

Nigeria Quasi Federalism: An Obstacle To Peace And Development In Nigeria

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ABSTRACT : *This paper explores the issue of unification federalism in Nigeria, which has been an obstacle to peace, development and threats to security .The findings from an extensive reading of related materials suggest that, the root of contemporary political conflict and underdevelopment in Nigeria political landscape shows clearly in the area of imbalance political structures that were established before and after independence. Thus, there is continuous agitation by many ethnic nationalities for a sovereign national conference in order to renegotiate the Nigeria federal deal to put Nigeria on the path of true federalism to guarantee her unity and co-existence. All attempts to solve these problems over the years have failed. The paper contends that unitary federalism in Nigeria is an imposition and extension of colonial and military entrenched inequalities in the Nigerian state. The paper suggested that fiscal and political restructuring as panacea for the instituted conflicts and underdevelopment caused by quasi federalism through ongoing review of the 1999 constitution*

KEY WORDS: *Nigeria, Quasi federalism, Obstacle, Peace, and Development*

I. INTRODUCTION

Nigeria unity is endangered and her development is likely to be continually stagnated with the skewed federalism that has been the obstacle to peace and security. The federating units of the state have been reduced to unviable units of development, while the federal government has withheld the stupendous resource that is out of proportion with her commitment. Federalism in Nigeria has been operating both in fiscal and political context. In the fiscal context, the constitution provided for three main legislative lists, namely: the exclusive for the federal government, the concurrent to be handled by both federal and state government and lastly the residual for the state government. 1999 constitution has on its exclusive legislative list 68 items against 12 items on the concurrent list, these explain why Nigeria has epileptic power supply, security challenges, poverty ridden society. Incontrovertibly, the problem of development in Nigeria is articulated by the constituent units by expressing their fears in the current arrangement of Nigeria federalism. The manner in which Nigeria federalism is being operated has made friction possible which is currently posing an obstacle to peace, threat security and development. Unitary federalism has impacted greatly on the country's political instability explicating on various perceptions of the system in Nigeria what is the continued relevance of the unitary federalism in Nigeria with conflict and contradiction experienced so far with the system and its attendant implications for political instability. Despite returning to democracy Nigeria remains unable to throw off the military yoke from its constitution and the practice of federalism in its true sense. As Nigeria approaches its centenary as a federation in 2014 and the issue of whether to continue as federation comes to the fore, or the federal system should undergo a review. Reflecting on the future of Nigeria following the unabated conflict in its entire social political and economic sphere shows clearly that there is a need for renegotiation of the entity called Nigeria to correct the mistake made 100 years ago. This paper has relied mainly on secondary data. The paper argued that the unitary federalism in Nigeria was a creation of colonial master and imposition of the military government

II. FEDERALISM THEORETICAL APPROACH

Federalism is one that divided power between the state and the national government. Each level is guaranteed certain right to exist so that the state will not erode the power of the national government or vice versa state to other states and national government cannot legally destroy the state. Bradat {2006 }. This means that the union is one and inseparable. Where 1963 conceptualizes federalism as a constitutional division of power between two levels of government which are Independent and coordinating in their respective spheres of influence. He stated further that constitutional division of power is important but not as paramount as independent and co-coordinating of the levels of government. Federalism as a system of government is where two levels of government exist each sovereign in its sphere of jurisdiction. "The federal or central level take

care of all those things that are common to the whole of the country while the other level of government (provincial, state or canton) has jurisdiction over those things that are local concern” (Belanga 2000). “Federalism as a form of government in Nigeria was the result of social forces at work within the country. It was not an attempt to realize the ideal of a model of government. Elaigwu (2005, p. 21) Nigeria federalism was created a political solution to the problem of regionalization and politics of ethnicity. The hegemonic political power between the north and south disintegrated them despite the amalgamation. In any federal system, sharing of power between the state and the national government is always a major cause of political instability. “With the granting of independence in 1960 all dirt swept under the carpet, surfaced. Nigeria was now beset by strings of stormy political problem which stemmed mainly from the lopsided nature of the political division of the country and the type of the existing federal constitution and the spirit in which it operated” (Obasanjo 1980 p.3). The concept of federalism is that there should be a separate and independent unit of government with no interference between governments in exercising the power in the area of constitutional competence. There should be supremacy of the constitution of all government and their actions. That is, their power should be derived from the constitution; one government is not inferior or subordinate to the other but rather coordinating. Federalism is not a master servant relationship; it is about legal equality among government in status. Federalism is about decentralization, it is sharing of power between central and component government to allow for the coordinating units to developments in their own peace. Federalism is about unity and diversity; it recognizes different ethnicity, religion, economy and cultural among all other things but recognizes the need to co-exist. The misconception about federalism is to believe that federalism is a form of government whereby the central government is supreme to all governments and can distribute national resources to others at its own whims and caprices, (kolawole, 2008). Be larger and Elagwu agree that federalism is usually in countries that display different climate, geography, religion, language, culture and economies, it is especially suited for multinational and multicultural state like Nigeria that wish to preserve these characteristics. The Stanford encyclopedia of philosophy stated that “federalism is a history or advocacy of federal political orders, where the federal sovereignty is constitutional by split between at least two territorial levels so that unit areas “citizen thus has political obligations to two authorities. For any government to be called a true, federal system it must have the following features as cited in (Enemno, 1999 in Dike, 2001 pg. 186)

Features of True Federalism

- Separateness and independent existence of each unit of government
- Mutual non interference between governments in exercising their power on person/property within the area of constitutional competence.
- Relative autonomous decision-making power and possession of apparatus for conducting i.e legislature, executive and judiciary.
- Legal equality among government in status-though not so great to be preponderant or reduce one or the other to relative importance.
- Supremacy of the constitution over all government and their actions
- The power to amend the constitution must not be reposed on either but both.

Federalism is an unsettled concept in Nigeria. This is evidence of the overwhelming dominance of federal government highly exclusive list. The exclusive control of resource item 39 on the exclusion list in the 1999 constitutional gives the federal government exclusive power to legislate on minerals, including oil and natural gas with the exclusion of the state and communities where these resources are found. “Each of the 36 states is so weak that its struggle with local government between being autonomous from and, at the same time being subordinated to the federal government in practically all major functions which the old regions were performing. By decree 21 or 1998, the military transfer virtually all power of taxation by the state and local government, thereby making the other tiers of government totally relies on funds from the sale of crude oil.” (Akande 2003).

III. IMPOSITION OF UNITARY FEDERALISM

After many years of various styles of military dictatorship, Nigerian for years became aware of the progressive deterioration. The military drafted 1999 constitution only to tailor Nigeria federalism towards the military tradition of concentration and centralization of power and authority. The unitary federalism in Nigeria called quasi federalism by Wheare has been as a result of imposition. It is a product of the British experiment in the political cloning” {Ayoade, 2003 }. It was Fredrick Lugard who brought amalgamation of the North and South in 1914. The two regions were amalgamated for the selfish interest of the colonialist rather proper political integration. After amalgamation, the two regions were separately administered thereby creating imbalance in their level of education, socio- political and economic. Against this background the amalgamation in 1914 had implanted the seed of discord that will mar its future political stability. Richard Constitution of

(1946) brain child federalism but the constitution was with some element of unitary. The Richard Constitutions institutionalized principle of regionalism though unitary in nature.

The constitution did not put into consideration the ethnic plurality of the country. Macpherson constitutions of (1951) made provision for federalism where the centuries over centralization of power was out rightly rejected by the delegates to the constitutional conference that held in Ibadan. Macpherson constitutions concretize the autonomy of the regions by providing for bicameral legislation for the North Region, Western Region and a unicameral for the Eastern Region. Nigeria Independent Constitution (1963) provided for stronger regions this is evident in the division of power between the center government and regions. 1960 to 1966 was said to be a better time when federalism as a model of government thrive. The regions were autonomous and viable then the military began to swing the pendulum from one military dictator to the other for until about 30 years. The military rulers, who did not enjoy the mandate of the people and not accountable to the electorate, through the tradition of central command and hierarchical structure has turned the table around from regional autonomy to dependent and unviable states. The heterogeneous nature of our society and military politicization of its diversity has been a factor in dividing and producing a fragmented society. "The Nigeria Federalism is characterized by strong unitary streaks as a response to almost three decades of military rule". Eliagwu (2005 PG.344)."It has a defect unitary and demure federalism under the military regime, the seed of atrophy and decay has been sown. The return of democracy in May 29, 1999 saw a strong demand for Sovereign National Congress (SNC) to resolve various issues that were given birth to by the military. President Obasanjo turns his deaf ear to this demand, only to be threatened by the pro national conference organization PRONACO's stands to hold sovereign national congress, and organized and emergency national political reform conference (NPRC). The national reform conference did not yield the desired result because it was hastily organized and the members were nominated rather than being elected. Ultimately a sinister agenda was suspected by the president for tenure elongation "third term agenda". Nigerian need to sit down and talk about the obstacle to peace and unity in Nigeria and to renegotiate the Nigeria Federalism as the only logical route for continued co-existence. Nigeria is in dire need of true federalism for her unity, meaningful development survival and externalization of her democracy. It is transparently conspicuous that there is no way Nigeria can unite and develop socio-economically without putting in place appropriate federal deal through constitutional review. The experiences of Czechoslovakia and Yugoslavia, where several nations were grouped together in each as a single country, resulting in ultimate disintegration one peacefully, the other violently, reveals that no power can force in a unitary polity several or many nations with different unique languages, history and culture. Only federalism by agreement may be tolerated and sustained". {Akande 2003}

Nigerians knew that true federalism as a system of government is the only solution to her unity, development and national integration. However if federalism is to be meaningful, it is germane that the basic tenet should be recognized and upheld. The survivability of Nigeria lies in her ability to uphold the tenets of true federalism. Federalism that undermines the independence and autonomy of its federating units will only bring about conflict and ultimate disintegration. However, the national assembly sees call for a sovereign national conference as unnecessary. This was summarized by the spoke person of the senate committee on constitutional review senator Ndoma Egba, he said that "We call on the proponents of a conference by whatever name it is called to feel free to submit their view to the committee. the committee reiterate the fact that there can be no other sovereignty that can be derived from the constitution .While the senate recognizes the right of Nigerians to hold opinions and freely associate, the insistence by certain quarters for sovereign national conference is untenable as there can only be one sovereignty " (NTA Network News 23 July 2012) However this may be another sour taste in the platform to review the 1999 constitution .It is doubtful if the national assembly will be able to achieve the total overhauling of the 1999 constitution if the section 9 of the constitution which spell out the mode of altering the provision of the constitution is not amended in order to pave way for the sovereign national conference that will be saddled with the task of crafting a new document that will meet the yearnings and aspiration the people.

IV. FEDERALISM AND STATE POLICE

The federal government monopolization of the Nigeria Police Force through the section 214(1) of the 1999 constitution is obvious. "There shall be a police force for Nigeria, which shall be known as Nigeria police, and subject to the provision of the section no other police force shall be established for the federation or any part thereof" The provision of the constitution has made it difficult for state police thereby leaving the governors with no police to enforce their autonomy at the state level. Nigeria police is caught in the web of federal political intrigue. This has led to the public having a continued negative perception of the force."Nigeria police is faced with the daunting task of correcting a long held public impression of the force as a brutal and corrupt organization. All effort at all levels notwithstanding, such widespread

misunderstanding and distrust by citizen still persists . Nigeria police force symbolizes corruption, incompetency, and exploiter, frustration, mean and dirty.

Nigeria since the police force has failed on effective communication, technological policing and the ability to monitor, evaluate and make early response to the high level security threat, Nigerians have lost their trust in it. The consensus opinion is that there is greater need for state police or neighborhood police that is local, visible accessible familiar, accepting and friendly .Nigeria has been a federation just as Australia, Brazil, Canada, Ethiopia, Germany India, Mexico, and Switzerland . There is no federal country in the world that does not have a state police except Nigeria .Even Britain that practice unitary system have an agency like Scotland Yard, Metropolitan police and many other community police agencies. If there is any country that deserve a state police it is Nigeria given her heterogeneous nature, her huge population and geographical spread. The Nigeria Governors Forum (NGF) gave its support for inclusion of state police in the ongoing constitution review .Their chairman, who is also the governor of River State, said “Why is that of all the countries in the world, it is only Nigeria that does not have a state police while Kenya is already down to local government police. The constitution should allow states that have the capacity to build their own police and those that lack the capacity to continue to rely on the federal police” (The Punch 17 August , 2012). In a swift reaction the Northern Governors Forum called an emergency meeting and dissociates itself from the consensus that called for the creation of state police. They hold the opinion that Nigeria is not politically matured for the creation of state police. One would imagine how will the zone that is laced with security challenges reject creation of state police. The argument that the state governor will abuse the creation of state police was laid to rest when the senate president David Mark during the senate retreat on the constitutional amendment in Asaba, Delta State said “ I was once against state police, but I have changed my mind. If the fear is that the governor would misuse it, they will leave office at most after eight years.”(NTA network news 23 July 2012). Taking the opposing view, the past Inspector General of Police in a meeting with the Mr. President of the Federal Republic of Nigeria cried against the creation of the state policies. They fear abuses by the state governor particularly during election.

Worse still, the state governors are said to be the chief security officer of their respective states while police is being controlled by the government at the Centre. The appointment police officials are made by the federal government to the state government having no input. The section 9 (4) and (5) of the police act cap 19, provides, “that the president shall be in charged with operational control of the force and the Inspector General shall be charged with the command of the force subject to the direction of the president”. Section 215 (11) 216 (2) “IGP” shall be appointed by the president on the advice of the Nigeria police council.” The over concentration of power and absolutist nature exhibit by the federal government has the consequence of peace and invariably erode the security of the nation. There are certain unfortunate consequences in the pattern of a centralized police. The Nigeria Police should be decentralized to enable it to respond to problems more effectively and promptly. Most especially rising of ethnic insurgency and the other security challenges such as political assassination and high rate of bank robbery, cyber crime etc. needs effective policing. The Nigeria police have found itself helpless in dealing with security situation in the country following the spate of bombing throughout the length and breadth of this country by Boko Haram, and Movement Emancipation of the Niger-Delta {MEND}. The argument that the state governors will use the state police to harass their political opponent is not Justifiable given the level of insecurity situation in Nigeria. As crime rate and insecurity in Nigeria continue to increase however, vita agency of government like the police should not be solely the business of the government at the Centre.

V. RESOURCE CONTROL, TRUE FEDERALISM AND THE NIGER-DELTA CRISES

True federalism is a mechanism for rapid socio-economic development in a country with diverse people in which resources are expectedly controlled by the state where they are deposited. The case of the Niger-Delta is one that has caught a sore in the eyes of Nigeria. The question is asked by all is why must we sacrifice on the altar of avarice, the goose that lays golden eggs. The conflict in Niger-Delta for many years has continued to pose a fundamental domestic challenge to Nigeria security despite promises to address instability in the area. The social discordance in the society and unrest in the Niger-Delta areas have caused many to call for a renegotiation of the Nigeria federal deals. If Nigeria were to be a true federal state, the individual state in the Niger-Delta area would have used the resources at their disposal to take care of their states. But then, there is social injustice and inequality within the society caused by the concentration of power in the center” (Orugboh, 1999 cited in Dike, 2001). The oil which is the major source of our national income is a blessing to the country and the states who are not oil producing but a curse to oil producing state. For instance, Annual Report on Human Rights (2000), said it all that basically the business of oil exploration has only one main and larger than life connotation to the people from whose land it is extracted. It is a definition of death and symbol of sorrow; it is the representation of poverty and the summit of dispossession. Towards addressing this problem, the Yar’

Adua led federal government announced the creation of a ministry of Niger-delta to show his administration's commitment to end problems of this oil rich state.

Some people see the gestures as a welcome development and a solution to the suffering of the Niger-Delta, while some people believed that another bureaucracy has been established as a way of encouraging corruption. Movement for emancipation of the Niger-Delta (MEND) argued that the creating of Ministry of Niger-Delta is not a solution to the problems of the Niger-Delta. What the Niger-Delta people want is simply true federalism with all its accompany ingredients which include resource control and abrogation of all obnoxious laws that deny them the benefits of the God-given resources in their land". The Yar-Adua administration, in order to end the unnecessary and unending insurgency in the Niger-Delta strikes an unconditional amnesty deal with Niger-Delta militants. Despite all the amnesty jamboree, it seems that there is no end in sight into the insurgencies in Niger –Delta. The militants are active and very much in the creek with new equipment to lunch attack on the petroleum and gas pipelines. The federal government should not see amnesty deal as a quick win to the Niger-Delta problem; the federal government should look beyond and avert the occurrence of the past. The view is that amnesty and creation of Ministry of Niger-Delta is seen as one of the half measures taken by the past government in their bid to develop the oil rich Niger-Delta. However, all the past attempts. Niger-Delta Development Board (NDDDB), River Basin Development Authorities, and Oil Minerals producing Area Development Commissions (NNDC) all have yielded little or no result. Edwin Clark (2008) has argued that the only sane way out of the drawn out Niger-Delta crises is for the federal government to return the country to true Federalism. It is obvious that for peace to reign supreme in Niger-Delta, government need to take a bold step to recognize that returning to true federalism, as it was practiced in first republic, is the only logical route; the minimum demand for peace in Niger-Delta is the enthronement of true federalism.

VI. FEDERALISM AND INTERGOVERNMENTAL CONFLICT

We need no further evidence that Nigeria is operating federalism,1999 constitution section 2(2) makes it clear. However, Nigerians are made to believe that federalism is a form of government whereby the central government is supreme to the other federating unit. Federalism in Nigeria is to be a shield to protect state autonomy and propel the progress and development rather than be a sword that threatens their essence and hamper their development. The Federal government power is too sprawling that it legislate on an issue that should ordinarily be on the residual list .It ventured into what it does not have business to do. The federal government having amassed virtually all power to it makes it have one axe to grind with the state governments. Referring to the creation of local government in Lagos State, the senate of Federal Republic has maintained the stand that unless the list of the 774 local governments in the first schedule, section 3, part 1 is amended, all the new local governments created is illegal. Lagos State approaches the Supreme Court. The court ruled that the state government had the power to create local governments and sent it to the National Assembly for constitutional amendment. But rather than assuage, this led to the federal government withholding the statutory allocation of the local governments in Lagos State until it reverts back to the old local government structure and to the Lagos State also approached the Supreme Court and the court declares that the federal government has no power to withhold the statutory allocation of its local governments. The federal government disobeys the court but Yar-Adua successive government later released the fund. The decision of the supreme court noted in the case of Attorney General of Lagos Vs Attorney of the Federation (2005) 2 WRN in the judgment delivered by Uwais then Chief Justice of Nigeria, held that "the law are valid but inchoate until the necessary steps as provided by the constitution are taken by National Assembly"(The punch July 29,9009 pg 21) Also the justice of the supreme court justice Iguh,

the Lordship held "that I have therefore no difficulty in coming to the conclusion that the Lagos State Government's Law No.5 of 2002 is unquestionably constitutional and having complied with the provision of sections7{1} and 8{3}of the constitution"{{The punch July 29,2009 pg 12} The Nigerian federal structure has made manifest certain fundamental contradiction. And, the contradictions are not without adverse consequence especially those bordering on peace and socioeconomic development. Minimum wages have caused a mixed reaction from state governments. It is argued that prescribing a uniform minimum wage for all workers in Nigeria will negate the principle of Fiscal Federalism. Since the centre government has the power to legislate on national minimum wage on behalf of the coordinating unit from the legal point of view the implementation of minimum wage act 2011 has become compulsory for state governments to pay workers under their establishment. It is criminal and breach of the constitution not to pay the ₦18, 000.00 minimum wages per month. Since federalism is about unity and consent, it is only reasonable to allow each state to legislate and negotiate the issue of minimum wage putting into consideration some indices such as the revenue capacity, developmental need and cost of living to determine the and appropriate wage for its work force. Federalism is a system that allows different state to express different preferences to public issues and this inevitably lead to

differences in levels of taxation and public services. The revenue sharing formula has placed the majority of the state into disadvantaged position. The federal government has all the lucrative sources of taxation; Company's tax, petroleum profit tax, custom and excise duties. The state government is left with on unviable sources of taxation; these tied the state government perpetually to the apron of the federal government. The federal government takes all the revenues and gives back crumbs to the federating units. The Governors Forum is currently lobbying the National Assembly and the Labor to support the campaign for a change in the revenue allocation formula.

VII. FISCAL FEDERALISM

The issue of the relationship between revenue generation and sharing in any federal system has always been debatable and contentious (Jega, 2005). Fiscal federalism is one and current source of conflict and contradiction in Nigeria. The issue of Fiscal Federalism has engaged various commissions and committee since colonial days. Yet, even today the issue continues to be on the front burner of national discourse. The continuous agitation for resource control has made it crystal clear that Nigerians are not comfortable with the situation where the almighty federal government will claim jurisdiction over all mineral resources, both solid and liquid throughout the country. The fact is that federalism is not about uniformity but it is about diversity, where people have freedom to pursue their destinies according to their own culture, history and resources. There is a need for readjustment in Nigeria's s federalism and political structure because the absolute right of the federal government on all mineral resources has been a hindrance to the development of the country. The pre oil federalism is said to be the best time for Nigerian Fiscal Federalism. Then, the center was weak and the regions strong; the regions were financially independent and were able to translate resources in their area. Cocoa in west, groundnut in the north and palm oil in the east to an enduring legacy of development. However, the federal government sole right on mining has made resources to remain unexploited. This is the case of many solid mineral resources. Each of the 36 states of the federation has one or more mineral resources which if exploited could change the face of their social and economic development. North West: asbestos, columbite, gemstone, gold, graphite, limestone, phosphorus, salt, talc, tin, uranium and wolfram. North East: coal/lignite, diatomite, feldspar, graphite, gypsum, lead/zinc, limestone, salt, tin, and wolfram. North Central: gold, graphite, gypsum, iron ore, lead/zinc, limestone, salt, talc, wolfram. South West: bitumen, crude oil, gas, feldspar, gold, gypsum, limestone, phosphate, talc and tin. South South: bitumen, crude oil, gas, gold, gypsum, limestone, talc and tin. South East: coal/lignite, crude oil, gas, gypsum, iron ore, lead/zinc, limestone.

But the state cannot because the law of the country does not permit them to exploit these God given resources. Owing to progressive restriction of state to exploit all the natural resources in their state, it is of high importance to note that true federalism will not spontaneously engage and survive. It requires constitutional backing through constant review of constitution to control the extent which the central government has legitimated inequality in sharing of power which negate the acceptability and practicability of the principle of federalism. The clamoring for new revenue sharing formula clearly demonstrates that federalism is still an unsettled issue. Yet is an issue we must find a way to resolve if we are to continue as a federation.

VIII. FEDERALISM AND LOCAL GOVERNMENT AUTONOMY

The Nigeria constitution gave recognition to local government as the third tier of the tripartite federal arrangement. The recognition was borne out of the fact that government must be nearer to the people at the grass root to give room for rapid socio economic development. Obasanjo in 1975/6 brought about uniformity in the local government administration in Nigeria both in structure and finance. From 301 in 1976 Nigeria currently boasts of 774 local government Area councils. Most local councils were created by Babangida and Abacha regimes. Muhammed (2007) said that creation of local government is usually seen as legitimizing strategy of the military. Local governments which are supposed to respond to the local yearning and aspiration of the people at the grass root have become unviable. As one would see that most of the development that take place in China, France United States and Britain are as a result of organized and effective local government. Local government being an important tier in the federation, its utility in engendering so-call economic development and bringing government closer to the people cannot be wished away. But with the over concentration of power at the Centre, inability to practice true federalism in its practical sense and the defective 1999 constitution. Local government in Nigeria has lost its constitutional value. The state governments have also frustrated local government through the joint allocation accounts committee. The joint account system is used to deduct huge sum of money from the source while the remaining hardly take the local government beyond paying salary. The unnecessary delay in conducting local government elections and the appointment of a caretaker committee to govern the affairs of the local government in virtually all the states of the federation contrary to the section 8 of the 1999 constitution are part of the manipulation employed by the states to milk the local government

resource. Even where the elections were conducted, the state Independent Electoral Commission will just announce the candidate of the ruling party.

With the agitation for local government autonomy persisting, the ongoing constitutional review should see to it that the Joint Account Allocation Committee (JAAC), which allegedly used in the diversion of local government funds is abolished and local government should get their allocation from Federal Account Allocation Committee (FAAC). The constitutional review should also protect the local council from various deductions in any disguise and ensure proper funding for effective service delivery to the people of the grass root. To this end a holistic approach should be geared towards effective local government administration in Nigeria.

IX. FEDERALISM AND REVIEW 1999 CONSTITUTION

The unity and existence of Nigeria pose the question that continues to agitate the mind of all, as we face with serious security challenges which include the much trumpeted true federalism, sovereign national conference, resource control and local government autonomy. The constitutional document manufactured from military in 1979, Obasanjo 1988, Babaginda, 1995 Abacha and 1999 Abuddulsalam are said to be a ratification of measures of centralization by the military with little or no civilian interests. Many have advocated for devolution of power to regions created along the six national ethnic geographical frameworks. Nigeria only gets it right by massive devolution of power as we have much concentration of power in one central government. The centralization of power, security and financial resources in the presidency constitute a major obstacle to the realization of true democracy in Nigeria. The key issue of federalism has been at the heart of the struggle for consensus. Getting this right has historically been the most difficult stumbling block to national unity. The violent and intractable internal conflict in recent times in Nigeria is as a result of failure of the central government to devolve power to the constituent units. The federal system is constitutional matter where particularly the rights of the centre are entrenched in the constitution and vis a vis the component units and vice versa. Since 1999 there have been various arguments that the 1999 constitution should be reviewed but the entire attempt failed due to Tenure elongation during Obasanjo regime. At the constitutional amendment retreat in Asaba, Delta State 16 areas were identified that need urgent constitutional amendments in Nigeria. These include: Devolution of power, recognition of six Geo-peon zones in the constitution, state creation, local government administration, Fiscal Federation, immunity clauses, Nigeria Police, judiciary, power rotation, gender and special group, the role of traditional rulers, mayoral status on FCT, boundary adjustment, residing indigene provision and expiring of land use act, NYSC ACT and code of conduct Act. From the various memoranda submitted, it is indicated that Nigerians are yearning for a change. Nigerians demand is massive devolution of power from the centre to the constituent unit. Review of 1999 constitution since the advent of democracy in 1999 has yielded no fruit. The current ongoing constitutional review is a test of integrity for the National Assembly on a journey to put the Nigeria federalism on sound footing and strengthen her unity and continues coexistence or put Nigeria on a journey of disintegration as many have forecast that Nigeria may not last more than 2015.

X. CONCLUSION

Nigeria chronicle history since and before the departure of the western imperialist has been viewed from an inbuilt of imbalance structure and centralized mode of governance. The military incursions into the politics did not help as they have bequeathed a legacy that introduces unitary federalism and render the federating units in the background. The same trend was followed in drafting 1979 and 1999 constitutions. The introduction of democracy in 1999 which ought to have been a correction to the wrong of military in governance failed. This has impacted conflict and contradiction in all sphere of our polity. Federalism in Nigeria makes jest of a model of government in a situation whereby the federal government will be struggling with the state governments on residual matters. This development has led to instability, conflict of interest, an obstacle to peace, continuous increase in ethnic insurgency and religious sectarianism. All attempts to solve the Niger-Delta crises have failed as all their input did not address the basic principles of federalism which is the only and single demand for peace, stability and development in the oil rich states. Also of importance is the question of National Security challenges, since Nigeria Police Force has failed in effective policing in democratic settings. The state police is inevitable and failure to allow the states to have their own police will be another reason why peace and security will remain in rhyme of utopia. 1999 constitution did not put into consideration the development of the people as many mineral resources that would have given millions of people a means of livelihood are untapped. These explain why poverty and crime is increasing. This is clearly shown that Nigerian federalism lacks all ingredients of federalism as a model of government "federalism has brought several nations within Nigeria polity together, the actual federal practice has hardly been able to keep them together happily" (Usman, 2008 pg.115). No doubt Nigeria obstacle to peace and a threat to security and peace is not beyond her political leaders. It does not require another colonization to prevent or solve.

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