



## **Federalism and Equity: The Panacea for Restructuring in Nigeria**

**<sup>1</sup>Stephen Olufemi Obasa**

<sup>1</sup>Department of Business Administration

Mountain Top University, Ibafo, Ogun State, Nigeria.

*Corresponding Author's E-mail:* obasaoluwafemi@yahoo.com

### **Abstract**

While federalism is associated with collaboration of diverse integral units within a sovereign state to enhance proper governance that would aid development, it is equally essential to say that it has resulted to unprecedented crisis within member states due to distrust, suspicion, rivalry, oppression, arising from equity gap created by the central government. Perhaps, federalism has worked successfully in countries like India, the United States, Brazil, Germany and Mexico over the years. The emergence of federalism as a political ideology arose from the surge of regional nationalism and the swift move from political leaders to create equal level grounds for subunits to secure autonomy and balance of power while maintaining collaborative and accommodative intergovernmental relations within the entire federation. However, the challenges pose by resource allocation, power sharing, boundary dispute and ethnic rivalry, secessionism, quota system, federal character, and population census, arising from lack of national interest from member states have eroded its relevance as an ideology in Nigeria where equity gap is prevalent. The aim of this study is to examine federal experiment in Nigeria and how the equity model can be utilized to restructure the nation. Scholars of federalism, however, have generally ignored a particularly significant and persistent problem of inequity. The view of the researcher converges around the dysfunction of the Nigerian federation, its remediation by a return to ideal federalism. The methodology applied is based on empirical exposition of equity theory as a catalyst for the practicability of federalism in Nigeria.

**Key word:** Decentralization, Federalism, Equity, Restructuring, Nigeria.

**Citation of article:** Stephen O. O., (2022). Federalism and Equity: The Panacea for Restructuring in Nigeria. *African Journal of Politics and Administrative Studies (AJPAS)*, 15(2):1-22.

**Date Submitted:** 29/06/2022 **Date Accepted:** 20/08/2022 **Date Published:** December, 2022



## **Introduction**

Federalism is common among nations with geographical, ethnic, linguistics, and religious differences with large population. The intention of adopting this approach among these nations is to create opportunity for democratic participation by preventing the dominance of a particular sub-unit over others through military, political, economic and technological means as well as to improve governance within the region or federation. Because of the values of federalism which accommodate liberal democratic principles, there is a paradigm shift from Unitarianism to federalism in the 21<sup>st</sup> Century. According to Gerring, Thacker and Moreno (2007), most large democracies (calculated either in population and/or land area) are now constitutionally federal. Indeed, over 56% of the world's democratic citizens (those living in states with multi-party competition) live in federal polities at the outset of the twenty-first century. However, there is another view that like a large majority of the world's states (166 of the 193 UN member states) have a unitary system of government (Democracy, 2015).

The first forms of federalism took place in ancient times, in the form of alliances between states in the Greek city states. Federalism in the modern era was first adopted in the unions of states during the Old Swiss Confederacy. In the United States, federalism commenced after the constitutional convention in the Philadelphia on May 15, 1787. In Africa, out of the 54 states, only a handful of them adopt federalism. While Nigeria, Ethiopia, and South Africa are established African federal states, the Union of Comoros, Sudan, South Sudan, the Democratic Republic of Congo, and Somalia can be considered as federalist states (Murray, 1981; Abebe, 2013).

Nigerian experimentation of federalism commenced in 1939 under the leadership of Bernard Bourdillion and was restructured by Arthur Richard in the 1946 constitution. However, in 1954, the Lyttleton Constitution further restructure federalism in Nigeria by establishing federal principles which paved way for independence. In 1963, Nigeria became a federal republic, three years, after the British colonial finally gave sovereignty to Nigeria in 1960. The federal structure experienced developmental processes with the military interventions in politics in 1966, 1975, 1976, 1979, 1983, 1993, 1998, and 1999.



Unlike the United States federation that was borne out of agreement of different nations with each surrendering its independence to only one sovereign power at the center while others became subordinate and integral sub-unit, Nigeria's federation emanated out of state creation by the center. While the U.S.'s federation existed on the basis of political bargain based principally on military, the Nigerian federation was based on cultural, ethnic, linguistic, and territorial differences. Thus, federalism was never created following the voluntary unionization of separate states. The implication of this is that, this form of federation is usually vulnerable to threat of secession due to disloyalty from the component parts (Mackintosh, 1962, Amah, 2017).

The fundamental challenge with the adoption of federalism in Nigerian political system as observed by this study is the issue of equity in the practice of the ideology.

Nigerian federalism has faced challenges over the years due to inequality in the sharing of power and allocation of resources across the regions and states due to dominance of majority and ethnic favouritism by the centre over the minority; the effect of which is the persistent opposition from the affected group. This had often resulted to agitation and struggle for power at the centre which is sometimes manifested in political crisis and social disturbances in the nation. For instance, the revenue allocation formula is a reflection of inequality. Again, there is every indication of the centre dominating the federating units through different means. According to Akinmurele (2021), states that contribute the bulk of revenue to the central pool do not get the largest share of revenue under the current sharing system.

The federal solution in Nigeria was necessitated by the desire to achieve 'unity in diversity' and this was made possible by the presence of certain socio-economic forces. Nigeria is a country with diverse population with different cultures and traditions entrenched in the various ethnic groups. The political landscape of Nigeria is determined by the political perception of the existing groups which contained over 374 ethnicities cum their religious, economic and historical background. These multi-ethnic groups formed the current population of Nigeria of 214, 153, 237 as of January 28, 2022, which is 2.64% of the total world population. The population density of Nigeria is 22.6 per km<sup>2</sup> (586 people per m<sup>2</sup>).



While Africa was in the throes of the decolonisation process, many of its leaders considered classical federalism an effective way of reconciling unity and diversity. Along with their counterparts in Europe, they reasoned that federalism would compensate for the nation-state's inability to meet modern political, economic, and strategic demands without at the same time threatening the special interests of the constituent parts (Rothchild, 2008). The gap between the practice of federalism in some of the African countries mentioned and United States, Switzerland, Canada, and Australia is very wide as there is divergence in their understanding of classical federal theory.

Federalism is adopted in Nigeria and some African countries to accommodate ethnic pluralism. In this sub-region, there is centripetal forces, among which are the dominant governing parties, top-down state administration and high degrees of fiscal centralism. Federalism mattered in offering accommodative decentralization, however, there is limited autonomy in the various sub-region due to excessive centrality of power (Dickovick, 2014). This federal system has helped to cross-cut major ethnic identities, foster inter-regional integration, promote inter-group equilibrium and generally cauterize potentially destabilizing centrifugal challenges to Nigeria's continuity and survival as a single political community (Suberu, 2009).

Federalism has been suggested as an effective system with the normative appeal and institutional sophistication to manage complex socio-economic, cultural, and political issues at national, regional, and international levels (Arato, Cohen & Busekit, 2018). Federalism has offered a novel approach for the institution of sovereign yet interdependent governments in a state. Many nations in the global community have adopted federalist ideology following its success in the United States. Nigerian federation has made it possible for each state to operate without internal intervention from the centre except in certain instances where the nation is experiencing serious threat to its survival.

A fundamental reason for the adoption of federalism, according to some proponents of federalism such as Laforest & Brown 1994, is that the world is paradoxically exhibiting simultaneously increasing pressures for integration and for disintegration. Because federalism combines a shared government (for specified common purposes) with autonomous action by constituent units of government that maintain their identity and distinctiveness, more and more peoples have come to see some form of federalism as the closest



institutional approximation to the multinational reality of the contemporary world (Watts, 1998).The Nigerian federation existed in ethno-regional and ethno-zonal division with different states carved out of the main nation and thus making them to experience diverse unity. Nigeria was not restructured or reconfigured on the basis of geographical division, but rather on ethnic grouping, whereby the diverse ethnicities and nationalities were forcibly united.

Federalism enables the national government to focus on its major priorities due to decentralization of political, economic and social obligations among the states. In other words, division of labour exist among the federating units (Nivola, 2005) with the centre concentrating on the exclusive areas contained in its constitution. The implication is that federalism makes governance to be easy, less bureaucratic, goal realizable, dynamic, and susceptible to development. Federalism, especially in large or diverse countries, can also improve service delivery and democratic resilience, ensure decisions are made at the most appropriate level, protect against the over-concentration of power and resources, and create more opportunities for democratic participation (Bulmer, 2017).

Most large countries adopted federalism because it gives opportunity for integral units to secure autonomy to carry out certain obligated responsibilities. However, some small countries will rather opt for unitary system. Federalism is therefore 'suitable for some countries, [but] not all' (Anderson2008: 12). Small and homogeneous countries, if viable as independent units, will generally have little reason to consider federalism. In a large country, or one with distinct territorially concentrated minorities, federalism is likely to be high on the agenda. As per the issue of autonomy, Nigeria federalism falls extremely short of this assertion or criterion because the sub-units lack the autonomy to really execute the power to operate uninterrupted by the government at the centre (Ikeanyibe, 2016; Okolo & Raymond, 2014; Amah, 2017). Nigeria adopted federalism to enable states to secure autonomy so that each will be able to take decision that will enhance its growth. However, the recent reforms by the federal government in resource control, security, fiscal allocation from Federation Account, Value added tax (VAT), enactment of policy of Rural Gracing Area, amongst others, have intermingled with the autonomy of the states.



Federalism allows nations with homogeneous groups to recognize the minority group. This is only possible when there is stable democracy and effective form of government. The basic finding of the literature is that only in well-functioning democracies can federalism be a stable and effective form of government. And conversely, outside of the democratic context, federalism is ultimately an unstable form, which logically progresses either to territorial disintegration or to becoming a mere constitutional formality (Filippov&Shvetsova, 2013: 167). The Nigerian federation defies this view because of its unstructured and disjointed politics which resulted from few oligarchy leaders dominating and marginalizing the majority ethnic groups who have no political power. According to Suberu (2006), the lopsided nature of Nigeria practice has always been a huge source of conflict in the country in general and in the Niger Delta in particular.

Federalism creates opportunity for national resources to be distributed equitably among the existing integral parts that make up the federation. This fiscal arrangement should be agreed upon and not imposed, to guarantee unity and peace among the divergent groups. When there is balance in the sharing of resources among the sub-units, the tendency for social and economic development to take place is high. Each unit of the Nigerian federation is entitled to the federal allocation. There is dissatisfaction with the current federal arrangements where revenue powers are largely resident in the national government to the detriment of the other federating units (Yaakoo, Ndalu, Afeez& Micah 2021).

### **Conceptual Clarifications**

The problem about defining federalism is that it is an ambiguous term which lacks universally acceptable definition like democracy, freedom, and revolution. In order to differentiate the concept 'federalism' with other related terms, a comparative approach has been used to explore its contemporary nature and meaning.

One of the attributes used as a standard definition of federalism is that, it is a system of government where authority is exercised concurrently by a national government and state or provincial governments. With such a definition, the focus is upon a two-tiered structure of government. Thus William Riker, in his *Federalism*, explicitly states this definition as follows: A constitution is federal if (1) two levels of government rule the same land and people, (2) each level has at least one area in which it is autonomous, and (3) there is some guarantee (even



though merely a statement in a constitution) of the autonomy of each government in its own sphere.

Osaghae (1990) argued that federalisms are distinct from other systems because they allow state differences to figure prominently in policy implementation. It is the principle of non-centralization. Implicit in the definition of federalism as involving a division of power between the central and state governments is the fact that there are certain matters on which states make final decisions. The existence of such matters guarantees the states autonomy in some areas. However, if this autonomy is to be guaranteed, matters on which states make final decisions should not be centralizable.

Biffulco (2019) conceived federalism from two dimensions. According to him, ‘federalism’ refers both to a plurality of historical experiences, and features both a static-structural and a dynamic-procedural dimension. The first dimension refers to the concrete organizational forms assumed by federalism (such as in the United States or India); the second dimension, on the other hand, concerns federal processes, that is to say the historical evolution and the progressive development of a union between several communities (for example, the European Union or the United Provinces of the Netherlands in the modern era). Contemporary writers on the concept of federalism such as Livingstone, McMahon, and Rikers amongst others viewed federalism as mutual interaction between, and direct contact with, at least two levels of government. These scholars take their root from the 1787 American Constitution. The definition of federalism by these scholars rest on the fundamental principle that, federalism is a form of governmental institutional structure, deliberately designed by political architects, to cope with the twin but difficult task of maintaining unity while also preserving diversity (Odion, 2011). Thus, federalism is believed by these writers, to be capable of mediating the potential and actual conflicts arising from the heterogeneity within a nation-state (Akpata, 2000).

Where identifies some federal principles to describe the term federalism, such as “the method of dividing powers so that the general and regional government are each within a sphere (of jurisdiction) co-ordinate and independent”; the federal constitution is the constitution where the federal principles are dominant or well-articulated; the federal government is the one in which



there is a division of powers such that the general and regional authority each within its sphere co-ordinate with other and independent from the other (Parker, 2006; Burgess, 2012).

Wheare posits that some political, social and economic factors combined to contribute to the formation of federations, and these particularly informed the formation of the federation of the United States, Switzerland, Canada and Australia, and they include: 1) A sense of military insecurity and of the consequent need for common defence; 2) A desire to be independent of foreign powers, and a realisation that only through union could independence be secured; 3) A hope of economic advantage from union; 4) Some political association of the communities concerned prior to their federal union either in a loose confederation or as parts of the same Empire; 5) Geographical neighbourhood; and 6) similarity of political institutions (Wheare, 1963: 37). Other key features of federalism are equity of powers between the regional governments, financial autonomy, divisions of power, supremacy of constitution, a codified constitution, and creation of additional federating units.

The operation of federation under federal and unitary systems differs. In other words, the perspectives of federalists and unitarists differ because scholars of the two intellectual camps have diverse values of the ideology. According to Arban, Martinico, & Palermo (2021), While some scholars regard regionalism as a synonym of “quasi-federalism,” others link it to the creation of an intermediate level of government within a clearly unitary framework. Both interpretations have their limitations. The “quasi-federalist” one seems to regard regional systems as intermediate and incomplete steps on the path to full federalization. The “unitary” one ignores the fact that regions may exist in very different contexts: from hierarchical systems dominated by state-wide actors (e.g., France) to highly decentralized, multi-level settings (e.g., Spain).

Majekodunmi (2015) noted that federalism offers an ideal model of government for a plural society. And Nigeria, with at least 374 ethnic groups certainly qualifies for federalism should we find the political will to embrace the philosophy. Nigeria is currently operating defective and fallible federalism because the Nigerian federal system has consistently undermined one of the most cardinal philosophical principles of federalism as noted by Davidson, 1992 cited in (Majekodunmi, 2015). He posits that the relative autonomy, independence and self-determination of these units must be appreciated and guaranteed in clear terms.





Nonetheless, Nigeria's variant of federalism remains confusing, even mystifying. Adagbabiri & Okolie, (2018); Udombana (2017) agreed with Majekodunmi (2015) and Davidson, (1992), that the operation of federalism in Nigeria is faulty due to master-servant relationship and existence of asymmetrical governance created by the centre through its dominance of roles belonging to the states.

Watts (1999) is averse to the centre embarking on master-servant relationship. Rather, he believes that the operation of federalism as a political philosophy in any federalist state should be established on the basis of a minimum cooperation from different levels in the course of resolving economic, environmental and social issues. This implies that federalism renders solutions to the controversial issues posed by economic, political, ethnicity, historical and social differences through mutual relationship between the centre and its federating units.

## **Empirical Framework**

In order to substantiate how equity model can be used in the restructuring of federalism, systematic empirical analyses are necessary. An extremely few studies were carried out by scholars on this subject. However, we need to examine the works of few scholars who have written on federalism extensively. Among them was, K.C. Wheare, who has been considered as the father of federalism with the book he wrote in 1963, titled *Federal Government*; Egboosa Osaghae, who wrote in a *Publius* journal in 1990. *A reassessment of federalism as a degree of decentralization*; the publication of Daniel Elazar's influential book, *Federalism: A View from the States*, consists the diversity of culture and public opinion of federalism; Riker WH. 1964 *Federalism: Origin, Operation, Significance and Federalism*; Riker WH. 1975 also wrote in *Handbook of Political Science: Governmental Institutions and Processes*; Elazar DJ. 1997 and 1996 in his books: *Contrasting unitary and federal systems* and *New Trends in Federalism* respectively, gave an expository explanation of federalism and the challenges associated with its operation as a political philosophy.

On the restructuring of Nigeria's federalism, Farayibi, A. O. conducted a study in 1917 *The structure of Nigeria's restructuring rhetoric. National discourse*; Amuwo K, Agbale A, Suberu R, Herault G. wrote a book in 1998 titled *Federalism and political restructuring in Nigeria*;



Ikelegbe A. also conducted on resource control in the Journal of Modern African Studies in 2001 titled *Civil Society, Oil and Conflict in Niger Delta Region of Nigeria: Ramification of Civil Society for Regional Resource Struggle*; in 2010, Ojo E. also made a vital contribution on the need to restructure federal arrangement in his paper titled *The Politics of revenue allocation and resource control in Nigeria: Implications of federal stability*; Remi Ayede authored a work in 2020 on *Nigeria's federal system still isn't working: what should change*. In this paper, he analyzed the evil of operating federalism in Nigeria and how equity can be ensued through serious restructuring. He went further to state the various conferences that were established by government in an attempt to restructure the federation such as the National Political Reform Conference (2005), the National Conference (2014) and the All Progress Congress Party Committee Report on True Federalism (2018), but their recommendations were not implemented by the various governments.

## Equity Theory

Ambiguous and malleable, equality and equity might each come into sharper focus with attention to their antonyms: *inequality* and *inequity* signal injustice and unfairness and exclusion or denials of opportunities, protections, rights, or remedies (Minor, 2021).

Equity involves adapting existing law to changing conditions or to unique circumstances and, often, departure from general, settled rules. The results can be unpredictable, subject to the views or whims of particular decision-makers. Equity means working to overcome the historical legacy of discrimination, marginalization, and underinvestment that disadvantages specific groups of people, especially defined by race (Achievement Network, 2018). Relatedly, but with a different moral tenor, DeRayMckesson (an organizer of Black Lives Matter) stresses, “The difference between equity and equality is that equality is everyone get the same thing and equity is everyone get the things they deserve.” An analysis sponsored by the American Library Association (ALA) emphasizes that equality underlies policies of uniform distribution while equity informs affirmative action and other policies that Americans are likely to think of as unfair.



**Equity theory** focuses on determining whether the distribution of resources is fair to both relational partners. Equity is measured by comparing the ratio of contributions (inputs or costs) and benefits (outputs or rewards) for each person (Guerrero, Peter & Walid, 2014). Input includes hard work, skill-set, motivation, enthusiasm, and technical know-how. Output relates to salary, perks, bonus, and recognitions in the form of awards (The Economic Times, 2022). Equity theory was first postulated in the early 1963 by behavioural psychologist John Stacy Adams. Equity theory is based on a principle that peoples' actions and motivations are guided by fairness in an organization.

According to Davlembayeva & Alamanos (2022), equity theory has five assumptions. These are: First, the relations of people are built on an equity norm. Second, the evaluation of equity results from the assessment of personal inputs/outputs against inputs/outputs of other people in the social exchange relations. Third, unequal distribution of rewards against contributions leads to inequity perception. Fourth, inequity results in the psychological discomfort due to the inconsistency between personal outcomes and the referent others. Fifth, if any of the forms of inequity are perceived, the person aims to restore inequity either psychologically or physically in pursuit of eliminating the emotional tensions associated with inequity perception.

Adam's equity is applied in this study to explain the operation of federalism as a political arrangement in Nigeria. From the above principles, particularly the first, Adam's equity posits that the relations of people revolve around equity norm (reward system based on fairness). According to Adam, in the face of discrepancies in reward, it leads to crisis in the organization. Thus, the agitation for true federalism is not unconnected with inequity in the reward system adopted by ruling elites in governance. The creation of Nigeria federation was borne out of struggle by past heroes from the various geopolitical zones such as Chief Obafemi Awolowo, Alhaji Ahmadu Ibrahim Bello, Alhaji Abubakar Tafawa Balewa, Dr. Nnamdi Azikwe, Chief Margret Ekpo, Michael Athokhamien Imoudu to mention a few. Hence, every geopolitical zone should have equal representation in economic, social and political rewards. The Section 17 of 1999 Federal Republic of Nigeria Constitution states that: (1) The State social order is founded on ideals of Freedom, Equality and Justice (2) In furtherance of the social order-(a) every citizen



shall have equality of rights, obligations and opportunities before the law;(b) the sanctity of the human person shall be recognised and human dignity shall be maintained and enhanced;(c) governmental actions shall be humane;(d) exploitation of human or natural resources in any form whatsoever for reasons, other than the good of the community, shall be prevented; and (e) the independence, impartiality and integrity of courts of law, and easy accessibility thereto shall be secured and maintained (Federal Constitution, 1999).

The absence of equity in the management of Nigeria due to marginalization of minority groups in the sharing of national resources and inclusion in decision making has led to crisis in the federation severally. The argument of Adam's equity model that says where reward system is poor, the tendency for the group affected to rise against the system, can be applied to explain reasons for protest from those marginalized. According to Ayede (2020), the neglect of oil-producing communities of the Niger Delta and other groups in reward system by government has been responsible for consistent agitation for change, more so that development is very low and environmental degradation is high. Some groups from the Southern part of the nation also argued that there is no equity in the military and political appointments, which they say favoured the Northerners, particularly, under President Muhammadu Buhari.

Utilizing Adam's equity theory to explain the need for restructuring covers the scope of derivative principle, administrative adjustment, and local autonomy. Equity model is antithetical to denial of rights of federating units by the centre in revenue allocation, power sharing, Value-Added Tax, Social welfare policy, and wage politics. The importance of equity has been underscored in Nigeria's federal arrangement in its policies.

Nigeria's federalism and equity do not interplay since the former tend to ignore the relevance of the latter in its operation. Federalism in the United States, Germany, and Canada take into cognizance the relatedness of equity to federalism. In fact, federalism is meant to promote equality in those nations. A unique future of federalism in these countries is the balance in the division of powers both horizontally and vertically. The constitution sets up the division of powers and the area in which each level of government legislates. While it is true that Nigeria



also has exclusive, concurrent, and residual lists where powers are shared among the subunits, it is equally right to say that in practice the responsibilities are sometimes usurped by the centre.

## **Equity as a Panacea for Restructuring Nigeria**

Inequity in Nigeria's federation affects fiscal distribution of wealth allocated to states. The theory of fiscal federalism as propounded by Richard Musgrave in 1959 argued that the federal government should address inequality in the distribution of wealth among states to enhance economic stability in the entire federation (Kolawole, 2021). Fiscal equalization transfers are typically unconditional, and can be based on indicators of revenue raising capacity in cases where states have significant revenue-raising authority (Canada); they can be based on expenditure needs when state revenue-raising is minimal (South Africa); or they can include elements of both (Australia, Germany). Likewise, the total transfer can be based on a given proportion of federal revenues from given sources (Australia, Germany); it can be based on average per capita revenues raised by states across the federation (Canada); or it can be based on the estimated level of state expenditure needs (South Africa) (Broadway, 2006). The Nigeria Value Added Tax (VAT) sharing formula of 15%, 50% and 35% among the federal, state and local governments respectively based on a derivation formula is unfavourable to some states. For example, Lagos state generated as high as 55% far above other states while its share distributed is just 10% from federal government (Omojoye, 2021). The Federal High Court adjudicated over the matter of federal government of Nigeria determining the percentage of Value Added Tax (VAT) to be allocated to states stating that the National Assembly lacks the power to enact any law by imposing any form of sales tax including Value Added Tax (VAT) on the states (KPMG, 2021; Aja, 2021). Federalist lawyers believe Federal Government (FG) has no power to enact the Value Added Tax (VAT) Act under the 1999 Constitution (Ogunmupe, 2021).

The issue of resource control lends credence to inequity in Nigeria's federalism. While in Canada, under the constitutional Act of 1867, responsibility for natural resources belong to province, not to the federal government as it is constitutionally provided by section 44(3) and 39 schedule II of 1999 Nigeria constitution which granted the centre ownership control and management of natural resources. In most prosperous federations such as United States and



Germany; the states own their mineral resources and ports (Ogunmupe, 2022). The principles guiding resource allocation in Nigeria are: derivative principle, need principle, national interest principle, and independent revenue principle. The current Revenue Allocation Formula which specifies that 52.7%, 26.7% and 20.6% of the revenue be shared to the Federal, State and Local Governments has been in existence since 1992 (Proshare, 2021).

Inequity in the practice of federalism in Nigeria is so pervasive in the education system. Education is a useful policy area by which federalism can be examined in Nigeria. The federal role in many policy areas does not establish clear division of responsibility between the federal government and the state. Nigeria's centralising federalism and accretion of federal power to control the states in some of the education policies is a reflection of Unitarianism. The power to exercise education responsibility as a federation is clearly spelt out in the concurrent list of the 1999 Nigeria constitution. In Russia, India, Canada, Australia, Germany, and United States, the federating states exercise power over the education system like Nigeria in a concurrent way. However, in practice, the states are limited in the exercising of this power due to certain education policy framework imposed on the federating states by FGN. Issues such as JAMB regulating admission into state universities are antithetical to Kenneth Wheare's principles of federalism. The series of educational policies programmes and projects being churned out by the federal ministry of education clearly violated the principles of federal system of government (Onwubiko, 2016).

The appointment of members of executive council in Nigeria actually faulted the federal character principles enshrined in its constitution according to Section 14 of the Constitution of Federal Republic of Nigeria. Under the provisions of the Constitution, the government must ensure "the principles of proportional sharing of all bureaucratic, economic, media and political posts at all levels of government". According to Ojo (2021), the framers of Nigeria's constitution deliberately made provision for federal character in order to promote, national unity, social justice, national loyalty and sense of belonging among others. However, the inequity in the federal structure is rooted in the Northernisation policy canvassed by political rulers at the central level from the region. Aginam (2015), posits that the control of all the higher echelons of



Government by the North such as control of the Executive, the control of the Judiciary, control of the Senate, control of the House of Reps, the control of the Civil Services; the control of INEC, the control of all the branches of the Armed Force and Security Service Agencies by Northern Nigeria has generated a lot of opposition from the Southern region. Again, government appointment lacks gender balance and regional equity (Adebowale, 2021).

Opinions on restructuring in Nigeria differ as individuals' views are subjective depending on ideological understanding of the concept of federalism. However, most scholars believe that federalism will function better in Nigeria when some bottlenecks are removed through restructuring. Restructuring implies devolution of powers to component units of the Nigerian federalism. Restructuring means divesting the central government of certain powers and limiting its area of influence to such areas as fiscal policies, military defence, foreign policy, immigration and national election (Nahu, 2016; Abah & Nwokwu, 2017). Restructuring is a process that requires its citizens to take a closer look at the national edifice or better still the state of the nation with regard to how to address structural deformities, if any (Yaqub, 2016). On the other hand, political restructuring is the political configuration of the country and devolution of powers to the constituent units as it is practiced in other climes (Adeosun, Ismail & Zengent, 2017).

Restructuring in Nigeria is an embodiment of challenges besieging the application of federalism as a form of political ideology in the country. Core issues being raised under restructuring, centre on the quasi-military system foisted on the country which has been subsisting as a federal arrangement. It has subordinated the other tier of government, the states, which ought to exist in a coordinate arrangement with central government. Powers of the states have been eroded over matters that fell within their jurisdiction in the pre and post-independence constitutions of the country (2018).

The equity of federalism in Nigeria involves restoration of powers to the state by the centre based on the legislative arrangement contained in 1963 constitution where the functions of the state and the centre are clearly stated and under no circumstance should the latter encroach on the fundamental roles of the former. The United States constitution allows each federating unit to maintain its fundamental political integrity by distributing power among general governments in



a manner designed to protect the existence and authority (Encyclopedia, n.d.). This constitutional arrangement is strictly honoured by U.S. executive governing body to promote equity.

Restructuring federalism in Nigeria involves balancing political power sharing among the geopolitical regions that make up the federation. The South is put at disadvantage with the unfair representation in the National Assembly where North continues to have higher representatives and thus giving them the power to dictate the affairs of the state.

The fiscal autonomy of the federating state is another area of inequity in Nigeria. Fiscal decentralization and the desire for local discretion and devolution of power is often seen by the World Bank as a vehicle to promote governance and development in developing countries such as Nigeria. The struggle for control of power and equitable distribution of resources by the component units that make up the federation is driven by the need for balanced development, fiscal justice and fair play (Ekpo&Englama, 2008). The American federal system is a balancing act among three orders of relatively independent governments, federal, state, and local, that have responsibilities for the provision of public services and the power to levy taxes and borrow funds. The U.S. Constitution imposes limits on federal fiscal policy authority, including a restriction on the ability of the federal government to tax or impose a duty on articles exported from any state (Forum of Federation, n.d.).

## **Conclusion**

The concept of federalism as a political ideology is very significant to the success of any political system if it is properly structured and effectively operated. The operation of federalism in some advanced countries has made it possible for the recognition and the granting of autonomy to federating unit. While it is true that there is no political ideology that is without challenges, it is equally right to say that most of the advanced countries such as Canada, United States, Germany etc. have been able to restructure their federation to enhance the smooth running of the ideology.

In Africa and some developing countries, the issue of equity is significant to the practice of federalism. Equity enables effective participation of the various federating units in promoting





development of the nation-state. With equity, issues relating to undue encroachment on the functions of the states or the unconstitutional hijack of the responsibilities through the use of the federal might would cease to exist. In Nigeria, the agitation for equity in resource control, sharing formula of federal allocation, value-added tax, federal salary restructure, representation of states at federal level, allocation and distribution of social facilities for developmental purposes to state and local governments such as construction of low cost housing scheme, construction of bridges, roads, hospitals, primary and post primary institutions etc. are areas that the federal government should revisit and restructure its policy so that the principles of federal character and federalism can reflect in government dealings. This will promote good inter-governmental relationship between the centre and its periphery.

### **Policy Recommendation**

The following policy recommendations are germane to the successful adoption of federalism as a political ideology in Nigeria:

- i) the issue of the VAT/sales tax administration should be handled by the states. The centre should cease to impose its decision on the state. It should not be within the purview of the federal government, but a residual matter that should fall within the legislative and administrative competence of the states.
- ii) the federal government should adopt a policy of non-interference in the sharing of oil resources. It should be an agent and not owner of oil resources in the region where they existed. This would enable the states to take full control of their natural resources. Where government is interested in the resources, it should be at minimal level. Moreover, there is need for derivation or ownership system that will allow each region to benefit meaningfully from resources within its border.
- iii) States must be allowed to implement their preferred policies in the education and even other sectors of the economy to enable equity to prevail in the course of operating federalism as an ideology.
- iv) The federal government should formulate electoral policy that will sustain democracy in such a way that it would enhance proper representation of states at federal level.



- There could only be effective restructuring when there is equitable distribution of appointments and inclusive governance.
- v) New commission should be set up to look into those matters that are generating agitation for restructuring of the federation among the affected minority groups that felt dominated by the majority. This should be different from Niger-Delta Development Commission.
  - vi) The issue of zoning and rotation principle which was not implemented since the six-geopolitical zones were created in 1995 should be re-visited and made part of Nigeria's constitution.

## References

- Abah, E. & Nwokwu, P. (2017). *Restructuring the Nigerian Federalism: the proposed form and shape. Middle East Journal of Scientific Research*, 25(7), 1518-1526, DOI: 105829/idosi.mejsr 20`7:1518-1526.
- Abebe, A. (2013) Umpiring federalism in Africa: Institutional mosaic and innovations, 13:4 *African Studies Quarterly* 53 at 54.
- Adagbabiri, M.M.& Okolie, U. C. (2018). Federalism and political restructuring in Nigeria: the panacea for mutual coexistence and management of nation's resources. *The Journal of International Social Research*, 11(59), 304-319 Google Scholar
- Adebowale, Y. (2021). Reflecting Sensibilities of all Nigerians in Federal Appointment. *ThisDay*.<https://www.thisdaylive.com/index.php/2021/05/15/reflecting-sensibilities-of-all-nigerians-in-federal-appointments/>
- Aginam, E. (2015). Government appointment must reflect federal character principles. *Vanguard*.<https://www.vanguardngr.com/2015/09/govt-appointment-must-reflect-federal-character-principle-iwa/>
- Ajaja, T. (2021, December 31). Legal battle over VAT collection stirs debates on equity, fiscal federalism (II). *The Punch*.<https://punchng.com/legal-battle-over-vat-collection-stirs-debates-on-equity-fiscal-federalism-ii/>
- Akinmurele, L. (2021, September 13). In battle for equity, Nigerian states tussle over taxes with FG. *BusinessDay*.<https://businessday.ng/business-economy/article/in-battle-for-equity-nigerian-states-tussle-over-taxes-with-fg/>
- Akpata, Tayo (2000) —Nigerian Nationality and the indigene Question. *Guardian Newspaper*, Lagos, November 23.



- Amah, E. (2017). Federalism, Nigeria Federal Constitution and the Practice of Federalism: An Appraisal. *Beijing Law Review*, 8(3).
- Anderson, G. (2008). *Federalism: An Introduction*. Oxford: Oxford University Press.
- Arato, A., Cohen, J. & Busekist, A. (2018). "Introduction" in Andrew Arato, Jean Cohen & Astrid von Busekist, eds, *Forms of Pluralism and Democratic Constitutionalism*, Columbia University Press, 5–8.
- Arban, E., Giuseppe Martinico, G. & Palermo, F. (2021). *Federalism and Constitutional Law: The Italian Contribution to Comparative Regionalism*, London and New York: Routledge, 232
- Ayede, R. (2020, November 16). Nigeria's federal system still isn't working: what should change. *The Conversation*. <https://theconversation.com/nigerias-federal-system-still-isnt-working-what-should-change-149284>
- Bifulco, R. (2019). Federalism. In the Cambridge Companion to Law, pp. 312. DOI: <https://doi.org/10.1017/9781316716731> [Opens in a new window], Cambridge University Press.
- Broadway, R. (2006). The Principles and Practice of Federalism: Lessons for the EU? *Swedish Economic Policy Review* 13 (9-62).
- Bulmer, E. (2017). *Federalism. International IDEA Constitution-Building Primer 12*. 2<sup>nd</sup> edition. <https://www.idea.int/sites/default/files/publications/federalism-primer.pdf>
- Burgess, M. (2012). Kenneth C. Wheare and the Federal Principle. In *In Search of the Federal Spirit: New Comparative Empirical and Theoretical Perspectives*. Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780199606238.003.0003> pp.32–59
- Davlembayeva, D. & Alamanos, E. (2022) Equity Theory: A review. In S. Papagiannidis (Ed), *TheoryHub Book*. <http://open.ncl.ac.uk>
- "Democracy". [www.un.org](http://www.un.org). 2015-11-20. Retrieved 2022-01-15 [https://en.wikipedia.org/wiki/Unitary\\_state](https://en.wikipedia.org/wiki/Unitary_state)
- Dickovick, J. (2014) Federalism in Africa: Origins, Operation and (In)Significance. *Regional & Federal Studies*, 24:5, 553-570, DOI: 10.1080/13597566.2014.971770
- Ekpo, A, & Englama, A. (2008). *Fiscal Federalism in Nigeria: Issues, Challenges and Agenda for Reform, Economic Policy Options for a Prosperous Nigeria*, ISBN : 978-0-230-54273-0 [https://link.springer.com/chapter/10.1057/9780230583191\\_11#citeas](https://link.springer.com/chapter/10.1057/9780230583191_11#citeas)
- Equity in Education*, ACHIEVEMENT NETWORK, (2018, June 13), <https://www.achievementnetwork.org/anetblog/eduspeak/equity-in-education>.
- Filippov, M. and Shvetsova, O. (2013). 'Federalism, Democracy and Decentralisation', in A. Benz and J. Broschek (eds), *Federal Dynamics: Continuity, Change, and the Varieties of Federalism*. Oxford: Oxford University Press.



Gerring, J., Thacker, S. & Moreno, C. (2007). *Are Federal Systems Better than Unitary System?* <https://www.bu.edu/sthacker/files/2012/01/Are-Federal-Systems-Better-than-Unitary-Systems.pdf>

Guerrero, K., Peter A. & Walid A. (2014). *Close Encounters: Communication in Relationships, 4th Edition*. Los Angeles, CA: Sage Publications Inc. p. 263. ISBN 978-1-4522-1710-9

Hessel E. (1966-1967) *Equity in the Civil Law and the Common Law*, 15 AM. J. COMP. L. 60, 8486.

Ikeanyibe, O. (2016). Federalism, Constitutionalism and Local Government Autonomy in Nigeria, *Mediterranean Journal of Social Sciences*, 7 (3:1).

Ikelegbe, A. (2004). Intergovernmental Relations, Governance and Development in Nigeria. In F.O. Egwaikhide et al. (Eds.), *Intergovernmental Relations in Nigeria, Programme on Ethnic and federal Studies* (PEFS). Ibadan: Programme on Ethnic and Federal Studies.

JordanS.(2009). Federalism in Africa: An indigenous idea with a colonial history. In *the Ashgate research companion to federalism*, ed. WardAnnaand WardLee, 463–484. Farnham England: Ashgate Publishing, Ltd.GoogleScholarCrossref

Kolawole, S. (2021, June 12). ‘True Federalism’ and other fallacies. *The cable*. KPMG (Aug. 2021). *FHC nullifies VAT Act, other taxes and levies beyond the scope of the constitution*. <https://home.kpmg/ng/en/home/insights/2021/08/fhc-nullifies-vat-act-other-taxes-and-levies-beyond-the-scope-of-the-constitution.html>

Kranich, K. (2005, March 3) *Equality and Equity of Access: What’s the Difference?* AM. LIBR. ASS’N, <https://www.ala.org/advocacy/intfreedom/equalityequity>.

Mackintosh, J. (1962). Federalism in Nigeria. *Political Studies*, 10 (3). <http://doi.org/10.1111/j.1467-9248.1962.tb00994.x>

Majekodunmi, A. (2015). Federalism in Nigeria: the past, current peril and future hopes. *The Journal of policy and development Studies*, 9(2), 107-120.Google Scholar

Minor, M. (2021). *Equality VS. Equity*. *Journal of Law and Equity*. 1:164-193. [https://doi.org/10.1162/ajle\\_a\\_00019](https://doi.org/10.1162/ajle_a_00019)

Murray, F. (1981) *Unions of States: The Theory and Practice of Confederation*, Leicester University Press. p.18. OCLC 1170233780

Nivola, P. (2005). Why Federalism Matters. Brookings. <https://www.brookings.edu/research/why-federalism-matters/>

Oderemi, K. (2018, December 16). The ABC Of Restructuring: Demand for Restructuring.<https://tribuneonlineng.com/the-abc-of-restructuring/>



Odion, I. R. (2011) —A Critical Assessment on Nigerian Federalism: Path to a True Federal Systeml. A paper presented at the 4th Annual National Conference, of the Colleges of Education Staff Union, Federal College of Education Technical, Potiskum, Yobe State.

Ogunmupe, B. (2022, January 7). Time to remove insincerity from resource control. *The Guardian*.<https://guardian.ng/opinion/time-to-remove-insincerity-from-resource-control/>

Ogunmupe, B. (2021, October 21). Why States should Collect VAT in Nigeria. *The Guardian*.<https://guardian.ng/opinion/why-states-should-collect-vat-in-nigeria/>

Ojo, J. (2021). Can Nigeria develop without equity, justice and fairness. *Punch*.<https://punchng.com/can-nigeria-develop-without-equity-justice-and-fairness/>

Okolo, P. & Raymond, A. (2014). Federalism and Relevance Control: The Nigerian Experience. *Public Policy and Administration Research*, 4(2).

Okpanachi, E. &Garba, A. 2010, Federalism and Constitutional Change in Nigeria, *Federal Governance*, vol. 7(1), pp. 1-14.

Omojoye, S. (2021, September 19). Staying in the lane: VAT dispute is constitutional, not about states' capacity gto collect VAT. *The Cable*.

Onwubiko, P. (2016). *JAMB, policy dissonance in education and pseudo federalism*.  
<https://blog.odogwublog.com/2016/07/jamb-policy-dissonance-in-education-and.html>

Osaghae, E. (1990). *A Reassessment of Federalism as a Degree of Decentralization*. Oxford University Press, 20 (1.)

Paleker, S. (2006). Federalism: A Conceptual Analysis. *The Indian Journal of Political Science*, 67 (2), April-June, 2006.

Proshare (2021, October 28). *Revenue Allocation Formula Restructure: A Paradigm shift?*  
,<https://www.proshareng.com/news/Nigeria%20Economy/Revenue-Allocation-Formula-Restructure--A-Paradigm-Shift-/59636>

Rothchild, D. (2008). The Limits of Federalism: and Examination of Political Institutional Transfer in African. *The Journal of Modern African Studies*, 4(3): 275-293, Nov. 1966.  
DOI: <https://doi.org/10.1017/S0022278X00013471>.Published online by Cambridge University Press: 11 Nov. 2008.

Shieber, J. &Mckesson, D. (2017), *The Social Justice Movement Needs to Move from the Streets to the Statehouse*, TECHCRUNCH (June 6,2017), <https://techcrunch.com/2017/06/06/for-deray-mckesson-the-social-justice-movement-needs-to-move-from-the-streets-to-the-statehouse/>.  
*See* DERAY MCKESSON, ONTHE OTHER SIDE OF FREEDOM THE CASEFOR HOPE (2018).

Suberu, R. (2009). Federalism in Afric.a: The Nigerian Experience in Comparative. *Ethnopolitics* 8(1) 67-86. DOI: 1080/1744490502738846.



The Forum of Federations (n.d.). The Changing State of Fiscal Federalism in the U.S. <https://forumfed.org/document/the-changing-state-of-fiscal-federalism-in-the-u-s/>

Udombana, N., (2017). *Constitutional restructuring in Nigeria: An impact assessment*. Retrieved from <http://ssm.com/author=1162030>.

Watts, R. (1998). Federalism, Federal Political Systems, and Federations. *Annual Review of Political Science* 1998 1:1, 117-137

Watts, R. (1999). *Comparing Federal Systems: A Comparative Study*, Kingston: Institute of Intergovernmental Relations, Queen's University Press.

What is Equity Theory? (2022, August 25) *The Economic Times*. <https://economictimes.indiatimes.com/definition/equity-theory>

Wheare, K. C. (1963) *Federal Government*, 4th ed., London: Oxford University Press.

Yaakoo, D., Ndalul, T., Afeez, O. & Micah, L. (2021). Fiscal Federalism: The Nigerian Experience. *International Journal of Social Sciences and Humanities* 9(4):1-12.