

Unity or Regionalism: The Nationalities Question

by

Richard L. Sklar

Published in

Crafting the New Nigeria: Confronting the Challenges, pp. 39-59

Edited by Robert I. Rotberg

Boulder, CO: Lynne Rienner Publishers, 2004

Nigerian political thinkers have long debated the merits of two rival approaches to their national identity. One view has maintained that ethnolinguistic identity should be recognized as the main legal basis for governmental institutions; another has resisted that idea. It was not until the 1990s, however, that this issue was given a specific name: the *nationality* question.¹

In Nigerian political discourse, ethnolinguistic groups are known as nationalities. Linguists identify some 400 distinct languages in Nigeria. Historians estimate the number of ethnolinguistic groups to be in the vicinity of 350.² A small but widely respected political group, namely Chief Anthony Enahoro's Movement for National Reformation, contends that it would be appropriate to identify as few as seventy groups as genuine nationalities, but even that would still be a relatively large number. Three nationalities – Hausa, Yoruba, and Igbo in order of their widely assumed respective sizes – account for nearly 60 percent of the national population, now estimated to exceed 130 million. Other nationalities, as enumerated by historians and linguists, range in size from several thousand to several million.

The concept of nationality is complex. While it signifies legal identity, on the one hand, it is also used to indicate cultural and political identities that are not legal, on the other. When posed in this form -- “shall ethnolinguistic nationality be recognized as either ‘a’ or ‘the’ main legal basis for governmental institutions?” -- the nationality question is pertinent to a wide range of constitutional and political issues. One example is the apparent constitutional requirement of parental descent for membership in a state or local authority; another is the debatable degree to which ethnolinguistic nationality should affect the demarcation of states in the federation.³ The contending views of

participants in current controversies relating to the nationality question are deeply rooted in Nigerian nationalist thought.

Nationalist Origins of the Nationality Question

Immediately after World War II, British colonial planners envisioned the construction of Nigerian national institutions on a foundation that would consist of suitably modified traditional governments of ethnolinguistic groups.⁴ Leaders of the nationalist resistance to colonial paternalism differed among themselves on both the political role of nationalities and the uses of traditional governments. The complex relationship between these two contentious matters may be illustrated with reference to the thought of the so-called “Big Three” politicians of the late colonial: Nnamdi Azikiwe, Obafemi Awolowo, and Ahmadu Bello. Awolowo, whose political career was identified with the Yoruba nationality movement in southwestern Nigeria, strongly favored the establishment of an ethnolinguistic foundation for national governmental institutions. Azikiwe, the foremost pan-Nigerian nationalist of the wartime and postwar eras whose career was also identified with the Igbo nationality movement in southeastern Nigeria, opposed Awolowo’s emphasis on ethnolinguistic autonomy. He did, however, favor the creation of a centralized “commonwealth of Nigeria,” consisting of eight geographical “protectorates.”⁵

By contrast with Azikiwe and Awolowo, Ahmadu Bello, who personified the Hausa-speaking Muslim emirates of northern Nigeria, upheld the primacy of traditional authority in public life, provided such authority had been appropriately reformed to function effectively in modern times.⁶ His political perspective, unlike that of either Awolowo or Azikiwe, did not focus on the nationality question. Rather, he thought in terms of a multinational state controlled by his political party, not as a sole legal party but one that would be comprehensively dominant in the former Northern Region, which contained about 55 percent of the country’s population at the time of independence. His state-centered thinking, in opposition to Awolowo’s orientation toward ethnolinguistic nationality, produced one of the sharpest contrasts among Nigerian nationalists of the

independence era. Today the spirit of Ahmadu Bello lives vigorously in the Muslim emirate sector of the northern part of the country.

It is quite striking that the incumbent president, Olusegun Obasanjo, an Egba Yoruba, perpetuates the Azikiwe tradition that Nigerian nationality is transcendent and does not depend on ethnolinguistic identity. While President Obasanjo takes great pride in his ethnic heritage and traditional titles, *jagunmolu* and *balogun*, in the Egba and subordinate Owu kingdoms respectively, he nonetheless believes in the legal independence of Nigerian nationality and, for that reason, has referred to himself as a detribalized Nigerian. By contrast, the late Minister of Justice, Bola Ige, a devoted Awolowist, maintained that to be a good Nigerian one should first be a good member of one's ethnic group. It should be noted that this difference of opinion marks a strictly intellectual issue, rather than a dividing line between ethnic groups.

Thus the organized Igbo leadership, known as *Ohanaeze Ndigbo*, has adopted Awolowo's belief in ethnolinguistic self-determination. This conclusion has been evident in the appearance of an informal alliance between *Ohanaeze* and its Yoruba counterpart, Egbe Afenifere. It is also manifest in the collaboration of Igbo and Yoruba intellectuals in a committee of citizens known as "The Patriots." This committee, which includes influential persons of diverse ethnic origin, was formed to promote constitutional change based on the principle of self-determination for nationalities. It is highly significant that the two leading personalities in this group, Rotimi Williams and Ben Nwabueze, are also two of the most prominent and influential legal luminaries in Nigerian history. Chief Williams's contribution to Nigerian political life, including his chairmanship of the historic Constitution Drafting Committee of 1976, is legendary. Professor Nwabueze is a formidable scholar of world-class distinction; his remarkable ascent to political prominence could happen only in a country where the public truly admires erudite politicians because they are erudite.

The emergence of an Igbo-Yoruba alliance based on Awolowist principles, in opposition to Obasanjo's Azikiwean posture, is open to conflicting interpretations. On the one hand, those who are generally optimistic about the cause of Nigerian unity may be heartened by the integrative implications of increasing Igbo-Yoruba political collaboration in concert with leaders and thinkers who represent neighboring southern

nationalities. On the other hand, more pessimistic minds may worry that the potentially dangerous emirate – nonemirate fissure in Nigerian politics will become more pronounced if most southern political thinkers embrace the Awolowist vision of ethno-linguistic nationality while many thinkers in the emirate sector of the north continue to view it with aversion. Optimists might rebut that pessimistic perception by observing, accurately, that people of all ethnic backgrounds come down on both sides of the nationality question. Furthermore, they could aver with conviction that within each camp the leading protagonists are democrats, so the debate takes place within a national family of democratic ideas and thinkers. Pessimists, however, might then counter with their doubts concerning the ability of democrats to manage certain extreme manifestations of the nationality question, including separatist regionalism and religiously-motivated legal dualism. To be sure, the political party system has thus far failed to articulate major aspects of the nationality question in a manner that would facilitate their resolution by electoral means.

The Federal Question

Nigeria is the world's fifth largest federation – after India, the United States, Brazil, and Russia. The Nigerian dream of federal democracy is similar to the famous Indian dream. Its realization and success will benefit the cause of multiethnic democracy everywhere; conversely, word of its failure would produce great disappointment, not only in Africa but also in multinational societies on all continents.

The Nigerian federation is polyethnic in form, meaning that most of the 36 states have primary ethnic identities.⁷ Each of the three largest ethnic nationalities accounts for all but a relatively few people in five to seven states. A few medium-sized nationalities are identified with one or two states; fourteen states are emphatically multiethnic. The federal question has three distinct components: (1) How shall the constituent units of the federation be demarcated and how many of them shall there be? (2) What shall be the relationship between the government of the federation and the governments of its constituent parts? (3) What shall be the relationship between Nigerian citizens and the national government?

The architects of Nigerian federalism have endeavored to reconcile the claims of nationalities to their places in the constitutional sun with the practical necessity of having a reasonable number of viable states as constituent units of the federation. Among the attempts to resolve this problem, none have been more fateful or less successful, than those involving the formation of geographical clusters, known as *regions* or *zones*. The lessons of Nigerian political history teach that political regionalism is not compatible with the empowerment of a multiplicity of politicized ethnic groups. Once regions are established and endowed with political power, ethnic interests are routinely sacrificed to regional interests, which often prove to be the interests articulated by the leaders of large ethnic groups. While the large groups become regionalist, smaller groups look to the center for protection against their overbearing neighbors within the region.⁸

A federal system of government, comprising three regions (north, southeast, southwest), was created in colonial Nigeria in 1954 and preserved at the time of independence in 1960. Three years later, the Western Region was partitioned to create a fourth region for ethnic minorities in that part of the country. When the Eastern Region tried to secede from the federation in 1967, the federal military government appealed to minorities in the secessionist region and elsewhere by dividing the country into 12 states, six in the north and six in the south. That historic decision corrected a flagrant territorial imbalance, favoring the north, that had been a leading cause of political instability. Thereafter, regionalist thought and organization remained relatively dormant until 1993, when the military government abruptly terminated an electoral transition to civilian rule.

Meanwhile, in response to popular pressures for local autonomy, military rulers increased the number of states to 19 in 1976, 21 in 1987, and 30 in 1991. The widely despised military government of General Sani Abacha then sought to earn political credit by creating 6 additional states in 1996 for a total of 36, which is three times the number deemed necessary to secure a stable balance of constituent states in 1967. Critics contend that proliferation has created an array of weak, and financially unviable, states that function as conduits for the transmission of federal resources and services to local authorities. To be sure, successive military governments relentlessly centralized the nation within a nominally federal framework.

In the aftermath of the aborted transition to a prospective Third Republic, in 1993, disillusioned democrats revived political regionalism as a strategy of resistance to the Federal Military Government. Ironically, their program resurrected a six-zonal blueprint of purely British colonial origin that had not been mentioned in Nigerian political debates for more than fifty years.⁹ While these zones are strictly unofficial, without constitutional sanction, they have become increasingly relevant as political entities, for example meetings of groups of governors who have then announced common positions on issues. Yet there are profound political differences among the zones, and these minimize the potential for success of regionalist solutions to national problems.

In three of the six zones, a regional language is spoken by nearly all of the people: Hausa in the northwest, Igbo in the southeast, and Yoruba in the southwest. These three zones are relatively cohesive, both culturally and politically. Two of them, the southeast and southwest, have pronounced autonomist tendencies. The northwest, however, is not autonomist because the Hausa-speaking emirate leaders have transregional aims and interests based on both precolonial history and religious culture. Specifically, the emirate system, created by Hausa-speaking Fulani warriors and their allies during the first decade of the nineteenth century, extends into the northeastern zone and portions of the north-central. Furthermore, the emirate peoples share a common tradition of Islamic political organization, including a disposition to live in accordance with the precepts and practices of Islamic law.

The other three zones are ethnically and linguistically diversified. In the northeast, there is a large Kanuri-speaking population as well as many other ethno-linguistic groups. Its traditional political organization includes many emirates, some of which acknowledge the traditional leadership of the Sokoto Caliphate of the northwest, in addition to the historic and staunchly independent Kanuri kingdom, which is also Muslim in belief and emirate-like in form. Hence, the region as a whole is not autonomist, and the desire for separation from the emirate sector is limited to areas within its southernmost states, where non-Muslim communities predominate.

The north-central zone is extremely diversified; known popularly and historically as the Middle Belt, this zone contains a multitude of languages and ethnic groups -- by far the largest number of nationalities among the zones. Most of the groups are

motivated by an age-old desire to secure their separation from the Muslim emirates, nowadays within the context of a Nigerian federation. Lacking cohesiveness as a geopolitical zone, the political orientation of the north-central is defensive rather than autonomist. This is also true of the southerly zone that encompasses a broad band of ethnic and linguistic groups, from Itsekeri-, Urhobo-, Edo-, and Ijaw-speakers in the western and central sections to Ibibio, other Efik-speakers, and Ekoi-speakers in the east. This zone, named at first “southern minorities,” then “south-south,” is defined by its separation from the Igbo (southeastern) and Yoruba (southwestern) areas. It includes the oil-bearing Niger Delta and adjacent wetlands sector that currently accounts for more than 90 percent of the value of Nigerian exports.

Turning to the relationship between the government of the federation and the governments of its constituent parts, these alternative possibilities have been envisioned by participants in current debates: a federation of the presently existing states, now 36 in number; a federation of regions, probably six in number but possibly a few more; a confederation of regions. My observations on these alternative outcomes are strictly analytical rather than judgmental.

A federation of the existing states would probably perpetuate the highly centralized form of federalism that was created by the constitution of 1979 and restored by the current (1999) constitution. Theoretically, it would be possible to reverse that tendency by empowering each of the 36 states to frame and adopt its own constitution in accordance with a minimum number of general guidelines. This proposal, made on various occasions by the eminent political scientist, Peter P. Ekeh, would be an alternative to the existing provision of uniform rules for all state governments in the federal constitution.¹⁰ It may be of interest to observe that even the smallest of the Nigerian states has a larger population than some dozen African countries.

The leading proponents of a reconstituted federation that would consist of regions are The Patriots, who favor the use of ethno-linguistic nationality as the basis of government in Nigeria. The Patriots advocate a federation consisting of six regions; were The Patriots’ proposal adopted the existing 36 states would become administrative areas within the constituent regions.

Evolution toward a federation of large regions may be expected to intensify the autonomist tendencies of two regions that are relatively cohesive, namely the southwest (Yoruba) and the southeast (Igbo). In Nigerian history, the economic foundation of regional autonomy is the constitutional principle of economic derivation, meaning that revenue derived from exports should be returned to the region of origin. When, in keeping with their Awolowist orientation, The Patriots endorsed that principle, they exempted offshore oil revenues, which, they said, should be paid into the Federation Account (from which a portion is distributed to the state and local governments). “Hold on!” exclaimed leaders of the Delta/wetland states of the south-south. That, they declared, was our money because the oil was off their shore. The Patriots may have shown an appetite for oil revenue at the expense of a constitutional principle. In a landmark case, Chief Williams, engaged to represent the federal government before the Supreme Court, argued successfully that the boundaries of littoral states do not extend beyond the low-water marks of the land surface or the seaward limits of inland waters.

This ruling, widely known as the resource control judgment of 2002, provoked a storm of protest from the littoral states. *Resource control* connotes the demand of those people who inhabit the areas from which marketable resources are derived to control their ownership and management. Whether such control would be vested in local communities, ethnic groups, or state governments matters less to the proponents of this idea than the principle of an ancestral right upon which their claim is based. Later in 2002, the president made a politically motivated decision to abandon the distinction between onshore and offshore sources of revenue for purposes of disbursement from the Federation Account. But this issue was far too complex for instant resolution.

Immediate objections to prospective losses of federal revenue were forthcoming from several northern states. The president then jeopardized his political standing in the littoral states by declaring that he would not sign a bill that conferred revenue rights on those states for oil extracted beyond a reasonable distance at sea. Eventually, federal legislation embodied a compromise, negotiated by the president with the governors of the littoral states, that provided for a considerable degree of offshore revenue derivation. Southwesterners may be reconciled to the principle of offshore derivation by the reported discovery of ample oil deposits in their own deep waters. Still many leaders of the oil-

bearing communities and their state governments desire nothing less than ownership and management of the oil fields both in their homelands and offshore. Unless they can be persuaded to accept a settlement based on revenue allocation that they perceive to be fair, they might decide to embrace regionalism as a purposeful step toward state and local resource control.

The prospect of a regionalist constitution could stimulate movement away from the federal principle toward a confederation of regions, particularly if differences between the regions are accentuated during the course of constitutional deliberations. This outcome was anticipated by Nwabueze, a leading member of The Patriots and general secretary of *Ohanaeze Ndigbo*, in an address to a conference convened by a Committee of Concerned Traditional Rulers in June 2001. Speaking on behalf of delegates from the southeastern zone, he advocated the convocation of a national “conference of ethnic nationalities” and said that the option of confederation should be “on the agenda.”¹¹

Subsequently in 2001, President Obasanjo challenged advocates of a national conference to persuade the National Assembly to act on that contentious question. The Patriots responded by offering an ingenious proposal for the National Assembly to convene a national conference of delegates from the six geopolitical zones for the purpose of drafting a new constitution for the country. Delegates would be chosen by zonal councils comprising members selected by the five most prominent regional organizations, thus: Afenifere in the southwest, Ohanaeze in the southeast, Union of the Niger Delta in the south-south, Arewa Consultative Forum for delegates to represent the emirate peoples of the northeast, northwest, and north-central, and the Middle Belt Forum for the nonemirate peoples of those regions. A national conference of delegates chosen by ethnically oriented sectional organizations would almost certainly produce a draft constitution that would maximize both the legal consequences of cultural difference and sectional control of economic resources. Although The Patriots are avowedly federalist rather than confederationist in principle, a combination of salient issues – resource control, the selection of the president with regard to regional rotation, and legal dualism with respect to Islamic law – might persuade the members of a national conference, convened on the basis of nationality and regional representation, to consider the option of

confederation. While many influential leaders of opinion have expressed their support for the convocation of a national conference to deliberate on the terms of national unity, there has been little indication thus far of agreement on the method for selecting conferees.

Confederation means, in effect, that the constituent states (or regions) can nullify the laws and acts of the central government. Confederations are based on relationships between governments; direct relationships between citizens and the national government are few and weak, if they exist at all. Political scientists refer to this condition as a “democratic deficit.”¹² In that circumstance, there is a strong tendency for the constituent governments of a confederation, which are directly accountable to citizens, to assert their own claims to sovereignty. A change from federation to confederation implies growing weakness of the ties that bind the regions and might foreshadow an eventual dissolution of the Nigerian union, a perilous prospect that would be very difficult, if not impossible, to accomplish peaceably. Military intervention and civil warfare would result in the displacement of populations and the creation of a multitude of external as well as internal refugees. In short, a breakup of the union could produce a humanitarian disaster on a massive scale.

Legal Dualism and Nationality

Toward the end of 1999, the government of the state of Zamfara, a northern state in the emirate sector, announced its intention to adopt the entire legal system of Islam, known as *sharia*, as the official legal system of the state. Since then, eleven more northern states have taken that decisive step into the realm of theocratic government, which signifies the fusion of political and religious authority. The twelve *sharia* states contain an overwhelming majority of the forty-plus Muslim emirates in Nigeria. Their actions have nullified the historic compromise of 1960, which confined the application of Muslim law to personal status, family law, and civil law issues. In preparation for independence, the northern regional government had adopted a penal code based mainly on that of Sudan, which had been widely accepted by Muslim legal authorities as being entirely compatible with the *Quran* and prophetic teaching. The Sudanese precedent was

important because it had shown that the legal system of an orthodox Islamic society could be adapted to modern life in a nation that was religiously diverse. Like its Sudanese model, the Northern penal code did incorporate elements of Islamic law, for instance, the penalty of whipping, although this was administered in a manner that stressed public humiliation minimized physical pain.¹³

Yet as Professor Nwabueze has observed, *sharia* did not thereby become the legal system of the region or any of the nineteen successor states in the Nigerian federation. Furthermore, the penal code is a secular instrument, subject to the constitution, including its declaration of human rights.¹⁴ When, however, state governments decided that *sharia* itself would supersede the penal code and all other laws insofar as Muslim residents in those states are concerned, the historic compromise was violated together with section 10 of the constitution, which prohibits the adoption of an official religion by either the federation or any of its constituent states.

Proponents of *sharia* argue that Islamic law will not be applied to non-Muslims, although the religious identity of individuals may not always be obvious to those who enforce the law. In any case, since *sharia* has become the highest law in certain states, there have been, in effect, two categories of citizens based on religion, each with its own set of rights and criminal penalties. Muslims are liable to be flogged in public for drinking an alcoholic beverage in a public place; they are subject to the penalty of amputation of a hand for theft, a hand and foot for armed robbery; they must participate in compulsory prayer at regular intervals during the day. Muslim women are subject to many restrictions, including a prohibition against travel with men, other than family members, in public conveyances. Women may be subject to caning for extramarital sex, and they are more likely than men to be sentenced to death by stoning for the offense of adultery. In one widely monitored case, a sentence of death by stoning was reversed by a *sharia* court of appeal on the ground that the offense was committed before the establishment of a *sharia* penal code; three other widely reported sentences of death by stoning, involving two women and one man, have been appealed to higher *sharia* courts.

In March 2002, Chief Godwin Kanu Agabi, then attorney-general of the federation, who was also minister of justice, sent a public letter to the governors of those states that had adopted *sharia* comprehensively. Stressing the incompatibility of

differential punishments based on religion with the constitutional principles of equality before the law and freedom from religious discrimination, Agabi declared that the federal government had received hundreds of petitions from aggrieved Muslims in the *sharia* states. While President Obasanjo has expressed his personal opinion that the establishment of *sharia* as the penal code of a state is unconstitutional, he appears to believe that the question should be resolved politically rather than judicially, because it is too laden with emotion to be adjudicated by the Nigerian Supreme Court without damage to that institution.

Although public opinion on this issue has not been surveyed scientifically, nor tested at the polls, there does appear to be a significant difference of opinion between Muslims in the emirate areas and those who do not belong to emirate communities. In the emirates, which contain approximately two-thirds of all Nigerian Muslims, the legal supremacy of *sharia* is extolled as a fundamental religious right as well as an antidote to both criminal behavior, which is rampant in the south, and the spread of sexually transmitted diseases, particularly AIDS. Although the early introduction of comprehensive *sharia* in states controlled by a political party that opposes the President's party may be attributable to political opportunism, the new legal order is now supported by an overwhelming majority of the emirate intelligentsia, with deep moral conviction. By contrast, it appears that the vast majority of Muslims outside of the emirates, do not favor the establishment of *sharia* in their own states. Yet the question is extremely sensitive for believers; it is noteworthy that prominent Muslim champions of democracy and liberty in southern Nigeria have been uncharacteristically silent on this issue, including its implication for the constitutional protection of fundamental rights.

Barring an enforceable judicial decision that restores constitutional supremacy in criminal proceedings, the establishment of *sharia* in states that contain the vast majority of emirates appears to be irreversible. However, it has been suggested that objectionable punishments could be "winnowed" without restoring secular supremacy in those states.¹⁵ Political scientists have a concept, *constitutional asymmetry*, for the accommodation of systemic differences within federations.¹⁶ Canada, Belgium, Spain, Russia, India, Malaysia, and now Nigeria exemplify this development in the science of government.

Will recourse to the theory of constitutional asymmetry suffice to accommodate legal dualism when it is based, in part, on theocracy? Only time will tell.

Meanwhile, it may be both realistic and salutary to think of this issue as a manifestation of the legal nationality question, rather than an issue that is essentially religious in nature. As we have noted, the introduction of *sharia* is favored by a great many Muslims in the emirate sector of the northern part of the country. Muslims elsewhere in Nigeria do not, in the main, appear to favor the introduction of *sharia* as a replacement for the existing system of statutory law. The nonemirate Muslim population includes approximately half of the Yoruba nationality, which is second in size to the Hausa only. In Yorubaland, where it is not uncommon for families to include both Christians and Muslims who practice their respective religions conscientiously, relatively few Muslims advocate the introduction of comprehensive *sharia*. This indicates that the issue is a consequence of cultural cleavage between emirate and nonemirate nationalities rather than a specifically religious differentiation. Intractable as they often appear to be, nationality questions are still more amenable to compromise solutions than religious disputes that involve sacred beliefs and doctrines.

Yet religious issues, arising mainly from the *sharia* question, have sparked deadly conflicts between nationality groups in the northern cities of Kaduna, Jos, and Kano. In Kaduna, capital of the religiously diversified state of Kaduna, actions taken by the House of Assembly in early 2000 to prepare for the establishment of *sharia* resulted in deadly violence. Several hundred Christians, the vast majority of them Igbos, were killed. When a bus laden with corpses arrived in the southeast, enraged mobs attacked innocent and defenseless Hausas; some thirty were murdered in the Igbo city of Aba, and Hausa property was destroyed in other southeastern towns. A Kaduna state judicial commission, highly critical of Christian community leaders, has alleged that approximately 1,300 people in the state lost their lives in religious conflicts during the year 2000. Others say that the total number of deaths was considerably higher. Subsequent conflicts between Christians and Muslims in Kano, capital of the emirate state of Kano, and Jos, capital of the Middle Belt state of Plateau, have been comparably deadly.

In the immediate aftermath of the Kaduna massacre, all five governors of the Igbo-speaking southeastern states declared their support for a confederal form of government; as one of them said, “we subscribe to a future of a loose confederacy, with a weak, lean center for purely administrative purposes.”¹⁷ The Igbo governors’ statement was welcomed by the leading Yoruba political organization, Afenifere, to which all six southwestern governors belonged. While the aim of confederation was endorsed by the broad-based Igbo political organization Ohanaeze Ndigbo, one wonders whether Igbo leaders truly seek that outcome, since the Igbo states are land locked with modest resources. By contrast, the Yorubas, with an extensive, and reportedly oil-rich, seacoast could easily go it alone. The real intent of some, if not all, of the Igbo governors may have been to warn their northern emirate counterparts that confederation, and the consequent forfeiture of the northern states’ existing entitlement to oil revenues, would be the high price of comprehensive *sharia*. If the emirate nationalities choose to jettison the principle of a secular constitution in favor of a theocratic principle, they may have to pay for it in the form of discounted development.

Were it not for the *sharia* question, southeastern (i.e., Igbo) views on resource control might be closer to the northern emirate view than to the Delta/wetland viewpoint. Given its multinational composition, the Christian south-south has much in common with the multinational and largely Christian Middle Belt (north-central) except with regard to the issue of resource control, which does not appeal to most Middle Belt thinking. In brief, the pattern of cross-cutting ethnosectional interests in Nigeria is far too complex for comprehension with simple frameworks of analysis. The false conceptual frameworks of Christian versus Muslim and north versus south only obscure the interests and values of Nigerian political actors.

Political Parties and Coalitions

In January and February 1999, a sequence of elections, both state and federal, reproduced a pattern of political party formation that has persisted, with brief interruptions, since the emergence of nationwide political parties during the World War II. There has often been a party of political barons or elites, widely distributed

throughout the country, opposed by sectional parties or a coalition of sectional parties. While the party of widely distributed elites has always had ethnosectional strongholds and centers of gravity, its top-down national, as opposed to bottom-up coalitional, structure has been a major asset in national electoral campaigns. I suggest that national elite coalitions have regularly outperformed electoral coalitions created by politicians who have tried to reach out from a primary ethnosectional base to ally with similar parties and factions in other parts of the country. Nigerian history suggests that coalitions of sectional groups are unlikely to win national elections.

The first coalition of modernizing Nigerians claiming to represent the national interest was the Nigerian Youth Movement, founded in 1936. Although the ethnic identities of its founders and leaders were almost exclusively southern, the political values of the Youth Movement were national. The Youth Movement's chief aim was to wrest control of the Lagos town council from the Nigerian National Democratic Party, which represented the parochial interests of the indigenous community of the capital city. In 1945, the Youth Movement's influence in national politics was eclipsed by a more broad-based political association, the National Council of Nigeria and the Cameroons (NCNC), which incorporated the communal party of Lagos. Subsequently, the Youth Movement became an instrument of the Yoruba intelligentsia.

Guided by Obafemi Awolowo, onetime secretary of its southwestern provincial organization, the Youth Movement evolved into the governing party of the Yoruba-controlled Western Region, with Awolowo acceding to the office of premier in 1954. The independence election of 1959 was contested by three major political parties thus: the Northern Peoples' Congress, led by Ahmadu Bello; the NCNC, led by Azikiwe, with its center of gravity in the southeast; and the Action Group, led by Awolowo, which formed alliances with ethnic minority groups in the north and east, some of them being incorporated into the party itself. Since no single party had a majority in the House of Representatives (then the controlling chamber of the National Assembly), it was necessary to form a two- or three-party governing coalition. In light of Awolowo's pronounced belief in strong party leadership for programmatic purposes, it was logical for the leaders of the other two major parties to form a coalition government headed by

the deputy leader of the northern party who had served in that capacity prior to independence.

By the time of the next federal election, in late 1964, the governing coalition had collapsed and two broad electoral coalitions had emerged to compete for control of the deeply troubled federation; they were the northern-based Nigerian National Alliance and the southern-based United Progressive Grand Alliance, each with important allies in the other's primary sector. Electoral chaos and continued political turmoil culminated in the coup d'état of 1966. Political parties were dormant until the restoration of civilian government in 1979, when five parties were authorized to contest elections at the state and federal levels. The National Party of Nigeria embodied the tradition of the northern-based Nigerian National Alliance of 1964. However, the National Party was more broadly grounded as a nationwide elite party of "heavyweights," or "men of timber and caliber." Three of the other four parties were clearly sectionalist – the Yoruba-based Unity Party of Nigeria, led by Awolowo; the Igbo-based Nigerian People's Party, led by Azikiwe; and the Borno (northeastern)-based Great Nigeria People's Party, led by Waziri Ibrahim. The People's Redemption Party, led by Aminu Kano, represented the ideological cause of populist democracy.

Awolowo's Unity Party rallied erstwhile allies of the old Action Group more effectively than Azikiwe's People's Party could energize the former NCNC's network of affiliates. But its challenge to the National Party, a truly national elite coalition, fell short of success. Awolowo has been described as "the best president Nigeria never had."¹⁸ His strategy of reaching out from a core constituency (the Yoruba) to allies who were disaffected from dominant political groups in other parts of the country had been defeated once again.

Four years later, in 1983, Awolowo's final attempt to reach out to other sectional leaders foundered in the face of resistance to his leadership by potential allies. That assessment is unlikely to be challenged by historians even though the official results were badly tainted by gross malfeasance in the electoral process and therefore utterly unreliable. The ensuing coup d'état on New Year's Eve 1983 ushered in fifteen years of military rule punctuated by the restoration of elected local and state governments in 1990 and 1991, federal parliamentary elections in 1992, and the annulled presidential election

of June 12, 1993. These electoral battles were fought by two political parties created by the military government in an avowed attempt to minimize ethnosectional and sectarian tendencies in party formation. In the presidential contest, Moshood K. O. Abiola, a Yoruba business magnate, stood under the banner of the Social Democratic Party; Bashir Tofa, an emirate-area financier, was nominated by the National Republican Convention. It is noteworthy that both parties were national elite coalitions. Although Abiola was solidly supported by the Yoruba, the Social Democratic Party itself was the end product of a coalition-building process that included core elements of the northern emirate elite.¹⁹ Before the military acted, for dubious and vague reasons, to annul the presidential election, reliable albeit unofficial reports indicated that Abiola had won a decisive victory, with 58 percent of the vote and substantial support throughout the country. However, Nigeria was destined to endure six more years of military rule until the restoration of constitutional and civilian government in 1999.

The 1993 pattern of balanced competition between national elite coalitions was not, however, reproduced for the three-tier electoral sequence -- local, state and federal -- of January-February 1999. In these elections, the People's Democratic Party (PDP), a new national elite coalition, incorporating diverse regional and parochial interests, bested a coalition of two sectional parties with diametrically opposed political orientations, namely the emirate-based All Peoples' Party and the southwestern Alliance for Democracy. Although the presidential election was marred by widespread fraud, the margin of Obasanjo's victory, and the breadth of his support compared with that of the rival coalition's candidate, indicate that he would have won handily even in the absence of gross malpractice. While the PDP was overwhelmed in the sectional strongholds of the Hausa and the Yoruba, it still captured a majority of gubernatorial offices and both houses of the National Assembly. A party of ostensibly common national purpose had yet again vanquished an ethnosectional coalition.

In the immediate aftermath of that election, the PDP loomed over the Nigerian political landscape in the manner of a big tent. The incongruous coalition that had formed to oppose it fell apart; it appeared likely that the surviving opposition parties would become little tents, or satellite parties, as many of their members and supporters gravitated from their redoubts of sectional dissent to the house of national power and

influence. When the Obasanjo administration assumed office, the likelihood of effective competition for the PDP at the national, as distinct from the state or regional, level appeared to be remote. To be sure, political parties with national, rather than ethnic, religious, or sectional orientations would be free to compete in federal and state elections as long as they qualified under relatively permissive registration requirements. But there was no national issue on the visible horizon that could sustain a truly competitive contest for the presidency. Proposals for a return to regional governments in Nigeria, resurrected by ethno-linguistic nationality thinkers in the southeast and southwest mainly, had been rejected by political leaders in the north-central, northeast, northwest, and south-south. Apart from the regional question, no other political or economic issue was sufficiently potent to inspire and sustain nationwide, as distinct from local and sectional, opposition to the big-tent party of national purpose.

The introduction of *sharia* in the northern emirate states, however, resuscitated nationality thinking and regionalist politics elsewhere in the federation, particularly in the southeast and southwest. Nationality thinkers seized upon the adoption of Islamic law, especially the penal provisions, to reassert regionalist proposals for constitutional change, notably The Patriots' proposal as previously described. Still they were unable to capitalize on nationality sentiments in the southeast and southwest to build a national political party in opposition to the PDP. Ultimately, they were powerless to prevent a shift of Yoruba opinion toward support of President Obasanjo's bid for a second term when it was challenged strongly by political leaders in the north.

Eventually, the Alliance for Democracy, which had achieved electoral mastery in all six southwestern states when it opposed Obasanjo in 1999, endorsed his candidacy in 2003. Obasanjo's presidency, including the appeal of its continuation into a second term, has induced an overwhelming majority of his Yoruba compatriots to forsake political strategies of ethnosectional coalition-building for occupancy of a portion the big tent, where ethnolinguistic nationality is a respected persuasion but not an official orthodoxy. Meanwhile, the Hausa people of the northwest were mobilized mainly by leaders of the erstwhile All Peoples' Party, subsequently renamed All Nigeria Peoples' Party (ANPP), who had joined with the Alliance for Democracy to oppose Obasanjo in 1999. Its 2003 presidential candidate, Muhammadu Buhari of the emirate state of Katsina, was, like

Obasanjo, a former head of state under military rule. For the vice-presidential running mate, the ANPP selected Chuba Okadigbo, a prominent Igbo senator from Delta State, hoping thereby to garner support among Igbos that would partially offset the Yoruba shift toward Obasanjo. Had the ANPP gone so far as to embrace the principles of ethno-linguistic nationality and economic derivation it might have become a broad-based national party that could compete effectively with the PDP. However, it was not at all realistic to anticipate a volte-face of that magnitude by the leaders of the northern emirate-states; they were not about to reverse their long-standing fiscal policies, and suffer the economic consequences of a weakened federation. In effect, they opted to support a large satellite party – the ANPP -- outside of the big tent as long as they could both enforce the *sharia* legal system in their own states and ensure their entitlement to a continued high volume of federal revenues.

Since neither of the two big parties supported the principle of ethnolinguistic nationality and the related call for a national conference to deliberate the nature of the union, those ideas were scarcely contemplated by the electorate in 2003. Moreover, Obasanjo's deft management of the offshore oil revenue issue strongly enticed the Delta/wetland and other littoral states to stay securely within the big tent. At the end of the day, sectional parties were restricted by the electorate to satellite status. Obasanjo defeated Buhari in all but ten states, all of the latter being *sharia* states. The ANPP won gubernatorial contests in seven of the twelve *sharia* states but nowhere else. In the six Yoruba states of the southwest, the resurgent PDP captured five of the six state gubernatorial offices that had been won by the regionalist Alliance for Democracy four years earlier, and made comparable gains in the various legislative elections. [See Figures 3.1 - 3.4.]²⁰

The election of Obasanjo to a second term means that Atiku Abubakar, his Hausa vice president, will be favored to secure the PDP nomination for president in 2007. It seems reasonable to assume that a substantial portion of the emirate state electorate and political leadership will then be inclined to leave their satellite party for a place in the big tent. In that event (or in the event that a similarly influential northern is nominated) the currently low probability of an effective challenge to the PDP by another party at the national level would become lower still. The structure of politics in Nigeria implies

consolidation of power by a dominant party while citizens are free to criticize the government and organize opposition parties.

The defining quality of a national elite coalition, such as the PDP, is that its leaders and intellectual adherents consider the nation to be a primary political community rather than an aggregation of antecedent nationalities. Local and sectional elites who promote the fortunes of the PDP regularly place the needs and requirements of a comprehensive national organization, created to win elections, over and above the pursuit of sectional interests. Leaders and officials of the PDP represent Nigerian political opinions more broadly, but by and large less passionately, than do the leaders of parties based primarily on causes and foundations that are sectional, or regional, rather than national. The PDP itself is an arena of intense conflict on many issues; greater and lesser barons of the party routinely challenge the views and decisions of ranking leaders and their agents. However, as long as active members can both assert themselves with the councils of the party and leave it for another party, should they wish to do so, the big tent will be the principal venue for big events in Nigerian political life.

Conclusion

As a result of the legal revolution in northern Nigeria, the idea of regionalism has been resurrected by political entrepreneurs in southern Nigeria. Naturally, northerners were appalled by the perceived economic consequences of regionalism, in particular the prospect of a steep decline of the northern share of revenues attributable to oil. In 2003, southerners too rejected regionalism and the related prospect of confederation for a variety of reasons, including anticipated economic disadvantages in the southeast, concessions to the south-south group of states in the form of revenue allocations from offshore oil production, and growing support for Obasanjo's presidency in the southwest. For the time being, nationality questions are more likely to be debated in relation to the aim of comprehensive multinational inclusion within common institutions rather than proposals for regional separatism or a more explicitly ethnic form of federation.

Yet the resilience of regionalism in Nigerian thought and action, its capacity to rebound from a steep descent to virtual irrelevance in the electoral exercise of 2003,

should not be underestimated. Its future potency will probably depend mainly on the outcome of attempts to manage the question of *sharia*. Moderates on both sides of this defining issue of national unity seek to discover common ground between proponents of *sharia* in the emirate states and principled constitutionalists who reject a double standard for criminal conduct based on religion. If that quest proves to be futile and the *sharia* debate becomes increasingly acrimonious, we can anticipate the renewal of demands for a weakened federation with a high degree of regional autonomy tending toward confederation. And let us not forget that the confederal form of government tends to be unstable and liable to severe crises of legitimacy resulting from the aforementioned democratic deficit that is its congenital weakness.

Whether or not a regionalist constitution would endanger the unity of Nigeria, it would almost certainly ensure a diminution of the nation's role in both West African and continental politics. Nigerians might then be happier, and the regional entities, each in its own way, could become more democratic than the existing centralized federation. But Nigeria would be less likely to evolve as a continental power, comparable to South Africa, where a big tent political party presides over the effort to mobilize human resources for national development. One may wonder whether Nigerian intellectuals in general are prepared to abandon the idea of *high politics* in the form of continental power for the sake of *low politics* in the form of regional autonomy. Abuja, a new city at the edge of the north-central high plains, is the symbol of high politics, meaning statesmanship in the exercise of national power, as opposed to regionalism and localism, symbolized at the present time by Lagos, formerly the national capital, in the southwest and by Enugu, a former regional capital, in the southeast. High politics is not for every nation, and may not be for Nigeria. Yet the option of high politics is available to Nigeria; and it is not incompatible with a nation whose people have complex political identities.

Endnotes

¹Antecedent discussions in the 1980s include *Report of the Political Bureau* (Lagos, 1987), 196-202; and S. Egite Oyovbaire, "Military Rule and the National Question in Nigeria," in Peter P. Ekeh and Eghosa E. Osaghae, eds., *Federal Character and Federalism in Nigeria* (Ibadan, 1989), 384-396.

² See, for example, J. F. Ade. Ajayi, "The National Question in Nigeria in Historical Perspective," in Toyin Falola (ed.), *Tradition and Change in Africa: The Essays of J. F. Ade. Ajayi* (Trenton, 2000), 232.

³ John Boye Ejibowah, *Competing Claims to Recognition in the Nigerian Public Sphere* (Lanham, MD, 2001), 139-140.

⁴ For a concise summary of colonial thought and nationalist dissent, see Richard L. Sklar, "The Colonial Imprint on African Political Thought," in Toyin Falola (ed.), *African Politics in Postimperial Times: The Essays of Richard L. Sklar* (Trenton, 2002), 185-191.

⁵ The primary sources are Nnamdi Azikiwe, *Political Blueprint of Nigeria* (Lagos, 1943) and Obafemi Awolowo, *Path to Nigerian Freedom* (London, 1947). For a concise summary of their views, see Eme O. Awa, *Federal Government in Nigeria* (Berkeley and Los Angeles, 1964), 25-28.

⁶ C.S. Whitaker Jr., *The Politics of Tradition: Continuity and Change in Northern Nigeria, 1946-1966* (Princeton, NJ, 1970); John N. Paden, *Ahmadu Bello, Sardauna of Sokoto: Values and Leadership in Nigeria* (London, 1986).

⁷ Use of the term *polyethnic* to describe federal systems in which the constituent units "coincide with...ethnic, tribal, or linguistic" boundaries is attributable to Ivo D. Duchacek, *Comparative Federalism: The Territorial Dimension of Politics* (New York, 1970), 293.

⁸ For another view, see Itse Sagay, "Reordering Nigerian Federalism: Making it More Confederal," Chapter 5, this volume.

⁹ John N. Paden, "Nigerian Unity and the Tensions of Democracy: Geo-Cultural Zones and North-South Legacies," in Paul A. Beckett and Crawford Young (eds.), *Dilemmas of Democracy in Nigeria* (Rochester, N.Y., 1997), 243-245.

¹⁰ Peter P. Ekeh, "Nigerian Political History and the Foundations of Nigerian Federalism," keynote address to a Conference on the National Question at the University of Ibadan, Nigeria, 2000.

¹¹ B. O. Nwabueze, "The Imperative of a National Dialogue," *The Guardian Online* (Lagos), June 28, 2001.

¹² Ronald L. Watts, "Daniel J. Elazar: Comparative Federalism and Post-Statism," *Publius: The Journal of Federalism* 30 (2000), 167.

¹³ Lt. John P. Browne, "An Operational Study of the New Penal Code of Northern Nigeria," *University of Detroit Law Journal* 39 (1962): 496-497.

¹⁴ Ben Nwabueze, "The Unconstitutionality of State Enforcement of *Shari'a* law," *The Guardian Online* (Lagos), July 3, 2000.

¹⁵ Report of an interview with Dr. Ahmed Kusamotu, a legal scholar, in *The Guardian Online* (Lagos), March 23, 2002.

¹⁶ Watts, "Elazar," 164-165.

¹⁷ Enugu State Governor, Chimaroke Nnamani, quoted in *The Guardian Online* (Lagos), March 8, 2000.

¹⁸ This memorable tribute to Awolowo was uttered on the occasion of his death in 1987 by former political opponent Chukwuemeka Odumegwu Ojukwu, who had been military leader of the secessionist Republic of Biafra (1967-1970). *ThisDay Online* (Lagos), March 2, 2003.

¹⁹ For a lucid account of the descent of these parties from political groups in the Constituent Assembly of May 1988, and other political associations animated by that event, see Babafemi A. Badejo, "Party Formation and Party Competition," in Larry Diamond, Anthony Kirk-Greene, and Oyeleye Oyediran (eds.), *Transition Without End: Nigerian Politics and Civil Society Under Babangida* (Boulder, 1997), 171-191.

²⁰ See also Darren Kew, "the 2003 Election: Hardly Credible, but Acceptable," Chapter 9, and Bronwen Manby, "Principal Human Rights Violations," Chapter 9, this volume.