

Federalism and Good Governance in Nigeria: The Nexus

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ABSTRACT

The paper contends that the Nigerian State can exploit the virtues of federalism to promote good governance within her territory. Nigeria being a heterogeneous, linguistic, religious and ethnically diversified country adopted federalism as a system of government with regional autonomy in 1954 in order to give every component unit of the federation a sense of belonging. Sequel to this, the paper looked at the concept of federalism and good governance, the virtues of federalism, and how these virtues can be exploited to achieve good governance in Nigeria. In its recommendations, the paper suggested a constitutional amendment procedure that will not only guarantee the autonomy of the federating units, but will also deepen the current democratic culture and sustain the fight against corruption. It also suggested a restructuring of the revenue sharing formula in the country so that the federating units can own land and mineral resources within their territorial jurisdiction thus encouraging interstate commerce and economic cooperation.

INTRODUCTION

There are many factors that can be used to promote good governance in any developing country. Such factors include the rule of law and constitutionalism, transparency and accountability in government, administrative efficiency and structural frameworks. This paper intends to look at the virtues of federalism as an instrument that can be used to promote good governance in a polity. As experience has shown, an apt framework of government can be employed to promote good governance in a developing country. In the case of Nigeria, the nature of her heterogeneity (linguistic, religious and ethnic diversity) calls for the use of a federal system of government that recognizes the autonomy of regional governments and gives every component unit a sense of belonging in the federation. Federalism thus becomes the foundation of her political unity and progress. In other words, the essence of adopting federalism is to promote good governance in Nigeria. According to Bednar et al (1999) multi ethnic nations such as: South Africa, Russia, Nigeria, Rwanda, the former Yugoslavia, to name a few have sometimes found decentralized political arrangements attractive.

Good governance on the other hand, is the promise of, and expectation from, every government. Every political party employs it as a campaign creed and espouses it as an article of faith but it has also become a difficult task for most governments to achieve. International development agencies, on their part, are emphasizing on the framework of good governance as a pre-condition for granting aids and loan and extending technical services to developing countries (Odion-Akhaine, 2004: 1-3; Epelle, 2013:11).

The question therefore is what is “good governance” that individuals, groups and institutions aspire to or want to be identified with? Simply put, good governance refers to the promotion of the wishes and aspiration of the majority by the leadership and the strict adherence to transparency, accountability and the rule of law by the latter (Babatope and Oladipopo, 2010: 188). Seen from this all-encompassing perspective, good governance can be said to be an ideal which may be difficult to achieve in its totality. However, there are standards that serve as yardstick for measuring good governance and some of these we have alluded to in our exposition above.

Federalism is a structure of government whose virtues can enhance good governance in Nigeria. Though it (federalism) has shifted its practice from the original vision of our foremost nationalists (that is a system in which governmental powers are by the common sovereign distributed between a central government and regional governments, each being supreme within its own sphere) drifting to a system where the central government is more powerful and supreme to her federating units, owning the entire resources within the federation and allocating these resources to the federating units as it wills, thereby making the federating units not economically competitive (Elaiwu 1979:179-181); however, the virtues in the political structure of federalism can still be employed to enhance good governance in Nigeria.

Federalism involves cooperation, bargaining and conflict. Wherever federalism is operated there must be cooperation and interdependence between the central government and the federating States; there will be bargaining and economic transactions among the States and, between the federal government and the federating

States. There will also be conflict between the federating States and the central government and among the federating States themselves. These are inherent and recurring challenges of a federal system of government. Though it is believed that there is no pure federal model due to a whole lot of institutional variations implementing the principle of coordinate authority (Awa, 1976:7), yet federalism as a form of government has been used to promote good governance in the United States, Canada, Australia, India and Belgium. Consequently this paper argues that, the virtues of federalism can be used to promote good governance in Nigeria. The paper will highlight the concept of federalism and good governance; discuss the virtues of federalism, the nature of good governance and give an insight on using the virtues of federalism to promote good governance in Nigeria. The aim of the paper is to promote good governance and ensure sustainable development in Nigeria.

Conceptual Clarification

Awa (1976:4) defined federalism as a system of government in which the component units and the inclusive government have coordinate and independent status. A federal system is one in which the powers of government are divided between a central government and regional governments of some kind, with each level having some independence of action in exercising their powers. According to Jellinck (in Mbachu, 1997) a federal state is a sovereign state formed out of several states; the power of the former being derived from the states which compose it and to which the latter are bound together as to form a political entity. It is an association of states, which as a result forms the institution of a sovereign power superior to the associated states but in which, however, the latter participate. Consequently, a federal government is a form of government in which governmental powers are by the common sovereign distributed between a central government and sub-central or local governments, each being supreme within its own sphere (Aruego and Aruego-Torres, 1981).

According to Ayakeme (2005), Wheare defined federalism as a constitutional arrangement in which law making powers and functions are divided between central and state governments in such a way that each, within its respective sphere of jurisdiction and competence is equal, independent and coordinate, to the extent of the federating states voluntarily surrendering some functions exigent on perceived capacity and desire to a central government for their collective good.

This paper adopts the meaning of federalism as propagated by Kenneth Wheare. It is the distribution of powers between the central and the regional governments, with each level having some independence of action in exercising its powers.

Good Governance

Good governance according to World Bank is defined as the manner in which power is exercised in the management of a country's economic and social resources for development. According to Ake (1993), good governance involves bringing public policy in alignment with social needs. For Atake (2010), good governance is the making and implementation of policies that will impact positively on the citizens of the country. Good governance in this paper adopts all definitions stated above. This paper views good governance as a process that has to do with prudent management and expenditure of the commonwealth of a nation to the satisfaction of human needs and desires

The Nature of Good Governance

Good governance is a system of various parts put together to ensure maximum positive impact on the welfare of the citizens/people and their environment. It is putting into practice certain governance virtues that could be termed as humanistic and visionary, and characteristic of quality leadership. The United Nations Human Right Commission in its Resolution 2000/64, identified key attributes of good governance as: transparency, responsibility, accountability, participation and responsiveness to the needs of the people. In addition, good governance should provide an enabling environment conducive to the enjoyment of human rights and prompting growth and sustainable human development.

The United Nations Economic and Social Commission for Asia and Pacific identified eight major characteristics of good governance namely: it is (i) participatory, (ii) consensus oriented, (iii) accountable, (iv) transparent, (v) responsive, (vi) effective and efficient, (vii) equitable and inclusive, and (viii) follows the rule of law.

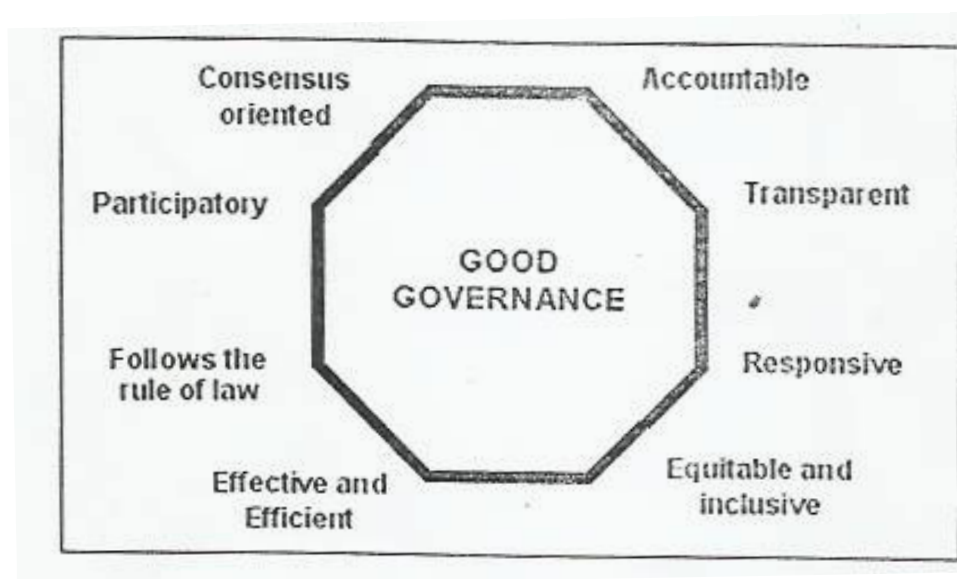


Fig. 1. Characteristics of good governance (UNESCAP, 2013)

The diagram above explains the nature of good governance. It upholds accountability as a key function of good governance: the leaders and government institutions must be accountable to the people who elected them into power. Transparency is another essential element of good governance. In this case, decisions taken and their enforcement should follow due process and be guided by rules and regulations. Information on government transactions and activities should be easily accessible to the people whom those decisions affect, Mikhail Gorbachev former leader of defunct Soviet Union calls it “glasnost”, meaning openness in the operations and transactions of government. Responsiveness is another vital nature of good governance. Leaders and government must defer to the need and views of their people or stakeholders, behave responsibly and be prepared to listen to the people at all times.

Equity and inclusiveness is part of the nature of good governance. Nigeria is a very heterogeneous society made up of various ethnic groups and diversified religious faith; good governance will ensure that its members/people are treated equally and have a fulfilled sense of having a stake in the society. The people should be included and carried along in the art of governance and political participation. Good governance ensures a consensus-oriented decision and policy-making process. This process requires mediation of different interests in a society on what is best for the entire community and how this can be achieved. This is a deviation from dictatorship, hence consultations on the issue of governance has to be exhaustive before decisions are made.

Participation on the part of the people is very demanding and encouraged in an arena of good governance. This has to do with political consciousness on the part of the people, and the willingness of the ruling class to integrate the people in the political and governance process.

Another essential ingredient of good governance is rule of law. There must be legal frameworks in the country that are enforced impartially. It should guarantee full protection of human rights, particularly those of the minorities; an independent judiciary and an impartial and incorruptible police force. Lastly, government should be effective and careful in the discharge of her duties. It should be efficient in managing the resources and harnessing the potentials of the country, and be prudent and efficient in distributing the wealth of the nation among her people.

Good governance should curb corruption, listen to the opinion of the minorities in the society in decision making; be sensitive to the protection of lives and properties of the people, and be sensitive to the need of posterity in the management of the wealth of the nation.

In summary, it is obvious from the above exposition that good governance, according to Adejumbi (2004:16) “is not about forms of government, but the result of governance. It is not the process or course of a political rule, but its effect; it is about effective and productive governance”.

The Virtues of Federalism

The virtues of federalism can be sieved from its philosophy and practice. **Federalism is a departure from dictatorship.** It avoids concentration of political power in one body. It is predicated upon the appropriate sharing of power between a central authority and its constituent political units. Kenneth Wheare in Awa (1976:4) observed that, it signifies a situation in which constitutionally the central and regional governments are not subordinate to one another, but coordinate with each other. Federalism, according to Fayemi (2012), signals separation of powers anchored on the constitution, which negates the existence of a master-slave relationship (as the composition of association is anticipated to be voluntary and enabling of mutual respect among the constituent units). Federalism has the framework of managing diversity and ensuring harmony within essentially plural and heterogeneous societies. It seeks unity without resorting to uniformity (Jinadu, 1979:15). In the words of Awa (1979:110) "... unity in a federation does not mean or imply uniformity of behavior or outlook of the people on all things and in all circumstances Rather, it involves the existence of minimum consensus".

Federalism promotes respect for geographical integrity. The federating units in most cases are autonomous and sovereign entities before they agreed to come together as a union. They have different customs, languages, religion and resources, yet they agreed to come together to form a union. It is due to respect for one another's autonomy that makes them accept to handle residual matters separately and be accountable to their people in this regard. Federalism's major strength therefore is that it allows local actions in matters of local concern and national action in matters of wider concern. Federalism allows people to set policies peculiar to them, yet come together with other states as one. Incidentally, as Awa (1976:108) has argued, with time most people in the federation will begin to reject some of the original sources of diversity and begin to de-emphasize it because of the inequality that flows from it; and what will follow as a corollary will be accelerated national development.

Federalism promotes interstate commerce thereby creating room for positive economic competition amongst the federating units. Unfortunately this strength of federalism is absent from Nigeria's federalism due to her pattern of resource control politics and revenue sharing formula. In Nigeria the federal government takes possession of all major revenue generating resources and allocates money monthly to the states. This does not promote creativity, competition and sense of industry among the states; it rather makes them solely dependent on the federal government's monthly allocation (Epelle and Isike, 2005:124).

Federalism has the capacity of managing the plurality and diversity of the Nigerian experience; it has a framework of giving every federating unit a sense of belonging within the system. Federalism facilitates national integration in a very heterogeneous society. It has the capacity to hold the different ethnic groups and interests in the country together (Omole 2012:17) in a fashion that could be deemed acceptable. According to Awa (1976:28-9), our nationalists during the colonial era realized early enough that the most effective means of reducing the fears of minority ethnic groups and thus galvanizing their support in the building of a strong, united and self reliant post-independent Nigerian state is by adopting the federal system in 1954.

Using Federalism to Promote Good Governance in Nigeria.

Federalism promotes constitutionalism: a federal system of government is a government that is supposed to be based on constitutional provisions, especially written constitution. According to Kenneth C. Wheare as paraphrased in Jinadu (1979:16) and Dare (1979:27-8), federalism is a government in which the powers of different levels and arms of government are provided for in a written constitution. Federalism thus promotes constitutionalism, and constitutionalism is the foundation of good governance. Good governance is guaranteed when the qualification, tenure, and powers of government officials are clearly provided in a constitution.

Federalism prevents abuse of power: Awa (1976:14) noted that, a federal structure not only helps to check the abuse of power by our leaders, but permits the creation of many centres of deliberation, thus enlisting the abilities of many men in the public service. Federalism is therefore a means of dis-aggregating to the component units self-help, self - development and initiative. Centralization of power can easily lead to dictatorship or abuse of power by officials of government, but the federalist principle upholds decentralization of power between different levels of government and this is an internal checks and balance measure to promote good governance.

Federalism promotes liberty: Harold Laski in Awa (1976:14) argued logically that, liberty in a state cannot be preserved without a measure of federal structure. Liberty is one of the fundamental rights of an individual, and a departure from slavery, servitude and dictatorship. Liberty is one of the virtues of good governance; its absence predicates bad governance. A government that guarantees her people/citizens liberty means it is a government

that is willing to promote good governance; and federalism can help instill and perpetuate this virtue through its deconcentration of governmental powers to various levels and arms of government in the polity.

Federalism Promote Economic Development: the federalist principle typically recognizes the fiscal autonomy of federating states. This allows the component states to own whatever natural resources that is within their territorial jurisdiction. The states own, explore and exploit their resources and subsequently pay taxes to the federal government. This promotes interstate commerce thereby creating room for positive economic competition amongst the federating units. Incidentally, this strength of federalism is absent from Nigeria's federalism due to her peculiar pattern of resource control and revenue sharing formula earlier noted. Here, the federal government takes possession of all major revenue generating sources and in return allocates money monthly to the states. This does not promote creativity, competition and sense of industry among the states; it rather makes them solely dependent on the federal government's statutory monthly allocation.

According to Olowononi (2004), during the colonial era, Nigeria's regional governments were almost fiscally self-independent from 1954 to 1966. The regional governments were fiscally very powerful vis-avis the federal government. This trend was revised with the intervention of the military regime in 1966, the subsequent civil war and creation of twelve states (later increased to nineteen states in 1976, twenty one in 1987, thirty in 1991 and thirty six in 1996). These serious incursion into the states' rights have made the states fiscally dependent on the federally collected revenue and consequently created bad governance.

A federal economy twisted under a centralized revenue management system cannot promote good governance. Nigerian leaders need to explore the decentralized revenue system in order to promote healthy economic competition amongst the states, enhance economic growth and good governance.

Recommendations

In view of our analysis on exploiting the virtues of federalism to promote good governance in Nigeria, this paper holds the view that, the distortion of the structure of Nigeria's federalism has contributed to bad governance. Consequently, to enthrone good governance in Nigeria, the following is recommended:

There should be a constitutional amendment process that:

- (i) captures the autonomy of the federating units;
- (ii) sustains democracy and the fight against corruption;
- (iii) restructures the revenue sharing formula so that the federating units can own land and mineral resources within their territorial jurisdiction and;
- (iv) encourage interstate commerce and economic cooperation.

Conclusion

As our analysis above has shown, federalism is a very suitable form of government for Nigeria; however the current practice of federalism in Nigeria is a deviation from the original vision of our foremost nationalists. The idea of federal government's ownership of all the mineral wealth and natural resources including land in the entire country is very absurd, rather the financial autonomy of the federating states should be constitutionally guaranteed. The states should be economically independent and competitive.

The idea of the federating states going to Abuja for federally allocated funds should be discouraged by exploiting the virtues of federalism. A federal economy twisted under a centralized revenue management system like ours cannot promote good governance. Let Nigerian leaders explore the decentralized revenue system in order to promote healthy economic competition amongst the federating states, enhance economic growth and sustain good governance.

It is quite unfortunate that with the huge revenue Nigeria is deriving from oil and gas marketing, her people are still saddled with poverty and bad governance. Good governance can however be achieved if we strengthen the practice of our federalism as envisioned by our early nationalists.

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