

RESTRUCTURING AS THE PATH TO PROSPERITY OF NIGERIA: A VIEW

Hilary Nwaechefu* Okunowo Oladele**

ABSTRACT

The modern debate for restructuring Nigeria's polity and geographical territory had been raging on for about a decade. The idea of restructuring Nigeria dates back to the pre-civil war era. The late Colonel Chukwuemeka Odumegwu Ojukwu, the then Military Governor of the defunct Eastern Region, advocated restructuring for the Country. The Nigerian Constitution 1999 did not recognise non-federal arrangements. Many well-meaning Nigerians have been calling for the restructuring of the country to set Nigeria on the right path to prosperity where the balanced interests of every section of the country will be well catered for, contrary to what obtains at the moment. The primary objectives of this paper are to identify the reasons why the Nigerian state should be restructured, the areas that need restructuring, the advantages and disadvantages of restructuring Nigeria and make recommendations. This paper approaches the problem via a non-doctrinal and qualitative approach, using textbooks, law reports, Internet sources, Newspaper publications and journals. The findings in this paper are that Nigeria political, economic and social structure need reconfiguration in line with the yearnings of the citizens so that Nigeria can be put on the path to prosperity among the comity of nations. This paper makes recommendations for state resource control, devolution of political power, state police economic and social emancipation of Nigeria to benefit all the federating units.



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Keywords: Constitution, Corruption, Decentralisation, Federalism, Restructuring

1. Introduction

The article is divided into several sections ranging from defining keywords/concepts to the meaning of key concepts. The reasons for the agitations for restructuring of Nigeria and then, the anticipated benefits of restructuring Nigeria, the purpose and theme of this research and solution/recommendations towards effective re-organisation. The clamour for the restructuring

* Lecturer, Faculty of Law, Redeemer's University, Ede, Osun State. Email: larryokeypg@gmail.com

** Lecturer, School of Communication and Liberal Studies Lagos State Polytechnic, Lagos

of Nigeria has become so topical that the discourse has attracted the attention and contributions of different stakeholders, such as Political scientists, Economists, Sociologists, Judges, Lawyers, and legal analysts. Notwithstanding the persistence of concerns and contributions of various stakeholders, agitations for the restructuring of Nigeria politically, economically and socially have continued to generate controversies. Journalists have been reporting views of eminent personalities on the subject matter. Many writers in the past and present have dwelt on this subject matter of the constitutional review and the need to restructure Nigeria since the amalgamation of Northern and Southern protectorate into Nigeria. Nigeria had practised a unitary system, parliamentary system, the presidential and federal system of government. Several individuals, socio-cultural and political groups have championed the agitations for restructuring Nigeria without any consensus about the new federation's pattern when restructured. When the question of restructuring of Nigeria was brought to public debate in the 2014 Constitutional Conference under the Goodluck Jonathan administration, the representatives articulated lots of views and suggestions in a report and submitted it to the Federal Government. In the light of all these, academics and other legal minded personalities have made valuable contributions towards constitutional reforms, and it is ongoing. The constitutional provisions of the Federal Republic of Nigeria 1999 have been an important reference point when there is a need to debate the restructuring of Nigeria. There is no doubt that a discussion of this nature will serve the immediate and future needs for setting Nigeria on the proper path into the true giant of Africa.

2.0 Conceptual clarifications

- i. Restructuring
- ii. Federalism

The Oxford Advanced learner's Dictionary¹ defines restructure thus:

To organise something such as a system or a company in a new and different way.

From the definition of restructuring supplied from the Dictionary, it is evident that restructuring is needed when a system is problematic or not working as desired. Those who call for the restructuring of Nigeria are saying or implying that Nigeria, as presently constituted and structured, is inadequate and therefore requires revisiting for overhauling while maintaining the unity in diversity of the country.

The Black Law Dictionary² defined federalism, thus:

The legal relationship and distribution of power between the national and the regional government within a federal system of government.

Appadorai³ gave a detailed description of federalism when he said: ' federal state is one in which there is a central authority that represents the whole, and acts on behalf of the whole in external affairs and such internal affairs are held to be of common interest; in which there are also

¹ A S Hornby, *Oxford Advanced learner's Dictionary* (9th Edn London Oxford University Press 2015)1322

² Bryan A Garner, *Black Law Dictionary* (9thEdn U.S. West Publishing Co., 2004) 686

³ A Appadorai, *The Substance of Politics* (11th Edn Oxford University Press 1968) 495

provincial or state authorities with power of legislation and administration within the sphere allotted to them by the constitution'.

In a country that practices true federalism, there is a constitutional division of governmental powers and functions between the central authority and the constituent authorities (referred to as states, provinces or cantons), so that by such arrangement, the component states have powers to make laws within their spheres of jurisdiction allotted to them by the Constitution. The constituent units have powers to interpret their laws and enforce them within their territory. Similarly, the central or the federal government, as it may be called, has the ability to pass laws, interpret and enforce them. There is also the Constitution which is the basic law or the supreme law. Any Act passed by the central government or the state government which runs contrary to the constitution is *ultra vires* and therefore null and void. Any judgment of the state or federal government court must fall in line with the supreme law, which is the Constitution. None of the component units or the central authority can alter the Constitution except as provided by the Constitution; hence the Constitution of a federal country is usually rigid. The summary, therefore, is that a Federal system must necessarily have divided powers, a supreme Constitution and courts of law to interpret and administer justice. The United States of America, Australia and Switzerland provide good examples of federalism.

Some factors that bring about a federal arrangement include the desire by different political units to become united and prosperous and increase their strength and might to ward off any powerful country that may threaten their security and independence. If the separate units that formed the federation were strong enough and self-sufficient, there would be no need to sacrifice their identity and form a union. When such a federation is formed, it creates the advantage of pulling resources together and removing trade barriers, thereby establishing a more robust and formidable polity. However, as Appadorai puts it, the component states' desire to preserve their independence in all but essentially common matter is a precondition for this form of political organisation. Federalism is a desirable constitution only for a body of states which desire union and promote unity in diversity.⁴

As compelling as the reason for a federation may appear, federalism comes with an unsatisfactory division of powers. In all federalism, common interests are left for the central government, including currency, defence, maritime, and external relations. Other items that are of varying degrees of relevance to the component unit are usually left in the jurisdiction of the federating states. These items include education, health, agriculture, property etc.

3.0 The Agitations for Restructuring of Nigeria

In Nigeria, there have been agitations that power-sharing between the Centre and the states are highly lopsided, wherewith the federal has too much dominant position over the states. In a typical federation, the states and the national government ought to be independent in their allotted spheres. Still, the Nigeria federation appears to have no visible distinction in spheres of power in spite of the exclusive and concurrent lists. A federating state ought to have independence in legislation, administration and finance and resource control within its territory. This lopsidedness in power-sharing in Nigeria is understandably creating prolonged military

⁴ *Ibid* 498

incursion into politics before returning to civil rule. Lopsided power-sharing has been the bane of Nigerian federalism and is also the source of a series of agitations for restructuring in Nigeria. Agitation for the restructuring of Nigeria polity and attempted secession were all reasons why the Nigerian government should take steps at restructuring the country since the government wants to preserve the unity of the country.

We have reasonably discussed the concepts of federalism as it affects Nigeria. Nigerian style of federalism appears unsatisfactory, leading to agitation for restructuring and even secession or disintegration. There are obvious reasons for disaffection and disillusionment in the Nigerian federal structure, which is why many people and well-meaning citizens feel the need to restructure the federation even though some Nigerian leaders think otherwise.

4.0 Reasons for Agitation for Restructuring of Nigeria

It is appropriate at this juncture to discuss some salient reasons adduced by agitators for restructuring.

(a) Too much power in the Central government caused by the inappropriate constitutional arrangement

The power of the Legislature to make laws under the Constitution is divided into two major parts: the exclusive list and the concurrent list. The argument is that the items in the exclusive list are too many and made the federal government unduly overlord to the states that made up the federation, thereby causing disaffection and agitation for the restructuring of Nigeria. The National Assembly, the federal legislature, has the exclusive power to legislate on items under the exclusive list⁵. Following the provision of section 4⁶, the distributions of legislative powers take the following arrangements, which are spelt out below:

- i. The National Assembly has exclusive powers to legislate on the matters under exclusive list;
- ii. The National Assembly and the Houses of Assembly can legislate on items under the Concurrent legislative list, but where the federal legislation and the state legislation conflict, the federal Act prevails over state laws, and the state law shall be void.⁷
- iii. The State House of Assembly has powers to legislate on matters not provided under the exclusive list

To further show the federal government's overbearing powers on the state government in the lopsided federal structure in Nigeria, the National Assembly has 66 items mentioned explicitly under the exclusive legislative list⁸. The concurrent legislative list⁹ contained few items that touched on education, tax, agriculture, Archives, cinematograph films, science and technology

⁵CFRN 1999,s 4 (3)

⁶*Ibid*

⁷*Ibid* s 4 (5)

⁸*Ibid*, s 4 Second Schedule Part 1of the Constitution of the Federal Republic of Nigeria 1999

⁹ Part 11 section 4 of the constitution of the Federal Republic of Nigeria 1999

and few minor items. In contrast, the exclusive federal list of most relevance. The states Houses of Assembly are just marginal partners in progress, as their powers under the concurrent legislative list are weakened further because the state's laws become void when it conflicts with that of the National Assembly¹⁰. To bolster the inappropriate federalism operating in Nigeria, a look at the third tier level of government, the local government, will reveal the relegation of that tier to the background. We could see that the Local Councils or Local Government Areas were created to make considerations and then make recommendations to the state Commission on Economic Planning and Development.¹¹This weak third-tier local government system is inadequate for federalism in with diverse interests to protect. If one takes a careful look at the functions and powers of the State Houses of Assembly as highlighted above, it would not be wrong to conclude that the current federalism as operated in Nigeria shows over-concentration of relevant and meaningful powers into the national authority with little powers and functions merely extended to the states and local governments using the constitution as a weapon.

(b) High rate of poverty in Nigeria

Poverty has been defined as a condition that exists when a person lacks the means to satisfy life necessities¹². Poverty is also defined as a multi-dimensional phenomenon influenced by many factors, including lack of access to income-earning and productive activities and essential social services¹³. Poverty reduces the social and psychological prestige of its victim.¹⁴Mass poverty, as experienced in Nigeria, is a significant factor for various crimes: terrorism, Fulani herders killing, kidnapping, human trafficking, armed robbery, arson and other security challenging situations in Nigeria.¹⁵ The authors submit that if the country is restructured politically and economically, and the resources are equitably distributed, poverty will be minimised even if it cannot be eradicated. The National Bureau of Statistics (NBS) stated that about 112 million Nigerians (representing 67.1 percent of the country's total population) now live below the poverty level, with global poverty put at one billion marks.¹⁶The United Nations Report on Nigeria's Common Country Analysis (CCA) describes Nigeria as one of the world's poorest and unequal countries, with over 80 million of her population living below the poverty level. The UN Report describes the poverty level in Nigeria in the following complex sentences¹⁷:

Nigeria is one of the poorest and most unequal countries in the world, with over 80 million or 64% of her population living below the poverty line. The situation has not changed over the decades but is increasing. Poverty and Hunger has remained

¹⁰ibid(n5)s4 (3)

¹¹ibid(n5),Fourth Schedule s 7 (7) (a)

¹²Awolowo, O .: “*Path to Nigeria Greatness*” (Enugu: Fourth Dimension publishing Co. Ltd, 1981) 76

¹³Kankwanda, M.: “*Poverty eradication: West African Stands*” (London, Economica, 2002) 3

¹⁴ Anger, B.: “Poverty eradication:, Millenium development goals and Sustainable Development in Nigeria ” *Journal of Sustainable Development*, vol. 3, No 4 (2010) 138-144 @ 138

¹⁵ ibid

¹⁶ Opejobi, S.: “Nigeria One of the Poorest Countries in the world, over 80m Living Below Poverty Line-UN Report”, <http://dailypost.ng/2016/09/05/Nigeria-One-Poorest-Countries-world-80m-Living-Poverty-Line-un-report/> >accessed on 1 April 2020

¹⁷ ibid

high in rural areas, remote communities and among Female-headed household and this cut across the six geo-political zones, with prevalence ranging from approximately 46.9 percent in the South-west to 74.3 percent in North West and North East.¹⁸ In Nigeria, 37% of children under five years old are stunted, 18 percent (18%) wasted, 29% underweight and overall, only 10% of children aged 6-23 months are fed appropriately based on recommended infant and young children feeding practices.¹⁹

Poverty, therefore, is a significant reason for various agitations for the restructuring of Nigeria and the quest for the disintegration of Nigeria. There is no country ravaged by this level of poverty described above without the citizens revolting, a reaction to the pain they face daily.

(c) Insecurity threatening lives

According to Chambers Dictionary, to be insecure or feel insecure means not safe or protected²⁰. In our view, Nigerian citizens feel insecure and unprotected in the country. Over 1500 Nigerians were killed in 2020 as reported by Aljazeera, a News media outfit²¹. Even the law enforcement agents have also been killed extra-judicially by bandits. Premium Times News outlet reported that 13 police officers were killed in Zamfara State in the month of July 2021 alone.²² Boko haram has been killing thousands of persons in the Northeast of Nigeria²³ and we are of the view that they may kill more in future. Fulani herders had killed many citizens wantonly. As of 7th June 2020, Fulani herders had reportedly killed two thousand, five hundred and thirty-nine (2539) citizens of Nigeria.²⁴ All these unlawful killings occurred notwithstanding the constitutional provision guaranteeing security and welfare of the citizens. The constitution states as follows:

The security and welfare of the people shall be the primary purpose of the government:²⁵

¹⁸ *ibid*

¹⁹*ibid*

²⁰ Chambers Dictionary (20th edn, London A.M. Macdonald 1972) 812

²¹ <https://www.aljazeera.com/news/2020/8/24/more-than-1100-villagers-killed-in-nigeria-this-year-amnesty>>accessed 1 April 2021

²² <https://www.premiumtimesng.com/newsc/top-news/474483-police-say-13-officers-killed-in-zamfara.html>>accessed 1 September 2021

²³ <https://www.premiumtimesng.com/news/headlines/470476>

<https://www.premiumtimesng.com/newsc/top-news/474483-police-say-13-officers-killed-in-zamfara.html>>accessed 10 September 2021

²³ <https://www.premiumtimesng.com/news/headlines/470476-insurgency-has-killed-almost-350000-in-north-east-undp.html> >accessed 1 April 2021

²⁴ Opejobi, S (n 19)

²⁵CFRN (n5) , s 14(2) (b)

If this is the provision, one wonders why the destruction of lives and properties with impunity in Nigeria.²⁶ Citizens of Nigeria live in fear and have no peace of mind. Boko Haram terrorists kidnap citizens and kill soldiers. Recently, the Nigeria Defence Academy was reported attacked by bandits, where sixteen soldiers lost their lives²⁷. Since 2014, thousands of persons in Nigeria, particularly in the Northeast, have been killed by the dreaded terrorists²⁸. A former Governor of Borno state, Kahim Shettima Borno State had stated that the Boko haram sect was more armed and motivated than the military²⁹ Theophilus Danjuma, a retired lieutenant-general and former defence minister had also said that Boko haram sects had more capacity to gather intelligence information better than the Nigerian military.³⁰ Boko haram terrorists possess anti-aircraft missiles and other technological advanced weapons to destroy properties and kill in large numbers³¹. On 14-15 April 2014, the dreaded Boko Haram abducted 276 girls from the Government Girls Secondary Chibok in Bornu State, Nigeria³². Not all the girls had been released to date.

The Niger Delta Avengers and the Movement for the Emancipation of the Niger Delta have heightened insecurity as these two militant groups had from time to time blown up oil pipelines using dynamite and causing panic and tension among the populace in the area and Nigerian general, causing economic tension all over the country.³³

Kidnapping has been a significant security challenge in Nigeria. Insecurity has grown to the point that travellers are accosted and kidnapped from the vehicles and taken hostage until ransom is paid. Recently an eighteen (18) passenger bus heading for Lagos was forced to a halt at Idoani-Ifira highway in Akoko South East Local Government Council area of Ondo and the eighteen (18) passengers were kidnapped by unknown gun bandits, but the passengers were later rescued by vigilante and hunters³⁴. People in business are kidnapped for ransom, and some are kidnapped for ritual purposes. In Osun State, one Mutiat Alani was kidnapped by two siblings and the incidence was reported to the police and the phone line of the victim was traced to a vulcanizer who eventually led the police to the culprits and they were arrested. Several

²⁶ <https://www.premiumtimesng.com/newsc/top-news/474483-police-say-13-officers-killed-in-zamfara.html>>accessed 1 September 2021 (n22)

²⁷<https://www.france24.com/en/africa/20210825-niger-army-repels-boko-haram-attack-says-16-soldiers-killed>

²⁸ Warner, Z.: “ the sad rise of Boko haram”, *New Africa* 516, pp. 38-40

²⁹ <https://www.brookings.edu/blog/africa-in-focus/2016/02/29/re-evaluating-the-boko-haram-conflict/> accessed 1 September 2021

³⁰ *ibid*

³¹Maingangwa, B.: “Baptism by fire: Boko haram and the reign of terror in Nigeria”, *African Today*, vol. 59, No.

2 (winter 2012), pp. 41-57 @ 41

³² “Scores of girls missing after Boko Haram attack on Chibok school,” www.punching.com> Accessed 1 April, 2020.

³³Uwasomba, C. &Alumona, V.S.: “Militancy in the Niger Delta and the Deepening Crisis of the Oil Economy in Nigeria “,[2013] Vol. 38, No. 3-4 *African development / Afrique et development*, 21-32 @ 21

³⁴ Vanguard Newspaper (Lagos 11 September 2021) 1 & 4

corpses were recovered from the ritualist den.³⁵ The tension kidnapping has generated in Nigeria is unprecedented. It appears that the insecurity situation has gotten to a frightening level.

One of the outcomes of such security inadequacies gave birth to the establishment of Operation *Amotekun* Corp by the six Governors of South Western Nigeria. The "Amotekun" security outfit is the Southwest Governors' Initiative for Self-Determination to provide security of lives and properties in the South West region of the country. These Governors were for the states of Ekiti, Ondo, Osun, Oyo, Ogun and Lagos States. *Amotekun* is a para-military outfit, the introduction of which complements the efforts of other security agencies. It is one of the many solutions proffered to the security challenges in the South-West part of Nigeria³⁶.

(d) Complaints of Marginalisation

Unequal distribution of resources and uneven development also gave rise to agitation for restructuring. By the constitutional arrangement of the exclusive legislative list, the federal government controls Mines and Minerals, oil fields, mining, geological survey and natural gas³⁷. Some geo-political zones, especially the Niger Delta region, feel that they are being marginalised in distributing the revenue from natural resources found and harnessed by the Federal government³⁸ leaving their environment devastated without remediation. Under section 162 (2)³⁹, the federation's revenue shall be paid into a distributable pool Account. Following the Revenue Allocation Mobilization and Fiscal Commission's advice, the National Assembly shall decide the proportion for allocation of revenue to the federal, state and local government. Following this arrangement, the states receive a derivation allocation of 13%⁴⁰ from the ratio of income derived from natural resources from its zone, in addition to the general revenue allocation. This is called the derivation principle. The agitation of the littoral states (Akwa Ibom, Bayelsa, Cross River, Delta, Edo, Ogun, Ondo and Rivers) is that there should be true federalism, by which states are to control resources in the jurisdiction rather than the federal government control these resources under the auspices of the exclusive list. The oil-producing states of the Niger Delta contend that the North had benefitted more economically from the national resources because the country leadership had been mainly under the control of the North since 1960; hence the Niger Delta complained of being oppressed and marginalised⁴¹.

³⁵ Guardian Newspaper (Lagos 9 December 2020) 1 & 6

³⁶<https://www.vanguardngr.com/2020/01/amotekun-were-considering-similar-outfit-m-belt/>, accessed 29

January 2020

³⁷Ibid (n5) Item 39 Exclusive Legislative List, part 1, second schedule

³⁸IJAH, VOL. 5(4), S/N 19, SEPTEMBER, 2016

³⁹CFRN (n5)

⁴⁰CFRN (n5) S 162 (2)

⁴¹IJAH (n 43)

(e) Corruption and underdevelopment

Achebe noted that corruption is a severe problem that cannot be swept away when Nigerian leaders are involved.⁴² Corruption has done great harm to the economy, causing inflation, scarcity and unemployment. Corruption is defined as "Depravity, perversion, or taint; an impairment of integrity, virtue, or moral principle, especially the impairment of public official's duty by bribery"⁴³. In Nigeria, Corruption has become pandemic like COVID 19, that nothing appears to be working anymore. According to World Transparency International, Nigeria ranks Number 146 least corrupt country out of the 180 countries by the 2019 comparative index.

Further, according to a report from the United Nations,⁴⁴ it was revealed that, of all Nigerians who visited a public office by the 2019 survey, 30.2 % offered a bribe or were asked to provide a bribe by a public service officer.⁴⁵ Corruption became so rife that out of the Nigerians who pay bribes, it was also discovered, paid bribes six times in twelve months.⁴⁶ It was further estimated that about 117 000 000 (One Hundred and Seventeen Million) bribes were paid annually in Nigeria, equating to 1.1 kickback by an adult in Nigeria.⁴⁷ There is an increase in bribery from 52% in 2016 to 63% in 2019.⁴⁸ Bribery and corruption have assumed an unprecedented dimension that corruption has become a usual way of life to the point that, if you fail to offer a bribe whether solicited or not, then you become awkward in the system. About two-third of bribes (67%) are given before a public official will oblige to perform his duties for which the government pays him from the taxpayers' money⁴⁹. Yet, the public servant insists on bribes being paid by the taxpayer before he can render services. The report under consideration revealed that, of all bribes paid in 2019, 93% was paid in cash.⁵⁰ It was also estimated that 675 billion Naira was paid in cash to public servants as bribes in 2019. An average Nigerian paid 6% of his annual income as a bribe to public service workers.⁵¹ A former Military Head of State, Late General Sanni Abacha was alleged to have looted three hundred and eighteen million US dollars (\$318M) and lodged same in the United States banks, which eventually was returned to the Nigerian government after the demise of the thief.⁵² Another three hundred million United States Dollars (\$300M) was also repatriated from new Jersey in United States, stolen by the Late General Sanni Abacha⁵³. Similarly, the Head of State looted money and hid it in Switzerland, the staggering sum of 2.2 billion US dollars⁵⁴.

⁴² Chuku Nwaze, *Corruption in Nigeria Exposed* (1st CSA control & Surveillance Associates publications 2011) 1-15

⁴³ Black's Law Dictionary Edited by Bryan A Garner ((Ninth Edn U.S. West Publishing Co., 2004) 397

⁴⁴ United Nations Office on Drugs and Crime (online report) Data Development and Dissemination Unit @<https://www.unodc.org.com>> accessed on 1 April 2020

⁴⁵ *Ibid.*

⁴⁶ *Ibid*

⁴⁷ *Ibid*

⁴⁸ *Ibid*

⁴⁹ *Ibid*

⁵⁰ *Ibid*

⁵¹ *Ibid*

⁵² <http://www.tradingeconomics.com>> accessed on 4 April 2020)

⁵³ *Ibid*

⁵⁴ www.theguardian.com> accessed on 4 April 2020

A careful observation of our discussion on corruption and unemployment will reveal a correlation between the two concepts. Where the proportion of funds meant for public investment diverted into private pockets, what will be left for investment to generate employment opportunities for the teeming youths? In the face of frustration resulting from prolonged unemployment, the youths in Nigeria were compelled to commit various crimes ranging from cybercrimes, ritual killings, and kidnapping to violent crimes. The insensitive government in Nigeria resorted to using police and other security apparatus of Nigeria to checkmate crimes instead of investigating the natural causes of such crimes and solving the same by creating jobs through new investments and expansion of existing ones. There are no funds because the funds which would have been used for job creation have been siphoned out of the country and lodged in Swiss accounts and other foreign accounts. If Nigerian leaders eschew corruption, then relevant funds can be used for investment. By the time the investments mature, it will create a multiplier effect on the Gross Domestic Product (GDP), and when added to the Net Income from abroad, the National Income will enlarge, and the Nigeria balance of payments will become favourable, instead of the deficit as it currently stands due to massive governmental corruption or enormous embezzlement of public funds. Embezzlement has its multiplier effects which include inadequate infrastructures, poor health care delivery, and poor road network, poorly equipped educational institution, poorly funded tertiary institutions and so on. Small and medium scale enterprises have been crippled due to lack of government support and a lack of enabling environment; consequently, unemployment worsens in Nigeria. Out of prolonged frustration without a solution in sight, Nigerians of different sheds began to call for restructuring of the country, including constitutional amendments to allow for devolution of powers, resource control, state police, and so on.

5.0 The Anticipated Benefits of Restructuring Nigeria

- i. Promoting the right to self-determination. If restructuring is well implemented, every geo-political section of the country will pursue its developmental policies and formulate its economic policies based on needs and resources available to them

The restructuring of the country will promote security and stability in Nigeria. If state police are allowed, states will recruit their indigenes that would police the environment in line with the cultural realities of the communities. "Nigeria must accept restructuring or dissolution"; this was a candid remark of a Yoruba born academic, Professor Banji Akintoye.⁵⁵ Akintoye argued that restructuring or dissolution was the best option of solving the socio-economic and political challenges bedevilling Nigeria.⁵⁶ Akintoye noted with sadness that the RUGA project pursued by President Muhammadu Buhari administration was designed to empower the certain people to oppress the natives where ever they settled.⁵⁷ He rejected the idea of RUGA in its entirety. RUGA was a project intended by the Buhari administration to create a grazing colony

⁵⁵ A former Head of Department of History at the Obafemi Awolowo University Ile-Ife Osun State, Nigeria

⁵⁶ 'Police decline to arrest Fulani herdsmen' *Punch Newspaper* (Lagos 15 September 2019) 12 -13

⁵⁷ *ibid*

nationwide for cattle herders. Akintoye called upon the people in the Southwest to support their Governors to defend the region. He maintained that the Federal Government was tacitly giving support and protection to certain interests nationwide.⁵⁸ Akintoye recalled an incident when a native farmer arrested the herdsmen who attacked them and handed them over to the police. Still, the police declined to arrest them, saying the police were not authorised to charge or prosecute the culprits.⁵⁹

ii. Promotion of rapid Economic Development via Resource Control.

Reacting to the possibility of Nigeria's economy developing if it is restructured, a former Vice Chairman, Senate Committee on Solid Minerals, Senator Boluwaji Kunlere⁶⁰ who represented Ondo South Senatorial District, explained how restructuring would bring about Economic Development. He said that if Nigeria is restructured, there would be no need for each component state to have more than three representatives' members and three senators. Kunlere maintained that would restructuring would prune down the government's cost. Many unnecessary Special Advisers to the government would vanish, and there would be enough money to invest in economic planning and development. Funds used in maintaining too many government officials would be saved and used to provide a steady power supply, right roads and other facilities that boost economic activities in the small and medium scale enterprises. Kunlere also explained that when true federalism is implemented, citizens of the federating units will hold their government accountable more than the present federal structure, where the government is distant from the people. Accountability would minimise corruption, and there would be money for development. The current system created loopholes for public funds embezzlement because the public fund was seen as free money. We suggest that, with resource control by the federating states, the state can harness its human and material resources and apply same according to its needs. The best arrangement is for the federating states to control and manage their resources and make 30% available to the federal government.

iii. Creation of surplus employment opportunities in every state in Nigeria

When restructuring is put in place, employment opportunities will abound by recruiting citizens into the state police and other security apparatus of the various states in Nigeria. Many states will set up small and medium scale industries from the resources generated internally in the states and, in turn employ thousands of youths and non-disabled men and women. Salaries and allowances paid to workers will be enhanced as a result of increased internally generated revenue.

iv. Cost of running the government in Nigeria will prune down. This will be achieved if the federal legislature is made unicameral instead of the present bicameral system with so many

⁵⁸ *ibid*

⁵⁹ *ibid*

⁶⁰Senator BoluwajiKunlere,' Nigeria should be restructured' *Punch Newspaper* (Lagos, 29 September 2019) 12

senators and Representatives to maintain. Each state should be represented by three honourable members only in a unicameral National Assembly.

v. If restructuring is fully achieved, a state will have its own police and other security apparatus to properly and sincerely protect lives and property in the state. Each state knows what number of policemen it needs to protect its population instead of the present arrangement where the federal has not adequately employed manpower to police each state adequately.

6.0 The Purpose and Theme of this Research

The purpose of conducting this research and the theme as can be seen from the discussion is to bring out the importance of maintaining or sustaining a well restructured Federal Republic of Nigeria where every section or region of the country will have a meaningful sense of belonging, devoid of marginalisation, and by so doing happiness and comfort of all citizens will be sustained. The present structure of the federal system of Nigeria can promote totalitarianism, autocracy, human rights abuses because of power concentration at the federal level. This is because there are too many items on the exclusive list of the Nigerian constitution. And as Lord Acton puts it, "power corrupts and absolute power corrupts absolutely."⁶¹ Human rights abuses can easily be perpetrated because; all security forces are controlled by the federal government alone. This lopsidedness in the federal constitutional arrangement prompted the various agitations for restructuring the polity, and even some groups are calling for secession borne out of frustration. It is necessary to conduct research into what causes agitations for restructuring and agitations for secession and proffer solutions to balance the conflicting interests in Nigeria. The novelty of this research can be seen in the suggestions put forward in the recommendation section, which, if implemented, will prevent future disaffection among the socio-political groups. These ethnic groups frequently call for the disintegration of Nigeria. Information and knowledge is power; hence this paper is meant to call upon the political leaders, traditional rulers and elites generally and the international community to take specified steps towards restructuring of Nigeria politically, economically and even socially, at the same manner preserving the unity in diversity of the country.

7. RECOMMENDATIONS

In order to stop the agitation for future restructuring and the rage for secession, we recommend the following:

- i. The National Assembly has 66 items under the exclusive legislative list. This arrangement must be revisited. We recommend that the exclusive legislative list should be reduced to just eight. The exclusive legislative list should exclusively include the following:
 - (a) Arms, ammunition and explosives.
 - (b) Military and external defence

⁶¹ <https://www.dictionary.com/browse/power-tends-to-corrupt-absolute-power-corrupts-absolutely>> accessed 7 September 2021

- (c) Conducting census
- (d) Creation of states
- (e) Currency Coinage and legal tender
- (f) External affairs, Diplomatic and consular affairs
- (g) Immigration into and emigration from Nigeria
- (h) Maritime, shipping and navigation.

Suppose the above restructuring arrangement is carried out, in that case, the Federal government will no longer control a larger portion of the national wealth, and the desperation for a politician to become President of Nigeria will reduce. The larger part of the nation's wealth will go to the states, to develop their states in line with local needs. The present ethnic battle to control the Centre will die down.

ii. Aside from the items mentioned above that should be under the Exclusive list, the rest should be in the Concurrent legislative list so that state governments can contribute significantly to the development of their respective states. Suppose there is conflict between the Federal Acts and the state laws in the Concurrent list, the state laws should prevail because the federal government is already enjoying the exclusive list items alone.

iii. Boko haram terrorists, herdsmen killers, kidnapers, human traffickers, armed robbery, arson and other security challenging situations in Nigeria must of necessity be addressed. Insecurity and wanton destruction of lives and property all over Nigeria breed feelings of disconnection and bitterness. These negative feelings propel the agitation for restructuring and agitation for secession in Nigeria. The government, at all levels, must wake up to their responsibilities to provide the masses security and happiness. We recommend resource control by respective states. Every state should control its resources in its territory, and 20% will be released to the Federal government. With such resources well exploited and harness, planning and investment will bring about growth and development; states will have enough funds to provide security and other infrastructures. Federating States will manage their resources and make 20% available to the federal government.

iv. We recommend the creation of state police, and it should be included in the concurrent legislative list. State police will provide grass-root security in Nigeria. Police officers from a locality know the terrain and can police the area effectively.

v. The National Assembly should be made a unicameral legislature to reduce the cost of governance. The State Houses of Assembly should remain unicameral to keep the cost of government low at the state level.

vi. The fundamental objective and directive principle of state policy under the present Chapter Two of the Constitution of the Federal Republic of Nigeria 1999 should be made justiciable so that the country's government at all levels will come

alive with its responsibility to the citizens. Good health, a healthy environment and good education must be a fundamental right of the people.

- vii. We recommend that the resources be diversified. The present dependence on the petroleum subsector must change to include other revenue-generating sectors so that the revenue base of the various levels of government will improve to provide security and infrastructure and thereby guarantee the happiness of all. Diversification into small and medium scale enterprises improves revenue base.

8. CONCLUSION

Agitation for restructuring and agitations for secession has been a commonly reported issue in Nigeria dailies. The debate on restructuring is not yet conclusive, and no constitutional review has been done; but discussions are on-going. There is a need for peaceful coexistence, security and happiness for all citizens in Nigeria. Regrettably, peace and security seem to elude Nigerians, which invariably calls for urgent action by way of restructuring the Nigerian federation and that is why we put forward suggestions for restructuring. If these suggestions are adhered to, it will indeed stem the tide of insecurity and tension generated by secessionist agitations. Nigeria will experience peaceful coexistence, security, prosperity and happiness for all. Failure to adhere to our restructuring recommendations will mean the denial of the right to self-determination with the attendant consequences.