

NIGERIA: THE BACKGROUND TO FEDERATION

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LEADERS of political parties who held a Constitutional Conference with the Secretary of State for the Colonies in London last autumn, naturally had many things to quarrel about—both among themselves and with the British Government. But these did not include the form of government Nigeria should have before and after independence. All the delegates were agreed that a federal form would be the best for the country.

This has not always been so. In 1953, for instance, when the first Conference was held in London, the three major parties in the country took three different and irreconcilable positions. The Northern People's Congress, the ruling party in Northern Nigeria, presented an eight-point programme for a Customs Union between Northern and Southern Nigeria. The National Council of Nigeria and the Cameroons, which governs the Eastern Region, advocated a closely-knit unitary constitution. And midway between the two extremes, the Action Group, the party of Chief Obafemi Awolowo, Premier of the Western Region, stuck to its declared policy of federalism. The Conference, however, finally agreed upon the structure and framework of Nigeria's Constitution, so that, when it ended, Dr. Nnamdi Azikiwe, N.C.N.C. leader of the advocates of unitarism, was in a position to announce at a Press Conference in London that "federalism is imperative".

But why is federalism imperative? Nigeria, with an area of 372,000 square miles, is more than four times the size of Great Britain, larger than Uganda and Kenya together, and nearly as large as the Union of South Africa. The last census, taken in 1952/53, put the population at 31,170,000; but the latest estimate is 35,000,000, which is greater than the combined populations of three other Federations in the British Commonwealth of Nations—Canada, Australia and Malaya—or those of South Africa, Uganda and Kenya together.

On the basis of size and population alone, therefore, it would be difficult to administer Nigeria as one single unitary state. And if it were attempted, the result would probably be administrative inefficiency. This inefficiency might not always

have been noticeable in the days of absolute colonial rule, when the Governor was the repository of all executive, judicial and legislative powers. But it was reflected in the slow rate of progress in Nigeria as a whole and in the extent to which the country was unevenly developed. Were size and population the only problems, however, it would have been a relatively easy matter, and we should not have had to hold five Constitutional Conferences in Lagos and London between 1953 and 1958. Size and population are complicated the more by the large number of nations that make up the country, and by the great diversity that exists among these nations in culture, language and customs. It has been estimated that there are at least 200 ethnic groups in Nigeria, each with its own distinct culture, language and customs. These are often referred to as tribes, but each of them has, in fact, all the characteristics of a nation. Of the 200, there are nine principal ones with substantial populations: the Hausas—5,600,000; the Ibos—5,500,000; the Yorubas—5,100,000; the Fulanis—3,100,000; the Kanuris—800,000; the Ibibios—800,000; the Tivs—800,000; the Edos—500,000; and the Nupes—400,000. In addition to these, there are 8,350,000 other people belonging to smaller but distinct linguistic groups. The existence of so many ethnic groups with nearly as many cultures, customs and languages, compels a form of government which will guarantee to each group the protection of its own way of life in what is, in reality, a union of nations. Have not authorities on federalism told us that where there is such diversity of language and custom, there is always a strong tendency on the part of each group to want to preserve its own traditions? And can any system of government common to all fail to recognize this fact?

The case for federalism, strong enough on the foregoing evidence, is reinforced by the fact that the concept of Nigeria as one country is a comparatively recent one. The boundaries of the territory now known as Nigeria were drawn as recently as 1907. That was seven years after the Constitution of Australia was promulgated, and three years before the South Africa Act. But even at that time Nigeria was not regarded or administered as one country. It was not until seven years later, at the beginning of the first World War in 1914, that the country was brought under one British administration. Before that date, the 200 ethnic groups had nothing in common with one another. And even after the amalgamation, a vast section of the popula-

tion, the Northern Region, was not represented in the Legislative Council of the country, largely nominated though it was. It was only in 1947 that legislators from all over the country began to work together in one legislature; so that the forging of a Nigerian nationality and citizenship—indeed the building of one nation out of some 200 by the people's own representatives—is scarcely eleven years old.

All of these factors are admittedly formidable, but they do not prevent the achievement of the goal which all Nigerians have set themselves—the emergence of a united and independent Nigeria into the community of free nations. They only explain the background to federation and they supply the reason why a unitary constitution is simply impracticable. For only a federal constitution can at once recognize all these centrifugal forces and keep the country united when the British cement shall have disintegrated. This was the reasoning behind the decision of the 1953 Constitutional Conference to establish a federal form of government.

We now have three regional governments and one federal—besides the Southern Cameroons under United Nations Trusteeship—and the federal capital of Lagos administered as a federal territory by the federal government. As in Australia and the United States, specific powers are given to the federal government and the residual powers are vested in the regions. There is also a list of concurrent subjects on which both regional and federal governments may legislate; but in the event of inconsistency between federal and regional laws, the latter will be void to the extent of that inconsistency. It is probable that more states will be carved out of the present regions, either before or after independence. For there is already an irresistible demand by a number of ethnic groups for separate states of their own within the federation. And this demand has to be met sooner or later.

Nigeria is in a hurry. Although the country began as a British creation—a mere geographical expression, as most of the products of the European scramble for Africa were—Nigerian leaders are proud to belong and are unanimous that, in spite of obvious difficulties, there shall be no partition after independence. They are conscious of the unique status awaiting Nigeria as the largest African state in the world, and they will do nothing to derogate from that status. That was why they congregated in London for the third time last autumn to seek solutions to some

of the thorniest problems that could beset any young nation.

The solutions they worked out were not taken straight from the text-book. Indeed, a good many have no parallel in any other federation. For instance, the organization of the police. The Conference decided that there should be one single police force, which would belong not to any one government, but to all the governments in the federation. In other federations, each state government has its own police force, and the federal government may or may not possess another. But Nigeria will be different: our police force will be controlled, after this year's elections, by a Police Council presided over by the Federal Prime Minister, and consisting of the Premiers of the States and the Chairman of the Police Service Commission. The Council will be fully responsible for the provision, maintenance and administration of the police force, while the Police Service Commission, an independent organization, will deal with staff matters. The decisions of the Police Council shall be final, but the federal government, because it is ultimately responsible for the maintenance of law and order, may overrule the Council—though there is a proviso that, in such event, the Prime Minister must make a public statement in the federal legislature, giving his reasons for disagreeing with the Council. No one expects that this will be an easy system to work. But it is an experiment which may yet serve as a useful precedent for other countries with problems similar to our own.

Most sections of political opinion in the country are generally satisfied that the best solutions possible have been found to our present problems and that all is now set for complete independence. The date—the target date fixed unanimously by Nigerian leaders—is April 2nd, 1960. The British Government has not as yet committed itself very firmly to this date. This is perhaps because elections are probably due in Britain this year, and the Conservative Government may not want to commit the future British administration. In addition, Nigeria is also going to the polls this year, to install its first fully democratically-elected federal legislature: and Britain may prefer to await the result of that election as she did with Ghana. In any case, it is certain that the first task of the new Nigerian Government will be to negotiate with the British Government for independence on the target date. If present trends are anything to go by, there is no reason to fear that the new British Government—be it Labour or Conservative—will hesitate to surrender power.