

Nigeria: Over-centralization after decades of military rule

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From its independence in 1960 until a new democratic government took office in 1999, Nigeria developed into a highly centralized federal state. The devastating civil war in the late 1960s, followed by decades of military rule, has left most government powers in the hands of the national government. Now, many Nigerians are concerned about over-centralization of powers in a country that has over 400 linguistic-cultural groups and a population estimated at about 130 million, with a high growth rate of 2.6 percent.

Nigeria's federation emerged through a process of conquest and charters granted to British companies from the middle of the nineteenth century, when a variety of nationalities lost their sovereignty to British colonial authority. The amalgamation of various colonial territories gave birth to Nigeria as a colonial state in 1914. The legal system is based on English Common Law, Islamic Sharia (in some northern states), and Customary Law.

The period between 1946 and 1960 saw the gradual federalization of Nigeria until its independence in 1960. Given the heterogeneity of the Nigerian state and mutual suspicions among groups, Nigerian nationalists opted for a federal system of government in the terminal colonial period, as a mechanism for striking necessary compromises. From a federation with a weak federal government in 1960, it had become highly centralized by 1999. A number of factors were responsible for this centralizing trend.

The first is the hierarchical nature of military rule. The military ruled Nigeria for almost thirty years after the civil war. The military command structure was able to centralize powers with minimal resistance from subnational units. Second, the Nigerian civil war in the late 1960s had resulted in a declaration of a state of emergency. Powers which were usurped by the federal government were never returned after the war. Third, the creation of many new subnational states – growing progressively from just three regions to thirty-six states – reduced the resource bases of the states. Fourth, the profit tax on petroleum accrues to the federal government, giving it the vast majority of government revenues. Finally, the need for harmonization in areas of inter-state commerce, international trade, and globalization, has added to the leverage of the federal government in relations with states.

Consequently by May 1999, when a new democratic government took office, there were cries by many political activists about the over-centralization of powers in the federation. The new 1999 Constitution recognizes three tiers of government: federal, state, and local. In the allocation of major policy areas and responsibilities, the Constitution provides an exclusive list of central powers, a concurrent list of shared powers, with all residual powers going to the states, and a fourth list of local government functions.

The exclusive list contains 68 items which include citizenship, immigration, defence, policing, external affairs, mining, nuclear energy, regulation of political parties, and the public debt of the federation. The concurrent list of shared powers includes allocation of revenue, electoral law, universities, technological and post-primary education, scientific and technological research, and

industrial, commercial and agricultural development. The local government functions include roads, sewage and refuse disposal, registration of all births, deaths, and marriages, primary, adult and vocational education, agriculture, health services, and any other functions conferred by the State House Assembly.

In addition to concern about over-centralization, efforts are now underway to streamline intergovernmental relations in the overlapping areas of jurisdiction. These include security, education, housing, agriculture, health, and water. There are also calls to review the 1999 Constitution, even though it is still relatively new. Another point of contention is the Nigeria Police Force which is included in the exclusive list. Some states are demanding the right to establish their own state police forces.

To go along with the powers and responsibilities stipulated in the Constitution, fiscal and monetary powers are also allocated to each tier of government. The federal government raises revenues from mining rents and royalties, the petroleum profits tax, the personal income tax, import and export duties, and a capital gains tax. State governments raise revenue from land taxes, estate duties, licence fees, betting, and sales taxes. Local governments raise revenue from entertainment taxes, property tax, and trading and marketing licences. As a growing number of Nigerians demand decentralization of powers, many feel that the tax powers of each tier of government should be reversed, in favour of states and local governments.

However, there is a general sense of complacency among the three orders of government about revenue generation. Each order depends heavily on statutory allocations from the federal account, which in turn depends heavily on revenues from petroleum resources. This pattern skews the development priorities of governments. Nigerians who are concerned about their country's fiscal strength are proposing a more aggressive revenue generation effort.

Are there challenges for the future? Federalism is brought about by diversity among various states. Yet the policy in Nigeria is to treat all the states in the same way. The equal payment of subsidies, salaries, and other benefits is likely to exacerbate regional economic disparities. The equitable distribution of resources among Nigerian groups will continue to be difficult. As adjustments take place in the federation, there will certainly be strains and stresses.

Other challenges to Nigeria's federation include providing good governance, visionary leadership, and a strong economy. Many Nigerian leaders do not accept the benefits of federalism in the country. Many of the elites see federalism in technical terms and show no commitment to the values of power sharing that must accompany it. Nigerian citizens do not yet fully understand democracy and their Constitution, nor how the rights of citizens must be balanced with their obligations in the federation. Nigerians will need to find a better way to work together, before they can move forward.