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NIGERIA'S FEDERAL CONSTITUTIONS AND THE SEARCH FOR "UNITY IN DIVERSITY"

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INTRODUCTION

Although parts of present day Nigeria had had contact with Europe as far back as the 15th Century and had developed bilateral relations up to the point of exchange of envoys, and although Lagos, the former capital of Nigeria, had been ceded to the British Crown by a treaty of 1861, it was not until 1914 that modern colonial Nigeria came into being through amalgamation of the Colony of Lagos and Protectorate of Southern Nigeria with the Protectorate of Northern Nigeria. This amalgamation was engineered by Lord Lugard, who became Nigeria's first Governor General. From the onset, therefore, Nigeria was a country with marked diversity, as between the predominantly Moslem far North with an established feudal system, the West with established traditional institutions overlaid on a fairly volatile subject population, and a republican and ultra-democratic East. This is obviously an over-simplification of a very complex and diverse country comprising about 400 different ethnic groups.

From 1914, Nigeria went through the constitutional changes of 1922 which created, for the first time, a Nigerian Legislative Council made up of a majority of official and nominated members but in which some Nigerian nominated and elected members participated for the first time, albeit in an advisory capacity, in law-making. In spite of the diversity of the country, the form of colonial government was a unitary one notwithstanding the application of a system of indirect rule throughout Northern Nigeria. In some of the Northern areas without a strong history of "Emirship" or paramount rulership, these were created by fiat as evidenced, for instance, by the institution of the TOR-TIV over the TIV NA/Division and the OCH'IDOMA over the IDOMA NA/Division.

With the end of the second world war, constitutional changes took place rather more rapidly from 1946 to 1951 when a quasi-federal arrangement was put in place and limited ministerial government was for the first time introduced. This arrangement was considered less than satisfactory and Nigeria's political leaders, after a series of conferences with British colonial authorities, settled on

federalism as the most appropriate form of government for Nigeria. The popular slogan for Nigeria in those formative years was "Unity in Diversity".

THE 1954 FEDERAL CONSTITUTION

Nigeria became a truly federal country with the coming into force on lst October 1954 of "The Nigeria (Constitution) Order in Council 1954" which was made on 30th August 1954 and laid before the British Parliament on 3rd September of the same year. The constitution provided that "The Northern Region of Nigeria, the Western Region of Nigeria, the Eastern Region of Nigeria, the Southern Cameroons and the Federal Territory of Lagos shall form a federation which shall be styled the Federation of Nigeria". There was established for the federation a Legislative House, styled the House of Representatives, which also legislated for the Federal Territory of Lagos. The legislatures of the Northern and Western regions were bicameral, each consisting of a House of Assembly and a House of "Chiefs" to accord due emphasis to the influence which the kingship and traditional institutions wielded in these two regions. By contrast, the Legislature in the Eastern Region and the Southern Cameroons where kingship institutions were not so nearly well and widely established consisted only of a House of Assembly (although after three years or so, the Eastern Region also established a House of Chiefs).

It is instructive that the Southern Cameroons which was previously administered as part of the Eastern Region was excised and became a separate federating unit. By contrast, the Northern Cameroons, which had stronger religious, cultural and linguistic affinity with other parts of Northern Nigeria, continued to be administered as an integral part of that region.

The composition of the membership of the various Legislative Houses also pointed to some diversity. Whereas the Northern House of Assembly, the Western House of Assembly and the House of Assembly of the Southern Cameroons had provision for up to five, four and three "Special Members" respectively to "represent interest or communities not otherwise adequately represented in the House" in addition to the elected members, there was no such provision for the Eastern House of Assembly. The House of Assembly of the Southern Cameroons alone of all the Legislative Houses had provision for six "Native Authority Members" to represent the peculiar interest of the local authority areas. The Northern House of Chiefs had provision for a member who would be an "Adviser on Muslim Law", the region being predominantly Muslim. No such provision for a member to represent other religious interests existed elsewhere.

The constitution also provided that

The official language of the House of Representatives and of the Legislative

Houses of the Western Region, the Eastern Region and the Southern Cameroons shall be English.

The official languages of the Legislative Houses of the Northern Region shall be English and Hausa

This arrangement reflected the gap in acquisition of western education as between the rest of the country and the Northern Region.

At the executive level, the Constitution provided for the appointment of a Premier from among the members of the Legislative Houses for the Northern, Western and Eastern Regions but not for the Southern Cameroons. There was also, at that time, no provision for a Prime Minister for the Federation. Also, provision was made for a Governor-General for the Federation with power to appoint a Deputy Governor-General, a Governor and Deputy Governor for each of the Western and Eastern Regions, a Commissioner and Deputy Commissioner for the Southern Cameroons, but only a Governor but not a Deputy Governor for the Northern Region. Under this Constitution, the Public Service and the High Courts were also regionalised. It should be noted that apart from excision of the Southern Cameroons from the Eastern Region and excision of the Federal Territory of Lagos (that is, Lagos municipality) from the Western Region, the areas of the regions remained substantially the same as described in "The Nigeria (Constitution) Order in Council, 1951". With many ethnic nationalities in Nigeria, each of the three regions had within its territory one major ethnic group and several ethnic minorities. In the Northern Region, the almost indistinguishable amalgam between the Hausa and the Fulani referred to, for short, as Hausa-Fulani, represented a majority; in the Western Region, the Yoruba were the majority ethnic group and in the Eastern Region it was the Igbo that constituted the majority ethnic group. Besides, the geographical boundaries, except that between the East and the West which was the River Niger, were largely arbitrary and in most cases paid scant regard to the boundaries between ethnic groups. The leadership of each region as represented by the Premier was in all three regions produced by the majority ethnic group.

THE WHILINK "MINORITIES" COMMISSION

In the run-up to independence, the minorities within each region became increasingly restive and uncertain as to their future in a Nigeria that would be governed entirely by Nigerians without British supervision or protection. There were demands by them for creation of a Middle Belt Region from the North, a Midwest Region from the West, and a Calabar-Ogoja-Rivers Region from the East. These proposed regions were to embrace some "minorities" from each of the existing regions and it was expected that creation of the new regions would largely allay the fears of the minorities.

Accordingly, in 1957, the Colonial Office appointed a Commission known as the Willink Commission after its chairman, Henry Willink

To ascertain the fears of minorities in any part of Nigeria and to propose means of allaying those fears whether well or ill founded;

To advise what safeguards should be included for this purpose in the Constitution of Nigeria;

If, but only if, no other solution seems to the Commission to meet the case; then, as a last resort to make detailed recommendations for the creation of one or more new states

Apart from the demand for creation of new states, there was also the renewed demand for merger of the Yoruba-speaking peoples of Ilorin and Kabba with the Western Region. Indeed, as early as 1949, the Western Regional Conference meeting in Ibadan demanded that the Yoruba of Ilonn and Kabba be merged with their kith and kin in the Western Region and that the Igbo of Asaba and Aboh divisions should likewise be merged with their kith and kin in the Eastern Region.

The Commission concluded that on its own merits, a separate state would not provide a remedy for the fears expressed; that it was seldom possible within each region to draw a clear boundary which would not create a fresh minority; that the increase in the number of regions each exercising the same power as the existing regions would generate very high cost in overheads, not only financial but in terms of resources, particularly of trained minds. The Commission was of the view that "tribal differences" which had become less acute over time had, with the approach of independence, been exacerbated with a "sharp recrudescence of tribal feeling" which it hoped would, with the reality of independence and the vast responsibility attendant thereto, be reversed in the years ahead. On this premise, the Commission did not consider it necessary to create new states which could enshrine tribal separation in a political form and so render it permanent. The Commission recommended that the fears of minorities could largely be allayed by the declaration of the "Ijaw country" as a special area under a Board that would see to its development jointly by the Eastern and Western Regions and the Federal Government; the creation of an Edo Council in the Western Region and a Calabar Council in the Eastern Region; the reorganisation of the Nigeria Police Force; and the entrenchment in the Constitution of Fundamental Rights including the Right to life, Protection against inhuman treatment, Protection against slavery or forced labour, the Right to liberty, the Right to respect for private and family life, the Right to a public hearing and fair procedure in criminal charges, Protection against retrospective legislation, Freedom of expression, Freedom of peaceful assembly, Freedom of movement, the Right to marry, Freedom of religion, Freedom of religious education, the Enjoyment of fundamental rights without discrimination, and the Enforcement of fundamental rights generally.

THE 1960 INDEPENDENCE CONSTITUTION

The Constitution of the Federation of Nigeria 1960 (the Independence Constitution), being the Second Schedule to the Nigeria Independence Act 1960 passed by the British Parliament, apart from transferring power from an appointed Governor-General of the Federation and Governors of the Regions to a Federal Prime minister (with his Cabinet) and to Regional Premiers (with their Cabinets), was not radically different in structure from its predecessor, the 1954 Constitution. Under this Constitution, the Queen of England continued to be the Head of State of Nigeria and was represented in Nigeria by the Governor-General irrespective of whether he was British or Nigerian. The final Court of Appeal for Nigeria continued under the Constitution to be the Judicial Committee of the Privy Council. For the first time, the Supreme Court of Nigeria was given power to hear appeals from the Sharia Court of Appeal of the Northern Region, an innovation designed to cater to the religious inclination of a majority of Northern Nigerians.

Protection of fundamental rights as recommended by the Minorities Commission found a place in Chapter III of the new constitution. By a proclamation of 26th August 1959, a Niger Delta Development Board, as also recommended by the Minorities Commission, was established with headquarters in Port Harcourt in the Eastern Region, to provide for development of the Niger Delta area earlier referred to by the Commission as "the Ijaw Country".

Each of the three regions had its own separate constitution which catered for the peculiar needs of the region. For instance, S.73 of the Constitution of the Eastern Region empowered the Governor to declare any area within the region a Minority Area supervised by a Minority Council. S.74 also empowered the Governor to establish for any Province of the Region a Provincial Administration. This provision was used to divide the Eastern Region into twelve provinces, some of which served specific ethnic nationalities. For instance, Calabar Province served the Efik, the Qua, the Efut and their neighbours; Uyo Province served the Ibibio and the Oron; Annang Province served the Annang; Degema and Yenagoa Provinces served the Ijaw; Port-Harcourt Province served the Ogoni together with the Ikwere/Etche/Ogba-Igbo etc. These regional arrangements served to address, only in a limited way, the problems of diversity within the regions since the powers exercised by the Provincial Administration led by a Provincial Commissioner supported by a Provincial Secretary and with an elected Provincial Assembly were indeed limited.

THE 1963 REPUBLICAN CONSTITUTION

The 1963 Constitution of the Federation of Nigeria which came into force on 1st October 1963 (three years after independence) is usually referred to, for short,

as "the Republican Constitution" because in accordance with Section 2 thereof "Nigeria shall be a Federation comprising regions and a Federal territory and shall be a Republic by the name of the Federal Republic of Nigeria". It established the office of a (ceremonial) President of the Republic who took over from the Queen, acting through her representative the Governor-General, as the Nigeria Head of State and Commander in Chief of the Armed Forces of the Federation. Pursuant to S.4(3) of the 1960 Constitution, a new region known as the Midwestern Region had earlier in the year been created from the former Western Region to incorporate mostly the minority (non-Yoruba) parts of the region. Significantly, and curiously, no new regions were created from the Northern and Eastern Regions to satisfy the aspirations of the minorities in those two regions.

Appeals from decisions of the Supreme Court ceased, under the Republican Constitution, to lie with the Judicial Committee of the Privy Council. Provision was made for regions that so desired to establish Courts of Appeal as intermediate courts between the State High Courts and the Supreme Court of Nigeria. The Supreme Court continued to entertain appeals from the Sharia Court of Appeal of Northern Nigeria. The designations Eastern Region, Northern Region, Western Region and MidWestern Region were replaced by the designations Eastern Nigeria, Northern Nigeria, Western Nigeria and Mid-Western Nigeria respectively. As heretofore, each region had its own regional constitution which gave opportunity to the region to accommodate diversity within its borders. The Niger Delta Development Board was now provided for in the Constitution with a life ending on lst July 1969 or such later date as might be prescribed by Parliament. With this arrangement, the constitutional provisions for the NDDB could only be altered by following the cumbersome procedure provided for amendment of the Constitution.

THE FIRST MILITARY INTERREGNUM

The 1963 Republican Constitution was in operation for just a little over two years before there was an overthrow of the civilian government by the military on January 15, 1966. The military interregnum which followed and which was initially expected to be of short duration lasted almost 14 years. The first major assault on the Republican Constitution occurred on the eve of the attempted secession of Eastern Nigeria by its declaration as the Republic of Biafra. Twelve states were promptly created out of Nigeria's four regions. Midwestern Nigeria became Midwest State; Western Nigeria was carved into Lagos State corresponding to the original Lagos Colony Province and Western State comprising the rest of Western Nigeria. Eastern Nigeria was split into South-eastern state made up of the largely minority provinces of Calabar, Ogoja, Uyo and Annang; Rivers State comprising the largely minority provinces of Degema, Yenagoa and Port-Harcourt; and the East Central State comprising the Igbo provinces of Onitsha, Enugu, Abakaliki, Umuahia and Owerri. Northern Nigeria was carved into six states : Kwara State comprising Ilorin and Kabba provinces;

Benue-Plateau State comprising Benue and Plateau provinces; Kano State comprising Kano province; North-eastern State comprising Bauchi, Borno, Adamawa and Saradauna provinces; Northcentral State comprising Zaria and Katsina provinces; and North-western State comprising Sokoto and Niger provinces. These states were created extra-constitutionally by decree and their creation was intended, among other things, to free the minorities of the East from perceived Igbo domination (as the minorities in the West had been freed from perceived Yoruba domination by the creation of the Midwest Region four years earlier) and thus get them to support the federal cause and the anti-secession war effort by breaking the solidarity of the peoples of Biafra as declared.

The proliferation of states, the prosecution of the civil war and the commandist hierarchical approach of the military to governance, all combined to result in considerable standardisation and centralisation. The states were governed, for instance, by military administrators who answered directly not to the people of their states but to the federal military government at the centre. The climax of this standardisation process was the local government reform of 1976 which saw the adoption of a uniform system of local government for the whole country whereas under our democratic system, the form and structure of the local government was entirely the responsibility of the regional or state governments which would have in mind the need for the local government system to reflect the diversity within the state or region. Also, in 1976, seven new states were created, bringing the total number of states to 19.

THE 1979 PRESIDENTIAL CONSTITUTION

It is hardly surprising that the 1979 constitution, which was produced by a Constituent Assembly and modified by the military and which was to take effect after almost fourteen years of military dictatorship, should jettison the parliamentary system in which colonial Nigeria had considerable tutelage and opt for the executive presidential system generally along the lines of the practice in the United States of America. Perhaps by way of reaction to the attempted secession of Biafra, the constitution, for the first time in Nigerian constitution-making, provided in its preamble and in S.2 that Nigeria would be "one indivisible, indissoluble Sovereign Nation under God".

The Constituent Assembly confirmed by constitutional fiat the centralising and standardising propensities of the Military. For the first time also in Nigeria's federal constitution-making, constitutions of the federating states were abolished and there was now only one constitution for Nigeria and its component states. We had seen, for instance, how the constitution of Eastern Nigeria enabled the region to introduce a system of provincial administration which catered, albeit superficially, to the diversities of the peoples of the region. Under the new arrangement, the structure of the legislature of the states, the structure of the

state executive and the structure of the State courts were all uniformly regulated by the one constitution of the Federal Republic of Nigeria. Even the number and names of the local governments existing in Nigeria were listed in the constitution notwithstanding that Section 7 thereof stated that

The system of local government by democratically elected local government councils is under this constitution guaranteed and accordingly, the government of every state shall ensure their existence under a law which provides for the establishment, structure, composition, finance and functions of such councils

One conscious effort made in the 1979 Constitution to give every Nigerian a sense of belonging has to do with the composition of Federal, State and Local Governments, to wit:

The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few states or from a few ethnic or other sectional groups in that government or any of its agencies.

The composition of the government of a State, a Local Government Council, or any of the agencies of such government or council, and the conduct of the affairs of the government or council, or such agencies shall be carried out in such manner as to recognise the diversity of the people within its area of authority and the need to promote a sense of belonging and loyalty among all the peoples of the Federation

Unfortunately, the above provisions come under the Chapter of the Constitution dealing with the Fundamental Objectives and Directive Principles of State Policy which under S.6(6)(c) are not Justiciable. However, a system of allocation of places in federal government-owned secondary and tertiary educational institutions was adopted to give opportunity to children from the so-called educationally disadvantaged states. This was a form of affirmative action. The same principle applied to admission to military institutions.

In relation to the composition of the Federal Executive, the Constitution provides that "the President shall appoint at least one Minister from each State, who shall be an indigene of such State. But nowhere in the Constitution was the word "Indigene" defined. Nor was there any provision in the constitution as to conditions to be fulfilled before a "non-indigene", howsoever defined, could acquire the residency status of a State of his domicile. The import of this is that, notwithstanding the protection given by the Constitution of a person's right to freedom from discrimination couched in the terms that

A citizen of Nigeria of a particular community, ethnic group, place of origin, sex,

religion or political opinion shall not, by reason only that he is such a person - be subjected either expressly by, or in the practical application of any law in force in Nigeria or any executive or administrative action of the government to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religion or political opinions are not made subject; or

be accorded expressly by, or in the practical application of any law in force in Nigeria or any such executive or administrative action, any privilege or advantage that is not accorded to citizens of Nigeria of other communities, ethnic groups, places of origin sex, religion or political opinions;

the introduction of the concept of "indigene" in governance has created its own peculiar problems. Given the nomadic and migratory nature of some of Nigeria's ethnic groups, what length of residence would be required to qualify one as an indigene - 10 years, 20 years, 50 years, a century, two centuries? At which point do we draw the line and achieve, for instance, freedom from discrimination by imposition of differential school fees on children of "non-indigenes"; or freedom from withholding of employment and other opportunities from non-indigenes? The ethnic clashes in Zangon Kataf and Kafanchan areas of Kaduna State and in the Ikale-Ilaje area of Ondo state, among others, attest to the fact that the concept of indigeneship requires further scrutiny.

The 1979 Constitution was in operation for a little over four years before the elected civilian administration was once again ousted following another military coup d'etat. A period of four years was hardly enough time to put the Constitution to a critical test and fully assess its merits and demerits in terms of promoting "unity in diversity"

THE SECOND MILITARY INTERREGNUM

The second military interregnum lasted almost 15_ years - from 31st December 1983 to 29th May 1999. As usual, the presence of the military in governance generated further standardisation and centralisation. Two further attempts were made at constitution-making in 1989 and 1995. The 1989 Constitution which was never fully operational elevated the local government to a third tier of government (the federal and state governments being the first and second tier respectively) relating directly to and collecting revenue directly from the federal government. In 1989 the number of states was increased from 19 to 21; and in 1991 from 21 to 30; and finally in 1997 from 30 to 36. As more and more states were created, new minorities were thrown up within each state, whose fears it was hoped to allay only by creating more states! Although in this process of proliferation state government was brought closer to the people, the investment in personnel and other costs to serve the many states thus created effectively meant that little or no resources were available for actual development by way of capital investment. With as many as 36 states, it became obvious that the states

could not exercise the same responsibility that was assigned to the three regions of Nigeria at independence. As a result, the federal government has grown steadily stronger and the state governments have grown steadily weaker throughout the period of military rule.

Because of the long period of monopoly of power by the military (now more than 29 years in 39 years of Nigeria's existence as an independent nation) whose leadership came mostly from the old Northern region, and because of the annulment of the 1993 presidential elections won by a southerner from the old Western region, the National Constitutional Conference which met for one year from June 1994 to June 1995 made proposals which were intended to allay the fears of some Nigerians that they were being continually subjected to unwarranted domination. S.229 of the 1995 Draft Constitution which some consider rather drastic, provides that

The office of President shall rotate between the North and the South;

The office of Governor shall rotate among the three senatorial districts of that state;

The office of Chairman of the Local Government Council shall rotate within the local government area. The State Electoral Commission shall divide the Local Government into three equal parts for the purpose of the rotation of the office of the Chairman;

No political party shall be registered under this Constitution until it has reflected the provisions of this section in its constitution

The Constitution also provided for three Vice Presidents and for power sharing at the executive level of the federal and state governments. It also established a Federal Character Commission to elevate the federal character provisions of the 1979 Constitution to a level where these provisions become justiciable. Regrettably, the 1995 Constitution was never promulgated.

THE 1999 PRESIDENTIAL CONSTITUTION

The 1999 Constitution which was promulgated on 5th May 1999 by the then Military Head of State of Nigeria came into force on 29th May 1999, the date of handover to the present elected civilian government of Nigeria. Part of the preamble to the Promulgation Decree made it clear that the country would be reverting substantially to the 1979 Presidential Constitution, to wit:

And whereas it is necessary in accordance with the programme of transition to civil rule for the Constitution of the Federal Republic of Nigeria 1979 after necessary amendments and approval by the Provisional Ruling Council to be

promulgated into a new Constitution for the Federal Republic of Nigeria in order to give the same force of law with effect from 29th May 1999

As has already been pointed out, the 1979 Constitution was tested for just a little over four years before military interruption thereof. The "necessary amendments" approved by the Provisional Ruling Council did not appear to have addressed some of the problems already identified during operation of that Constitution such as the untenable position of a State Governor being the Chief Security Officer of the State without any control whatsoever of the Nigeria Police Force, which is the only Police Force and the main law-enforcement agency in the country and which is totally under Federal control. On the contrary, the Constitution manifested a greater pull toward more centralisation. For instance, the National Judicial Council, a creature of the new Constitution, in which only 5 chief judges of the 36 states are represented, now has the power to recommend to State Governors fit and proper persons to be appointed as chief Judges and Judges of the High Courts of their States and also to recommend those to be removed from office! The unlimited jurisdiction which state high courts enjoyed under the 1979 constitution was also withdrawn under the 1999 Constitution.

EVALUATION AND PROPOSALS

The general body of vocal opinion in Nigeria today is that the present 1999 Constitution of the Federal Republic of Nigeria is a military imposition and has not sufficiently addressed the problems of the multi-ethnic, multilingual and multireligious construct of the Nigerian federation. The operation of previous Nigerian federal constitutions over a period of forty-five years, with intermittent interruption and suspension by the military, does not also appear to have solved Nigeria's problems of diversity. Evidence of this may be seen in the fact that the Niger Delta question which was of concern during the Minorities Commission of 1957/58 and which was intended to have been solved by the proclamation of August 1959 and the setting up of the Niger Delta Development Board (NDDB) is still here with us today in 1999 after over forty years. A bill is now before the National Assembly for the establishment of a Niger Delta Development Commission (NDDC) to address substantially similar problems to those which the NDDB was set up to address. Meanwhile the Movement for the Survival of the Ogoni People (MOSOP) has tabled an "Ogoni Bill of Rights". And as recently as 28th September 1999, the fourth meeting of the Pan-Yoruba National Congress, held at Ibadan, passed, inter alia, the following resolution:

That in conformity with recognised and acceptable principles of federalism, and in accordance with the long-standing popular demand that all ethnic nationalities including Yoruba people should be grouped together in the same zone or region, Congress demands that the 12 Yoruba speaking local government areas of Kwara and the seven Yoruba speaking local government areas of Kogi State should be constitutionally integrated into the Southwest.

This is an echo of the demand for Ilorin-Kabba West merger which was first formally raised at the September 1949 Western Regional Conference held in Ibadan over 50 years ago!

One solution that has been proposed to address the diversity in Nigeria is that the country should revert to the regional form of federal government which the founding fathers successfully negotiated for us with Britain, Nigeria's erstwhile colonial master. But that there should now be six regions - Northeast, Northwest, Northcentral, Southeast, Southwest and Southsouth - in place of the three regions East, West and North - which Nigeria had at independence. These six proposed regions would generally correspond to the present six zones of the country which have been recognised in practical application of Nigerian politics today but have not been recognised in the Constitution. These six regions would be the federating units. Indeed the memoranda submitted to the National Constitutional Conference in 1994 by a) "the Southern Minorities" and b) "the Obas, Elders and Leaders of the Yoruba" and c) "the Igbo speaking Peoples of Nigeria" were all along the same line. The regions would then, within their own regional constitutions, provide for their peculiar diversities through states, local governments and other administrative structures. In some regions the solution could be one of a federation within a federation, like the Russian Federation within the former Soviet Union; in others the structure could be based on layers of federations, one federation enclosing another and that enclosing yet another like an onion bulb.

A more radical view that today appears popular in the South-western zone of Nigeria is that Nigeria should, as it were, return to the drawing board and convoke a "Sovereign National Conference" where all Nigeria's ethnic nationalities would be represented and have the opportunity to renegotiate from scratch the basis of their coexistence as Nigerians. If it is remembered that more or less the same process of negotiation took place over a period of 10 years from 1949 to 1959 under British colonial supervision before the independence constitution of 1960 was agreed upon, it becomes quite easy to imagine what would happen in the event of failure to reach a modus vivendi at a "Sovereign National Conference" of Nigerians alone.

Happily, Nigeria has now returned to democratic civilian governance. Basically, most Nigerians believe faithfully in the indivisibility and indissolubility of the Nigerian nation state based on the principles of freedom, equality, equity and justice for all her citizens as enshrined in the Constitution. True, our present constitution is far from perfect. But in a civilian democratic milieu, the possibilities for making changes based on reasonable consensus are almost limitless. Many Nigerians are optimistic that as the search for "unity in diversity" continues over time, an acceptable constitutional and conventional arrangement will be evolved which will satisfactorily address the ethnic, cultural, social, and religious diversity of the Nigerian population.

The search for "unity in diversity" continues.

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