



Some Comments on Federalism and the Agitations for Restructuring in Nigeria

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Abstract

Nigeria adopted federalism like most federations in order to accommodate its diverse ethnic and religious groups in a stable national polity. Ever since its adoption in 1954, it has been operating in both fiscal and political contexts. However, both contexts have engendered disaffection among its citizens manifesting in the calls for restructuring of the federation. This paper examined recent agitations for restructuring of the federation. Through a systematic examination of literature and existing records, it is observed that the current agitations derive from anomalies in federal practice. While there have been divergent views on the content and trend of restructuring that is advocated, it goes without saying that it lies at the root of political instability in Nigeria. The paper argued that recent agitations for restructuring has been deafening implying a strong disaffection with the status quo. It also argued that, what will be the outcome of the agitations is a function of ingenuity on the part of the government and sacrifice on the part of the citizens. It is thus recommended that the government need to thread with care in order to arrive at decisions that will be acceptable to many Nigerians. At the same time, citizens must be willing to make sacrifices in order for Nigeria to remain united.

Keywords

Nigeria, Federalism, Restructuring, Agitations, Pluralism

1. Introduction

Federalism is one of America's legacies to world political organization. This is because the system originated from the USA and has come to be the fad for most countries with considerable level of plurality. Implicit in this notion is that federalism is more adaptable to heterogeneous societies seeking to promote unity of the various diverse elements while at the same time preserving their diversities. Little surprise, therefore, that Long (1991) noted that it is a device for accommodating intra societal ethnic pluralism. Although Long had focused on ethnic pluralism, the scope of federalism traverse ethnic pluralism to include religious and linguistic pluralism. For instance, while countries such as USA, Canada and India are reputed for the plurality of their ethnic entities, Germany is battling with plurality of its religious elements while Nigeria had to contend with both ethnic and religious pluralities. The contention here is that federalism is a device for accommodating all forms of plurality in the society. This notion reflects the central thinking among scholars of federalism (Osaghae, 2016; Suberu, 2001; Jinadu, 1994; Dent, 1993; Elazar, 1987; Wheare, 1963; Livingston, 1952).

Although there is convergence of opinion in the ends of federalism, there still exist some variations among scholars in how federalism is conceived and to this extent, its conception is lacking in scientific exactness. For example, while Livingston (1959) viewed it in sociological terms as a system of maintaining unity in diversity by giving recognition to the various diverse elements in the society, Wheare (1963) conceived of it in a rigidly legal sense of a constitutional set up that divide power between a central government and a number of component units. But it must be

stated that although federalism may involve some sociological considerations as noted by Livingston, whatever arrangement must necessarily be within a legal framework hence, neither Livingston nor Wheare's conception can be jettisoned. These two conceptions form the hub around which other conceptions of federalism are built (Bulmer, 2017; Tella, Doho & Bapeto, 2014; Law, 2013; Muhammad, 2008; Muhammad, 2007a and 2007b; Muhammad, 2005; Watts, 2000; Zabadi and Gambo, 2000; Ojo, 1998). Thus, federalism may be seen as conceived by Elaigwu (2000) as a form of compromise in a multinational state between the determination to maintain a supranational framework of government which guarantees security for all in the state-nation or nation-state and the self-determination of component groups to retain their individual identities. Implicit in this definition is that federalism has an adaptive capability to problems of intra societal pluralism. Also implicit in this definition is that a federal state is characterised by constitutional division of powers and functions between the federal and the component units as well as autonomy for the units in some matters.

While federalism is desirable for heterogeneous entities, some conditions such as administrative capacity to run the system and the desire for union are necessary for its formation and sustenance. The desire for union may be informed by a host of factors that include a sense of military insecurity and the consequent desire for joint defense; a hope of economic advantage from union; geographical contiguity of federating communities; similarity of political institutions and; the existence of multiplicity of language, race, religion, nationality or other plural elements that needs to be accommodated in an overarching national entity. However, while all these factors are important in giving rise to a federation, the existence of astute political leadership to propel all other factors into crystalizing into a federation is essential. Indeed, the factor of political leadership is what gives life to other factors in forming a federation. Perhaps this why Wheare (1963) and some others (Babalola, 2013; Awa, 1976) noted that a great deal depends on the leadership or statesmanship at the right time for federation to be formed. It must also be stressed that having federal system in place is not enough but conscious efforts must be made towards its sustenance. This drive has led to avalanche of postulations on the sustaining elements of federalism. In other words, it is not enough to fulfil conditions for the establishment of a federation but there must be conscious desire for its maintenance by both leaders and followers. Some of the sustaining principles of federalism include absence of marked inequality among the component units in terms of wealth (financial and economic resources), population and landmass; adequate constitutional division of powers both on the horizontal and vertical levels and; an ideological commitment by leaders and followers towards sustenance of the federation. Indeed, the factor of ideological commitment seems most essential because there may be new impulses, new trends and conflicting demands from various units in the federation. Where there is no ideological commitment, therefore, such conflicts are likely to disrupt the operation of the system. Herein lays the Nigerian malady.

Owing to perceived anomalies in the operation of the system or failure of some essential elements in its sustenance, federalism has really not proved to be the magic wand that Nigerians expected. Recent manifestations of disaffection by citizens with the practice of federalism have been expressed in persistent calls for "true" federalism or restructuring of the federation. It is against this background that this article, by relying on documented evidence in the practice of federalism in Nigeria examined issues in the operation of federalism in Nigeria and the agitations for restructuring in the country. It also examined the prospect of federalism in Nigeria in the context of the recent agitations for restructuring which have become so deafening and evoking different perspectives on the content and likely course of restructuring. What is apparent, however, is that the agitations have direct bearing with operation of the federal system in Nigeria. Aside this introduction, the rest of the paper is divided into five segments. First is a background to Nigeria's federalism and second is the practice of federalism in Nigeria noting its ups and downs. The third section discusses the impetus and dimensions of the agitations for restructuring while the fourth part made a prognosis on what the future holds for Nigerian federalism. The fifth part concludes the work.

2. Background to Nigeria's Federalism

Nigeria is a country situated along the coast of West Africa. Between early 19th century and its independence in 1960, it experienced colonial rule which gave it its heterogeneous character. Thus, even under colonial rule, the decision on a system of governance that will accommodate the multitude of ethnic and religious groups that made up the entity was not so easy for the colonial government. In an attempt to explain this situation, several lines of arguments have propped up. According to William H. Rikers (cited in Babalola, 2013) who believed in expansionist theory as prime motivation for the formation of federations, the expansionist ambition of Ghana and its then leader, Kwame Nkrumah, clad under Pan Africanism was the main external threat that informed the formation of the Federation of Nigeria. However, this position of Rikers has been dismissed by several scholars on Nigerian federalism such as Eme Awa, Anthony Birch and Eleazu on the grounds that nothing seems to suggest a correlation between Nkruma's pan Africanism agenda and the adoption of federalism in Nigeria and more so, Nkruma was still a student in the United Kingdom when Nigeria adopted federalism (Babalola, 2013). Indeed, it could also be added as did Awa (cited in Babalola, 2013) that the minorities' fear of domination by major ethnic groups in the country is a plausible factor that may have persuaded the nationalist leaders to opt for a federal solution. The thinking here is that the adoption of the federal system with its inherent decetralistion will help to address fears of economic and political domination expressed by Nigeria's minority groups.

Several other scholars have advanced reasons as to why Nigeria adopted the federal system of government. But while they are agreed on the historical factors that made the adoption of federalism compelling such as diversities in nationalities, religion, culture and resources (Watts 2000; Elaigwu 2000; Williams 1999; Okhaide 1992; Oyovbaire 1985),

they however differ on the political forces that propelled the historical factors in crystallizing into a federal solution. The plethora of arguments notwithstanding, adoption of the federal system in Nigeria can be seen on two pedestals. These may be classified into the internalist argument and the externalist argument. While the former symbolizes the preference of the nationalist leaders; the latter has to do with interest of the British imperialist.

The internalist argument located the political forces that propelled the historical factors into federalism in the nationalist leaders. This argument here is that realities of the country's historical past coupled with perceived economic advantage accruable from federalism as well as geographical factors made federalism attractive to the nationalist leaders before independence. The above factors were reinforced by growing suspicion and fear of domination by one group over another among the various units thus, it became appropriate to have a system of government that will grant units considerable freedom and autonomy in the internal governance of their people. This desire was found fulfilled in federalism since it is inherently decentralized and deconcentrated. The emphasis here is that, Nigeria's nationalist leaders have long before independence become convinced and separately reached a tacit conclusion that the country could only survive on the basis of a federal system. For instance, this was one of the arguments of Azikiwe (1943) when he canvassed for a federal commonwealth of Nigeria. It was also the arguments of Awolowo in his books published in 1947 and 1966 respectively. Similarly, Nigeria's first Prime Minister, Sir Abubakar Tafawa Balewa was reported to have argued the case for a federal option for the country (cited in Elaigwu 2000: 41-42). In essence, the 'internalist' argument is of the view that the nationalist leaders had an overwhelming preference for federation as a means of allaying fears of political and economic domination among the various groups as well as ensuring their right of self-determination. The British was thus merely rubber-stamping what Nigerians themselves desired.

The externalist argument on the other hand saw the adoption of federalism in Nigeria as externally motivated. Federalism is here seen as a British imposition which was to serve the political interest of the British alone. It is therefore nothing but a contrivance of British rule for the purpose of administrative convenience of the colonial state apparatus (Alapiki and Odondiri 1992). The argument of this school is that, even before 1954 when federalism formally evolved in Nigeria, the country had been a conglomeration of different subcultures administered unitarily. To have later introduced the federal system reflects nothing but the self-interest of the British (Alapiki and Odondiri 1992). Part of the argument is that contrary to the widely shared notion of achieving unity in diversity, federalism was introduced as a divide and rule strategy and to this extent, it was an 'abominable, disruptive and divisive British heritage' (Awolowo 1968:69).

Still flowing from this school are scholars who agreed that federalism in Nigeria was externally motivated but they do not share the idea of federalism as a divide and rule strategy but rather as a strategy for decolonization (Ayoade cited in Ojo 1998). Such a strategy according to Ayoade (cited in Ojo 1998) was either proposed to truncate the cost of colonial administration as in east and central Africa or to stem internal divisive tendencies as obtained in Nigeria. Yet, others have argued that the system was imposed on the country in order to maintain a neo-colonial state apparatus for effective control of the country after independence (Okhaide 1992). These arguments were hinged on the fact that the British colonialists had the opportunity to de-emphasize the particularistic tendencies of the different ethnic groups in the country but for personal reasons, they ended up creating 'structural imperfections to bedevil inter-ethnic relations after independence' (Okhaide 1992:545). That is, the adoption of federalism.

A synthesis of the internalist and externalist arguments above revealed that some objective factors made federalism desirable if the country is to remain united hence, one can hardly query the foresight of the Nationalist leaders who out of the desire for self-rule plus shared rule opted for the federal solution. Similarly, the British overlords could not have pretended not to know that it was the most appropriate for a heterogeneous society like Nigeria, though other considerations may follow. Added to this is that the British would not have adopted federalism in the country if circumstances had dictated otherwise. In other-words, adoption of federalism in Nigeria is neither an exclusive action of the British nor exclusive desire of the nationalist leaders alone but rather, it was a tacit desire of the two parties. This point was aptly made by Watts (2000:5) while describing popularity of the federal idea in the post 1945 period. Watts opined that,

...the creators of the new states approaching independence found themselves faced with simultaneous conflicting demands for territorial integration and balkanization. In such situations, where the forces for integration and separation were at odds with each other, political leaders of nationalist independence movements and colonial administrators alike found in the "federal solution" a popular formula, providing a common ground for centralizers and provincialists.

A pertinent question that derives from the preceding analysis is that, if mutual fears and suspicion of domination among groups, quest for self-determination, economic prosperity, desire for unity in diversity among other compelling factors had led to the adoption of federalism in Nigeria, why has these imperatives not been transcended many years after adopting the system? This calls for an examination of the content and practice of federalism in Nigeria.

3. Federalism in Nigeria: The Journey so Far

As noted earlier in this work, Nigeria formally began the practice of federalism in 1954 following the promulgation of the Oliver Lyttleton constitution. Ever since, it has been operating, like most federations, in the political and fiscal contexts. The political context concerns the structural division of the federation which saw it grow from three regions in 1954 to the

present 36 states, 774 local governments and a Federal capital territory in Abuja. Several reasons have been adduced for this structural division ranging from quest for a balanced federation, desire for national integration, spreading development and allowing for self-determination of groups among others (Adetoye, 2016; Eze, Elimian & Chinwuba 2015; Yongo, 2016; Alapiki, 2005). The fiscal context on the other hand relates to the mode of resource expropriation and distribution among the component units of the federation. It is instructive to note that in order to arrive at an acceptable formula for resource distribution, various sharing formulae have been operated by the country (see for instance, Orluwene, 2008; Onuigbo & Eme, 2015). Some of the bases of revenue allocation by the federal government to component units include ecology, derivation, internal revenue generation capacity of units among others. However, 'attempt to arrive at a national consensus on the revenue sharing formula in spite of several revenue commissions has hardly yielded any acceptable outcome' (Zabadi and Gambo, 2000). In other words, neither the series of structural division nor the series of sharing formula have made the attainment of national unity a *fait accompli* in the country culminating in the demand for restructuring of the federation.

It must be stated that past agitations for restructuring led to different responses from successive governments that include states and local governments creation and review of national revenue sharing formula among others. However, these attempts have not succeeded in curbing the agitations. Earlier manifestations of the agitations reflected in agitations by minority groups and ethnic militia groups using virulent and at times peaceful approaches to air their views. Not even the series of constitutional and political reform conferences organized by successive Nigerian governments doused the already heightened tension. Consequently, the agitations have become deep seated in the minds of Nigerians probably because each government often allowed it to fester for long before responding to it. Saliu (2017) was thus right when he observed that the agitations initially started on a low intensity but has expanded to include everything that has to do with the extant laws of the country to the extent that even initial critics of the agitations are gradually shifting their position from outright rejection to that of accommodation. Perhaps another explanation why the agitations were allowed to fester for long is that it is often seen as agitations by some militants and some civil society groups hence; it was usually not treated as a potent threat by the government. Recent dimension has witnessed pervasive agitations for restructuring not only from organised groups but also from many Nigerians. Irrespective of the form of agitations, what is apparent is that these agitations have been informed by anomalies in the practice of federalism in Nigeria. Such anomalies include issues of equity, fairness and justice, access to power by various groups, power devolution to states, resources distribution and control, security and over centralization of power among others. All these encapsulate the current agitations for restructuring in Nigeria.

4. Dimensions of Current Agitations for Restructuring

It is important to stress that restructuring is not a Nigerian phenomenon. Rather, it is a term that is applicable to virtually all countries with social, political and economic challenges that needs accommodation most especially, federal states that needs to balance existing cleavages with the desire to promote national unity. It is thus an attempt to find lasting or acceptable solution to the multitude of challenges confronting heterogenous countries in their quest for development. In a simple language, it could mean to organize something in a way different from how it was in order to make it more effective and efficient. In this way, restructuring is tantamount to reorganization or reform. When seen in this context, it will be realized that the need does not just come about but there are certain things that must be done differently in order to rejig a phenomenon for effective and efficient performance. Equally, restructuring does not need to affect the entire society but a part or parts of it. In other words, it is a phenomenon that applies to any social, political or economic aspects of the society.

In the United States of America (USA) for instance, several writings have emerged about restructuring in the American system. In what appeared to be a restructuring of the federal polity in America which began since 1952, Fallon (1991) noted that 'the restructuring of the federal union by Congress and several Presidents has resulted in the establishment of two rival hierarchies'(p23). This is because Congress with assent of the President has created new political categories with non-state status such as American samoa, the federated states of micronesia, Guam, the Marshall Islands, the Northern marianas, Palau, Puerto rico and the US Virgin Islands. However, unlike in the fifty states, the U.S. Constitution does not apply in full in these 'insular territories', while their relationship with the federal government remained ambiguous. Equally, their status greatly differ from the states' as well as in the scope of their political jurisdiction (Fallon, 1991 p. 23). It was on this basis that Fallon (1991 p.23) concluded that 'the "non-statehood" status of these territories is unconstitutional' and amounts to creation of rival hierarchies. Recent attempts at restructuring has to do with restructuring specific sectors of the society such as foreign relations, defense and Security sectors (Kaufmman, 1988/89; Oakley & Casey, Jr., 2007; Deptula, 2007) and; the business environment and economic sector (Cross, 2006) among others.

With regards to Nigeria, the practice of federalism was to achieve stability in the polity. As noted earlier in this work, previous attempts at restructuring include creation of more states and local governments and changing revenue allocation formula among others. Recent manifestations of agitations revealed that the hope of a stabilized polity remain dashed due to anomalies in the operation of the system. Agitations for restructuring of the polity and its entire political structure are a reflection of citizens' aversion to these anomalies. Indeed, so volatile is the agitation that even the government had no choice but to look in the direction. More so, it is beginning to gain the attention of a section of the

international community (see El Rufai, 2017). It is instructive to state at the out-set that there seem to be lack of consensus among the populace about what restructuring is all about. Rather, what is conceived of restructuring is a reflection of the individual / geo political zone's interest. Dori (2018) explained that this lack of consensus on the meaning and dimension of restructuring can be likened with the parable of the Elephant in which a number of blind men where describing the Elephant based on the part, they were able to touch. Thus, while to some it may mean devolution of more powers to the states, for some, it may be about resource control while others may think of decentralization or power shift among others.

Several perspectives have emerged in the restructuring debate in Nigeria. For some, it is an inevitable reality which Nigeria cannot run from. In other words, Nigeria is at risk of underdevelopment, democratic regression and lack of good governance among others unless it finds the courage to restructure (Jega, 2023; Obaze, n.d.). Consequently, the choice before Nigeria is to restructure by plan or by default. While a restructuring by plan will be collaborative, systematic, and redesign Nigeria; restructuring by default will happen when the cost of not restructuring far outweighs the cost of restructuring (Obaze, n.d.). Needless to argue that this approach tends to be combative.

For some others, it represents a distraction from issues of good governance. According to this view, good governance is the way out of the myriad of problems confronting the polity (Ambakaderemo, 2017). Saliu (2017) identified this group as status quo individuals who feel that the idea of restructuring is unhealthy for the country because nothing is inherently bad in the current system. They proposed attitudinal change among Nigerians instead of a complete physical restructuring. By taking issues involved in the agitation for restructuring such as marginalization, security and fairness among others one after the other, they concluded that the calls were not genuine but mostly informed by politics (Saliu, 2017). Therefore, rather than restructuring, maintaining the status quo and improving on good governance will be a way out of the quagmire.

While the debate was going on in the public arena, the All Progressives' Congress (APC) led government decided to engage the issue in perspective. More so, it was a major issue of campaign by the party before the 2015 election under the nomenclature of "true federalism". As noted by the then Party Chairman, Chief John Oyegun, the reform of the country's political structure, which was described as "true" federalism formed one of the major negotiating points by the parties that merged to form the APC. Consequently, the constitution of the party and its manifesto dwelled extensively on the promise of true federalism (Ugbede, 2017). It was in pursuant of this that the party inaugurated the committee on "true federalism" so as to open up the multifarious issues bedeviling the country for discussion. In volume one of its report, the APC committee on True Federalism summarised the demands by Nigerians as:

1. Devolution of powers i.e. reallocating the duties and responsibilities contained in the exclusive and concurrent lists of the Constitution to take decision making, in critical areas, closer to the people
2. Review in favour of states, the current revenue allocation formula to reflect the added responsibilities of sub national units i.e. state and local governments
3. Constitutional reconfiguring of the federation into the present six geopolitical zones as federating units. The idea is that the geopolitical zones will convert into federating units that are strong enough to drive the train of economic diversification with a less domineering federal government.
4. Review of the report of the national conferences that recommended far reaching constitutional reforms.
5. Review of the power of states over the extractive natural resources within their jurisdictions which are currently an exclusive preserve of the Federal Government, otherwise called resource control (APC, 2018a).

After getting inputs from Nigerians in the six geo political zones of the country, the committee submitted its report to the party's chairman with about 20 recommendations spanning states creation, merger of states, resource control, governmental system and referendum among others (APC, 2018a and 2018b).

In spite of the fact that the recommendations were oriented to trigger both actions and further national consensus building towards ensuring lasting solutions to the country's problems, there were both positive and negative reactions across the country to the report. For example, while the APC had maintained that there have not been rebuttals of the recommendations of the committee and instead, a lot of hysteria and disbelief that a party in power at the centre is proposing true federalism (Nda-Isiah, 2018); the foremost opposition party, Peoples' Democratic Party (PDP), argued that the report was a ruse and that it is another ploy by the APC-led government to divert public attention from the woes of a worsening economy, unrelenting killings, corruption and the endless litany of afflictions occasioned by their years of dysfunctional governance (cited in Nda-Isiah, 2018). To them, therefore, it is deceptive that APC leaders who have consistently criticized any effort or action that spoke or have a semblance of restructuring or true federalism can suddenly wake up to champion the course of restructuring in Nigeria.

5. What the Future Holds

Federalism in Nigeria has come to stay. Although its practice has remained problematic, it can be said that Nigeria adopted federalism in the first place because it was a difficult country to govern. The current agitations for restructuring, therefore, may be seen as a continuation of the agitations for federal reforms. But one may pause to ask what happens if Nigeria eventually restructures or better still, what will be the dimension and implications of restructuring? What happens if the country is not restructured? All these points to the basic fact of what the future holds for Nigeria. As has been noted,

the need for restructuring is now inevitable given the deafening calls for it. Moreover, Ojo (2017) noted that Nigeria needs to be reinforced with integrative mechanisms if it is not to go the way of other federations such as former USSR. This justifies that restructuring is inevitable.

It may be argued that restructuring both in the fiscal and political contexts will bring Nigeria close to stability. This is against the background that current instability and agitations for restructuring in Nigeria can be traced to anomalies in federal practice. It therefore follows that some level of stability will be recorded if the agitations are taken into consideration. It must be noted that while the APC has opted to work towards the attainment of what it called “true federalism”, the content and dimension of the “true federalism” remains ambiguous. Equally, the question of what is true in “true federalism” has made the concept to be problematic. Moreover, true is translated to mean what suits each region. Therefore, if attempt is made to address some of the issues germane to each region, there is likely to be relative stability in the country.

Also, a restructured Nigeria that devolves more powers to the units will likely produce units that are more assertive, innovative and ingenious in the management of resources. It will help eradicate a situation where states are dependent on a central government for resources and to this extent, states rather than accede to virtually all positions of the central government will be able to assert their independence. Similarly, states will become more innovative in generating internal revenue because that will be the major determinant of a states’ strength. On the contrary, however, such move may violate the principle of federal stability enunciated by Mill (cited in Appadorai, 1974) because some states will be preponderant over others in terms of resource availability. In such a circumstance, the effort becomes counter-productive.

It must also be stated that restructuring in whatever dimension can lead to the emergence of new agitations. This is plausible given the fact that divergencies exist even among Nigerians on the nature of restructuring that is required. In other words, given the divergencies in the opinion of an average northerner to that of a southerner on the issue of restructuring, one should expect that different outburst may result from any attempt at restructuring. For example, it is a known fact that the creation of new states in Nigeria often lead to the emergence of new minority groups. Therefore, a restructure Nigeria can result in similar situation of new agitations. Also, where the issue of control of oil resources as advocated in the restructuring debate by some regions, for example, is acceded to, it may result in an unending agitation because of the concentric existence of the oil resource. While, it is the resource of a region, it also belongs to a state or group of states, it in turn belonged to a local government or groups of local governments and so on. The agitations may therefore continue at the various levels resulting in more challenges over restructuring.

6. Conclusion

The paper examined the practice of federalism and the recent agitations for restructuring in Nigeria. It noted that restructuring is not a phenomenon that is peculiar to Nigeria alone as it is applicable to different political entities depending on the nature of their diversities. It also noted that while there are divergences among citizens in their conception of restructuring, it is an inevitable issue in the governance of the country as it is informed by anomalies in the practice of federalism. For this reason, even the government cannot close its eyes and ears to the deafening calls. The setting up of a committee to examine the possibility of a “true federalism” in Nigeria reflects the accession of the government to the restructuring agenda. But what will be the end of a restructured or not restructured Nigeria is a function of ingenuity on the part of the government and sacrifice on the part of the citizens. To this end, it is recommended that while the government needs to thread with care in order to arrive at decisions that will be acceptable to many Nigerian, citizens must also be willing to make sacrifices in order for Nigeria to remain united.

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