



TRAVAILS OF NIGERIAN FEDERALISM AND THE IMPERATIVE OF POLITICAL RESTRUCTURING

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ABSTRACT

Nigeria is a product of colonial creation, a multiethnic and religious diverse society. This diversity necessitated the adoption of federalism in 1954 by Nigerian nationalist leaders. However, from 1960 to present time; the country has remained fragile with the failure of political leadership to keep at bay the centripetal and centrifugal forces currently threaten to dismember the country. The rising insecurity, poverty, terrorism, has triggered intense agitation for political restructuring. Drawn from the available literatures on the theory of federalism, this study appraises the practice of Nigerian federalism and the ferocious agitation for restructuring of Nigerian federation. The paper investigate secondary data such as textbook, past journals, and online information, and data from scholars and researchers in the field of federalism to examine the nature and pattern of Nigerian federalism. The paper investigate cultural pluralism theory, which explain social structure and identifies the social-cultural forces that influence the political process which determines the structure of political relation in the society. The findings reveal over centralization of governance and fiscal relations which is against the tenets of federalism. The authors urge the political leadership to review centralized nature and the practice of Nigerian federalism and make it more federal in practice and not just on paper, where equity and egalitarianism will prevail. The paper also implore the political leadership as a matter of urgency to review 2005 and 2014 constitutional conference recommendations and implement areas that addresses governance, devolution of power and fiscal relations. The paper concludes neither the ongoing constitutional amendment by the national Assembly nor the coercive unitary system coin in federal style will douse the agitation for restructuring except implementation of the tenets of federal system.

Keywords: *Culture, Devolution Federalism, Pluralism and Resource Control*

INTRODUCTION

The entity called Nigeria before 1954 existed but not as a unified state. The amalgamation of southern and northern protectorate in 1914 did not create a nation out of the two nations that existed earlier. The colonial foundations of Nigerian state as well as the foundation of Nigerian federalism are very fundamental to understand the past and contemporary challenges that confront Nigerian state today. In a published article: "The Federalism": the Nigerian experience, Jide Oshuntokun cited in Obafemi as saying; Nigeria is not a nation; it is a mere geographical expression. There is no 'Nigerian' in the same sense as there are English' or Welsh or 'French' the Nigeria is merely a distinctive appellation to distinguish those who live within the boundaries of Nigerian from those who do not Osuntokun, (1998). Given this, one cannot but agree with Obafemi Awolowo base on the reality on the ground today. Without doubt, the current happenings in Nigeria today have proved that Nigerian is not yet a nation. Sir Author Richard in 1948 affirmed this fact when he remarked and cited by Oshuntokun; It is only the accident of British suzerainty which has made Nigeria one country. It is still far from being one country or nation socially or even economically; socially and politically there are deep differences between the major tribal groups (Oshuntokun, 1998).

Thus, the consequences of the forced association did not only create element of suspicion and fear of domination immediately after independence but the monumental crisis that follows as we are seen today. Basically, the colonial expediency that led to introduction of regionalism in 1946, and introduction of federalism in 1954 after the collapsed of Macpherson constitution of 1951 established a federation and independence in 1960. Introduction of federalism in Nigeria was not by accident. The differences between the South and the North and between majority and minority ethnic groups which led to the choice of federalism by 1954 constitution, is an avenue of allowing the different regions of Nigeria to rule themselves in their own unique ways Arikpo, (1967). Therefore, the choice of federalism arose out of domestic circumstances of differences in histories of pre-colonial and colonial period.

Owing to this, several reasons have been adduced as the reasons for the adoption of federal system in Nigeria; size of Nigeria; population of the country; the nationalist leaders wanted a federal system; the diverse ethnic

differences of the population; the desire to attain quick development. According to Meeham (1996:100), it is the framework ability to guaranteed both individual and collective liberty that inspired the adoption. Peterson (1995:8) remarks that the groups that exist within the new entity created are not numerically equal, hence, the rationale behind the adoption of the federal framework. It is to protect the rights of the minority group by removing the tendency to build tyranny in a single individual or tier of government, while Beer (1993:5) conceive federation as important in catering for the diversity of groups within the federation and the prevention of oppression governments and regimes. The desire of Nigerian founding fathers on federalism was to create unity in the midst of diversity and create enabling environment for growth and development. This paper is divided into three sections; introduction, conceptual clarification and theoretical frame work form part one. Methodology, research question, data presentation and analysis, Nigeria, practice of federalism. Part three (3) will dwell on clamor for restructuring, challenges of restructuring, findings, conclusion and commendation.

STATEMENT OF THE PROBLEM

The year January 15th 1966 was a period Nigeria witnessed her first military coup d'état. Nigerian federal system consequently took a new dramatic turn of event as unitary system was introduced by Aguiyi Ironsi after the coup plotters failed in their bid to wrestle power. The collapsed of federalism in Nigeria started with Aguiyi 'Ironsi unitary system in 1966. However, Ironsi's unitary system was later abrogated by Gen Yakubu Gowon (rtd) after his emergence in another counter coup of July 1966. The emergence of Nigerian civil war and eventual creation of 12 states in 1967 by Gowon's regime signal the awaiting death of federalism in Nigeria. The centralization of power and fiscal relations which started from this regime accounted for monumental challenges facing the country today. This in consequence has made agitation for restructuring to be more fierce and contentious. The level of insecurity, poverty, unemployment crisis, institutional failure and absence of transformational leadership has added more credence to the cries for restructuring. No doubt, the constant agitation for restructuring has worsened the challenges of Nigerian diversity. Yaqub (2016) posits; it has polarized the country into North and South divide with southerner being the protagonist, the northerners the antagonist. Many of the solutions proffered by successive regime only aggravate the problem it was meant to solve as fundamental

issues are neglected. Thus, revenue allocation formulae, federal character, state creation and quota system have not lessen the agitation for restructuring of the federation

Theoretical Framework

Theories are formulated to describe phenomenon. Cultural pluralism/ethnic plural theory attempt to analyze African politics as it focuses on social structures and identities; the social structures that influence political relations of citizenry in society. Owing to this, this paper adapts cultural pluralism theory which explains social structures and identifies the social cultural forces that influence the political process which determines the structure of political relation in society. This theory explains the contemporary situation in Africa where group of people vying for influence, control and domination over one another. This theory discusses ethnic and cultural characteristics of African society which are clearly distinct from one another. It discusses the relatedness and mutuality among the locals before their contact with the colonial master. According to this theory, decolonization led to intense competition and struggle to dominate structure of governance, while the minority ethnic groups struggle for recognition and fair share deal. Thus, ethnic pluralism model emphasizes the ever continuing aggressiveness, rivalry and competition among the various cultural groups in the polity Ezero, (1964). This theory contends that the political life of African societies is organized in such a way various ethnic groups manipulate other tribes and protect their own interest. This inevitably creates anarchy and tug-of-war in many political systems of African states and in turn bred political instability.

This theory is relevant to Nigerian political system before, during and after decolonization. Cultural pluralism theory is the best to appraise the fundamental problems facing Nigerian state, the genesis of which arose from Lord Lugard amalgamation. The period of decolonization in Nigeria immediately brought intense struggle for power and resource (s) domination among ethnic groups which eventually culminated to military putsch in 1966. The incessant military putsch deepened centralization of power and resources at the centre. This has over the years accounted for incessant agitation for restructuring of Nigerian federation. This approach in terms of political life explains how African countries and Nigeria in particular is organized by the desire of various ethnic groups to further their nest for ulterior motive. This practically established the unstable

polity we are seen today in Nigeria. These days, these problems have constituted itself as Nigeria "National Question" thunderous to dismember Nigerian state. The ideology of this theory was the assumption that the Nigerian society comprises separate communities, with different cultural values, institutional patterns and different political orientations. The country has remain unstable due to array of challenges such as insecurity, poverty, ethnic and religious conflict, endemic corruption, high rate of unemployment among others. Arguably, for decades, the country has been struggling to remain united, while the basic tenets of integration have been eroded with ethnicity, religion prejudice and leadership failure to eschew ethno-religions sentiments.

Conceptual clarifications

Federalism has been suggested as an effective system with the normative appeal and institutional sophistication to manage complex socio-economic cultural and political issues at national regional and international level Andrew, Jean and Astrid Van, B.(2018). Scholars have argued that since the inception of this political system in United States of America, it has offered an approach for institution of sovereign to tackle the diversity challenge and interdependent between sub-units of government. The beauty of federalism is its integrative capacity tendency capable of strengthening plural society. According to Roberts and Simbne (2003:89)...when a socially and culturally distinct people find themselves together in the same polity through circumstances of history to live peacefully together and govern together, they have to strike a balance which must be acceptable to all the parties involved. Federalism is a system which involves power sharing agreements between the federal and units of government in such a way that each level of government enjoys relative independent from each other especially in the areas of power devolution and fiscal responsibilities. In spite of its integrative tendency, Odukoya and Ashiru (2009:76) were quick to point out that federalism does not necessarily posses the magic wand or formula that instantaneously resolves the problems and contradictions of heterogeneous societies. Rather Odukoya and Ashiru observes that the socio-economic and political specificities or different societies coupled with constant and continuous engineering, reengineering and adjustment are needed, if the goals of federalism are to be achieved (Odukoya and Ashiru, 2007).

Fundamentally, there must be signed agreements to establish a viable federation. It is not like confederation where a member can pull out when dissatisfied. Simply put, federation is an enduring union and it is unlawful for a unit to want to secede, withdraw, or threaten to withdraw from the union unless there is a written agreement to do otherwise in future Okunola,(2017). The ideology of federalism is anchored between unitary and confederation. Federalism offered the best way of accommodating multiethnic and pluralistic structure of Nigerian federation. In support, Wheare (1963) argues that autonomy and equality are some of the prerequisite for a federal government. Even in financial matters, Wheare argues that the levels of government must be self sufficient for a federal system to exist. According to him... If state authorizes, for example, find that the services allotted to them are too expensive for them to perform, and if they call upon the federal authority for grants and subsidies to assist them, they are no longer coordinate with the federal government but subordinate to it (Wheare1963:10). According to him... any definition of federal government which fails to include the United States of America would therefore be condemned as unreal... for the federal principle has come to mean what it does because United States has come to be what it is. Nevertheless, Nigeria, Malaysia, Indian are perhaps the only countries where federalism have survived the early years of decolonization period in any recognizable form. In these countries, however, the federal principle had to operate under severe strains, and it has assumed a highly centralized form (Mayhood, 1984).

Restructuring

Political restructuring is an ongoing debate in Nigerian political circle. It is currently generating contentious argument among those for or against restructuring. Political restructuring in Nigeria is loaded with different interpretation within Nigerian scholars, political elite, and opinion people. Some people see it as the aftermath of frustration in some sections of the country, while others perceived it in three different dimensions—marginalization, ethnic dominance of resource and perceived inequality in resources distribution. Some analysts also felt that the centre is strong, thus the need for power devolution. Some opinion people however consider it to the implementation of 2014 national political conference. Some elder statesmen particularly in the western part of the country see it as to review the 1963 constitution. Thus, there are divergent interpretations on the concept of restructuring among political elites. Political restructuring is a constitutional review strategy aim at changing

the status quo for effective performance. The purpose is to achieve unity of purpose and objectivity, effectiveness and to create room for significant political, economic, technological and educational advancement as speedy as possible for the people. Basically, there are different and divergent views on what restructuring entails. Thus, because of differential connotations, people attach to it; the concept has not been fully operationalized to give it a definite meaning. However, Obiora Okonkwo (2018) observes; to restructure is to change an existing status quo in order to make it more functional.

In the main, it implies the overall changes to existing structures so as to make it more workable for efficient service delivery. As said earlier, political restructuring has given been different interpretations by scholars, political analysts and concerns people in the society. To Ahmed, Norafidah and Knocks (2017), it depicts both political re-configuration of the country and devolution of powers to the constituent units as it is practice in other climes. Najakku (2016) describe it as the re-organization and re-arrangement of the nature of resource control by the various government and regions to foster unity and development. Given this, political restructuring within the context of this paper means definite re-assessment and re-arrangement of Nigerian political practice in such a way that will reflect federal practice as against the current unitary practice and on the basis upon which constructive discussion will continue. This inevitably explains the seeming confusion on the concept as some section of the country perceives it as a prelude to disintegration. Some analysts have argued at the different time that restructuring does not indicate to regionalism, disintegration or dissolving the 36 states but to reconstruct the 1999 constitution which had reduced Nigerian federal system to master-servant relationship. And to some scholars, transfer 2/3 of federal government fiscal relations and responsibilities, decentralization of power and financial responsibilities to other units of government.

METHODOLOGY

This research paper is qualitative in nature. The study explore secondary source of data such as Journals, textbooks, internet sources, and information from expert on the field of federalism. The study takes on descriptive method of analysis in carrying out the research for detail analysis.

Research Questions

1. What is the tradition of federal practice in Nigeria?
2. Does Nigerian federalism require restructuring; and will restructuring advance national integration in already divided state?

Objectives of the Study

1. This study discusses Nigerian federal system; its practice, failures and the challenges.
2. It discusses the necessity or otherwise for restructuring Nigerian federal system.

Data Presentation

This data is presented to analyze the fundamental issues in Nigerian federal system and agitation for political restructuring debate. And to further discuss how and why federalism is becoming a threat to national integration in Nigeria.

Federalism; could become a threat to nation integration when there is:

- Leadership failure and ineffective governance
- Ethnic and religious prejudice and intolerance
- Absence of national consciousness
- Marginalization and mal-administration
- Bad policy formulation and implementation

Federalism: will promote national integration when there is;

- Transformational leadership and good governance
- Equal representation, fairness and equity
- National loyalty and state consciousness
- Politics of inclusiveness that involve all segments of the society
- Policies that promote ethnic and religious diversity

Data Analysis

Given the recycling of leadership deficit in the polity, it is highly imperative to re-evaluate the structure and the practice of Nigerian federal system to build sense of belonging and nation building. The purpose of federalism is to integrate various segments that form the federation. Thus, due to defective nature and practices of federalism in Nigeria; marginalization, corruption, poverty nepotism ethnic and religious

prejudice in appointment has eroded national feelings. Absence of power devolution, and concentration of resources at the centre, kidnapping, herdsmen crisis and other social vices have been blame on the practice of Nigerian federal system which was not only lopsided but heavily centralized in favor of the federal government. Federalist and political analysts believe that restructure Nigerian federal system to more workable federal system will lessen and address the rot currently ongoing in Nigerian political practice.

Practice of Nigerian federal system

The adoption and practice of federalism in Nigeria has continuing to encounter various problems. While scholars have traced the origin of the problems to colonialist, the practice of federalism since departure of colonial master, most especially after the military incursion to governance in 1966 has left much to be desire. Below are the fundamental principles and tenets of federalism. Therefore, this part is design to discuss whether Nigerian practices of federalism meet up with federalist benchmark or to label it as centralist system coin a federation.

Written constitution

One of the basic tenets of federal system is written and rigid constitution. It is the constitution that specifies the rights of citizens and duties of the government. It also specifies the sharing of responsibilities between the levels of government. However, the introduction of 1999 constitution was an imposed constitution by the military. Scholars and political analysts have described the constitution to be deficient because it was drafted and decreed by the military which makes it to be deficient in federal practice. Given this, Obasi et al. (2009) observe; a historical analysis of the entire Nigerian constitutions will leave every analyst with three dominant factors which are the influence of colonialist, national political elites and the military. Aside imposition, the constitution failed to address the plural nature of Nigerian state. Owing to this, analysts have argued that true federalism require each government to have their own separate constitution as it operate in U.S.A, Canada, Brazil among others. Abah and Nwokwu (2017); Obidima and Obidima (2015) posit a federal system as an arrangement between separate autonomous government. It therefore follows that there should be separate national and regional governments which imply separate constitution for each government. This is contrary to what operates in Nigerian federal system, as federal laws

remain the only applicable national laws for Nigeria and Nigerians. This and other factors have weakened the spirit of federalism in Nigeria.

Autonomy of each level of government

Obidimma and Obidimma (2015) conceive the autonomy of each level of government as obtainable as a core feature of federalism emphasizes that separateness of government also require that each government exist not as an appendage of another government. The implication is that no government should be subordinate to another. Unfortunately, the 1999 constitution as imposed by the military has eroded the power of the constituent units which translate to unitary-federal system being in practice for decades in Nigeria.

Equal Distribution of Power

Wheare (1963) remarks; by the federal principle, I mean the method of dividing powers so that general and regional government and each within a sphere, coordinate and independent. Thus Wherare argument is a replica of what obtains in United States of America. The reality today is that the practice of Nigerian federalism is masters- servant relationship which positioned the federal government to have exclusive control of sixty eight items as stipulated in the constitution. In Nigerian federal system, the power of sub-units of government is immaterial because of overbearing influence of the federal government. Nigeria is a federation being in operation with unitary coin federal constitution. As Wheare (1963:20) argues, a country may have federal constitution, but in practice it may work that constitution in such a way that its government is not federal. Similarly, as Erk (2004:3) conceive that the presence of a federation should not blind us to the absence of federalism. Basically, Nigeria is operating federalism in paper and unitary in practice.

Fiscal Autonomy

Fiscal autonomy is a crucial tenet of federalism. As Wheare (1953) argue, any form of financial subordination will mark an end to federalism no matter carefully the legal forms may be preserved. Fiscal autonomy refers to as a system where revenue and expenditure functions are shared among the tiers levels of government. Fiscal autonomy means the freedom of each unit of the federation to discharge financial responsibilities allotted to it by the constitution. Obidimma and Obidimma (2015) posit that if the federating units/ Sub-national government find that constitutionally assigned functions too exorbitant

that their resources cannot fund it and for the purpose resort to the federal government for subsidies and grants, then they are no longer coordinate with the federal government but subordinate to it. However, reverse is the case in Nigeria's practice of federalism with federal government share 56% of the country's resources and allocate 24% and 20% to states and local government respectively. Thus, the harsh treatment of states by federal government has led more credence to restructuring of the polity.

Clamor for Restructuring/ True Federalism

The collapse of democracy, good governance, rise of ethnic nationalism, insecurity and many other crises are fundamental issues which have questioned the essence of federalism since the end of Nigerian civil war in 1970. It is retrogressive, over sixty years of Nigerian independence; the country is still grappling with the crises of nation building and underdevelopment. However, analysts have argued that, problem bedeviling the operation of Nigerian federalism is not without obvious to Nigerian political leadership. But the problems persist due to leadership failure to stick with tenets of federalism. Given this, former Head of State (Rtd) Gen. Gowon commented; federalism is not the problem but the workability of our federal association Gowon, (1993). Similarly, Ciroma (1994) remark; our problem to date has (sic) not been due to the failure of federalism itself but due to our failure to operate federalism properly and to contain untoward deeds tending to weaken or subverts its principles (Ciroma, 1994).

The agitation for political restructuring started from the south west Nigeria and reach its climax after the annulment of 1993 general election presumed to have been won by M.K.O Abiola. The west then campaigned for power shift as they perceived northerner were not ready to concede power to other region. This agitation led to the emergence of Obasanjo, a Yoruba tribe in 1999. Thus, zones and region in Nigeria share similar views but different approach in the context of political restructuring. The position of the Yoruba on restructuring remains a federal weak centre, while all the units will be independent. As for the south east, they see the structure of the country as lopsided. Their agitations for true federalism centered on integration into the mainstream (political power) since the end of the Nigerian civil war in 1970.

In fact, their agitation has been relentless in recent times which inevitably led to indigenous peoples of Biafra (IPOB) to champion their cause for true federal system. Igbo leaders and elites key into the idea of true federal practice that accommodates every group within the federation. For decades, they have been relentless agitation for restructuring. This has become a storyline for political discuss since 1999. Similarly for the south-south, in spite of the emergence of Goodluck Jonathan as President, 2010-2015, the Niger/Delta believe that politically and economically, they were marginalized, when one consider the level of environmental pollution, the youths restiveness and unemployment in the area. Therefore, for the people of Niger/Delta, true federalism means a federal practice that would enable them control their resources. However to the northern elite, status quo should be maintained. The northern position is different from other zones across the federation. The northern elites encourage the agitators to champion their request through the national assembly. To them, there is no basis for restructuring. They maintained that the ongoing constitutional amendment would address gray areas needed to be corrected in 1999 constitution. Analysts have thus argued that divergent views on political restructuring are traceable to various personalities, political elites and other interest groups. Owing to this, Asilu, (2017) highlights six groups that are involved. There are;

- Federalists--- Those who want a 'true federal system
- Ethnic champion--- like a few fair Ohaneze
- Economic restructurers--Those who look at the issue from the economic health of the nation.
- Gradualists--- Those who want a gradual approach to the restructuring
- Status quo individual--Those who see the debate as unnecessary and unhealthy for the nation.
- Politicians---these are those using restructuring as a political platform.

Nevertheless, on 19th July, 2017, the APC appointed Mallam EI-Rufai as the Chairman of restructuring Committees of APC. The committees thereafter identified the following issues for debate at the committee: balance in the federation, fiscal federalism, Review of revenue allocation formulae, citizenship issue and federal character, review of key recommendations of the 2005 and 2014 National conference etc. However, three years after the submission of the committee's report,

Nigerians are still awaiting its implementation. This is not unconnected with divergent interest among various groups, and ethnic nationalities. Today, neither the implementation of 2005 and 2014 national conferences nor APC committees on political restructuring is favor to be implemented.

Challenges of Restructuring

- Elite interest
- Fear of domination
- Fear of Military intervention
- Corruption
- Fear of oppression
- The nature of the existing structure of the country
- Ethno-regional rivalry

SUMMARY OF FINDINGS

Based on the data highlighted, and findings from the literature review, the current Nigerian political tension and threat to dismember the country was laid from the inception and left unresolved before Nigeria got independence in 1960. This paper discloses that Nigerian federalism is operating under severe strain. It was discovered that leadership must perform his/her responsibilities without prejudice to achieve nation building, while the Nigeria's fourth republic has opened the deficiency in the 1999 constitution as a template for federal practice in Nigeria. This paper thus reveals that the monumental problems facing the country today are due to leadership crisis to implement various recommendations which could have ushered-in stable polity and economic development, hence, the agitation for restructuring.

CONCLUSION AND THE WAY FORWARD

Federalism as a political system all over the world is not different but the structure and practices. Every federal states practice federalism in a distinctive ways and manner that suit the nature of their countries. The discriminative practice of Nigerian federal system gave rise to civil war in 1967-1970. All the factors that led to the civil war are very much with us till date. These days, collapse of federal system and leadership failure has created all manner of insecurity across zones and regions of the country, while unemployment, insecurity, and corruption remain uncheck.

Though Nigeria as of today is still a country, but is far from being united.

The clamor for restructuring stirs up based on several threats confronting Nigerian state: Tinkering with the current structure of the federation which favors the centre must be a necessity. The federal government controls the largest share of national resources with 68 items under the exclusive list. This in effect contributes to ongoing endemic corruption and abuse of office in high places. Similarly, spending over 70% of the country's annual resources on recurrent expenditure is not helpful to the system. Scholars have described it an indication of leadership failure that engages in fraudulent practices.

Another critical point is system of governance, Presidential system or parliamentary. People may want to argue that the country had once practice parliamentary from 1960-1966. But then adoption of a parliamentary that will make ministers and other appointees of the government accountable to the parliament and not the executive will offer more progress and accountability. Or better still, to merge the two systems (parliamentary-presidential) together. The 2005 and 2014 constitutional conferences should be review and utilized the recommended ones that can enhance nation building and economic development.

Lastly, solution to problems of Nigerian federalism and the crisis of national question require fundamental revolutionary measure. This can be sought in a determined and popularly based effort to institutionalized equity and social justice, rule of law and strict adherence to civil democratic governance. Thus, Nigerians political class must eschew discrimination in their leadership recruitment to pave the way for good governance. While laws that will ensure attitudinal change by the people must be introduce to compliment reorganization government might wish to introduce.

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