

GOVERNANCE AND FISCAL FEDERALISM IN NIGERIA.

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ABSTRACT

The issue of Fiscal federalism has remained a thorny issue on the Nigerian political scene. The extent of disagreement about what should be an acceptable formula is evidenced in the number of revenue allocation commissions set up since 1946. This paper is of the view that the principle of derivation should be given more prominence in the sharing formula. Secondly, the Federal Government should be more sincere and honest by adhering strictly to the agreed formula in the disbursement of revenue to the various tiers of government and also among the various states.

INTRODUCTION

One of the outstanding features of a Federal system is revenue sharing among the different levels of government which is of utmost importance in many countries of the world today. The problem is always how to match equity with justice and fair play for every section of our society. Some countries have evolved some basic principles that make the governance of their people cogent and efficient. But with that no government has yet attained the ideal.

The fact that most of the advanced economies have succeeded in putting to rest much agitation lend credence to the fact that implementation of reasonable social and economic policies can be a panacea to satisfying the people's yearning for an equitable distribution of resources in a multilevel system of government.

It is increasingly being believed that good governance is essential for minimizing the frequent agitations for acceptable formula for sharing our national output to the various sections of the Nigerian Society. The Nigerian experience in revenue allocation is as chaotic as the chequered political history of the country. From pre-independence, Nigeria is still searching for acceptable revenue allocation formula. Politics, ethnic and personal interests seem to take precedence over equity and fairness whenever the issue of revenue sharing is considered. Often, the recommendations of the commissions set up to look into this issue is tinkered with, by the power that be, in order to satisfy a section of the society, in defiance of the yearnings of those who produce the resources that yield the vast revenue to the nation. Studies that attest to this problem abound (Ekpo 1998).

It is obvious that studies on governance and fiscal federalism are very sensitive, for a particular

regime may appear unfriendly, if the quality of its governance is poor and unwelcome by the masses.

In Nigeria, quality governance is not considered necessary or even proper for the people. Policies that divide and keep sections of Nigeria apart are often pursued. This is dangerous for the Nigerian polity.

The objective of this paper, therefore, is to examine the issue of fiscal federalism in Nigeria, its problems, failures and successes as well as the effort of government to solving these problems. By this we will assess the role assigned to the various tiers of government. Following this introduction is section 2 that discusses theoretical issues and the framework of analysis. Section 3 covers the various commissions set up to address the issue of revenue allocation. Section 4 comments on the various revenue allocation criteria. Section 5 looks at governance and fiscal federalism and how it affects economic development of the various regions while section 5 concludes the paper and makes some policy recommendations.

THEORETICAL ISSUES AND ANALYSIS

Fiscal federalism is a set of fiscal activities, relations and Interactions, rights and demand by and among the various governments in a federation. Usually, the roles, responsibilities and right of each government are constitutionally determined and the fiscal arrangements follow automatically. Revenue allocation is a mechanism used to address the fiscal imbalance which emerge in the process of economic development, though it is always difficult to match responsibilities with resources at every level of government. With continuous fine tuning, revenue allocation formula is jostled to meet the changing economic and political circumstances. (Olowoni 1999).

Scot (1964) and Olowoni (1999) explain that

"a federal system demands more than economic efficiency in the allocation of resources. The Primary goal of federalism is to sustain political stability and contentment of the component states of the federation. Thus federalism is a political device of spreading the risk involved in governance, especially in large and heterogeneous countries (i.e. in multi ethnic, multicultural, multilingual and multi-religious countries with each group wanting to preserve its identity) Since a high degree of political autonomy is essential for the preservation of group identity, federalism is justified beyond what pure economic consideration may support.

In fact the goal of federation is to reduce, prevent and manage ethnic conflict by granting to the respective state and local government maximum financial autonomy.

In the study of fiscal federalism some scholars have used per capita income, size of the population, degree of urbanization, degree of openness of an economy as explanatory variables and their studies have given conflicting results. For example, Pryor (1967), Cate (1972), Wheave (1963), Kee (1977), Ubogu (1982) and Ekpo 1994.

The study of fiscal federalism is always policy relevant in that the knowledge of fundamental economic trend enables policy makers to formulate either specific or broad policies which are relevant in ensuring stability of the macroeconomic environment.

Expenditure development is determined by economic, society cultural and political factors. Whatever formula is used to generate revenue and to share it, good fiscal federalism and efficient macroeconomic management demand that policy makers from time to time fine-tune it. The extent of decentralization or centralization of taxes assigned to lower levels of government as this will in turn determine the impact on the growth process should be considered wisely.

Fiscal federalism is decentralized when the lower levels of government are given the power (by law) to raise taxes and spend same to ensure growth and development in their jurisdiction, or the money is raised centrally but part of it is allocated to lower levels of government through some revenue sharing formula. The second is sometimes referred to as fiscal administration (Ekpo 1998:11).

A fiscal system is either centralized or decentralized. In a decentralized system, the

federal government has no economic responsibility. It is the other tiers of government that perform all economic functions. In a centralized system the federal government performs all economic activities of the public sector, without the other tiers of government participating. However, in practice, there is nothing like total centralization or total decentralization.

The degree of fiscal decentralization is dictated by economic, political, historical, and geographical as well as cultural factors.

In a decentralized fiscal system, portions of total revenue collected and expenditures are allocated to both the state and local government, "The degree of decentralization is the extent of independent decision-making by the various arms of the government in the provision of social and economic services". (Anyanwu 1999).

It consists of the degree of autonomy of the state and local government in carrying out various economic tasks (Ekpo and Ndebio 1996).

(Anyanwu 1999) argues that decentralizing taxing is not as compelling as that of decentralizing public service delivery. Lower, level taxes can introduce inefficiencies in the allocation of resources across the federation and cause inequalities among persons of different jurisdictions. Similarly collection and compliance cost can increase significantly. He posits that taxes on mobile factors/resources should be left at the centre, so as not to interfere with efficiency of the economic union through distortions in the market, or some states engaging in wasteful policies. For these reasons, to ensure national equity, taxes with redistributive consequences should be retained at the centre to avoid arbitrary differences in redistributive consequences for residents of different states.

On the fiscal need, it is argued that revenue means should be matched with revenue needs as much as possible. While those "tax instruments intended to further specific policy objective should be assigned to the level of government having the responsibility for such services" (Anyanwu 1999).

On administrative cost, the argument is that the trade-off between increased economic costs from decentralization taxing responsibilities can be mitigated by the fiscal arrangements that exist between levels of government; while the system of transfers can rescue the fiscal inefficiencies and inequities that arise from different fiscal capacities across states and local governments.

Certain principles have been advocated on how the expenditure pattern should be. Some of them are geographical dimensions of benefits, stabilization and equity, derivation /ecological

benefits, and economies of scale and spillovers. There is this assertion that fiscal centralization is intended to reduce to the minimum the distorting effect of autonomous taxing, borrowing and spending powers of the state and local governments. While some people believe that in a federal system diffusion, rather than centralization of fiscal activities accelerate the rate of growth.

REVIEW OF REVENUE ALLOCATION FORMULAE IN NIGERIA:

In Nigeria, the fiscal structure developed is the economy, politics, constitution, social and cultural aspects of the nation. We progressed steadily from unitary to a federal type of government. The fiscal structure underwent a gradual metamorphosis from the colonial arrangement when Nigeria was divided into three sections:

1. The Colony of Lagos
2. The protectorate of Northern Nigeria, and
3. The protectorate of Southern Nigeria.

Each of this set up enjoyed complete fiscal independence. However, in 1914, When the Southern and Northern protectorates were amalgamated and the colony of Lagos was merged with Southern protectorate, the fiscal system underwent some modifications. Thus, the budget for the whole of Nigeria was centralized up till 1926.

When the Northern, Eastern and Western regions were created, after the Richard Constitution in 1946, the Sir Philipson commission was set up to look into the issue of revenue allocation in 1946. The recommendations of the Philipson commission of 1946 marked the beginning of a decentralized fiscal structure in Nigeria. It also marked the beginning of adoption of the principle of derivation in sharing revenue among the regions. The principle of derivation was the sole recommendation of the commission.

During the colonial period four revenue commissions were set up to look into the issue of revenue sharing taking cognizance of the existing structure at that time. These commissions. were the:

Sir Phillipson commission in 1946
The Hicks-Philipson commission in 1950
Sir Louis Chick Commission in 1954, and
Sir Teremy Raisman in 1958.

During the period, immediately after independence, what was considered most in revenue allocation was the principle of derivation and need. Derivation means the State share of the central revenue is proportionate to its

contribution to federally collected revenue. The principle of need means that each state is given the amount of revenue that is deemed commensurate with her needs. However, the principle of derivation has been a thorny issue of inter-governmental fiscal relation in Nigeria. The Binn Commission of 1964 rejected the principle of derivation and need, it adopted the principle of regional financial comparability, continuity in government services and maintenance of minimum responsibilities.

The Dina Commission of 1969 altered the principles. Rather 50 percent of the revenue was to be shared on the principles of population and 50 percent on equality of state. Many people kicked against this principle on the ground that it was prone to abuse.

The Federal Military government rejected the Dina Commission recommendations. It enacted degree 13 of 1970, modifying the recommendations. As a follow up, in 1971 the federal Military government promulgated a decree which "vest the ownership of and title to the territorial waters and the continental shelf on the federal military government. Therefore all royalties, rents and other revenues derived from or relating to the exploration, prospecting or searching for or mining or working of petroleum in the territorial waters and the continental shelf shall accrue to the federal military government (Ekpo and Ndebio 1996).

This was the beginning of the controversial on-shore-off-shore oil dichotomy that was to generate a lot of acrimony between some state governments and the Federal Government. It was abolished grudgingly by the Babaginda administration in 1992.

Another commission was set up in 1977 headed by Professor Aboyade after the division of Nigeria into a nineteen state structure.

The revenue allocation formula recommended by the Aboyade commission was shared thus:

Federal Government	57 percent
State Joint Accounts	30 percent
Local Government	10 percent
Special grants account	3 percent

The commission recommended the following criteria to be adopted in sharing revenue for the state joint account

Equality of access to development opportunities	0.25
National Minimum standard for national integration	0.22
Absorptive capacity	0.20
Independent revenue and minimum tax effort	0.18
Fiscal efficiency	0.15

It also recommended public ownership of mineral rights. The tiers of government were allocated tax problems and functions.

All revenue collected by the Federal Government (except personal income tax from armed forces, external affairs and the new federal capital territory) should be shared among the federal, state and local government.

This recommendation was greeted with severe attack from several quarters. In 1979, another commission headed by Dr. Pius Okigbo was set up. The recommendation of this commission was declared invalid, null and void and of no effect whatsoever by the supreme court of Nigeria in 1981.

The parliament immediately passed into law another revenue sharing formula in 1982. The formula recommended as follows:

Federal Government	53 percent
State Government	35 percent
Local Government	10 percent

The 35 percent meant for the states were shared as follows:

Out of this 30.5 percent were distributed thus:	
Minimum responsibility of state	40 percent
Population	40 percent
Social Development Factor	15 percent
Internal Revenue Effort	5 percent

For the remaining 4.5 percent; 3.5 percent went to mineral producing states out of which 2 percent was shared on the basis of derivation while 1.5 percent was administered by the federal government on ecological problems. It was the first time that the local governments were given a direct allocation from the federation account.

There was a change in the 5 percent payable to mineral producing states in the ratio shown above to revenue from mineral production instead of the entire federation account.

In 1987, revenue sharing formula was altered again by the federal military government and the following formula was adopted.

Federal Government	55 percent
State Government	32 percent
Local Government	10 percent
Special fund	2.5 percent
Mineral producing state	1.5 percent
Ecology	1.0 percent

In 1988, another revenue allocation commission was inaugurated under the chairmanship of General T. Y. Danjuma. This commission was to remain a permanent revenue sharing commission. The modified version adopted by the federal government was as follows:

Federal Government	50 percent
State Government	30 percent
Local Government	15 percent

Special funds	5 percent
Under the special funds:	
Federal territory	1.0 percent
Stabilization	0.5 percent
Derivation	1.0 percent
Mineral producing areas	1.5 percent
Ecology	1.0 percent
Horizontal Allocation formula introduced in 1988, enjoyed the longest application by the federal government. It was used till 1993 when the formula was altered. The horizontal Allocation formula was shared as follows.	

Equality of states	40 percent
Population	30 percent
Social Development factor	10 percent
Internal development effort	10 percent

The federal government share was reduced to 48.5 percent, the state share was also reduced from 30 percent to 24 percent. The local government share was increased from 15 percent to 20 percent while special fund allocation increased from 5 percent to 7.5 percent.

The federal capital territory derivation and stabilization funds remained at 1.0, 1.0 and 0.5 percent respectively. Allocation to the development of mineral producing areas and general ecology were increased from 1.5 percent to 3.0 percent and from 1.0 to 2.0 percent respectively. From this time on, there has been no new "real" revenue Allocation Commission set up; there has been however only some minor adjustments here and there; some even unannounced by the government.

COMMENTS ON REVENUE SHARING CRITERIA:

THE PRINCIPLE OF DERIVATION.

This criterion was first used in Nigeria. It was introduced by the Philipson Commission in 1946. The Chicks Commission of 1950 also adopted the derivation principles as well.

However, derivation criteria was gradually de-emphasized over the years. In 1950, it was 100 percent, in 1975, it was 20 percent, in 1991, it was just 2 percent.

ADVANTAGES

1. Derivation principle promotes efficiency; each state or region struggles to generate more revenue since they know that their share of the revenue is a function of their ability to generate it.
2. It promotes the production of export crops.
3. It promotes efficiency in resources allocation. Every state struggles to produce those goods that are in high demand and have some comparative advantage.

4. It is equitable in that those who contribute much also receive much of the revenue; those who contribute less also receive less as their share.
5. According to Sir Philipson, it trains the regions (states) in the art of cutting their coat according to their cloth and inculcates in them a sense of financial responsibility (Ekpo 1998)

DISADVANTAGES

1. Derivation principle aggravates regional disparity in revenue and income. The more endowed states develop faster than the less endowed states
2. It also aggravates national instability and disunity. It is better for a loose federation than closely knitted federation. The poor states are always suspicious of the rich. This generates disharmony and acrimony
3. It works well where there is reliable statistical data which ensure transparency and reduce supervision and fraud
4. There is always instability in the revenue position of the states especially in an agricultural economy. The revenue rises with a good terms of trade and falls with it.

THE PRINCIPLES OF NEED

This seems to be a very popular criterion and it has been consistently used by the various commissions with varying emphasis. It means state receives from the federal purse according to its individual need. Population may equally be a variable in the need matrix.

ADVANTAGES

1. The principle of need is easy to compute in that we can know the population of each state from the census figure (if figures are not falsified during census)
2. It promotes equity and even in the distribution of income
3. It reduces social disharmony in that every body is catered for on the basis of needs.

DISADVANTAGES

1. The principle of need is a qualitative index and prone to subjective interpretation and manipulation.
2. In Nigeria, there is no reliable population figures that should be used as an effective revenue sharing index.
3. The more productive states or regions are cheated; and this may impair economic development.

BALANCE DEVELOPMENT

This criterion means that no state should be so strong financially or so developed economically as to constitute a threat to other states. This means that disparity in income levels among the states should be minimal. The issue of balanced development has been emphasized by all the revenue allocation commissions.

ADVANTAGES.

1. It promotes national unity, if it is well articulated.
2. It removes disparity among the states and promotes healthy competition in the states.

DISADVANTAGES

1. There is no acceptable index to measure level of development
2. There is near absence of data in income per state.

For now, we are using primary school enrolment as proxy for social development.

Whereas, this is a multi-faceted matter, which includes health services, good water, road etc.

EQUALITY OF STATES

What this means is that each state has equal minimum government responsibilities and therefore, should enjoy equal share from the federation account. This principle helps to offset the negative impact in those states not favoured by other criteria. It favours smaller states with minimum fiscal responsibility while penalizing larger states.

INTERNAL REVENUE EFFORT

This is sometimes called fiscal efficiency criteria or independent tax effort. This means that the more internal revenue a state can generate, the more it will get from the federation account. The question is, how do we measure this effort? First of all, we have to look at the potential taxable capacity. It is very difficult to measure this. Be that as it may, we have to encourage every state to generate more revenue. What would have been used should have been the previous year revenue effort.

This can be meaningful only if the revenue generating effort is efficient. In an efficient system. It penalizes states that have attained reasonable efficiency in revenue collection.

We have been toying with the issue of revenue sharing since 1946, and have refused to call spade a spade. We know what is correct and accepted world wide; but instead of doing what is just, we prefer to please those who held the

reigns of power and displease the geese that lay the golden eggs - the states from where the resources are got.

According to Onwioduokit (1998), what is important is overall increase in aggregate revenue collection. If it takes a bit of favouritism to cajole some states that are inefficient in revenue collection to increase their revenue efforts, the inequity is pardonable.

GOVERNANCE AND FISCAL FEDERALISM IN NIGERIA.

The federal government that is supposed to show transparency honesty and fairness of purpose as well as sensitivity to the plight of the people looks at the other way and pretends not to understand the genuine complaint of the states and local governments.

The issue is that even the purported allocation formulae are not strictly followed. Some states and local governments are cheated while some are favoured. The special funds are not effectively utilized for the purpose for which they were meant. Disbursement of these funds most often suffer delay due to bureaucratic bottlenecks.

The greatest problem of fiscal federalism in Nigeria is insincerity, lack of accountability, insensitivity and dishonesty.

Thus, lateness in disbursement is inimical to the welfare of the would be beneficiaries.

In fact, the number of revenue allocation commissions shows the absence of specific plans for the economy and its people.

Looking at the function of the various tiers of government and the revenue allocated to them, the lopsidedness in revenue allocation becomes very clear.

The 1979, federal constitution assigned the following responsibilities to each of the three tiers of government

- A. Federal government
 - i) defence and security
 - ii) foreign affairs
 - iii) inter-state and inter-national roads
 - iv) port facilities
 - v) railways
 - vi) airport facilities
 - vii) power supply
 - viii) communication
 - ix) higher education
- B. State government
 - i) higher education
 - ii) secondary education

- iii) Primary education (i.e. maintenance of standard, co-ordination, certification etc)
- iv) Urban/rural waste supply
- v) transport i.e. roads, bridges, water ways etc
- vi) housing
- vii) health
- viii) light infrastructures and industries
- ix) agriculture
- x) Town and country planning ie drainage, sewage, environmental sanitation.

- C. Local Government
 - i) sewage disposal and environmental sanitation
 - ii) primary education i.e. payment of salary of teaching and non teaching staff in primary schools
 - iii) maintenance of feeder earth roads.
 - iv) markets stalls
 - v) rural health (i.e. primary health care)
 - vi) Crafts and small-scale industries.

A look at the division of responsibility shows that most of the revenue generating aspects of these duties are with the federal government. While the non-revenue generating aspects are with the states and local governments. In fact, except defence, security and foreign affairs, all other duties given to the federal government are revenue-generating duties. Railways, airways, port facilities, power supply and communication are all sectors that, if well managed, should generate revenue for its maintenance and some to spare. Inter-state and international roads have tollgates that can generate revenue for their maintenance.

The constitution seems to have saddled the states with the responsibilities of providing essential social services which require huge capital outlay, but without reasonable prospect of generating revenue (Onwioduokit, 1998 10).

Higher education and secondary education do not generate funds to sustain the system. Urban/rural water supply is capital intensive whose returns on investment in Nigeria is negligible. The level of poverty and the essential nature of water supply is such that the states have to subsidize. The situation is the same for health services. Intra state and intra city roads have no toll gates and therefore generate no funds.

Town and country planning is very revealing of the incongruity in the shared responsibilities among the Federal, state and local governments. The state governments plan the urban centres and country sides. But the tenement rates derivable from erected physical

structures; if residential, are paid to the local governments and if industrial, paid to the federal governments. The state government gets nothing. In addition given the poor state of the environment, state governments are compelled to provide drainage and sewage facilities for the disposal of solid waste and, industrial effluents. This is capital intensive, yet the states have no statutory revenue sub-head to pursue the programme (Onwioduokit 1998:12).

The local governments are basically at the gaining end of the investment of the state government. In education and health, even the maintenance of these facilities do not bother them as payment of teachers' salaries have been taken away from them. It is our candid opinion that the local government should be upgraded in terms of adequate and well-trained staff, adequate funds and more responsibilities.

As said earlier, if sharing formulae were strictly adhered to, there might have been no agitation on this issue. Insincerity in disbursement remains a major problem in Nigeria.

RECOMMENDATION AND CONCLUSION

We recommend that:

- i) The government should adopt a revenue sharing formula based on justice, equity and fair play.

The universally accepted criterion is derivation principle.

- ii) More revenue should go to the states and local governments since these are where the actual development is to be carried out.
- iii) Some of the revenue yielding responsibilities should be given to the states and local governments so as to boost their revenue generating ability.
- iv) The federal government should be sincere in the disbursement of the funds. A situation where the federal government takes more than the existing formula is unacceptable, so also is a situation where some states get less than their due while others get more than their due.

We have been toying with the issue of revenue sharing since 1946. We know that revenue sharing is a very sensitive issue. It determines the strength and the kind of relationship that exist between the component states and the centre. It is the basis of development of every section of the nation. An unacceptable revenue sharing formula brings

about discontentment, agitation and instability; hence the need to put in place an acceptable revenue sharing formula. Once this is done, it will mark the beginning of real development and good governance in Nigeria. There will be less agitation and the level of contentment will be high.

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