. How the central government satisfied Quebec and the other provinces is of great importance. Even though the Canadian Constitution does take into account the special position of Quebec, in reality, Quebec has been the major crisis with which Canadian federalism has had to deal. So far, it has not affected the structure of federalism, but it has affected the workings of federalism.15

In India, which is the largest federation in the world on a population basis, there are different situations. The ill-will between Muslims and Hindus, the need to empower the national government with sufficient strength to develop a

national, industrialized economy from a backward, undeveloped state; these factors have led to the longest constitution in existence.

It is extremely detailed; it is unique in that it included a constitution for the states with equal detail as that for the national political organism. The federal structure in India is characterized formally, by being weighted in favor of the center; so much so, that some people feel that it is not a federal state, but a unitary state, especially in operation.16

What aspects of Australian political, social, and economic life played a part in its federal institution? In Australia, the fact that the centers of population are so far apart has led to its form of federalism, which is in favor of the states. Another aspect of major importance is the historical fact that the colonies were founded separately, and to a considerable extent, settled separately from distant Britain. Thus, each colony had for long been a distinct community. Perhaps the most intractable problem which Australia shared with Canada was how to reconcile responsible government in the British sense with the necessary federal principle of equality of rights for the constituent states. In Australia, it was the states that were dominant constitutionally.17

The federal principle is the dominant factor in Nigerian government. Power is divided between the federal government and the government of the regions. The division of power is set forth in the exclusive list (powers exercised by federal government only), and the concurrent lists (powers exercised by both the federal and regional governments), and the residual powers (powers exercised by the regional governments only). The Constitution of the federation and of the regional governments clearly provides for five distinct governmental structures and five public services (before January 1966). Conditioning the operation of political life in the regions has been the fact that one party tends to hold power in each region, and the federal government, thus, has consisted of a coalition of two or more parties based on the regional differences.\textsuperscript{18}

Federalism is an idea of a shared sovereignty at all times responsive to the needs and will of the people in whom sovereignty ultimately resides. "It is a form of government made necessary by certain diversities in the society that are distributed in a certain way."\textsuperscript{19} The necessity for federalism is not to be found under the protection of legal and constitutional aspects, but in certain forces such as economic,

\textsuperscript{18} Crowder, \textit{op. cit.}, p. 286.

social, political, and cultural that have made the outward forms of federalism necessary. Federalism like many other forms of government, is established as an attempt to solve a certain kind of political problem. Federal governments and federal constitutions do not emerge simply by accident. They emerge in response to certain demands; a federal form of government is consciously adopted as a means of solving the problems presented by these demands.\textsuperscript{20}

Since local government is one of the regional governments' responsibilities under the Constitution, differences are to be expected; but the extent of the differences is a dramatic expression of federalism in Nigeria. Without an understanding of the native authority system of local government introduced into Nigeria under the \textit{Indirect Rule System} by Frederick Lugard, (see \textit{Indirect Rule System}, Chapter I of this thesis), it is difficult to understand many of the subtleties of Nigerian federalism.\textsuperscript{21}

The basic federal structure for Nigeria was hammered out at the London Constitutional Conference of 1953, and the Lagos Constitutional Conference of 1954. The representation at these two constitutional conferences was on the basis of majority and minority political party strength.

\textsuperscript{20}Livingstone, \textit{op. cit.}, p. 1.

in the regions. The northern and western regions each had five representatives from the majority party and one from the minority party, while the eastern region had four from the majority party and two from the minority party.\textsuperscript{22}

The London Constitutional Conference agreed upon the basic division of powers between the regions and the federal government, the structure of the federal legislature, including the separation of the election of that legislature from the election of the regional legislatures; and parliamentary ministerial responsibility. The structure of the regional governments was also agreed upon. The control and administration of the police force was federalized at the same time.\textsuperscript{23}

Those sensitive questions that could not be resolved at the London Conference, were dealt with in the following Constitutional Conference at Lagos in 1954. These questions concerned revenue allocation, the regionalization of the judiciary, and the creation of federal territory of Lagos. The latter was a difficult political question. It had been agreed that each region and the federation were to have their own separate public service commission and their own separate public service.\textsuperscript{24}

\textsuperscript{22}Ezera, \textit{op. cit.}, p. 178.
\textsuperscript{23}Burns, \textit{op. cit.}, pp. 253-254.
\textsuperscript{24}Blitz, \textit{op. cit.}, p. 7.
The judicial branch was regionalized with a federal Supreme Court given the full power to hear appeals from the high courts of the regions. The regionalization of the judiciary was strongly opposed by the Nigerian Bar Association, but, though the association strongly pressed its arguments, especially on the delegates to the Lagos Conference of 1954, it could not prevent the regionalization. It was decided that Lagos should become a federal territory separate from the western region, which it used to be part of until the Lagos Constitutional Conference of 1954.25

The result of the London and the Lagos Conferences of 1953-1954, was a system of government with its powers (legislative, executive, and judicial) divided between the regions and the federal government with five public services, and the federal capital territory of Lagos separated from the regions.

Taylor Cole, in *Nigerian Political Scene*, evaluated the prospects of federalism in Nigeria and concluded that they are not so unfavorable as some had claimed. But the major arguments against the success of federalism in Nigeria are the strain that the federal system places on the limited financial and manpower resources of the nation; the lack of national symbols which are attractive to the illiterate and impoverished masses; the lack of a social and economic base.

on which to build a national consciousness; and the fact that political parties and other groups have failed to identify a common interest on which to develop ties of national unity.26

There are certain forces and developments which are tending both to unify Nigeria and to provide more and stronger support for the role of the central government; the use of the English language as the official language for the whole federation and the adoption of the British parliamentary form of government. The use of the British Common Law has been a unifying force, and it has almost overtaken Nigerian customary law in the areas of the law of evidence and procedure. The federal government provides the channel through which most of the revenue for the operation of the regional governments is made available. One vital economic development is that the federal government controls the Nigerian railway corporation and the highway system, which are very important as transportation channels. The federal government conducts defense and foreign policies; this has increased the feeling among the intelligentsia that Nigeria, like the United States, is a melting pot for a number of groups and that there is in fact developing a Nigerian foreign policy. Lastly, there

are many developed agencies in the governmental framework which have produced many various degrees of coordinated action. The functions of the National Economic Council, organized in 1955, together with the economic advisor to the federal government have helped both in finding solutions to the country's economic problems, and in encouraging the cooperation of all the regional governments in the development of a national economic policy. The Joint Planning Committee; the Loans Advisory Committee; the Central Bank of Nigeria; and many other public corporations all play an important role in the development of the federation of Nigeria as a whole. 27

The case for federalism has two important aspects: necessity and desirability. Both assume an underlying desire to unit. People of different nationalities cannot form a federal union unless they are prepared to accept a kind of government in which those who differ from them in nationality have some share. A federal union usually suggests that those who join it will be expected to develop some common nationality in addition to their different nationalities. When people of different nationalities are unwilling or fail to develop a common nationality, federalism cannot be made to fit their society. 28

Theoretically, federalism is suitable only to those societies that are structured upon a democratic foundation. By this is meant, merely, that federalism conflicts with any form of despotism or absolutism. Federalism requires a desire and an ability to secure the regional units against any encroachment by the central government. If the central government is controlled by a dictatorship, it is difficult to see how the safeguards of the federal structure can be worth anything. In such a case, the states would continue to exercise their functions, but only on the sufferance of the central government. Of course, this would destroy immediately the diversification within the society that originally required the federal form of government, but as much as the system itself is concerned it would be at the mercy of the dictator.  

In the words of William Livingstone,  

By its very nature federalism is anti-majoritarian. A federal government is designed to protect and afford a means of articulation for the territorial diversities within the larger community. All the instrumentalities of federalism are devices whose purpose is to prevent the unqualified majority of the whole society from riding unchecked over the interests of any of the federated elements. It is a technique for the protection of a minority within one state or several states against the majority in the rest of the states.  

29Livingstone, op. cit., pp. 308-309.  
30Ibid., pp. 310-311.
Some of the Nigerian political problems are rooted in pre-colonial conditions, others, are the product of circumstances and forces created by European colonialism. Still others, are the inevitable result of the conditions under which imperial control was relinquished. Most of these problems portend chronic political instability, as well as a bleak future for the development of democratic government. In any case federalism was able to survive in Nigeria under civilian rule until the military intervention of January 1966.

CHAPTER V

THE DISSENTING GROUPS AND THEIR INFLUENCES

The Political and Social Crises in the Western Region

The independence of Nigeria in October 1960 marked a turning point in the African independence movement. The occasion was welcomed as the birth of a democratic nation that would stabilize the fluctuating political development of a continent in ferment. Some observers viewed it with dismay, as the dawn of doom, having a keen apprehension that the Nigerian federation would soon disintegrate under the continuing pressure of tribal factionalism.

The period of 1962 to 1965 saw some social and political unrest and insecurity in certain parts of the country. This disquiet had its origins in the Western Region. Most of the causes of these crises in the Western Region from 1962 on were related in one way or another to the dangerously close association between each of the Nigerian political parties and the dominant ethnic group or educational or political standard of a particular region. One of the basic causes of the split within the Action Group party, that led to the declaration of a state of emergency in the Western Region, was a
struggle for power between the leader of the Action Group and his deputy leader of the party. This rift in the Action Group led to a serious disorder and violence in the Western House of Assembly on May 25, 1962. The federal government sent troops into the city of Ibadan, the regional capital, and declared a state of emergency throughout the region for a period of six months.\(^1\)

On May 31, 1962, Senator M. A. Majekodunmi, Federal Minister of Health, was appointed the sole administrator for the Western Region. He was empowered to detain or imprison for a maximum of five years anyone endangering the peace of the region during the period of the state of emergency. Many of the Action Group and the NCNC political leaders in the West were placed under restriction by the administrator for the period of the state of emergency. With the declaration of a state of emergency, Western Nigeria lost peace and security. Social and political malaise in that region gradually developed, and it soon affected the whole federation of Nigeria.\(^2\)

Three months after the declaration of the state of emergency in the West, Obafemi Awolowo, the Action Group party leader, who was then the opposition leader in the federal House of Representatives was put under house arrest

---


\(^2\)Ibid., p. 17.
in Lagos. Two months later, he and thirty of his political followers, including Anthony Enahoro, the vice president of the party, who was then outside the country, were charged in court with engaging in treasonable felony and conspiracy to overthrow the federal government. On May 16, 1963, Enahoro lost his six months battle against extradition from Britain, and he was handed over to the Nigerian government by the United Kingdom government.³

Anthony Enahoro was charged with his party leader of plotting to overthrow the Nigerian government. Both Action Group leaders were tried and convicted with others of their party. Enahoro was sentenced to fifteen years imprisonment, while Awolowo received a ten year prison term.⁴

A census taken in May 1962 precipitated still another political crisis. Although the results of the census were never officially announced, each region accused the other of over-counting, and a British official involved with the census suggested that there was substantial over-counting in the Ibo provinces of the Eastern Region. Rumors suggested that the 1962 census showed the north with less than half of the country's population.⁵

⁴The Times, September 12, 1963.
⁵Mackintosh, op. cit., p. 547.
Because of the controversy concerning that census, another was taken in November 1963, and, as before, there were accusations of over-counting. The results of the two censuses were a great disappointment to many southerners. The north, by which they usually meant the NPC, would, they feared, be perpetually in control of the federal government, since the north retained half of the country's population, and automatically half of the seats in the federal Parliament. Michael Okpara, leader of the NCNC and Premier of the Eastern Region, led a political attack on the results of the census charging irregularities, and brought suit against the federal government to set the results aside. The Federal Supreme Court dismissed the suit. In rejecting the census results, Michael Okpara made the Sardauna, the leader of the NPC and Premier of the Northern Region, the symbol of the threat of continual northern control of Nigeria by complaining about the "perpetual menacing threats of the Premier of Northern Region that his forebears had always ruled Nigeria, and they would continue this rule forever."  

The Dispute Over the Federal Election of 1964

Throughout the election year of 1964, tensions again plagued the Nigerian political scene. Two broad political alliances were formed.  

---

7Walter Schwarz, op. cit., p. 164.
During the time of the state of emergency in Western Nigeria in 1962, S. L. Akintola, the Western Premier, had broken away from the Action Group to form a new organization, the Nigerian National Democratic Party (NNDP). For the election of 1964, this party and the NPC joined forces in the so-called Nigerian National Alliance (NNA).  

Arrayed against the NNA was the United Progressive Grand Alliance (UPGA) which was composed of the NCNC, the Action Group, the United Middle Belt Congress (UMBC), and the Northern Elements Progressive Union (NEPU). One of the principal factors that brought these four parties together was a common southern reaction to the dispute over the census figures and the prospect of continued NPC power. The UPGA advocated during the electoral campaign a further restructuring of Nigeria's federal system in order to strengthen the bonds of Nigerian unity. During the campaign, five days before the Premier of the Eastern Region and, now, the leader of UPGA, was scheduled to speak in the Western Region, all out-of-state politicians were barred from campaigning in the Western Region. Moreover, all the UPGA leaders were barred from entering certain Northern Region cities, and were even refused hotel rooms in Kaduna, the northern regional capital. There was a great deal of political violence, the use of party 

---

8 Morning Post, November 1, 1964.
9 Daily Express, November 11, 1964.
thugs, curfews, unjust arrests, fighting, and even killings
during this disastrous election year in Nigeria.¹⁰

On the fourth anniversary of Nigerian Independence,
October 1, 1964, as the election campaign was just beginning,
President Nnamdi Azikiwe told the nation, "It is at a fork of
history with one path leading to a tolerant and united nation
and the other to squabbling and disunited groups of tribes."¹¹

In December of the same year toward the end of the cam-
paign, the President again spoke on the radio complaining of
tribal propaganda and incitement, and he accused the politi-
cians of using their power to perpetuate their stay in of-

cice. He went on to suggest the possibility that the Federation
of Nigeria might break up, saying, "if this our embryo repub-
lic must disintegrate, then in the name of God, let the oper-
ation be a short and painless one."¹²

A threat to secede did come from the East, whose Ibo
resident, said Michael Okpara in an election broadcast, had
been singled out for vilification and destruction.¹³ The
secession threat was at first used by the eastern leaders of
the NCNC to bolster UPGA's contention that the election should
be postponed because of the allegations that the campaign
had been neither free nor fair. Moreover, the NCNC accused

¹¹Morning Post, October 1, 1964.
the NPC of victimizing their party supporters in the North. One of the principal complaints was that many opposition candidates in the Northern Region had been harrassed and obstructed, so as to be unable both to be nominated or to file their election papers. More than one third of the seats in the North were awarded to NPC candidates prior to the election day, because they were unopposed. President Azikiwe accepted the allegations brought, and sought to postpone the election. But the Prime Minister insisted that the election be held, and it was. The UPGA leaders then asked their party supporters to boycott this election. Although the UPGA boycott was not totally effective in the country as a whole, there was considerable disorder, and polling booths in certain constituencies were destroyed.14

Following the irregularities, there was no party with a clear majority to form the government, as the election results show in Table IV. The president refused to appoint a government. He broadcast to the nation that he would not invite the NPC leader to form the government and would rather resign his post as president of the country. On January 6, 1965, however, six days after the election results, Azikiwe broadcast to the nation again, saying that he was subordinating his personal feelings to the constitution in the interest of national unity, and he invited Alhaji Balewa, the federal

14 First Ten Years of Independent Nigeria, op. cit., p. 21.
### TABLE IV

**NIGERIA: GENERAL ELECTION RESULTS OF 1964**

<table>
<thead>
<tr>
<th>Party</th>
<th>Alliance Total</th>
<th>North</th>
<th>East</th>
<th>West</th>
<th>Mid-West</th>
<th>Lagos</th>
</tr>
</thead>
<tbody>
<tr>
<td>NNA</td>
<td>193</td>
<td>157</td>
<td>.</td>
<td>.</td>
<td>36</td>
<td>.</td>
</tr>
<tr>
<td>NPC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NNNDP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NCNC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AG</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UPGA</td>
<td>116</td>
<td>10</td>
<td>68</td>
<td>20</td>
<td>14</td>
<td>4</td>
</tr>
<tr>
<td>NEPU</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UMBC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Independents</td>
<td>3</td>
<td>.</td>
<td>2</td>
<td>1</td>
<td>.</td>
<td>.</td>
</tr>
</tbody>
</table>

*Sources: Frederick Schwartz, op. cit., pp. 140-147, and MacKintosh, op. cit., pp. 597-603. Because of the irregularities in this election, the figures of the seats won by the individual parties from each region are not available.*
parliamentary leader of the NPC in the federal house to form a broadly-based, national government, which would embrace all the political parties in the country.\textsuperscript{15}

Following the partially boycotted election, the Eastern Region with its vastly and recently improved economic position, based upon substantial strikes of oil continued to threaten secession.\textsuperscript{16}

Before 1962, the main economic area of the federation was the Western Region of Nigeria with its production of cocoa, in which Nigeria ranked second only to Ghana as the largest producer of cocoa in the world. The reappointed Prime Minister followed the eastern threats with a speech in which he promised to form a broadly-based government, that would cater to the needs of all Nigerians. He also promised to call a conference to review the constitution. The UPGA leaders shortly thereafter backed down from their threats to secede.\textsuperscript{17} Thus, Nigeria came through a most serious political crisis, because her leaders were able to compromise from increasingly hostile positions. But the political situation after the compromise did not suggest that the causes of the crisis had disappeared. The Action

\begin{footnotesize}
\item[16] Daily Times, December 30, 1964.
\item[17] Mackintosh, \textit{op. cit.}, p. 606.
\end{footnotesize}
Group was not invited into the Balewa's supposedly broad-based, national government.

The federal election of 1964 impasse, had hardly died down when the Western Regional Legislature was dissolved for a new regional election. In this election leaders of the opposing parties charged that many irregularities had occurred. Some voters were caught red-handed in possession of too many ballot papers, while there were widespread allegations of rigging and awarding the seats to certain political candidates prior to the election day, because they were not opposed. Westerners once again went wild in their acts of looting, arson, and killing. The result was a country-wide stalemate and an era of confused politics. Even the leaders of the country knew that they faced a grievous crisis, which was getting out of their control. With the Western Region in a second serious political disorder within a period of three years, the eastern government in open disaffection with the Balewa government, and a communal uprising in the Tiv province of the Northern Region, the federal authorities under the Prime Minister Alhaji Abubakar Tafawa Balewa seemed to have become helpless.\footnote{First Ten Years of Independent Nigeria, op. cit., p. 9.}

\footnote{Walter Schwarz, op. cit., p. 189.}
The Military Rule and the Civil War

The Military Coup of January 1966

It is against the background of the political confusion and disorder of 1962 to 1965, that five young army officers suddenly revolted at midnight on January 15, 1966. On this very night, the first Federal Republic of Nigeria under civil rule came to an end. The army officers mutinied and killed the Prime Minister of the federation, the northern and western Premiers, the Federal Minister of Finance, and nine army officers. In desperation the remnants of the federal cabinet met and advised the acting President of the Federation (the President was by then on sick leave in London), to hand over the political authority and the government to the armed forces.

There was nationwide jubilation and satisfaction as Major-General Johnson Aguiyi Ironsi, the supreme commander of the Nigerian Army, assumed leadership of the federal government of Nigeria. Major-General Ironsi meant well, but his regime was faced with many difficulties. For instance, he was an Ibo, as well as were four of the five army officers who seized power from the civilian government. The fifth army officer was a Yoruba but all five of them were from the South. Again, two Ibo-origin premiers, both

---

in the East and Mid-west Regions were not killed in the coup, and out of the nine army officers killed, only one of them was an Ibo. This apparent one-sided slaughter of politicians and army officers created suspicion in the minds of other, non-Ibo Nigerians.\(^{21}\)

Major Nzeogwu, the leader of this coup, explained that he and his men started with good intentions and that,

Our purpose was to change our country and make it a place we could be proud to call our home, not to wage war. . . . We were five in number and initially we knew quite clearly what we wanted to do. . . . Tribal considerations were completely out of our minds at this stage. But we had a set-back in the execution, while some developed cold feet, but the execution of their assignments was not very satisfactory to those who became suspicious.\(^{22}\)

On assuming office on January 17, 1966, Ironsi promised that he would not amend the Nigerian Constitution without formally consulting the people of Nigeria. As an earnest act of his good faith, he appointed a constitutional study group to make recommendations, but his subsequent actions only served to confirm the suspicions entertained by the non-Ibo Nigerians. In the first instance, without formally consulting the Nigerians and without waiting for the submission of the report of the constitutional study group, Ironsi acted contrary to advice of the majority members of his Supreme Military Council, and influenced by the advice

\(^{21}\) Nigerian Year Book, op. cit., p. 308.

\(^{22}\) Africa and the World, May, 1967.
of his four, close Ibo experts, promulgated Decree No. 34 in April 1966. By this decree, he abolished the federal system of government and introduced the unitary system. This was a unilateral act which arbitrarily jettisoned the fundamental basis of the Nigerian political union.23

In May 1966, Ibos were killed in riots in many cities of the Northern Region. These riots were organized by the alienated Northern civil servants, ex-politicians, local government officials, and businessmen who had been deprived of lucrative, supply contracts by the change of regime. Also, there were massive popular feelings that the army regime was ethnically dominated. There were allegations that the Ironsi regime's aim was to take over the country, exploiting, and colonizing the backward North. The placards of demonstrating civil servants and students in Kaduna read: "Let there be secession; No unitary government without referendum."24

General Ironsi was confronted with a political problem with the massacre of the easterners in the North, with which neither he nor his so-called experts could cope. The Ironsi regime had completely failed to solve its basic dilemmas, satisfying neither side. A meeting of the traditional rulers was convened to take place in Ibadan City, the Western Region

capital on July 29, 1966. Ironsi planned to use this occasion to explain and expatiate for his monocratic act. But unfortunately, he and the Western Regional Military Governor, Lt. Col. Adekunle Fajuyi were kidnapped and killed at the Government Lodge in Ibadan by a detachment of some soldiers. Leading officers of the Ibo and non-Ibo origins from the Eastern and Mid-Western Regions were also murdered that same day. 25

Some of the members of the Supreme Military Council met after a complete day of army riots in some parts of Lagos and in Western Region, and with the country without a leader to direct its affairs. A correspondent of West Africa Magazine reported,

There appeared to be support in Lagos for a proposal that the North and West, including Lagos, should secede together. There followed frenzied attempts to stop this happening from many quarters. After a day of complete vacuum with no one willing to take a lead, the Army Chief of Staff Lieutenant-Colonel Yakubu Gowon was sent to negotiate. He was at first taken prisoner by the rebel soldiers, but later agreed to take over as Supreme Commander. 26

On assuming office, General Gowon declared that he had no political ambition. He promised to maintain law and order throughout the country with a view of restoring civilian rule as soon as possible. Lieutenant-Colonel Ojukwu, the

26 West Africa, August 6, 1966.
Eastern Nigeria Military Governor refused to recognize Gowon as head of the federal military government and Supreme Commander of the Nigerian Armed Forces. Ojukwu flatly said, "militarily Gowon is not my superior and the question of acknowledging him does not arise."27

Efforts had been made by an ad-hoc Constitutional Review Conference, selected by the all-regional military governments in the middle of August 1966, to fashion a new and acceptable constitution for Nigeria. The meeting of this ad-hoc Constitutional Review conference opened in Lagos on September 12, 1966, and it was attended by the representatives of all the regions in Nigeria including the Eastern Region.28

General Gowon opened the Lagos Constitutional Review Conference by submitting four alternative arrangements for Nigeria, but he told them to rule out completely both the idea of a unitary form of government, and of breaking up the country into sovereign states. They were, therefore, to examine a federal system with a strong central government; a federal system with a weak central government; a confederation; or an entirely new system which might be peculiar to Nigeria and which has not yet found its way into any political dictionary.29

29 Ibid., p. 7.
The ad-hoc conference was interrupted by the September 1966 massacres of hundreds of people of the Northern Region origin residing in the Eastern Region. Radio Cotonou in Dahomey, the neighboring country, broadcast this macabre news which was suppressed by Radio Enugu. Radio Kaduna relayed it, and this information sparked off the massacres of Easterners from September to October of 1966, in the Northern Region. These massacres were traumatic events in Nigerian history. They destroyed the illusion that tribal rivalries could be dismissed as growing pains in a new nation, and they laid the foundation for the secessionist feeling that was to become an irresistible force in the Eastern Region until January 1970.30

Tensions again continued to increase within the country and the ad-hoc Constitutional Review Conference was never reconvened.31

The Aburi Agreements

On January 4 and 5, 1967, the Supreme Military Council met in Aburi, Ghana, under the chairmanship of General Ankrah the Ghana military leader, to discuss a modus vivendi for Nigeria. All the Nigerian military leaders including Ojukwu, in this meeting, expressed agreement on the workability

31 Ibid., p. 2.
of the existing institutions in Nigeria, subject to necessary safeguards. As soldiers of honor they decided to adopt peaceful means in settling their disputes. In this meeting, Decree No. 8 was passed and it was to be implemented later.

This decree vested in the Supreme Military Council of both, the legislative and the executive powers of the government of the federation. In the exercise of these legislative and executive powers, the concurrence of the head of the federal military government and of all the military governors was made essential in respect of certain matters which are set out in Section 69(6) of the Nigerian Constitution. To mention a few: matters affecting or relating to foreign relations, external trade, commerce, industry, transport, the armed forces, the Nigerian police, higher education, and the territorial integrity of a region, and the provisions of the sections listed in the proviso to Section 4(i) of the constitution.

In other words, the legislative and executive powers of the regions have been fully restored and vested in their respective military governors. But the provisions of Section 86 of the Constitution of the Federation ensure that no region shall exercise its executive authority so as to impede or prejudice the exercise of the executive authority
of the Federation or to endanger the continuance of the federal government in Nigeria. 32

The provisions of Section 70 of the constitution of the federation give powers to the Supreme Military Council (the Federal Executive, under the civilian rule) to take over the executive and legislative functions of a regional government during any period of emergency which might be declared in respect of that region by the Supreme Military Council; while Section 71, gives the Supreme Military Council power to take appropriate measures against a region which attempts to secede from the rest of the federation, or where the executive authority of the region is being exercised in contravention of Section 86 as referred to above. 33

When the federal military government issued Decree No. 8, as it was agreed to at the Aburi meeting, Ojukwu said it differed from his own interpretation. Passions rose and the Eastern Region began to drift away from the rest of the Federation.

On May 26, 1967, the Eastern Consultative Assembly of about 300 selected provincial representatives met by the order of the Eastern military government, and passed a resolution mandating the Eastern Military Governor to declare

33 Ibid., p. 186.
as soon as practicable, the Eastern Region of Nigeria as a free, sovereign, and independent state by name and title of the Republic of Biafra. The Eastern Military Governor urged on all the Eastern people that, the only practicable and realistic arrangement which held greater promise for the future was to ensure the survival of all the people in the Eastern Region by claiming their sovereignty, and he declared, "There is no power in this country, or in Black Africa to subdue us by force." These were the responses to the federal threats to use economic blockade and, if possible, force, if the Eastern Military Governor did not desist from his provocative acts and abide by the instructions of the federal authorities under the Aburi accord.

Since the East has continued its threats to secede, other regions followed. In April 1967, at the meeting of the Leaders of Thought in Ibadan, the Western Region, Awolowo announced that if the East seceded from the federation, the West would feel free to follow suit. With the threats of disintegration, the Northern Emirs (traditional rulers) and political leaders demanded that more states should be created in the North, whether or not they were created in the entire Federation.  


35 Morning Post, May 6, 1967.
The creation of more states had been the perpetual demand of the southern leaders as pointed out in Chapter III of this thesis, and it had always been resisted by the northern leaders. Northern leaders now saw it as the only solution to keeping the federation together.

On May 27, 1967, after many appeals to the Eastern Military Governor not to secede, Major-General Gowon commented that the crisis was a test to determine the will of the nation to survive and admonished that,

The citizens of the country have not given the military regime any mandate to divide up the country into sovereign states and to plunge them into bloody disaster. Faced with this final choice, between acquiescence in secession, and disintegration, I am therefore proclaiming a state of emergency throughout Nigeria with immediate effect. 37

On the same day, twelve states were created in Nigeria by decree. (See Figure 4.)

On May 30, 1967, the Eastern Military Governor declared the secession of the Eastern Region of Nigeria in the following announcement:

Fellow countrymen and women, You, the people of Eastern Nigeria, conscious of the supreme authority of Almighty God over all mankind, of your duty to yourselves and posterity; aware that you can no longer be protected in your lives and in your property by any government based outside Eastern Nigeria; . . . unwilling to be unfree partners in any association of a political or economic nature; . . . now, therefore, I, Lieutenant Colonel Chukwuemeka Odumegwu Ojukwu, by virtue of your authority and

36 Nigeria Roundup, op. cit., p. 10.
pursuant to the principles recited above, do hereby solemnly proclaim that the territory and region known as Eastern Nigeria, together with her continental shelves and territorial waters, shall henceforth be an independent sovereign state of the name and title of "The Republic of Biafra," all political ties between us and the federal Republic of Nigeria are hereby totally dissolved.37

The Civil War

On the same day, May 30, 1967, Major-General Gowon summoned a meeting of the Federal Executive Council, and after that meeting, Anthony Enahoro, Federal Commissioner of Information, told newsmen, "We are resolved to maintain the federation."38 Eastern Nigeria had declared secession from the federation, and the federal military government had resolved to keep Nigeria one, as one indivisible federation, thus war was now inevitable. On July 6, 1967, the war for Nigerian unity began. This war was fought for two and one-half years before it came to an end on January 12, 1970.39

On January 10, 1970, the leader of the secessionist regime, Emeka Ojukwu, fled his ravaged territory now realizing that there was no more hope in continuing fighting and that he had lost the battle. He entrusted Colonel Phillip Effiong and some Ibo leaders with the task of administering the war-torn region. Ojukwu, and some of his civilian rebel

38 First Ten Years Independent Nigeria, op. cit., p. 27.
leaders, then fled from Biafra to an unknown place. However on January 11, 1970, Major-General Gowon appealed to the remnant of the secessionist troops to lay down their arms, because to continue to fight at this stage was not only futile, but purposeless.

Then came the momentous day of January 12, 1970, when Colonel Effiong, officer administering the ravaged government of Biafra, said in a broadcast,

I have had extensive consultations with the leaders of the community, both military and civil, and I am encouraged to make this statement to you that we took up arms because of the sense of insecurity generated in our people by the events of 1966. We have fought in defense of that cause; our people are now disillusioned, and those elements of the old government regime who have made negotiations impossible have voluntarily removed themselves from our midst. A delegation of our people is therefore ready to meet the representatives of the Nigerian government anywhere to negotiate a peace settlement on the basis of the Organization of African Unity resolutions.

On January 15, 1970, at Dodan Barracks in Lagos, Nigeria's greatest event of the year took place. In a quiet and happy ceremony, Colonel Effiong and four Ibo leaders, among others, signed a surrender document and proclaimed their acceptance of the federal authority in Nigeria and the end of Biafra.

---

It is necessary at this stage to recall the long history of many efforts at conciliation from October 1966 to May 1967. The decision of the federal military government, even when there was no military capacity in the East, to refrain from action against the illegal actions of Ojukwu's defiance of federal government's authority, illustrated clearly the conciliatory approach of the federal government. The conflict that led to the civil war could have been de-escalated, if the Eastern Nigeria leaders had not declared total war against Nigeria on July 6, 1967, and if Ojukwu had renounced secession and accepted the twelve states structure within the federal system of government.

Major-General Gowon's intention was not for war at the beginning, but what he called police action. He did not declare war against Ojukwu until the rebel army occupied Benin-City, and took over the control of the Mid-West state government of Nigeria on August 9, 1967.44

Many peace conferences were arranged by the federal military government through the help of the Organization of African Unity, some heads of African states, and the British government. Anxious to avoid appearing to encourage the principle of secession, the OAU stuck rigidly throughout this war to the principle of settlement within the context of one Nigeria. All the efforts in the peace conferences,

44 Nigeria Roundup, op. cit., p. 9.
to make Ojukwu renounce secession and accept the principle of one united Nigeria with the then Eastern Region as a state within the federation, were unsuccessful.45

The majority of the five and one-half million non-Ibos of the present Rivers and the Southeastern States, carved out from the former Eastern Region were against breaking away from Nigeria. (See Figure 5.) Even some Ibo leaders did not share Ojukwu's optimism about the outcome of this war. Most of these people were either convinced, persuaded, or forced by the rebel gangs to take up arms and wage war against their fatherland.46 Some of them who were making systematic attempts to suppress or resist the dissenting group's choice to secede, and could not find their way to the federal side, were detained and some faced public execution. For example, Sam Ironka Agbam and Lieutenant-Colonel Emmanuel Ifeajuna were executed on September 22, 1967.47 Some Ibo leaders, like Nnamdi Azikiwe, the former president of Nigeria, Nelson Ottah, editor of Biafran Times, and many rebel army officers, crossed to the federal side during the war.48 In support of those Ibos who were against secession Nnamdi Azikiwe commented after the war, "Ojukwu and some of his rebel leaders were the people who made negotiations and

45 Ibid.
46 Ibid., p. 10.
47 Uwechue, op. cit., p. 56.
Figure 5. The Three Eastern States of Nigeria
reconciliation impossible for those who wanted to negotiate for ending the hostilities and renouncing secession. "49

Throughout this civil war the intention of the federal government was not to fight any war against Ibos as a tribal group as claimed by some observers, but to crush Ojukwu's rebellion and bring back the Eastern Region into one united Nigeria. In Gowon's statement after the war was over, he says,

Thirty months ago we were obliged to take up arms against our brothers, who were deceived and misled into armed rebellion against their fatherland by the former Lieutenant-Colonel Ojukwu. Our objective was to crush the rebellion, to maintain the territorial integrity of our nation, to assert the ability of the black man to build a strong, progressive and prosperous modern state, and to ensure respect, dignity, and equality in the comity of nations for our posterity.50

49 Ibid., p. 5.
50 Nigeria Roundup, op. cit., p. 2.
CHAPTER VI

CONCLUSIONS

This study has stressed most of the key and significant elements of federalism and the political problems of Nigeria. From this thesis one can easily see that the task that lies ahead of young political leaders and educators in Nigeria is a tremendous one. It is not easy to draw any conclusions or to give any recommendation without working with the situation as it is. One must actually know the practical problems that need to be solved in each phase of Nigerian politics.

Nigeria was thought to be a model of parliamentary democracy at work in Africa. The eyes of the whole continent, even of the world, were on this exemplary and populous country. But widespread corruption, political disorder, and eventually violence led to revolt, the murder of several political leaders, including the Federal Prime Minister, and military rule followed.¹

The failure of the first, federal Republic of Nigeria as a political experiment can be traced to two main sources: (1) the fact that the politicians played politics too much, often ignoring national interests in their quest for power or personal and regional aggrandizement, and (2) that even in

¹Arikpo, op. cit., pp. 150-166.
this game, the unbalance in the size of the regions which made up the old federation precluded the possibility of taking turns at the control of power at the center.

The first evil frustrated both the enlightened public and the national leaders as a whole; the second, frustrated the progressives among the politicians themselves. Some of them were from the South like Obafemi Awolowo or Michael Okpara, from the Middle Belt like Joseph Tarka, or from the far North like Aminu Kano.

Most informed Nigerians, except those representing entrenched privilege, had reason, before the trouble of 1966, to desire a change of the constitution. But on balance, the Nigerian failure has been more of the failure of the leadership of the governments of the country, rather than that of the common peoples of the country who have not yet found time to discover themselves, or the constitution itself whose success depends largely upon the spirit with which it is operated. If a constitution is found to be faulty, given the necessary goodwill and honesty of purpose, it can be suitably amended. It is therefore to the leadership that the appropriate remedial attention must be directed.

Nigeria is blessed with very considerable human and material resources. The country's major problem has been, and still is, that of the proper political leadership.
In fairness to the few serious and dedicated leaders that Nigeria has had, it could be pointed out here, that while criticizing the past leadership, one cannot minimize the difficulties that faced them--difficulties which were legion. Most of these difficulties arose from the prevailing ignorance among the masses.\(^2\) As a result, unscrupulous, political opportunists thwarted the genuine efforts made by the few well-meaning leaders to tackle the problems squarely. The point is, that on balance, given both the totality of its liabilities on the one hand and its assets on the other, the collective leadership of the country has made a very poor, political showing.

Recommendations

The duties now for the Nigerian people, if the country is to survive enjoying a stable atmosphere, is to create the proper conditions for the growth of the right type of leadership. These leaders should be capable of better political judgment, wiser investments, and better management of the country's assets.

In the pages that follow, three recommendations on the form of constitution are offered: one on education, one on the allocation of revenue, and one on the fear of domination of minority groups by the majority ethnic groups.

\(^2\)Uwechue, op. cit., p. 115.
In the past the generality of Nigerian leaders fell within two categories: (1) those who matched great courage with great ignorance and (2) those, who though enlightened, lacked courage in the required measure. Only an extremely few escaped these classifications.

What the country needs, now, is not just a handful of capable and dedicated men. To cope effectively with the management of the great endowments in size and potential strength, Nigeria needs not a few, but an entire breed of men and women who combine enlightenment with courage and vigor. Never before in the history of this country were such men and women so badly needed as they are now.

To put an end to the political instability, ethnic political rivalries, and sectional politics which resulted directly from the evil doings of the former political leaders, there should be devised some objective means by which their tenure of office can be restricted within honest and unselfish limits. The means devised must be such as will compel them, always, to hold themselves out as the servants and not the masters of the people. In this connection a rigid code of conduct, written into the constitution, is imperative. In all civilized societies, such a code of conduct is usually left to the best judgment of the political leaders. But with the past experiences, the Nigerian political leader has shown that his best judgment in this kind of matter is the most contemptible and abhorrent. The total outlawry of the one-party system
and government without opposition is also imperative, because a
one-party system breeds tenacity of office, corruption, despot-
ism, and social instability, and the consequence of all these
is political problems.

Instruments for National Unity

The central authority should have all that it genuinely
needs to keep the country together; but the people of the coun-
try should devise a means, to bring to a minimum, the risk of
abuse of power by the central government.

Constitution

The new constitution could be carefully and securely fash-
doned out of the three following recommendations:

(1) An executive president, popularly elected, and repre-
senting the country as a unit and responsible directly to the
people. The popular election of the president is to guarantee
that his focus of interest will be national and not partisan.
He will fill the most conspicuous gap in the old constitution.
This institution which will combine the opportunity to be ob-
jective and fair with the strength to do so is of greatest de-
mend. The popularly elected chief executive, with the consent
of the Senate, will be in charge of the nation's international
relations, defense, and the overall security of the country.

(2) A Senate representing the interests of the states as
units and directly elected by the states' legislatures.
(3) A federal House of Representatives, representing party and political opinions of the country, with the representatives directly elected from single-member constituencies. The federal House of Representatives and the Senate will constitute the federal Parliament.

There should be a federal judicial commission to study the relationship that should exist between the central judiciary and the states' judiciaries. In addition, to enhance the genuine participation at the national level and to reduce fears of ethnic or sectional domination, all the federally-owned or -established boards, corporations, and commissions should have rotating chairmanships; for instance, the Nigerian Railways, the Nigerian Airways, Federal Public Service Commission, and others.

Education

Education is another important instrument for national unity, and it is the most promising aspect for fruitful cooperation between the state governments and the central government. The states need to pursue their programs in accordance with their financial strength and needs. The help from the federal government should be aimed at filling the gaps, especially in the budgets of the more needy states. It is advisable that education should be utilized positively, as an instrument for national unity; for example, a national youth corps should be established. Nigeria, being a young and developing nation,
has a need for centrally-controlled, education commission to produce, direct, and handle certain programs, such as: federal government aids for higher education both at home and abroad; integrated secondary schools that should be set up in all the states with the fixed objective of teaching the new generation what the past generations did not learn; well thought-out programs which should be included in seminars, excursions, and participation in social and community development projects in states outside the individual student's own state. All these programs should be designed to get each student to be involved with the other peoples' problems, therefore, encouraging a greater psychological integration between each student and his fellow countrymen.

The country's educational system has to be positively employed in teaching the citizens that although cultural and religious differences exist, their very variety is in fact the country's pride of cultural heritage. The Nigerian students should be taught in a larger African context as well. The aim would be to lead them out, psychologically, from their ethnic background onto the national level. The new Nigerian should aim at becoming a synthesis of the elements inherent in the nation's various cultures. It is hoped that the acquisition of these combination of qualities will help to promote and produce a better and, also, a more united Nigeria.
Revenue Allocation

The recommendation for revenue allocation starts from the former situation in which regions have always laid emphasis on derivations, if they are economically buoyant. The regions have been protagonists of national interest and even progress, only when they are comparatively poor. For instance, the Western Region, with her cocoa production in the days of export duties prominence, was strongly in favor of derivation, while the, then, Eastern Region struggled "tooth-and-nail" for progress and sharing in the national interest. The positions of the two regions changed dramatically after the discovery of oil in the present Rivers and Mid-West states in the early 1960's.

Nigeria is a federation, so the states should be given fiscal autonomy and be allowed to manage their finances within the limit of their resources. Every state at the present stage of development needs its revenue to carry out much-needed development projects. P. N. C. Okigbo gave an insight to this problem in his book, Nigerian Public Finance, when he warned that,

Any attempt to subsidize and give grants to each unit of the federation without due consultation with and approval of the so-called, well-to-do

---

3 Derivation, meaning the source or the origin of such revenue.
4 Uwechue, op. cit., p. 151.
sections of the country will lead to abuse of power in the center, interstate animosities, and feuds, as well as charges of favoritism. 5

The above statement is true and candid. While an American understood clearly why President Kennedy appointed his brother into his cabinet, a Nigerian cannot understand why a Nigerian Chief Executive should do the same, if he does. The country has just not developed up to that standard yet.

The Fear of Sectional Domination

A glance at the map of the twelve states of Nigeria created on May 27, 1967, will convince even an uninformed observer that some of the new states created are too large in terms of size and population. (See Figure 4, page 123.) One of the guiding principles of federalism is that no one or two states shall be able to over-rule and bend the will of the central authority for its own benefit; for example, the North-Eastern state with an area of 105,025 square miles and a population of 15.38 million and the North-Western state with an area of 65,143 square miles and a population of 8.5 million. 6

The problem in this case is whether these two largest states, both in size and population in the country, will be able to combine to over-rule and bend the will of the central

---


6 *Daily Times*, May 9, 1974.
authority to their own advantage. The possibility is not remote, since the two states are carved out from the former Northern Region, which was the seat of the opposition groups to the decentralized federal system.

Although it has been said by the head of the federal military government that the present structure of states is not permanent, it could be recommended that, as soon as possible, these two big states should be sectioned into three or four states, if possible by decree, before returning the country to civil rule.

The creation of states in Nigeria is very essential for the political stability of the federation, needing at least a minimum of the present twelve states or a maximum of fourteen states to function stably. Whatever the number of states is finally decided upon by the entire Nigerian people, an important point to bear in mind is that past experience has shown that in the present stage of Nigerian political development, a loose, rather than a centralized central arrangement, presents the best chances for peaceful co-existence among the numerous ethnic groups and cultural elements.

Only time, tolerance, patience, and acceptance of one another, regardless of ethnic group or section of the country one might come from, will make the country become a truly

---

integrated nation. It will be very unrealistic to adopt a constitution which pre-supposes the existence of an already integrated society. What the Nigerians need is a decentralization within the framework of the federation; one in which minority groups are effectively insulated from the threat of domination by any of the three major ethnic groups; Hausa-Fulani, Ibo, and Yoruba.8

After the coup of January 1966, and the disappearance of the much-discredited, old regime, the only evident feeling in the country was that a new Nigeria was born, that sectionalism and tribalism were gone. Reflecting the then prevailing feelings of optimism, an editorial in one of Nigeria's newspapers, the Daily Times, saw the future of Nigeria in these terms:

Something just had to be done to save the federation. Something has been done. It is like a surgical operation which must be performed, or the patient dies. The operation has been performed. It has proved successful: it is welcome. We have trust in the head of the new federal military government. We are satisfied that he is capable of restoring law and order in this strife-torn country of ours. He can redeem the fortune of the federation and put it on the high road of unity, tranquility, and success.9

If this editorial opinion should be correct, Nigeria's unity and greatness can only be truly achieved by the genuine dedication of those who have more love for Nigeria and her

---

8See Chapter I, p. 12 and Chapter IV, p. 88.
people than the desire to use both the genuine dedication and love to promote the interests of any one sectional group. Such a task requires the capacity to strike a genuine equilibrium between the desire to build a powerful and prosperous modern state and genuine concern for the liberty of the many cultural elements and groups that constitute the country. Most research reports and newspaper analyses indicate that while embarked on the path indicated, the journey, yet, is to be a long one.

It is necessary, before a return to civilian rule can be successful, that a fair and popularly accepted realignment of internal administrative divisions must be obtained. A root cause of the troubles preceding the civil war was a too-sudden and arbitrary attempt by the first military government of January to July 1966, to abolish all internal boundaries and regional administration in the name of national unity. This was an act which, in fact, tried to de-control traditional rivalries and hatreds, but it failed.\footnote{Jean Herskovitz, "Nigeria: Africa's Emerging New Power," World: Saturday Review, I (February, 1974), 14.} Caution must be exercised by all in drawing new boundaries, and especially, time must be found to select and train additional good and competent administrators. These conditions appear to be understood to a certain degree by the federal military government.
A decentralized, federal union remains the safest way for keeping the country together in tolerable stability. To allow a greater decentralization of political power will take time. It will depend on how the federal military government fares in the immediate years ahead. One African proverb states, "Do not worry for tomorrow, for tomorrow will take care of itself."
BIBLIOGRAPHY

Books


__________________________


__________________________


__________________________


__________________________


__________________________


Schwarz, Frederick Jr., Nigeria, The Tribes, the Nation or The Race, Cambridge, M.I.T. Press, 1965.


Articles


Reports


Old Calabar and Ogoja Provincial Communities, Minorities' States and Nigerian Unity, Lagos, National Press Limited, 1967.

Public Documents


Newspapers


