

# Uncooperative Federalism and Contestations in Federal-State Relations in Nigeria's Fourth Republic

Okoroafor, Sunday Adiele

Department of Political & Administrative Studies, Faculty of Social Sciences, University of Port Harcourt, Port Harcourt, Nigeria.

**Abstract:** *The paper discusses the uncooperative federalism and contestations in Federal-State relations in Nigeria's Fourth Republic. The paper applies a combination of historical and descriptive methods of research design based on secondary data. Theoretically, the paper hinges on Uncooperative Federalism as its theoretical framework. The findings of the paper revealed that maintenance of federal roads by state government, resource control and revenue sharing formula, minimum wage among others are issues under contestation between the federal and State governments during the period under review. The paper concludes that state governments are being confrontational to the powers and authority of the federal government on account of a number of issues the paper identifies as suffocating to the different states/geopolitical zones. One of the recommendations of the paper is that, rather than awaiting the "Eritrean-Ethiopian debacle", the prevailing federal structure in Nigeria should be restructured to accommodate the yearnings of all the 36 states and 6 geopolitical zones. The states in Nigeria must remember that the recognition and respect of legitimate claims is a precondition for the settlement of ethno-cultural diversities and peaceful coexistence.*

**Keywords:** Federalism, Federation, Uncooperative Federalism, States, Geopolitical Zones, Intergovernmental Relations.

## INTRODUCTION

There is always a conflict of interest in most federal systems of government globally. Nigeria is not an exception. Constitutionally, Nigerian federalism is structured on three tiers namely the Federal, states and local governments. Constitutional powers of government are shared among these three tiers or levels. There is no allocation of any constitutional powers to the geo-political zones. Nigeria constitution is more specific on the allocation of governmental power to the federal and state government. Most other constitutional democracies use the name regional, which of course was applicable during Nigeria's first republic.

Abidoye (2015) sees it as "the general tendency of federal states becoming heavily centralized and the overbearing nature of the central government most especially the executive had over the year heightened inter and intra governmental relations conflict in the country" (p. 1). It is the allocation of power to the federal and state governments that brought about the federal-state government relations in Nigerian democracy.

The Nigeria's fourth republic started from May 29, 1999 under the civilian government of President Olusegun Obasanjo. This period under review brought to bear the recurrent issues of contestations and wrangling of inter-governmental relations among the three tiers of government. On the one part, is between the federal and State government, and on another part, between the State and the local government areas. Issues that have manifested themselves in the contestations include but not limited to revenue allocation, natural resource control, internal security, state creation, salaries and wages administration, establishment of sovereign wealth fund, and funding of local government councils. These issue have remained a national debate in Nigerian federation.

The benefits of a true federal system of government cannot be overemphasized. This is because according to Majekodunmi (2015), Federalism represents a unique form of governmental arrangement. It entails the organization of the state in such a way that national unity is promoted and our prevailing diversities become our national strength.

## STATEMENT OF THE PROBLEM

There are myriad works in literature on the contestations between federal and state government in Nigeria. However, there are limited works in literature that have discussed the unfriendly social relations between federal and state tiers of government at the beginning of the fourth republic, which started from 1999. Benjamine (2012) has argued that the challenges facing Nigeria's fourth republic is how the federal and state government can accommodate each other especially, in the contentious issues of resource allocation and power sharing.

Nigeria has had 20 years' democratic experience in its fourth republic. This period has been characterised with conflicts among and within the three levels of government in their relationships. The situation had led to various litigations in the court of law over the issue of constitutional jurisdictions. It either the states went against the federal government or vice versa. Central to these litigations are matters of resources control especially the oil-producing states of the Niger Delta region. Other issues include the maintenance of federal (Trunk A) roads by the state governments, power generation, creation of local government council, selection and appointment of the leaders of the federal legislatures, and inter-agency supremacy among others (Abidoye, 2015).

Central to the problem is the agitation for decentralization. The state governments alleged that too much constitutional powers are reposed on the federal government- centralization and demand for decentralization of these powers. This has been the situation in Nigeria, which dates back to 1954 when federal system of government was introduced. At this point, the contestations were between the central government and regional as it were. The regions were three namely North, West and South, which later

became four with the creation of Mid-Western region. This structure brought about states governments. Whether as regions or states, there has been an increasing transference to the federal government, the functions of the regions or the states. The outcome of this is that there has always been increase in the available resources to the federal government and reduction in the resources available to the regions or the states in discharging their constitutional functions (Babawale, 1998).

The aftermath is continuous problem of contestations and confrontational tendencies; first, between the central government and the state governments and, second, among the various groups within the federation.

## RESEARCH OBJECTIVES

The aim of the paper is to discuss the uncooperative federalism and contestations in Federal-State relations in Nigeria's Fourth Republic. The specific objectives are:

1. To discuss the areas of contestations in Nigeria's federalism.
2. To explain the impact of Uncooperative Federalism in Nigeria.

## LITERATURE REVIEW

### Theoretical Understanding: Uncooperative Federalism

The paper adopted uncooperative federalism is the framework of analysis. The proponents of the theory are Professors Jessica Bulman-Pozen and Heather Gerken. Uncooperative is also known as disruptive federalism. In the view, federalism-based elements of the Constitution's design not only limit federal power; they also create a feedback loop in which states and state officials can resist or temper otherwise lawful assertions of federal authority in potentially creative, informative, and productive ways. Like the states' rights and experimentalist conceptions, a conception of uncooperative federalism could not purport to capture the full complexity of the concept of constitutional federalism. It could only plausibly aspire to guide constitutional or statutory interpretation in some range of contested cases—and to do so without specifying in detail how the values that it serves relate to, cohere with, or in some instances possibly trump other constitutional values. Leading proponents of uncooperative federalism so acknowledge (Bulman-Pozen & Gerken, 2009).

Ernest Young honouring the work of Professors Gerken and Bulman-Pozen on uncooperative federalism acknowledges that:

One person's "power of the servant" is another person's "agency slack." When state officials charged with implementing national policy behave uncooperatively, delaying or subtly altering national goals, they act as "[un]faithful agents" to their federal principals. They may, of course, be acting faithfully to the preferences of their state-level principals, and in any event un-cooperative behaviour may be beneficial to the federal system overall for all the reasons that Gerken and Bulman-Pozen identify (Young, 2013, p. 434).

Bulman-Pozen and Gerken explain that "a fully developed theory of uncooperative federalism needs to address the normative questions that. Although their undertaking was understandably limited to identifying previously neglected benefits of unfaithful state agency, eventually scholars will need to weigh those benefits against the costs" (Bulman-Pozen & Gerken, 2009, p. 1285). A tempting answer would be to say that uncooperative federalism is beneficial to the extent that it restores an institutional balance between the national government and the states that has tilted in favour of the former, but unattractive to the extent it goes further and aggrandizes the states at the expense of the nation (Young, 2013).

Young (2013) further argues that uncooperative federalism has the potential of enhancing the understanding of pre-emption, which goes beyond Bulman-Pozen and Gerken's defense of the presumption against pre-emption. There is the skepticism about their anti-commandeering doctrine, which holds that the Congress (Nigeria's National Assembly) may not require the states to implement federal law as contain in the Constitution. Gerken and Bulman-Pozen argue for a regime in which parliament could commandeer state officials: "A strong proponent of uncooperative federalism would embrace commandeering not because it increases national power or furthers federal-state cooperation, as most proponents of commandeering would have it, but because it facilitates challenges to federal policy" (Bulman-Pozen & Gerken, 2009, p. 1297).

## CONCEPTUAL REVIEW

**The Concept of Federalism:** According to Michael Burgess "Federalism derives originally from the Latin term '*foedus*' that means contract, compact, pact and agreement which springs from the world of international relations" (Burgess, 2017, p. 1). Another definition of the concept, federalism is by Leff who says: "In general terms, federalism simply means an institutional arrangement whereby authority and functional competences are shared among different levels of government" (Leff, 1999, p. 210). In the view of Wheare (1963), federalism is the system of sharing governmental between the central and region government in a way that each within a sphere, coordinate and independent.

It is the existence of more than one level of government in a country. Each level of government has some expenditure responsibilities and taxing powers. It is a kind of non-centralization of power and authority. It is about equality, and equity, justice and fair play amongst constituent units and between the units and the central government. Attahiru Muhammadu Jega in own

opinion states that in Nigeria, as a result of peculiar of federalism, the federal system of government has the tendencies of promoting uncooperative intergovernmental relations between the federal, states and local government councils (Jega, 1996). The concept of 'True' federalism relates to a political order where power is divided between a central government and other constituent units like the states (Nwaeze, 2017).

**The Concept of Federation:** According to Freeman (1972), federation is a mechanism of compromise between two opposing political forces under any of these three classes of government. It was an intermediate state that combines the advantages of the large state – peace, order and general well-being – with those of the small state – the full development and autonomy of the individual citizen. Federation for Freeman was characterized by three essential qualities: it is artificial; it is based ultimately upon human reason; and it is entirely circumstantial. Riker (1964) posits that “federation is a state in which both the central government and the constituent governments ‘rule over the same territory and people and each has the authority to make some decisions independently of the other: (p. 5).

Also, as King (1982) posits, a federation is a sovereign state in which the central government incorporates governments of regional units into its decision-making procedure on some constitutionally entrenched basis. Thus federation is a state with two or more tiers of government in which there is a constitutional division of power between the central government which is in charge of the whole territory and the constituent units. Based on these definition, Babalola (2017) therefore, states that Nigeria is a federation. An average citizen in Nigeria is subjected to at least two main levels of authority: that of the state and the country, but does the federation practice federalism?

**The Concept of Fiscal Federalism:** In Nigeria, fiscal federalism means different things to different people. The newfound phrase could be better understood using a geo-political lens. Oates (1999) as cited in Ukachikara & Okoroafor (2019) explains that as fiscal federalism is a subfield of public economics, which is concerned with understanding which functions and instruments are best centralized and which are best placed in the sphere of decentralized levels of government.

In other words, it is how competencies (expenditure side) and fiscal instruments (revenue side) are allocated across different (vertical) layers of the administration. An important part of its subject matter is the system of transfer payments or grants by which a central government shares its revenues with lower levels of government (See Wikipedia on [https://en.wikipedia.org/wiki/Fiscal\\_federalism](https://en.wikipedia.org/wiki/Fiscal_federalism)). At its most basic level, fiscal federalism attempts to define the division of governmental functions, and the financial relationship between, different levels of government (usually how federal or central governments fund state and local governments).

**The Concept of Cooperative Federalism:** The concept of cooperative federalism emerged during the New Deal in the United States of America, when the power of the federal government grew in response to the Great Depression. It does not recognize a clear distinction between the functions of the states and Washington, and it emphasizes that there are many areas in which their responsibilities overlap. For example, drug enforcement involves federal agents, state troopers, and local police. The federal government supplies funds for education, but the state and local school boards choose curriculum and set qualifications for teachers. (Interestingly, attempts to set national standards for students in certain subjects have raised concerns of federal intrusion.) The notion of overlapping jurisdictions is expressed by the term *marble-cake federalism*. Cooperative federalism takes a very loose view of the elastic clause that allows power to flow through federal government. It is a more accurate model of how the federal system has worked over much of U.S. history (Houghton, 2016).

Cooperative federalism seeks to capture the benefits of decentralization, particularly by fostering experimentalism and pluralism in governance, as well as the efficiency gains promised by the administration of regulatory regimes by multiple agents outside of the core federal structure. At the same time, cooperative federalism seeks to preserve the primacy of the federal government to set national priorities and prescribe standards through which to advance those priorities (Davidson, 2007). Cooperative federalism thus seeks a functional middle ground between competing concerns: local variation versus uniformity, the balance of local autonomy and the national interest and jurisdictional competition as a check on governmental power given limits to meaningful exit from national regimes (Weiser, 2001).

## EMPIRICAL REVIEW

### The Nature of Contestation and Relationship Between Federal and State Governments

It was in 1954 that Nigeria became a federation. Before this time unitary system of government was in vogue. The belief of the founding fathers of Nigeria's federation had desired a federal political structure, a structure that would accommodate our multiplicity as a people. Furthermore, this desire has some certain social and economic conditions (Babalola, 2013; Suberu, 2001). The socio-economic conditions would determine the inter-governmental relations that exist between the federal and state governments. According to Obi (2004), the inter-governmental relations have complex structure for interactions, cooperation and inter-dependence. The inter-governmental relationships and interaction that exist among the levels of governments on one hand, are also termed formal and informal ones within a nation-state like Nigeria. On another hand, intra-relationship that exist among the tiers of government simply show that the relationship between the same levels or organs of the same government.

---

It is the heterogeneous nature of the various levels of government that determines the inter-governmental relations within the national polity. This also explain the fact that the federation is determined by the inter-governmental relations as well as the pattern and system of the political parties (Obi, 2014). James (2008), describes this more succinctly that it is the diversity nature of a political system that determines the how suitable is the federation. In line with the above views, Max (2010) opines that the factors that determine federal constitution are size of the country, its cultural and traditional multiplicity, language, historical particularism as well as consideration and centralization prevail. If really federation is a device to keep separate people together without making them one people, then such federalism limits the amount of relationship that could exist between them.

In classifying the inter-governmental relations among the various levels of government, Bulman-Pozen and Gerken state:

Scholars have offered two distinct visions of federal-state relations. The first depicts states as rivals and challengers to the federal government, roles they play by virtue of being autonomous policymakers outside the federal system. A second vision is offered by scholars of cooperative federalism, who argue that in most areas states serve not as autonomous outsiders, but supportive insiders—servants and allies carrying out federal policy. Legal scholarship has not connected these competing visions to consider how the state's status as servant, insider, and ally might enable it to be a sometime dissenter, rival, and challenger (Bulman-Pozen & Gerken, 2008, p. 1256).

The Federal structure of Nigeria is believed to be “a bad marriage that all dislike but dare not leave, and that there are possibilities that could disrupt the precarious equilibrium in Abuja” (Ogbe et al, 2011, p. 196). Nigeria's federal system is highly centralized in all its ramifications. On this problem, Peil (1976), observed that “excessive centralization and statism of most developing countries... not only means greater vulnerability as a result of non-fulfillment of populist expectation, it also means heightened inefficiency” (p. 115).

Emphasis must be made that the continuous military incursion in Nigerian politics, has affected the structure of Nigerian federalism. The military structure centralizes power to the federal government, which made it look like a unitary system instead of federal system of government. (Elaigwu, 1998). However, prior to military rule in Nigeria, which dates back to 1966, the country had operated a federal constitution in 1954. During this period the federal system was accommodated our ethnic diversity- a system where each constituent federating unit in the name of regions had its own regional constitution, police, civil service and of course, has their judicial systems of government.

Immediately after the military takeover in 1966, the issue of state/regional based insurgencies became silent by its agitators. But there was a twist of events from 1999 when the country returned to civil rule. There was resurrection of state and regional based agitation and insurgencies. The likes of the Odua Peoples Congress (OPC) from the south-west, Arewa Boys from the north, Movement for the Sovereign State of Biafra (MASSOB)/Indigenous Peoples of Biafra (IPOB) from the south-east and some part of south-south, and the different insurgent groups in the Niger Delta (Egbesu Boys, the MEND), etc. readily come to mind. While these insurgent groups were commonplace, one message was clear: The federal structural arrangement in Nigeria is suffocating to the different geopolitical zones. For instance, there are numerous state initiated litigations (e.g. Littoral States vs. the Federal Government) against the federal government of Nigeria on a number of issues such as on fiscal federalism bordering on revenue generation, derivation, etc and matters on the concurrent list. In other instances, the different geopolitical zones in Nigeria clamoured for or are still clamouring for the restructuring of the prevailing federal arrangement.

In the Niger Delta region, where the militant insurgencies were high, the federal government responded to their agitations with the establishment of the Niger-Delta Development Commission (NDDC) to replace the old Oil Mineral Producing Area Development Commission (OMPADEC). The mandate of the NNDC is for poverty alleviation and development projects to improve the quality of lives in the region. The nine (9) states that make up the region are: Akwa Ibom, Rivers, Delta, Bayelsa, Cross River, Ondo, Abia, Imo and Edo States. As a follow-up to NNDC, the states have solid mineral deposits across the country also engaged the federal government on the level of environmental degradation in their various states. In response to this, the federal government established the Solid Minerals Producing Area Development Commission (SOMPADEC). Furthermore, the agitation did not end here as all the states with hydroelectric power deposits called for the establishment of Hydro Power Producing Areas Development Commission (HYPPADEC) to compensate them for the consequences of any environmental damages caused by the activities associated with the generation of hydro-related energy (Elaigwu, 2007).

In the education system, there have been various demands and agitations for what has known as ‘the federal presence’. In response to this, in 2018, the National Assembly passed a Federal Polytechnics Bill to establish at least one federal polytechnic in each state of the federation, which now becomes Federal Polytechnics Act 2018. Currently, there is a Bill to establish the South-East Development Commission (SEDC) at the National Assembly, which has already passed the second reading at the Senate. It is hoped that the 9<sup>th</sup> Senate may conclude on the Bill to become an Act. All these prove the uncontrollable contestations in Nigerian federalism during this fourth republic.

## **RESEARCH METHODOLOGY**

The paper applies a combination of historical and descriptive methods of research design based on qualitative research method. Historically, the paper examines works in literature on federalism and federation with focus on Nigeria case. Descriptively, the

---

paper provides answers to the what, why, when, where and how of the subject under review. Data were collected from secondary sources via published and unpublished contents or documentary analysis, and textual content analysis from textbooks, magazines, newspapers, journals, internet, government official publications, bulletins and internet-based materials on the subject matter.

## DISCUSSION OF FINDINGS

### Areas of Contestations in Nigeria's Federalism

The Nigeria's fourth republic is in its twenty-first year (1999-2020) with four different Executive Presidents, and it is still counting. This notwithstanding these unbroken twenty-one unbroken years, one major issue during this period that has directly impacted negatively on other issues is the contestations between the central and the 36 State Governments. The contestations in the fourth republic can be discussed based on the 1999 Constitutional as amended and other issues after it, on the following areas:

**Maintenance of Federal Roads by State Government:** The 1999 Constitution provides that the road construction and maintenance is under the three tiers of government. These roads have classified under: Trunk A, trunk B and trunk C. Trunk A roads belong to the federal government, trunk B roads belong to the state government while trunk C road allocated to the local government. Most times the federal refused giving approval to the state governments embark on the construction/or repairs of the trunk A. Most unfortunately, it is the people of the state that ply and uses these federal roads very often. To this effect, some states particularly Lagos and Oyo states toward 2003 general election, mounted bold signposts on a number of bad Trunk A roads in the states proclaiming that the roads belong to the federal government and that the citizens should bear with the state government (Benjamin, 2004).

**Internal Security:** The question of who is the chief security officer in the internal security architecture in Nigeria has remained controversial between the state governor and commission of police in each state. The controversy became pronounced at the beginning of the fourth republic in 1999. The crisis of insecurity across the states of the country prevails to the fact that the state governors alleged that the commissioners of police in their various states have imposed security structure. The governors argued that they are the chief security officer of their states and therefore should be allowed to control the security structure of their various states. But the police commissioners who do not report to the governors rather to the Inspector General of Police (IGP) in Abuja, on the other hand, claim to be the chief security officer of their respective states. On some instances, the governors alleged that the police commissioners were posted to the state against the governors for the federal government (Abidoeye, 2015).

Under the same internal security contestations between the federal and state governments comes the place of the military in Nigeria. The state governors have on various times and occasions rebuff the deployment of soldiers to their states by the federal government to monitor elections. This is done by the president under the pretense of maintaining internal security. A case at hand was the June 21, 2014 Ekiti state gubernatorial election when the armed personnel were equipped with helicopters, armoured personnel carriers, patrol vans, sniffer dogs and other gadgets were deployed to the state (The Nation, 2014).

Before 2014 Osun state gubernatorial election, some All Progressive Congress (APC) members approached the Federal High Court in Lagos for an injunction restraining the then President Goodluck Jonathan from deploying military personnel during election in the state. The APC members among other things sought for a declaration that by the court that the 1999 Constitution does not make provision for the deployment armed military to any state for the purpose of election (Premium Times, 2014). Unfortunately, over 10,000 armed military personnel were deployed to Osun two days to the election day (Punch, 2014).

**Resource Control and Revenue Sharing Formula:** One issue has remained contentious between federal and state government in Nigerian federalism. This is the issue of revenue sharing formula/resource control. This had constituted the most challenges during the fourth republic. The 1999 Constitution as amended still allocates 13% oil derivation fund to the oil-producing states. Obasanjo's civilian administration, which started the fourth republic from 1999 failed to implement the 13% derivation principle against section 162(2) of the 1999 Constitution. The administration was able to come up with 60% of the 13% derivation formula while withholding the 40% of the 13% as an off-shore component. At this point the administration abrogated the obnoxious on-shore/offshore dichotomy. The implementation of the payment of the 60% of the 13% derivation fund was delayed till January 2000 (Abidoeye, 2015).

In his view, Ojameruaye (2002, p. 63) explains that "Resource Control controversy ensued between the Federal Government of Nigeria and the eight littoral States (Oil Producing States) which are: Akwa Ibom, Bayelsa, Cross River, Delta, Lagos, Ogun, Ondo and Rivers which have boundaries with the sea." The remaining 28 states later joined the eight littoral states in the struggle. But what was the struggle about? The eight littoral states were asking from the federal government the application of the derivation principle to revenues generated from natural resources located offshore from their coast (Ojameruaye, 2002).

**The Electoral Act of 2001:** The National Electoral Commission presented the Electoral Bill in 2000 to the National Assembly. The Bill caused a lot controversy and debate. It was highly criticised when the Bill was passed and signed into law due to some controversial clauses. One of such clauses is the extension of the tenure of the chairman, vice-chairman and the councillors of the local government councils from three years as provided for in the Councils (Basic Constitutional and Transitional Provisions)

---

Decree 36 of 1998, to four years. The second contentious clause in the Act is the re-ordering of general elections with the presidential election first, followed by the National Assembly, and then Governorship and State Assemblies. The election into the local government comes last. The third area of controversy in the Electoral Act of 2000 is interpretation of constitutional provisions on functions of National Assembly against those of state houses (Sanyaolu, 2002).

**Payment of Foreign Loans at Source:** There are also contestation between the federal government and the states over the payment of foreign and domestic debts by the states at source. The federal government insists that any debt or loan by the states must be pay back through deduction at source. The implication of this is that the affected states are robbed of their statutory functions. This compelled some states to call on the FG to endeavour to pay on behalf of the state's loans that are taken during military rule (Abidoye, 2015).

**Local Government Area Creation:** The control of the local government and the creation of the local government is another area that has caused hiccup in the relationship between the state and federal government since the advent of democracy in 1999. Benjamin (2004), observes that with the creation of additional local government and conduction of election therein by some states like Lagos, Jigawa, Niger, Katsina and Ebonyi in 2004, the federal government under President Obasanjo directed the Federal Ministry of Finance not disburse funds to them. This action by the federal government was challenged at the Federal High Court by Lagos state for withholding its fund to the some of ₦7.1billion. This, according the state this made her local government councils unable to pay salaries to the primary school teachers and carry out other functions in the councils.

**The Sovereign Wealth Fund/Act:** President Olusegun Obasanjo observed while in Office that a reserved fund could serve as a buffer to the sustenance of Nigerian economy and the excess crude account was floated as aptly posited thus the Excess Crude Account (ECA) was the main financial nest-egg set up by Obasanjo's administration about few years ago to provide a buffer for the country's perennially precarious financial condition that was prone to the vagaries of incessant crude oil price fluctuation. At its peak the ECA accumulated over \$20 billion in 2007. However, the contributions expected from states triggered another controversy because states contested that they do not have enough resources to finance their projects and as such was not ready to save while in debt. This was assumed to be done without proper consultation and bargaining with the state governors (Amobi et al 2014).

**Minimum Wage:** Another issue of gross public discourse has been the fixing of living wage for public workers across levels of government in the country. Until now, heated debates have surrounded the scale of wages and salaries for staff at federal, state and local government levels with the federal workers enjoying a comparative advantage. The government has shifted from an unstipulated amount to ₦7,500 and ₦18,000 recently. Workers at local and state levels of government are paid at lower scales in such a manner that a graduate with the local government system in Anambra State receives less than ₦25,000 as an administrative officer thereby creating unprecedented perchance for federal appointment/jobs.

The current confrontation is the new Minimum Wage Bill passed into law by the National Assembly and signed into law by President Muhammed Buhari, which stipulates ₦30,000 as new minimum wage. Some state governments have argued that the ₦30,000 is for federal civil servants as the states cannot afford to pay it due to poor revenue allocation to the states.

## **IMPACT OF UNCOOPERATIVE FEDERALISM IN NIGERIA**

As a result of the unfriendly relationship between the federal and 36 state governments in Nigeria due to lack of fiscal federalism, the paper identifies as the impact of the situation:

### **Lack of Financial Autonomy**

One of the major impact of the uncooperative federalism and foisting relationship between the federal and state governments is lack of financial autonomy, which is one major evidence of fiscal federalism in other economies. But this is lacking in Nigeria. Evident to this is by Onuigbo et al (2016), which, explain that in the year 2016, a groundswell of criticisms trailed the bailout package approved by the Federal Government for itself and the states as the action had been described as the exoneration of governors from the guilt of fiscal indiscipline. Meanwhile, the Ekiti State chapter of the All Progressives Congress (APC) criticised Governor Ayodele Fayose over his recent comment on the bailout fund, saying it is ingratitude taken too far. Fayose had said that the fundout of which Ekiti State benefited in billions of naira, was not a bailout but an amount due to the State from the Federation Account.

Babalola (2017) argues that the effect of excessive concentration of revenue at the centre began to manifest in 2015 when state governments started finding it increasingly difficult to balance their budgets. This problem arose when the states began to experience a drop in federal allocations, which is a result of the drop in the price of oil in the international market because public finance is mainly dependent on oil revenue. It is, therefore, not surprising that Nigerians, especially from the south, began to clamour for the practise of 'true federalism'.

### **Weak Institutions and Systemic Corruption**

Weak institutions and systemic corruption is what Nwaeze (2017, p. 39) tags “Social Deformity.” By institution, the institutionalists mean customs, social values, social habits, laws, and way of living as well as mode of thinking. The role of institutions in economic life is, therefore, imperative and emphasized in any developmental process. In institutionalism, therefore, the economic life of every economy is regulated by economic institutions and not economic laws (Jhingan et al, 2012). One major impediment to national development of Nigeria is the erosion institutions. Nigeria’s value system, culture, laws and mode of thinking have been damaged. Corruption, dishonesty, social injustice and lack of integrity have been institutionalized, accepted and accommodated as a norm in our society.

Substantiating this fact, by Okowa (1994) believes this made Nigerians to so dishonest, lazy and weak that dishonesty has grown very deep that most people are not ready to work. Everyone wants to get rich quick and this situation has brought about systemic corruption in our national life as a country. It is a situation in which corruption has been institutionalized and raised to a level of structural parameter. It has become part of culture of society.

Nwaeze (2017) therefore posits that the destructive nature of institutionalized corruption and dishonesty is evident across every breadth of Nigeria; be it in business activities, religion, politics, public and civil services, private sector engagements and even personal relationships. No one is to be trusted opportunities to serve have been reduced to an acceptable and accommodated opportunity to become super rich through selfish accumulation of wealth and brazen embezzlement and mistrust. There seem to be no sane one amongst us as the entire population no longer frowns at looters and dishonest people among us rather they are being celebrated to all the members of the society including the religious bodies.

### **Unproductive Consumption**

Nigeria’s economic system is evidently characterized by unproductive consumption. Theoretically, higher consumption stimulates economic growth via the multipliers. According to Keynes theory of employment, output, interest and income (1936), a country with a high marginal propensity to consume (MPC) would stimulate employment and growth rapidly than a country with low MPC (Nwaeze, 2017). As cited by Ohale (2002), the increases in employment and national income would be eroded by imports if the domestic productive capacity of the country with high MPC is not developed or underdeveloped, as the increased national income will be spent on importation of goods and services to meet domestic demands.

### **Feeding Bottle Federalism**

Former Deputy President of the Nigerian Senate and Speaker of ECOWAS Parliament, Senator Ike Ekweremadu, used three words “Feeding Bootle Federalism” to describe the Nigeria’s federalism and these have stuck in the Nigerian political lexicon: feeding bottle federalism. Delivering the 2012 edition of Oputa Lecture on Governance in Africa at Osgoode Hall Law School, York University, entitled “Nigerian Federalism: A Case for a Review”, Ekweremadu forewarned that Judgement Day would ultimately come upon the nation unless it did away with “the military-imposed ‘feeding bottle federalism’ to enthrone one predicated on self-reliance, hard work, enterprise, and resourcefulness to catalyse development” (Anichukwu, 2020).

The Nigerian federation has been derisively described as “feeding bottle federalism” characterised by the monthly revenue sharing among the three tiers of government. In recent times, states have started demanding for a new revenue formula in line with current economic realities (Onuigbo, Rowland & Eme, 2016). This is what Nwaeze (2017, p. 35) describes as “Economic Deformity” and the “situation where the existential of the ‘federating states’ and the federal government is dependent on ‘sharing’ oil rent monthly is far from being an ideal situation that stimulate economic growth as well as sustainable development.”

### **CONCLUSION AND RECOMMENDATIONS**

Conclusively, the states/geopolitical zones are being confrontational to the powers and authority of the federal government on account of a number of issues the paper identified as suffocating to the different states/geopolitical zones. Awofeso and Obah-Akpowoghaha (2017), advice that sticking to the existing arrangements which constantly generate tension and conflicts because of the contradictory provisions of 1999 constitution are antithetical to the realities of time; and arrogating almost all the items to the exclusive list will not bring about democratization and development in the country.

In recent years, the agitations have become increasingly militant and radical, including calls for self-determination and outright secession, all of which have had negative sociopolitical and economic effects on the country’s nation-building process. The violent confrontations constitute a serious threat to personal freedom and the security of lives and property, by extension the quest for entrenchment of federalism. Escalating violence and attacks by ethnic militias, Boko-haram and other faceless groups in the ongoing political dispensation constitute serious threats to the country’s federalist option, democracy, security and nation building (Burgess, 1993b; Gofwen, 2004; Aniekwe & Kushie, 2011).

The recommendations of the paper are thus: First, the prevailing federal structure in Nigeria is not accommodative and inclusive of is true federal system. The paper therefore recommends total restructuring to accommodate the yearnings of all the states and geopolitical zones. Second, the paper also recommends that the government should provide a conducive political atmosphere to curtail political instability, religious strife, and rudderless administration, flagrant wastefulness, tribalism,

maladministration, and administrative lapses, overloaded judiciary, bloated, corrupt and unwieldy civil service, and unbelievable personal greed (Ali & Ahmed, 2019). Lastly, paper that recommends that President Muhammadu Buhari and the All Progress Party (APC) should be magnanimous enough to demonstrate the political will and commitment by adopting the Report of the 2014 Constitutional Conference. If the report of the conference is implemented, it will solve a whole lot of the contestations between the federal and State governments, and make the local government system more active and responsible to its constitutional mandate.

## REFERENCES

- Abidoeye, S. H. (2015). The Nature of Governmental Relationship (Inter and Intra) In Nigeria's Fifteen-Year Old Democratization, *Journal of Humanities and Social Science (IOSR- JHSS)* Volume 20, Issue 7, Ver. I (July 2015), PP 54-58
- Ali, M. A., & Ahmed, F. (2019). Nigerian Federalism Problems in Prospects *Journal of Economic Info* 6(2); 12-18.
- Amobi P. C., Vincent, C. O., & Uchechukwu, P. C. (2014). Politics of Intergovernmental Relations in Nigeria: An Appraisal of Current Issues, *International Journal of Asian Social Science*, Vol 2(11) PP 1892-1905.
- Anichukwu, C. (2020). Ekweremadu @ 58: Reflections on Feeding Bottle Federalism and COVID-19. Vanguard online of Tuesday 24 November. Retrieved from <https://www.vanguardngr.com/2020/05/ekweremadu-58-reflections-on-feeding-bottle-federalism-and-covid-19/>
- Aniekwe, C. C., & Kushie, J. (2011). Electoral Violence Situational Analysis: Identifying Hot-Spots in the 2011 General Elections in Nigeria, National Association for Peaceful Elections in Nigeria (NAPEN). Retrieved from <http://www.ifes.org/Content/Projects/AppliedResearchCenter/Cross-CuttinWElection-Violence-Education-and-Resolution.aspx>
- Awofeso, O., & Obah-Akpowoghaha, N. G. (2017). The Challenge of Federalism and its Implications for the Nigerian State, *International Journal of Politics and Good Governance* Volume VIII, No. 8.3 Quarter, 0976 – 1195
- Asobie, A. H. (1998). Centralising Trends in Nigerian Federalism. In Babawale, T., Olufemi, K. and Adewumi, F. (1998) Re-inventing Federalism in Nigeria: Issues and Perspectives, (Eds.) Malthouse Press Limited, Lagos.
- Babalola, D. (2013). The Origins of Nigerian Federalism: The Rikerian Theory and Beyond, *Federal Governance*, Vol. 8, No. 3, 43-54.
- Babalola, D. (2017). Nigeria: A Federation in Search of Federalism. *50 Shades of Federalism*. Retrieved from at: <http://50shadesoffederalism.com/case-studies/nigeria-federation-search-federalism/>
- Babawale, T., Olufemi, K., & Adewumi, F. (1998) (Eds.). Re-inventing Federalism in Nigeria: Issues and Perspectives, (Eds.) Malthouse Press Limited, Fredrich Ebert Foundation Lagos.
- Ben, E. (Premium Times, September 14, 2014). Osun Election: APC Members ask Court to Stop Jonathan from Deploying Soldiers.
- Benjamin, S. A. (2004). Federal-State and State-State Relations in Nigeria: A Case Study of Lagos State.
- Benjamin, S. A. (2012). Politics of Accommodation in Nigeria's Federalism (1993-2007), A Ph.D thesis to the Department of Political Science, the University of Ibadan.
- Bulman-Pozen, J.m & Gerken, H. (2008). Uncooperative Federalism, *Yale Law Journal*, Vol. 118, 2009; Yale Law School, Public Law Working Paper No. 166. Available at Retrieved from <https://ssrn.com/abstract=1266319>
- Burgess, M. (1993). Federalism as Political Ideology: Interests, Benefits and Beneficiaries in Federalism. In, Burgess, M., & Gagnon, A. (Eds.). *Comparative Federalism and Federation*, New York, Harvester Wheat sheaf. Pp. 102-114.
- Burgess, M. (2017). Federalism and Federation: Putting the Record Straight?. *50 Shades of Federalism*. Available at: <http://50shadesoffederalism.com/theory/federalism-federation-putting-record-straight/>
- Chiamogu, A. P., Onwughalu, V. C., & Chiamogu, U. P. (n.d.). Politics of Inter-Governmental Relations in Nigeria: An Appraisal of Current Issues. *International Journal of Asian Social Science* 2(11):1892-1905.
- Davidson, N. M. (2007). Cooperative Localism: Federal-Local Collaboration in an Era of State Sovereignty



Elaigwu, J. I. (2005). *The Politics of Federalism in Nigeria* Jos, Nigeria: Ayaotu Publishers

Elaigwu, J. I. (2007). Nigeria: The Current State of the Federation: Some Basic Challenges. Paper presented at International Conference on Federalism in Honour of Professor Ronald Watts, Organized by the Institute of Intergovernmental Relations, Queens University, Kingston, Canada, October 18-21.

Fallon, R. H. Jr. (n.d.). Federalism as a Constitutional Concept, *Arizona State Law Journal*

Freeman, E.A. (1972). *History of Federal Government in Greece and Italy*, ed. J.E. Bury (Freeport, NY: Books for Libraries Press).

Gofwen, R. I. (2004). *Religious Conflicts and Nation Building in Northern Nigeria: The Throes of Two Decades*. Kaduna, Nigeria: Human Rights Monitor.

Houghton, M. H. (2016). Concept of Federalism, *Cliffs Notes* on <https://www.cliffsnotes.com/study-guides/american-government/federalism/concepts-of-federalism>

James, O. A. (1993). *The Federal Solution: Political Studies* Vol. 3.

Jega, A. M. (1996). The Political Economy of Nigerian Federalism. In Elaigwu, J.I. and Akindele, R.A. (Eds.) *Foundations of Nigerian Federalism: 1960- 1995*. Abuja: Vol.3: *National Council on Intergovernmental Relations*.

Leff, C. S. (1999). Democratisation and Disintegration in Multinational States: The Break-up of the Communist Federations. *World Politics*, vol.51, January.

Nwaeze, N. C. (2017). True Federalism in a well-structured Nigeria: The Panacea to her Economic Development Challenges. *Greener Journal of Economics and Accountancy* ISSN: 2354-2357 Vol. 6 (2), pp. 026-042, September. Retrieved from <http://doi.org/10.15580/GJEA.2017.2.090417119>

Ogbe O., Max M., Shija M. D., & Zever, A.T. (2011). The Need For Reform of Fiscal Federalism in Nigeria, Benue State. *National Journal of Human Resource Development* Vol.1 No. 1

Ojamuaye, E. (The Guardian, April 22, 2002). The Resource Control Judgment.

Onuigbo, R. A., Rowland, A., & Eme, O. I. (2016). Challenges of “Feeding Bottle Federalism” in Nigeria. *Idosr Journal of Current Issues in Arts and Humanities* 2(1): 34-52.

Peil, M. (1976). *Nigerian Politics: The Peoples View*, London, Cassell.

See Wikipedia on [https://en.wikipedia.org/wiki/Fiscal\\_federalism](https://en.wikipedia.org/wiki/Fiscal_federalism).

Suberu, R. (2001). *Federalism and Ethnic Conflict in Nigeria*, Washington, D.C.: United States Institute of Peace Press. *The Constitution of the Federal Republic of Nigeria 1999 as Amended*.

The Punch (August 14, 2014). Unsavoury Fallout of Osun Governorship Election. The Editorial

Young, E. A. (2013). A Research Agenda for Uncooperative Federalists: Honoring the Work of Heather Gerken Article. *Tulsa Law Review* Volume 48, Issue 3, Spring.

Ukachikara, U. O., & Okoroafor, S. A. (2019). Fiscal Federalism and National Integration in Nigeria. *Saudi Journal of Humanities and Social Science*, July; 4(7): 487-493. Retrieved from Journal homepage: <http://scholarsmeupub.com/sjhss/>

Weiser, P.J. (2001). Federal Common Law, Cooperative Federalism, and the Enforcement of the Telecom Act, 76 N.Y.U. L. Rev. 1692.

Wheare, K. (1963). *Federal Government*, 4th ed., London: Oxford University Press.