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## **Power-sharing and Conflict in Nigeria**

*Power-sharing Agreements, Negotiations and Peace Processes*

Siri Aas Rustad

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# **Power-sharing and Conflict in Nigeria**

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This policy brief forms part of a project entitled 'Power-Sharing Agreements, Negotiations and Peace Processes', which has produced a series of policy briefs and reports on Nigeria, Liberia, Sierra Leone, Burundi, Kenya and Nepal.

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## **Executive Summary**

Nigeria has a long history of power-sharing in relation to three key areas: territory, economics and politics. These three strains of power-sharing have developed separately, but are strongly linked through the struggles between the country's various ethnic groups and over the enormous oil resources in the Niger Delta. The federal system, which was inherited from colonial times, has in the last almost 50 years increased from 3 states to 36 states. This has been crucial for the development of power-sharing in Nigeria. In the 1979 Constitution, the system for allocating office holding was changed when the Federal Character principle was introduced, "[ ] 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 in any of its agencies". In 1996 this principle was implemented by the Federal Character Commission that should follow up the practice of the Federal Character. The third type of power-sharing is related to distribution of revenues, mainly linked to oil revenues. There has been much debate about how the resources are distributed. The oil producing states argue that they should get a larger share of the resources extracted in their region, while the more populous states, especially in the North, argue that the resources should be distributed based on the principle of need.

Despite the fact that Nigeria has developed its power-sharing systems over decades, it seems that they may be an important factor in the increasingly violent conflict in the Niger Delta. There are several factors that play a role here. First, even though the states in the Niger Delta receive more revenues per capita from the Federal Account than any of the other regions in Nigeria, much of these revenues do not reach the people who suffer from the oil extraction through environmental damages, poverty and unemployment. Second, the Federal Character, and the state creation processes, has increased power among the ethnic majorities at the expense of ethnic minorities, who feel marginalized. Third are the problems related with high levels of corruption. Corruption undermines the systems and institutions that the power-sharing arrangements are built around, fostering political violence and oil theft (bunkering). Hence the foundation needed to have a functional and healthy system is crumbling. It also creates large trust and legitimacy problems for the central powers among the marginalized groups. As a result we see the growth of private security groups, shadow economies and militant political groups.

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## Map of Nigeria



Source: Map created by Siri Aas Rustad

## List of Abbreviations

AC	Action Congress
ANPP	All Nigeria Peoples Party
FA	Federal Account
FC	Federal Character
FCT	Federal Capital Territory
FFC	Federal Character Commission
HoR	House of Representative
MASSOB	Movement of the Actualization of the Sovereign State of Biafra
MEND	Movement for the Emancipation of the Niger Delta
MOSIEND	Movement of the Survival of the Ijaw Ethnic Nationality in the Niger Delta
MOSOP	Movement for the Survival of the Ogoni People
NCNC	National Council of Nigerian Citizens
NDPVF	Niger Delta Peoples Volunteer Force
NNA	Nigeria National Alliance
NPC	Northern People's Congress
NPN	National Party of Nigeria
NPP	National Peoples Party
OPC	Oodua Peoples Congress
PDP	Peoples Democratic Party
RMAFA	National Revenue Mobilization Allocation and Fiscal Commission
UNP	United Party of Nigeria
UPGA	United Progressive Alliance

## **I Introduction**

The aim of this report is to assess the nature and impact of the power-sharing system that have emerged in Nigeria over the past 50 years. This case study is a part of the larger study “Power-sharing Arrangements, Negotiations and Peace Processes,” In addition to a theoretical paper assessing merits and demerits of power-sharing the project includes case studies, apart from Nigeria, of Kenya, Liberia, Sierra Leone and Burundi and a comparative study of the cases.

Since the end of the Biafra Civil War, Nigeria has been in a state of neither peace nor war, characterized by low intensity conflict, inter-communal violence and political violence. Many recent post-conflict societies, such as those included in this project, find themselves in a similar situation. It is therefore useful to look at the development of the Nigerian power-sharing system and draw lessons from it since it has been running in different forms for almost 50 years.

To better understand the development and consequences of power-sharing in Nigeria this report starts with an overview of the economy, history and social and political context of Nigeria. It then moves on to look at the three types of power-sharing arrangements in Nigeria: federalism, office distribution and revenue-sharing. The last section looks at the current situation, the potential for future escalation of conflict and lessons learned

## **2 Social, economic, historical and political context**

### **2.1 Social and geographic context**

With its 140 million inhabitants, Nigeria is the most populous country in Africa. It is situated north of the Gulf of Guinea, and borders Benin, Niger, Chad and Cameroon. The country is extremely diverse. There is no precise number of ethnic groups, but the most accepted figure is around 250 ethno-linguistic groups. Among these, Hausa-Fulani compose the biggest group with 29% and are concentrated in the northwest. Yoruba are the second biggest with 21% and are situated in the southwest. Third are the Igbo with 18%, who are situated in the southeast. Beside these groups some of the smaller ethnic communities that have some political administrative power including the Tvi, Edo, Ijaw, Ibibio-Efik, Kanuri and Nupe (Lewis 2007: 54). Ethnic differences have escalated from being less important to being one of the major social cleavages in the Nigerian society. These cleavages are often related to the five ethnic elites, which will be presented later.

Nigeria is divided into 36 federal states, which again are divided into smaller political units. The numbers of federal states and local governments have been increasing since independence in 1960. A more thorough description of the state creation process can be found in section 5.1.2.

A social divide can also be found between the north and the south. This is a result of the failure of the British to consolidate Nigeria into one country during the colonial period. The Northern parts were isolated due to their traditional emirate rule, and therefore lost the opportunity to develop at the same speed as the South. The South was therefore ahead in all aspects of modernization such as education, per capita income, urbanization, commerce and industrialization. This uneven development has been present in Nigeria since independence, and has been expressed, for example, in quota systems where students from the North have been accepted at the university at the expense of a better qualified student from the South (Suberu 2001: 23).

A fourth social divide, closely linked to the North-South cleavage, can be identified between the Christians and Muslims. The latter group are predominantly in the North, and account for about 50% of the population, while about 45% of the population is Christian, and the last 5% regarded as practicing 'traditional' religions (Lewis 2007: 54).

Since 1960 Nigeria has been using a national system of law in both criminal and civil domains, but permitting Islamic (Sharia) law and customary law to serve in the civil domain. In 2000, Ahmed Sani, one of the candidates for governor in Zamfara State, ran on a platform of returning to Sharia laws in the criminal domain as well. He won, and Zamfara and 11 other northern states returned to the Sharia laws, but only applicable for Muslims (Paden 2008: 58-59). Since the 1980s, and especially after the return to civil rule in 1999, there has been increased use of violence between Christians and Muslims. For example in 2004 a fundamentalist Islamic group called Ahlul Sunnah Jamaa, launched attacks on a number of police stations, stating that they would "kill all 'unbelievers in uniform' and called on all Muslims in the country to rise up for Jihad to defend Islam and establish justice". However, the Nigerian army was able to quell the uprising (Uppsala conflict database)<sup>1</sup>

### **2.1.1 Ethnic-Regional Elites**

Even though Nigeria is an extremely diverse country, there are five main ethnic-regional elites that dominate the political picture and represent specific ethnic groups or regions.

### **2.1.2 The Northern Elite**

The Northern elite are composed of the aristocracy and the ruling elite among the Hausa, Fulani, Kanuri and Nupe ethnic groups. They are closely linked to Islam and the Hausa language. Historically the leading states in the North are Sokoto and Borno. However, during the military rule of General Babangida and General Abacha the cohesiveness of the Northern elites was disrupted. After Abacha's death in 1998 there was no clear leading group in the North. In 2000 the Arewa Consultative Forum was established to rebuild the strength of the Northern elite. They were especially concerned with issues related to Sharia and the debate on rotating the presidency between the north and the south (Orji 2008: 66-68). Politically, the Northern People's Congress (NPC) represented the Northern elite in the first republic. They held power together with the National Council of the Nigerian Citizens (NCNC) an all Nigerian party, but were accused of being overly interested in Igbo issues. The coalition however, failed and the NPC became the ruling party (Osaghae 1998: 38-39).

### **2.1.3 The Yoruba elite**

The Yoruba elite are situated in Western Nigeria, along with such groups as the Oyo, Ife, Ijesha, Ekiti, Ijebu, Ketu and Ondo. The Yoruba elite tried to establish a common identity among the different sub-ethnic groups in the region so as to be able to compete with the other ethnic groups for power in Nigeria. In 1951 the Yoruba elite established their own political party – Action Group (AG), which was important during the First Republic. In 1993 a Yoruba, Mr. Abiola, won the presidential election for the Third Republic, which later was annulled, Abiola was thrown in jail and later killed. This created extreme frustration among the Yoruba, and as a result the militant group the Oodua Peoples Congress (OPC)

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<sup>1</sup> [http://www.pcr.uu.se/gpdata/gpcountry.php?id=119&regionSelect=2-Southern\\_Africa#](http://www.pcr.uu.se/gpdata/gpcountry.php?id=119&regionSelect=2-Southern_Africa#) (downloaded 22 September 2008)

increased their violent activity. The tensions eased, however, in 1999 when Olusegun Obasanjo, a Yoruba, was elected President (Orji 2008: 68-69).

#### **2.1.4 The Igbo elite**

The Igbo elite are concentrated in the eastern parts of Nigeria. Due to scarce land resources in the pre-independence period, the Igbos were introduced early to western education and administrative positions. Mass killing and the resulting exodus of the Igbos in the north in 1966, created a feeling of marginalization and discrimination, leading to the declaration of Biafra as an independent state, and the civil war from 1967-70. After the civil war the Igbo elite has been trying to re-integrate Igbos back into the Nigerian society, but this has proven difficult, especially in national politics. In 1990 the umbrella organization Ohsneze Ndi Igbo was established, working on issues related to Igbo marginalization after the civil war. However, they have not been very efficient or successful. As a consequence the militant group Movement for the Actualization of the Sovereign State of Biafra (MASSOB) emerged. However, they have gotten little support among the Igbos due to their violent tactics (Orji 2008: 70-71). Politically the Igbos was represented mainly by the NCNC.

#### **2.1.5 The Niger Delta elite**

The Niger Delta elite are centered in the Niger Delta. In political terms they represent the states Akwa-Ibom, Bayelsa, Cross-Rivers, Delta, Edo and Rivers. In contrast to the three former elites the Niger Delta elite are not dominated by one ethnic group, but are very heterogeneous. The ethnic groups in these regions have been able to overcome their ethnic and cultural differences, and focus on their shared history. The Niger Delta elite emerged as a response to the British dominance during pre-independence, and later to the Igbo and Yoruba domination in the South after independence. In recent years the struggles have concentrated around the fight against the oil companies who are extracting oil in the region, as well as the revenue allocation scheme designed by the central government (Orji 2008: 70-71). Recently, there have been growing tensions in the Niger Delta with several militant groups emerging, the main one being the Movement for the Emancipation of the Niger Delta (MEND).

#### **2.1.6 Middle Belt elite**

The Middle Belt consists of minority groups in the North-central parts of Nigeria. These groups are ethnically and linguistically very different, but share an historical resistance towards the domination of the Muslim Hausa-Fulani ethnic group. In the colonial years Christianity was seen as the alternative to the Islam North, and through Christianity the Middle Belt gained access to the western education system. The Middle Belt elite enjoyed their golden years during the rule of Lt. Col. Gowon, when a "Middle Belt state" was created (Benue-Plateau State). However, during the second republic this faded as the Middle Belt elite split into three political parties: National Party of Nigeria, Nigerian Peoples Party and Greater Nigerian People's Party. Later the elite have tried to restore their identity by focusing on marginalization of Igbos (Orji 2008: 72-73).

## 2.2 Historical Context

Nigeria was established and formally formed as a single country under British colonial rule in 1914. Before the amalgamation the population and the different parts of the new country did not have a common identity. (Elaigwu 2007: 23-24). In 1947 the Richards Constitution established the beginning of the Nigerian federal state and on October 1<sup>st</sup> 1960 Nigeria attained its independence.

The period after independence is referred to as the First Republic (1960-1966). However, it came to an end in 1966 when a coup led by Igbo officers overthrew the civil government. In the wake of the July 1966 counter coup, led by northerners, large numbers of Igbos living in the Northern states were killed, resulting in an exodus of more than one million Igbos to the Eastern-Region precipitating the Biafra Civil War of 1967–70, (Aleman & Treisman 2005: 199).

The civil war lasted until 1970, when Biafra was forced back into Nigeria. During the civil war about 1 million people died, most of them due to starvation, since Nigeria cut-off all aid and banned the Red Cross from the region. The newly discovered oil resources were also a major reason for General Gowon to keep the Eastern-region within Nigeria's border.

The following period was characterized by military rule and several coups changing the leadership. In 1976 General Olusegun Obasanjo (a Yoruba) came to power. Under his leadership Nigeria headed, in 1979, into its second period of civil rule.

The return to civil rule in 1979 was accompanied by a new constitution, replacing the First Republic Constitution of 1963. The major change was the abolishment of the Westminster parliamentary system to a more American like presidential system. However, the Second Republic only lasted for a short period, and was overturned after the military intervened in December 1983 amidst allegations of corruption and election rigging, as well as severe violence related to the election.

After the coup in 1983 the country fell back into the same structure as before 1979, and politics again became very centralized. The military leaders revived the constitution from 1963 which gave them "power to make laws for the peace, order and good government of Nigeria or any part thereof, with respect to any matter" (Elaigwu 2007: 102).

Some of the main problems and challenges during this period included the worsening economy, the intensity of the authoritarian regime, increasingly popular resistance and militant groups, and the increasing demand for a democratization process.

In 1990 the work on creating a new constitution started, and in 1992 the first free election since 1983 was held. These, however, were not approved by the military regime led by General Ibrahim Babangida. New elections were held in 1993, and finally Babangida was forced to resign. However, the new civil rule (the Third Republic) only lasted for three months before it was overthrown by a new military coup.

After the failed attempt to go back to civil rule General Abacha came to power. This was the most violent and repressive period of post-independence history in Nigeria (Suberu 2001: 42; Osaghae 1998: 273). During this period a growing concern developed in the South that the central regime was exploiting the oil resources in the region. Ken Saro-Wiwa, leader of the Movement for the Survival of the Ogoni People (MOSOP), was one of the leaders speaking out about this problem. In November 1995 Saro-Wiwa and 8 other Ogoni leaders were executed following a very questionable conviction for the murder of four governmental pro-Ogoni leaders (Suberu 2001: 61; Elaigwu 2007: 120). However, Abacha's sudden death in June 1998, created a window of opportunity for a new democratization process. His successor Abdulsalam Abubakar launched a revised version of Abacha's democratization program, and power was returned to civil rule in 1999 (Suberu 2001: 42).

The former military leader Olusegun Obasanjo (ruled from 1976-1979 and led the country into the Second Republic) was installed as the new civilian president in Nigeria, representing the Peoples' Democratic Party (PDP). He also won the election in 2003, and sat for a total of 8 years. The Constitution of the Fourth Republic is an updated version of the 1979 Constitution. There have been demands for changes, but it has proven difficult to agree on any substantial changes in the new republic.

The new civil regime has also experienced an increasing trend of inter-ethnic and communal violence. Ethnic-militias, such as the Odua Peoples Congress (OPC), the Arewa People's Congress, the Ijaw Youth Council, the Bakassi Boys, the Movement of the Actualization of the Sovereign State of Biafra (MASSOB) and the Movement for the Emancipation of the Niger Delta (MEND), were responsible for this violence. Many of these groups function as local authorities and ensure safety for the people in "their" region. Further, some of these groups also work for the governor or other influential persons in the state, often so-called Godfathers (patrons) (Suberu 2001: 44; Human Right Watch 2002, 2007).

The current president in Nigeria is Umaru Yar'Adua who won the presidential election in 2007. He is the former president of the Northern state Katsina and represents the PDP. As an attempt to please the South, and especially the Niger Delta, he has chosen Goodluck Jonathan as his vice-president. Jonathan was the former governor of Bayelsa state and is an ethnic Ijaw.

## **2.3 Economic Context**

### **2.3.1 Natural Resource Endowment**

Nigeria has large reserves of oil in the Niger Delta Region. The first oil wells were drilled by Shell-BP in 1956. In 2006 Nigeria was the 13<sup>th</sup> largest oil producer in the world, producing 2.44 million barrels a day, and has the 10<sup>th</sup> largest known oil reserves in the world (CIA fact book).

The Biafra Civil War of 1967-1970 raised the question about ownership of the oil for the first time. The Eastern region claimed that the rent and royalties from the oil companies should be paid to the newly declared Republic of Biafra, while the Government of Nigeria argued that the revenues belonged to them. In the 1970s the world market oil price went up and the share of national revenues that the oil revenues represented went from 5% in 1965 to 26% in 1970, 43% in 1971 and all the way up to 80% in 1980 (Ejobowah 2000: 34-36).

The oil in the Niger Delta region has been the source of much of the conflicts in the region. The discussion on how the oil revenues should be allocated and distributed has been dealt with through the Principle of Derivation (see section 5.3.2).

A second problem is the high level of corruption in the area. Despite being one of the largest oil producing areas in the world, most of the revenues do not reach the people who suffer due to the oil extraction activities. Subsequently, the Niger Delta region has a very high level of poverty and an absence of basic utilities and infrastructure.

Yet another problem is that the oil companies use a workforce from outside the community. This contributes to high levels of unemployment among the indigenous population. There is also a fear that the oil will be exhausted and that nothing substantive will come out of it for the Niger Delta region.

Lastly, Crude oil exploitation in the Niger Delta has become a massive environmental problem. Oil production has resulted in environmental degradation and

pollution. Oil spills have caused farmers to lose their farmland and livelihood (Ejobowah 2000). Drinking water is being polluted by salt water and waste water from production. Flaring is releasing deadly chemicals and greenhouse gases. Estimates suggest that gas worth \$US15 million is flared everyday in Nigeria. Further, in the last two years 1,260 oil spills have been recorded, only a few of these are due to sabotage. All of these things have caused severe health issues such as asthma, bronchitis, cancer and blood diseases. Vegetation and crop land are also badly hurt by this pollution (Bassey 2008). This is adding to the resentment that the Niger Delta population is feeling towards the oil companies and central governments, and further fueling the violence.

President Umaru Yar'Adua has this summer introduced the term 'Blood Oil'. This describes stolen oil, which has been illegally bunkered, and transported to large tankers that then transport the stolen oil into the world market. This is good business for Nigerian criminal syndicates, which are often paid with weapons, drugs or cash (BBC Africa, Sunday July 27. 2008).<sup>2</sup>

The violence in the Niger Delta poses a threat not only to the people in the area, but also to Nigeria's fragile democracy and regional security in West Africa. Given the rising international demand for oil, a full-blown crisis in the Niger Delta could further destabilize the volatile crude oil market with far reaching consequences.

### 2.3.2 Corruption

With the return to civil rule in 1999, Transparency International reported that Nigeria was among the two most corrupt countries in the world. There has been a slight improvement since the turn of the century, but Nigeria still remains extremely corrupt (International Transparency Annual Report 1999-2007<sup>3</sup>).

According to Susan Rose-Ackerman (1999) corruption is a sign that there is something wrong with the management of the state. The institutions that are established to govern and protect the people are instead used to ensure personal enrichment. Nigeria is a perfect example of this. We can consider two types of corruption. The first is commercial corruption, which mainly occupies the private sector. The second relates to the official government, where corruption based on kinship is widespread (Andvig 2007: 8). We find both types of corruption in Nigeria, but the latter is more severe in terms of problems related to political stability and legitimacy.

In the 1970s, when the oil price sky-rocketed, a culture of corruption, fraud and mismanagement emerged as a result of great windfalls in government revenue. During this period, different types of patronage relationships developed in all segments of the society, civil service, military, petroleum industry, telecommunication etc. The corruption was often organized along the lines of local communities and ethnicity (Lewis 2007: 143-144). The already tense relationship between the ethnic groups made the problem even worse. Instead of promoting prosperity and development, corruption led to a focus on sharing the spoils.

Political life in Nigeria has alternated between civil rule, military rule and different ethnic groups. The political horizon has been short, and created a kleptocracy where it has been important to grab what is possible in the time at hand (Susan Rose-Ackerman 1999: 131). For example it has been argued that President Abacha (1993-1998) stole 2-3 percent

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<sup>2</sup> <http://news.bbc.co.uk/2/hi/africa/7519302.stm> (downloaded 05.08.08)

<sup>3</sup> [http://www.transparency.org/publications/annual\\_report](http://www.transparency.org/publications/annual_report) (downloaded 22.09.08)

of the country's GDP every year he was president, equating to thefts of between 3.5 and 5.3 billion US dollars.<sup>4</sup>

## **2.4 Political Context**

### **2.4.1 Political structure**

The First Republic was structured after the Westminster parliamentary system. In this period the NPC and NCNC shared power, until the coalition failed before the 1963 election. The legislative power consisted of the House of Representatives (HoR) and the Senate. The latter was put in place to compensate for the huge inequality in representation among the states in the HoR, but in practice the Senate had very little power. The same structure was also applied in the federal states. During this period the federal government had the main legislative responsibility for external affairs, major communication networks, higher education and other larger issues. The regional governments were responsible for primary and secondary schooling, health, public works, marketing boards and secondary roads (Elaigwu 2007: 54).

The 1979 Constitution abolished the Westminster parliamentary system in favor of a more American style presidential system. This change introduced an elected president who headed the executive branch and had a wide range of powers. The change also established a bicameral legislature at the center called the National Assembly. The latter consisted of the HoR where the representation of the states was based on population size, and the Senate had an equal state representation (Osaghae 1998: 114). Additionally, a system of checks and balances, separating the power between executive, legislative and judicial came into being. The second important feature of the 1979 Constitution was the introduction of the Federal Character. The Constitution states in section 14[3]: 'that there shall be no predominance of persons from a few states or from a few ethnic or other sectional groups in ... government or in any of its agencies'. This was an attempt to ensure diversity, but also to accommodate the simmering feeling of unfair treatment that some groups and areas felt (Osaghae 1998: 115).

The constitution of the Fourth republic is an updated version of the 1979 Constitution. It was, however, condemned both politically and among the general population as both illegitimate and inappropriate, and was often viewed as being too centralized. The civil society, especially, was critical towards the new constitution as it was written and imposed by the military regime. There have been several attempts to reform the constitution, but none has been successful so far (Suberu 2001: 44; Omeje 2007: 87; International Crisis Group 2006)

### **2.4.2 Political parties**

In the early years of the federation, the political parties in Nigeria followed ethnic and regional borders. Since 1978 political parties have been encouraged to become national rather than regional and with the 1979 Constitution they were obliged to do so according to the Federal Character principle.

After dominance of the NPC, mostly representing the Hausa-Fulani since the independence in 1960, two camps were created for the 1964 election. The first, the

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<sup>4</sup> <http://www.unodc.org/unodc/en/frontpage/nigerias-corruption-busters.html> (11. sept 2008) and [http://www.nationmaster.com/time.php?stat=eco\\_gdp-economy-gdp&country=ni-nigeria](http://www.nationmaster.com/time.php?stat=eco_gdp-economy-gdp&country=ni-nigeria)

Nigerian National Alliance (NNA) consisted of the NPC and its client parties: Nigerian National Democratic Party (Yoruba), the Niger Delta Congress, the Mid-West Democratic Front and the Dynamic party. Their main political platform was to create national unity through representation of all ethnic groups in the country. Despite this, the the coalition was still very pro-North.

Their opposition was a coalition called the United Progressive Alliance (UPGA) which was formed by the NCNC and AG as well as their Northern allies The Northern Elements Progressive Union, The United Middle Belt Congress, the Zamfara Commoners' Party and Kano People's Party. The main goal for the UPGA was to suppress the Fulani dominance in party politics. Despite some crossover parties, these alliances represented the North-South dispute, which has dominated Nigerian politics (Osaghea 1998: 42-43).

According to Peter Lewis however, "the recurrent banning and unbanning of candidates and party officials hampered the emergence of stable alliances or the consolidation of popular constituencies" (1994: 333). The ruling party in Nigeria since the transition to civil rule in 1999 has been the People's Democratic Party (PDP), who won the 2007 general election with almost 70% of the votes. The PDP was established in 1998 on the verge of the Fourth Republic, and has a neoliberal ideology but with a very conservative stance on social issues. They are also refusing to increase the share of resource revenues that are returned to the oil producing states. Other large parties in the 2007 election were the All Nigeria Peoples Party (ANPP) and the Action Congress (AC)

## 2.5 Conflicts in Nigeria

Since independence Nigeria has experienced much internal violence, but only the Biafra Civil War (1967-1970) has been characterized as a civil war. Nigeria has in the last 40 years been in a state between war and peace. Under the military regimes, violence has been linked either to coups, state repression or intra ethnic and religious clashes. During the Babangida and Abacha regimes in the 1990s the level of violence increased. Since the return to civil rule in 1999 and until the end of 2006 more than 11,000 people lost their lives in clashes along political, ethnic, religious and other lines (Human Right Watch 2007: 18).

Since the 1980s there has also been a rise of religious violence. Violence supported by religious fanatics resulted in destruction of private property and people's homes as well as the vandalization of sacred places of worship. The religious conflicts are mostly situated in the North (Elaigwu 2007: 178-183).

Political violence has, unfortunately, become a central aspect of political competition in Nigeria. Violence is most often carried out by gangs, often called cults, of unemployed youth, and paid for by politicians, party leaders or other patrons, often called 'Godfathers'. The gangs are ordered to attack political enemies, rig elections and secure their own patrons. For example, in the two weeks surrounding the election in 2003 more than a 100 people were killed (Human Right Watch 2007: 14-17).

A third type of violence that has emerged in the shadow of the faltering federal system is the presence of vigilante groups, creating informal structures to ensure the security of their population. Their mission is to fight crime, albeit without a political motive, but their methods have been brutal, ruthless and arbitrary. The Bakassi Boys, who are operating in several south-eastern states, have in some cases extra-judicially executed or mutilated people in public, while hundreds have been tortured and detained. Despite this, few question their legitimacy and they are even applauded in the public and the media (Human Right Watch 2002).

The largest share of violence conducted in Nigeria is situated in the Niger Delta and relates to the struggle surrounding oil exploitation in the region. This conflict is supported

by a number of ethnic pressure groups such as the Movement of the Survival of the Ijaw Ethnic Nationality in the Niger Delta, the Ijaw National Congress, the Ijaw Youth Council, the Itsekiri General Assembly, the Urhobo Union, the Chikoko Movement, and the largest of the groups the Movement for the survival of the Ogoni People (MOSOP). In recent years more militant groups have also formed including, among others, the Niger Delta People's Volunteer Force (NDPVF) and the Movement for Emancipation of the Niger Delta (MEND). These groups are responsible for attacks on oil installations, kidnappings, car bombs and oil theft, also known as Bunkering (International Crisis Group 2006).

### **3 Power-sharing in Nigeria**

In Nigeria power-sharing is evident in three important areas: territory (federalism), economy (revenue-sharing) and politics (office-distribution and the Federal Character).

To study the nature of power-sharing in Nigeria it is useful to look at Roeder & Rothchild's (2005) distinction between power-sharing and power dividing. While power-sharing aims at including all parties in the power decision process, they define power dividing as a process: "[to] allocate state powers between government and the civil society with strong, enforceable civil liberties that take many responsibilities out of the hands of the government". According to this definition federalism can be included as a power dividing arrangement. The goal of federalism is often to give local communities or ethnic groups the decision-making power over their territory, and not a share of power on the central governmental level. This fits very well with how the Nigerian federal state has evolved since independence. On the other hand, the office-distribution and revenue-sharing can mainly be characterized as inclusive power-sharing where all states take part in the decision making process.

Even though the three types of power-sharing have developed fairly independently from each other, they all have the same motive for being established: a mutual suspicion and fear that a particular ethnic group, state or region would gain power over the others. The different types of power-sharing arrangements in Nigeria can be seen as attempts to accommodate the fear among different groups. Ideally, Federalism should hinder the center from becoming too strong. Revenue-sharing has been implemented so that the Niger Delta region would not become much wealthier than the rest of the country and possibly secede and take the oil resource out of the country. The Federal Character has been accommodating the less developed North and the minorities.

In the following I will go through all these types of arrangements, look at their historical development and consequences.

#### **3.1 Federalism in Nigeria**

Federalism is a territorial power dividing arrangement, where the political power is divided between local and central government. A federal state has a governmental structure with two or more layers, where the chief policy maker is elected by the people on the level they are serving. The main aim is to divide the power between regional and central governments to guarantee the regional communities' power (Filippov, Ordeshook & Shvetsova 2004: 9; Lijphart 1999: 185-186). Further, the power should be devolved equally between each region, and they should all have the same type of relationship with the central government (Hoddie & Harzell 2005).

Nigeria has, since colonial times, been a federation. There are two specific features that are unique to Nigeria. First, the form of federalism that has been practiced most of the

time from 1966 to 1999 has been military federalism. Second, the large number of states created over this time period is also interesting in light of power-sharing in Nigeria. I will look into these two aspects.

### **3.1.1 Military federalism**

The term military federalism is unique to Nigeria, it implies that during the military regime, the central military government kept the federal structure, but with a military twist, such as military governors (Elaigwu 2007: 102-106).

From 1966 to 1999, Nigeria was run by military governments, with the exception of the Second Republic (1979-1983). In theory the military government had the power to enforce laws and regulations where they felt it was necessary. Nonetheless, they still provided for the continuity and integrity of the constituent government and federalism, but with radical modifications. The state governors were usually military leaders appointed by the federal military government or by the Supreme Military Council, instead of being elected by popular vote in the region. They usually had some geographic or cultural affinities with the state they represented. Governors were frequently removed from their positions, and replaced with more regime friendly governors (Suberu, 2001: 31-32). Hence, the military government kept the federal structure, but essentially power was centralized and they had the possibility to overrule the states. One example of how the central government exercised its power on the states was Decree No 17, 1967, which gave the military government the power to “prohibit the circulation in the federation or in any state thereof, as the case may require, of any newspaper” (Elaigwu 2007,107).

In theory military federalism can neither be recognized as power-sharing nor power dividing, as the power is still in the hands of the central military regime. In practice, however, Nigeria functioned as a federal state in most areas, but with the military regimes overlooking it.

### **3.1.2 State Creation: From 3 to 36**

Another striking feature of the Nigerian federation is the process that Nigeria went through in creating numerous new states between 1967 and 1996. In 30 years the number of states increased twelve fold. This process is important in understanding the other power-sharing strategies that Nigeria has established. The increasing number of states posed challenges for both wealth sharing and office distribution arrangements. In general, there are two main driving forces behind the state creation process. First, and mostly related to the early state creation process, is the fear by ethnic minorities of being dominated by the majorities. Second is the fear held by ethnic majorities that one of the other large ethnic groups may become more powerful than the them. In the following sections I will look more closely into each of the state creation processes.

#### **3.1.2.1 1967: Twelve States**

The demand for creation of new states was first raised in the 1940s. The three-state system (and later in 1963 the four-state system), created an imbalance in the federal republic. When the first military regime replaced the first republic in 1967, General Gowon recognized the need to divide Nigeria into smaller units. This was to prevent any one state becoming so strong that it would either control the central government or opt for

secession (Elaiwu 2007: 115). He therefore enunciated five principles for the creation of new states:

- No state should be in the position to dominate or control the central government.
- Each state should form one compact geographical unit.
- Administrative convenience, the facts of history, and the wishes of the people concerned must be taken into account.
- Each state should be in a position to discharge effectively the functions of the existing regional government
- It is essential that new states are created simultaneously.

On May 12<sup>th</sup> 1967 General Gowon announced the new 12 state structure of the country. This came at the same time as the Eastern-region declared itself as the Independent Republic of Biafra (Suberu 2001: 87-88). This marked the start of a 3 year long civil war, which ended with the military regime forcing the Eastern-region back into the federation.

The new structure led to two main changes in the federal system. First of all the reorganization eased the ethnic problems in the short run by addressing a long standing demand for new states in the Northern-and Eastern-region. Second, the federal state became more centralized and the central government gained more power (Suberu 2001: 87-88).

### 3.1.2.2 1976: Nineteen States

After the reorganization in 1967, the demand for new states quickly arose, and only a week after getting into power, the new head of the military government, Brigadier Murtala Mohammed, appointed the Irikefe panel to discuss the possibility of new states (Suberu 2001: 90). The panel argued that the new states should not be created on the basis of ethnicity, despite the ethnic tensions the country was experiencing. They argued that:

“The creation of new states should seek to establish institutional frameworks which would ensure rapid economic development for among all the ethnic groups, increasing participatory democracy as an insurance against political instability, promote and institutionalize a balance and stable federation, and finally remove fears of domination of the minorities which had tended to slow down economic and political development in the country” (Elaiwu 2007: 117).

These arguments differ from the first state creation process in 1967. The focus in 1967 was to create states for the ethnic minorities, and to share the power amongst the ethnic groups more equally. The Irikefe panel focused more on economic and democratic development and stability. Here the demand for power among the ethnic minorities was not taken into account in the same manner as in 1967.

The panel recommended the creation of seven new states, arguing that the stability of Nigeria could not be secured if new states were not created (Suberu 2001: 90-94). The new 19 state structure did not satisfy popular demands, however, especially among the ethnic groups that did not gain much, such as the Igbos who only controlled two states. The discontent was great. The number of states that each ethnic group controlled was important, because it granted the ethnic group more political power on the national level, as well as a higher level of resource allocation. Despite the recommendations, no new changes were made until 1987 (Suberu 2001: 94).

Further, as a symbol of the centralization process by the military regime, the Federal Capital was moved from Lagos to Abuja in the newly established Federal Capital Territory (FCT) (Suberu 2001: 33).

### 3.1.2.3 1987 and 1991: Twenty-one and Thirty states

In 1985 the Military government led by Babangida started the return to civil rule, and one of the issues debated was again the reshaping of Nigeria's state structure. In 1987 two more states were created, Katsina and Akwa Ibom (Suberu 2001: 100). In August 1991 Babangida announced the creation of an additional 9 new states. The main arguments for this were the principles of social justice, development and inter-ethnic balance, so that the Third Republic would have an easier start than its predecessor. Even after the return to civil rule, however, it is reasonable to think that this was a part of Babangida's strategy to stay in power longer, by winning legitimacy for his government and hoping it would help him in the upcoming election (Suberu 2001: 98-101).

### 3.1.2.4 1996: Thirty-six States

Only five years after the last reorganization, General Abacha announced the creation of 6 new states. He justified the new structure by arguing that state creation had become a periodic and accepted feature in Nigerian politics, popular demands, the support from the National Constitutional Conference, which was convened to endorse a preliminary draft for a new constitution, and that it could decrease factors that in the future could "impede the stability of a democratic elected government" (Suberu 2001: 101-106). The map on page 5 shows the borders as they exist today.

## 3.1.3 The rationale behind the state creation processes

When power was handed back to the general citizenry in 1999, Nigeria had grown from 3 states in 1960 to 36 states in 1996. Even though the last restructuring of the federal system was in 1996, the demand for states has not been settled. In 1996 alone, General Abacha received seventy-two requests for new states (Suberu 2001: 103).

All of the reorganizations were conducted during military rule, but it has been argued all along that the new structure should take into account popular opinion. It seems that both the local communities and the military regime had a desire to expand the number of states, but with different motivations. The question is whether both the local communities and the military government were gaining from the reorganization in reality. I will now look at the different arguments for supporting the creation of new states from both the local community's perspective and the military government.

### 3.1.3.1 Local communities

One of the main motives in the local communities behind the desire to create new states was the idea of "having a state of our own where we can decide". This is, of course, one of the central ideas behind federalism. However, by splitting up the country into smaller and smaller units, each unit becomes less powerful, and power becomes more and more centralized. This is, evidently, the opposite effect of what the local communities wanted to achieve by demanding new states.

There were several issues that led to the state creation process. First, was the marginalization of the ethnic minorities. This was especially important in the 1967 and 1976 reorganizations. Later there was a rivalry between the larger ethnic groups to control the largest number of states. For example, by 1976 the Igbo's controlled two states, while the Yorubas controlled four, and the Igbo's therefore considered the Yorubas to be better off (Elaigwu 2007: 160).

The 1976 reorganization also changed the balance between the Muslim North and the Christian South. In the twelve-state structure there were six northern states and six southern states, but in 1976 the new structure included ten states in the North and nine in the South. The following reorganizations in 1987, 1991 and 1996 have all favored the North. In today's Nigeria there are 19 Northern states and 17 Southern states. One reason might be that since 1983, the military leaders have been primarily Northerners. The main problem with this inequality is that the federal states are seen as equal political units. In the presidential election the candidate must have at least 25% of the votes cast in at least two-thirds of the states to be elected. This means that being in control of more states, either as an ethnic group or religious community is politically important (Elaigwu 2007: 159-160).

Besides the ethnic and religious issues, revenue allocation was an important argument for creating new states. The Federal Account, which is the central resource that is available for distribution to the states, was distributed by a formula whereby a specific percentage of the resources are divided equally among the states and a certain percentage are distributed based on population. This meant an increased revenue allocation to an area if a state split into two, and this was especially important for the southern states that were less populated (Elaigwu 2007: 160). Further discussion on revenue-sharing can be found in section 5.3.

On the other hand, many groups saw the creation of new states merely as a distribution of public positions, perquisites, facilities and related preferment among sectional elites and their constituents (Suberu 2001: 90). As mentioned in the section on corruption, Nigeria has a very well developed patronage system. We find examples of this both on the central level, where national institutions such as banks are doing personal favors for strongmen supporting the president (Reno 1998), and at state level. Human Rights Watch refers to these patrons as "political godfathers". They describe them as:

"not mere financiers of political campaigns. Rather they are individuals whose power stems not just from wealth but from their ability to deploy violence and corruption to manipulate national, state and local political system in support of the politicians they sponsor".

The creation of the new states has given the strongmen and godfathers of the dominant ethnic elites the possibility to control an even larger part of the distribution of positions within the civil service and politics (Human Rights Watch 2007).

### 3.1.3.2 The central government

While the local communities see the creation of new states as an opportunity to gain more autonomy and decision making power over their own territory, the military governments have seen the restructuring as a way to centralize power. Smaller federal units mean that

each state is capable of achieving less, and therefore become more dependent on the central power.

The second reason for the military government to split up states is to avoid secessionist movements, such as took place in the Biafra Civil War in 1967. After 1967 the area where the main part of the oil production took place was split into three regions (River State, East Central State and South East State). This was a strategy to hinder the oil producing region from secession. For example, the River State was by far the greatest oil producer of the three new states. The government, however, made it one of the smallest states in the federation with no international borders, and it was therefore very unlikely to declare itself independent.

Thirdly, over the course of time it seems that state creation has become a quick-fix solution for ethnic problems in Nigeria. General Abacha's argument in 1996 that state creation had become a periodic and accepted feature in Nigerian politics, serves as an example for this attitude. Instead of trying to fix the real problem, which in Nigeria was often related to grievances caused by relative deprivation among the ethnic groups, the government put a band aid on it by creating a new state. In the short run this may increase stability, but in the long run it can create further problems such as reinforcing ethnic division, or creating new minorities or majorities in the states. (Elaiwu 2007: 160-161).

### **3.2 Distribution of offices**

The distribution of offices has been a struggle between the different ethnic groups as well as in the larger picture between the North and the South. The 1979 Constitution established the Federal Character as a solution to this problem. Before 1979 the distribution was conducted through a set of quota systems that had been developed before independence. In the following I will look into these different systems.

#### **3.2.1 Office distribution before 1979**

Even before independence there was a growing fear in the North that the South would dominate the civil service as a consequence of the higher level of education the southern regions enjoyed due to having the head start of the western education system. In 1958 the North-South parity in allocation of seats in the parliament was implemented. In this division the North gained 52% of the seats (Osaghae 1998). The North also demanded that the Federal Civil Service should be based on the quota system, this also applied to the cabinet, recruitment to the army ranks and other federal institutions. In the 1979 constitution these different quota systems were replaced by the principle of the Federal Character.

#### **3.2.2 The Federal Character**

The drafting committee of the 1979 Constitution was faced with the problem of how to deal with the strong ethno-regionalism that existed in Nigeria, and how to ensure that one ethnic group or state would not dominate the central powers. The solution was to include what has become known as the Federal Character principle into the constitution; this should ensure interethnic integration and representation in Nigeria (Suberu 200: 112). 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 in any of its agencies (Section 14(3) 1979 and 1999 Constitution)

The Constitution further defines 'federal character' as: "the distinctive desire of the peoples of Nigeria to promote national unity, foster national loyalty, and give every citizen of Nigeria a sense of belonging to the nation" (Section 272(1) 1979 Constitution). Beside the definitions, the constitution also offers a set of guidelines to enforce the Federal Character (FC).

### 3.2.3 Guidelines in the Constitution

#### 3.2.3.1 Executive powers: President and Ministers

The President is the Head of the State, Chief Executive of the Federation and Commander-in-Chief of the Armed Forces. To be elected as President the candidate has to have a majority of the votes in the election, and no less than one-quarter of votes cast in at least two-thirds of the states. In situations where the former criterion is not met, there shall be held a new election with two candidates. If there are more than two candidates in the first election, the candidate who has the highest number of votes and the candidate with the majority of votes in the highest number of states shall continue to the second round of the election. To be elected the candidate still needs to fulfill the above mentioned criteria in the second election, if not there will be a third election. The president is elected for four years, and can only serve two periods. The Vice-president is nominated by the President to run as a candidate with the President (1979, section 122-131; 1999, section 130-139).

The Ministers of the Government should be nominated by the president, and confirmed by the Senate. Any appointment should be made in accordance with the Federal Character (Section 14(3)). Further, the 1979 Constitution claims that: "[...] the President shall appoint at least one Minister from each State, who shall be indigene of such State" (1979, section 135(3); 1999, section 147 (3)) The Nigerian cabinet includes both Cabinet ministers (senior ministers) and Ministers of states (junior ministers) who are assigned to help the cabinet minister. The constitution does not demand a certain number of ministries<sup>5</sup>.

#### 3.2.3.2 Legislative power: National Assembly

The National Assembly, which is the law making body in Nigeria, is divided into the Senate and House of Representatives. The senate is the upper house of the National Assembly. In the 1979 Constitution the Senate included five senators from each state and one from the federal capital for a total of 96 senators. In the 1999 constitution (and at present) the Senate should consists of 109 senators equally distributed among the states. Hence, each state of the 36 states is divided into 3 senatorial districts, with each electing a senator, and the Federal Capital Territory elects one senator<sup>6</sup>.

The HoR is the lower house of the National Assembly. In the 1979 constitution the House should include 450 representatives, while in the 1999 constitution (and at present) implemented a scheme whereby 360 members are elected in single member constituencies of nearly equal population size.

On the state level, each state has a House of Assembly which consists of three times the total number of representatives that the state has in the HoR. According to the 1979

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<sup>5</sup> At the present Nigeria has 23 ministries with 39 ministers

<sup>6</sup> <http://www.nassnig.org/> (downloaded 10.09.08)

constitution (Section 14(4)) the composition of the House of Assembly should reflect the diversity of the area it represents.

### 3.2.3.3 Federal Commissions and Councils

*\*(Commissions or councils marked with an \* was only included in the 1999 constitution)*

The constitutions in both 1979 (section 140) and 1999 (section 153) list several federal commissions and councils that should be established according to the specifics in the constitution. There are three main types of agency. First, those that only include a few members that have direct relevance for the commission or council, such as experts or the appropriate ministers. These are the: Code of Conduct Bureau\*, Federal Civil Service Commission, Federal Judicial Service Commission, National Defense Council, National Judicial Council\* and Police Service Commission. The second group consists of those where the governor of each state is represented; these are the Council of State, National Economic Council and National Security Council\*. The third group includes those agencies where each state has one representative (other than the governor) the: Federal Character Commission\*, Independent National Electoral Commission, National Population Commission and Revenue Mobilization Allocation and Fiscal Commission\*. The president should appoint or approve the state representatives in the third group.

The two last groups reflect the Federal Character (FC) and could be termed as making use of inclusive power-sharing. However, there is no restriction on who should be the chairperson. The first group could be viewed as power dividing or exclusive power-sharing; not all states are represented, but the agencies still have to have a composition of members reflecting the FC.

### 3.2.3.4 Political parties

Political parties should reflect the FC in their executive committee and other governing bodies of the party. At least two-thirds of all states need to be represented in a party's main bodies. The name, symbol or logo of a party should not be associated with any specific ethnic, religious or geographical region. The political parties provide candidates for elections and ensure that these candidates reflect the FC (1979: section 202-203, 1999: section 222-223).

### 3.2.3.5 Armed Forces

The Armed forces, both officers and other ranks, should reflect the FC. The President is the Commander-in-Chief, the President shall also appoint a Chief of Defense Staff, Head of the Army, Head of the Navy and Head of the Air Forces (1979: section 197-198, 1999: section 217-218).

## 3.2.4 Federal Character Commission

In the 1999 constitution the FC and the guidelines were slightly altered. The main change was to include an additional administrative authority; the Federal Character Commission (FCC) that should monitor and ensure that the FC was followed<sup>7</sup>. The lack of this body was one of the main flaws of the 1979 Constitution (International Crisis Group 2006).

The first mandate for the FCC was to work out an equitable formula for the distribution of all offices in the Federation and in the state. Second, they should monitor, promote and enforce the principle of proportional sharing in political office. Third, take legal measures towards any agencies (including ministries) that fail to comply with the FC. Fourth, work out an equitable formula for distribution of socio economic services and infrastructure

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<sup>7</sup> The FCC was established in 1996, but not constitutionalized until 1999

facilities, as well as a plan for reducing relative deprivation and marginalization in the federation<sup>8</sup>.

In its first annual report in 1996 the FCC established that within the Federal Civil Service: “The indigenes of any State shall not constitute less than 2.5% or more than 3% of the total positions available including junior staff at the Head office”. Further, they suggested that if there were only two posts to be distributed one must go to the North and one to the South. If there were six posts, one must go to each of the geographical zones. By using these strategies the FCC shows clearly they are leaning towards a quota system, rather than giving preference to the stronger candidate within the scope of the FC. The quota system is only based on states and geographical zones, and does not take ethnicity or religion into account, which are two of the major cleavages in Nigerian Society. With this system it is possible that the top positions in the same establishment could be filled with people of the same ethnicity or religion, often favoring the majority groups, and contradicting the FC (Mustapha 2007: 10-11).

### 3.2.5 Dilemmas facing the Federal Character and the Constitution

First, the rule that all states should be represented made the cabinet extremely large, especially since the number of states kept increasing. When the constitution was written in 1979 Nigeria had 19 states, and when the new constitution was instituted in 1999 the number had increased to 36. Further, while the FC ensured that all states were represented, there were no guarantees that the allocation of important ministerial positions was ethnically balanced. The southern states have been especially concerned about this. In the years from independence to 1999, the North had the executive leader for 34 years, and the South for a little over 4 years. It has been proposed to include rotating offices or zoning in the constitution to deal with this (see discussion in section 5.2.6) (Suberu 2001: 116-120).

Second, using states as the foundation for creating ethnic balance is not very suitable. As we can see from section 5.1.2 on the state creation processes, the states do not reflect the ethnic borders. The major ethnic groups, the Hausa-Fulani, Igbo and the Yoruba have the majority in several states, and would hence get more power, while in the Niger Delta region one state included several ethnic minorities. Due to the way the FC is structured and with the increasing number of states, the larger ethnic groups have become more powerful while the minorities have become even more marginalized. Instead of developing, Nigeria has come closer to the 1960 level of ethnic imbalance (Songhai 1998: 115-116).

Third, the rules for election of president and establishment of political parties seem unnecessarily strict. In the 1979 election the complicated rules led to disagreement over what constituted ‘two-thirds’, and whether the leading candidate actually fulfilled the FC requirements. Further, the rule saying that all political parties should have national character made it almost impossible to create parties, and the solution was to make large multiethnic parties with very little structural or ideological cohesion (Suberu 2001: 116-120).

The second large change in the 1999 constitution was inclusion of the ‘Indigeneity Clause’. Even though the 1979 constitution did not make this as explicit, it clearly differentiates between indigene and non-indigene/settlers. The 1979 constitution defines an indigene as ‘a person whose parents or grandparents historically originated from a community within that state’ (International Crisis Group 2006). In the 1999 constitution it states clearly that it is the indigenes of a state that should fulfill the positions, and not only a representative from the state (Suberu 2001: 114).

<sup>8</sup> <http://www.fccnigeria.org> downloaded 10.09.08

The inclusion of the 'Indigeneity Clause' in the 1999 constitution is one of the most problematic issues faced by the FC. The two aforementioned concepts have justified discrimination against those who have migrated from their state of origin, or whose parents or grandparents migrated. In those cases the FC and the Indigeneity Clause have become an important factor in the competition for limited education and scarce employment opportunities. No matter how long a person has lived in the state, or how well educated and suited he or she may be for the position, they are not eligible if they cannot prove indigeneity in that state (International Crisis Group 2006, p 12). This falls right into the debate about autochthony, ethnicity and the 'sons of the soil' discourse (Stephen Jackson 2006).

In a country that has suffered from large displacements of people throughout history, such as the exodus of the Igbo's from the Northern-regions, the Indigeneity Clause has created large cleavages between those that can prove indigeneity and those that are regarded as non-indigenes. The Plateau State was once peaceful, but since the 1999 transition to democracy the state has experienced a tremendous amount of violence between indigene and non-indigene ethnic groups. As a result of the violence in the Plateau State, 250,000 people were internally displaced from February to May 2004. This equates to one quarter of all the internally displaced people in all of Nigeria between 1999 and 2004 (International Crisis Group 2006: 12-13; Nabile Isa-Odidi 2004<sup>9</sup>)

Despite good intentions, the FC may have created more trouble than good. Suberu (2001: 111) argues: "Celebrated by some as the cornerstone of ethnic justice and fair government in Nigeria, the federal character has also been denounced by others as [a] euphemism for federal discrimination at best or geographical apartheid at worst".

### **3.2.6 Rotating offices: Zoning**

While the Federal Character has its historical roots in a Northern fear that the South would dominate the civil service, there was also a growing fear that the North would gain more control over central powers. For example, with every state creation excluding the 12 state structures in 1967, the North has always had one state more than the South. Also, for almost 40 years only one of the military regime leaders was not from the North. The FC ensures that all the states have a minister post, but cannot control the distribution of the most powerful positions. Hence, despite the FC power can still be controlled by the same (slightly more powerful) group (Osaghae 1998: 116).

As a solution to this imbalance, the Southern-regions have, demanded for several decades that the principle of zoning should be included in the constitution alongside the Federal Character. So far this has not happened.

The principle of zoning in the Nigerian context refers to an aggregation of the states into 6 geographic zones on the basis of which positions are allocated. The main purpose of zoning is to make sure that the different offices are rotated amongst the regions. The second function was to make sure that power would shift from one region to another (often referred to as "power shift"), and hinder one region from dominating in terms of power (Orji 2008).

As mentioned, the constitutionalization of the principle has been discussed on several occasions. The principle of zoning has still been practiced, for example, in the nomination process of presidential candidates for the first democratic election in the fourth republic in 1999. One of the arguments as to the failure to include zoning in the constitution

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<sup>9</sup> <http://www.wcl.american.edu/hrbrief/12/1isaodidi.cfm>

is that Nigerian parties and politicians have proven to be creative and flexible when it comes to ethnic power-sharing and that constitutionalizing the principle would detract from this (Suberu 2001: 119-120).

### **3.3 Revenue-sharing**

Revenue-sharing in Nigeria was an important and heated issue even before independence in 1960. Revenue-sharing is organized along two structures. The first is a vertical revenue-sharing structure for allocation of resources between the central government, the states and the localities. The second is a horizontal revenue-sharing, dealing with the distribution of resources between the states. One of the most important issues within revenue-sharing in Nigeria is the sharing of the oil wealth. Both strategies have dealt with this issue, however the horizontal revenue-sharing strategy has caused more tension than the vertical strategy. In the following section the two structures will be described as along with an historical overview over development.

#### **3.3.1 Vertical revenue-sharing**

Vertical revenue-sharing primarily deals with what revenues should be collected by the central government, and what could be collected by the federal states. Secondly, it deals with how much of the centrally collected revenues should stay at the central level and how much should be transferred to the sub-national governments. The principle of centralization and de-centralization are important in this regard. And we can see through history that the trend shifts between centralization and de-centralization.

In 1946 Sir Sidney Phillipson designed a system where region-specific revenues (such as direct taxes, government fees and rents) were allocated to the regional governments, while non-declared revenues (such as export, import, excise, and business taxes) were assigned to the central government (Suberu 2001: 49). In the early 1950s the regions gained more fiscal power by reallocating taxes that were previously collected by the central government. This system was kept after the independence until 1970. General Gowon and the new military regime assigned to themselves parts of the taxes and rents related to petroleum products, all of the revenues from offshore oil operation, and 55% of the onshore oil production. The centralization of financial resources continued with the military regime. The best symbol of this is the increase of oil revenues allocated to the central government; by 1979 this mounted to 80% (Suberu 2001: 49-51).

A new period within the vertical revenue-sharing scheme started at the end of the first military rule. In the preparation for the Second Republic, the Abovade committee was established in 1977 to reevaluate the revenue-sharing arrangement. One of the most important recommendations was to gather all revenues into a Federal Account (FA) and then redistribute based on a specific formula to the lower levels of government. This meant that the previous arrangement where each state got to keep a certain percentage or type of income was over and that all revenues would be collected by the central government. Within the new arrangements the vertical revenue-sharing strategy was concerned with creating a distribution paradigm between the central state, the federal states and the local governments (Suberu 2001: 52-53).

However, the centralization of the resource revenues continued under the new arrangement. The Abovade committee suggested the following distribution: 57 % federal government, 30% state governments, 10% local governments and 3% to a Special Grants Account (later called Special Funds). This formula gave, for the first time, specific allocations

to the local governments. The Special Grants Account was assigned to address ecological degradation, national emergencies, disasters and pollution in oil producing areas. The allocation to the states will be discussed in the next section (Elaigwu 2007: 238-242).

As we can see from Table 1, except for 1994 the proportion of revenues granted to the central government is more than 50%.

**Table 1: Vertical allocation of the federation account (1980-to date)**

	1980	1981	1982	1984	1990	1992	1994	Since 2004
<b>1. Federal Government</b>	<b>53.0</b>	<b>55.0</b>	<b>55.0</b>	<b>55.0</b>	<b>50.0</b>	<b>50.0</b>	<b>48.5</b>	<b>52.68</b>
<b>2. Regional/State Governments</b>	<b>30.0</b>	<b>30.5</b>	<b>34.5</b>	<b>32.5</b>	<b>30.0</b>	<b>25.0</b>	<b>24.0</b>	<b>26.72</b>
<b>3. Local Governments</b>	<b>10.0</b>	<b>10.0</b>	<b>10.0</b>	<b>10.0</b>	<b>15.0</b>	<b>20.0</b>	<b>20.0</b>	<b>20.60</b>
4. Special funds	7.0	4.5	0.5	2.5	5.0	5.0	7.5	-
(i) Federal Capital Territory	N.A	-	N.A	-	1.0	1.0	1.0	-
(ii) Derivation	N.A	2.0	N.A	2.0	1.0	1.0	1.0	-
(iii) Development of oil producing Areas	N.A	1.5	N.A	1.5	1.5	1.5	3.0	-
(iv) General Ecology	N.A	1.0	N.A	1.0	1.0	1.0	2.0	-
(v) Statutory Stabilization	N.A	-	0.5	-	0.5	1.5	0.5	-
<b>TOTAL</b>	<b>100</b>							

Sources: Orji 2008, p 132

In preparation for the Third Republic the Babangida administration established the National Revenue Mobilization Allocation and Fiscal Commission (RMAFC). This became a permanent fiscal institution, and should among other things periodically review the allocation principles, oversee that the revenue-sharing scheme is followed, and administer loans.

After the transition to the Fourth Republic the RMAFC was restructured, a key change was that all the states were to have one representative in the commission. The commission was asked to review the revenue-sharing scheme and give recommendations to President Obasanjo. The Fourth Republic seems to have had a harder time agreeing on the formula for the vertical sharing than previously in history, with the exception of the Second Republic. It seems that vertical revenue-sharing is a much more debated and heated issue during democratic regimes than military regimes (Elaigwu 2007: 246-251).

### 3.3.2 Horizontal revenue-sharing

Horizontal revenue-sharing became especially important after the creation of the Federal Account. It deals with the distribution of resources that are allocated to the federal states through the vertical revenue-sharing formula. While the debate about vertical revenue-sharing focuses on the size of the share that was to be allocated, the discourse and conflict related to horizontal revenue-sharing was centered around which principles should determine the allocation (Suberu 2001: 57).

Horizontal revenue-sharing has two main issues to take into account. First, to make sure that the revenues are used in the most efficient way, and second, to equalize the fiscal capacities between the states through redistribution. Historically the various principles of distribution have varied in content and in strength. A discussion of the major principles follows.

First is the *principle of derivation*, which focuses on how much of the revenues extracted in a region should be returned to the region of origin. The principle of derivation has been especially important regarding oil revenues from the South (Elaigwu 2007: 206; Ejobowah 2000).

Second is the *principle of need*, which focuses on the capacity for each state to carry out the desirable services that it is required to perform. The principle of need is often based on population data, however Nigeria has had a history of fraudulent censuses and hence using population as a basis has been debated (Elaigwu 2007: 206; Suberu 2001: 141).

Third, the *principle of equality* makes sure that all the states are treated equally and that no state receives more than the others. This means that all the states should also get an equal share of the revenues and have the possibility to raise their own revenues through taxes. This principle, however, ignores the difference in population size of each state, and has been blamed for creating inequality rather than equality between states (Elaigwu 2007: 207).

A fourth principle is the *national interest*, which emphasizes is the need to raise the standard of living of the poor sub-national regions to a minimum level fixed by the central government.

The horizontal distribution of resources has often been the source of conflict. One important reason for this is how the term equality is perceived. It could, as the principle of equality indicates, mean that everyone should have the same amount of resources. It could be interpreted in light of the principle of need: that all states should have an equal level of development. It could also be related to the principle of derivation: that equality should reflect what each state has put into the Federal Account. Secondly, several of these principles are in direct conflict with each other. For example if the oil producing states are getting some of the resource rent back, this might be done at the expense of the need of some other region. It could also harm the national interest by creating larger gaps between states, rather than trying to raise the standard of living among the poorest (Elaigwu 2007: 207).

Another problem related to the horizontal distribution is the creation of new states. As new states have been created, new units are included in revenue-sharing. Due to the principle of equality some of the revenues from the FA are granted equally to all states despite size. As the new states developed the three large ethnic groups became the majority in several states. This meant that those ethnic groups would get more than the others, not only because they had a larger population, but also because they were concentrated in several states. This has been one of the motives for the larger ethnic groups to support the state creation process.

The largest and most heated issue regarding revenue-sharing in Nigeria is the ownership and sharing of oil revenues. In the early years of the federation the Eastern-region had a large degree of control over oil resources. As oil wealth grew, the central government claimed more and more of the revenues. In November 1969 the Nigerian military government promulgated the Petroleum Decree. This nullified all concessions that oil companies held, and gave the central government power and ownership of the oil (Ejobowah 2000: 35). To wit:

1. All petroleum in, under and upon any lands in the country;
2. All petroleum under the territorial waters of Nigeria;
3. All land forming parts of the continental shelf of the country;

After the introduction of the FA, the oil resources have been distributed by the principle of derivation, so that the state of origin would get a share of the resources extracted in their region. Since the 1960s this share has changed substantially, as shown in Table 2.

**Table 2: Share of Derivation 1960-1999**

Year	Share of derivation
1966	50%
1975	45% of onshore, all off shore should be allocated to the central government
1979	20 % of onshore
Early 1980s	5 % onshore
1993	3 % onshore
1999	13 % onshore

By the 1990s the share distributed based on derivation had gone down to 3%. This provoked the people of the Niger Delta region, coinciding with an increase of violence in the region, particularly among the ethnic minorities. The most obvious sign of this is the rise of the Movement for the Survival of the Ogoni People (MOSOP) and its leader Ken Saro-Wiwa. They launched the 'Ogoni Bill of Rights' in 1990 where they pointed out that oil had been produced on their land since the 1950s, and that they had supported the Federation of Nigeria with an estimate of 40 billion Naira, and received nothing in return<sup>10</sup>. Ken Saro-Wiwa was executed in 1995 for the murder of four pro-government Ogoni leaders (Suberu 2001: 67). Other ethnic groups, such as the Ijaws, also rebelled, demanding that the central government vacate their land (Ejobowah 2000: 36).

After the transition to civil rule in 1999, the share of derivation has increased to 13%. This has upset the states in the Northern parts of the country, who suffer from this change. They argue that the FA distribution should rely more on the principles of need and population, rather than derivation (Elaigwu 2007: 248). However, the states in the Niger Delta are not satisfied with 13%, and the conflict in the region is escalating.

Looking at Table 3 we see that the six Niger Delta states receive almost the same amount of revenue as the fourteen Northern states, while representing only about 1/3 of the population. This indicates that the perceived unfair distribution is not as unfair as we might think. We also see that the minority dominated states have a much higher GDP/cap than the states dominated by one of the three big ethnic groups. It is important to remember, however, that the Niger Delta conflict is also related to issues such as poverty, unemployment and environmental degradation which are discussed more thoroughly in section 4.5 (Ejobowah 2000).

<sup>10</sup> The entire Ogoni Bill of Rights can be found at <http://www.waado.org/nigerdelta/RightsDeclaration/Ogoni.html>

**Table 3: Breakdown of Revenue Allocation to States, June 1999 - July 2004**

S/N	States	Dominant Ethnic Group	Amount Allocated in billions of naira	% of Amount Allocated	% of Total Pop. 2006 Est.
<b>Northern States</b>					
1	Adamawa	Fulani	50.424	2.1	2.26
2	Bauchi	Hausa	56.248	2.38	3.34
3	Borno	Kanuri	55.628	2.35	2.96
4	Gombe	Fulani	41.776	1.77	1.68
5	Jigawa	Hausa	51.075	2.16	3.10
6	Kaduna	Hausa	65.422	2.77	4.33
7	Kano	Hausa	80.127	3.39	6.70
8	Katsina	Hausa	62.905	2.66	4.13
9	Kebbi	Hausa	49.452	2.09	2.31
10	Nasarawa	Hausa	38.540	1.6	1.33
11	Niger	Nupe/ Hausa	57.488	2.4	2.82
12	Sokoto	Hausa	50.907	2.15	2.64
13	Yobe	Kanuri	47.102	1.99	1.65
14	Zamfara	Hausa/Fulani	49.468	2.09	2.32
			<b>756.562</b>	<b>31.9</b>	<b>41.57</b>
<b>Western (Yoruba) States</b>					
15	Kwara	Yoruba	44.469	1.88	1.69
16	Ekiti	Yoruba	38.675	1.6	1.70
17	Lagos	Yoruba	85.833	3.64	6.43
18	Ogun	Yoruba	52.077	2.2	2.66
19	Ondo	Yoruba	73.471	3.1	2.45
20	Osun	Yoruba	47.700	2.0	2.44
21	Oyo	Yoruba	61.097	2.59	3.99
			<b>403.322</b>	<b>17.01</b>	<b>21.36</b>
<b>Eastern (Igbo) States</b>					
22	Abia	Igbo	47.875	2.0	2.02
23	Anambra	Igbo	44.333	1.88	2.98
24	Ebonyi	Igbo	43.999	1.86	1.55
25	Enugu	Igbo	45.542	1.9	2.32
26	Imo	Igbo	55.909	2.37	2.81
			<b>237.658</b>	<b>10.01</b>	<b>11.68</b>
<b>Middle Belt (Northern Minority) States</b>					
27	Taraba	Mumuye/Jukun	46.272	1.96	1.64
28	FCT	Gwari	69.506	2.9	1.00
29	Benue	Tiv/Idoma	53.845	2.28	3.01
30	Kogi	Igala	47.620	2.01	2.34
31	Plateau	Anga	33.921	1.4	2.27
			<b>251.164</b>	<b>10.55</b>	<b>10.26</b>
<b>Niger Delta (Southern Minority) States</b>					
32	Delta	Urhobo/Itsekiri	207.205	8.78	2.92
33	Edo	Edo/Ishan	47.673	2.0	2.29
34	Akwa-Ibom	Ibibio/Annang	137.185	5.8	2.80
35	Bayelsa	Ijaw	125.911	5.3	1.21
36	Cross River	Efik/Ekoi	45.546	1.93	2.06
37	Rivers	Ikwere	145.791	6.18	3.70
			<b>709.311</b>	<b>29.99</b>	<b>14.98</b>
			<b>1,397.542</b>	<b>58.92</b>	<b>74.61</b>
			<b>960.475</b>	<b>40.54</b>	<b>25.24</b>

Source: Orji, 2008

Another issue is the high level of corruption in Nigeria. As a consequence of this, even though the Niger Delta regions have a high GDP per capita compared to the rest of the country, the civil population is suffering because the monies get “lost” among the elite (see more about corruption in section 4.3.2).

#### **4 Potential for future conflicts and current situation**

In the last two years the violence in the Niger Delta has increased, especially attacks on the international oil companies by Niger Delta militias such as the MEND, but also other militant groups (MOSOP and NDPVF). The main form of action is kidnapping and blowing up oil pipelines, however, there are also occasional killings (International Crisis Group 2007).

MEND has strong links to the NDPVF which was established in 1990 and was especially active around 2004/05. The first attack launched by MEND was on a crude oil pipeline in Bayelsa state on January 10<sup>th</sup> 2006 cutting the supply to the Forcados export terminal. Ethnically MEND represents the Ijaw communities, and operates in the Rivers, Delta and Bayelsa states. The main motivation for MEND is the neglect of the people in the Niger Delta region, environmental degradation and corruption. MEND sees this as the result of the oil companies’ behavior and their support of the central government (Bergen Risk Solution 2007). The violence towards the oil companies has in the last two years cut the production of oil in the Delta approximately 20%. With oil prices sky rocketing this has been very dramatic reduction of revenue for Nigeria as a whole.

Another aspect to the violence in the Niger Delta is political violence. It is mostly conducted by what are called “cults”, which are gangs comprised mostly of unemployed young men. The sponsors of these gangs are influential politicians or godfathers taking the role of patrons. Their purposes are mainly political violence such as election rigging and hindering the opposition. These cults however have also been known to be involved in drug trafficking, armed robbery, extortion, oil bunkering and street crimes. (Human Right Watch 2007).

What is further complicating the Niger Delta crisis is that there is often a crossover between the militant groups who are fighting for peace and development in the Delta and the politically violent cults. The young men who are members of these groups wear different hats at different times, making it quite unclear what their real motivation is (Bøås 2008; BBC 2006<sup>11</sup>).

During the summer of 2008 President Umaru Yar’Adua expressed the desire to organize a Peace summit in the Niger Delta. He appointed his vice-president, Goodluck Jonathan, an ethnic Ijaw, as the organizer of the summit. The summit aspired to bring together various federal officials, ethnic leaders and oil companies. Despite this, the planned meeting was canceled because MEND and other groups did not accept the proposed mediator, UN Under-Secretary-General Ibrahim Gambari, and a replacement has not been found (at the time of writing). The reason for the rejection was linked to the execution of Ken Saro-Wiwa, as when Mr. Gambari was the Nigerian ambassador to the UN he expressed that Ken Saro-Wiwa and the Ogoni activists were a group of “common criminals” (BBC, 2008<sup>12</sup>).

For the time being there has been no progress with regard to the Niger Delta Peace Summit. However, President Umaru Yar’Adua has recently announced that he will

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<sup>11</sup> <http://news.bbc.co.uk/2/hi/africa/5299296.stm> (downloaded 12 September)

<sup>12</sup> <http://news.bbc.co.uk/2/hi/africa/7500472.stm> (downloaded 12 September)

create a new ministry that will deal with the problems in the Delta. (BBC, 2008<sup>13</sup>). According to Yar'Adua "The Niger Delta Ministry would co-ordinate our efforts to tackle the challenges of infrastructure development, environmental protection and youth empowerment in the region" (Daily Independent, 2008<sup>14</sup>). Nonetheless, the announcement was met with skepticism, with MEND arguing that "the group would know if the government is sincere in solving the Niger Delta crisis when it offers true federalism in all its ramifications, which includes resource control as well as the unconditional release of all detained activists" (Guardian, 2008<sup>15</sup>).

The Niger Delta conflict is mainly rooted in disputes over resource allocation and power-sharing. However, the problems of federalism in Nigeria are strongly linked to the lack of trust in the relationship with both the central government and the state governments. There is also a heavy shadow of the former military regimes hanging over Nigeria. The diversity in Nigeria also makes it very difficult to agree. To keep the Niger Delta Crisis from escalating to a larger conflict, problems that have deep historical roots in Nigeria need to be addressed.

Two important dilemmas that Nigeria faces in the future are highlighted here. The first dilemma is representation or perception of representation. The 1999 constitution starts with the words: "We the people of Nigeria", yet the constitution has not been written or approved by the people of Nigeria but by the military leaders and the elites. There are several other reasons for the feeling of lack of representation, such as corruption and patron-client relationships and that elections are very often rigged (Human Right Watch 2007). A consequence of this is the emergence of groups such as the Bakassi Boys who serve as a local private security group. We also see violent political groups such as MEND and MOSPO emerge. The power-sharing strategy through the Federal Character does not seem to create the representation that the central government is aiming for. First, because the Federal Character ensures representation of states and not ethnicity, and second, it is often the elites that benefit from the Federal Character through office distribution.

A second dilemma hindering the development of the Nigerian state is the lack of capacity or will from the central government to make changes. Since return to civil rule there have been several attempts in several areas to make changes in the constitution, for example regarding the revenue-sharing. Nigerian history has a very strong influence on today's system and therefore makes it harder to implement democratic values.<sup>16</sup>

## 5 Conclusion and Lessons learned in Nigeria

The Nigerian power-sharing system has a long history and has its roots in a time before the independence in 1960. We find three different types of power-sharing arrangements: territorial power-sharing in the form of federalism, political power-sharing represented by the Federal Character and economic-power-sharing in the form of a revenue-sharing/redistribution system. The three systems have developed at different times; nonetheless they are all interdependent and sometimes at odds with each one another. It is also important to remember that one of the main motivations for the power-sharing system is the fear that one group or state would be strong enough to rule the others.

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<sup>13</sup> <http://news.bbc.co.uk/2/hi/africa/7609904.stm> (downloaded 12 September)

<sup>14</sup> <http://www.independentngonline.com/news/tfpg/article01> (downloaded 12 September)

<sup>15</sup> <http://www.guardiannewsngr.com/news/article01/indexn2.html?pdate=120908&ptitle=My%20plans%20for%20Niger%20Delta.%20by%20Yar'Adua> (downloaded 12 September)

<sup>16</sup> Discussions at the Niger Delta conflict Seminar at PRIO 18-19 August 2008

The federal structure in Nigeria was inherited from colonial times, but has been through several changes to arrive at the state it is in today. At the time of independence in 1960 Nigeria consisted of three federal regions. Today we find 36 states and the Federal Capital Territory. To achieve this twelve fold increase of federal states Nigeria has been through six state creation processes. The motivation behind each of these processes has been different. The first two (1963 and 1967) were conducted to create a better ethnic balance between the ethnic minorities and majorities. The later state creation processes became more and more a competition between the three major ethnic groups (Hausa-Fulani, Yoruba and Igbo) to gain control over the largest number of states. The big ethnic groups now dominate 22 of the 36 states (Suberu 2001: 109). The ethnic groups gain several benefits from having control over several states, the most important are that the group will receive more funds from the Federal Account, they will gain a larger number of representatives within the government as well as in governmental institutions and the civil service.

The second branch of the power-sharing system in Nigeria is the distribution of offices. In the time before the second republic this was dealt with through quotas, however in the 1979 Constitution, the principle of Federal Character was introduced. The main purpose was to ensure “that there shall be no predominance of persons from a few states or from a few ethnic or other sectional groups in the government or in any of its agencies” (Section 14(3) 1979 constitution). The guidelines that the constitution supplied on how to follow up the FC were, among others, that the government should have at least one minister from each state, that the Independent National Electoral Commission should have a member from each state, and further the governors from all states should be represented in the Council of State and the National Economic Council. Political parties, the armed forces, and the civil service also had to follow the FC principle. However, not until 1996 was an agency to follow up the implementation of the FC established, the Federal Character Commission. We can identify two main challenges to the FC. Firstly, the FC relates to the states as the main political units, which means that more than 65% of the representatives will represent one of the three major ethnic groups. Secondly, the FC principle deals with the inclusion of several groups, however it does not deal with how to prevent one group from gaining all the powerful positions. The Southern parts of Nigeria have several times tried to include the principle of rotating offices or zoning into the constitution but have not succeeded.

The final part of the power-sharing arrangement is the revenue distribution system. This has also been a much debated issue since the pre-independence period. It became more structural and cohesive in the late 1970s when the Federal Account was established. All the federations’ revenues and income would be centrally collected in the FA and redistributed to the regions. This was dealt with through two different revenue distribution strategies. First, the revenues were distributed through a vertical revenue-sharing formula, deciding how much the central government, the federal states and the local governments should receive. Further, the revenues allocated to the federal states were distributed through a horizontal revenue-sharing formula. The latter of the two strategies has been the source of much dispute and conflict. The revenues are distributed among the states based on different principles. The two most debated are the principle of derivation (how much of the oil resource should go back to the state of origin) and the principle of need. The states in the Niger Delta are arguing that they should be awarded more than the current 13% of the revenues (basing their argument on the derivation principle), while the non oil-producing states (especially the North) argue that the oil resources should benefit the entire country and the principle of need should be the most important.

There are several lessons that we can learn from the power-sharing situation in Nigeria. Firstly, it is important that all the power-sharing arrangements are in line with each

other. The state creation processes have evolved from being a tool for creating ethnic balance to become a “power-tool” for the ethnic majorities. As a consequence of this, and the fact that the FC uses the federal states as political units, the major ethnic groups have become almost as powerful as in the First Republic. We can see the same is true for the revenue-sharing scheme. As a consequence of this, the crisis in the Niger Delta is escalating due to demands for a better revenue and power-sharing system to accommodate the marginalized ethnic minorities.

A second lesson is that a power-sharing system must take all considerations into account simultaneously. The FC only deals with the inclusion of all states, not with how the power should be distributed between the states to ensure that not all powerful positions fall into the hands of the same group. A solution to this is zoning, but this has not been included into the constitution yet, even though it is sporadically being practiced.

A third lesson that we learn from Nigeria is that even though a power-sharing system is in place, the country is highly corrupt. The foundation for the power-sharing system is thus crumbling. Corruption related to government and political institutions is particularly damaging for both the power-sharing and the wealth-sharing system. Problems related to this are a lack of trust between the central government and the federal states, patronage, and emergence of a shadow economy. A power-sharing system must be backed by a state that is able to follow through in a way that is just and impartial acceptable the entire country. In Nigeria we can see a leakage of oil revenues due to corruption, thus hindering the resource that could benefit the communities that are suffering the most from oil production, further fueling the conflict in the Niger Delta. The violence in the Niger Delta poses a threat not only to the people in the area, but also to Nigeria’s fragile democracy as well as regional security in West Africa. Given the rising international demand for oil, a full-blown crisis in the Niger Delta could further destabilize the volatile crude oil market with far reaching consequences.

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## 7 Timeline

- 1960 1 October:** Independence from Britain
- 1963 August:** Mid-Western region created  
**1 October:** Nigeria becomes a Republic
- 1966 15 January:** First military coup overthrowing the First Republic and General Ironsi (Igbo) take power  
**29 July:** Counter coup due to fear that the Igbo would gain too much power. Previous to the coup Igbos living in the North experienced mass killings and exodus to the Easter region. General Gowon (Angas, Middle Belt) take power
- 1967 27 May:** Introduction of the twelve-state structure
- 1967 30 May:** Announcement of secession of the Eastern Region, and declaration of independence of the Republic of Biafra.
- 1967 6 July:** Civil war starts
- 1970 12 January:** End of civil war
- 1975 29 July:** Military coup, Brigadier Murtala Mohammed (Hausa-Fulani) gain power
- 1976 3 February:** Nineteen-state structure introduced  
**13 February:** Abortive coup, but Brigadier Mohammed is assassinate and his deputy General Olusegun Obasanjo (Yoruba) took over the leadership
- 1977 July:** Federal Account introduced
- 1978 21 September:** 1979 Constitution promulgated and ban on politics lifted
- 1979 1 October:** Return to civil rule and start of the Second Republic. Alhaji Shehu Shagari (Hausa-Fulani) inaugurated as president.  
**October:** Introduction of the Federal Character
- 1983 August-September:** Federal and State elections  
**31 December:** Military coup, end of the Second Republic. General Muhammadu Buhari (Fulani) gain power  
**1985 27 August:** Military Coup, General Ibrahim Babangida (Gwari, Niger state) gain power
- 1987 11 July:** Table to return to civil rule 1 October 1992  
**September:** The Twenty-one state-structure introduced
- 1991 27 August:** The Thirty state-structure introduced
- 1992 2 January:** Return to civil rule moved to 2 January 1993  
**4 July:** National Assembly election  
**October:** Presidential primaries annulled and Presidential election postponed to 12 June 1993, and return to civil rule moved to 27 August 1993
- 1993 12 June:** Presidential election  
**23 June:** Presidential election annulled  
**27 August:** Babangida steps down, and Chief Ernest Shonekan (Abeokuta, Lagos) appointed head of state. Start of Third Republic  
**17 November:** Military coup, end of Third Republic. General Sani Abacha gain power (Kanuri, North)
- 1995 1 October:** Comprehensive timetable for return to civil rule in 1998 announced  
**10 November:** Ken Saro-Wiwa and eight other Ogoni activists were executed  
**11 November:** Nigeria expelled from the Commonwealth
- 1996 1 October:** The Thirty-Six state-structure introduced

- 1998 8 June:** General Abacha dies unexpectedly  
**9 June:** Abdulsalam Abubakar (Niger state) sworn in as president, promises to hold elections the same year and return the power to an elected president
- 1999 February:** Presidential election  
**5 May:** Nigeria adopts a new constitution, a revised version of the 1979 constitution  
**May 29:** Olusegun Obasanjo (Yoruba) was sworn in as President. He had previously served as head of state from February 1976-October 1979
- 2003 April:** Olusegun Obasanjo was reelected as President. The elections was associated with political violence linked to both ethnicity and religion
- 2007 April:** Umaru Yar'Adua (Katsina state) won a controversial election also associated with political violence  
**27 May:** Umaru Yar'Adua sworn in as President



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