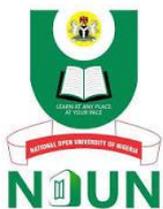


COURSE GUIDE

PAD 208 PUBLIC ADMINISTRATION IN NIGERIA

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Printed 2012, 2022, 2024

ISBN: 978-058-548-6

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INTRODUCTION

Course Introduction: PAD208 - Public Administration in Nigeria

Credit Units: 3

Course Type: Compulsory

Applicable for: Bachelor of Science Degree (B.Sc) in Public Administration and other related disciplines

PAD208: Public Administration in Nigeria is a three-credit unit course designed to provide students with a comprehensive understanding of public administration practices, principles, and policies in Nigeria. The course covers various aspects of public administration and is structured into eighteen distinct but interconnected units.

COURSE GUIDE

Welcome to PAD208 Public Administration in Nigeria. This course is a three-credit unit compulsory for students studying Public Administration and related programmes in the Faculty of Management Sciences. The course has been arranged for you in twenty-two distinct but related units of study activities. This Course Guide gives you an overview of the course. It also provides you with information on the organization and requirements of the course. In this Course Guide, you will find out what you need to know about the aims and objectives of the course, components of the course material, arrangement of the study units, assignments, and examinations.

COURSE DESCRIPTION

The course description for PAD208 Public Administration in Nigeria provides a comprehensive overview of the intricate facets of Nigerian public administration. Students will not only delve into the introductory aspects of Nigerian Public Administration but also explore the extensive scope that it encompasses. An in-depth analysis of the structure of Nigerian public administration will be conducted, focusing on the evolution and distinctive characteristics of the administrative system during both the colonial and post-colonial periods. Emphasis will be placed on examining the impact of historical legacies on shaping the administrative structures in Nigeria, thereby offering a nuanced understanding of the ongoing dynamics within the field. Through critical examination and comparative analysis, participants in the course will gain valuable insights into the complexities of Nigerian public administration, enabling them to navigate contemporary administrative challenges with a thorough grounding in the historical and structural foundations of the system. The exploration of the colonial legacy on the administrative framework will be a focal point, highlighting how

historical precedents continue to influence and shape administrative policies and practices in present-day Nigeria. By addressing the intersection of past influences and current administrative paradigms, the course equips students with a holistic perspective that is essential for comprehending the multifaceted nature of public administration in the Nigerian context. Moreover, through the examination of the post-colonial administrative system, learners will critically evaluate the changes and continuities that have characterized the evolution of Nigerian public administration, thereby fostering a nuanced appreciation for the complexities underlying administrative governance in the country.

THE COURSE AIM

The course on PAD208 Public Administration in Nigeria delves into a comprehensive study of the field, aiming to provide students with a thorough understanding of key concepts and practices inherent to Nigerian Public Administration. This includes an in-depth exploration of various foundational principles and the historical development that has shaped the evolution of Public Administration within the context of Nigeria. Through an exploration of the scope and structure of Nigerian Public Administration, students will gain insights into how the administrative system has evolved from the colonial era to the present post-colonial landscape. By examining the structural framework of Nigerian Public Administration, students will be able to identify the key components that have influenced its development over time. Additionally, the course will cover the historical trajectory of Public Administration in Nigeria, offering students a nuanced perspective on the factors and events that have contributed to the current state of the field in the country. Overall, the course offers a holistic approach to understanding Public Administration in Nigeria, combining theoretical insights with practical applications to equip students with a robust knowledge base to navigate the complexities of governance and public service in the Nigerian context.

MEASURABLE OUTCOMES

To achieve the stated aims the course sets specific objectives at the beginning of each unit which you should read before studying the unit. You should endeavour to look at the units objectives after completing a unit to be sure you have attained the unit requirement. To complete the course, you are required to study the units, read the textbooks and other materials listed under further reading plus any other material provided by the National Open University of Nigeria. Each unit contains activities and tutor-marked assignments for assessment purposes. There is a final examination at the end of the course.

There are two parts to the assessment of the course. First are the tutor-marked assignments and second there is a written examination. When completing the assignments, it is expected of you to apply the knowledge acquired during the course. There are thirty tutor-marked assignments in this course and you are encouraged to attempt all which constitute 30%. The final written examination for this course will be of three hours' duration and will have a maximum value of 60% of the total grade. The examination will consist of questions which reflect the course content. The time between completing the last unit and sitting for examination should be used to revise the course. It may be useful to review your activities and tutor-marked assignments before the examination.

One of the advantages of distance learning is that you can read through specially designed materials at your own pace, and at the time and place that suit you best. It may take place in an isolated village with a hurricane lamp or in an urban centre with electricity but the lecturer (replaced by the study units) is the same. Just as a lecturer might give you in-class exercise, your study units provide activities and tutor-marked assignments for you to do at appropriate times. Each of the units follows a common format in this sequence – introduction to the subject matter; objectives (let you know what you should be able to do by the time you have completed a particular unit); the main body of the unit (guides you through the required reading with activities); summary; conclusion; tutor-marked assignments and further reading. Activities are meant to help you achieve the objectives of the unit and prepare you for the tutor-marked assignments and the final examination. When you have submitted an assignment to your tutor for marking; do not wait for its return before commencing work on the next

unit. When the marked assignment is returned go through the comments of your tutor carefully and mail any questions or any difficulties encountered to him.

SELF-ASSESSMENT-EXERCISE (SAES)

Two Self-assessment Exercises each are incorporated in the study material for each unit. Self-assessment Exercise helps students to be a realistic judge of their own performance and to improve their work. Promotes the skills of reflective practice and self-monitoring; Promotes academic integrity through student self-reporting of learning progress; Develops self-directed learning; Increases student motivation and Helps students develop a range of personal, transferrable skills.

SUMMARY

Each Unit contained a summary of the entire unit. A summary is a brief statement or restatement of main points, especially as a conclusion to a work: a summary of a chapter. A brief is a detailed outline, by heads and subheads, of a discourse (usually legal) to be completed: a brief for an argument.

POSSIBLE ANSWERS TO SELF-ASSESSMENT EXERCISE(S) WITHIN THE CONTENT

The materials contained Possible Answers to Self-Assessment Exercise(s) within the content. The possible Self-assessments answers enable you to understand how well you're performing in the contents. It is a way of analysing your work performance and any areas for growth. Reflecting on your strengths, weaknesses, values and accomplishments can help you determine what goals to work toward next.

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- Unit 1 The Evolution and Current Trends in Nigerian Public Administration
- Unit2 Foundational principles and historical development Public administration in Nigeria
- Unit 3 Applied Theories of the Nigerian Public Administration
- Unit 4 Evolution of Constitutions in Nigeria I
- Unit 5 Constitutional Development in Nigeria II

MODULE 2

- Unit 1 Federalism in Nigeria
- Unit 2 Federal Government Administration in Nigeria
- Unit 3 The Emergence of State Government Administration in Nigeria
- Unit 4 Local Government Administration in Nigeria
- Unit 5 Organs of Nigerian Federal Government

MODULE 3

- Unit 1 Nigerian Government in the Pre-colonial Colonial Era
- Unit 2 Nigerian Government in Colonial Era
- Unit 3 Evolution of Governance in Nigeria

- Unit 4 Three Arms of Government in Nigeria
- Unit 5 Evolution of Political Parties in Nigeria

MODULE 4

- Unit 1 Nigeria Public Administration in the Federal System
- Unit 2 Public Sector Administration with Ministries, Departments, and Agencies (MDAs) in Nigeria
- Unit 3 Military Administration in Nigeria
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- Unit 1 Evolution of Nigerian Civil Service
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- Unit 3 Principle and Function Civil Service



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MODULE 1

Unit 1	The Evolution and Current Trends in Nigerian Public Administration
Unit2	Foundational principles and historical development Public administration in Nigeria
Unit 3	Applied Theories of the Nigerian Public Administration
Unit 4	Evolution of Constitutions in Nigeria I
Unit 5	Constitutional Development in Nigeria II

Unit 1 The Evolution and Current Trends in Nigerian Public Administration**Unit Structure**

- 1.1 Introduction
- 1.2 Learning Outcomes
- 1.3 Introduction to Nigerian Public Administration
- 1.4 Concept of the Public Administration
- 1.5 Scope of Nigerian Public Administration
- 1.6 Summary
- 1.7 References/Further Readings/Web Resources
- 1.8 Possible Answers to Self-Assessment Exercise(s)

**1.1 Introduction**

In this unit we will be discussing the Evolution and Current Trends in Nigerian Public Administration beginning with the Introduction to Nigerian Public Administration. The unit will also explain the Scope of Nigerian Public Administration and appraise the structure of Nigerian public administration in the colonial and post-colonial administrative system.

**1.2 Learning Outcomes**

By the end of this unit, you will be able to:

- discuss the introduction to Nigerian Public Administration
- analyse the concept of the Public Administration
- explain the Scope of Nigerian Public Administration
- appraise the structure of Nigerian public administration in the colonial and post-colonial administrative system



1.3 Introduction to Nigerian Public Administration

The evolution of the public administration of Nigeria tends to be congruous with the changing body politics of the Nigerian environment (Anani, 2024). In African institutions, the phenomenon of administration did not originate in Europe. Its actual roots can be traced from the age-long traditions, customs, and practices of the Black man. But indigenous administration was largely traditional, sporadic, inadequate, inefficient, and unsystematic. This was largely due to the prevailing political dispensation prevailing in Africa. Nevertheless, administrators and institutions came into existence to manage and protect the power and resources of the state in traditional societies. Consequently, public administration has been in existence for as long as the organized institutions of the state existed, before or during colonialism. The British, however, introduced the modern system of public administration into British West African colonies. (Ekwunife, et al.2023)

Self-Assessment Exercises 1

Briefly discuss the Introduction to Nigerian Public Administration
In African institutions, the phenomenon of administration did not originate in Europe. Discuss

1.4 Concept of the Public Administration

In other words, there can be no government without public administration. Public administration involves planning, organizing, staffing, directing, and controlling human and resources efficiently. It is thus, by definition, a subfield of the broader field called administration. However, there is a peculiar aspect of public administration. We call it "public" stresses the and peculiarities as to the domain of the government, warnings, and offices set up and endowed with statutory powers and responsibility. Public administration has the other fields of administration activities carried out by individuals, private firms, and non-profit organizations. (Rosenbloom et al., 2022)

Public administration has been defined in several ways throughout history. However, it is important to note that all of these definitions revolve around the expressions of ability, power, authorizations, as well as the task of giving out orders and executing them efficiently. Public administration primarily focuses on the application and execution of policies and other governmental operations. It plays a crucial role in ensuring the smooth functioning of the government machinery.

The field of administration is deeply concerned with the implementation, realization, and efficient management of various

programs. These programs are often designed to serve at different levels of authority within the government, enabling effective coordination and cooperation between them. It is worth mentioning the organizational structure provided by Ferrel Heady, which outlines the sequence of different levels of administration within the three-tiered government system: national, fourth, and local. While public administration plays a vital role in the overall governmental framework, it is essential to acknowledge that no single administration can run the entire political and administrative system independently. Instead, it operates as an integral component of the government itself. In fact, public administration can be perceived as a product and one of the most crucial activities undertaken by any government. Overall, public administration serves as the backbone of governmental operations, ensuring the efficient implementation of policies and programs at various levels of authority. It requires a comprehensive understanding of organizational dynamics, effective management techniques, and a commitment to public service in order to successfully navigate the complexities of governing. (Rosenbloom et al., 2022)

1.5 Scope of Nigerian Public Administration

The scope of Nigerian Public Administration encompasses various functions and activities designed to ensure efficient governance and public service delivery. Here's a detailed outline of its scope:

1. Policy Formulation and Implementation
 - i. Development of policies and strategies at national, state, and local levels.
 - ii. Implementation of governmental policies, plans, and programs.
2. Public Service Management:
 - i. Recruitment, training, and management of civil servants.
 - ii. Enforcement of ethical standards and codes of conduct.
 - iii. Promotion of accountability and transparency within the public sector.
3. Regulatory Functions
 - i. Regulation and oversight of various sectors, including finance, health, education, and telecommunications.
 - ii. Enforcement of laws and regulations to ensure compliance and public safety.
4. Budgeting and Financial Management:
 - i. Preparation and execution of the national budget.
 - ii. Financial planning, auditing, and control of public expenditures.
 - iii. Management of public debt and fiscal policies.
5. Public Welfare and Social Services
 - i. Provision of essential services such as healthcare, education, housing, and social security.

- ii. Implementation of programs aimed at poverty alleviation and social development.
- 6. Infrastructure Development:
 - i. Planning and execution of projects related to transportation, energy, water supply, and sanitation.
 - ii. Maintenance and upgrading of public infrastructure.
- 7. Law and Order
 - i. Maintenance of public order and safety through law enforcement agencies.
 - ii. Administration of justice and legal affairs.
- 8. Economic Development:
 - i. Promotion of economic policies and initiatives to foster growth and development.
 - ii. Support for industries, trade, agriculture, and entrepreneurship.
- 9. Environmental Management:
 - i. Formulation and enforcement of policies for environmental protection and sustainable development.
 - ii. Management of natural resources and addressing environmental challenges such as climate change.
- 10. Public Relations and Communication:
 - i. Management of government communication and information dissemination.
 - ii. Engagement with the public through media and other channels.
- 11. International Relations:
 - i. Management of foreign affairs and international diplomacy.
 - ii. Participation in international organizations and treaties.
- 12. Crisis and Disaster Management:
 - i. Planning and coordination of responses to natural and man-made disasters.
 - ii. Implementation of emergency preparedness and relief programs.

1.6 Structure of Nigerian public administration in the colonial and post-colonial administrative system

Nigerian public administration has evolved from the British colonial administrative structures, adapting various theoretical frameworks over time. These include principles of political neutrality, anonymity, and permanence, which face practical challenges in Nigeria's culturally pluralistic and politically dynamic environment (Akindele et al., 2002)

Public administrators play a critical role in policy-making and implementation, although their involvement has varied with legal, structural, and political changes. Issues such as representative bureaucracy, quota systems, and federal character have significant implications for public administration practices (Koehn, 1983)

Public administration in Nigeria is plagued by challenges such as corruption, bureaucratic inefficiency, and inadequate implementation of policies. Various reform initiatives like New Public Management (NPM) have been introduced to address these issues, aiming to enhance public service effectiveness and reduce corruption (Ibietan, 2013)

The inefficacy of public administration has hindered national development, contributing to socio-economic problems such as unemployment, insecurity, and poverty. Reforms and a reorientation towards professional and ethical standards are necessary to revitalize the public service as a catalyst for development (Bose & Ann, 2023).

Self-Assessment Exercises 2

1. Discuss the Structure of Nigerian public administration in the colonial and post-colonial administrative system



1.6 Summary

The unit discussed the evolution of the public administration of Nigeria which tends to be congruous with the changing body politics of the Nigerian environment (Anani, 2024). In African institutions, the phenomenon of administration did not originate in Europe. Its actual roots can be traced from the age-long traditions, customs, and practices of the Black man. But indigenous administration was largely traditional, sporadic, inadequate, inefficient, and unsystematic. This was largely due to the prevailing political dispensation prevailing in Africa Public administration involves planning, organizing, staffing, directing, and controlling human and resources efficiently. It is thus, by definition, a subfield of the broader field called administration

The scope of Nigerian Public Administration encompasses various functions and activities designed to ensure efficient governance and public service delivery

Nigerian public administration has evolved from the British colonial administrative structures, adapting various theoretical frameworks over time. These include principles of political neutrality, anonymity, and permanence, which face practical challenges in Nigeria's culturally pluralistic and politically dynamic environment.



1.7 References/Further Readings/Web Resources

- Akindede, S., Olaopa, O., & Obiyan, A. (2002). The Theory of Public Administration and Its Relevance to Nigerian Administrative Ecology. *Journal of Social Sciences*, 6, 247 - 256. <https://doi.org/10.1080/09718923.2002.11892353>.
- Koehn, P. (1983). The role of public administrators in public policy making: Practice and prospects in Nigeria. *Public Administration and Development*, 3, 1-26. <https://doi.org/10.1002/PAD.4230030102>.
- Koehn, P. (1983). The role of public administrators in public policy making: Practice and prospects in Nigeria. *Public Administration and Development*, 3, 1-26. <https://doi.org/10.1002/PAD.4230030102>.
- Rosenbloom, D. H., Kravchuk, R. S., & Clerkin, R. M. (2022). Public administration: Understanding management, politics, and law in the public sector. [\[HTML\]](#)
- Adeyeye, A. A. (2023). Administrative convenience or deliberate reform? The Impacts of the Colonial Judicial Legacy on the Pre-Colonial Justice [yorku.ca](#)



1.8 Possible Answers to SAEs

Q1. Briefly discuss the Introduction to Nigerian Public Administration

The evolution of the public administration of Nigeria tends to be congruous with the changing body politics of the Nigerian environment (Anani, 2024).

Q2. In African institutions, the phenomenon of administration did not originate in Europe. Discuss

In African institutions, the phenomenon of administration did not originate in Europe. Its actual roots can be traced from the age-long traditions, customs, and practices of the Black man. But indigenous administration was largely traditional, sporadic, inadequate, inefficient, and unsystematic. This was largely due to the prevailing political dispensation prevailing in Africa. Nevertheless, administrators and institutions came into existence to manage and protect the power and resources of the state in traditional societies. Consequently, public administration has been in existence for as long as the organized institutions of the state existed, before or during colonialism. The British, however, introduced the modern system of public administration into British West African colonies. (Ekwunife et al.2023)

Answer to Self-Assessment Exercises 2

Structure of Nigerian public administration in the colonial and post-colonial administrative system

Nigerian public administration has evolved from the British colonial administrative structures, adapting various theoretical frameworks over time. These include principles of political neutrality, anonymity, and permanence, which face practical challenges in Nigeria's culturally pluralistic and politically dynamic environment (Akindele et al., 2002)

Public administrators play a critical role in policy-making and implementation, although their involvement has varied with legal, structural, and political changes. Issues such as representative bureaucracy, quota systems, and federal character have significant implications for public administration practices (Koehn, 1983)

Unit 2 Foundational principles and historical development Public Administration in Nigeria

Unit Structure

- 2.1 Introduction
- 2.2 Learning Outcomes
- 2.3 Foundational principles, historical development, and current structure of Public administration in Nigeria
- 2.4 Post colonial Era
- 2.5 Bureaucratic Theory in Nigerian Public Administration
- 2.6 system theory
- 2.7 Summary
- 2.8 References/Further Readings/Web Resources
- 2.9 Possible Answers to Self-Assessment Exercise(s)



2.1 Introduction

In our last unit, we discussed the evolution of the public administration of Nigeria that examined African institutions, the phenomenon of administration.

The unit would be focusing on the Key Principles and Theories in Nigerian Public Administration, which we would be explaining the Foundational principles and historical development Public administration in Nigeria and Structure of Nigerian Public Administration



2.2 Learning Outcomes

By the end of this unit, you will be able to:

- i. Discuss Foundational principles, historical development, and current structure of Public administration in Nigeria
- ii. Explain the structure of Federal, State, and Local Governments
- iii. Describe the Public Service



2.3 Foundational principles, historical development, and current structure of Public administration in Nigeria.

2.3.1 Foundational principles and historical development Public administration in Nigeria

Public administration in Nigeria has evolved significantly over time, shaped by various historical, political, and social factors. The introduction to Nigerian public administration involves understanding its foundational principles, historical development, and current structure.

1. Pre-Colonial and Colonial Periods

Traditional Systems: Before colonial rule, Nigeria had diverse traditional governance systems, including emirates in the North, kingdoms in the West, and clan-based systems in the East.

2. Colonial Administration: British colonial rule introduced a more formal and centralized system of administration. The colonial administration relied heavily on indirect rule, using traditional rulers to enforce colonial policies.

3. Post-Independence Era:

Federal System: Nigeria adopted a federal system of government upon gaining independence in 1960, which aimed to accommodate the country's ethnic and regional diversity.

Military Rule: Several military coups between 1966 and 1999 led to periods of military rule, significantly impacting the structure and functioning of public administration.

The post-colonial era, from independence in 1960 to the end of the first decade of the twenty-first century, has seen the continuity of trends in Nigerian public administration in its politico-economic development roles. This era has been characterized by a shift towards more bureaucratic and centralized systems of governance, with an emphasis on modernization and efficiency. Additionally, there has been a focus on the professionalization of the civil service and efforts to combat corruption within the public sector. This has led to the implementation of various reforms and modernization efforts in recent years. This has led to the implementation of various reforms and modernization efforts

in recent years. The focus has been on improving efficiency and transparency within the Nigerian public administration.

Self-Assessment Exercises 1

1. Public administration in Nigeria has evolved significantly over time. Discuss
2. List and explain the key challenges in Public service.

2.4 Structure of Nigerian Public Administration

2.4.1 Federal, State, and Local Governments:

Federal Government: The federal government is the central authority, with executive, legislative, and judicial branches. It oversees national policies and administration.

State Governments: Nigeria comprises 36 states, each with its government. State governments handle regional issues and administer policies within their territories.

Local Governments: The local government system is the third tier, responsible for grassroots administration and local community development.

2.4.2 Public Service:

Civil Service: The Nigerian civil service is the backbone of public administration, responsible for implementing government policies and delivering public services. It includes various ministries, departments, and agencies (MDAs).

Public Sector Reforms: Over the years, several reforms have aimed to improve efficiency, transparency, and accountability within the public service. Notable reforms include the Civil Service Reforms of 1988, 1994, and the ongoing public sector reforms initiated since 2003.

Key Challenges

1. **Corruption:** Corruption remains a significant challenge in Nigerian public administration, affecting efficiency and public trust.
2. **Bureaucracy:** Bureaucratic inefficiencies and red tape hinder effective service delivery.
3. **Capacity Building:** There is a continuous need for training and capacity building to enhance the skills and competencies of public servants.

4. **Political Interference:** Political interference often disrupts administrative processes and undermines the autonomy of public institutions.

Self-Assessment Exercises 2

Describe the Structure of Nigerian Public Administration with reference to Federal, State, and Local Governments



2.7 Summary

This unit extensively explored the foundational principles and historical development of public administration in Nigeria. It delved into the evolution of public administration in the country over time, illustrating how it has been significantly influenced by a complex interplay of historical, political, and social factors. The discussions spanned across different historical periods, including the Pre-Colonial and Colonial eras, shedding light on the transformative impacts of Colonial Administration on the Nigerian public sector.

Furthermore, the unit provided a detailed analysis of the Federal System in Nigeria, examining how it has shaped the structure and dynamics of public administration at various levels. It elucidated the intricate framework of Nigerian Public Administration, delineating the roles and functions of the Federal, State, and Local Governments within the broader public service landscape.

By exploring the organizational architecture of the Nigerian public sector, the unit unveiled the interrelationships and responsibilities shared among the different tiers of government. It highlighted the unique characteristics and challenges faced by each level of government in managing public administrative functions and delivering services to the Nigerian populace.

Moreover, the discussions within the unit underscored the importance of effective public administration in fostering good governance, promoting accountability, and enhancing service delivery in Nigeria. The unit emphasized the need for continuous reforms and capacity-building initiatives to strengthen the public service sector and ensure its responsiveness to the evolving needs of the Nigerian society.

In essence, this unit not only provided a comprehensive overview of the historical and structural dimensions of public administration in Nigeria but also underscored the ongoing efforts to modernize and improve the

efficiency of the public sector in driving socio-economic development and promoting inclusive governance across the country.



2.8 References/Further Readings/Web Resources

Adeyeye, A. A. (2023). Administrative convenience or deliberate reform? The impacts of the colonial judicial legacy on the pre-colonial justice yorku.ca

Šubrt, J. (2023). How to Focus the Systems Approach on Modern Societies. In *The Sociological Inheritance of the 1960s: Historical Reflections on a Decade of Changing Thought* (pp. 25-34). Emerald Publishing Limited. [\[HTML\]](#)



2.9 Possible Answers to SAEs

Self-Assessment Exercises 1

Answers to SAEs 1

1. Public administration in Nigeria has evolved significantly over time. Discuss

Public administration in Nigeria has evolved significantly over time, shaped by various historical, political, and social factors. The introduction to Nigerian public administration involves understanding its foundational principles, historical development, and current structure.

1. Pre-Colonial and Colonial Periods:

Traditional Systems: Before colonial rule, Nigeria had diverse traditional governance systems, including emirates in the North, kingdoms in the West, and clan-based systems in the East.

2. Colonial Administration: British colonial rule introduced a more formal and centralized system of administration. The colonial administration relied heavily on indirect rule, using traditional rulers to enforce colonial policies

Answers to SAEs 2

3. List and explain the key challenges in Public service

1. Corruption
2. Bureaucracy:
3. Capacity Building
4. Political Interference

Key Challenges

1. **Corruption:** Corruption remains a significant challenge in Nigerian public administration, affecting efficiency and public trust.
2. **Bureaucracy:** Bureaucratic inefficiencies and red tape hinder effective service delivery.
3. **Capacity Building:** There is a continuous need for training and capacity building to enhance the skills and competencies of public servants.

4. Political Interference: Political interference often disrupts administrative processes and undermines the autonomy of public institutions.

Self-Assessment Exercises 2

Answers to SAEs 3

1. Describe the post-colonial era, from independence in 1960.

The post-colonial era, from independence in 1960 to the end of the first decade of the twenty-first century, has seen the continuity of trends in Nigerian public administration in its politico-economic development roles. This era has been characterized by a shift towards more bureaucratic and centralized systems of governance, with an emphasis on modernization and efficiency. Additionally, there has been a focus on the professionalization of the civil service and efforts to combat corruption within the public sector. This has led to the implementation of various reforms and modernization efforts in recent years. The focus has been on improving efficiency and transparency within the Nigerian public administration

Unit 3 **Applied Theories of the Nigerian Public Administration**

Unit Structure

- 3.1 Introduction
- 3.2 Learning Outcomes
- 3.3 Applied Theories in Nigerian Public Administration
 - 3.3.1 Bureaucratic Theory in Nigerian Public Administration
 - 3.3.2 Types of Bureaucratic principles in the Nigeria Bureaucratic public administration
- 3.4 Institutional theory in Nigerian Public Administration
- 3.5 System theory in Nigerian Public Administration
 - 3.5.1 Assumption of system theory**
- 3.6 Elite theory in Nigerian Public Administration
- 3.7 Summary
- 3.8 References/Further Readings/Web Resources
- 3.9 Possible Answers to Self-Assessment Exercise(s)



3.1 Introduction

In our last unit, we discussed the foundational principles and historical development of public administration in Nigeria. It delved into the evolution of public administration in the country over time, illustrating how it has been significantly influenced by a complex interplay of historical, political, and social factors. The discussions spanned across different historical periods, including the Pre-Colonial and Colonial eras, shedding light on the transformative impacts of Colonial Administration on the Nigerian public sector. Furthermore, the unit provided a detailed analysis of the Federal System in Nigeria, examining how it has shaped the structure and dynamics of public administration at various levels. It elucidated the intricate framework of Nigerian Public Administration, delineating the roles and functions of the Federal, State, and Local Governments within the broader public service landscape.

In this unit we shall be discussing the Bureaucratic Theory as propounded by Max Weber in 19th century; this unit will also provide a comprehensive discussion on the Institutional theory as it relates to Nigerian Public Administration, showcasing how institutions play a pivotal role in shaping administrative practices and structures within the country. It also highlighted the importance of understanding the nuances of the Institutional theory to navigate the complexities within the Nigerian administrative system effectively.

Moreover, the System theory will be critically evaluated within the realm of Nigerian Public Administration, emphasizing its significance in understanding the interconnectedness and interdependencies that exist in the administrative processes and functions. This thorough evaluation provided insights into how the System theory influences decision-making and policy formulation within the Nigerian administrative setting.

Lastly, the Elite theory will be explained in detail within the context of Nigerian Public Administration, illuminating how power dynamics and elite groups influence administrative actions and outcomes in the country. By elucidating the nuances of the Elite theory, the unit aimed to provide a deeper understanding of the socio-political factors that shape administrative practices and governance in Nigeria.

In essence, this unit will offered an in-depth exploration of these key theories – Bureaucratic, Institutional, System, and Elite – within the unique setting of Nigerian Public Administration, enriching students' knowledge and understanding of the intricacies of administrative theories and practices in the Nigerian context..



3.2 Learning Outcomes

By the end of this unit, you will be able to:

- discuss the bureaucratic theory in Nigerian Public Administration
- analyse the types of bureaucratic principles in the Nigeria bureaucratic public administration
- demonstrate the institutional theory in Nigerian public administration
- evaluate the system theory in Nigerian Public Administration and
- explain the Elite theory in Nigerian Public Administration



3.3 Applied Theories in Nigerian Public Administration

3.3.1 Bureaucratic Theory in Nigerian Public Administration

Bureaucratic Theory is propounded by Max Weber in 19th century, and it emphasizes the importance of a hierarchical structure and formal rules and procedures. This theory has had a significant impact on Nigerian Public Administration, shaping the way organizations are structured, operate and emphasizes the hierarchical structure and strict rules and regulations. It is based on the principles of rationality and efficiency in the organization. It is based on the principles of rationality and

efficiency in the organization. Bureaucratic theory focuses on hierarchy and clear division of labor within Nigerian Public Administration. The hierarchical structure ensures that tasks are assigned based on specialization and expertise within the organization. The hierarchical structure ensures that tasks are assigned based on specialization and expertise within the organization. This helps to promote efficiency and accountability in the Nigerian public administration. One of the key components of Bureaucratic Theory is the idea of division of labor and specialization within the organization.

3.3.2 Types of Bureaucratic principles in the Nigeria Bureaucratic public administration

Hierarchy of authority and decision-making plays a crucial role in Nigerian public administration. The bureaucratic system in Nigeria has been influenced by both colonial legacies and indigenous cultural practices. The implementation of bureaucratic principles in Nigerian public administration has faced numerous challenges, including issues of corruption and inefficiency. Despite these challenges, the bureaucratic theory continues to shape the structure and function of Nigerian public administration.

Specialization and division of labor have been key components in Nigerian public administration. This has led to a more efficient and organized system within the government. The implementation of bureaucratic theory has also helped to streamline processes and improve overall effectiveness.

Formal rules and regulations are the foundation of bureaucratic theory in Nigerian Public Administration. They provide structure and consistency within the administrative processes.

Procedures and regulations in Nigerian public administration have been influenced by the principles of bureaucracy, particularly in terms of hierarchy and division of labor, adherence to rules and regulations, and clear lines of authority and responsibility. These principles have shaped the structure and operations of Nigerian public administration, contributing to its overall effectiveness and efficiency.

- i. Formal selection on the basis of technical qualifications and merit, this system aims to ensure that individuals are appointed based on their skills and expertise rather than favoritism or nepotism. The bureaucratic theory in Nigerian Public Administration emphasizes the importance of adhering to formal criteria for hiring and promoting individuals within the public sector. This approach is intended to create a more efficient and meritocratic civil service.

- ii. Impartiality and neutrality in decision making processes. This is essential in ensuring fairness and equality in the treatment of citizens." This is essential in ensuring fairness and equality in the treatment of citizens. Furthermore, it also helps in promoting efficiency and accountability within the Nigerian public administration system.

Promotion on the basis of ability and performance is a key principle in Nigerian Public Administration. This approach emphasizes the meritocratic ideals of the civil service and aims to improve efficiency and effectiveness in government operations.

British colonialism introduced a different system of authority in conflict with the traditional African authority structures. Some of these authoritarian institutions established by the British are still being maintained in present-day Nigeria. These organisational archetypes through which authority is established and maintained have been, in the case of Nigeria, corrupted considerably through military interventions in politics. The unsuitableness of elected public officials led to the institutionalisation of a colonial bureaucracy that had a similar no care for mass participation in the task of governance. Max Weber, the German scholar, is widely accepted as the leading authority in this area. He held a fervent belief in the advantages of bureaucracy as it then existed in the West, for he saw it as an essential means by which a large, heterogeneous, and impersonal society could be administered in an even-handed and consistent manner.

There are six major elements in the Weberian theory of bureaucracy, all of them found in the public administration of Nigeria. They are division of labour, hierarchy, formal selection on the basis of technical qualifications, impartiality and neutrality, and formal rules and promotion on the basis of ability and performance. The principle of hierarchy through which the authority structure is established and maintained was present in most traditional state organisations established in old Africa. The West African empires and kingdoms of Songhai, Mali, Asante, and Idejo and the Igbo and Yoruba military and political systems, for example, had their own carefully developed authority structures in tribes, towns, and kingdoms

Self-Assessment Exercises 1

Q1. List and explain the types of Bureaucratic principles in the Nigeria Bureaucratic public administration

3.4 Institutional theory in Nigerian Public Administration

Institutional theory was propounded by institutions such as political and economic organizations. It was propounded by scholars such as Meyer

and Rowan. The theory was propounded in the year 1957 and focuses on the institutional environment and its influence on organizational behavior and structures. It emphasizes the role of formal rules and regulations in shaping the behavior of public administration entities. This approach assumes that organizations are rational entities that seek to maximize their own interests and resources. Institutional theory in Nigerian Public Administration suggests that organizations conform to the norms and values of the society in which they operate, shaping their behavior and decision-making processes accordingly. This can have significant implications for the development and performance of public administration in Nigeria.

In the context of Nigerian Public Administration, institutional theory provides insights into the impact of formal and informal institutions on administrative processes and decision-making.

In addition, institutional theory has significantly influenced the development of Nigerian public administration by shaping the norms and practices within governmental agencies. Application of institutional theory in Nigerian public administration has led to more transparent and accountable governance processes. The application of this theory has also resulted in the professionalization of the public sector and the establishment of clear guidelines for decision-making within governmental organizations.

Self-Assessment Exercises 2

Q1. Describe the institutional theory was propounded by institutions such as political and economic organizations.
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3.5 System theory in Nigerian Public Administration

System theory was propounded by Ludwig von Bertalanffy in 1950 and it emphasizes the interrelatedness and interdependence of parts within a whole system. It has been widely applied in Nigerian Public Administration to analyze the organization and functioning of governmental systems. Key principle of system theory is the concept of interdependence and interconnectedness, which emphasizes the importance of considering the entire system rather than just its individual parts. (Šubrt2023)

3.5.1 Assumption of system theory

Input of resources, processes, and outputs that contribute to the functioning of the system. This approach emphasizes the interdependence of various components within the Nigerian Public Administration framework.

Processes of input in to the system include the gathering and analysis of data, stakeholder engagement, and research on best practices in public administration. The system theory emphasizes the interconnectedness of various components and their impact on the overall functioning of the administration. It also highlights the importance of feedback loops and adaptability in response to changing external environment.

Output of the system comes inform of "results and performance indicators. "These results and performance indicators are used to measure the effectiveness of the public administration system in Nigeria. The system theory in Nigerian Public Administration emphasizes the interconnectedness of various components within the system, including the roles of individuals, organizations, and policies. It also highlights the importance of feedback mechanisms and adapting to changes in the environment. These results and performance indicators are used to measure the effectiveness of the public administration system in Nigeria. This ensures accountability and continuous improvement in governance."

"Feedback aspect of the system theory can be crucial in evaluating the effectiveness of Nigerian Public Administration. It allows for an assessment of how well the system is functioning and where improvements can be made. This feedback aspect is essential for ensuring that the administration remains adaptive and responsive to the changing needs of the society.

Environment of the public sector in Nigeria has been influenced by various factors including political, economic, and social changes. The environment of the public sector in Nigeria is constantly evolving and adapting to these influences in order to meet the needs of the population. This has led to the implementation of new policies and procedures to ensure effective governance and service delivery.

And adaptation aspect of system theory in Nigerian Public Administration is essential in understanding the complexity of the bureaucratic system and its effectiveness in achieving organizational goals. The integration and application of system theory principles can lead to improved decision-making processes and greater efficiency in public administration. Additionally, it allows for a more holistic approach to analyzing and addressing challenges within the bureaucratic system. These elements are crucial in understanding the functioning of Nigerian public administration within the framework of system theory." (Farazmand, 2023)

System Theory in Nigerian Public Administration is the concept of interdependence and interconnectedness of various components. This is evident in the way different government agencies and departments collaborate and work together to achieve common goals and objectives. Additionally, the input-output process is another crucial aspect of system theory, where inputs such as resources and information are transformed into outputs that contribute to the overall functioning of the public administration system.

List the principles of system theory in Nigerian Public Administration including;

1. Stability
2. Equity
3. Interdependence
4. Hierarchy
5. Differentiation

3.6 Elite theory in Nigerian Public Administration

Elite theory was propounded by Vilfredo Pareto and Gaetano Mosca in the year 1896. It focuses on the role of elites in shaping government and public policy. It focuses on the role of a small elite group in shaping public administration. This theory suggests that power is concentrated in the hands of a few individuals who hold significant influence over the decision-making processes.

Assumption of the elite theory is that a small group of elite individuals hold the power and make the key decisions in Nigerian public administration. This theory suggests that the elite class controls the resources and influences the policies that shape the administration. In Nigeria, this can be seen in the way political and business elites hold significant power and influence over public administration decisions. This has led to concerns about transparency and accountability within the Nigerian public administration system. It has become increasingly evident that the elite class wields a great deal of control over decision-making processes in the country and often shapes the direction of public policy. The elite theory perspective in Nigerian Public Administration highlights the influence of the ruling class in shaping the country's administrative processes and policies. This has significant implications for the overall governance and effectiveness of the public sector.

The elite theory also sheds light on the disparities in access to resources and opportunities within the Nigerian public administration - and how these disparities impact policy decisions and implementation. In addition, the elite theory highlights the concentration of power and

influence among a small group of individuals. Furthermore, it underscores the role of elites in shaping the direction of public administration and policy outcomes.

The elite theory offers valuable insights into the dynamics of power and decision-making within Nigerian public administration. Moreover, it underscores the need for greater accountability and transparency in the interactions between elites and the public sector. (Garba, 2020).

Self-Assessment Exercises 3

Q1. Describe the Elite theory and its assumptions in Nigerian Public Administration.



3.7 Summary

This unit provided a comprehensive discussion on various theories pertaining to Nigerian Public Administration. Firstly, it explored the Bureaucratic Theory within this context, delving into its historical development and relevance in the Nigerian administrative landscape. Additionally, a detailed analysis was conducted to examine the diverse types of Bureaucratic principles that are applied within the framework of Nigerian Bureaucratic public administration, shedding light on their implications and effectiveness.

Furthermore, the unit also shed light on the Institutional theory as it relates to Nigerian Public Administration, showcasing how institutions play a pivotal role in shaping administrative practices and structures within the country. It also highlighted the importance of understanding the nuances of the Institutional theory to navigate the complexities within the Nigerian administrative system effectively.

Moreover, the System theory was critically evaluated within the realm of Nigerian Public Administration, emphasizing its significance in understanding the interconnectedness and interdependencies that exist in the administrative processes and functions. This thorough evaluation provided insights into how the System theory influences decision-making and policy formulation within the Nigerian administrative setting.

Lastly, the Elite theory was explained in detail within the context of Nigerian Public Administration, illuminating how power dynamics and elite groups influence administrative actions and outcomes in the country. By elucidating the nuances of the Elite theory, the unit aimed to

provide a deeper understanding of the socio-political factors that shape administrative practices and governance in Nigeria.

In essence, this unit offered an in-depth exploration of these key theories – Bureaucratic, Institutional, System, and Elite – within the unique setting of Nigerian Public Administration, enriching students' knowledge and understanding of the intricacies of administrative theories and practices in the Nigerian context.



3.8 References/Further Readings/Web Resources

- Adedeji, A. (2023). Nigerian administration and its political setting. [\[HTML\]](#)
- Farazmand, A. (2023). Global encyclopedia of public administration, public policy, and governance. [researchgate.net](https://www.researchgate.net)
- Garba, a. Y. (2020). The elite theory and democracy in nigeria, 2011-2018.. [34.29.95.55](#)
- Okonmah, e. i. (2023). towards the application of an alternative paradigm to the weberian ideal bureaucracy in the nigerian public service. international academy of public administration & management (iapa&m), kampala international university, kampala, uganda., 229. [researchgate.net](https://www.researchgate.net)



3.9 Possible Answers to SAEs

Answers to SAEs 1

Q1 List and explain the types of Bureaucratic principles in the Nigeria Bureaucratic public administration

Hierarchy of authority and decision-making plays a crucial role in Nigerian public administration. The bureaucratic system in Nigeria has been influenced by both colonial legacies and indigenous cultural practices. The implementation of bureaucratic principles in Nigerian public administration has faced numerous challenges, including issues of corruption and inefficiency. Despite these challenges, the bureaucratic theory continues to shape the structure and function of Nigerian public administration.

Specialization and division of labor have been key components in Nigerian public administration. This has led to a more efficient and organized system within the government. The implementation of bureaucratic theory has also helped to streamline processes and improve overall effectiveness.

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Impartiality and neutrality in decision making processes. This is essential in ensuring fairness and equality in the treatment of citizens."

This is essential in ensuring fairness and equality in the treatment of citizens. Furthermore, it also helps in promoting efficiency and accountability within the Nigerian public administration system.

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Answers to SAEs 2

Q2. Describe the institutional theory was propounded by institutions such as political and economic organizations

Institutional theory was propounded by institutions such as political and economic organizations. It was propounded by scholars such as Meyer and Rowan. the theory was propounded in the year 1957 and focuses on the institutional environment and its influence on organizational behavior and structures. It emphasizes the role of formal rules and

regulations in shaping the behavior of public administration entities. This approach assumes that organizations are rational entities that seek to maximize their own interests and resources. Institutional theory in Nigerian Public Administration suggests that organizations conform to the norms and values of the society in which they operate, shaping their behavior and decision-making processes accordingly. This can have significant implications for the development and performance of public administration in Nigeria.

In the context of Nigerian Public Administration, institutional theory provides insights into the impact of formal and informal institutions on administrative processes and decision-making.

In addition, institutional theory has significantly influenced the development of Nigerian public administration by shaping the norms and practices within governmental agencies. Application of institutional theory in Nigerian public administration has led to more transparent and accountable governance processes. The application of this theory has also resulted in the professionalization of the public sector and the establishment of clear guidelines for decision-making within governmental organizations.

Answers to SAEs 3

Q1. Describe the institutional theory was propounded by institutions such as political and economic organizations

Elite theory was propounded by Vilfredo Pareto and Gaetano Mosca in the year 1896. It focuses on the role of elites in shaping government and public policy. It focuses on the role of a small elite group in shaping public administration. This theory suggests that power is concentrated in the hands of a few individuals who hold significant influence over the decision-making processes.

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class in shaping the country's administrative processes and policies. This has significant implications for the overall governance and effectiveness of the public sector..

The elite theory also sheds light on the disparities in access to resources and opportunities within the Nigerian public administration - and how these disparities impact policy decisions and implementation. In addition, the elite theory highlights the concentration of power and influence among a small group of individuals. Furthermore, it underscores the role of elites in shaping the direction of public administration and policy outcomes. The elite theory offers valuable insights into the dynamics of power and decision-making within Nigerian public administration.

Moreover, it underscores the need for greater accountability and transparency in the interactions between elites and the public sector. (Garba, 2020).

Unit 4 Evolution of Constitutions in Nigeria I

Unit Structure

- 4.1 Introduction
- 4.2 Learning Outcomes
- 4.3 Developments of Constitutions in Nigeria I
 - 4.3.1 Pre-Independence Constitutions
 - 4.3.2 Significance and Impact
- 4.4 Richards Constitution (1946)
 - 4.4.1 Key Features of Richards Constitution (1946)
- 4.5 System theory in Nigerian Public Administration
 - 4.5.1 Assumption of system theory
- 4.6 Elite theory in Nigerian Public Administration
- 4.7 Summary
- 4.8 References/Further Readings/Web Resources
- 4.9 Possible Answers to Self-Assessment Exercise(s)



4.1 Introduction

The last unit discussed the various theories pertaining to Nigerian Public Administration. It explored the Bureaucratic Theory within this context, delving into its historical development and relevance in the Nigerian administrative landscape. The unit also shed light on the Institutional theory as it relates to Nigerian Public Administration, as well as the System theory and Elite theory.

This unit would discuss the developments of constitutions in Nigeria I in relation to the Clifford Constitution of 1922 was a significant milestone in the history of colonial Nigeria, introducing elective principles for the first time. The need for a new constitution arose from growing dissatisfaction with the previous Richards Constitution of 1946, which was criticized for centralizing power in the hands of the colonial authorities and not adequately addressing regional aspirations and identities in Nigeria and The Lyttleton Constitution of 1954 was a pivotal document in Nigeria's constitutional evolution during its colonial period under British rule.



4.2 Learning Outcomes

By the end of this unit, you will be able to:

- discuss the developments of constitutions in Nigeria I
- analyse the significance and impact

- demonstrate the richards constitution (1946)
- evaluate the macpherson constitution (1951) and lyttleton constitution (1954)



4.3 Developments of Constitutions in Nigeria I

4.3.1 Pre-Independence Constitutions

Nigeria's constitutional development has undergone several phases:

Colonial Era Constitutions:

Clifford Constitution (1922): Introduced elective principles for the first time.

The Clifford Constitution of 1922 was a significant milestone in the history of colonial Nigeria, introducing elective principles for the first time. This constitution was named after Sir Hugh Clifford, the then Governor of Nigeria. It marked a departure from previous autocratic colonial administrations by incorporating limited African representation in governance.

Provision of the Clifford Constitution:

1. **Introduction of Elective Principles:**
For the first time, the constitution introduced an electoral system, allowing Africans to elect representatives to the Legislative Council. This was a significant shift towards incorporating indigenous participation in the colonial administration.
2. **Legislative Council Composition:**
The Legislative Council consisted of 46 members, with 27 official members (mostly Europeans) and 19 unofficial members. Among the unofficial members, only four were elected Africans representing Lagos and Calabar, while the rest were nominated.
3. **Electoral Provisions:**
The constitution established an electoral system where only male adults who met certain property and income qualifications could vote. This limited the electorate to a small, affluent section of the population.
4. **Governor's Powers:**
Despite these reforms, the Governor retained significant powers, including the right to veto decisions of the Legislative Council. The colonial administration maintained control over critical areas such as finance and defense.
5. **Regional Representation:**
The Clifford Constitution aimed to provide a semblance of regional representation, although it was heavily skewed towards the southern part of Nigeria, particularly Lagos and Calabar.

6. **Administrative Structure:**
The constitution did not significantly alter the administrative structure of Nigeria, which remained divided into the Northern and Southern Protectorates and the Colony of Lagos.

4.3.2 Significance and Impact:

First Step towards Self-Governance:

The introduction of elective principles was a crucial first step towards self-governance, providing Nigerians with limited political participation and a voice in the colonial administration.

Foundation for Future Reforms:

The Clifford Constitution laid the groundwork for subsequent constitutional developments and reforms, including the Richards Constitution of 1946, which expanded African representation and introduced more extensive regional councils.

Awakening Political Consciousness:

This constitution played a role in awakening political consciousness among Nigerians, leading to the formation of political organizations and movements advocating for greater autonomy and eventual independence.

Self-Assessment Exercises 1

Itemize five (5) Provisions of the Clifford Constitution
Explain Clifford Constitution and its Significance and Impact

4.4 Richards Constitution (1946)

The Richards Constitution of 1946 was a significant document in the political evolution of Nigeria, designed to address the dual objectives of promoting national unity and preserving regionalism. The Richards Constitution, named after Sir Arthur Richards, the then Governor of Nigeria, was introduced to address the diverse needs of the Nigerian colony. It aimed to create a balance between fostering national unity and accommodating the distinct regional identities within the country.

4.4.1 Key Features of Richards Constitution (1946)

1. **Bicameral Legislature:** The constitution established a central legislative council with both elected and appointed members. It included representatives from the three major regions: Northern, Western, and Eastern Nigeria.

2. **Regional Councils:** It created regional councils to allow for more localized governance. These councils had limited legislative powers and could make recommendations to the central government.
3. **Promoting Unity:** The central legislative council was intended to encourage collaboration among the different regions and ethnic groups, promoting a sense of national unity.
4. **Preserving Regionalism:** By establishing regional councils, the constitution aimed to preserve the unique identities and autonomy of the regions, acknowledging the diverse cultural and ethnic composition of Nigeria.
5. **Increased Political Participation:** The constitution allowed for more Nigerian representation in government, albeit still limited by significant colonial oversight.
6. **Foundation for Federalism:** It laid the groundwork for a federal system of government, which later became a key feature of Nigeria's political structure.

Regional Tensions: While it aimed to balance unity and regionalism, it also highlighted and, in some cases, exacerbated regional differences, leading to tensions that would later influence Nigerian politics.

Electoral Laws and National Unity in Nigeria: the establishment of separate legislatures under the Richards Constitution, highlighting that these legislatures had no independent powers and acted as agents of the governor and the central legislature. It emphasizes the early glimpses of federal division of powers in Nigeria (Ayoade, 1980).

The Ripple Effects of Electoral Experience in a Frontier Community in Nigeria: the significant changes in administrative structures and social relations resulting from the constitution's implementation (Saad, 2014).

Political Restructuring, Federalism and Democratic Sustainability in Nigeria: the origins and evolution of Nigeria's federal structure, noting that the Richards Constitution marked the beginning of federalism by dividing the country into three regions and establishing a unitary colonial state. The paper also discusses the challenges facing Nigerian federalism, such as revenue sharing and state creation (Uwa, 2018).

The Evolution, Development and Practice of Federalism in Nigeria: This article explores the development of federalism in Nigeria, tracing its roots back to the Richards Constitution, which first divided the country into three major regions under a unitary colonial state. It highlights the constitution's role in setting the stage for Nigeria's federal structure and the ongoing debates about state creation and resource control (Tella, Doho, & Bapeto, 2014).

Self-Assessment Exercises 2

Q1. List five (5) Key Features of Richards Constitution (1946)
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4.5 Macpherson Constitution (1951)

The need for a new constitution arose from growing dissatisfaction with the previous Richards Constitution of 1946, which was criticized for centralizing power in the hands of the colonial authorities and not adequately addressing regional aspirations and identities in Nigeria. The Macpherson Constitution was named after Sir John Stuart Macpherson, the then Governor of Nigeria (Afigbo, 1972).. It was introduced to provide a more inclusive and representative government structure, responding to growing nationalist sentiments and demands for greater autonomy by the Nigerian people. The Macpherson Constitution of 1951 was a significant political development in Nigeria, aiming to address the country's diverse and complex socio-political landscape. The Macpherson Constitution of 1951 marked a significant step in Nigeria's constitutional evolution during its colonial period (Afigbo, 1972).

4.5.1 Key Features of the Macpherson Constitution (Nwabueze, 1982):**1. Federal System with Regional Autonomy:**

One of the most notable features of the Macpherson Constitution was the introduction of a federal system. This decentralized power by establishing three regions: Northern, Western, and Eastern Nigeria. Each region was granted considerable autonomy in managing its internal affairs, including education, health, and local government. This move was aimed at accommodating regional diversity and aspirations, which were largely ignored under the previous unitary system.

2. Legislative Framework:

The constitution established a bicameral federal legislature composed of a Senate and a House of Representatives. The Senate represented the regions equally, with 14 members from each region, while the House of Representatives was based on population size. This structure aimed to balance the interests of the regions and the central government, although the power dynamics were still heavily influenced by the colonial administration.

3. Executive and Judiciary:

The constitution maintained a centralized executive authority with the Governor-General representing the British Crown and the Governor of

each region appointed by the Governor-General. The judiciary remained largely centralized, which limited the autonomy of the regions in legal matters.

4. Electoral System:

It introduced a limited form of electoral representation, where some members of the regional legislatures were elected through indirect elections by regional councils, while others were appointed. This electoral system was criticized for not being fully democratic, as it maintained significant colonial influence and control over political processes.

5. Federal Structure:

The constitution introduced a federal system of government, which divided Nigeria into three regions: Northern, Western, and Eastern regions, each with its own government and legislature. This aimed to accommodate the diverse ethnic and cultural groups within Nigeria.

6. Regional Autonomy:

Each region was granted a significant degree of autonomy, with powers to legislate on matters such as agriculture, health, and local government. This decentralization was designed to allow regions to manage their affairs in line with their unique needs and priorities.

7. Central Legislature:

A central legislative body, the House of Representatives, was established, comprising elected representatives from the regions as well as nominees of the Governor. This body was responsible for issues of national importance, such as defense, external affairs, and currency.

8. Governor's Role:

The Governor retained significant powers, including control over the central government and the right to veto regional legislation. This was intended to maintain stability and ensure coordination between the regional and central governments.

9. Expansion of Franchise:

The constitution expanded the electoral franchise, allowing a broader segment of the population to participate in elections. This was a step towards greater democratic involvement by the Nigerian populace.

10. Increased Political Participation:

The Macpherson Constitution marked a shift towards more inclusive governance, enabling greater participation by Nigerians in the political process. It laid the groundwork for the development of political parties and a more engaged civil society.

11. Regional Tensions:

While the constitution aimed to balance regional interests, it also highlighted and sometimes exacerbated regional differences. The autonomy granted to regions allowed them to pursue their own development paths, but it also led to competition and tension among them.

12. Foundation for Independence:

The Macpherson Constitution was a crucial step in Nigeria's journey towards independence. It provided a framework for governance that was further refined in subsequent constitutions, leading up to Nigeria's independence in 1960.

Impact and Legacy (Falola, & Heaton, 2008):

Regional Empowerment: The Macpherson Constitution laid the foundation for regional autonomy and political identity, which became crucial in shaping Nigeria's post-independence political landscape.

Criticism and Unresolved Issues: While it addressed some grievances of regionalism, it also perpetuated colonial control in certain aspects, leading to ongoing debates about true self-governance and representation.

4.6 Lyttleton Constitution (1954)

The Lyttleton Constitution of 1954 was a pivotal document in Nigeria's constitutional evolution during its colonial period under British rule. Named after Oliver Lyttleton, the then British Secretary of State for the Colonies, the constitution aimed to address growing demands for self-governance and independence within Nigeria while still maintaining significant British oversight (Falola, 2009).

Nigeria, under British colonial rule, had experienced various constitutional reforms aimed at managing its diverse ethnic and regional complexities. The previous Richards Constitution of 1946 had been criticized for its perceived inadequacy in addressing these complexities

and providing genuine representation (Osaghae, 1998). Therefore, the Lyttleton Constitution was a response to these criticisms and the escalating calls for greater Nigerian participation in governance.

4.6.1 Key Features of Lyttleton Constitution

1. **Federal Structure:** The Lyttleton Constitution reinforced and strengthened Nigeria's federal structure. It established a bicameral legislature at the center, comprising the House of Representatives and the Senate, with elected representatives from the regions.
2. **Regional Autonomy:** One of the significant features was the granting of considerable autonomy to Nigeria's three regions (Northern, Western, and Eastern). Each region was given powers over certain legislative and executive matters, contributing to a decentralized governance framework.
3. **Representation:** The constitution introduced a more representative electoral system, expanding the franchise and allowing for broader participation in elections. This was seen as a step towards inclusivity and fairness in governance.
4. **Central Authority:** While promoting regional autonomy, the Lyttleton Constitution also maintained a significant degree of central authority, particularly in matters of defense, foreign affairs, and finance. This dual approach aimed to balance local autonomy with national cohesion.
5. **Path to Independence:** The constitution was pivotal in laying the groundwork for Nigeria's eventual independence. It provided a framework within which Nigerian leaders could gain experience in governance and administration, preparing them for eventual self-rule.

Self-Assessment Exercises 2

1. Describe Macpherson Constitution (1951)
2. What are Key Features of Lyttleton Constitution?



4.7 Summary

this unit discussed the Clifford Constitution of 1922 as a pivotal document in Nigeria's colonial history, marking the beginning of electoral politics and limited African representation in governance. It set the stage for future constitutional reforms and the eventual journey towards independence.

Also, the Richards Constitution was a pivotal step in Nigeria's journey towards independence, attempting to unify the nation while respecting

its regional diversities. Although it had its limitations and criticisms, it played a crucial role in the political development of Nigeria

The unit shed more light on Macpherson Constitution of 1951 was a pivotal document in Nigerian history, as it began the process of devolving power from the colonial center to the regions, setting the stage for subsequent constitutional developments leading to Nigeria's independence in 1960. Despite its limitations and criticisms, it marked a significant shift towards regional autonomy and paved the way for Nigeria's federal structure that continues to evolve today

Lastly the unit discussed the Lyttleton Constitution of 1954 marked a significant stage in Nigeria's journey towards independence. By strengthening federalism and providing avenues for regional self-governance, it set the stage for Nigeria to manage its diversity while working towards a unified national identity. However, it also left unresolved tensions that would shape Nigeria's political landscape in the post-independence era.



4.8 References/Further Readings/Web Resources

- Afigbo, A. E. (1972). *The Warrant Chiefs: Indirect Rule in Southeastern Nigeria, 1891-1929**. Longman Group Ltd.
- Ayoade, J. (1980). Electoral Laws and National Unity in Nigeria. *African Studies Review*, 23, 39 - 50. <https://doi.org/10.2307/523440>.
- Cookey, S. (1980). Sir Hugh Clifford as Governor of Nigeria: An Evaluation. *African Affairs*, 79(316), 531-547.
- Deinibiteim, M. H., & Samuel, B. K. (2023). Electoral Violence and Political Instability in Nigeria: Implication for National Cohesion.
- Falola, T. (2009). *Colonialism and violence in Nigeria*. Indiana University Press.
- Falola, T., & Heaton, M. M. (2008). *A History of Nigeria*. Cambridge University Press.
- Nwabueze, B. O. (1982). *Constitutional Developments in Nigeria: An Analytical Study of Nigeria's Constitution-Making Developments*

and the Historical and Political Factors that Affected Constitutional Change. Sweet & Maxwell

Oboh, G. (2017). Influence of ethnicity and religion in Nigerian elections and the imperative of media intervention.

Osaghae, E. E. (1998). Managing multiple minority problems in a divided society: The Nigerian experience. *The Journal of Modern African Studies*, 36(1), 1-24.

Saad, O. (2014). The ripple effects of electoral experience in a frontier community in Nigeria: A study of a micro revolution in Ilorin, 1955-1959. , 6, 192-201.

<https://doi.org/10.5897/AJHC2013.0184>.

Saad, O. (2014). The ripple effects of electoral experience in a frontier community in Nigeria: A study of a micro revolution in Ilorin, 1955-1959. , 6, 192-201.

<https://doi.org/10.5897/AJHC2013.0184>.

Tella, C., Doho, A., &Bapeto, A. (2014).The Evolution, Development and Practice of Federalism in Nigeria. , 2. <https://doi.org/10.15640/PPAR.V2N4A4>



4.9 Possible Answers to SAEs

Answers to SAEs 1

Question 1. Itemize five (5) Provisions of the Clifford Constitution

Answer

Provision of the Clifford Constitution:

1. Introduction of Elective Principles:
For the first time, the constitution introduced an electoral system, allowing Africans to elect representatives to the Legislative Council. This was a significant shift towards incorporating indigenous participation in the colonial administration.
2. Legislative Council Composition:
The Legislative Council consisted of 46 members, with 27 official members (mostly Europeans) and 19 unofficial members. Among the unofficial members, only four were elected Africans representing Lagos and Calabar, while the rest were nominated.
3. Electoral Provisions:
The constitution established an electoral system where only male adults who met certain property and income qualifications could vote. This limited the electorate to a small, affluent section of the population.
4. Governor's Powers:
Despite these reforms, the Governor retained significant powers, including the right to veto decisions of the Legislative Council. The colonial administration maintained control over critical areas such as finance and defense.
5. Regional Representation:
The Clifford Constitution aimed to provide a semblance of regional representation, although it was heavily skewed towards the southern part of Nigeria, particularly Lagos and Calabar.
6. Administrative Structure:
The constitution did not significantly alter the administrative structure of Nigeria, which remained divided into the Northern and Southern Protectorates and the Colony of Lagos.

Question 2. Explain Clifford Constitution and its Significance and Impact

Answers

Clifford Constitution (1922): Introduced elective principles for the first time.

The Clifford Constitution of 1922 was a significant milestone in the history of colonial Nigeria, introducing elective principles for the first time. This constitution was named after Sir Hugh Clifford, the then Governor of Nigeria. It marked a departure from previous autocratic colonial administrations by incorporating limited African representation in governance.

Significance and Impact:

First Step towards Self-Governance:

The introduction of elective principles was a crucial first step towards self-governance, providing Nigerians with limited political participation and a voice in the colonial administration.

Foundation for Future Reforms:

The Clifford Constitution laid the groundwork for subsequent constitutional developments and reforms, including the Richards Constitution of 1946, which expanded African representation and introduced more extensive regional councils.

Awakening Political Consciousness:

This constitution played a role in awakening political consciousness among Nigerians, leading to the formation of political organizations and movements advocating for greater autonomy and eventual independence.

Answers to SAEs 2

Question 1. List five (5) Key Features of Richards Constitution (1946)

Answer

1. **Bicameral Legislature:** The constitution established a central legislative council with both elected and appointed members. It included representatives from the three major regions: Northern, Western, and Eastern Nigeria.
2. **Regional Councils:** It created regional councils to allow for more localized governance. These councils had limited legislative

- powers and could make recommendations to the central government.
3. Promoting Unity: The central legislative council was intended to encourage collaboration among the different regions and ethnic groups, promoting a sense of national unity.
 4. Preserving Regionalism: By establishing regional councils, the constitution aimed to preserve the unique identities and autonomy of the regions, acknowledging the diverse cultural and ethnic composition of Nigeria.
 5. Increased Political Participation: The constitution allowed for more Nigerian representation in government, albeit still limited by significant colonial oversight.
 6. Foundation for Federalism: It laid the groundwork for a federal system of government, which later became a key feature of Nigeria's political structure.

Regional Tensions: While it aimed to balance unity and regionalism, it also highlighted and, in some cases, exacerbated regional differences, leading to tensions that would later influence Nigerian politics.

Electoral Laws and National Unity in Nigeria: the establishment of separate legislatures under the Richards Constitution, highlighting that these legislatures had no independent powers and acted as agents of the governor and the central legislature. It emphasizes the early glimpses of federal division of powers in Nigeria (Ayoade, 1980).

The Ripple Effects of Electoral Experience in a Frontier Community in Nigeria: the significant changes in administrative structures and social relations resulting from the constitution's implementation (Saad, 2014).
Political Restructuring, Federalism and Democratic Sustainability in Nigeria: the origins and evolution of Nigeria's federal structure, noting that the Richards Constitution marked the beginning of federalism by dividing the country into three regions and establishing a unitary colonial state. The paper also discusses the challenges facing Nigerian federalism, such as revenue sharing and state creation (Uwa, 2018).

The Evolution, Development and Practice of Federalism in Nigeria: This article explores the development of federalism in Nigeria, tracing its roots back to the Richards Constitution, which first divided the country into three major regions under a unitary colonial state. It highlights the constitution's role in setting the stage for Nigeria's federal structure and the ongoing debates about state creation and resource control (Tella, Doho, & Bapeto, 2014)

Answers to SAEs 3

Question 1. Describe Macpherson Constitution (1951)

The need for a new constitution arose from growing dissatisfaction with the previous Richards Constitution of 1946, which was criticized for centralizing power in the hands of the colonial authorities and not adequately addressing regional aspirations and identities in Nigeria. The Macpherson Constitution was named after Sir John Stuart Macpherson, the then Governor of Nigeria (Afigbo, 1972).. It was introduced to provide a more inclusive and representative government structure, responding to growing nationalist sentiments and demands for greater autonomy by the Nigerian people. The Macpherson Constitution of 1951 was a significant political development in Nigeria, aiming to address the country's diverse and complex socio-political landscape. The Macpherson Constitution of 1951 marked a significant step in Nigeria's constitutional evolution during its colonial period (Afigbo, 1972).

Question 2. What are Key Features of Lyttleton Constitution?

1. **Federal Structure:** The Lyttleton Constitution reinforced and strengthened Nigeria's federal structure. It established a bicameral legislature at the center, comprising the House of Representatives and the Senate, with elected representatives from the regions.
2. **Regional Autonomy:** One of the significant features was the granting of considerable autonomy to Nigeria's three regions (Northern, Western, and Eastern). Each region was given powers over certain legislative and executive matters, contributing to a decentralized governance framework.
3. **Representation:** The constitution introduced a more representative electoral system, expanding the franchise and allowing for broader participation in elections. This was seen as a step towards inclusivity and fairness in governance.
4. **Central Authority:** While promoting regional autonomy, the Lyttleton Constitution also maintained a significant degree of central authority, particularly in matters of defense, foreign affairs, and finance. This dual approach aimed to balance local autonomy with national cohesion.
5. **Path to Independence:** The constitution was pivotal in laying the groundwork for Nigeria's eventual independence. It provided a framework within which Nigerian leaders could gain experience in governance and administration, preparing them for eventual self-rule.

Unit 5 Constitutional Development in Nigeria II

Unit Structure

- 5.1 Introduction
- 5.2 Learning Outcomes
- 5.3 The Growth of Constitutions in Nigeria II**
 - 5.3.1 Key Features of Independence Constitution of 1960 (Nwabueze, 1982)
 - 5.3.2 Republican Constitution (1963)
 - 5.3.3 Republican Constitution (1963)
 - 5.3.4 Key Features of the Nigerian Republican Constitution (1963) (Suberu, 2001)
 - 5.3.5 Some key principles of the constitution include (Tamuno, 2011)
- 5.4 The 1979 Constitution of Nigeria
 - 5.4.1 Key Features of the 1979 Constitution
 - 5.4.2 Impact and Criticisms (Diamond, 1988)
- 5.5 The 1993 Constitution of the Nigeria
 - 5.5.1 Key features of the Constitution
- 5.6 The 1999 Constitution of Nigeria
 - 5.6.1 Key principles The 1999 Constitution of Nigeria
- 5.7 Summary
- 5.8 References/Further Readings/Web Resources
- 5.9 Possible Answers to Self-Assessment Exercise(s) within the content



5.1 Introduction

In our last unit, we discussed the Clifford Constitution of 1922; the Richards Constitution and Macpherson Constitution of 1951 as pivotal documents in Nigerian history. In this unit we would discuss the Independence Constitution of 1960; the Republican Constitution of 1963 and explain the 1993 Constitution of Nigeria, also known as the Third Nigerian Republic Constitution, as well as the 1999 Constitution of Nigeria.



5.2 Learning Outcomes

By the end of this unit, you will be able to:

- discuss the independence constitution (1960)

- describe the republican constitution (1963)
- analyse the 1979 constitution of Nigeria
- demonstrate the 1993 constitution of the Nigeria
- evaluate the the 1999 Constitution of Nigeria



5.3 Constitutional Development in Nigeria II

5.3.1 Post-Independence Constitutions

Independence Constitution (1960)

The Independence Constitution of 1960 was a pivotal document in Nigeria's history, as it symbolized the nation's shift from colonial rule to independent statehood. This constitution brought about significant changes in the legal and political landscape of the country, setting the groundwork for a sovereign Nigeria (Afigbo, 1991).

One of the key aspects of the Independence Constitution was the establishment of a federal system of government, which granted autonomy to the regions within Nigeria while maintaining a central government at the federal level. This federal structure aimed to balance power between the central government and the regions, reflecting Nigeria's diverse ethnic and cultural makeup (Coleman, 1958).

Moreover, the constitution outlined the distribution of powers and responsibilities between the federal and regional governments, clarifying the roles each level of government would play in governing the country. It also enshrined fundamental rights and liberties for Nigerian citizens, laying the foundation for a democratic and inclusive society (Crowder, 1978).

Additionally, the Independence Constitution defined the procedures for electing officials and conducting governance, reinforcing the principles of democracy and rule of law. It established the framework for the legislative, executive, and judicial branches of government, ensuring a system of checks and balances to prevent abuse of power (Diamond, 1988).

Overall, the Independence Constitution of 1960 was a significant milestone in Nigeria's journey to nationhood, providing the legal and political infrastructure necessary for the country to govern itself independently. By delineating the powers, rights, and responsibilities of the government and citizens, this constitution played a crucial role in

shaping the future trajectory of Nigeria as a sovereign nation (Falola, & Heaton, 2008).

5.3.1 Key Features of Independence Constitution of 1960 (Nwabueze, 1982):

1. **Establishment of a Parliamentary System:**
The constitution established a parliamentary system of government, modeled after the British system. Nigeria had a bicameral legislature consisting of a Senate and a House of Representatives (Ojo, 1987).
2. **Federal Structure:**
It introduced a federal structure, dividing the country into three regions (Northern, Western, and Eastern) and a federal territory (Lagos). Each region had its own constitution and autonomy in certain matters (Tamuno, 2011).
3. **Governor-General as Head of State:**
The Governor-General represented the British monarch and acted as the ceremonial head of state. However, real executive power was vested in the Prime Minister and the Council of Ministers (Suberu, 2001).
4. **Fundamental Rights:**
The constitution guaranteed certain fundamental rights and freedoms to Nigerian citizens, including freedom of speech, assembly, and movement.
5. **Judiciary:**
It provided for an independent judiciary, with the Supreme Court at the apex of the judicial hierarchy.
6. **Transition of Power:**
The constitution paved the way for the peaceful transfer of power from the British colonial administration to Nigerian leaders. Sir Abubakar Tafawa Balewa became the first Prime Minister of Nigeria.

5.3.2 Republican Constitution (1963)

The Nigerian Republican Constitution of 1963 was a significant document that established the framework for the country's government during the First Republic. The Republican Constitution of 1963 marked a significant milestone in the constitutional history of many former British colonies. This transition involved replacing the British monarch as the head of state with a locally elected President, thereby establishing a republic (Nwabueze, 1982).

The Republican Constitution of 1963 was a crucial step in the decolonization process, symbolizing a move towards full sovereignty

and self-governance for many nations formerly under British rule. It removed the British monarch as the head of state and replaced the Governor-General, who was the monarch's representative, with a President (Ojo, 1987):

1. Abolition of the British Monarch as Head of State: The 1963 Constitution formally ended the role of the British monarch in the governance of the country. This was a symbolic break from colonial rule, signifying the nation's full sovereignty and independence.
2. Replacement of the Governor-General with a President: The Governor-General, who previously acted as the representative of the British monarch, was replaced with a President. This change was more than nominal; it represented the transfer of executive powers from a colonial figure to a domestically elected official, enhancing national governance and autonomy.
3. Election of the President: Under the new constitution, the President was elected by the parliament or through a direct vote, depending on the specific country's adopted system. This change reinforced the democratic principles and allowed for greater participation of the citizens in the political process

The Nigerian Republican Constitution of 1963 marked a significant transition in Nigeria's political history by formally severing ties with the British monarchy and establishing Nigeria as a republic within the Commonwealth. Key changes included the removal of the British monarch as the head of state and replacing the Governor-General with a President.

5.3.3 Key Features of the Nigerian Republican Constitution (1963) (Suberu, 2001):

1. Removal of the British Monarch:
The 1963 Constitution eliminated the British monarch's role as the ceremonial head of state, thereby ending the formal symbolic relationship with Britain established during colonial rule and retained at independence in 1960. This change underscored Nigeria's full sovereignty and the assertion of its identity as an independent nation.
2. Establishment of the office of the President:
The Governor-General, who represented the British monarch, was replaced by a President. The first President of Nigeria was Dr. Nnamdi Azikiwe.
The President served as the ceremonial head of state, while the Prime Minister remained the head of government, maintaining the parliamentary system of governance.

The President was elected by the National Assembly, reflecting Nigeria's commitment to a republican form of government where the head of state was chosen by elected representatives rather than inherited or appointed from abroad.

5.3.5 Some key principles of the constitution include (Tamuno, 2011):

1. Republican form of government: The constitution established Nigeria as a federal republic, with a President as the head of state and government.
2. Federal system: The constitution outlined the division of powers between the central government and the regions, allowing for a degree of autonomy for the regions.
3. Fundamental human rights: The constitution enshrined fundamental human rights for all citizens, including freedom of speech, press, and assembly.
4. Separation of powers: The constitution provided for the separation of powers between the executive, legislative, and judicial branches of government.
5. Citizenship and Nationality: The constitution defined the rights and duties of Nigerian citizens and set out the criteria for acquiring and renouncing citizenship.

These key principles guided the governance of Nigeria during the First Republic and laid the foundation for subsequent constitutions in the country.

Self-Assessment Exercises 1

The Nigerian Republican Constitution of 1963 was a significant document that established the framework for the country's government during the First Republic. Discuss

Explain the Key Features of the Nigerian Republican Constitution (1963) (Suberu, 2001).

5.4 The 1979 Constitution of Nigeria

The 1979 Constitution of Nigeria marked a significant shift in the country's governance structure by introducing a presidential system of government, replacing the parliamentary system that had been in place since independence in 1960. This change was driven by various factors, including the need for a more stable and unified governance model and the desire to reduce ethnic tensions and regionalism that had plagued the parliamentary system (Kirk-Greene, & Rimmer, 1981).

Reasons for the Shift

According to Dudley (1982), the Reasons for the Shift are;

1. **Ethnic and Regional Tensions:** The parliamentary system in Nigeria, modeled after the British system, had exacerbated ethnic and regional divisions. The political landscape was fragmented along ethnic lines, with major parties representing different regions. This led to instability and conflicts, including the Nigerian Civil War (1967-1970).
2. **Centralized Leadership:** The presidential system was seen as a way to provide a stronger, more centralized leadership. It was believed that a single executive president could act more decisively and uniformly, compared to the collective leadership of a parliamentary system.
3. **Modeling the U.S. System:** The 1979 Constitution drew inspiration from the United States, where the presidential system had been successful in managing a diverse and large country. The framers of the constitution believed that this system could help unify Nigeria and provide a more effective governance structure.

5.4.1 Key Features of the 1979 Constitution

According to Elaigwu (1983), the Key Features of the 1979 Constitution are;

1. **Executive Branch:** The president, elected by direct popular vote, became the head of state and government, replacing the Prime Minister. The president had significant powers, including appointing ministers and other key officials, subject to legislative approval.
2. **Legislative Branch:** A bicameral National Assembly was established, consisting of the Senate and the House of Representatives. Members of both houses were elected directly, with the Senate representing states equally and the House representing constituencies based on population.
3. **Judicial Independence:** The constitution provided for an independent judiciary to interpret and enforce the laws. The Supreme Court was established as the highest court, ensuring checks and balances within the government.
4. **Federal Structure:** The constitution maintained Nigeria's federal structure, with powers divided between the federal and state governments. This was aimed at accommodating the country's ethnic diversity and ensuring local autonomy.

5.4.2 Impact and Criticisms (Diamond, 1988):

1. **Stability and Governance:** The presidential system brought a period of relative stability compared to the parliamentary era. It provided clear separation of powers and checks and balances, which helped in reducing political conflicts and improving governance.
2. **Concentration of Power:** Critics argued that the presidential system concentrated too much power in the hands of the president, which could lead to authoritarianism. The executive's dominance sometimes overshadowed the legislative and judicial branches.
3. **Implementation Challenges:** The transition to the new system faced implementation challenges, including adapting political practices and culture to the presidential model. There were also issues related to electoral integrity and democratic consolidation.

Self-Assessment Exercises 2

- Q1. What are the reasons for the Shift to 1979 Constitution of Nigeria?
 Q2. List the impact and criticisms of 1979 constitutions in Nigeria.

5.5 The 1993 Constitution of the Nigeria

The 1993 Constitution of Nigeria, also known as the Third Nigerian Republic Constitution, is an important yet incomplete chapter in Nigeria's political history. This draft constitution was created during a period marked by significant political instability, and it never came into full effect (Osaghae, 1998).

The 1993 Constitution was drafted during a transitional phase from military rule to civilian governance. General Ibrahim Babangida, Nigeria's military ruler at the time, initiated the process of returning to civilian rule. A Constitutional Conference was convened in 1994, following the annulment of the June 12, 1993 presidential election, which was widely believed to have been won by Moshood Abiola. The annulment of this election led to widespread unrest and political instability (Suberu, 2001).

5.5.1 Key features of the Constitution

The draft 1993 Constitution was intended to establish a federal system of government with an executive presidency, similar to the U.S. model. Key features of the draft included:

1. **Federal Structure:** The constitution aimed to maintain Nigeria's federal structure, dividing powers between the central government and the states.
2. **Executive Branch:** It proposed an executive presidency with significant powers but also included checks and balances to prevent abuse of power.
3. **Legislative Branch:** The draft provided for a bicameral National Assembly consisting of the Senate and the House of Representatives.
4. **Judicial Branch:** It sought to ensure judicial independence and establish a Supreme Court as the apex court in the country.
5. **Fundamental Rights:** The constitution included provisions for the protection of fundamental human rights and freedoms.

Political Instability and Implementation Failure

Despite its comprehensive nature, the 1993 Constitution was never fully implemented due to severe political instability. The annulment of the June 12 election by General Babangida created a political crisis that his regime could not manage. Babangida eventually resigned, handing power over to an interim national government led by Ernest Shonekan. This interim government was short-lived, as General Sani Abacha seized power in a coup on November 17, 1993 (Falola, and Heaton, 2008).

Under Abacha's rule, the 1993 Constitution was set aside. Abacha ruled with an iron fist, and Nigeria was under a de facto military dictatorship until his sudden death in 1998. The country did not return to civilian rule until 1999, with the adoption of a new constitution (Diamond, Kirk-Greene, and Oyediran, 1997).

5.6 The 1999 Constitution of Nigeria

The 1999 Constitution of Nigeria is a pivotal document that reestablished democratic governance in Nigeria after years of military rule. This constitution was enacted on May 29, 1999, marking the country's transition from a prolonged period of military dictatorship to a civilian-led government (Nwabueze, 1994).

1. **Military Rule:** Nigeria experienced several coups and military governments from 1966 to 1999, which significantly disrupted democratic processes. The last military regime before the 1999 transition was led by General Abdulsalami Abubakar, who succeeded General Sani Abacha following his death in 1998 (Nwabueze, 1994).
2. **Constitutional Development:** The 1999 Constitution was drafted by the Constitutional Debate Coordinating Committee (CDCC),

which included inputs from various political, regional, and civil society groups. This process was aimed at ensuring a broad-based and inclusive framework for the new democratic governance structure.

3. **Federal Structure:** The constitution maintains Nigeria's federal structure, dividing the country into 36 states and a Federal Capital Territory (Abuja). It delineates the powers and responsibilities of the federal and state governments.
4. **Separation of Powers:** It establishes a clear separation of powers among the executive, legislative, and judicial branches of government. The President heads the executive branch, the National Assembly (comprising the Senate and the House of Representatives) constitutes the legislative branch, and the judiciary is independent.
5. **Fundamental Rights:** The constitution enshrines fundamental human rights, including the right to life, personal liberty, freedom of expression, and freedom from discrimination. These rights are outlined in Chapter IV of the constitution.
6. **Electoral Provisions:** It sets out the framework for democratic elections, ensuring that leaders are elected through free and fair processes. The Independent National Electoral Commission (INEC) is tasked with overseeing elections.

Impact and Legacy

1. **Democratic Transition:** The adoption of the 1999 Constitution marked the beginning of the Fourth Republic in Nigeria. The first elections under this constitution were held in 1999, leading to the election of Olusegun Obasanjo as President.
2. **Stability and Governance:** Since its adoption, the 1999 Constitution has provided a foundation for political stability and democratic governance. Nigeria has experienced several successful transitions of power through democratic elections, although challenges such as electoral fraud, corruption, and political violence remain.
3. **Ongoing Reforms:** The constitution has been subject to various amendments aimed at addressing emerging issues and improving governance. For instance, amendments have been made to enhance the independence of INEC, improve the judicial process, and adjust the revenue allocation formula between federal and state governments.

5.6.1 Key principles The 1999 Constitution of Nigeria

The 1999 Constitution of Nigeria outlines several key principles that govern the country. Some of these principles include (Olowu, 2003):

1. **Federalism:** Nigeria operates as a federal republic with a multi-tiered system of government that includes federal, state, and local levels of governance.
2. **Separation of Powers:** The Constitution provides for the separation of powers among the executive, legislative, and judicial branches of government to prevent abuse of power and ensure checks and balances.
3. **Rule of Law:** The Constitution emphasizes the importance of adherence to the rule of law, which holds that all individuals and institutions are subject to and accountable under the law.
4. **Democracy:** Nigeria's Constitution upholds the principles of democracy, including free and fair elections, protection of human rights, and respect for the will of the people.
5. **Fundamental Human Rights:** The Constitution guarantees certain fundamental human rights, including the right to life, liberty, and property, as well as freedoms of speech, religion, and association.
6. **Secularism:** The Constitution supports the secular nature of the Nigerian state, ensuring that no religion is given preferential treatment by the government.
7. **Citizenship:** The Constitution outlines the rights and responsibilities of Nigerian citizens, as well as the process for acquiring and renouncing citizenship.

These key principles, among others, form the foundation of Nigeria's legal system and guide the functioning of its government and society.



5.7 Summary

The Republican Constitution of 1963 was a transformative document that abolished the British monarch's role as head of state and replaced the Governor-General with a President. This change was pivotal in the journey towards full sovereignty and democratic governance for many nations emerging from colonial rule.

The Independence Constitution of 1960 was a significant milestone in Nigeria's history, laying the groundwork for its governance and asserting its sovereignty. It established a parliamentary system, a federal structure, and guaranteed fundamental rights, setting the stage for Nigeria's future political and legal developments.

The 1979 Constitution of Nigeria was a landmark document that introduced a presidential system of government, significantly altering the country's political landscape. While it aimed to address the shortcomings of the parliamentary system and provide more stable and

effective governance, it also faced challenges and criticisms. Nonetheless, it laid the foundation for Nigeria's subsequent constitutional developments and democratic evolution

The 1993 Constitution remains a significant, albeit unrealized, attempt to transition Nigeria to a stable civilian government. Its failure was largely due to the political instability and military interventions that characterized Nigeria's political landscape in the early 1990s. The lessons from this period influenced the drafting of the 1999 Constitution, which is currently in use.



5.8 References/Further Readings/Web Resources

- Afigbo, A. E. (1991). "The Making of Modern Nigeria." Longman.
- Coleman, J. S. (1958). "Nigeria: Background to Nationalism." University of California Press.
- Crowder, M. (1978). "The Story of Nigeria." Faber and Faber.
- Diamond, L. (1988). "Class, Ethnicity, and Democracy in Nigeria: The Failure of the First Republic." Syracuse University Press.
- Diamond, L. (1988). Class, Ethnicity, and Democracy in Nigeria: The Failure of the First Republic. Syracuse: Syracuse University Press
- Diamond, L., Kirk-Greene, A., and Oyediran, O. (1997). Transition Without End: Nigerian Politics and Civil Society Under Babangida. Lynne Rienner Publishers
- Dudley, B. J. (1982). An Introduction to Nigerian Government and Politics. London: Macmillan.
- Elaigwu, J. I. (1983). The Nigerian Federal System: Political Institutions and the Resolution of Conflicts. *Publius: The Journal of Federalism*, 13(1), 17-30.
- Elaigwu, J. I. (2013). "Federalism and Nation-Building in Nigeria: The Challenges of the 21st Century." Institute of Governance and Social Research.
- Falola, T., & Heaton, M. M. (2008). "A History of Nigeria." Cambridge University Press.

- Falola, T., and Heaton, M. M. (2008). *A History of Nigeria*. Cambridge University Press.
- Kirk-Greene, A. H. M., & Rimmer, D. (1981). *Nigeria since 1970: A Political and Economic Outline*. London: Hodder and Stoughton.
- Nwabueze, B. O. (1982). "A Constitutional History of Nigeria." C. Hurst & Co. Publishers.
- Nwabueze, B. O. (1994). *Nigeria'93: The Political Crisis and Solutions*. Spectrum Books.
- Ojo, J. D. (1987). "The Development of the Executive under the Nigerian Constitutions, 1960-1981." University of Lagos Press.
- Olowu, D. (2003). *Appraising Nigerian development: Implications for the theories of development*.
- Osaghae, Eghosa E. (1998). *Crippled Giant: Nigeria Since Independence*. Hurst & Co. Publishers. References
- Sklar, R. L. (1963). "Nigerian Political Parties: Power in an Emergent African Nation." Princeton University Press.
- Suberu, R. T. (2001). "Federalism and Ethnic Conflict in Nigeria." United States Institute of Peace Press.
- Suberu, R. T. (2001). *Federalism and Ethnic Conflict in Nigeria*. United States Institute of Peace Press.
- Tamuno, T. N. (2011). "Nigerian Federalism in Historical Perspective." Obafemi Awolowo University Press.



5.9 Possible Answers to SAEs

Self-Assessment Exercises 1

Question 1: The Nigerian Republican Constitution of 1963 was a significant document that established the framework for the country's government during the First Republic. Discuss

Answer

The Independence Constitution of 1960 was a pivotal document in Nigeria's history, as it symbolized the nation's shift from colonial rule to independent statehood. This constitution brought about significant changes in the legal and political landscape of the country, setting the groundwork for a sovereign Nigeria (Afigbo, 1991).

One of the key aspects of the Independence Constitution was the establishment of a federal system of government, which granted autonomy to the regions within Nigeria while maintaining a central government at the federal level. This federal structure aimed to balance power between the central government and the regions, reflecting Nigeria's diverse ethnic and cultural makeup (Coleman, 1958).

Moreover, the constitution outlined the distribution of powers and responsibilities between the federal and regional governments, clarifying the roles each level of government would play in governing the country. It also enshrined fundamental rights and liberties for Nigerian citizens, laying the foundation for a democratic and inclusive society (Crowder, 1978).

Additionally, the Independence Constitution defined the procedures for electing officials and conducting governance, reinforcing the principles of democracy and rule of law. It established the framework for the legislative, executive, and judicial branches of government, ensuring a system of checks and balances to prevent abuse of power (Diamond, 1988).

Overall, the Independence Constitution of 1960 was a significant milestone in Nigeria's journey to nationhood, providing the legal and political infrastructure necessary for the country to govern itself independently. By delineating the powers, rights, and responsibilities of the government and citizens, this constitution played a crucial role in shaping the future trajectory of Nigeria as a sovereign nation (Falola, & Heaton, 2008).

Question 2: Explain the Key Features of the Nigerian Republican Constitution (1963).

Answer

1. **Removal of the British Monarch:**
The 1963 Constitution eliminated the British monarch's role as the ceremonial head of state, thereby ending the formal symbolic relationship with Britain established during colonial rule and retained at independence in 1960. This change underscored Nigeria's full sovereignty and the assertion of its identity as an independent nation.
2. **Establishment of the office of the President:**
The Governor-General, who represented the British monarch, was replaced by a President. The first President of Nigeria was Dr. Nnamdi Azikiwe.
The President served as the ceremonial head of state, while the Prime Minister remained the head of government, maintaining the parliamentary system of governance.

The President was elected by the National Assembly, reflecting Nigeria's commitment to a republican form of government where the head of state was chosen by elected representatives rather than inherited or appointed from abroad.

Self-Assessment Exercises 2

Question 1: What are the reasons for the Shift to 1979 Constitution of Nigeria?

Answers to SAEs 2

The Reasons for the Shift are;

1. **Ethnic and Regional Tensions:** The parliamentary system in Nigeria, modeled after the British system, had exacerbated ethnic and regional divisions. The political landscape was fragmented along ethnic lines, with major parties representing different regions. This led to instability and conflicts, including the Nigerian Civil War (1967-1970).
2. **Centralized Leadership:** The presidential system was seen as a way to provide a stronger, more centralized leadership. It was believed that a single executive president could act more decisively and uniformly, compared to the collective leadership of a parliamentary system.
3. **Modeling the U.S. System:** The 1979 Constitution drew inspiration from the United States, where the presidential system

had been successful in managing a diverse and large country. The framers of the constitution believed that this system could help unify Nigeria and provide a more effective governance structure.

Question 2: List the impact and criticisms of 1979 constitutions in Nigeria.

Answers to SAEs 2

Impact and Criticisms (Diamond, 1988):

1. **Stability and Governance:** The presidential system brought a period of relative stability compared to the parliamentary era. It provided clear separation of powers and checks and balances, which helped in reducing political conflicts and improving governance.
2. **Concentration of Power:** Critics argued that the presidential system concentrated too much power in the hands of the president, which could lead to authoritarianism. The executive's dominance sometimes overshadowed the legislative and judicial branches.
3. **Implementation Challenges:** The transition to the new system faced implementation challenges, including adapting political practices and culture to the presidential model. There were also issues related to electoral integrity and democratic consolidation.

MODULE 2

Unit 1 Federalism in Nigeria

Unit Structure

- 1.1 Introduction
- 1.2 Learning Outcomes
- 1.3 The establishment of Federalism in Nigeria
 - 1.3.1 Concepts and Principles of Federalism
 - 1.3.2 Key Features of Nigerian Federalism
- 1.4 Intergovernmental Relations
 - 1.4.1 Power Distribution between Federal, State and Local Governments in Nigeria
- 1.5 Revenue Allocation in Nigeria
 - 1.5.1 Challenges of Federalism in Nigeria
- 1.6 Summary
- 1.7 References/Further Readings/Web Resources
- 1.8 Possible Answers to Self-Assessment Exercise(s)



1.1 Introduction

In last unit, we discussed the Republican Constitution of 1963, Independence Constitution of 1960, The 1993 Constitution, and the 1979 Constitution of Nigeria as the landmark document that introduced a presidential system of government, significantly altering the country's political landscape

In this unit, we will discuss the issue of Federalism as a form of government that divides sovereign power across at least two political units. In this way, in the federal system, some decision-making powers are shared by both the national and the subnational governments. Federal principles are intended to reconcile the benefits of territorial diversity with the efficiencies of the centralized national system. The two levels of government in the federation have position independent of one another and constitutionally recognized by jurisprudence.



1.2 Learning Outcomes

By the end of this unit, you will be able to:

- discuss the establishment of federalism in Nigeria
- analyse the Intergovernmental Relations
- demonstrate the Revenue Allocation in Nigeria



1.3 Establishment of Federalism in Nigeria

In political science, federalism is a form of government where two levels of authority share control over the same territory. Generally, this means that there is a central national government with smaller divisions of the country, the provinces, the states, or the regions. Each of these smaller units also has their own government that can make some decisions on policies. The word federalism is also used to describe a system of government in which sovereignty is constitutionally allocated between a central governing authority and its constituents. The essential meaning of the word "federal" is the word from the Latin word "foedus," meaning 'covenant' or 'compact.' In other words, a federation is a union of polities established through a covenant, a constitution, a treaty, or some condition of consent in which the component members are juridically equal in relation to the principal authority.

Federalism is about how government power is divided and is often about dominant ethnic groups sharing power with ethnic minorities. Although nations adopted federalism as a form of government in a variety of ways, most are described as federal or non-federal based on constitutional structure.

Federalism is a political concept in which a group of members are bound together by covenants into a federation with a common central authority. The term federalism is also used to describe a system of government in which sovereignty is constitutionally allocated between a central governing authority and constituent territorial units (like states or provinces). Rather than focusing on the ways in which such boundaries are established in federal systems, it is more pertinent to concentrate on the underlying issue of what the bounds mean for the nature of the federal relationship.

1.3.1 Concepts and Principles of Federalism

Federalism has been variously defined. According to K.C. Wheare, it is the method of dividing powers so that the general and regional governments are each, within a sphere, coordinate and independent. Schwartz observed that it is a way of organizing a state so that more than one level of government has formal authority over the same area and people. This definition suggests that there is an independent level of government at each level and should be of practical importance. Brock explained that "federalism involves a system of division of power, which is such that the general government and the state governments reside within the same territory and they both act directly upon the

citizens, both regulating their privileges, duties, and activities within the sphere of their individual interests". Etzold's definition is that "federalism is more or less the division of powers between the general or central government and the regional or subordinate governments and the rule of the constitution which has the final judgment on the interests and on the exercise of powers by the general and regional governments".

Federalism is a principle that acknowledges the coexistence of the federal and state governments as distinct, autonomous, and relatively free from the interference of one another. It is a system of government designed to promote stability and harmony among the several levels of government, each of which possesses its own powers and coordinates with others acting through formal agencies. Constitutionally, federalism involves a written constitution, mandates the allocation of powers among the various organs of government carrying out specific functions and establishes independent courts to interpret and apply it. It is characterized by limited government powers and a direct division of powers between the federal and state governments. In its true sense, it is a practical concept of government that leads to power-sharing and adequate influence in government processes among the "uneducated". There are features of Nigerian federalism. The features include decentralization of power. Furthermore, federalism in Nigeria is also characterized by the existence of a bicameral legislature and the sharing of powers between the central government and the state governments. These features are essential in understanding the structure of federalism in Nigeria.

1.3.2 Key Features of Nigerian Federalism

The key features of Nigerian federalism are the following:

1. A decentralization of powers between the Federal government and the states
This key feature of Nigerian federalism includes a decentralization of powers between the Federal government and the states, as well as the allocation of resources and responsibilities to the different levels of government. This ensures that each level of government has some degree of autonomy and authority to make decisions pertaining to their jurisdictions. The existence of three tiers of government, and the allocation of powers through the constitution.
2. A bicameral legislature with the Senate and the House of Representatives at the federal level. The Senate consists of three senators from each state and one from the Federal Capital Territory, while the House of Representatives is based on population size. The state legislatures, on the other hand have one house of assembly for each state with different numbers of

representatives based on their respective population sizes and needs.

3. A written constitution which outlines the division of powers between the federal and state governments.
4. A system of revenue allocation that ensures equitable distribution of resources among the different tiers of government.
5. The existence of state and local governments with their own powers and responsibilities in a federal system, the existence of state and local governments with their own powers and responsibilities is a key feature,
6. The presence of a judiciary at both the federal and state levels ensures the enforcement of laws and protection of rights the division of powers between the federal and state governments.

Self-Assessment Exercises 1

- I. In political science, federalism is a form of government where two levels of authority share control over the same territory.
Discuss
- II. What are the key features of Nigerian federalism?

1.4 Intergovernmental Relations

The purpose of this paper is to examine federal, state, and local government relations with a view to comparing, contrasting, and appraising their independence, autonomy, and power in order to derive implications for a Nigerian model of better effective prescribing of functions for effective performance. This will be discussed within the broad themes of intergovernmental relations and the growth of local governments. It critically examines the present federal type of framework in Nigeria and tries to suggest more effective prescriptions in terms of roles and functions of the three levels of government.

Federalism is distinguished from other forms of government by the independence of state and national government within their respective spheres of operation. This independence of state and national government is derived from a written constitution, and neither the several states nor the nation can destroy the other. Since the states and the nation are independently full-fledged units, some form of government must establish, regulate, and maintain relations between them and specify the precise powers and obligations of the two units.

That is, their functions of intergovernmental relations, which is an essential aspect of any federal constitution. These functions can be assigned to either the central or the state governments. But in the case of Nigeria, where government is at three levels (federal, state, and local), the issue becomes one of form. What are the functions of

intergovernmental relations, and what is the assignment of those functions to the individual levels of government?

1.4.1 Power Distribution between Federal, State and Local Governments in Nigeria

The Constitution specifically envisages the intimate union between different groups of states and requires that the equitable allocation of revenue, wealth, and control should be based on the recognized principles of justice and fairness. The governance of partnerships between states is based on the principle of equality of state autonomy and rights. The constitution also divides the three branches of government between the three branches of government. The distribution of the three centers of power in Nigeria is both vertical and horizontal. It is vertically distributed by establishing the National Assembly, the state of power, and the local government. They are assigned specific areas of influence for legislation. These power centers were also divided by the judicial, legislature, and executive branches with separated responsibilities, powers, and influence.

The distribution of powers between the federal and state governments is outlined in the Constitution, with certain powers designated as exclusive list to the federal government includes the power to Security, and defense, foreign affairs, and currency regulation, declare war and regulate foreign trade. Concurrent list between the federal and state governments or reserved to the states which includes the power to establish and regulate their own local governments, conduct elections, and provide basic social services such as education, agriculture and healthcare. The distribution of powers also allows for the sharing of resources and revenues between the federal and state governments, with specific guidelines outlined in the Constitution. while the residual list is reserved to the local government which include local matters. This division of powers is a key feature of Nigerian federalism, as it determines the authority and responsibilities of each level of government. The allocation of resources and revenue generation is also a key feature of Nigerian federalism, with the federal government responsible for some sources of revenue and the state governments responsible for others.

Nigeria is divided into levels of government: the federal, state, and local governments. The division of powers between the federal government and the state governments is established by the Constitution of Nigeria. The components of Nigeria include three levels of government: the 36 states, the Federal Capital Territory, and 774 local government areas. The powers of the central government are enumerated in the Exclusive Legislative List of the Constitution of the Federal Republic of Nigeria.

According to this list, the National Assembly has the power to legislate on matters such as arms, ammunition, explosives, military training, mines, and minerals. All matters not listed exclusively in this list fall under the Concurrent Legislative List.

1.5 Revenue Allocation in Nigeria

Revenue allocation has been a crucial issue in the political history of Nigeria. Shortly before political independence, Nigeria gained approximately 50% of its annual revenue from agriculture. With the open discovery of oil and the steep rise in the price of it, Nigeria's situation changed remarkably. At the same time, the discovery of oil brought new problems into the political life of the nation. The distribution of revenue derived from the production and sale of oil was widely regarded as the most difficult issue that the federal and state governments of Nigeria had to face.

It has been argued that because of the absence of proper resource control, the present states or regions in Nigeria are without economic significance. It is further pointed out that in any true federation, control of resources must be vested in the federating units for the maintenance of the states, but the Nigerian states depend heavily on their share of the national cake to survive. It is generally agreed that the present arrangement of revenue allocation in Nigeria does not conform to any of the attributes of fiscal federalism. It is in recognition of the need to apply the principles of fiscal federalism to the Nigerian situation that every effort is being made by governments (the federal and state governments and the Constitution drafting committee), experts, and pressure groups such as the press, students, and society clubs, to bring about a situation where every government in Nigeria, be it local, state, or federal, will meet its obligations as and when due.

the current revenue allocation formula in Nigeria is based on the principle of derivation, which means that allocation is made according to the origin of the revenue. For example, oil-producing states are allocated a larger share of revenue based on the principle of derivation. and also taking into account the population of each state. This has led to some controversy and debate as some states feel they are not receiving their fair share of the revenue. The revenue sharing formula between the three tiers of government in the ratio of the federal, state, and local governments was the federal government takes 52.68 percent of the revenue shared, states get 26.72 percent while local governments get 20.60 percent. The current formula has been criticized for favoring the federal government at the expense of the state and local governments. The new report proposed for a more equitable revenue allocation system. The new revenue allocation system is expected to address the

disparities among the different regions of the country. sharing formula of 45.17 percent for the federal government, 29.79 percent for state governments and 21.04 percent for the local governments and under special funds, the commission recommended 1.0 percent for ecology, 0.5 percent for stabilisation, 1.3 percent for development of natural resources and 1.2 percent for the FCT were designed by the Revenue mobilization, Allocation and Fiscal Commission (RMAFC) to address issues of equity and fairness.

1.5.1 Challenges of Federalism in Nigeria

One of the most difficult aspects of Nigeria Federalism is the constitution itself. It gives more power to the president and federal government than they have in any other federation in the world. Most of the power is given to the federal government, with a relatively small amount given to the states and Local governments. These states and Local governments are within six geo-political zones, each facing unique challenges. The Nigeria constitutional was drafted to protect the interests of the few political elite and power dynamics of the ruling class as well as to gain more power. The leaders strengthened the center so that they could hold onto power. another challenge is the ethnic groups and languages. Nigeria is the most populous country in Africa and is made up of a complex mixture of ethnic groups and languages that sometimes cause disagreements and lead to conflicts. The diverse ethnic groups and languages in Nigeria pose a significant challenge to federalism. This diversity often leads to competition and conflict between different regions, making it difficult to achieve true unity and cooperation. As a result, there is often tension between the central government and state governments as they vie for power and resources. These power struggles have led to various challenges within the Nigerian federal system. Some of the challenges include unequal distribution of resources.

Another challenge is the lack of fiscal autonomy for the state governments. This has hindered the ability of the states to effectively govern and provide for their citizens.

Another challenge is ineffective system of government. Democracy is seen as an ideal form of government that can accommodate various interests and nationalities. but Nigeria, democracy has not been effective in the context of federalism. The challenges of corruption and power struggles have hindered the effectiveness of democracy in the context of federalism in Nigeria.

corruption and power struggles have hindered federalism in Nigeria and hindered the effective functioning of the federal system. corruption

hindered the effective functioning of the federal system and undermined the allocation of resources. The lack of true fiscal federalism and unequal resource distribution has led to widespread discontent among the regions and ethnic groups.

Self-Assessment Exercises 2

1. Explain the power distribution between federal, state and local governments in Nigeria
2. Revenue allocation has been a crucial issue in the political history of Nigeria. Discuss



1.6 Summary

In summary, Principles of Federalism in Nigeria can be seen in the distribution of power between the central government and the state governments, as well as in the allocation of resources and responsibilities. This system of government is aimed at promoting unity and development across the diverse regions of the country. It allows for the sharing of power between the central government and the state governments, giving each level of government some degree of autonomy. This arrangement helps to promote unity and diversity within the country.



1.7 References/Further Readings/Web Resources

Egwim, a. I. (2020). The dynamics of federalism in nigeria. [Academia.edu](https://www.academia.edu)

Awa, e. O. (2021). Federal government in nigeria. [\[html\]](#)

Babalola, d., & onapajo, h. (2024). Power-sharing in nigeria's divided society: structures, conflicts and challenges. In power-sharing in the global south: patterns, practices and potentials (pp. 145-167). Cham: springer international publishing. [\[html\]](#)

Edet, j. T. (2021). Revenue allocation in nigeria: issues, challenges and prospects. Journal of public administration. [\[html\]](#)

- Chinwuba, c. (2023). Comparative survey of states exercise of residual legislative powers in nigerian, american and australian federations. Frontline bar journal. Nigerianjournalsonline.com
- Salami, a. T. (). Local government and the constitution: the nigerian experience. Journal of public administration. Jopafl.com
- Mukaila, r., falola, a., & egwue, l. O. (2021). Income diversification and drivers of rural smallholder farmers' income in enugu state, nigeria. Scientific papers series management, economic engineering in agriculture and rural development, 21(3), 585-592. Researchgate.net
- Onokala, p. C. & olajide, c. J. (2020). Problems and challenges facing the nigerian transportation system which affect their contribution to the economic development of the country in the 21st century. Transportation research procedia. Sciencedirect.com
- Nwanne, j. C. (2023). Democracy and the quest for acceptable revenue sharing formula in nigeria. Journal of african studies and sustainable development. Acjol.org
- Awa, e. O. (2021). Federal government in nigeria. [\[html\]](#)
- Ewetan, o. O., osabohien, r., matthew, o. A., babajide, a. A., & urhie, e. (2021). Fiscal federalism and accountability in nigeria: an ardl approach. Journal of money laundering control, 24(2), 361-373. Researchgate.net.



1.8 Possible Answers to SAEs

Answers to SAE 1

Question 1: In political science, federalism is a form of government where two levels of authority share control over the same territory. Discuss

Answers to SAEs 1

In political science, federalism is a form of government where two levels of authority share control over the same territory. Generally, this means that there is a central national government with smaller divisions of the country, the provinces, the states, or the regions. Each of these smaller units also has their own government that can make some decisions on policies. The word federalism is also used to describe a system of government in which sovereignty is constitutionally allocated between a central governing authority and its constituents. The essential meaning of the word "federal" is the word from the Latin word "foedus," meaning 'covenant' or 'compact.' In other words, a federation is a union of polities established through a covenant, a constitution, a treaty, or some condition of consent in which the component members are juridically equal in relation to the principal authority.

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Federalism is a political concept in which a group of members are bound together by covenants into a federation with a common central authority.

The term federalism is also used to describe a system of government in which sovereignty is constitutionally allocated between a central governing authority and constituent territorial units (like states or provinces). Rather than focusing on the ways in which such boundaries are established in federal systems, it is more pertinent to concentrate on the underlying issue of what the bounds mean for the nature of the federal relationship.

Question 2. What are the key features of Nigerian federalism?

The key features of Nigerian federalism are the following:

1. A decentralization of powers between the Federal government and the states This key feature of Nigerian federalism include a decentralization of powers between the Federal government and the states, as well as the allocation of resources and responsibilities to the different levels of government. This ensures that each level of government has some degree of autonomy and authority to make decisions pertaining to their jurisdictions. The existence of three tiers of government, and the allocation of powers through the constitution.
2. A bicameral legislature with the Senate and the House of Representatives at the federal level. The Senate consists of three senators from each state and one from the Federal Capital Territory, while the House of Representatives is based on population size. The state legislatures, on the other hand has one house of assembly for each state with different numbers of representatives based on their respective population sizes and needs.
3. A written constitution which outlines the division of powers between the federal and state governments.
4. A system of revenue allocation that ensures equitable distribution of resources among the different tiers of government.
5. The existence of state and Local governments with their own powers and responsibilities in a federal system, the existence of state and local governments with their own powers and responsibilities is a key feature,
6. The presence of a judiciary at both the federal and state levels ensures the enforcement of laws and protection of rights The division of powers between the federal and state governments.

Answers to SAEs 2

Question 1: Explain the power distribution between federal, state and local governments in Nigeria.

Answer

The Constitution specifically envisages the intimate union between different groups of states and requires that the equitable allocation of revenue, wealth, and control should be based on the recognized principles of justice and fairness. The governance of partnerships between states is based on the principle of equality of state autonomy and rights. The constitution also divides the three branches of government between the three branches of government. The distribution of the three centers of power in Nigeria is both vertical and horizontal. It is vertically distributed by establishing the National Assembly, the state

of power, and the local government. They are assigned specific areas of influence for legislation. These power centers were also divided by the judicial, legislature, and executive branches with separated responsibilities, powers, and influence.

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Question 2: Revenue allocation has been a crucial issue in the political history of Nigeria. Discuss.

Revenue allocation has been a crucial issue in the political history of Nigeria. Shortly before political independence, Nigeria gained approximately 50% of its annual revenue from agriculture. With the open discovery of oil and the steep rise in the price of it, Nigeria's situation changed remarkably. At the same time, the discovery of oil brought new problems into the political life of the nation. The distribution of revenue derived from the production and sale of oil was

widely regarded as the most difficult issue that the federal and state governments of Nigeria had to face.

It has been argued that because of the absence of proper resource control, the present states or regions in Nigeria are without economic significance. It is further pointed out that in any true federation, control of resources must be vested in the federating units for the maintenance of the states, but the Nigerian states depend heavily on their share of the national cake to survive. It is generally agreed that the present arrangement of revenue allocation in Nigeria does not conform to any of the attributes of fiscal federalism. It is in recognition of the need to apply the principles of fiscal federalism to the Nigerian situation that every effort is being made by governments (the federal and state governments and the Constitution drafting committee), experts, and pressure groups such as the press, students, and society clubs, to bring about a situation where every government in Nigeria, be it local, state, or federal, will meet its obligations as and when due.

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Unit 2 Federal Government Administration in Nigeria

Unit Structure

- 2.1 Introduction
- 2.2 Learning Outcomes
- 2.3 Federal Government Administration in Nigeria
 - 2.3.1 Structure and Functions of Federal Executives
 - 2.3.2 Structure and Functions of Federal Legislatures in Nigeria
 - 2.3.3 The powers and functions of the federal legislature in Nigeria
- 2.4 Structure and Functions of Federal Judiciary in Nigeria
 - 2.4.1 Functions of Federal Judiciary in Nigeria
- 2.5 Summary
- 2.6 References/Further Readings/Web Resources
- 2.7 Possible Answers to Self-Assessment Exercise(s) within the content



2.1 Introduction

In the last unit, we discussed the federalism as a form of government where two levels of authority share control over the same territory

Concepts and Principles of Federalism

Federalism has been variously defined. According to K.C. Wheare, it is the method of dividing powers so that the general and regional governments are each, within a sphere, coordinate and independent

Key Features of Nigerian Federalism

The key features of Nigerian federalism

Intergovernmental Relations

The purpose of this paper is to examine federal, state, and local government relations with a view to comparing, contrasting, and appraising their independence, autonomy, and power in order to derive implications for a Nigerian model of better effective prescribing of functions for effective performance

Power Distribution between Federal, State and Local Governments in Nigeria

The Constitution specifically envisages the intimate union between different groups of states and requires that the equitable allocation of revenue, wealth, and control should be based on the recognized principles of justice and fairness

Revenue Allocation in Nigeria

Revenue allocation has been a crucial issue in the political history of Nigeria. Shortly before political independence, Nigeria gained approximately 50% of its annual revenue from agriculture

In this unit we shall discuss the federal government administration in Nigeria. Federal government administration in Nigeria is the system responsible for overseeing the implementation of federal policies and programs at the national level and ensuring that the federal laws are enforced across all states and regions of the country.

Structure of the Federal Executive includes the President, Vice President, and Council of Ministers The President is the head of the federal government and is elected by the people, while the Vice President is appointed by the President, and serves as the second in command and The present structure of the superior courts of Nigeria is a creation of the 1999 Constitution of the Federal Republic of Nigeria.



2.2 Learning Outcomes

By the end of this unit, you will be able to:

- Discuss the federal government administration in Nigeria
- Analyse the Structure and Functions of Federal Judiciary in Nigeria



2.3 Federal Government Administration in Nigeria

Is the Federal Government Administration in Nigeria is the system responsible for overseeing the implementation of federal policies and programs at the national level and ensuring that the federal laws are enforced across all states and regions of the country. The federal government plays a crucial role in maintaining peace and order, as well as promoting unity and national integration. It also oversees the allocation of resources and the implementation of national policies. The federal government administration in Nigeria is responsible for

coordinating the activities of the states and local governments. It also has the power to allocate resources and manage intergovernmental relations. The President of the Federal Government, Vice President and ministers and the appointees of the President are members of the Federal Executive Council. Federal Executive Council is the highest executive body in Nigeria responsible for decision-making and policy implementation.

In addition to the Office of the President of the Federal Government, there are other federal organs. They include the Office of the Vice-President, the Council of State, the National Defence and Security Council, the National Council of States, the Federal Executive Council, the National Economic Council, the National Assembly, and the Nigeria Police Council. There are also federal ministries and their various parastatals. Their functions are determined in accordance with the provisions of the constitution.

2.3.1 Structure and Functions of Federal Executives

Structure of the Federal Executive includes the President, Vice President, and Council of Ministers. The President is the head of the federal government and is elected by the people, while the Vice President is appointed by the President, and serves as the second in command, another structure of the federal executive is the Council of Ministers, which is responsible for advising the President on policy matters and overseeing the implementation of government programs.

Another structure of the federal executive is the National Security Adviser, who is responsible for coordinating security and intelligence activities. Another structure of the federal executive is the Ministers who oversee the affairs of the government. The Ministers are appointed by the President and are responsible for overseeing specific government ministries and departments, other Federal agencies and are accountable to the President and the National Assembly for the activities of their ministries. federal civil service are also member of the federal executive and play a key role in implementing government policies and programs. They are responsible for implementing government policies and programs, as well as advising the President on key issues. The military, police and paramilitary are also part of the federal executive and are responsible for maintaining security and law enforcement throughout the country.

Functions of Federal Executives include:

1. The implementation of federal policies and programs at the state and local levels, they are responsible for coordinating with state governors and local authorities to ensure effective implementation of federal policies and programs.
2. Implement and enforce federal laws and policies The federal executives in Nigeria also have the power to oversee the implementation of federal projects and programs.
3. Manage intergovernmental relations and coordinate policies,
4. Oversee the allocation of resources to different regions.
5. Maintain the stability and integrity of the federal system and ensure the cooperation and coordination between the federal and state governments. This is achieved through mechanisms such as the National Economic Council, which allows for collaboration on economic policies and planning. peace and security are crucial aspects of the federal executive's role.
6. Economy stability. The Federal Executives are responsible for managing the country's financial affairs and ensuring economic stability through the central bank of Nigeria fiscal and monetary policies.
7. Foreign relations and international representation. They are responsible for negotiating treaties and representing Nigeria in international organizations.

2.3.2 Structure and Functions of Federal Legislatures in Nigeria

In Nigeria, the federal legislature is bicameral at the federal level. This means that it consists of two chambers. These two Houses are the Senate and the House of Representatives. The Senate is often referred to as the Upper House while the House of Representatives is usually referred to as the Lower House. The Senate is composed of three Senators from each state of the federation and one from the Federal Capital Territory with the total of 109 senators while the House of Representatives is composed of members representing federal constituencies within each state with the total of 360 house of representative members.

2.3.3 The powers and functions of the federal legislature in Nigeria

The Senate plays a crucial role in the lawmaking process and oversight functions, while the House of Representatives is responsible for representing the people and making laws. The period for the office of the Senators is also four years. The Senate, as a representative of the state, plays an essential role in the principle of federalism in the Nigerian nation. As the voice of the governmental units, the Senate

represents the federal system, regardless of territory or population distribution and other major variables.

the powers and functions of the federal legislature in Nigeria and how they contribute to the overall governance of the country includes; enacting laws, approval of executive bills, overseeing the budget, oversight function and approval of appointment and ratification of treaties. The federal legislature is also responsible for representing the interests of the various states and ensuring that the rights of minority groups are protected. This is achieved through the allocation of seats in the legislative body based on the population of each state.

Self-Assessment Exercises 1

Q1. What are the functions of Federal Executives?

Q2. Describe the powers and functions of the federal legislature in Nigeria

2.4 Structure and Functions of Federal Judiciary in Nigeria

the present structure of the superior courts of Nigeria is a creation of the 1999 Constitution of the Federal Republic of Nigeria. The structure was earlier part of the Judiciary (Amendment Act) of 1989, which was contained in the Schedule to Cap 270 of the Laws of the Federation of Nigeria 1990. The jurisdiction of the court, as created by the 1999 Constitution, is provided in sections 232–236 of the Constitution.

The Nigerian judiciary consists of the Supreme Court, the Court of Appeal, the High Court, and the Sharia Court of Appeal. The Supreme Court is the highest court in Nigeria and has the final authority on all legal matters. The Nigerian judiciary is responsible for interpreting and upholding the constitution, as well as handling disputes between the federal and state governments. It also has the power to determine the constitutionality of laws and actions taken by the federal and state governments. The judicial branch in Nigeria plays a crucial role in interpreting and upholding the constitution.

The Court of Appeal has the authority to hear appeals from the decisions of the High Court

The Federal High Court is one of the key components of the judicial branch in Nigeria. It has the authority to handle cases involving federal laws and regulations.

The High Courts for the 36 states and the Federal Capital Territory are the highest courts in the states and have jurisdiction over both criminal and civil matters.

Other minor federal courts consist of the customary court of appeal and the sharia court of appeal, which handle cases related to customary and sharia law respectively.

The customary court system in Nigeria is a key component of the judicial branch, as it handles cases involving customary law and traditional practices. It plays a vital role in resolving disputes within communities and upholding cultural norms.

And the Sharia court system of justice is based on customary law, and the Sharia court has jurisdiction over certain criminal and civil cases. Other functions include handling marriage, inheritance, and other civil matters within the Muslim community.

2.4.1 Functions of Federal Judiciary in Nigeria

Judicial power is the power vested in courts to hear and determine justiciable questions and controversies. Unless the judiciary makes use of its powers to the avoidance of the parties who come before it and thereby dispenses justice according to standing rules, the effectiveness of the court will be in doubt. The powers given to the court and the powers used by the court are two different things. The judiciary is necessary to ensure that justice is done to the physical and legal persons that come before it.

Some of the function of the federal judiciary in Nigeria include upholding the constitution, interpreting laws, and resolving disputes between the federal and state governments. The federal judiciary also has the power to review the actions of the executive and legislative branches to ensure they are in accordance with the constitution. It is an important check on the powers of the other branches of government and helps to maintain the balance of power in the federal system. The federal judiciary in Nigeria is composed of the Supreme Court, the Court of Appeal, and the High Court.

Self-Assessment Exercises 2

- | |
|---|
| <ol style="list-style-type: none">I. The present structure of the superior courts of Nigeria is a creation of the 1999 Constitution of the Federal Republic of Nigeria. DiscussII. Explain the Functions of Federal Judiciary in Nigeria |
|---|



2.5 Summary

In summary, the unit extensively covered the Federal Government Administration in Nigeria, focusing on the structure, functions, and dynamics of the Federal Executives. This included a detailed examination of the specific roles and responsibilities carried out by the Federal Executives within the Nigerian governmental framework.

Moreover, the session delved into the intricate system of the Federal Legislatures in Nigeria, highlighting the bicameral nature of the federal legislature at the national level.

Within this context, the detailed discussion emphasized the wide array of powers and functions vested in the federal legislature in Nigeria, serving as a key pillar of the nation's governance system. Of particular significance was the pivotal role played by the Senate in driving the legislative processes and exercising rigorous oversight functions to ensure transparency and accountability.

Furthermore, the exploration of the Federal Judiciary in Nigeria shed light on the prevailing structure of the superior courts as mandated by the 1999 Constitution of the Federal Republic of Nigeria. This analysis underscored the crucial role of the judiciary in upholding the rule of law, ensuring justice, and safeguarding the constitutional rights of all citizens. The discussion further elaborated on the specific functions and responsibilities carried out by the Federal Judiciary, highlighting its critical importance in maintaining the balance of power and upholding the integrity of the legal system in Nigeria.



2.6 References/Further Readings/Web Resources

Egwim, A. I. (2020). The dynamics of federalism in Nigeria. [Academia.edu](https://www.academia.edu)

Awa, E. O. (2021). Federal government in nigeria. [\[html\]](#)

Babalola, D., & Onapajo, H. (2024). Power-sharing in nigeria's divided society: structures, conflicts and challenges. In power-sharing in the global south: patterns, practices and potentials (pp. 145-167). Cham: springer international publishing. [\[html\]](#)

Edet, J. T. (2021). Revenue allocation in nigeria: issues, challenges and prospects. Journal of public administration. [\[html\]](#)

- Chinwuba, C. (2023). Comparative survey of states exercise of residual legislative powers in Nigerian, American and Australian Federations. *Frontline bar journal*. Nigerianjournalsonline.com
- Salami, A. T. (2020). Local government and the constitution: the nigerian experience. *Journal of public administration*. Jopafl.com
- Mukaila, R., Falola, A., & Egwue, I. O. (2021). Income diversification and drivers of rural smallholder farmers' income in enugu state, nigeria. *Scientific papers series management, economic engineering in agriculture and rural development*, 21(3), 585-592. Researchgate.net
- Onokala, P. C. & Olajide, C. J. (2020). Problems and challenges facing the Nigerian transportation system which affect their contribution to the economic development of the country in the 21st century. *Transportation research procedia*. Sciencedirect.com
- Nwanne, j. C. (2023). Democracy and the quest for acceptable revenue sharing formula in Nigeria. *Journal of african studies and sustainable development*. Acjol.org
- Awa, E. O. (2021). Federal government in nigeria. [\[html\]](#)
- Ewetan, O. O., Osabohien, R., Matthew, O. A., Babajide, A. A., & Urhie, E. (2021). Fiscal federalism and accountability in nigeria: an ardl approach. *Journal of money laundering control*, 24(2), 361-373. Researchgate.net
- Awa, E. O. (2021). Federal government in Nigeria. [\[html\]](#)
- Awa, E. O. (2021). Federal government in Nigeria. [\[html\]](#)
- Demarest, I. (2021). Men of the people? Democracy and prebendalism in nigeria's fourth republic national assembly. *Democratization*. Tandfonline.com
- Chilaka, C. F., Obianua, O. U., & Idowu, A. H. (2021). The legislature in nigeria: origin, significance and relationship with other arms of government. *Two decades of legislative politics and governance in nigeria's national assembly: issues, achievements, challenges and prospects*, 9-35. [\[html\]](#)
- Sule, B., Adamu, U., & Sambo, U. (2020). The 2019 general election in nigeria: examining the issues, challenges, successes and lessons

for future general elections. *International journal of social sciences perspectives*, 6(2), 100-113. [Academia.edu](https://www.academia.edu)

Oladele, E. O. N., chukuemeka, t., & Micah, I. C. (2021). Legislatures and the budget process in nigeria. *European journal of accounting, finance, and investment*, 7(6), 1-12. [Researchgate.net](https://www.researchgate.net)

Nwozor, A. (2021). The politics of intergovernmental relations: assessing the many phases and challenges of nigeria's judicial system. *Nigerian politics*. [\[html\]](#)

Ngige, O. C., Ayankoya, F. Y., balogun, J. A., onuri, E., Agbonkhese, C., & sanusi, F. A. (2023). A dataset for predicting supreme court judgments in nigeria. *Data in brief*, 50, 109483. [Sciencedirect.com](https://www.sciencedirect.com)

Musa, P. O. & Adeolu, R. O. (2020). An assessment of the judiciary on administration of justice and governance in nigeria. Editorial board. [Idsi.md](https://www.idsi.md)



2.7 Possible Answers to SAEs

Self-Assessment Exercises 1

Question 1. What are the functions of Federal Executives?

Answers to SAEs 1

1. The implementation of federal policies and programs at the state and local levels, they are responsible for coordinating with state governors and local authorities to ensure effective implementation of federal policies and programs.
2. Implement and enforce federal laws and policies The federal executives in Nigeria also have the power to oversee the implementation of federal projects and programs.
3. Manage intergovernmental relations and coordinate policies,
4. Oversee the allocation of resources to different regions.
5. Maintain the stability and integrity of the federal system and ensure the cooperation and coordination between the federal and state governments. This is achieved through mechanisms such as the National Economic Council, which allows for collaboration on economic policies and planning, peace and security are crucial aspects of the federal executive's role.
6. Economy stability. The Federal Executives are responsible for managing the country's financial affairs and ensuring economic stability through the central bank of Nigeria fiscal and monetary policies.
7. Foreign relations and international representation. They are responsible for negotiating treaties and representing Nigeria in international organizations.

Question 2. Describe the powers and functions of the federal legislature in Nigeria.

Answers to SAEs 2

The powers and functions of the federal legislature in Nigeria

The Senate plays a crucial role in the lawmaking process and oversight functions, while the House of Representatives is responsible for representing the people and making laws. The period for the office of the Senators is also four years. The Senate, as a representative of the state, plays an essential role in the principle of federalism in the Nigerian nation. As the voice of the governmental units, the Senate

represents the federal system, regardless of territory or population distribution and other major variables.

the powers and functions of the federal legislature in Nigeria and how they contribute to the overall governance of the country includes; enacting laws, approval of executive bills, overseeing the budget, oversight function and approval of appointment and ratification of treaties. The federal legislature is also responsible for representing the interests of the various states and ensuring that the rights of minority groups are protected. This is achieved through the allocation of seats in the legislative body based on the population of each state.

Self-Assessment Exercises 2

Question 1. The present structure of the superior courts of Nigeria is a creation of the 1999 Constitution of the Federal Republic of Nigeria. Discuss

Answers to SAEs 1.

The present structure of the superior courts of Nigeria is a creation of the 1999 Constitution of the Federal Republic of Nigeria. The structure was earlier part of the Judiciary (Amendment Act) of 1989, which was contained in the Schedule to Cap 270 of the Laws of the Federation of Nigeria 1990. The jurisdiction of the court, as created by the 1999 Constitution, is provided in sections 232–236 of the Constitution.

The Nigerian judiciary consists of the Supreme Court, the Court of Appeal, the High Court, and the Sharia Court of Appeal. The Supreme Court is the highest court in Nigeria and has the final authority on all legal matters. The Nigerian judiciary is responsible for interpreting and upholding the constitution, as well as handling disputes between the federal and state governments. It also has the power to determine the constitutionality of laws and actions taken by the federal and state governments. The judicial branch in Nigeria plays a crucial role in interpreting and upholding the constitution.

The Court of Appeal has the authority to hear appeals from the decisions of the High Court

The Federal High Court is one of the key components of the judicial branch in Nigeria. It has the authority to handle cases involving federal laws and regulations.

The High Courts for the 36 states and the Federal Capital Territory are the highest courts in the states and have jurisdiction over both criminal and civil matters.

Other minor federal courts consist of the customary court of appeal and the sharia court of appeal, which handle cases related to customary and sharia law respectively.

The customary court system in Nigeria is a key component of the judicial branch, as it handles cases involving customary law and traditional practices. It plays a vital role in resolving disputes within communities and upholding cultural norms.

And the Sharia court system of justice is based on customary law, and the Sharia court has jurisdiction over certain criminal and civil cases. Other functions include handling marriage, inheritance, and other civil matters within the Muslim community.

Question 2. Explain the Functions of Federal Judiciary in Nigeria

Functions of Federal Judiciary in Nigeria

Judicial power is the power vested in courts to hear and determine justiciable questions and controversies. Unless the judiciary makes use of its powers to the avoidance of the parties who come before it and thereby dispenses justice according to standing rules, the effectiveness of the court will be in doubt. The powers given to the court and the powers used by the court are two different things. The judiciary is necessary to ensure that justice is done to the physical and legal persons that come before it and some of the function of the federal judiciary in Nigeria include upholding the constitution, interpreting laws, and resolving disputes between the federal and state governments. The federal judiciary also has the power to review the actions of the executive and legislative branches to ensure they are in accordance with the constitution. It is an important check on the powers of the other branches of government and helps to maintain the balance of power in the federal system. The federal judiciary in Nigeria is composed of the Supreme Court, the Court of Appeal, and the High Court.

UNIT 3 The Emergence of State Government Administration in Nigeria

Unit Structure

- 3.1 Introduction
- 3.2 Learning Outcomes
- 3.3 State Government Administration in Nigeria.
- 3.4 Structure and Functions of State Executives in Nigeria
 - 3.4.1 Functions of State Executives in Nigeria
- 3.5 Structure and Functions of State Legislatures in Nigeria
- 3.6 Summary
- 3.7 References/Further Readings/Web Resources
- 3.8 Possible Answers to Self-Assessment Exercise(s)



3.1 Introduction

In the last unit, we discussed the Federal Government Administration in Nigeria, focusing on the structure, functions, and dynamics of the Federal Executives. This included a detailed examination of the specific roles and responsibilities carried out by the Federal Executives within the Nigerian governmental framework. Moreover, the session delved into the intricate system of the Federal Legislatures in Nigeria, highlighting the bicameral nature of the federal legislature at the national level. Within this context, the detailed discussion emphasized the wide array of powers and functions vested in the federal legislature in Nigeria, serving as a key pillar of the nation's governance system. Of particular significance was the pivotal role played by the Senate in driving the legislative processes and exercising rigorous oversight functions to ensure transparency and accountability.

Furthermore, the exploration of the Federal Judiciary in Nigeria shed light on the prevailing structure of the superior courts as mandated by the 1999 Constitution of the Federal Republic of Nigeria. This analysis underscored the crucial role of the judiciary in upholding the rule of law, ensuring justice, and safeguarding the constitutional rights of all citizens. The discussion further elaborated on the specific functions and responsibilities carried out by the Federal Judiciary, highlighting its critical importance in maintaining the balance of power and upholding the integrity of the legal system in Nigeria.

In this unit, we will discuss the structure of the state governments is in many ways similar to that of other governments in the country. Also the talk about the executive, legislature, and judiciary as recognized institutions.

We shall explain the Structure of State executives in Nigeria consists of the Governor, Deputy Governor, and the State Executive Council and functions of State Executives in Nigeria includes the implementation of state policies and programs, supervision of state ministries and agencies, and coordination of state development projects.

We will elaborate on the state governments are patterned along its parliamentary style of government. The state legislature is essentially a mini-replica of the National Assembly in terms of composition and functions and the Structure of State Judiciary in Nigeria. The state judiciary is structured based on the principles of federalism and operates independently from the federal judiciary.



3.2 Learning Outcomes

By the end of this unit, you will be able to:

- i. discuss the structure of state government administration in Nigeria.
- ii. analyse the functions of state executives in Nigeria
- iii. demonstrate the structure and functions of state legislatures in Nigeria



3.3 The structure of state government administration in Nigeria.

The structure of the state governments is in many ways similar to that of other governments in the country. The executive, legislature, and judiciary are recognized institutions. The Governor and Deputy Governor are on the executive level, while the House of Assembly, a Legislature, and the Chief Judge are at the legislative and judicial levels. The Nigeria Police Force is a federal establishment, which, however, operates at the state level upon the authorization of the Inspector-General of Police and was established and regulated by the federal government of Nigeria. It is perhaps the institution with the most significant impact on the lives of Nigerians.

As far as state administration is concerned, states can be said to be part of Nigeria as a country and therefore have some legitimate rights as the other organs of government and are within their constitutional limits performing their functions as they were created to do. The fiscal relationship between the states and the federal government has unfortunately created unhealthy rivalries between them, so much so that the states have been described as simply appendages of the federal

government. In a very large measure, state government administration in Nigeria has to serve both national and sub-national interests meaning that the administration of the over twelve states have to serve Nigeria and the various states which are the federating units. An upside-down situation is at hand in Nigeria today in which we are a federation in name and a unitary government in some operative ways. The states are linked to the federal government and receive funds directly from the central government. They should be contributors to the federal government and should determine the conditions for such contributions on matters within their jurisdictions. The states themselves should also be the proper authors of the laws in their several states, while the federal government should be confined to the exercise of delegated powers.

3.4 Structure and Functions of State Executives in Nigeria

The Structure of State Executives in Nigeria consists of the Governor, Deputy Governor, and the State Executive Council. The Governor is the chief executive officer of the state, responsible for implementing state laws and policies. The Governor is also the head of the state government and is elected by the people. The Governor is also the head of the state government and is elected by the people. He or she is responsible for implementing state laws and policies.

State Executive Council consists of the governor, the deputy governor, and commissioners. The State Executive Council is responsible for implementing policies and programs at the state level. The council is also in charge of overseeing the activities of local government councils within the state.

The secretary to the government of the state is the chief advisor to the governor on matters of other administrative matters and the government generally. He is responsible for coordinating the activities of the state executive and ensuring smooth governance.

Commissioners and the Head of state parastatal agencies are appointed by the Governor. they are responsible for implementing state policies and carrying out executive functions.

The state executives in Nigeria play a crucial role in the implementation of federalism, with a focus on the structure and functions of the state government.

3.4.1 Functions of State Executives in Nigeria

A function of State Executives in Nigeria includes the implementation of state policies and programs, supervision of state ministries and

agencies, and coordination of state development projects. Furthermore, the state executives are responsible for overseeing the allocation and disbursement of state funds, as well as representing the state government in interactions with the federal government. They also play a key role in implementing state policies and programs at the local level.

Self-Assessment Exercises 1

1. Describe the structure of state government administration in Nigeria.
2. List the functions of state executives in Nigeria

3.5 Structure and Functions of State Legislatures in Nigeria

The state governments are patterned along its parliamentary style of government. The state legislature is essentially a mini-replica of the National Assembly in terms of composition and functions. Also like the National Assembly, the legislature at state level comprises one chamber: the House of Assembly. The state legislature is responsible for making laws at the state level and overseeing the activities of the executive branch. It also has the power to impeach the state governor and confirm appointments made by the governor. The state legislature plays a crucial role in the political system of Nigeria. It is responsible for making laws that affect the state and its citizens. The House of Assembly is patterned on the National Assembly and its composition, functions, and operation are similar to those of the federal legislature. The legal framework for the operation of the state legislature in Nigeria is the 1999 Constitution of the Federal Republic of Nigeria and the Electoral Act of 2006. Each of the 36 states and the Federal district Abuja, that makes up the Nigerian Federation, are given four-year term limits.

3.6 Structure and Functions of State Judiciary in Nigeria

Structure of State Judiciary in Nigeria. The state judiciary is structured based on the principles of federalism and operates independently from the federal judiciary. The state judiciary comprises of the State High Court, which is the highest court in the state has the authority to interpret and apply the laws of the state., the Sharia Court which handles cases involving Islamic law, and the Customary Court which deals with traditional law and customs.

Functions of State Judiciary in Nigeria includes the dispensation of justice and interpretation of state laws. It is also responsible for addressing disputes between individuals and organizations within the state. The state judiciary plays a crucial role in interpreting and applying the laws of the state. It serves as the third arm of government and is responsible for resolving disputes and administering justice within the state.

Self-Assessment Exercises 2

1. Briefly explain structure and functions of state legislatures in Nigeria.
2. Discuss the structure and functions of state judiciary in Nigeria.



3.7 Summary

In summary, State Government Administration in Nigeria is structured in a way that gives significant power to the state governments. This allows for more localized governance and decision-making, which can be both beneficial and challenging for the country as a whole.

Federalism in Nigeria is a complex system that requires careful balance and coordination between the federal and state governments. State Government has significant powers and responsibilities in areas such as education and healthcare. They also have the authority to make laws on certain subjects not listed in the exclusive legislative list. This division of power between the federal and state governments ensures a balance of authority and autonomy within the Nigerian political system.



3.7 References/Further Readings/Web Resources

Awa, E. O. (2021). Federal government in Nigeria. [\[html\]](#)

Awa, E. O. (2021). Federal government in Nigeria. [\[html\]](#)

Awa, E. O. (2021). Federal government in Nigeria. [\[html\]](#)

Awa, E. O. (2021). Federal government in Nigeria. [\[html\]](#)

Babalola, D., & Onapajo, H. (2024). Power-sharing in nigeria's divided society: structures, conflicts and challenges. In power-sharing in the global south: patterns, practices and potentials (pp. 145-167). Cham: springer international publishing. [\[html\]](#)

Chilaka, C. F., Obianua, O. U., & Idowu, A. H. (2021). The legislature in nigeria: origin, significance and relationship with other arms of government. Two decades of legislative politics and governance in nigeria's national assembly: issues, achievements, challenges and prospects, 9-35. [\[html\]](#)

- Chinwuba, C. (2023). Comparative survey of states exercise of residual legislative powers in Nigerian, American and Australian Federations. *Frontline bar journal*. Nigerianjournalsonline.com
- Demarest, I. (2021). Men of the people? Democracy and prebendalism in Nigeria's fourth republic national assembly. *Democratization*. Tandfonline.com
- Edet, J. T. (2021). Revenue allocation in Nigeria: issues, challenges and prospects. *Journal of public administration*. [\[html\]](#)
- Egwim, A. I. (2020). The dynamics of federalism in Nigeria. Academia.edu
- Ewetan, O. O., Osabohien, R., Matthew, O. A., Babajide, A. A., & Urhie, E. (2021). Fiscal federalism and accountability in Nigeria: an ardl approach. *Journal of money laundering control*, 24(2), 361-373. Researchgate.net
- Mukaila, R., Falola, A., & Egwue, I. O. (2021). Income diversification and drivers of rural smallholder farmers' income in Enugu state, Nigeria. *Scientific papers series management, economic engineering in agriculture and rural development*, 21(3), 585-592. Researchgate.net
- Musa, P. O. & Adeolu, R. O. (2020). An assessment of the judiciary on administration of justice and governance in Nigeria. Editorial board. Idsi.md
- Ngige, O. C., Ayankoya, F. Y., Balogun, J. A., Oniri, E., Agbonkhese, C., & Sanusi, F. A. (2023). A dataset for predicting supreme court judgments in Nigeria. *Data in brief*, 50, 109483. ScienDirect.com
- Nwanne, J. C. (2023). Democracy and the quest for acceptable revenue sharing formula in Nigeria. *Journal of African Studies and Sustainable Development*. Acjool.org
- Nwozor, A. (2021). The politics of intergovernmental relations: assessing the many phases and challenges of Nigeria's judicial system. *Nigerian politics*. [\[html\]](#)
- Oladele, E. O. N., Chukuemeka, T., & Micah, I. C. (2021). Legislatures and the budget process in Nigeria. *European journal of accounting, finance, and investment*, 7(6), 1-12. Researchgate.net

Onokala, P. C. & Olajide, C. J. (2020). Problems and challenges facing the Nigerian transportation system which affect their contribution to the economic development of the country in the 21st century.

Transportation research procedia. [Sciencedirect.com](https://www.sciencedirect.com)

Salami, A. T. (2020). Local government and the constitution: the Nigerian experience. Journal of public administration. [Jopafl.com](https://www.jopafl.com)

Sule, B., Adamu, U., & Sambo, U. (2020). The 2019 general election in Nigeria: examining the issues, challenges, successes and lessons for future general elections. International journal of social sciences perspectives, 6(2), 100-113. [Academia.edu](https://www.academia.edu)



3.8 Possible Answers to SAEs

Self-Assessment Exercises 1

Question 1. Describe the structure of state government administration in Nigeria

Answers to SAEs 1

A function of State Executives in Nigeria includes the implementation of state policies and programs, supervision of state ministries and agencies, and coordination of state development projects. Furthermore, the state executives are responsible for overseeing the allocation and disbursement of state funds, as well as representing the state government in interactions with the federal government. They also play a key role in implementing state policies and programs at the local level.

Question 2. List the functions of state executives in Nigeria

A function of State Executives in Nigeria includes the implementation of state policies and programs, supervision of state ministries and agencies, and coordination of state development projects. Furthermore, the state executives are responsible for overseeing the allocation and disbursement of state funds, as well as representing the state government in interactions with the federal government. They also play a key role in implementing state policies and programs at the local level.

Self-Assessment Exercises 2

Question 1. Briefly explain structure and functions of state legislatures in Nigeria

The state governments are patterned along its parliamentary style of government. The state legislature is essentially a mini-replica of the National Assembly in terms of composition and functions. Also like the National Assembly, the legislature at state level comprises one chamber: the House of Assembly. The state legislature is responsible for making laws at the state level and overseeing the activities of the executive branch. It also has the power to impeach the state governor and confirm appointments made by the governor. The state legislature plays a crucial role in the political system of Nigeria. It is responsible for making laws that affect the state and its citizens. The House of Assembly is patterned on the National Assembly and its composition, functions, and operation are similar to those of the federal legislature. The legal framework for

the operation of the state legislature in Nigeria is the 1999 Constitution of the Federal Republic of Nigeria and the Electoral Act of 2006. Each of the 36 states and the Federal district Abuja, that makes up the Nigerian Federation, are given four-year term limits.

Question 2. Discuss the structure and functions of state judiciary in Nigeria

Structure of State Judiciary in Nigeria. The state judiciary is structured based on the principles of federalism and operates independently from the federal judiciary. The state judiciary comprises of the State High Court, which is the highest court in the state has the authority to interpret and apply the laws of the state., the Sharia Court which handles cases involving Islamic law, and the Customary Court which deals with traditional law and customs. Functions of State Judiciary in Nigeria includes the dispensation of justice and interpretation of state laws. It is also responsible for addressing disputes between individuals and organizations within the state. The state judiciary plays a crucial role in interpreting and applying the laws of the state. It serves as the third arm of government and is responsible for resolving disputes and administering justice within the state.

Unit 4 Local Government Administration in Nigeria

Unit Structure

- 4.1 Introduction
- 4.2 Learning Outcomes
- 4.3 Local Government Administration in Nigeria
 - 4.3.1 Structure and Function of Local Governments in Nigeria
 - 4.3.2 Function of Local Governments in Nigeria
- 4.4 Relationship between Local Government and the State Governments in Nigeria
- 4.5 Call for Local Government Autonomy in Nigeria
- 1.6 Summary
- 1.7 References/Further Readings/Web Resources
- 1.8 Possible Answers to Self-Assessment Exercise(s)



4.1 Introduction

In the last, we discussed State Government Administration in Nigeria how it was structured in a way that gives significant power to the state governments. It allows for more localized governance and decision-making, which can be both beneficial and challenging for the country as a whole.

This unit will discuss the local government in Nigeria and will discuss local government as third tier of government in the Nigeria and the relationship between federal system, Local Government and the State Governments in Nigeria.

The unit further discuss the issues of local government autonomy in Nigeria have been a topic of debate for many years and the demand for greater autonomy has been growing stronger in recent years as local governments seek to assert their independence from federal and state control. This push for autonomy is fueled.



4.2 Learning Outcomes

By the end of this unit, you will be able to:

- i. discuss the local government administration in Nigeria
- ii. analyse the relationship between local government and the state governments in Nigeria
- iii. demonstrate the call for local government autonomy in Nigeria



4.3 Local Government Administration in Nigeria

Local government has been acknowledged as the third tier of government in the Nigeria federal system. Local government refers to the collective institutions formed to give force to the wishes of the populace and to provide welfare services to the rural dwellers. The 1999 Constitution of Nigeria provides the legal framework for local government administration in Nigeria as contained in the Fourth Schedule of the Constitution, the local government areas of responsibility and functions are clearly spelled out.

4.3.1 Structure and Function of Local Governments in Nigeria

Structure of Local Governments in Nigeria

The structure of the local government, based on the 1976 guidelines impress on each local government to provide representative government at the grassroots and ensure the involvement of the third arm in the determination of the evolution and implementation of government policies at the local level.

Structure of Local Governments in Nigeria comprises of local executive and local legislative bodies. The local executive consists of the chairman and other elected officials, they are responsible for implementing policies and projects at the local level. Local legislative bodies consist of councilors and the councilors make laws for the good governance of the local government. They are responsible for enacting by-laws that are within the purview of the local government.

4.3.2 Function of Local Governments in Nigeria

Local governments in Nigeria are responsible for implementing policies and carrying out projects at the local level have the responsibility to provide basic amenities and social services to the citizens. They are responsible for maintaining primary healthcare facilities and primary schools in their respective areas. The chairman is responsible for implementing and overseeing local government policies and programs.

They also have the authority to collect taxes and fees within their jurisdiction. Local governments in Nigeria are also responsible for creating and maintaining infrastructure within their areas. They are also in charge of providing basic amenities such as water and electricity to their residents. Local government activities include providing essential services such as healthcare and education, as well as local infrastructure

development and maintenance. They also have the responsibility of collecting taxes and levies within their jurisdiction.

Self-Assessment Exercises 1

- | |
|--|
| 1. What is Local government in Nigeria? |
| 2. Explain the Structure of Local Governments in Nigeria |

4.4 Relationship between Local Government and the State Governments in Nigeria

Relationship between Local Government and the State Governments in Nigeria plays a crucial role in the administration of the country, as it defines the powers and responsibilities of each level of government. The relationship between local government and the state governments in Nigeria is characterized by a complex interplay of powers and responsibilities. The local government is constitutionally recognized as the third tier of government in Nigeria, with its own set of powers and responsibilities. It plays a crucial role in the implementation of state policies and programs at the grassroots level. The state government on the other hand exercises control over the local government in various aspects such as finance, administration, and legislation. The state government also has the power to dissolve the local government councils. This can happen if the local government council is found to be unable to perform its functions effectively or if there is evidence of corruption or misconduct. On the aspect of finance, the state government may decide to intervene and take control of the local government's finances. This may lead to a power struggle between the state and local governments. The state government may also withhold financial allocations from the local government, further exacerbating the power struggle. This has created a tense relationship between the two levels of government, hindering effective governance and development in at the grassroot levels.

4.5 Call for Local Government Autonomy in Nigeria

The issues of local government autonomy in Nigeria have been a topic of debate for many years. The demand for greater autonomy has been growing stronger in recent years as local governments seek to assert their independence from federal and state control. This push for autonomy is fueled by the desire to address the challenges of local governance and development more effectively. The current centralized system has hindered the ability of local governments to make decisions that are in the best interest of their communities. The lack of autonomy has led to a lack of development and accountability. The inability to effectively implement policies and address local needs has hindered the progress of local communities and contributed to widespread corruption

and inefficiency. This has led to calls for greater autonomy for local governments in Nigeria. Many believe that granting more autonomy to local governments would help address the issues of corruption and inefficiency. This would lead to better service delivery and more efficient use of resources. It would also promote accountability and development at the grassroots level. The devolution of power to local governments would enable them to better address the specific needs of their communities. It would also facilitate more efficient service delivery and infrastructure development, and promote grassroots development and participation in governance. This will help to strengthen democracy and ensure that power is truly decentralized. It is essential for the sustenance of democracy and good governance in the country. It is important to acknowledge the important role that local governments play in the overall development of the nation. There are calls for the need to have the elected local executives, local government council. A review of autonomy issues in local government administration in Nigeria includes the way funds are allocated to local governments, the uses of these funds, the sources of revenue, administrative control, the regulatory and accountability relationships.

Local government in Nigeria should be granted more autonomy to effectively govern their respective areas. This will allow them to make decisions that are more in line with the needs and desires of their local communities.

4.6 Suggested local government reforms

Suggested local government reforms include the establishment of elected local government councils. This would allow for more democratic representation at the grassroots level and reduce the influence of state governments on local affairs. It would also empower local communities to make decisions that directly affect their lives and development. This would lead to more efficient and accountable governance at the local level. Local government in Nigeria should consist of an elected executive council, headed by an elected local chief, who is usually referred to as a local government chairman. The chairmen belong to political parties and are elected through adult suffrage. Like the establishment of the states, the establishment of local governments is the outcome of federal-provincial negotiation. Based on the discussion of the concept of autonomy, a local government should be considered as a full autonomous unit of government. It should be autonomous in the sense of being self-standing. As an autonomous government unit of the third tier of government, local governments must have political and financial autonomy, which are necessary for the effective discharge of their functions.

Self-Assessment Exercises 2

1. Itemize the Relationship between Local Government and the State Governments in Nigeria.
2. Briefly describe the suggested local government reforms in Nigeria.



4.7 Summary

In summary, Local Government Administration in Nigeria is an important aspect of federalism in Nigeria, as it allows for decentralized governance and local autonomy. It also helps to promote development and participation at the grassroots level. Local Government Administration in Nigeria plays a crucial role in the implementation of federalism. It also helps to promote development and participation at the grassroots level. Local Government Administration in Nigeria plays a crucial role in the implementation of federalism by ensuring that the needs of local communities are represented in the decision-making process.



4.8 References/Further Readings/Web Resources

- Awa, E. O. (2021). Federal government in nigeria. [\[html\]](#)
- Awa, E. O. (2021). Federal government in nigeria. [\[html\]](#)
- Awa, E. O. (2021). Federal government in Nigeria. [\[html\]](#)
- Awa, E. O. (2021). Federal government in Nigeria. [\[html\]](#)
- Babalola, D., & Onapajo, H. (2024). Power-sharing in nigeria's divided society: structures, conflicts and challenges. In power-sharing in the global south: patterns, practices and potentials (pp. 145-167). Cham: springer international publishing. [\[html\]](#)
- Chilaka, C. F., Obianua, O. U., & Idowu, A. H. (2021). The legislature in nigeria: origin, significance and relationship with other arms of government. Two decades of legislative politics and governance in nigeria's national assembly: issues, achievements, challenges and prospects, 9-35. [\[html\]](#)
- Chinwuba, C. (2023). Comparative survey of states exercise of residual legislative powers in Nigerian, American and Australian Federations. Frontline bar journal. Nigerianjournalsonline.com
- Demarest, I. (2021). Men of the people? Democracy and prebendalism in nigeria's fourth republic national assembly. Democratization. Tandfonline.com

- Edet, J. T. (2021). Revenue allocation in nigeria: issues, challenges and prospects. *Journal of public administration*. [\[html\]](#)
- Egwim, A. I. (2020). The dynamics of federalism in Nigeria. [Academia.edu](#)
- Ewetan, O. O., Osabohien, R., Matthew, O. A., Babajide, A. A., & Urhie, E. (2021). Fiscal federalism and accountability in nigeria: an ardl approach. *Journal of money laundering control*, 24(2), 361-373. [Researchgate.net](#)
- Mukaila, R., Falola, A., & Egwue, I. O. (2021). Income diversification and drivers of rural smallholder farmers' income in enugu state, nigeria. *Scientific papers series management, economic engineering in agriculture and rural development*, 21(3), 585-592. [Researchgate.net](#)
- Musa, P. O. & Adeolu, R. O. (2020). An assessment of the judiciary on administration of justice and governance in nigeria. *Editorial board*. [Idsi.md](#)
- Ngige, O. C., Ayankoya, F. Y., balogun, J. A., onuiri, E., Agbonkhese, C., & sanusi, F. A. (2023). A dataset for predicting supreme court judgments in nigeria. *Data in brief*, 50, 109483. [Scencedirect.com](#)
- Nwanne, j. C. (2023). Democracy and the quest for acceptable revenue sharing formula in Nigeria. *Journal of african studies and sustainable development*. [Acjol.org](#)
- Nwozor, A. (2021). The politics of intergovernmental relations: assessing the many phases and challenges of Nigeria's judicial system. *Nigerian politics*. [\[html\]](#)
- Oladele, E. O. N., Chukwuemeka, t., & Micah, I. C. (2021). Legislatures and the budget process in Nigeria. *European journal of accounting, finance, and investment*, 7(6), 1-12. [Researchgate.net](#)
- Onokala, P. C. & Olajide, C. J. (2020). Problems and challenges facing the Nigerian transportation system which affect their contribution to the economic development of the country in the 21st century. *Transportation research procedia*. [Scencedirect.com](#)
- Salami, A. T. (2020). Local government and the constitution: the Nigerian experience. *Journal of public administration*. [Jopafl.com](#)

Sule, B., Adamu, U., & Sambo, U. (2020). The 2019 general election in Nigeria: examining the issues, challenges, successes and lessons for future general elections. *International journal of social sciences perspectives*, 6(2), 100-113. [Academia.edu](https://www.academia.edu)



4.9 Possible Answers to SAEs

Self-Assessment Exercises 1

Question 1: What is Local government in Nigeria?

Answers to SAEs 1

Local government has been acknowledged as the third tier of government in the Nigeria federal system. Local government refers to the collective institutions formed to give force to the wishes of the populace and to provide welfare services to the rural dwellers. The 1999 Constitution of Nigeria provides the legal framework for local government administration in Nigeria as contained in the Fourth Schedule of the Constitution, the local government areas of responsibility and functions are clearly spelled out.

Question 2: Explain the Structure of Local Governments in Nigeria

Structure of Local Governments in Nigeria

The structure of the local government, based on the 1976 guidelines impress on each local government to provide representative government at the grassroots and ensure the involvement of the third arm in the determination of the evolution and implementation of government policies at the local level.

Structure of Local Governments in Nigeria comprises of local executive and local legislative bodies. The local executive consists of the chairman and other elected officials, they are responsible for implementing policies and projects at the local level. Local legislative bodies consist of councilors and the councilors make laws for the good governance of the local government. They are responsible for enacting by-laws that are within the purview of the local government.

Self-Assessment Exercises 2

Question 1: Itemize the Relationship between Local Government and the State Governments in Nigeria.

Answers to SAEs 2

Relationship between Local Government and the State Governments in Nigeria plays a crucial role in the administration of the country, as it defines the powers and responsibilities of each level of government. The relationship between local government and the state governments in Nigeria is characterized by a complex interplay of powers and responsibilities. The local government is constitutionally recognized as the third tier of government in Nigeria, with its own set of powers and responsibilities. It plays a crucial role in the implementation of state policies and programs at the grassroots level. The state government on the other hand exercises control over the local government in various aspects such as finance, administration, and legislation. The state government also has the power to dissolve the local government councils. This can happen if the local government council is found to be unable to perform its functions effectively or if there is evidence of corruption or misconduct. On the aspect of finance, the state government may decide to intervene and take control of the local government's finances. This may lead to a power struggle between the state and local governments. The state government may also withhold financial allocations from the local government, further exacerbating the power struggle. This has created a tense relationship between the two levels of government, hindering effective governance and development in at the grassroot level.

Question 2: Briefly describe the suggested local government reforms in Nigeria.

Suggested local government reforms

Suggested local government reforms include the establishment of elected local government councils. This would allow for more democratic representation at the grassroots level and reduce the influence of state governments on local affairs. It would also empower local communities to make decisions that directly affect their lives and development. This would lead to more efficient and accountable governance at the local level. Local government in Nigeria should consist of an elected executive council, headed by an elected local chief, who is usually referred to as a local government chairman. The chairmen belong to political parties and are elected through adult suffrage. Like the establishment of the states, the establishment of local governments is the outcome of federal-provincial negotiation. Based on the discussion of the concept of autonomy, a local government should be considered as an full autonomous unit of government. It should be autonomous in the sense of being self-standing. As an autonomous government unit of the third tier of government, local governments must have political and financial autonomy, which are necessary for the effective discharge of their functions.

Unit 5 Organs of Nigerian Federal Government

Unit Structure

- 5.1 Introduction
- 5.2 Learning Outcomes
- 5.3 Organs of Nigerian Federal Government
 - 5.3.1 The executive
 - 5.3.2 Executive branch in Nigeria
- 5.4 The Legislature
 - 5.4.1 Legislative branch in Nigeria
- 5.5 Judicial branch in Nigeria
- 5.6 Summary
- 5.7 References/Further Readings/Web Resources
- 5.8 Possible Answers to Self-Assessment Exercise(s)



5.1 Introduction

In the last unit, we discussed the Local Government Administration in Nigeria as an important aspect of federalism in Nigeria, as it allows for decentralized governance and local autonomy. It also helps to promote development and participation at the grassroots level. Local Government Administration in Nigeria plays a crucial role in the implementation of federalism.

In this unit, we will be discussing the issue Organs of Nigerian Federal Government such as executive organ of the Federal Government which consists of the President, the Vice-President, and the Executive Council of Ministers. The Nigerian executive authority is vested by the Constitution in the President. It will also discuss the Executive, Legislature as well as the judicial Branch of Nigeria.



5.2 Learning Outcomes

By the end of this unit, you will be able to:

- discuss the organs of Nigerian federal government
- analyse the executive
- demonstrate the legislature
- evaluate the Judicial Branch in Nigeria



5.3 Organs of Nigerian Federal Government

5.3.1 The Executive

the executive organ of the Federal Government consists of the President, the Vice-President, and the Executive Council of Ministers. The Nigerian executive authority is vested by the Constitution in the President. The President is the Head of State, the Commander-in-Chief of the Armed Forces, and Head of Government of the Federation. The President shall have the power to issue regulations necessary to give effect to any of the provisions of the Act of the National Assembly for the peace, order, and good government of the Federation. The President must take the Oath of Allegiance and the Oath of the President on assumption of office. The National Council shall determine the National Policy to be pursued in the Federal Republic and shall ensure, as well as the residence within the Federation, that there are adequate and effective services to implement any policy that is adopted.

The governments and authorities that form part of the Nigerian federation are the Federal Government, the various State Governments, and the Local Government Authorities. There are three organs of the Federal Government of Nigeria. These are the Executive, the Legislature, and the Judiciary.

5.3.2 Executive Branch in Nigeria

The Executive Branch of Nigeria

The popularly elected president of Nigeria is the head of its executive branch. The president holds the position for a four-year term and may run for re-election for a one-term limit. Its power and duties are defined according to the presidential system as per the Nigerian constitution.

The Nigerian federal government is specifically organized around and modeled on a framework of checks and balances and a system of separation of power. The president is simultaneously the chief of state and the chief of government. The president also has some legislative powers, and the executive branch and the duties held by the president are included but are not limited to the organization and command of armed forces, as well as the appointment of senior officials with the consent of the Senate. The president's role as chief executive officer dictates that he is responsible for enforcing the laws and playing a prominent role in the legislative process. The president may also command the legislative branch, but he is the main executor of the

federal government's various offices, and agencies can be removed or replaced by the president.

The vice president of Nigeria is the second-highest official in the elected government of Nigeria after the president. The vice president is elected by popular vote alongside the president and serves as the deputy head of state and government. If the president is unable to perform the duties of his office, he automatically assumes the office of president, and then the vice president is given the power of acting in place of the president until such time that the president can return to his office. The executive functions of the Federal Government are carried out by the president.

The power is delegated from the president to the head of each agency and department of the executive branch, either directly or indirectly through a wide delegate of their part. Despite the limitations of Nigerian laws, the proclamation of the president must be approved by the Senate in order to take full effect. The president has the power to veto all bills of either the national assembly or the Senate in order to order a full review of each bill. The legislative branch controls all decisions of the federal government.

The executive branch of the federal government of Nigeria is headed by the President of Nigeria, who is the head of the government. The president is elected through the popular vote and holds office for a 4-year term. To qualify for election as president, a candidate must have been a Nigerian citizen from birth, be over the age of 40, must not belong to a registered political party, and belong to a state with wide national appeal or connection. The president of Nigeria also functions as both the chief of state and commander-in-chief of the Nigerian military.

The power and duties of the president are defined by the presidential system of government as per the Nigerian constitution of the Federal Republic of Nigeria. In addition to functioning as head of government, the president also supervises the national executive council and is also the key decision-making authority of the branch. The president also commands most of the legislative powers of the government and is thus responsible for creating and dissolving federal government agencies and departments, as well as the appointment of other senior public offices.

Self-Assessment Exercises 1

Q1. List and explain the Organs of Nigerian Federal Government.

5.4 The Legislature

The Legislative authority of the Federation is vested by the Constitution in the National Assembly. The National Assembly consists of a Senate

and a House of Representatives, which is known as the Bicameral National Assembly. The Senate is the upper House while the House of Representatives is the lower House. Members of both Houses are directly elected by the people. Both the Senate and the House of Representatives shall function in accordance with the terms of the Legislative Houses (Powers and Privileges) Act. The Legislative function of the National Assembly comprises making laws on any matter within the competence of the Federal Legislature and including the making of laws to effect transactions over the same matter in any part of the Federation covered by a Delegation of Power. The manner of making law involves the introduction of Bills, their consideration and adoption by a majority of the members present at the House, signing by the President, and in the existence of a dispute between the President and Parliament, the requisition by the President of a fresh consideration and adoption by Parliament with a 1/3 majority of members. The President can also refuse to assent to a bill of Parliament. The existence of a thing is vested solely in the first instance in Parliament. Parliament also has the power to grant amnesty to a person convicted for an offense or to commute the sentence of a person on the condition stated in the Amnesty of Commutation of the Sentence Act. The procedure for the summoning and dissolution of each House, the quorum of each House, the disqualification from being elected to each House, the power of each House to regulate its own meetings according to rules of procedure, the power of each House to adjourn, to sit respectively at different places, and to make rules for its sittings are stated in the Constitution and Information on the names of the President and the Vice-President, as well as the "Delegation of Power Act" and the "Legislative House (Powers and Privileges Act).

5.4.1 Legislative Branch in Nigeria

The Senate has 109 members: three elected from each of the 35 states, one from each of the federal capital territory, and one from each of the three senatorial districts in each state. The Senate is less characteristically volatile than the House due to the combined topping effect of the three senators from each state and the higher age bracket of its members as provided by the constitution. They have four principal officers, namely the President of the Senate, Deputy President of the Senate, the Majority Leader, and the Chief Whip. The office of the Deputy President is usually shared between the minority and majority political parties in the Senate.

Nigeria operates a bicameral national legislature. There are two chambers: the House of Representatives and the Senate. The House of Representatives has 360 members (as at the commencement of the 7th Assembly) who represent the federal constituencies. At inception in

1951, the chamber had 136 members who mostly represented the regions. This was increased to 184 at independence in 1960 due to the introduction of more regions. The number continued to rise with ethnic and regional agitations, and by 2010, there were 360 members. Compared to the population size, Nigeria's Federal House is one of the large national legislatures. Legislative branch in Nigeria plays a crucial role in the federal system of government.

5.5 Judicial Branch in Nigeria

Nigeria retained the British judicial system after gaining independence. Other West African countries received their judicial training in Nigeria. The Nigerian criminal justice system was inherited from the British colonial administration. However, the judiciary has made certain amendments. These include the introduction of courtroom security. Furthermore, Nigeria has a dual legal system; courts dealing with matters derived from British legal tradition and customary courts dealing with matters arising from traditional law.

The judiciary is independent of the executive and the legislature. The legal system is based on English common law, Islamic law (in the northern states), and traditional law. Nigeria has not accepted compulsory International Court of Justice jurisdiction. The Federal Court has 26 Justices. There is a federal system with a Supreme Court of Nigeria. Nigeria's legal profession has its origins in the English law; be it at the Bar of England and Wales or at the Scottish Bar, as far as the legal profession in Nigeria is concerned, the English Law remains its foundation. This is the reason why legal training is still largely based on the English Law. The legal profession remains a common law profession and a profession of the common law.

- i. The Supreme Court of Nigeria;
- ii. The Court of Appeal;
- iii. The Federal High Court;
- iv. High Courts for the 36 states and
- v. the Federal Capital Territory, and;
- vi. Other minor federal courts.

The Nigerian judiciary consists of the Supreme Court, the Court of Appeal, the High Court, and the Sharia Court of Appeal. The Supreme Court is the highest court in Nigeria and has the final authority on all legal matters. The Nigerian judiciary is responsible for interpreting and upholding the constitution, as well as handling disputes between the federal and state governments. It also has the power to determine the constitutionality of laws and actions taken by the federal and state

governments. The judicial branch in Nigeria plays a crucial role in interpreting and upholding the constitution.

The Court of Appeal has the authority to hear appeals from the decisions of the High Court

The Federal High Court is one of the key components of the judicial branch in Nigeria. It has the authority to handle cases involving federal laws and regulations.

The High Courts for the 36 states and the Federal Capital Territory are the highest courts in the states and have jurisdiction over both criminal and civil matters.

Other minor federal courts consist of the customary court of appeal and the sharia court of appeal, which handle cases related to customary and sharia law respectively.

The customary court system in Nigeria is a key component of the judicial branch, as it handles cases involving customary law and traditional practices. It plays a vital role in resolving disputes within communities and upholding cultural norms.

And the Sharia court system of justice is based on customary law, and the Sharia court has jurisdiction over certain criminal and civil cases. Other functions include handling marriage, inheritance, and other civil matters within the Muslim community.

Self-Assessment Exercises 2

1. What is the responsible of judiciary system in Nigerian?
2. The judiciary is independent of the executive and the legislature.
Discuss



5.6 Summary

In summary, Organs of Nigerian Federal Government include the executive, legislative, and judicial branches. The executive branch consists of the President, Vice President, and the Federal Executive Council. The President is the head of the executive branch and is responsible for implementing and enforcing the laws passed by the National Assembly. The legislative organ of government is the National Assembly, which is responsible for making laws and overseeing the actions of the executive branch. and the judicial branch is responsible

for interpreting the laws and ensuring that they are in line with the constitution.



5.7 References/Further Readings/Web Resources

- Awa, E. O. (2021). Federal government in nigeria. [\[html\]](#)
- Awa, E. O. (2021). Federal government in nigeria. [\[html\]](#)
- Awa, E. O. (2021). Federal government in Nigeria. [\[html\]](#)
- Awa, E. O. (2021). Federal government in Nigeria. [\[html\]](#)
- Babalola, D., & Onapajo, H. (2024). Power-sharing in nigeria's divided society: structures, conflicts and challenges. In power-sharing in the global south: patterns, practices and potentials (pp. 145-167). Cham: springer international publishing. [\[html\]](#)
- Chilaka, C. F., Obianua, O. U., & Idowu, A. H. (2021). The legislature in nigeria: origin, significance and relationship with other arms of government. Two decades of legislative politics and governance in nigeria's national assembly: issues, achievements, challenges and prospects, 9-35. [\[html\]](#)
- Chinwuba, C. (2023). Comparative survey of states exercise of residual legislative powers in Nigerian, American and Australian Federations. Frontline bar journal. Nigerianjournalsonline.com
- Demarest, I. (2021). Men of the people? Democracy and prebendalism in nigeria's fourth republic national assembly. Democratization. Tandfonline.com
- Edet, J. T. (2021). Revenue allocation in nigeria: issues, challenges and prospects. Journal of public administration. [\[html\]](#)
- Egwim, A. I. (2020). The dynamics of federalism in Nigeria. Academia.edu
- Ewetan, O. O., Osabohien, R., Matthew, O. A., Babajide, A. A., &
- Urhie, E. (2021). Fiscal federalism and accountability in nigeria: an ardl approach. Journal of money laundering control, 24(2), 361-373. Researchgate.net
- Mukaila, R., Falola, A., & Egwue, I. O. (2021). Income diversification and drivers of rural smallholder farmers' income in enugu state,

nigeria. Scientific papers series management, economic engineering in agriculture and rural development, 21(3), 585-592. [Researchgate.net](https://www.researchgate.net)

Musa, P. O. & Adeolu, R. O. (2020). An assessment of the judiciary on administration of justice and governance in nigeria. Editorial board. [Idsi.md](https://www.idsi.md)

Ngige, O. C., Ayankoya, F. Y., balogun, J. A., onuiri, E., Agbonkhese, C., & sanusi, F. A. (2023). A dataset for predicting supreme court judgments in nigeria. Data in brief, 50, 109483. [Sciencedirect.com](https://www.sciencedirect.com)

Nwanne, j. C. (2023). Democracy and the quest for acceptable revenue sharing formula in Nigeria. Journal of african studies and sustainable development. [Acjournals.org](https://www.acjournals.org)

Nwozor, A. (2021). The politics of intergovernmental relations: assessing the many phases and challenges of nigeria's judicial system. Nigerian politics. [\[html\]](#)

Oladele, E. O. N., chukuemeka, t., & Micah, I. C. (2021). Legislatures and the budget process in nigeria. European journal of accounting, finance, and investment, 7(6), 1-12. [Researchgate.net](https://www.researchgate.net)

Onokala, P. C. & Olajide, C. J. (2020). Problems and challenges facing the Nigerian transportation system which affect their contribution to the economic development of the country in the 21st century. Transportation research procedia. [Sciencedirect.com](https://www.sciencedirect.com)

Salami, A. T. (2020). Local government and the constitution: the nigerian experience. Journal of public administration. [Jopafl.com](https://www.jopafl.com)

Sule, B., Adamu, U., & Sambo, U. (2020). The 2019 general election in nigeria: examining the issues, challenges, successes and lessons for future general elections. International journal of social sciences perspectives, 6(2), 100-113. [Academia.edu](https://www.academia.edu)



5.8 Possible Answers to SAEs

Self-Assessment Exercises 1

Question 1. List and explain the Organs of Nigerian Federal Government.

Answers to SAEs 1

(i) The Executive

The executive organ of the Federal Government consists of the President, the Vice-President, and the Executive Council of Ministers. The Nigerian executive authority is vested by the Constitution in the President. The President is the Head of State, the Commander-in-Chief of the Armed Forces, and Head of Government of the Federation. The President shall have the power to issue regulations necessary to give effect to any of the provisions of the Act of the National Assembly for the peace, order, and good government of the Federation. The President must take the Oath of Allegiance and the Oath of the President on assumption of office. The National Council shall determine the National Policy to be pursued in the Federal Republic and shall ensure, as well as the residence within the Federation, that there are adequate and effective services to implement any policy that is adopted.

The governments and authorities that form part of the Nigerian federation are the Federal Government, the various State Governments, and the Local Government Authorities. There are three organs of the Federal Government of Nigeria. These are the Executive, the Legislature, and the Judiciary.

Executive Branch in Nigeria

The Executive Branch of Nigeria

The popularly elected president of Nigeria is the head of its executive branch. The president holds the position for a four-year term and may run for re-election for a one-term limit. Its power and duties are defined according to the presidential system as per the Nigerian constitution.

The Nigerian federal government is specifically organized around and modeled on a framework of checks and balances and a system of separation of power. The president is simultaneously the chief of state and the chief of government. The president also has some legislative powers, and the executive branch and the duties held by the president are included but are not limited to the organization and command of

armed forces, as well as the appointment of senior officials with the consent of the Senate. The president's role as chief executive officer dictates that he is responsible for enforcing the laws and playing a prominent role in the legislative process. The president may also command the legislative branch, but he is the main executor of the federal government's various offices, and agencies can be removed or replaced by the president.

The vice president of Nigeria is the second-highest official in the elected government of Nigeria after the president. The vice president is elected by popular vote alongside the president and serves as the deputy head of state and government. If the president is unable to perform the duties of his office, he automatically assumes the office of president, and then the vice president is given the power of acting in place of the president until such time that the president can return to his office. The executive functions of the Federal Government are carried out by the president.

The power is delegated from the president to the head of each agency and department of the executive branch, either directly or indirectly through a wide delegate of their part. Despite the limitations of Nigerian laws, the proclamation of the president must be approved by the Senate in order to take full effect. The president has the power to veto all bills of either the national assembly or the Senate in order to order a full review of each bill. The legislative branch controls all decisions of the federal government.

The executive branch of the federal government of Nigeria is headed by the President of Nigeria, who is the head of the government. The president is elected through the popular vote and holds office for a 4-year term. To qualify for election as president, a candidate must have been a Nigerian citizen from birth, be over the age of 40, must not belong to a registered political party, and belong to a state with wide national appeal or connection. The president of Nigeria also functions as both the chief of state and commander-in-chief of the Nigerian military.

The power and duties of the president are defined by the presidential system of government as per the Nigerian constitution of the Federal Republic of Nigeria. In addition to functioning as head of government, the president also supervises the national executive council and is also the key decision-making authority of the branch. The president also commands most of the legislative powers of the government and is thus responsible for creating and dissolving federal government agencies and departments, as well as the appointment of other senior public offices.

(ii)The Legislature

The Legislative authority of the Federation is vested by the Constitution in the National Assembly. The National Assembly consists of a Senate and a House of Representatives, which is known as the Bicameral National Assembly. The Senate is the upper House while the House of Representatives is the lower House. Members of both Houses are directly elected by the people. Both the Senate and the House of Representatives shall function in accordance with the terms of the Legislative Houses (Powers and Privileges) Act. The Legislative function of the National Assembly comprises making laws on any matter within the competence of the Federal Legislature and including the making of laws to effect transactions over the same matter in any part of the Federation covered by a Delegation of Power. The manner of making law involves the introduction of Bills, their consideration and adoption by a majority of the members present at the House, signing by the President, and in the existence of a dispute between the President and Parliament, the requisition by the President of a fresh consideration and adoption by Parliament with a 1/3 majority of members. The President can also refuse to assent to a bill of Parliament. The existence of a thing is vested solely in the first instance in Parliament. Parliament also has the power to grant amnesty to a person convicted for an offense or to commute the sentence of a person on the condition stated in the Amnesty of Commutation of the Sentence Act. The procedure for the summoning and dissolution of each House, the quorum of each House, the disqualification from being elected to each House, the power of each House to regulate its own meetings according to rules of procedure, the power of each House to adjourn, to sit respectively at different places, and to make rules for its sittings are stated in the Constitution. Information on the names of the President and the Vice-President, as well as the "Delegation of Power Act" and the "Legislative House (Powers and Privileges Act".

Legislative Branch in Nigeria

The Senate has 109 members: three elected from each of the 35 states, one from each of the federal capital territory, and one from each of the three senatorial districts in each state. The Senate is less characteristically volatile than the House due to the combined topping effect of the three senators from each state and the higher age bracket of its members as provided by the constitution. They have four principal officers, namely the President of the Senate, Deputy President of the Senate, the Majority Leader, and the Chief Whip. The office of the Deputy President is usually shared between the minority and majority political parties in the Senate.

Nigeria operates a bicameral national legislature. There are two chambers: the House of Representatives and the Senate. The House of Representatives has 360 members (as at the commencement of the 7th Assembly) who represent the federal constituencies. At inception in 1951, the chamber had 136 members who mostly represented the regions. This was increased to 184 at independence in 1960 due to the introduction of more regions. The number continued to rise with ethnic and regional agitations, and by 2010, there were 360 members.

Compared to the population size, Nigeria's Federal House is one of the large national legislatures. Legislative branch in Nigeria plays a crucial role in the federal system of government.

Judicial Branch in Nigeria

Nigeria retained the British judicial system after gaining independence. Other West African countries received their judicial training in Nigeria. The Nigerian criminal justice system was inherited from the British colonial administration. However, the judiciary has made certain amendments. These include the introduction of courtroom security. Furthermore, Nigeria has a dual legal system; courts dealing with matters derived from British legal tradition and customary courts dealing with matters arising from traditional law.

The judiciary is independent of the executive and the legislature. The legal system is based on English common law, Islamic law (in the northern states), and traditional law. Nigeria has not accepted compulsory International Court of Justice jurisdiction. The Federal Court has 26 Justices. There is a federal system with a Supreme Court of Nigeria. Nigeria's legal profession has its origins in the English law; be it at the Bar of England and Wales or at the Scottish Bar, as far as the legal profession in Nigeria is concerned, the English Law remains its foundation. This is the reason why legal training is still largely based on the English Law. The legal profession remains a common law profession and a profession of the common law.

Self-Assessment Exercises 2

Answers to SAEs 2

Question 1. What is the responsible of judiciary system in Nigerian.

The Nigerian judiciary is responsible for interpreting and upholding the constitution, as well as handling disputes between the federal and state governments. It also has the power to determine the constitutionality of laws and actions taken by the federal and state governments. The

judicial branch in Nigeria plays a crucial role in interpreting and upholding the constitution.

Question 2. The judiciary is independent of the executive and the legislature. Discuss

The judiciary is independent of the executive and the legislature. The legal system is based on English common law, Islamic law (in the northern states), and traditional law. Nigeria has not accepted compulsory International Court of Justice jurisdiction. The Federal Court has 26 Justices. There is a federal system with a Supreme Court of Nigeria. Nigeria's legal profession has its origins in the English law; be it at the Bar of England and Wales or at the Scottish Bar, as far as the legal profession in Nigeria is concerned, the English Law remains its foundation. This is the reason why legal training is still largely based on the English Law. The legal profession remains a common law profession and a profession of the common law.

MODULE 3

Unit 1	Nigerian Government in the Pre-colonial Colonial Era
Unit 2	Nigerian Government in Colonial Era
Unit 3	Evolution of Governance in Nigeria
Unit 4	Three Arms of Government in Nigeria
Unit 5	Evolution of Political Parties in Nigeria

Unit 1 Nigerian Government in the Pre-colonial Colonial Era

Unit Structure

- 1.1 Introduction
- 1.2 Learning Outcomes
- 1.3 Main Content
 - 1.3.1 Pre-Colonial Political System in Yoruba Land
 - 1.3.2 Pre-Colonial Political System in Igbo Land
 - 1.3.3 Pre-Colonial Political System in Hausa-Fulani Land
- 1.4 The Roles or Functions of Traditional Rulers (Emir, Oba, Obi etc)
- 1.5 Summary
- 1.6 References/Further Readings/Web Resources
- 1.7 Possible Answer to Self-Assessment Exercise (s)



1.1 Introduction

This unit will discuss the Nigeria Pre-Colonial Administration under the Pre-Colonial Political System in Yoruba Land; Pre-Colonial Political System in Igbo Land; Pre-Colonial Political System in Hausa-Fulani Land. In West Africa before the invasion of the continent by the European nations, there was established system of government referred to as traditional political system in several parts of Nigeria. These advanced and orderly systems of government had all the principal organs of government with established principles of checks and balances characterizing some of them.

In Nigeria, prior to the coming of the Europeans and carving she out of a mixture of different states had about two hundred and fifty (250) ethnic groups. And each of the ethnic groups maintained a different and independent system of administration.



1.2 Learning Outcomes

By the end of this unit, you should be able to:

1. discuss the pre-colonial traditional systems of Yoruba, Igbo and Hausa Fulani ethnic groups in Nigeria.
2. explain the pre-colonial traditional judicial administration of Yoruba, Igbo and Hausa Fulani ethnic groups in Nigeria.
3. state the functions or roles of traditional rulers of Yoruba, Igbo and Hausa Fulani ethnic groups in Nigeria.
4. compare the pre-colonial traditional political system of Yoruba, Igbo and Hausa-Fulani ethnic groups in Nigeria.



1.3 Historical Analysis of Pre-Colonial/Political System.

1.3.1 Pre-Colonial Political System in Yoruba Land

The Yorubas form a large group united more by language than culture. The Yoruba's trace their origin to Oduduwa who was the founder of the Yoruba kingdom. Oduduwa had seven sons who later founded the first seven kingdoms of the Yoruba land and these kingdoms were united under a central leader known as Alaafin of Oyo.

Hatred, jealousy, etc made the first seven kingdoms to split into fourteen new kingdoms and the central leadership now changed from the Alaafin of Oyo to Ooni of Ife who is the spiritual Head of the Yoruba. Oyo is regarded as the political headquarters of the Yoruba and was the most developed kingdom in the Yoruba traditional society and its administration is accepted as a model or a representation of the Yoruba. The king in Yoruba land is called Oba, the Yoruba kingdoms were headed by the Oba who must be a descendant of the Oduduwa.

The Yorubas regarded Oyo as their political headquarters, the Oba of the Oyo kingdom has a special name known as the "Alaafin"

Political Administration

The political head of every Yoruba kingdom is Oba but that of the Oyo and Ife kingdoms are called "Alaafin" and "Ooni" respectively.

The Alaafin as the political head of the Oyo kingdom is assisted by his son called Aremo, who is not allowed to succeed him immediately he dies. Oyemesi is the seven king makers headed by the Bashorun. The Oyemesi is stronger than the Alaafin and can overrule any decision made by the Alaafin which is not acceptable to it.

The other officials apart from the Aremo include:

1. Ilari:- He is the permanent adviser to the Oba
2. Bashorun: - He is the Chief Minister or Prime Minister of the Kingdom.
3. Baale”- He is the village Head of the administration of the villages
4. Kakanfo:- he is the commander of the kingdom Armed Forces. The chiefs or Obas and the baale are not appointed by the Alaafin even though they receive his blessings. There are certain limitations or checks and balances to the power of the Alaafin. The limitations include:-
 1. If Alaafin disagrees with Oyemesi and Ilari, the only option open to him is to commit suicide
 2. Oyemesi could authorize the Basho run to send empty calabash to Alaafin symbolizing rejection by the people. Alaafin is not to commit suicide if this happens.
 3. Disloyal army commander could revolt

The executive council members also formed the legislature. Laws made were executed by the Oba and his council of advisers. The system of government in the traditional Yoruba society was a loose monarchical arrangement and highly democratic.

Judicial Administration

The Alaafin was the final court. Certain offences were regarded as serious offences, these include – murder, burglary,, land case, witchcraft, profaning the deities and homicide. This kind of offences that attract capital punishment is usually tried in the Oba’s palace court. Minor offences such as family quarrels, exchange of abusive words, owing of debt were hand from the family level to the level where the parties involved were satisfied with the justice they have obtained. This does not go beyond the Oba’s court.

The age – grade usually referred to as the “Elegbe” has the responsibility of implementing the decisions reached in the Oba’s court. For instance, if anybody is to be executed or imprisoned it is their duty to carry out the instruction or order to the last letter.

Official Religion

The Yoruba official religion was the traditional religion. The Oba was to perform sacrifice from time to time or as the need arises. The essence of the sacrifice is to appease the Oduduwa the founder, ancestors and deities. He usually performs the sacrifice through some priests. The performance of this sacrifice is very important because it is the source of the Oba's power, legitimacy, respect and the basis of unity, solidarity and the progress of the Yoruba people. For instance if the Oba fails to fulfill these religious obligations the deities, ancestors and the Oduduwa might be angry and will cause pestilence, epidemics, drought, famine and calamities among the Yoruba people. Therefore, to prevent the gods from becoming angry, the Oba usually performs these sacrifices. Kwara as one of the Yoruba kingdoms and some parts of Oyo were conquered by the Jihadist of Usman Dan Fodio and converted from the traditional religion to Islam.

Self-Assessment Exercise 1

Describe the Pre-Colonial Political System in Yoruba Land.

1.3.2 Pre-Colonial Political System in Igbo Land

Historical Background

The Igbo is republican by nature. They maintained a decentralized and a cephalous society. Igbo society was democratic and egalitarian. In Nigeria, the Igbo generally occupies the former Eastern Region and a part of the former Mid-Western region. The Igbo unlike the Yoruba and the Hausa – Fulani, had a complex and complicated system of administration in pre-colonial era. The Igbo generally had no kings or chiefs. They operated a democratic system of government. The executive, legislative and judicial powers were vested in the Oha-na-eze, the council of elders; the Ofo title holders; the family; the Ozo title holders; the Age – Grades, the Umuada, and the “Ala” or the Earth's goddess represented by a Chief Priest.

Political Administration

The structural organization of Igbo political system was based on the following:-

1. Village Administration:- A village is seen as inhabited by a group of related families. Each family head held the Ofo title

and all of them put together formed the council of elder. The council governed the village

2. The Age – Grade:- The age – grade are people of the same age group, they perform the following functions:
 - i. Perform the public duties such as:- clearing the paths, construction of roads, and markets etc.
 - ii. They were involved in the administration of the villages
 - iii. They served as army for the defence of the villages against external enemy
 - iv. They acted as the police force for the maintenance of law and order.
 - v. They helped in the implementation of policies made by the council of elders.
 - vi. They assisted in checking abuse of powers by the paramount rulers and the council of elders.
 - vii. They also perform ceremonial and cultural functions during important ceremonies in the village or communities.
 - viii. The affairs of the village are discussed from time to time by family head.
 - ix. The villagers make laws for themselves and even the age-grades can enact a law which the elders would accept.
 - x. Succession to leadership position was not hereditary in Igbo political system.
 - xi. The political system was of a Republican one. Decisions were reached by consensus, different institutions played different important roles in the administration and powers were shared by them.
 - xii. Wealthy and influential men in the community or village are given the Ozo title holders. This title makes the holder to be recognized in the society and could then preside over meetings about issues affecting the community with elders.

Judicial Administration

Minor disputes were settled by the family while major disputes were handled by the council of elders or “Amala”. The final adjudication of cases was done by the deities. The age – grades settled cases that are minor among themselves. The Earth goddess (Ala) plays a great role in judicial functions, for example, offences such as homicide, murder and birth of abnormal children are crimes against Ala.

The chief takes part in judicial settlement; the whole village may constitute itself into a court for the purpose of settling disputes. The native doctor called Dibia could also settle disputes amongst people.

Official Religion

The official religion practiced in pre-colonial Igbo land was the traditional religion. They had chief priests who performed sacrifice from time to time to appease the gods. The Igbos has great respect for the deities and the departed ancestors. The chief priests were the link between the people and the deities, as well as the departed ancestors. The Igbos believes in re-incarnation. Profaning of deities was a very serious offence among the Igbos. The religious lives of the Igbos were surrounded by mysticisms and superstitions.

1.3.3 Pre-Colonial Political System in Hausa-Fulani Land Historical Background

The Hausa land, before 1804, was made up of fourteen towns grouped into two. The first group of seven was called Hausa Bakwai while the other group of seven was called Bansa Bakwai.

The Fulani took over the political leadership of the Hausa or Habe states in the early 19th century. The Jihad that preceded this occupation was seen as religious as well as political.

Othman Dan Fodio led the Fulani Jihad and took over the political leadership of the Hausa/Habe and established the Sokoto caliphate with outstanding centralized political system of government. He introduced a new system of selecting and appointing rulers described as Emirs to rule the caliphate. Each of the Emirs owed allegiance to Dan Fodio and his two representatives at Sokoto and Gwandu.

The Fulanis settled in Hausa land and intermarried with the Hausa people after conquering them and this was how the name Hausa-Fulani came about.

Political Administration

The Fulanis introduced centralized system of government after conquering the Hausa land. This gave rise to the Hausa-Fulani traditional or pre-colonial system being known as a centralized government.

The Caliphate was divided into emirates and each emirate was headed by an Emir. He had the responsibility of making laws, enforcing them and maintaining peace and order in his emirate. He was expected to

administer the emirate in accordance with the provisions of the Islamic and sharia laws. He was believed to have the divine right to rule.

However, each emir was assisted in the administration of the emirate by a number of advisers. These were:-

1. Sarkin Fada:- The spokesman of the Emir and organizer of palace workers.
2. Waziri:- The Prime Minister of the Emirate
3. Galadima:- The Administrator of the capital city.
4. Madawaki"- The commander and Head of the Emirate Army.
5. Magaji:- Government Treasurer in-charge of the government treasury.
6. Sarkin Dan Doka:- Inspector General of Police Force Called Dan Doka.
7. Sarkin Ruwa:- Minister in-charge of Water Resources.
8. Sarkin Pawa:- Head of Chairman of Butchers at the Abattoirs
9. Yari:- Chief Superintendent of Prisons in the Emirate

Judicial Administration

The judicial administration of Hausa-Fulani was based on the Islamic legal system called Sharia. Sharia courts were established throughout the Emirates and each was headed by a trained Sharia Court Judge called Alkali. The Emir, despite this provision, remained the head who had the final say in deciding critical judgments.

The chief justice of the Sharia courts was called Grand Khadi. Village heads settled minor disputes in their villages but more serious and criminal cases were referred to the Emir for final and adequate settlement.

Official Religion

The Emir is the religious leader of his people, whose duty is to ensure that commandments of Allah are obeyed in his territory. This accounts for the great authority which was wielded by the Emirs and which made them such suitable rulers even under the British protectorate.

The official religion was Islam and Koran was used as the holy book where all the teachings of religion were contained. Mohammed was seen as the founder of the religion. Some teachings that were contained in the Koran before the coming of the colonial administration include:-

1. A good Moslem must fight a Jihad at least once in his life time. If such a person dies in the process he would go to paradise.

2. It is mandatory for all Moslems to perform hajj or pilgrimage to Mecca the holy land at least once in the person's life time.
3. A good Moslem must not marry more than four wives.
4. A good Moslem must abstain from drinking alcohol
5. A good Moslem must fast during Ramadan period.

1.4 The Roles or Functions of Traditional Rulers (Emir, Oba, Obi etc)

1. They were involved in the maintenance of law and order in their domain.
2. They made laws, rules and regulations
3. They appointed subordinate chiefs to help in the administration.
4. The traditional rulers were involved in raising and spending of money
5. They served as political symbol of unity and power.
6. The traditional rulers were also involved in the allocation and sharing of communal wealth and resources, including war booties
7. Protection of his domain was done to safeguard the domain against external aggression. They also declare war and peace.
8. Some of these traditional rulers acted as the final court of appeal.
9. The traditional rulers planned for the progress and development of various communities.
10. They awarded traditional titles to deserving citizens.

Self-Assessment Exercise 2

Describe the Pre-Colonial Political System in Hausa-Fulani Land.



1.5 Summary

This unit has attempted the historical account and analysis of the precolonial Nigerian state. We focused on the three majority ethnic groups in Nigeria (Hausa- Fulani, Yoruba and Igbo). Nigeria, before the advent of the European powers into the country, it had well organized institutions which some of them are still in place. For example, in the northern part of Nigeria, emirs are found in some parts of it. The Yoruba people still use the title of Oba, etc.

The country also had its executive, legislative and judiciary arms of government which had laid down rules and regulations for the citizens of various ethnic groups. Each ethnic group had its own religion. We should therefore, dismiss the idea that before the

coming of the British, Africa or Nigeria had no system organize of government.

This unit has thrown more light on history of Nigeria during the pre-colonial period. The issues discussed include – the pre-colonial political traditional systems of Yoruba Igbo and Hausa-Fulanis, their political administration, judicial administration, their official religion, the functions of the traditional rulers were dealt with. The comparison of these systems was also made.



1.6 References/Further Readings/Web Resources

- Azigwe, F. (1974). *Essentials of Government for West Africa*. Ibadan University Press, Ltd.
- Dibie, C.C. (2008). *Essential Government*. Ibafor, Ogun – State. Tonad Publishers, Ltd.
- Ofoegbu, G.A.I. (1999). *Modern Government*. Onitsha. Mas Founders Publications, Ltd.
- Nwankwo, B.C. (2002). *Authority in Government: Nigeria and World politics Revised Edition*. Onitsha. Abbot Books, Ltd.



1.7 Possible Answer to Self-Assessment Exercise (s)

Answer to Self-Assessment Exercise 1

Describe the political structure of the Yoruba pre-colonial political system.

The Yorubas form a large group united more by language than culture. The Yorubas trace their origin to Oduduwa who was the founder of the Yoruba kingdom. Oduduwa had seven sons who later founded the first seven kingdoms of the Yoruba land and these kingdoms were united under a central leader known as Alaafin of Oyo. Hatred, jealousy, etc made the first seven kingdoms to split into fourteen new kingdoms and the central leadership now changed from the Alaafin of Oyo to Ooni of Ife who is the spiritual Head of the Yoruba. Oyo is regarded as the political headquarters of the Yoruba and was the most developed kingdom in the Yoruba traditional society and its administration is accepted as a model or a representation of the Yoruba. The king in Yoruba land is called Oba, the Yoruba kingdoms were headed by the Oba who must be a descendant of the Oduduwa.

The Yorubas regarded Oyo as their political headquarters, the Oba of the Oyo kingdom has a special name known as the “Alaafin”

Political Administration

The political head of every Yoruba kingdom is Oba but that of the Oyo and Ife kingdoms are called “Alaafin” and “Ooni” respectively.

The Alaafin as the political head of the Oyo kingdom is assisted by his son called Aremo, who is not allowed to succeed him immediately he dies. Oyemesi is the seven king makers headed by the Bashorun. The Oyemesi is stronger than the Alaafin and can overrule any decision made by the Alaafin which is not acceptable to it.

The other officials apart from the Aremo include:

5. Ilari:- He is the permanent adviser to the Oba
6. Bashorun:- He is the Chief Minister or Prime Minister of the Kingdom.
7. Baale”- He is the village Head of the administration of the villages
8. Kakanfo:- he is the commander of the kingdom Armed Forces.

The chiefs or Obas and the baale are not appointed by the Alaafin even though they receive his blessings. There are certain limitations or checks and balances to the power of the Alaafin.

The limitations include:-

- i. If Alaafin disagrees with Oyemesi and Ilari, the only option open to him is to commit suicide
- ii. Oyemesi could authorize the Bashorun to send empty calabash to Alaafin symbolizing rejection by the people. Alaafin is not to commit suicide if this happens.
- iii. Disloyal army commander could revolt

The executive council members also formed the legislature. Laws made were executed by the Oba and his council of advisers. The system of government in the traditional Yoruba society was a loose monarchical arrangement and highly democratic.

Judicial Administration

The Alaafin was the final court. Certain offences were regarded as serious offences, these include – murder, burglary,, land case, witchcraft, profaning the deities and homicide. This kind of offences that attract capital punishment is usually tried in the Oba’s palace court. Minor offences such as family quarrels, exchange of abusive words, owing of debt were hand from the family level to the level where the parties involved were satisfied with the justice they have obtained.

This does not go beyond the Oba’s court.

The age – grade usually referred to as the “Elegbe” has the responsibility of implementing the decisions reached in the Oba’s court. For instance, if anybody is to be executed or imprisoned it is their duty to carry out the instruction or order to the last letter.

Official Religion

The Yoruba official religion was the traditional religion. The Oba was to perform sacrifice from time to time or as the need arises. The essence of the sacrifice is to appease the Oduduwa the founder, ancestors and deities. He usually performs the sacrifice through some priests. The performance of this sacrifice is very important because it is the source of the Oba’s power, legitimacy, respect and the basis of unity, solidarity and the progress of the Yoruba people. For instance if the Oba fails to fulfill these religious obligations the deities, ancestors and the Oduduwa might be angry and will cause pestilence, epidemics, drought, famine and calamities among the Yoruba people. Therefore, to prevent the gods from becoming angry, the Oba usually performs

these sacrifices. Kwara as one of the Yoruba kingdoms and some parts of Oyo were conquered by the Jihadist of Usman Dan Fodio and converted from the traditional religion to Islam.

Answer to Self-Assessment Exercise 2

Pre-Colonial Political System in Hausa-Fulani Land

Historical Background

The Hausa land, before 1804, was made up of fourteen towns grouped into two. The first group of seven was called Hausa Bakwai while the other group of seven was called Bansa Bakwai.

The Fulani took over the political leadership of the Hausa or Habe states in the early 19th century. The Jihad that preceded this occupation was seen as religious as well as political.

Othman Dan Fodio led the Fulani Jihad and took over the political leadership of the Hausa/Habe and established the Sokoto caliphate with outstanding centralized political system of government. He introduced a new system of selecting and appointing rulers described as Emirs to rule the caliphate. Each of the Emirs owed allegiance to Dan Fodio and his two representatives at Sokoto and Gwandu.

The Fulanis settled in Hausa land and intermarried with the Hausa people after conquering them and this was how the name Hausa-Fulani came about.

Political Administration

The Fulanis introduced centralized system of government after conquering the Hausa land. This gave rise to the Hausa-Fulani traditional or pre-colonial system being known as a centralized government.

The Caliphate was divided into emirates and each emirate was headed by an Emir. He had the responsibility of making laws, enforcing them and maintaining peace and order in his emirate. He was expected to administer the emirate in accordance with the provisions of the Islamic and sharia laws. He was believed to have the divine right to rule.

However, each emir was assisted in the administration of the emirate by a number of advisers. These were:-

10. Sarkin Fada:- The spokesman of the Emir and organizer of palace workers.
11. Waziri:- The Prime Minister of the Emirate

Galadima:- The Administrator of the capital city

Unit 2 Nigerian Government in Colonial Era

Unit Structure

- 2.1 Introduction
- 2.2 Learning Outcomes
- 2.3 Main Content
 - 2.3.1 Colonial Administration/Indirect Rule System in West Africa
 - 2.3.2 Historical Background
 - 2.3.3 Features of Indirect Rule
 - 2.3.4 Reasons for the Adoption of Indirect Rule System
 - 2.3.5 Reasons for Involving African Traditional Rulers in the
- 2.4 Colonial Administration of West Africa
 - 2.4.1 Reasons for the Success of Indirect Rule in Northern Nigeria
 - 2.4.2 Indirect Rule in Western Nigeria
- 2.5 Reasons for the Partial Success of Indirect Rule in Western Nigeria
 - 2.5.1 Indirect Rule in Eastern or Southern Nigeria
 - 2.5.2 Reasons why Indirect Rule failed in Eastern or Southern Nigeria
- 2.5 Advantages of Indirect Rule System
- 2.6 Disadvantages of Indirect Rule System
- 2.7 Summary
- 2.8 References/Further Readings/Web Resources
- 2.9 Possible Answer to Self- Assessment Exercise within the content



2.1 Introduction

In unit 2, we dealt with the historical analysis of Nigerian state in the pre-colonial era and we focused on the pre-colonial traditional political system of the three majority ethnic groups in Nigeria. For this unit, colonialism and main features of indirect rule system are identified, so also the activities of European adventurers in Nigeria and the impact of indirect rule system on public administration. In order to have a better understanding of this topic, the three majority ethnic groups (Yoruba, Igbo and Hausa-Fulanis) are considered



2.2 Learning Outcomes

By the end of this unit, you should be able to:

1. Define colonialism, indirect rule and state the main features of indirect rule.
2. State the reasons for the adaptation of the indirect rule system
3. Explain why indirect rule system was adopted in Nigeria.
4. State the advantages and disadvantages of indirect rule system in Nigeria



2.3 Historical Analysis of Nigerian State: Colonial Era

2.3.1 Colonial Administration/Indirect Rule System in West Africa

The term ‘colonialism’ means an imposition of a more developed culture over a less developed one, backed up by expansionist and economic adventurism. Before the 1880s, Europe had gone ahead of the rest of the world in science and technology. Europe of 19th century became the workshop of the world with growing desire for raw materials for their industries, Britain, Belgium, France, Germany, Italy etc. were all involved in this race. So, the competitive search for markets and sources of raw materials for the industrial consumption of the western world motivated the scramble for and partition of Africa among some European powers. By the late 19th century, the concern about sourcing raw materials and markets had become a serious issue in most European countries.

The scramble for Africa, by these European powers led to the partitioning of Africa after the Berlin Conference of 1884 – 85. Britain colonized Nigeria, Ghana, the Gambia and Sierra – Leone in West Africa. As from 1898, the British government sought to establish and maintain a colonial state in Nigeria. To achieve this, a number of measures were to be taken, for example, removal of all visible opposition to the imposition of colonial rule, expansion and consolidation of British authority over the territory later known as Nigeria. In 1906, the first step was taken towards unifying the distinct entities which constituted Nigeria at the dawn of the twentieth century.

In January 1914, Lord Lugard the then Governor – General amalgamated Lagos colony and Southern protectorate with Northern protectorate to form a single colony called protectorate of Nigeria. Britain, therefore, governed Nigeria by means of a system popularly referred to as “Indirect Rule”.

Indirect rule is a system of administration in which the British colonial government adopted as its colonial policy in dealing with the people by

using the traditional rulers, the traditional political institutions – administrative, cultural and judicial structures – as intermediaries while the British officials mainly advised and where necessary, enforced colonial regulations.

Britain claimed that the system involved not governing the people directly, but through their local traditional rulers and chiefs. It was alleged that the wife of Lord Lugard formed the name ‘Nigeria’ after the amalgamation.

Self-Assessment Exercise 1

What is Colonialism? State any four features of indirect rule.

Lugard later became the first Governor – General of Nigeria. He was referred to as the Father of Indirect Rule System.

2.3.2 Features of Indirect Rule

1. Traditional rulers and chiefs were used in governing the people;
2. The traditional political system of government in place was utilized;
3. The customs and traditions of the people played a significant role in the administration;
4. The cultural values of the people were respected by the British officials;
5. The British officials were to guide and where need be, enforce colonial regulation. For instance, resident and district officers;
6. The traditional rulers were respected and given exalted positions in the administration which made it easy for the colonialist to operate and rule;
7. The cost of administration was not high because those involved were paid peanuts. The traditional rulers and chiefs were poorly remunerated;
8. The whites made use of natural agricultural produce in the collection of taxes;
9. Native courts were used for administration of justice;
10. Native police and prisons were utilized in the system;
11. Officers or chiefs were appointed where there were no traditional chiefs or rulers and
12. The system did not disrupt the existing traditional system of administration and political order

2.3.3 Reasons for the Adoption of Indirect Rule System

1. Lack of Personnel: Lack of British personnel was one of the reasons that forced Lord Lugard to introduce or adopt the indirect rule system in Nigeria.

2. Its success in other Countries: Lord Lugard thought it wise to use the system because of the significant success the system recorded in countries like India, Uganda, etc. Where it was first introduced.

Lack of Fund: Lack of adequate fund was one of the reasons that forced Lugard to adopt the indirect rule system.

To Preserve Traditions and Customs: The indirect rule system was established by Lugard in order to preserve the traditions and customs of the people of Nigeria. In the opinion of Lord Lugard, the British system of Indirect rule. In Nigeria, was to maintain her cultural status quo.

To Involve Traditional Rulers: The indirect rule system was established because Lord Lugard wanted to bring the traditional rulers into the art of governance. He thought it wise that any system of government that isolates the people being governed will not succeed.

It's Cheapness: The indirect rule system was adopted in Nigeria because economically, it was not expensive.

Favourable Political Atmosphere: The political atmosphere in Northern Nigeria at that period was favourable for the introduction of the system. The method of traditional administration at that time was very difficult for British to displace the Emirs from their position so abruptly. The Emirs were respected by their people and the British did not want to attract the hatred of the people of Northern Nigeria by destroying the premier position occupied by the Emirs.

Language difficulties: The indirect rule system was adopted in Nigeria by Lord Lugard in order to reduce the problems posed by language. Lugard was aware that the people of Nigeria at that time did not speak nor understand English Language, and therefore going through traditional rulers and chiefs to govern them would reduce the language problems.

Vast areas involved: The large areas of Nigeria especially the Northern Nigeria where the system was first introduced, contributed to the adoption of the system of indirect rule.

Poor Transport and Communication System: Lack of roads, airports, postal systems, etc prevented Britain from adopting direct rule system; instead they opted for indirect rule system.

Poor Climate: Poor climatic condition also aggravated the situation. Many British citizens refused coming down to Africa to be

involved in the administration due to poor climate and the presents of mosquitoes. Africa was nicknamed “the white man’s grave”, as a result of these factors.

To satisfy their economic needs: The colonialists wanted to create markets for their goods and to encourage West Africans to produce those raw materials.

2.3.4 Reasons for Involving African Traditional Rulers in the Colonial Administration of West Africa

1. The Status of the Traditional Rulers: The British encounter with the chiefs during the period of occupation proved to them that the chiefs were powerful and were also highly respected by their people.

Maintenance of Law and Order: As the custodian of the people’s culture the traditional rulers were found useful in the maintenance of law and order in the colonies.

Collection of Taxes: The traditional rulers were found useful in the collection of taxes and rates.

Political Stability: The British felt that, the presence of the local chiefs in the administration would bring about political stability.

They were easily manipulated: The chiefs were used as tools instead of the educated elites because they were easily manipulated.

2.4 Indirect Rule System in Northern Nigeria

One of the reasons for the adoption of indirect rule was for the purpose of local government, along traditional lines. The system rested upon Native Courts and authority ordinances. The protectorate of Northern Nigeria was divided into six provinces and each province was under British official known as Residents. Each province was then sub- divided into districts and placed under District Commissioners. The functions of the Residents and the District Commissioners include the following:-

- a. They have the authority to retain and use native treasuries in the emirates.
- b. They also retained both the traditional executive official of emirates and the law courts of the Muslim parts of Nigeria.
- c. They were to advise and guide the emirs and their officials, educating them to their duties and functions under the new British system, to propel them gradually towards new and better ways of government and administration.

- d. To enforce through them all the laws of the High Commissioner of the protectorate of Northern Nigeria. These laws involve the supervision of courts, assessment of taxes, native authority expenditure and the maintenance of law and order.
- e. To ensure that tax revenue was shared between the colonial government and the province.
- f. They should provide intelligence, political, military or civil reports on which the colonial government could act in making policies.

2.4.1 Reasons for the Success of Indirect Rule in Northern Nigeria

The factors that led to the success of indirect rule in Northern Nigeria include:

1. Because of the already existing basic traditional administrative system which Lugard admired (i.e. the centralized system).
2. Because most of the traditional powers of the emirs were not removed hence, they had no cause to oppose the system.
3. Because the Hausa – Fulanis had already been used to the system of hierarchy of official, so, the system caused them no embarrassment.
4. Because of the submissive nature of the Northerners to the emirs.
5. Because of the preservation and respect for the culture of the northern people by the British.

2.4.2 Indirect Rule in Western Nigeria

Unlike the North, there was no absolute centralized authority and systematic taxation in Yoruba land. The Oba had no absolute authority over his subjects because he was responsible to his senior chiefs in administering his kingdom.

If he tried to wield too much power to rule at the expense of the wishes and interest of his senior chiefs, he would be made to commit suicide. The position of Oba as a leader without absolute power over his subjects coupled with the virtue of his position as spiritual head which could not allow him to appear publicly always made it difficult for him to be a successful head of the native administration.

2.4.3 Reasons for the Partial Failure of Indirect Rule in Western Nigeria.

Indirect Rule was a partial failure in the Western part of Nigeria because of the following reasons:-

1. The limited powers of Obas and their subjects were not submissive to them.

2. The level of education in the Western region made the people to detest colonial rule.
3. Restoring Authority in the Alaafin of Oyo: It is believed that the attempt made by Lugard to restore authority in Yoruba land to Alaafin of Oyo instead of Ooni of Ife contributed to the partial failure of the indirect rule in the west.
4. Absence of highly centralized administration contributed to the partial success of the system of indirect rule in the west.
5. The absence of well-organized system of taxation made it difficult to raise money for the administration to thrive well since British government was not ready to involve heavily in financial responsibilities in its colonies.
6. Christianity was the dominant religion in the west and it is more democratic than the Islamic religion.
7. People detest authoritarianism.
8. Lugard's mistake of trying to make Ibadan which had been recognized as a Yoruba state in the 1890s a subordinate to Oyo contributed to the failure of the system of indirect rule in the western region, etc.

2.4.4 Indirect Rule in Eastern or Southern Nigeria

The system of indirect rule succeeded in the Northern region, met partial success in the West, and if failed completely in the Eastern Nigeria. If with the Igbos had no centralized traditional system of administration like the Hausa – Fulani emirate system.

When indirect rule system was introduced in the Eastern region, there were no real people of local influence and authority like the emirs and Obas in the Northern and Western regions. In a bid to solve this problem of single ruler Lugard and his British cohorts without consideration for the customs of the people made the mistake of appointing traditional rulers called “Warrant Chiefs”. These people that were appointed as chiefs by the British without due regard for their status and the families they came from were violently rejected. The use of these unpopular chiefs and the system of taxation that was introduced in an effort to raise funds for the prosecution of indirect rule led to among other disturbances, the famous Aba women riots of 1929.

2.4.5 Reasons why Indirect Rule Failed in Eastern or Nigeria

The indirect rule failed among the Igbo and in the East because of the following reasons:-

1. The Igbo had no centralized system of government.

2. The creation of warrant chiefs to perform the functions of the paramount chiefs and emirs as found in the West and North, created confusion and instability in the Igbo land.
3. The system of taxation was not known in the East and when the warrant chiefs tried to impose taxes, it thus resulted in riots, e.g. Aba women riot of 1929.
4. The early education which the Christian churches brought to the East helped to give the Igbo educated ones, the weapons to fight against the indirect rule and the British colonial politics

2.5 Advantages and Disadvantages of Indirect Rule System

The advantages of the indirect rule are:-

1. Respect for the people's traditions and culture
2. The use of the traditional rulers and chiefs in the administration made it less costly.
3. Indirect rule administration was a fertile ground for the training of traditional rulers and chiefs especially, in the area of local administration.
4. Indirect rule system was more accommodating than the French direct administration in West Africa. The former allowed the formation of political parties but the latter did not.
5. The indirect rule system helped to put a stop to some evil practices in some parts of the country. E.g. in the Eastern Nigeria, giving birth to twins were seen as an abomination. Also, human sacrifices were stopped.
6. Traditional institutions, native courts, etc were developed, making it more effective and durable.
7. It helped in introducing a new method of collecting taxes.
8. The political system was stable especially in the north, where the traditional rulers had the over-whelming support of the people.

2.6 Disadvantages or Demerits of Indirect Rule

1. The greatest defect of the system was that it had little or no place for the educated elements who were not chiefs in the system.
2. The experiment of appointing artificial rulers where none traditionally existed, failed because it ran counter to the peoples' customs. It also resulted in terrible abuses of power by such artificial chiefs.
3. The native rulers were deprived of effective power to defend the interests of their people against the British overlord.
4. Indirect rule was a system imposed on the people. Therefore the system was an imposition.

5. The democratic rights of the people were abused. People were denied of their rights.
6. Most of the traditional rulers were involved in evil practices and the system could not prosecute them.
7. Progress and development were relatively very low especially in northern Nigeria. So development was retarded.
8. The system had no universal application because it could not be applied to all environments.
9. The system encouraged tribalism and sectionalism at the expense of national consciousness. That was why other parts of Nigeria did not want independence while others were clamouring for it.
10. Above all, the system failed to prepare the people for modern representative government or to develop in them a new sense of national identity as Nigerians, Ghanaians, etc.

Self-Assessment Exercise 1

Highlight Five (5) Advantages and Disadvantages of Indirect Rule System



2.7 Summary

In this unit, you had the historical analysis of Nigerian state during the colonial era. You were informed that the democratic rights of people were abused and that the success of indirect rule system in other countries made Lugard to introduce same in Nigeria.

The indirect rule system succeeded in some parts of Nigeria and did not success in other parts. The reason was that the areas that had centralized political structures were easier to govern by the colonial masters, than those areas which had decentralized political structures.

You have learnt that colonialism is an imposition of a more developed culture over a less developed one, backed up by expansionist and economic adventurism.

The unit has thrown light on the activities of some European powers in some countries of West Africa including Nigeria. The reasons for introducing or adopting the system of indirect rule, reasons for the involvement of the traditional rulers in the system, the reasons why the system failed and succeeded in other parts of the country were also highlighted and discussed.

In the next unit, you will be taken through the discussion on the pre-independence constitution or constitutional development in Nigeria and the impact of the indirect rule system on Nigerian government and politics.



2.8 References/Further Readings/Web Resources

- Ajayi, J.F. (2000). *Tradition and Change in Africa: The Essays of J.F. Ade-Ajayi* Trenton: Africa World Press.
- Anyaele, J.U. (2003). *Comprehensive Government*. Lagos. A. Johnson Publishers Ltd.
- Dibie, C.C. (2008). *Essential Government*. Ibafo, Ogun – State. Tonad Publishers, Ltd.
- Nwankwo, B.C. (2002). *Authority in Government: Nigeria and World Politics*. Revised Edition. Onitsha. Abbot Books, Ltd.
- Ofoegbu, G.A.I. (1999). *Modern Government*. Onitsha. Mas Founders Publication, Ltd.



2.9 Possible Answer to Self- Assessment Exercise

Answer to Self – Assessment Exercise 1

What is Colonialism? State any four features of indirect rule.

The term ‘colonialism’ means an imposition of a more developed culture over a less developed one, backed up by expansionist and economic adventurism. Before the 1880s, Europe had gone ahead of the rest of the world in science and technology. Europe of 19th century became the workshop of the world with growing desire for raw materials for their industries. Britain, Belgium, France, Germany, Italy etc. were all involved in this race.

So, the competitive search for markets and sources of raw materials for the industrial consumption of the western world motivated the scramble for and partition of Africa among some European powers. By the late 19th century, the concern about sourcing raw materials and markets had become a serious issue in most European countries.

The scramble for Africa, by these European powers led to the partitioning of Africa after the Berlin Conference of 1884 – 85. Britain colonized Nigeria, Ghana, the Gambia and Sierra – Leone in West Africa. As from 1898, the British government sought to establish and maintain a colonial state in Nigeria. To achieve this, a number of measures were to be taken, for example, removal of all visible opposition to the imposition of colonial rule, expansion and consolidation of British authority over the territory later known as Nigeria. In 1906, the first step was taken towards unifying the distinct entities which constituted Nigeria at the dawn of the twentieth century.

In January 1914, Lord Lugard the then Governor – General amalgamated Lagos colony and Southern protectorate with Northern protectorate to form a single colony called protectorate of Nigeria. Britain, therefore, governed Nigeria by means of a system popularly referred to as “Indirect Rule”.

Indirect rule is a system of administration in which the British colonial government adopted as its colonial policy in dealing with the people by using the traditional rulers, the traditional political institutions – administrative, cultural and judicial structures – as intermediaries while the British officials mainly advised and where necessary, enforced colonial regulations.

Britain claimed that the system involved not governing the people directly, but through their local traditional rulers and chiefs. It was alleged that the wife of Lord Lugard formed the name 'Nigeria' after the amalgamation. Lugard later became the first Governor – General of Nigeria. He was referred to as the Father of Indirect Rule System.

Answer to Self – Assessment Exercise 2

Advantages and Disadvantages of Indirect Rule System

The advantages of the indirect rule are:-

1. Respect for the people's traditions and culture
2. The use of the traditional rulers and chiefs in the administration made it less costly.
3. Indirect rule administration was a fertile ground for the training of traditional rulers and chiefs especially, in the area of local administration.
4. Indirect rule system was more accommodating than the French direct administration in West Africa. The former allowed the formation of political parties but the latter did not.
5. The indirect rule system helped to put a stop to some evil practices in some parts of the country. E.g. in the Eastern Nigeria, giving birth to twins were seen as an abomination. Also, human sacrifices were stopped.

Disadvantages or Demerits of Indirect Rule

6. The greatest defect of the system was that it had little or no place for the educated elements who were not chiefs in the system.
7. The experiment of appointing artificial rulers where none traditionally existed, failed because it ran counter to the peoples' customs. It also resulted in terrible abuses of power by such artificial chiefs.
8. The native rulers were deprived of effective power to defend the interests of their people against the British overlord.
9. Indirect rule was a system imposed on the people. Therefore the system was an imposition.
10. The democratic rights of the people were abused. People were denied of their rights.

Unit 3 Evolution of Governance in Nigeria

Unit Structure

- 3.1 Introduction
- 3.2 Learning Outcomes
- 3.3 Constitution Development after Independence in Nigeria
 - 3.3.1 The Independence Constitution
- 3.4 The 1963 Republican Constitution
- 3.5 The Presidential Constitution of 1979
- 3.6 1999 Constitution and the Elites
- 3.7 The Way Forward
- 3.8 Summary
- 3.9 References/Further Readings/Web Resources
- 3.10 Possible Answers to Self-Assessment Exercise(s)



3.1 Introduction

In our last week class, we discussed the composition of the Executive, Legislature and the Judiciary functions and distinction between the organs of government as well as the checks and balances on the other. In today's class, we will be discussing constitution Development in Nigeria. 1922 constitution, the Richards constitution, the Macpherson constitution, discusses the Macpherson constitution, and Lyttleton constitution were reviewed in the previous unit. In this unit, we shall look at Constitution development after Independence in Nigeria, i.e the independence constitution, the 1963 republican constitution, the presidential constitution of 1979 and the 1999 constitution and the elites



3.2 Learning Outcomes

By the end of this unit, you will be able to:

- Explain the independence constitution
- Discuss the 1963 republican constitution
- Explain the The presidential constitution of 1979
- Discuss the 1999 constitution and the elites
- Explain the The way forward



3.3 Constitution Development before Independence in Nigeria

3.3.1 The Independence Constitution

Nigeria gained its independence on October 1st, 1960. As a result, Nigeria became a sovereign nation free from colonial pressures. This wasn't quite the case, though. Even though Dr. Nnamdi Azikiwe, a Nigerian, served as the Governor-General and Tafawa Balewa as Prime Minister, the Queen was remained the head of state and represented her.

With a few modifications, the constitution was similar to that of 1954. Provisions for obtaining nationality of the country were included. The procedure for amending the constitution was likewise covered by the constitution's provisions. In terms of the judiciary, the Privy Council's approval was required for the nomination of judges by the judicial service commission. The Privy Council served as the nation's highest court of appeals.

The regional legislature and the center each have their own legislative authority under the constitution. It included guidelines for a restricted legislative list. For a concurrent list, provisions were also provided.

Only the central legislature was authorized to pass legislation on the items in the exclusive list. The central legislature and the regional legislatures were to pass laws on the items in the concurrent list. Items that weren't on any of the lists were considered residual lists, the sole authority for which rested with the regional legislature.

Additionally, a dual executive was allowed for. As a result, we had two distinct leaders serving as the Head of State and the Head of Government. Nnamdi Azikiwe presided over the government, while Tafawa Balewa served as the head of state.

Its primacy was likewise guaranteed by the constitution. This was in contrast to a parliamentary system's convention. We have parliamentary dominance, not constitutional supremacy, in a parliamentary system. However, due to Nigeria's diversity, the constitution has to be ultimate in order to allay concerns about minority groups gaining power.

Although Nigeria was said to have freed itself from British rule, the independence constitution nevertheless had some elements of imperialism. One of these is that a Nigerian was used to represent the queen, who was still the head of state. In addition, rather than the Nigerian Supreme Court, the highest court of appeal was the Judicial Committee of the Privilege Council in the House of Lords. These forced

the creation of a new constitution. The Republican Constitution of 1963 was this.

3.4 The 1963 Republican Constitution

On September 19, 1963, the federal house of representatives passed the republican constitution into law, and on October 1st, 1963, it went into effect. This came after the constitutional convention, which was held in Lagos on July 25 and 26, 1963, and at which questions pertaining to Nigeria's actual independence were settled.

The queen of England no longer served as the head of state, which was one of its key characteristics. The president, who was to be chosen by a joint session of both chambers of the national assembly using a secret ballot, served as the head of state. The head of state at the time, Dr. Nnamdi Azikiwe, served as military commander –in-chief.

The Privy Council was replaced as the nation's highest court of appeals by the Supreme Court. The Commission of the Judicial Service was also disbanded. The prime minister had the authority to select judges and advance them. The Supreme Court was given authority over judicial review. It had the authority to deem conduct that violated constitutional provisions void.

The number of seats in the House of Representatives and Senate was raised. The house of representatives was increased from 305 to 312 while the senate was increased from 44 to 56. The founding of the mid-western state was the cause of this increase. Therefore, new seats have to be made to accommodate this.

There are still some complaints made about the constitution despite all of these improvements. The first was that the national assembly, rather than the electorate, choose the president. Compared to the entire electorate, the national assembly only had a small number of members. The president may become more devoted to the legislative than to the people as a result of this.

Additionally, it could be argued that abolishing the judicial service commission was a mistake. This is due to how compromised the judiciary was when the executive was given control over the judiciary's regulation, which should be independent. In order to advance their careers and subvert justice, judges wouldn't want to insult the prime minister.

The republican constitution was not sustained because of political unrest in the nation. The politicians were overthrown in a coup d'état on January 15, 1966. Military rule ensued as a result until 1979.

Self-Assessment Exercise 1

Briefly explain the 1963 Republican Constitution
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3.5 The Presidential Constitution of 1979

General Murtala Muhammad took office in 1975. He vowed to reinstate civilian governance in Nigeria when he came to power. Sadly, he was slain before he could finish this. Obasanjo, his successor, continued his mission to usher in democracy. To create a draft constitution, a group of 49 people led by F.R.A. Williams was selected. The constitution was then finalized by a constituent assembly under the direction of Justice Udo Udoma. The constitution was ratified and went into effect on October 1st, 1979.

The constitution abandoned the parliamentary form of government and instituted a presidential one in its place. In addition to serving as commander in chief of the armed forces, the president also served as head of state and government. In a general election, the electorates selected the president. Unlike the previous constitution, he did not choose his ministers from among members of the parliament. Additionally, each state had an executive governor who served as its head of state.

The Senate and House of Representatives made up the bicameral legislature. The House of Representatives had 450 members, while the Senate had 95. On the other side, the state legislatures were unicameral. The president could be removed from office by the legislature. Did the house of assembly have the authority to remove the governor?

Reintroduced was the judicial service commission. It had the authority to suggest judges for appointment, pending the president's approval and legislative review. Additionally, the judiciary was given the authority to interpret the constitution and declare any actions that are in violation null and void.

3.6 1999 Constitution and the Elites

Nigerians hadn't even seen the constitution when they went to the elections in 1999 to choose the country's first president under the Fourth Republic. In essence, we chose our next president without being aware of the authority granted to him by the 1999 Constitution. That was terrible enough, but not nearly as horrible as the fact that the constitution's text was determined by the government rather than the

people. The military has burdened us with a constitution that really and honestly largely serves the interests of the elites, the politically connected, and the former military ruling house at the expense of the Nigerian masses under the premise of arranging a desperately needed quick transition. Not all of these are as regrettable as Nigerians' decision to live under this constitution without even expressing a desire for one that takes their interests and the advancement of our society into consideration. In the hopes that things would return to normal, we, the people, choose to accept the paradoxes. Even in 18 years from now, they won't have 18 years under their belts.

Certain injustices that the 1999 Constitution legalized would not have grown so commonplace today that we don't even notice how awful they are in practice if the Nigerian people had decided the 1999 Constitution's substance. After one or two terms, a governor and his or her deputy can live like kings or queens forever without taking a single kobo from the state's resources. The perks that people acquire after leaving government are unfair, especially given the widespread poverty under which nearly every one of our states is run.

These rights are protected by state laws that are frequently ratified by state Houses of Assembly, which are frequently viewed as the official seals of their respective governors. After serving in office for no more than eight years, former governors and their deputies are entitled to lifetime health, security, annual trips abroad, transportation, entertainment, lodging, and other benefits for general life maintenance. These ex-governors and their deputies receive houses that are built for them; they are sometimes referred to as having "one in the state" and "one in Abuja" as if they were expected to be rendered incompetent after their tenure so that the state would have to care for them and their families as a result of their mental, emotional, and physical incapacities.

In a rational society, this would be a crime; nonetheless, it is an injustice that is supported here.

3.7 The Way Forward

I have made an effort to define restructuring and the various kinds and implementation methods in this article up to this point. If I only explain the vocabulary without providing any guidance on how to utilize it in the Nigerian context, it won't be much use. I will now move on to provide the guiding principles for our reorganization as well as a list of the necessary restructuring for the short- and medium-term.

Principle no. 1: Equal Access and Equal Opportunity for All.

No Nigerian, regardless of social standing, should feel excluded or unwelcome in terms of what he or she can offer the country or in terms of receiving a fair portion of the country's riches. Instead, everyone in Nigeria needs to feel a sense of belonging. At the federal, state, and local levels of governance, minorities must be protected and their interests must be taken into account.

Principle no. 3: Equalization Of All Inequalities.

As a result of the aforementioned principle number 2, the structural imbalance that now exists should be fixed in order to permanently resolve sectional concerns. Such who are disadvantaged will not be fully dedicated to the common national purpose as long as those difficulties are being brushed over. A segment of the country, for instance, benefits disproportionately from the allocation of local government, which gives them an advantage over others in terms of representation and revenue distribution. Moving ahead, these disparities should be rectified.

Principle no. 4: Meritocracy- Merit Should Be King.

Merit should be emphasized. When choosing the criteria that will be taken into account when choosing individuals for non-elective policy making positions or when appointing individuals who will run our economy at all levels, it should be given the utmost priority. Ministers, commissioners, directors, MDA heads, and parastatal chiefs are some examples. In crucial sectors like CBN, IFRS (Revenue generation), NAFDAC (Food safety), NIMASA (Maritime safety), NCAA/NAMA (Air safety), NCC (Telephony), NBC (Information broadcast), etc., this is of the utmost importance.

The federal character concept is an excellent piece of legislation because it makes sure that every region of the nation is as fairly represented in federal institutions as possible, and that the same is true at the state level. Merit shouldn't be sacrificed on the altar of federal character, though. It is advised that administrative reform be implemented moving ahead so that appointments to crucial parastatals can be made on the basis of 75% merit and 25% federal character. Merit, federal character, and unimportant political appointments should all be equally distributed. 50% of the members of the board of federal parastatals should be selected on the basis of merit, while the remaining 50% should be chosen based on federal character. If a post is designated to Yobe State, for instance, the choice of the representative from Yobe state should be based purely on merit. Such people are available in every state of the federation. Ekiti State may have more professors than Yobe state, but

the people of Yobe are as intelligent as Ekiti people, the only difference is that one has more exposure to western education than the other.

Principle no. 5: We Can Achieve More Together.

A nation is a group of people who have decided to live in harmony, share their lives, and pool their resources to do things that they could never have done separately. Being large gives you access to economies of scale, which is advantageous. Diversity adds strength as well. Because of this, Nigeria will be more prosperous if it stays a one nation rather than having distinct nations for each tribe or region. This is because Nigeria's population, size, and diversity can be used as economic advantages. In fact, I am anticipating the day when West Africa as a whole (ECOWAS) would unite to form a single nation that will be five times more powerful than Nigeria.

Mr. Nwodo, the president of the Igbo cultural organization Ohaneze Ndigbo, recently made complaints about purported marginalization, unfairness, and neglect. In actuality, every region of Nigeria has occasionally lamented being marginalized. Even under the leadership of Jonathan, their son, Edwin Clarks continues to voice grievances on behalf of Ijaws and the Niger Delta population. During Obasanjo's administration, the Afenifere and Odu'a people congress voiced complaints on behalf of the South West. Both under Jonathan's administration and currently under Buhari, a northern president, the Arewa Consultative Forum has voiced complaints. When we believe we are not receiving our fair share of profitable positions, we tend to grumble more, and less when things are going well. For instance, the Igbos did not grumble much because they held highly profitable positions and enjoyed favorable policies under Jonathan. So, it's an attitude issue. Let's cultivate the proper mindset, which is that not everything can be perfect all the time. Additionally, we shouldn't base our responses on who is in charge or what we can receive from the current administration. We should approach the situation objectively, focusing on what each of us can do to improve Nigeria rather than how much of the national cake we can take for ourselves. On the other hand, every government must make sure that every region of the nation is fairly represented and treated in line with the federal character principle.

The Igbos, particularly the youth, are quite vocal in their complaints. The Igbos are widely scattered throughout Nigeria, where they primarily do business as traders and investors. They should prioritize Nigeria's unity since an unified Nigeria would provide a sizable market for their commercial activities as well as for the distribution of their manufactured goods, such as the shoes produced in the Aria Aria industrial cluster and other goods. Similar to how the south west can

export its academics to colleges around the country, the southern states represent a sizable market for agricultural products from the northern regions with extensive farms. Because of our interdependence, everyone stands to gain.

Self-Assessment Exercises 2

1. Describe 1999 Constitution and the Elites.
2. List the guiding principles for our reorganization as well as a list of the necessary restructuring for the short- and medium-term.



3.8 Summary

In summary, discussed the constitution Development in Nigeria: 1922 constitution, the Richards constitution, the Macpherson constitution, discusses the Macpherson constitution, and Lyttleton constitutions were reviewed in the previous unit. In this unit, we shall look at Constitution development after Independence in Nigeria, i.e the independence constitution, the 1963 republican constitution, the presidential constitution of 1979 and the 1999 constitution and the elites. We said that, Lagos State served as an annexed by the British in 1861, a legislative and executive council was created. Lagos was placed under the control of a Governor General with a base in Sierra Leone in 1862 by a commission issued on February 19, 1866, along with other British territories in the Gold Coast, Sierra Leone, and Gambia. However, they each had an own legislative council. In 1874, Lagos and the Gold Coast were divided into distinct colonies, each with its own ruler and legislative council. In 1886, a distinct governing body with a governor, executive branch, and legislative branch was founded for Lagos. Caseley Hayford's then-led West African Congress put pressure on Sir Hugh Clifford Clifford to draft constitutions for the state when he took office as governor in 1919.



1.9 References/Further Readings/Web Resources

<https://studyhq.net/merit-demerit-richards-constitution/>



3.10 Possible Answers to SAEs

Answers to SAEs 1

1. Briefly explain Republic constitution 1963

On September 19, 1963, the federal house of representatives passed the republican constitution into law, and on October 1st, 1963, it went into effect. This came after the constitutional convention, which was held in Lagos on July 25 and 26, 1963, and at which questions pertaining to Nigeria's actual independence were settled.

The queen of England no longer served as the head of state, which was one of its key characteristics. The president, who was to be chosen by a joint session of both chambers of the national assembly using a secret ballot, served as the head of state. The head of state at the time, Dr. Nnamdi Azikiwe, served as military commander –in-chief.

The Privy Council was replaced as the nation's highest court of appeals by the Supreme Court. The Commission of the Judicial Service was also disbanded. The prime minister had the authority to select judges and advance them. The Supreme Court was given authority over judicial review. It had the authority to deem conduct that violated constitutional provisions void.

The number of seats in the House of Representatives and Senate was raised.

Answers to SAEs 2

1. Describe 1999 Constitution and the Elites.

Nigerians hadn't even seen the constitution when they went to the elections in 1999 to choose the country's first president under the Fourth Republic. In essence, we chose our next president without being aware of the authority granted to him by the 1999 Constitution. That was terrible enough, but not nearly as horrible as the fact that the constitution's text was determined by the government rather than the people. The military has burdened us with a constitution that really and honestly largely serves the interests of the elites, the politically connected, and the former military ruling house at the expense of the Nigerian masses under the premise of arranging a desperately needed quick transition. Not all of these are as regrettable as Nigerians' decision to live under this constitution without even expressing a desire for one that takes their interests and the advancement of our society into

consideration. Certain injustices that the 1999 Constitution legalized would not have grown so commonplace today that we don't even notice how awful they are in practice if the Nigerian people had decided the 1999 Constitution's substance. After one or two terms, a governor and his or her deputy can live like kings or queens forever without taking a single kobo from the state's resources. The perks that people acquire after leaving government are unfair, especially given the widespread poverty under which nearly every one of our states is run. These rights are protected by state laws that are frequently ratified by state Houses of Assembly, which are frequently viewed as the official seals of their respective governors. After serving in office for no more than eight years, former governors and their deputies are entitled to lifetime health, security, annual trips abroad, transportation, entertainment, lodging, and other benefits for general life maintenance. These ex-governors and their deputies receive houses that are built for them; they are sometimes referred to as having "one in the state" and "one in Abuja" as if they were expected to be rendered incompetent after their tenure so that the state would have to care for them and their families as a result of their mental, emotional, and physical incapacities. In a rational society, this would be a crime; nonetheless, it is an injustice that is supported here. List the guiding principles for our reorganization as well as a list of the necessary restructuring for the short- and medium-term.

Principle no. 1: Equal Access and Equal Opportunity for All.

Principle no. 3: Equalization Of All Inequalities

Principle no. 4: Meritocracy- Merit Should Be King.

Principle no. 5: We Can Achieve More Together.

Unit 4 Three Arms of Government in Nigeria

Unit Structure

- 4.1 Introduction
- 4.2 Learning Outcomes
- 4.3 Three arms of government
 - 4.3.1 Executive branch
 - 4.3.2 Legislative branch
 - 4.3.3 The judicial branch
- 4.4 History of Nigerian Democracy
- 4.5 Summary
- 4.6 References/Further Readings/Web Resources
- 4.7 Possible Answers to Self-Assessment Exercise(s)



4.1 Introduction

In our last week class, we discussed the 1922 constitution, the Richards constitution, the Macpherson constitution, discusses the Macpherson constitution, and Lyttleton constitution were reviewed in the previous unit. In this unit, we will examine the three arms of government, the executive branch, the legislative branch, the judicial branch and History of Nigerian Democracy.

The president is elected through general election by the electorate. It is the principal mechanism of ensuring that governments are accountable to the governed in democracies. The president serves as both the chief of state and the head of government, presiding over the Federal Executive Council, also known as the cabinet. Section 130 of the constitution designates the president as chief executive and commander in chief of the armed forces. The constitution of 1999 confers in the president all executive powers of the federation, which can be exercised directly by him, his vice president, or members. Section 5(1)(b) states that the president's executive powers include the preservation of the provisions of the constitution, actions of the national assembly, and issues on which the national assembly has the ability to enact law for the time being. The president is elected to ensure that the Nigerian Constitution and legislation are followed by the people. The elected president also commands the nation's armed forces and is limited to two four-year terms. Nigeria's current President, Muhammadu Buhari, was elected in 2015, and the current Vice President, Yemi Oshinbajo.



2.2 Learning Outcomes

By the end of this unit, you will be able to learn about:

- the executive, legislative and judicial branch of government
- history of Nigerian Democracy



2.3 Three arms of government

2.3.1 Executive Branch

The executive branch is divided into Federal Ministries, each of which is led by a minister appointed by the president. Federal Ministries are civil service departments charged with providing various types of government services, and each ministry is led by a Permanent Secretary who reports to a Minister in the Federal Cabinet. Nigeria currently has 24 Federal Ministries. The president's cabinet must have at least one representative from each of the 36 states. The Senate of Nigeria confirms the President's appointees. A federal minister may be responsible for more than one ministry (for example, Environment and Housing), or a minister may be aided by one or more ministers of State. Each ministry has its own Permanent Secretary, who is a senior civil servant.

Universities, the National Broadcasting Commission, and the Nigerian National Petroleum Corporation are among the parastatals (government-owned corporations) overseen by the ministries. However, several parastatals, such as the Independent National Electoral Commission, the Economic and Financial Crimes Commission, and the Federal Civil Service Commission, are under the purview of the Presidency.

2.3.2 Legislative branch

The Legislature is considered the first of the three arms of government, together with the Executive and the Judiciary. The idea of separation of powers characterizes these Arms, as one is supposed to be independent of the other. Sections 4(1) and 4(2) of the 1999 Constitution (as amended) grant the Legislature its functions (2). The Legislature has the authority to establish laws for the Federation's peace, order, and good governance.

"It also has investigative, financial, confirmation, and impeachment powers. It would not be inappropriate for me to utilize this occasion to remind us that the Legislature is the global symbol of democracy. The

National Assembly of Nigeria (NASS) is endowed with the legislative functions of the Federal Republic of Nigeria under Section 4 (1) of the 1999 Constitution of the Federal Republic of Nigeria (as modified) (the "Constitution"). That is the power to create laws for the Federation's peace, order, and good administration on any topic listed in the Exclusive Legislative List and the Concurrent List - a list of 12 items on which both the NASS and the States' Houses of Assembly can legislate.

This legislative authority is usually exercised through Bills passed by the NASS and signed by the President. Bills are classified into two types: private bills that affect private residents, corporate entities, and/or a certain class of people, and public bills that affect the whole public. A Bill can be introduced into either chamber of the NASS by members of the chambers or the Executive branch of government. Nigeria's National Assembly consists of two chambers: the House of Representatives and the Senate. The House of Representatives is Nigeria's bicameral National Assembly's lower chamber, presided over by the Speaker of the House of Representatives. It comprises 360 members from each of the country's Federal Constituencies.

The President of the Senate presides over the Senate, which has 109 members. The country's 36 states are represented by 108 members elected for four-year periods in 36 three-seat constituencies. In the federal capital's single-seat constituency, one member is elected. Legislators are elected to either the House of Representatives or the Senate to represent their constituents and pass legislation that benefits the public.

Bills are developed and introduced in either of the two chambers during the legislative process. These legislation can only become national law if they are authorized by Nigeria's president, who has the authority to veto measures.

The current Senate President is Ahmed Ibrahim Lawan, who was elected to the Senate in 2007, while the current Speaker of the House is Femi Gbajabamila, who has served as Nigeria's 9th Speaker of the House of Representatives since 2019. Each member of Nigeria's National Assembly may be elected to more than two four-year terms. Recently, the Legislative branch has abused its position as a check on the president and his cabinet's power. Legislators have been known to use their power not only for lawmaking, but also for political intimidation and to promote individual financial success.

Senators are paid a salary of more than \$2,200 USD per month, with costs of \$37,500 USD per month (2018 figures).

2.3.3 The judicial branch

The National Judicial Council functions as an independent executive body, separating the judiciary from the executive branch of government. The Supreme Court of Nigeria, the Court of Appeals, the High Courts, and other trial courts such as Magistrates', Customary, Sharia, and other specialty courts comprise the judicial branch. The National Judicial Council functions as an independent executive body that protects the judiciary from the executive branch of government.

The Supreme Court has both original and appellate jurisdiction, according to the 1999 constitution (the power to reverse, modify and change a decision or ruling made by a lower court). Appellate jurisdiction exists for both civil and criminal law, with the Supreme Court having sole authority and jurisdiction to hear appeals from Courts of Appeal, as well as appellate jurisdiction over all subordinate federal courts and top state courts. Except for the Supreme Court, the court's decisions and rulings are binding and absolute on all courts in Nigeria. The Supreme Court is presided over by the Chief Justice of Nigeria and thirteen associate justices selected by the President of Nigeria based on the National Judicial Council's recommendation. These justices are subject to confirmation by the Senate.

The judicial branch of the Nigerian government is the only one of the three branches of government whose members is appointed rather than elected. The judiciary, particularly the Supreme Court, is supposed to enforce the ideals and provisions of the nation's constitution, which was created in 1999. Its objective is to defend citizens' fundamental rights. Olukayode Ariwoola is the current Chief Justice of the Supreme Court.

Self-Assessment Exercises 1

1. State Section 130 of the constitution and Section 5(1)(b)
2. The Supreme Court has both original and appellate jurisdiction explain?

2.4 History of Nigerian Democracy

After obtaining independence and Republican status in 1960 (that year Nigerians became citizens of the world's fourth largest democratic republic) and 1963, respectively, Nigeria saw its first military coup in 1966, followed by a civil war that lasted until 1970.

In 1978, it was conceivable to resurrect the democratic dream for a few years. Though this phase of democratic ideal did not survive long and was quickly ended in 1983 as a consequence of certain military rulers who came to power via coup d'etat claimed to restore democracy to the country.

Nonetheless, only General Abdulsalami Abubakar gained charge of the country after Sani Abacha's death and kept his word. The country's modern Constitution went into effect in 1999. Elections in 1999 were more successful than those held under the previous military regime. The freshly elected President of Nigeria, Olusegun Obasanjo, put an end to the military regimes that had alternated for nearly 30 years. The end of military control heralded a new age of regular elections, civil liberties, a free press, and an end to arbitrary arrests and maltreatment, while human rights violations continue to occur on a regular basis. Nigeria democratized in 1999 with the establishment of the Fourth Republic, but there have been significant setbacks.

Elites in Nigeria have been discovered to have more authority and influence than ordinary residents, which has resulted in widespread corruption in Nigerian politics and society. Elections in Nigeria are getting less fraudulent, and there is greater party rivalry, which is a positive indicator of democracy. Another sign of a strong democracy is the presence of a civil society in which citizens have the freedom to act and talk freely, in tandem with a strong usage of media in daily life. Furthermore, Nigeria has seen an increase in the usage of media in the arena of political concerns, most notably with the recent [Special Anti-Robbery Squad] SARS demonstration, demonstrating a sense of freedom for the public to express themselves.

Self-Assessment Exercises 2

1. Give a brief history of birth of Nigeria democracy.



2.5 Summary

In summary, we discussed the three arms of government, the executive branch, the legislative branch, the judicial branch and History of Nigerian Democracy. We said that, each Federal Ministry is chaired by a minister selected by the president. Federal Ministries are civil service divisions responsible for delivering various sorts of government services. Each ministry is overseen by a Permanent Secretary who reports to a Minister in the Federal Cabinet. The Legislature, along with the Executive and the Judiciary, is regarded as the first of the three

branches of government. These Arms are defined by the concept of separation of powers, as each is intended to be independent of the other. The National Judicial Council serves as an independent executive body that separates the judiciary from the executive branch. The Nigerian Supreme Court, the Court of Appeals, the High Courts, and smaller trial courts such as Magistrates', Customary, Sharia, and other specialty courts comprise the judicial branch.



2.6 References/Further Readings/Web Resources

[A Summary Of The Legislative Process In Nigeria: A Guide To Lawmaking In The National Assembly - Constitutional & Administrative Law - Nigeria](http://www.mondaq.com)". www.mondaq.com. Retrieved 2022-12-22.

ACMC, E. and Samuel C, (2020-06-24). "Meaning & Characteristics of Nigerian Legal System". Bsolarly. Retrieved 2022-12-21.

Chapter Two of the 1999 Constitution of Nigeria; The Fraud, Illogicality and Prospects - The LawPavilion Blog". lawpavilion.com. 2022-09-22. Retrieved 2022-12-22.

Common Law - Definition, Understanding, and Why Common Law is Important?". cleartax.in. Retrieved 2022-12-21.

Dunmoye, R. A. (1987). Traditional leadership and political hegemony in Nigeria: past, present and future. department of political science, Ahmadu Bello University, Zaria.

Ene, P. (2021-05-18). "Three Arms of Government in Nigeria & Their Functions". Walyben. Retrieved 2022-12-22.

Government Ministries in Nigeria". Commonwealth of Nations. Retrieved 2009-12-21.

Government". Wildwap.com. Retrieved 2020-11-05.

Maduekwe, N. (2014). "Role of the Legislature in Post-Independence Nigeria: 1960-1966". Rochester, NY. SSRN 2813054.

Nigeria - Independent Nigeria". Encyclopedia Britannica. Retrieved 2021-05-21.

- Nigeria National Assembly leadership: Ruling APC sweeps all top posts". Africanews. 2019-06-12. Retrieved 2022-12-22.
- Nigerian Legal System | Post-Independence Nigerian Government". Nigerian Scholars. Retrieved 2021-05-21.
- Nwafor (2022). "NASS Clerk underscores impeachment powers of Legislature, calls for its protection". Vanguard News. Retrieved 2022-12-22.
- Olamide, Olanrewaju (2016-03-17). "Executive powers in the Nigerian constitution". The Jet Lawyer. Retrieved 2022-12-22.
- Practical Law UK Signon". signon.thomsonreuters.com. Retrieved 2020-10-30.
- Structure of Executive | Arms of Government". Nigerian Scholars. Retrieved 2022-12-22.
- The Legislative Process - Types of Bills". www.ourcommons.ca. Retrieved 2022-12-22.
- The Nigerian Legal System under the Military Government". Retrieved 2022-12-23.
- .



2.7 Possible Answers to SAEs

Answers to SAEs 1

1. State Section 130 of the constitution and Section 5(1)(b)

Section 130 of the constitution designates the president as chief executive and commander in chief of the armed forces. The constitution of 1999 confers in the president all executive powers of the federation, which can be exercised directly by him, his vice president, or members. while Section 5(1)(b) states that the president's executive powers include the preservation of the provisions of the constitution, actions of the national assembly, and issues on which the national assembly has the ability to enact law for the time being. The president is elected to ensure that the Nigerian Constitution and legislation are followed by the people. The elected president also commands the nation's armed forces and is limited to two four-year terms. Nigeria's current President, Muhammadu Buhari, was elected in 2015, and the current Vice President, Yemi Oshinbajo.

2. The Supreme Court has both original and appellate jurisdiction explain?

The Supreme Court has both original and appellate jurisdiction, according to the 1999 constitution (the power to reverse, modify and change a decision or ruling made by a lower court), Appellate jurisdiction exists for both civil and criminal law, with the Supreme Court having sole authority and jurisdiction to hear appeals from Courts of Appeal, as well as appellate jurisdiction over all subordinate federal courts and top state courts. Except for the Supreme Court, the court's decisions and rulings are binding and absolute on all courts in Nigeria. The Supreme Court is presided over by the Chief Justice of Nigeria and thirteen associate justices selected by the President of Nigeria based on the National Judicial Council's recommendation. These justices are subject to confirmation by the Senate

Answers to SAEs 2

1. Give a brief history of birth of Nigeria democracy.

After obtaining independence and Republican status in 1960 (that year Nigerians became citizens of the world's fourth largest democratic republic) and 1963, respectively, Nigeria saw its first military coup in 1966, followed by a civil war that lasted until 1970.

In 1978, it was conceivable to resurrect the democratic dream for a few years. Though this phase of democratic ideal did not survive long and was quickly ended in 1983 as a consequence of certain military rulers who came to power via coup d'etat claimed to restore democracy to the country.

Nonetheless, only General Abdulsalami Abubakar gained charge of the country after Sani Abacha's death and kept his word. The country's modern Constitution went into effect in 1999. Elections in 1999 were more successful than those held under the previous military regime. The freshly elected President of Nigeria, Olusegun Obasanjo, put an end to the military regimes that had alternated for nearly 30 years. The end of military control heralded a new age of regular elections, civil liberties, a free press, and an end to arbitrary arrests and maltreatment, while human rights violations continue to occur on a regular basis. Nigeria democratized in 1999 with the establishment of the Fourth Republic, but there have been significant setbacks

Unit 5 Evolution of Political Parties in Nigeria

- 5.1 Introduction
- 5.2 Learning Outcomes
- 5.3 Origin and Development of Political Parties (the Colonial Era)
 - 5.3.1 Political Parties during the First Republic
 - 5.3.2 Political Parties in the Second Republic
 - 5.3.3 Political Parties in the Third Republic
 - 5.3.4 Political Parties in the Fourth Republic
- 5.4 Character of Political Parties in the Fourth Republic
- 5.5 Summary
- 3.6 References/Further Readings/Web Resources
- 3.7 Possible Answers to Self-Assessment Exercise(s)



5.1 Introduction

Political parties give the democratic process purpose, making them essential components of democracy. Political parties play a significant institutional role in both the electoral process and liberal democracy. According to democratic philosophy, political parties are the main mechanism by which voters can influence their government by casting ballots in open and transparent elections. Any organization must have a definite philosophy before it can be referred to as a political party. This explains why some academics believe that political parties are associations built on principles or policies. The revolution and growth of political parties in Nigeria are examined in this unit. It tracks the development of political parties from the colonial period through the First, Second, and Third Republics, as well as the political regime of the Fourth Republic.



5.2 Learning Outcomes

At the end of this unit, you should be able to;

- explain the history and evolution of political parties in Nigeria
- discuss the political parties transformed both in structure and organization from one republic to another.
- explain the state and operations of political parties in Nigeria today.



5.1 Origin and Development of Political Parties (the Colonial Era)

Okwudiaba Nnoli opines “that ethnicity; more than other factors is at the root of the development of political parties before independence.

According to him politics, during the era of the nationalist struggle for independence from colonialism, was dominated by the conflict arising from the assertion of interests other than national interest. The 1914 amalgamation of the Northern and Southern protectorates of Nigeria marked the beginning of a stupendous effort in socio-political engineering”.

That is the development of a contemporary state from a medley of various sovereign nation-states and nationalities. One would have a better grasp of the nature of political parties in the years leading up to Nigeria's independence if this were taken into account in addition to the diversity in religion, culture, tradition, language, and geography.

The Clifford constitution of 1922, which introduced the electoral concept, is where political parties in colonial Nigeria had their start. To enable Nigerians to win the open seats in the Legislative Council, the constitution promoted the formation of political parties. As a result, the electoral principle serves as the first phase in Nigeria's election process.

Herbert Macaulay then founded the Nigerian National Democratic Party (NNDP), which contested and won all three seats allocated to Lagos in the 1922 Legislative Councils elections, one could say that the experiment was off to a good and promising start.

“The stated aims of the NNDP included: the attainment of municipal status and local self government for Lagos, the provision of facilities for higher education in Nigeria, the introduction of compulsory education at the primary school level, the encouragement of non- discriminatory, private economic enterprise, and the Africanisation of the civil service (Sklar, 1983: 46)”.

In 1934, the Lagos Youth Movement was established as well. Graduates of Nigeria's top university, King's College, Lagos, founded the movement. Ernest Ikoli, H. O. Davies, and Samuel Akinsaya were the group's original members. The LYM's goals were constrained and provincial in scope and included making demands for bettering colonial-era living circumstances. The Nigerian Youth Movement (NYM), a larger, pan-Nigeria political movement, replaced the Lagos Youth Movement (LYM) in 1936. Dr. Nnamdi Azikiwe's return to Nigeria

from Ghana in 1937 bolstered the NYM membership. The movement quickly established branches in a number of American cities, and in 1938 it released its Youth Charter and Constitution.

But during a vote to fill Dr. Kofo Abayomi's seat after his appointment to the Executive council, ethnic parochialism was introduced into the movement. Samuel Akinsanya ran for the same open position in the legislative council but was opposed by Ernest Ikoli, who was the president of NYM at the time. The party ultimately chose Ikoli for the position, which caused a group led by Dr. Azikiwe to claim that Samuel Akinsanya was not favored by the party's main Yoruba group since he was from the other ethnic group.

The Nigerian Youth movement was replaced in 1944 by the National Council of Nigeria and Cameroon (NCNC), which was the country's third major political organization.

The Ibo State Union was one of many organizations and organisations that came together to establish the party. Sir Herbert Macaulay served as its leader, and Dr. Nnamdi Azikiwe served as its national secretary.

Herbert Macaulay passed away in 1946, and Dr. Nnamdi Azikiwe took over as party leader. The party was well-known for its outspoken criticism of the colonial government and is thought to have dispatched a significant delegation to London in 1946 to voice nationalists' complaints about Richard's constitution. The Action Group of Nigeria A.G., which was established by Chief Obafemi Awolowo from a Yoruba socio-cultural group, the Egbe Omo Oduduwa.

In his 1947 book *Path to Nigerian Freedom*, Awolowo acknowledged that given the ethnic diversity in Nigeria, it was only natural for political organizations to begin at the local level before seeking to become a national platform. Like the AG, the Northern Peoples Congress (NPC) was founded in 1951 from Jammiyyar Mutaine Arewa, a Hausa cultural group. As a result, before Nigeria gained independence in 1960, there were three main political parties in the country: the Northern Peoples Congress (NPC), the National Council of Nigeria Citizens (NCNC), formerly the National Council for Nigeria and the Cameroon, and the Action Group of Nigeria (AG). Each of these parties was dominant and exercised control over the regional governments in the North, East, and West, respectively.

Self-Assessment Exercise (SAE)

1. Examine the ethnic factor in the formation of Political Parties in Nigeria during the colonial era.

5.2.1 Political Parties during the First Republic

At the time of its independence, Nigeria too had a multi-party system, with party leaders being the nationalists who had fought for the country's independence and then taken over as its political leaders. Political parties are the foundation of any democratic system of government, therefore they became the main means by which Nigerian political leaders attempted to bring about the "life more abundant" for the Nigerian people as outlined in the program and manifestos of the Action Group of Nigeria. These parties also came to be seen as a prerequisite for the country's transition from a political to an independent, developed democracy. Thus, through defining the character and essence of the nation's democratic journey toward democratic consolidation and entrenchment, these political parties have contributed.

Edmund Burke once defines political party as "a body of men united for promoting by their joint endeavours, the national interest, upon some particular principle in which they are all agreed".

The political party activities that will be discussed in the following paragraphs will demonstrate whether or not they were successful in achieving this objective of national interest or national development.

Political parties did, in fact, function within the confines of the legislative system of government in Nigeria's First Republic, which the Queen of England presided over as a ceremonial monarch until 1963, when she was elevated to a republic. Nigeria had three areas at the time of its independence as well—North, West, and East—until the creation of a fourth, the mid-Western region in 1963. It is also crucial to note that these parties' operating environments had a direct or indirect impact on the way they were organized and conducted. While the three main parties of Nigeria's first republic, NPC, NCNC, and AG controlled the affairs of the three regions, North, East and West respectively, the NCNC joined the NPC to form a coalition government at the very level since none of the party was strong to singularly form the federal government. In accordance with this agreement, Tafawa Balewa of the NPC was appointed Prime Minister and Dr. Nnamidi Azikiwe was appointed Governor General. The opposition was led by Chief Oafemi Awolowo of the AG. It is essential to note that the main political parties in Nigeria at the time of its independence were predominately based on ethnicity. The NCNC was viewed as a party of the Igbos, the AG as a party of the Yorubas, and the NPC as a party of the Hausa-Fulani tribe. Therefore, there was no widespread appeal for these parties. The United Middle Belt Congress (UMBC), headed by Joseph Tarka, and the Northern Element Progressive Union (NEPU), both of which were

minority political parties, were opposed to the NPC in the North; the Mid- West Democratic Front (MDF) for the Mid-western region, the Nigeria National Democratic Party (NNDP) formed by Chief S.L. Akintola and was in opposition to the AG in the West. Chief Akintola founded the party after being expelled from the mainstream party in the West as the AG result of a protracted controversy that shook the party. The remaining NCNC members, including Fani Kayode, joined Akintola to form the new NNDP, which must be separated from the one founded by Hebert Macaulay in 1922.

Political parties in the First Republic joined together to establish large coalitions in order to compete for seats prior to the 1964 Federal Election. The AG linked up with the NCNC to establish the United Progressive Grand Alliance, while the NPC joined the NNDP to form the Nigeria National Alliance (NNA) (UPGA). The 1964 Federal Election result was undecided, and this resulted in to a constitutional crisis when the then Nigeria's President, Dr. Nnamdi Azikwe refused to call on Tafawa Balewa, then Prime Minister, to form a new government. The breakdown of the First Republic and the military's first political intervention in Nigeria can be somewhat linked to the series of events that followed the election disputes.

In the end, it is safe to say that the First Republic's political and legitimacy crises were caused in part by the First Republic's political parties, particularly their primitive base, and Nigeria's inability to maintain and consolidate her first attempt at democratic government within a federal framework.

Self-Assessment Exercise (SAE) 1

Examine the contribution of political parties' crises in the collapse of Nigeria's First Republic

5.3.2 Political Parties in the Second Republic

Comparing the Second Republic of Nigeria to the First Republic, little changed in the shape, personality, and nature of the political parties. The Federal Electoral Commission registered five political parties to run in the general elections of 1979. In 1983, the sixth National Advance Party was established, and it ran in the general elections.

Nearly every registered party had historical ties to the First Republic. Chief Obafemi Awolowo, who served as the party's leader and ran for president in both the 1979 and 1983 elections, founded the Unity Party of Nigeria (UPN), which is essentially a revival of the AG. The National Party of Nigeria (NPN), which was also a branch of the previous party, adopted zoning policy for both its elected and appointmental offices due

to its significantly more national orientation. The ancient Northern aristocracy and Southern bourgeoisie made up the majority of the party's membership. Although the NPN was a conservative party in comparison to the more liberal or republican NCNC and the more progressive UPN, their dual zoning policy, which was based on the needs of national unity, helped the party win more votes than the other four parties.

The Igbo heartland served as the foundation for the Nigeria Peoples Party (NPP), which later expanded outside the Igbo enclave by annexing Plateau State. Nnamdi Azikwe who had led the NCNC, also led the NPP. The birth of the Great Nigeria Peoples' Party (GNPP) was the aftermath of the quarrel of the Kanuri born Alhaji Waziri who wanted to double as NPP chairman and presidential candidate. This party can also be said to be a carryover of the resentment of the prokanuri Bornu Youth Movement (BYM) that, in the first republic resented the political hegemony of the Hausa-Fulani group. A type of NEPU, the Peoples Redemption Party (PRP) continued the protestant philosophies of Mallam Aminu Kano. However, the party's influence was primarily felt in the states of Kano and Kaduna.

The fact that the majority of the political parties of the Second Republic could be linked to a precise program of action, something akin to an ideological orientation, is one of their most distinguishing characteristics. For instance, the Unity Party of Nigeria's four-point program was well-liked. Free health care, full employment, free education at all levels, and integrated rural development are also included. Students and progressive-minded Nigerians, particularly in the Northern region of the country, were drawn to the UPN by its welfare program. The Nigerian National Party of Nigeria was also known for its agriculture and housing policy which later found expression in the Green Revolution Programme and the Popular Shagari Low Cost Housing Scheme of the NPN controlled federal government.

Self-Assessment Exercise (SAE) 2

Explain the role of ideology in distinguishing the major Political Parties in Nigeria during the Second Republic

5.3.3 Political Parties in the Third Republic

The political parties that fought for control throughout the Second Republic had hope, but that hope was dashed by the military takeover on December 31, 1983. How to break the main political parties of the nation's clinging to the tripod separation of East, West, and North, or the ethnic divide of Hausa-Fulani, Igbo, and Yoruba, has been of particular concern to political scientists. This was a significant directive Ibrahim Babangida, the military ruler who established the Political

Bureau, gave to its members, who were asked to choose a new course for Nigeria. The context for the development of the two party systems in the nation during the failed Third Republic was laid forth in the panel's report and the government's white paper.

It was on May 3, 1989, when the ban on political was lifted not less than 30 political associations surfaced. However, because to the strict restrictions imposed by the now-defunct National Electoral Commission, only 13 of them submitted an application for registration (NEC). Parties on the centre-left and right emerged. The Independent National Electoral Commission (INEC) conducted a scientific analysis of their claims (membership distribution and organization) and their beliefs, and made the following discoveries:

The political parties Claims Ideologies

The Peoples Solidarity Party (PSP) 43.90% The progressives

The Nigerian National Congress (NNC) 42.62% The conservatives

The Peoples Front of Nigeria (PFN) 41.20%

The Liberal Convention (LC) 34.08%

The Nigerian Labour Party (NLP) 17.90%

The Republican Party of Nigeria (RPN) 17.00%

Among the thirteen associations that asked for registration, PSP, NNC, LC, and PFN were the four primary associations that requested registration from the NEC; nonetheless, the NEC recommended government recognition for six of the thirteen associations. PSP, NNC, PFN, LC, NLP, and RPN were among them. All were rejected by General Ibrahim Babangida's military administration because they fell short of the required passing score of 50%. After then, two political parties were established: The National Republican Convention (NRC) and the Social Democratic Party (SDP) were founded on the premise (ideology) of leaning somewhat to the left and the right.

Professor Humphrey Nwosu, the chairman of the NEC, asserted—and rightfully so—that the manifestos of all political associations under study tended to cluster "a bit to the left and a little to the right" of the ideological center. The federal government then ordered NEC to combine the manifestos for the SDP and NRC based on those already supplied by the associations. In hindsight, one can claim that the military made a severe error of judgment by making this observation. In fact, there were political forces in the nation that weren't liberal or conservative. Even worse, these two organizations were handled like government parastatals. The parties' manifestos and constitutions were written by the federal government, which also provided financial support and secretariats at the levels of the federal, state, and local governments.

Babangida gave Nigeria and the rest of the world this justification: With only two parties to choose from, the ethnic majority groups would have no choice but to cooperate, for better or worse. It is now widely acknowledged that Babangida's political experiment, which included imposing political parties as well as their manifestos and ideologies, was an abject failure and a farce. Because the parties began to exist as government parastatals and their members were odd bed fellows too and worst still Babangida himself who superintended over the conduct of the elections eventually annulled the election results, at its climax with the June 12 1993 presidential election. The Second Led in the Emergence of Political Parties in the Third Republic was marked by the resignation of the Ernest Shonekan-led Interim National Government and the ascension of General Sanni Abacha to the position of chief of state.

The United Nigeria Congress Party (UNCP), National Congress Party of Nigeria (NCPN), Congress of National Consensus (CNC), Democratic Party of Nigeria (DPN), and Grassroots Democratic Movement were the five political parties that registered during Gen. Sanni Abacha's transition program (GDM). These parties, like those involved in Babangida's managed transition program, were relatively close to the current administration. The late Bola Ige correctly referred to them as "the five fingers of a leprous hand" in his description. As the pinnacle of their unconventional nature, these five parties jointly selected Gen. Sanni Abacha, a sitting head of state at the time who was not a registered supporter of any of these parties, as their consensus choice for president. But when Gen. Abacha passed away on June 8, 1998, this planned, managed transition scheme fell apart like a house of cards.

Self-Assessment Exercise (SAE) 3

Examine the role of the military government in the emergence of Two-Party System in Nigeria's ill-fated Third Republic

5.3.4 Political Parties in the Fourth Republic

When Gen. Abubakar took over as head of state, he disbanded all political organizations, including the political parties that had existed under Abacha. The People's Democratic Party (PDP), the All People's Party (APP), and the Alliance for Democracy (AD) were registered under the recently reconstructed Independent Electoral Commission. His military regime also rapidly formed three other political parties (INEC).

The 1999 General Elections, which brought about the Fourth Republic, were fought by these three parties. To give the party a broader national perspective before the 2003 General Elections, the APP changed its name to the All Nigerian Peoples Party. Similar to this, the majority of

those elected on the basis of AD before the 2007 General Elections joined the expanded and recently created Action Congress of Nigeria. Along with others who were unhappy with the mainstream PDP, this breakaway party included Chief Audu Ogbe, a former national chairman of the organization. More political parties, including the National Conscience Party (NCP), Labour Party, All Progressive Grand Alliance (APGA), and Peoples Redemption Party (PRP), among others, were registered by the Independent National Electoral Commission as a result of the success recorded in the suit brought by the late legal luminary Chief Gani Fawehimi (INEC). There are currently 63 political parties registered in the nation, however the majority of them have a minimal electoral presence. Given the PDP's resounding victories in all of the general elections held in 1999, 2003, 2007, and 2011, at the federal level and in the majority of the federation's states, as well as its comfortable control over both houses of the National Assembly, this has essentially turned Nigeria into a one-party dominant state.

Given their dismal electoral results, there are currently calls that INEC deregister those parties that are not actually political parties. The claim that these parties simply exist to obtain Electoral Commission subsidies lends credence to this opinion. Additionally, the majority of the political parties in the fourth republic is that they do not have clear cut ideologies

Self-Assessment Exercise (SAE) 4

Explain whether multi-party structure is appropriate for Nigeria in the Fourth Republic

5.4 Character of Political Parties in the Fourth Republic

Omo Omoruyi made the accurate assertion that since 1999, Nigeria has had political parties that share little to nothing in common with those of the first, second, and even third republics. They did not arise in a way that was consistent with what is now known about party politics in Nigeria. Is it important to ask whether these parties can replace the military in Nigerians' views as the source of political order? It is challenging to respond to this topic of legitimacy at this time because the fourth republic is still just about twelve years old. The other question is: is the character of these parties conducive to the Nigerian federal structure?

This is a matter of political integration. The degree to which the political parties that emerged in 1999 have been able to address the needs of those who desire to participate in the political process may also be of interest to academics. The crisis of participation question is this. Problematically, none of these political parties could pass Joseph

Lapalombara's requirement that a political party is what it is named if there is an intergenerational transfer of political allegiance. This is due to the large body of research linking intergenerational transfer of political parties as unstable and fluid entities that can act as a bridge between military and civilian power. To support this claim, a comment about each of the three parties is sufficient. For it to be registered as a political party, it did not satisfy the federal character requirement in the constitution. Many others thought that INEC simply changed the rules to suit the party. The military took this action for reasons of national security. After what the Yoruba people went through as a result of the annulment of the presidential elections on June 12, 1993, which were widely considered to have been won by M.K.O. Abiola, their kinsman, it was a dilemma to deny them a voice. Forcing the Yorubas to look for other options in parties except the AD might not be a wise political move. Omonuyi claimed that the military made the decision to err on the side of national security and let the highly ethical political association to continue as a political party. The performance of AG during the 1999 elections made this lack of party registration clear.

In the presidential elections on February 27, 1999, the AD affiliated with and was subsequently absorbed by the APP, supporting the argument that the political elite is to fault for many of the electoral issues the nation has faced. The group left the APP and the PDP before arriving on the field. It was too late to have an impact on any other region of the country besides Yoruba territory by the time the party arrived at the market. Because the party's leaders made appeals to be heard, the Yoruba who supported it from the late time did so because the leaders of the party appealed to be Awolowo's base – a Yoruba socio-cultural and political group. In a federal arrangement like Nigeria, an ethnic party does more harm to national integration bid than good. By 2003, the party could no more found its feet when it lost five, out of the six states it controlled from 1999 to the ruling PDP.

Sani Abacha's self-successional organization gave rise to the APP. Its founders had held positions as ministers or arids in various regions of the nation. The same Yoruba group that initially approached the APP still sought assurances that the party would pick a Yoruba as its presidential candidate, which is why the party was affectionately known as Abacha People's Party. On the day of the party's official inauguration, the Yoruba leaders discovered Arthur Nzeribe, the same tool used by the military to announce the results of the presidential election on June 12th, in the party's platform. The Yoruba leaders and several others who believed they were with them immediately departed the meeting's location since they had no time to waste.

This group included presidential candidate Alex Ekwueme. The second group of politicians were individuals who had previously supported the National Party of Nigeria (NPN), were not opposed to the military strongman's self-succession, but were not a member of his apparatus.

S. B. Awoniyi was the leader of this group, which went by the name All Nigeria Congress (ANC). The Peoples Democratic Movement, which was led by sheltie Musa Yar'adua, made up the third faction (PDM). Tony Aneniti and Abubakar Atiku were members of this team. Four of them identified as social Democrats and went by the name Social Progressive Party (SPP).

There were a number of politicians from various regions of Nigeria who were unable to make their stance known in their party.

From the above picture, the PDP is a mixed bag of persons with diverse political backgrounds, this extent, the foundation groups covered all and sundry political persuasion, conceptual framework of analysis, this mode of party evolution devoid of people of like minds is not congruent to democratic virtues. This is why the assertion of Sir Abubakar Abdulsalam is pertinent when he stated that: "while recrimination and buck-passing would be unhealthy, we must admit that mistakes have been made particularly as our most recent attempt at democratization was marred by maneuvering and manipulations of structures and action. At the end, we have only succeeded in creating a system that can neither be constructed nor sustained" (Abubakar, 1998:15).

Self-Assessment Exercise (SAE) 5

Comment on the claim that Nigeria operates a one-party dominant system



5.5 Summary

We have talked about the development of political parties in Nigeria throughout this course. The history of political party formation in Nigeria and the adoption of the elective principle in 1922 served as the introduction to the unit. The growth of political parties along regional and racial lines throughout the years leading up to and following independence was a continuation of this trend. The unit also looked at how the military in Nigeria helped the Second Republic usher in political parties with broad support across the country. It concluded with a study of the status and operations of the country's current Fourth Republic political parties.

Any country's political growth can be in large part seen in the nature and makeup of its political parties. Therefore, Nigeria cannot be an exception. Therefore, it is not surprising that the history and development of political parties in Nigeria were heavily influenced by the three defunct regions as well as the three largest ethnic groupings. Only recently have efforts been undertaken to ensure that political parties in the nation represent national character through constitutional engineering. How these parties' leaders and managers view them as a real instrument for the maintenance and consolidation of democracy in the nation will determine how successful this effort is.



5.6 References/Further Readings/Web Resources

- Abubakar, A., (1998). An Address by the Head of State reported in the Guardian,
- July, 1998. Appadoral, A., (2004). The Substance of Politics, Oxford University Press,
- Babarinsa, D. (2003). House of War, Spectrum Books Ltd., Ibadan
- Ball, R.A. (1979) Modern Politics and Government, Macmillan Publishers England.
- Coleman, J (1964). Political Parties and National Integration in Tropical Africa, Berkeley and Los Angeles Dare, L.O. (1988). "Political parties in Nigeria Federalism; The Past, The Present and TheFuture", Lagos, Nigeria.
- Dudley, B. (1973). Instability and Political Order: Politics and Crises in Nigeria, Ibadan University Press, Ibadan
- Sklar, L. R. (1983). Nigerian Political Parties: Power in Emergent African Nation, NOK Publishers Nigeria Ltd., Enugu
- Harris, H. (1992). Foundation of Political Science, Hutchinson and co. Publishers, London.
- Laski, H., (1982). A Grammar of Politics, George Allen and Unwin, Publishers.



3.7 Possible Answers to SAEs

Answers to SAEs 1

Examine the contribution of political parties' crises in the collapse of Nigeria's First Republic

At the time of its independence, Nigeria too had a multi-party system, with party leaders being the nationalists who had fought for the country's independence and then taken over as its political leaders. Political parties are the foundation of any democratic system of government, therefore they became the main means by which Nigerian political leaders attempted to bring about the "life more abundant" for the Nigerian people as outlined in the program and manifestos of the Action Group of Nigeria. These parties also came to be seen as a prerequisite for the country's transition from a political to an independent, developed democracy. Thus, through defining the character and essence of the nation's democratic journey toward democratic consolidation and entrenchment, these political parties have contributed.

Answers to SAEs 2

Explain the role of ideology in distinguishing the major Political Parties in Nigeria during the Second Republic

Comparing the Second Republic of Nigeria to the First Republic, little changed in the shape, personality, and nature of the political parties. The Federal Electoral Commission registered five political parties to run in the general elections of 1979. In 1983, the sixth National Advance Party was established, and it ran in the general elections.

Nearly every registered party had historical ties to the First Republic. Chief Obafemi Awolowo, who served as the party's leader and ran for president in both the 1979 and 1983 elections, founded the Unity Party of Nigeria (UPN), which is essentially a revival of the AG. The National Party of Nigeria (NPN), which was also a branch of the previous party, adopted zoning policy for both its elected and appointmental offices due to its significantly more national orientation. The ancient Northern aristocracy and Southern bourgeoisie made up the majority of the party's membership. Although the NPN was a conservative party in comparison

to the more liberal or republican NCNC and the more progressive UPN, their dual zoning policy, which was based on the needs of national unity, helped the party win more votes than the other four parties.

The Igbo heartland served as the foundation for the Nigeria Peoples Party (NPP), which later expanded outside the Igbo enclave by annexing Plateau State. Nnamdi Azikwe who had led the NCNC, also led the NPP. The birth of the Great Nigeria Peoples' Party (GNPP) was the aftermath of the quarrel of the Kanuri born Alhaji Waziri who wanted to double as NPP chairman and presidential candidate. This party can also be said to be a carry over of the resentment of the prokanuri's Bornu Youth Movement (BYM) that, in the first republic resented the political hegemony of the Hausa-Fulani group. A type of NEPU, the Peoples Redemption Party (PRP) continued the protestant philosophies of Mallam Aminu Kano. However, the party's influence was primarily felt in the states of Kano and Kaduna.

The fact that the majority of the political parties of the Second Republic could be linked to a precise program of action, something akin to an ideological orientation, is one of their most distinguishing characteristics. For instance, the Unity Party of Nigeria's four-point program was well-liked. Free health care, full employment, free education at all levels, and integrated rural development are also included. Students and progressive-minded Nigerians, particularly in the Northern region of the country, were drawn to the UPN by its welfare program. The Nigerian National Party of Nigeria was also known for its agriculture and housing policy which later found expression in the Green Revolution Programme and the Popular Shagari Low Cost Housing Scheme of the NPN controlled federal government.

Answers to SAEs 3

Examine the role of the military government in the emergence of Two-Party System in Nigeria's ill-fated Third Republic

The political parties that fought for control throughout the Second Republic had hope, but that hope was dashed by the military takeover on December 31, 1983. How to break the main political parties of the nation's clinging to the tripodal separation of East, West, and North, or the ethnic divide of Hausa-Fulani, Igbo, and Yoruba, has been of particular concern to political scientists. This was a significant directive Ibrahim Babangida, the military ruler who established the Political Bureau, gave to its members, who were asked to choose a new course for Nigeria. The context for the development of the two party systems in the nation during the failed Third Republic was laid forth in the panel's report and the government's white paper.

Answers to SAEs 4

Explain whether multi-party structure is appropriate for Nigeria in the Fourth Republic

When Gen. Abubakar took over as head of state, he disbanded all political organizations, including the political parties that had existed under Abacha. The People's Democratic Party (PDP), the All People's Party (APP), and the Alliance for Democracy (AD) were registered under the recently reconstructed Independent Electoral Commission. His military regime also rapidly formed three other political parties (INEC).

The 1999 General Elections, which brought about the Fourth Republic, were fought by these three parties. To give the party a broader national perspective before the 2003 General Elections, the APP changed its name to the All Nigerian Peoples Party. Similar to this, the majority of those elected on the basis of AD before the 2007 General Elections joined the expanded and recently created Action Congress of Nigeria. Along with others who were unhappy with the mainstream PDP, this breakaway party included Chief Audu Ogbe, a former national chairman of the organization. More political parties, including the National Conscience Party (NCP), Labour Party, All Progressive Grand Alliance (APGA), and Peoples Redemption Party (PRP), among others, were registered by the Independent National Electoral Commission as a result of the success recorded in the suit brought by the late legal luminary Chief Gani Fawehimi (INEC). There are currently 63 political parties registered in the nation, however the majority of them have a minimal electoral presence. Given the PDP's resounding victories in all of the general elections held in 1999, 2003, 2007, and 2011, at the federal level and in the majority of the federation's states, as well as its comfortable control over both houses of the National Assembly, this has essentially turned Nigeria into a one-party dominant state.

Given their dismal electoral results, there are currently calls that INEC deregister those parties that are not actually political parties. The claim that these parties simply exist to obtain Electoral Commission subsidies lends credence to this opinion. Additionally, the majority of the political parties in the fourth republic is that they do not have clear cut ideologies.

Answers to SAEs 5

Comment on the claim that Nigeria operates a one-party dominant system

Omo Omoruyi made the accurate assertion that since 1999, Nigeria has had political parties that share little to nothing in common with those of the first, second, and even third republics. They did not arise in a way that was consistent with what is now known about party politics in Nigeria. Is it important to ask whether these parties can replace the military in Nigerians' views as the source of political order? It is challenging to respond to this topic of legitimacy at this time because the fourth republic is still just about twelve years old. The other question is: is the character of these parties conducive to the Nigerian federal structure?

This is a matter of political integration. The degree to which the political parties that emerged in 1999 have been able to address the needs of those who desire to participate in the political process may also be of interest to academics. The crisis of participation question is this.

MODULE 4

Unit 1	Nigeria Public Administration in the Federal System
Unit2	Public Sector Administration with Ministries, Departments, and Agencies (MDAs) in Nigeria
Unit 3	Military Administration in Nigeria
Unit 4	Fiscal Federalism in Nigeria
Unit 5	Separation of Powers

Unit 1 Nigeria Public Administration in the Federal System

Unit Structure

- 1.1 Introduction
- 1.2 Learning Outcomes
- 1.3 Main content
 - 1.3.1 Meaning of Government
 - 1.3.2 Meaning of Federalism
 - 1.3.3 Evolution of Federal Practice in Nigeria
- 1.4 Summary
- 1.5 References/Further Reading
- 1.6 Possible answers to self-assessment exercise (s)



1.1 Introduction

In the last unit, we discussed the development of political parties in Nigeria and the history of political party formation in Nigeria. This unit discusses the Nigeria Public Administration in the Federal System, the concept of government and politics. You will be exposed to the meaning of government, politics and federalism, how federal practice emerged in Nigeria.



1.2 Learning Outcomes

By the end of this unit, you should be able to:

- define government from different perspectives
- discuss the concept of federalism
- highlight how the federal practice evolved in Nigeria.



1.3 The Evolution of Federal System in Nigeria

1.3.1 Meaning of Government

The term Government can be viewed from many perspectives. These are:

- a. Government as an institution of the state. From this perspective, government is viewed as a body of persons and institutions that make and enforce law in a state. This government is a feature of state (Afolabi, 2008). The government is seen as an institution or agency through which the state exercises its power and authority for the realization of her will.
- b. **Government as a process or an art of governing**
According to Silas (2013), government as a process or art of governing deals directly with the actions and activities of government to establish, consolidate and sustain the cohesiveness of the society. Here formulation and enforcement of laws for the protection and good governance of the citizens are the primary functions.
- c. **Government as an academic field of study**
This perspective regards government as one of the social sciences that is taught in schools and higher institutions where it is called political science or political studies, Silas (2013).
Besides being taught in schools as a discipline, it also connotes the following:
 - (a) The study of government includes such courses as Political Theory, Public Administration, Political Economy, Political Behaviour, Internal Relations, Comparative Government and Politics, Local Government Administration, Political History, Islamic Political Thought etc.
 - (b) It studies the theories, functions and relationships between political institutions and processes in the state.
 - (c) The study of government has developed different methods and techniques to achieve systematic propositions which are being used for solving problems that confront various governmental systems.

Self-Assessment Exercise 1

- | |
|---|
| <ol style="list-style-type: none"> 1. What is government? 2. Discuss Government as a process. |
|---|

1.4 Meaning of Federalism

In principles, federalism implies the construction of a system whereby consensus is reached between current demands of union and the territorial diversity within an emerging society, by the creation of a single political system within which central and provincial governments are assigned coordinated authority in a manner defining both the legal and political limits of equality or subordinate functions (Forje, 1981). Here, the limits are spelt out within the constitution stipulating what each party (unit of government) can or cannot do.

According to Wheare (1964), the desire and capacity for federalism entails a number of prerequisites involving among others geographic proximity, hope for economic advantage, wishes for independence, earlier political ties and insecurity and similarities of traditional values. Generally, federal political systems are less efficient and are slower in policy making and policy implementation due to broad inputs from local and regional authorities which are encouraged and usually respected. Usually, nations decide to federate due to one or a combination of the following factors:

Socio-economic Factor

This is assumed that, some of the following factors are inevitable, like the presence of shared values, access to larger domestic market, access to seaport, higher standards of living and welfare policies enhancement.

Political Factors

Politically, the considerations are the strengthening of existing relations among units with a view to bringing about a stronger voice internationally.

Security Factors

This refers to the ability of the unit in question to protect itself from real or imagined threats to its survival as an entity.

1.5 Evolution of Federal Practice in Nigeria

The emerging new rulers in Africa after independence realized that, the colonial governors had in fact very fragile bases of power. This made the colonial governors to adopt unitary systems of government which emphasized the penetration and control of sub-national units as well as the centralization of authority as against a federal system. Consequently, most African leaders subsequently opted for the unitary

system of government with federalism perceived as a crisis escalator rather than a crisis damper (Elaigwu, 1994).

However, countries where the ethnic issue has complicated governance, federalism seeks to address this problem through structures designed to dissipate power, influence and resources. It should be noted that, federalism is understood not as an end in itself but as a means to an end. Thus, federalism serves the purpose of providing structures for the management of ethnic diversity through power sharing in multinational states such as Nigeria.

The evolution of Nigerian federalism can be traced to the beginning of the colonial Nigerian state through the instrumentality of amalgamation of the separate colonies of Northern and Southern Nigerian in 1914. In 1954, the then colonial functionaries and nationalists arrived at the consensus that, federalism was the best form of power-sharing for the country. However, according to Gana (1999), the choice of the federal formula was informed not so much by the intrinsic qualities of federalism as mention above, rather, it was the best deal for wresting independence statehood from the British.

Agbu (2004) observed that, despite the emotional attachment to federalism in Nigeria on the grounds of ethnic and cultural heterogeneity, the constituent units of the federation are not based on ethnic or cultural demarcations. Rather, a federation of states and the states do not necessarily correspond to ethnic and cultural distinctions.



1.6 Summary

From the foregone discussion, you have learnt the concept of government and the three major perspectives of looking at the concept.

You similarly learnt the concept of federalism and the factors leading to the adoption of federal system of government by an entity. You furthermore, learnt how federal practice evolved in Nigeria.

In this unit, you learnt that the concept of government can be viewed in three major perspectives namely, institution of the state, as a process or art governing and as an academic field of study. Similarly, you learnt the concept of federalism, the reasons why an entity will prefer adopting the federal system of government such as security, proximity to seaport, market etc. You also learnt how federal practice evolved in Nigeria which was basically an arrangement between the colonialists and the

nationalists. Its formation was not based on any ethnicity rather on states.



1.7 References/Further Reading

- Afolabi, A. A. (2008). *Foundation of Political Science*, Ababa Press Ltd., 59, Oyo Road, Coca Cola Area, Sango, Ibadan.
- Elaigwu, J. I. (1994). *Ethnicity and Federal Option in Africa*, the Nigerian Journal of Federalism, Vol.1, No.1, June.
- Forje, W. J. (1981). *The One and Indivisible Cameroon*, Lund, Department of Politics, University of Lund.
- Gana, T. A. (1999). *Federalism and National Question in Nigeria: A Theoretical Exploration*, AFRIGON Conference on New Directions in Federalism in Africa, March 18, Abuja.
- Osita Agbu (2004). *Re-inventing Federalism in Post-Transition Nigeria: Problems and Prospects*, CODESRIA, African Development, Vol.XXIX, No.2.
- Silas, O. J. (2013). *Introduction to Government*, Mike-B Press and Publication Company, Kaduna.
- Wheare, K. C. (1964). *Federal Government*, London, Oxford University Press.



1.6 Possible answers to self-assessment exercise (s)

Answer to Self-assessment exercise 1

Government and its processes, Discuss

The term Government can be viewed from many perspectives. These are:

- a. **Government as an institution of the state**
 From this perspective, government is viewed as a body of persons and institutions that make and enforce law in a state. This government is a feature of state (Afolabi, 2008).
 Here government is seen as an institution or agency through which the state exercises its power and authority for the realization of her will.
- b. **Government as a process or an art of governing**
 According to Silas (2013), government as a process or art of governing deals directly with the actions and activities of government to establish, consolidate and sustain the cohesiveness of the society. Here formulation and enforcement of laws for the protection and good governance of the citizens are the primary functions.
- c. **Government as an academic field of study**
 This perspective regards government as one of the social sciences that is taught in schools and higher institutions where it is called political science or political studies, Silas (2013).
 Besides being taught in schools as a discipline, it also connotes the following:
 - (a) The study of government includes such courses as Political Theory, Public Administration, Political Economy, Political Behaviour, Internal Relations, Comparative Government and Politics, Local Government Administration, Political History, Islamic Political Thought etc.
 - (b) It studies the theories, functions and relationships between political institutions and processes in the state.
 - (c) The study of government has developed different methods and techniques to achieve systematic propositions which are being used for solving problems that confront various governmental systems.

Unit 2 Public Sector Administration with Ministries, Departments, and Agencies (MDAs) in Nigeria

Unit Structure

- 2.1 Introduction
- 2.2 Learning Outcomes
- 2.3 Introduction to Public Sector Administration in Nigeria
 - 2.3.1 Public sector administration in Nigeria
- 2.4. Government Ministries in Nigeria
- 2.5 Government Departments in Nigeria
- 2.6. Government Agencies in Nigeria
- 2.7 Functions and Responsibilities of MDAs in Nigeria
- 2.8 Challenges and Reforms in Public Sector Administration in Nigeria
- 2.9 Summary
- 2.10 References/Further Readings/Web Resources**
- 2.11 Possible answers to self-assessment exercise (s)



2.1 Introduction

In the last unit, we discussed the Nigeria Public Administration in the Federal System, the concept of government and politics were also discussed. In this unit, we will be discussing the Public Sector Administration with Ministries, Departments, and Agencies (MDAs) in Nigeria.



2.2 Learning Outcomes

By the end of this session, you should be able to:

- explain the public sector administration in Nigeria
- discuss the government ministries in Nigeria
- examine the government departments in Nigeria
- describe the government agencies in Nigeria
- explain the functions and responsibilities of MDAs in Nigeria
- highlight the challenges and reforms in public sector administration in Nigeria



2.3 Introduction to Public Sector Administration in Nigeria

2.3.1 Public sector administration in Nigeria

Public sector administration in Nigeria is characterized by distinctiveness. Nigeria is consciously a mono-lingual federation consisting of 36 states, a federal capital territory, and over 774 local government councils. The government operates a federal system of administration, which is a principal feature of the country's constitutional structure. According to Findlay (1999:8), Eden in writing about Nigeria's government system maintains that federalism in a government system "emanates from either a policy of amalgamation, agreement, acceptance, or common subjection. The federal system thus mirrors the existence of different levels of government". Nigeria operates three major tiers of government, namely the bulk of federal and state MDAs. The machinery of government agencies constitutes the maximum percentage. Public administration in developing countries, particularly Nigeria, is relevant in nation-building as a social institution concerned with carrying out government policies, finding expression in regulatory, supervisory, and legal control functions. Public administration in Nigeria operates within complex contexts and functionalities. The public sector in Nigeria is responsible for the enforcement of the laws and ensuring good governance. At the federal level, we have ministries, departments, and agencies (MDAs) (Chigudu, 2020).

2.3.2 Structure of the Public Sector in Nigeria

The public sector in Nigeria is made up of ministries, departments, and agencies (MDAs). These elements are divided by their responsibilities and government oversight. Furthermore, the structure of Nigeria's public administration has its nucleus, which is connected seamlessly and comprises ministries with their various departments. Once these functions are separated, the structure naturally extends to an autonomous organizational subunit known generally as agencies.

Ministries are the highest policy advice centers. They are headed by ministers who inform the president on policy matters affecting their areas of competence before presenting them to the federal executive council for deliberations. Ministries are also responsible for implementing government policies and performing regulatory and enforcement functions in their areas of jurisdiction. Under the political head of the ministries is the governing board, which is usually for policy guidance and specific functions. Ministries are made up of departments,

which specialize in various areas of policy matters. Departments are headed by directors responsible, to the ministers, for formulating policies for the areas over which the departments have jurisdiction. The director supervises the activities of various units in the department for the formulation of sound policies. Each department is made up of several units of various dimensions. On certain occasions, the nomenclature for units may differ. From this policy formulation body extends executive apparatus consisting of departments in their simplest form, while they become autonomous organizational subunits they are known as agencies (Felix and Rufus, 2021).

2.4. Government Ministries in Nigeria

Government ministries consist of the Federal and state ministries, each responsible for specific areas of governance and administration. The Federal ministries are responsible for national-level issues such as finance, health, education, and agriculture. The state ministries, on the other hand, are responsible for issues at the state level, such as infrastructure, local government affairs, and youth development. The Federal ministries in Nigeria play a crucial role in formulating and implementing policies that affect the entire nation. They work closely with the President and the Federal Executive Council to ensure effective governance and service delivery. Ministries in Nigeria are responsible for implementing government policies and programs. They are headed by ministers who are appointed by the President. Ministries in Nigeria are responsible for implementing government policies and programs. They also oversee the implementation of various projects and initiatives aimed at improving the country's infrastructure and public services. These ministries play a crucial role in the development and governance of Nigeria. They are responsible for implementing government policies and programs. Ministries in Nigeria are also tasked with overseeing the various government departments and agencies. Ministries are the extension of the public service into the world and the official aspect of the people's function in the application of political decisions to properly plan and execute services for public interest, thereby contributing to the overall public administration. In the Nigerian public sector, ministries are generally divided into broad functions. Main ministries operate the technical services while supportive or service ministries offer crucial services for the effective and general administration of ministries, create a desirable working environment, legislative implementation, facilitate mechanized operations in a government, provide technical and supportive functions, and boost the morale of civil servants. These ministries have as their specific roles; ministries that provide technical services and those that provide general administration that facilitate executive functions.

Ministries provide technical and expert services for technical projects.

Ministries that provide general administrative services are involved with general government administration with a primary responsibility to see to proper policy formulation. The public sector has been sliced and diced into units, from ministries to sub-offices. In Nigeria, the ministries are within authority confinement. They are the administrative organs whose major role is to direct, support, manage, supervise, support, and carry out the executive functions related to their assigned authority (Babalola, 2020).

2.5 Government Departments in Nigeria

Government Departments in Nigeria play crucial roles in the implementation of government policies and programs. It consists of various specialized units responsible for specific functions such as finance, health, education, agriculture, and more. Each department is headed by a director or permanent secretary who oversees the day-to-day operations and implementation of policies. These departments are responsible for carrying out specific functions and are accountable to the Ministry or Agency that oversees their operations. An example of Government departments in Nigeria includes the Department of Petroleum Resources (DPR), the Federal Inland Revenue Service (FIRS), and the Nigerian Communications Commission (NCC). These departments are responsible for carrying out specific functions and are accountable to the Ministry or Agency that oversees their operations. For example, the Department of Petroleum Resources (DPR) is responsible for regulating the oil and gas industry in Nigeria, ensuring compliance with environmental and safety regulations (Agu et al., 2024).

Functions of the Department of Public Administration

1. A department is oriented towards working, among others, in the public administration of Nigeria, therefore, for public administration in Nigeria to operate effectively
2. For better public administration, the activities of the department in the ministries or various MDAs can be assessed for efficiency.
3. Departments form a part of the administrative structure. The interaction among them serves as a clause of peace and development of society. The department serves as the unit of service between and amongst government functionaries. The functions performed by the department are directed only to one set of customers, and that is the parent Ministry. However, in

serving their parent Ministry, departments perform the following role (Ogunkan, 2022).

Self-Assessment Exercise 1

- 1. Define the term Public sector administration**
- 2. Discuss the basic element of Government Ministries in Nigeria**

2.6. Government Agencies in Nigeria

Government Agencies in Nigeria are responsible for implementing government policies and programs in specific areas such as health, education, and agriculture. The agencies in Nigeria include agriculture, finance, and transportation. Other important agencies in Nigeria are health, education, and energy. Some of the key agencies in Nigeria in the health sector include the National Primary Health Care Development Agency (NPHCDA) and the National Agency for Food and Drug Administration and Control (NAFDAC) (Bello, 2021)

In addition to the commissions and corporations, each ministry has a multitude of head departments, departments, divisions, districts (where applicable), and units, all of which perform their assigned functions and tasks, and have set up the machinery to achieve their set goals and objectives. Each of these head departments and units is supervised by a senior officer such as an undersecretary or assistant secretary. Relevant ministries, independent and semi-independent agencies have branches in each of the six geopolitical zones in Nigeria that monitor and control activities related to their location, and report back to their head offices in the federal secretariat. It is clear from their establishment that they are contributing to the activities of the public sector in Nigeria. As in the case of other Western nations, agencies in Nigeria play an important role in the public sector administration in Nigeria (Chigudu, 2020).

2.7 Functions and Responsibilities of MDAs in Nigeria

MDAs: Ministries, Departments, and Agencies. MDAs help to carry out specific public functions in Nigeria. Indeed, MDAs are in the Ministry of Budget and National Planning. They also support the administration, regulation, governance, and service delivery functions of government. MDAs provide direction, collect information, set the policy, deliver some services, implement regulations, checking performance, and recommend strategies to be adopted in the implementation of national principles, policies, programs, and projects of the Federal Government of Nigeria regarding economic management, socio-economic and political development. Furthermore, several departments are created within these ministries to oversee various aspects of policies, strategies, and programs. These are the sundry departments where MDAs carry out

their responsibilities. MDAs are responsible for policy formulation, policy implementation, customer's service, regulation, and governance. The roles of MDAs, therefore, include policy formulation, policy implementation, customer' service, regulation, and governance. MDAs in Nigeria are involved in the implementation of national policies. They delink daily operations from the board of the ministry; under the control of the government; involved in daily services to the public. They have seen beyond operational functions, instead, they emphasize designed services; better and excellent services; innovative services. Each organization needs to serve its customers and is also in competition with others. Although policy formulation is primary, as every MDA must formulate and develop policies in order to realize customers' needs, while policy implementation is predominantly common, as MDAs must develop and implement their own policies, hence the need to mediate this through legislation, regulation, and governance (Chigudu, 2020).

2.8 Challenges and Reforms in Public Sector Administration in Nigeria

The Nigerian public sector has been characterized by myriad obstacles that have resulted in a public administration that is ineffective, inefficient, and unresponsive. The various challenges that have bedeviled the Nigerian public sector have been documented by several scholars. Some of these challenges include unnecessarily cumbersome or complex procedures, bureaucracy, corruption, poor attitude, and poor work culture of the employees due to job security, inadequate infrastructure, lack of capable section in public administration whose responsibilities include the evaluation of a pilot project, limited capacity to implement direct income support to the rural population, high cost of hiring consultants, and so on. To address the many wrongs noticed in the sector, it was agreed that public agencies, and especially those belonging to the government, faced the call for reform (Chigudu, 2020).

Following the plan to reform the various sectors of the Nigerian economy, several reforms have been introduced to reorientate the operations in the public sector and make it more accountable, business, and customer/service-driven. These reforms are also to make the public sector value-oriented in respect of spending public money. In the public sector reforms initiated so far in Nigeria, the primary focus has been on areas such as political and institutional changes, financial reforms, public sector management reforms (mainly civil service and personnel management, the police, transfer system management, health management, pension reform, port operation, and the education sector), anti-corruption, and better governance. The focus of these reforms has been to make the public sector more transparent, accountable, and responsive to the needs of the people. While changes have been

introduced as a result of the reforms, they are still a work in progress, as the various institutions responsible for the implementation of the reforms are yet to effectively mainstream them. This means that the reforms aimed at enhancing service delivery performance in the public sector are yet to be effectively entrenched. Therefore, it is appropriate to ask, how efficient and accountable is service delivery in the Ministries, Departments, and Agencies? To answer the question and discuss possible measures to make the public sector more efficient and accountable in the delivery of service, this paper aims to further the discussion on those contemporary issues discussed in the next section (Amin et al, 2024).

Self-Assessment Exercise 2

1. Explain the concept of Government Departments in Nigeria
2. Highlight the Challenges in Public Sector Administration



3.9 Summary

Public sector administration in Nigeria involves the implementation of government policies and the management of public programs through Ministries, Departments, and Agencies (MDAs). This system aims to ensure effective service delivery and the achievement of government objectives across various sectors.

Ministries

Ministries are primary government bodies responsible for specific sectors of public administration. Each ministry is headed by a Minister, who is usually a political appointee, and a Permanent Secretary, who is a career civil servant. Some key ministries in Nigeria include:

1. Ministry of Agriculture: Oversees agricultural policies, research, and development programs to enhance food production and security.
2. Ministry of Defence: Manages national defense policies and the armed forces, including the Army, Navy, and Air Force.
3. Ministry of Education: Responsible for the formulation and implementation of educational policies.
4. Ministry of Health: Develops and implements health policies and programs to improve public health services.
5. Ministry of Finance: Manages federal revenue, expenditure, and overall economic policy.

Other notable ministries include the Ministry of Justice, Ministry of Interior, Ministry of Labour and Productivity, and Ministry of Environment

Departments

Departments function under ministries and are specialized divisions that handle specific aspects of the ministry's responsibilities. For example, the Ministry of Health might have departments for primary healthcare, disease control, and health promotion.

Agencies

Agencies are semi-autonomous bodies created to address particular functions and issues within the public administration framework. They often have more specialized roles compared to departments. Examples of agencies in Nigeria include:

1. Central Bank of Nigeria (CBN): Manages the country's monetary policy and regulates the banking sector.
2. Corporate Affairs Commission (CAC): Oversees company registrations and business regulations.
3. National Bureau of Statistics (NBS): Collects and disseminates statistical data on various aspects of the economy and society.
4. Niger Delta Development Commission (NDDC): Focuses on the development of the Niger Delta region.
5. Federal Inland Revenue Service (FIRS): Responsible for tax collection and administration

Challenges in Public Sector Administration

The Nigerian public sector faces several challenges, including:

Corruption and Accountability Issues: Despite efforts to promote transparency, corruption remains a significant problem. Various studies have highlighted the prevalence of unethical practices and the need for better accountability mechanisms

Bureaucratic Inefficiencies: The Weberian bureaucratic model, which emphasizes hierarchy and specialization, is often cited as both strength and a weakness of the Nigerian civil service. While it provides a clear structure, it also contributes to inefficiency and stagnation due to rigid procedures and lack of innovation

Resource Management: Effective management of resources is crucial for service delivery. Issues such as misallocation and underutilization of resources have been noted in various sectors

Reforms and Improvements

Efforts to reform the public sector include the implementation of the Executive Order 001 (EO1) on Transparency and Efficiency in the Nigerian Business Environment, which aims to reduce bureaucratic bottlenecks and improve service delivery. Additionally, the Public Sector Reforms, including the adoption of International Public Sector Accounting Standards (IPSAS), are geared towards enhancing accountability and transparency.

In summary, public sector administration in Nigeria involves a complex interplay of ministries, departments, and agencies, each with distinct roles and challenges. Ongoing reforms aim to address these challenges to ensure efficient and effective governance.



2.10 References/Further Reading/Web resources

- Amin, A., Bamidele, A. H., & Abdullahi, A. (2024). Public Administration Reform: An Impetus for Good Governance and Political Security In Nigeria. *Malaysian Management Journal*, 28, 173-214. uum.edu.my
- Bello, D. M. F. (2021). Good governance and civil service accountability in Nigeria-problems and prospects. Available at SSRN 3860781. researchgate.net
- Ogunkan, D. V. (2022). Achieving sustainable environmental governance in Nigeria: A review for policy consideration. *Urban Governance*. sciencedirect.com
- Agu, J. C., Nkwo, F. N., & Eneiga, R. U. (2024). Governance and anti-corruption measures in Nigeria: Strategies for enhancing transparency, accountability and public trust. *International Journal of Economics and Public Policy*, 8(1), 1-15. airjournal.org
- Babalola, J. B. (2020). Governance and internal control in public institutions. In A lecture delivered at a two-day national workshop on anti-corruption organized by American Anti-Corruption Institute (AACI) and Department of Adult Education, University of Ibadan, Nigeria on Thursday, 27th February. academia.edu

Felix, O., & Rufus, O. S. (2021). Good governance and personal income tax compliance in Nigeria. *European journal of accounting, auditing and finance research*, 9(5), 16-35. [\[HTML\]](#)

Chigudu, D. (2020). Public sector corporate governance: Zimbabwe's challenges of strategic management in the wake of sustainable development. *Academy of Strategic Management Journal*. academia.edu



2.11 Possible answers to self-assessment exercise (s)

Answer to SAE 1

Q1. Define the term Public sector administration

Public sector administration in Nigeria involves the implementation of government policies and the management of public programs through Ministries, Departments, and Agencies (MDAs). This system aims to ensure effective service delivery and the achievement of government objectives across various sectors.

Q2. Discuss the basic element of Government Ministries in Nigeria

Ministries are primary government bodies responsible for specific sectors of public administration. Each ministry is headed by a Minister, who is usually a political appointee, and a Permanent Secretary, who is a career civil servant. Some key ministries in Nigeria include:

1. **Ministry of Agriculture:** Oversees agricultural policies, research, and development programs to enhance food production and security.
2. **Ministry of Defence:** Manages national defense policies and the armed forces, including the Army, Navy, and Air Force.
3. **Ministry of Education:** Responsible for the formulation and implementation of educational policies.
4. **Ministry of Health:** Develops and implements health policies and programs to improve public health services.
5. **Ministry of Finance:** Manages federal revenue, expenditure, and overall economic policy.

Other notable ministries include the Ministry of Justice, Ministry of Interior, Ministry of Labour and Productivity, and Ministry of Environment

Answer to SAE 2

Q1. Explain the concept of Government Departments in Nigeria

Departments function under ministries and are specialized divisions that handle specific aspects of the ministry's responsibilities. For example, the Ministry of Health might have departments for primary healthcare, disease control, and health promotion.

Agencies

Agencies are semi-autonomous bodies created to address particular functions and issues within the public administration framework. They often have more specialized roles compared to departments. Examples of agencies in Nigeria include:

1. Central Bank of Nigeria (CBN): Manages the country's monetary policy and regulates the banking sector.
2. Corporate Affairs Commission (CAC): Oversees company registrations and business regulations.
3. National Bureau of Statistics (NBS): Collects and disseminates statistical data on various aspects of the economy and society.
4. Niger Delta Development Commission (NDDC): Focuses on the development of the Niger Delta region.
5. Federal Inland Revenue Service (FIRS): Responsible for tax collection and administration

Q2. Highlight the Challenges in Public Sector Administration

The Nigerian public sector faces several challenges, including:

Corruption and Accountability Issues: Despite efforts to promote transparency, corruption remains a significant problem. Various studies have highlighted the prevalence of unethical practices and the need for better accountability mechanisms

Bureaucratic Inefficiencies: The Weberian bureaucratic model, which emphasizes hierarchy and specialization, is often cited as both strength and a weakness of the Nigerian civil service. While it provides a clear structure, it also contributes to inefficiency and stagnation due to rigid procedures and lack of innovation

Resource Management: Effective management of resources is crucial for service delivery. Issues such as misallocation and underutilization of resources have been noted in various sectors

Reforms and Improvements

Efforts to reform the public sector include the implementation of the Executive Order 001 (EO1) on Transparency and Efficiency in the Nigerian Business Environment, which aims to reduce bureaucratic bottlenecks and improve service delivery. Additionally, the Public Sector Reforms, including the adoption of International Public Sector Accounting Standards (IPSAS), are geared towards enhancing accountability and transparency.

In summary, public sector administration in Nigeria involves a complex interplay of ministries, departments, and agencies, each with distinct roles and challenges. Ongoing reforms aim to address these challenges to ensure efficient and effective governance.

Unit 3 Military Administration in Nigeria

Unit Structure

- 3.1 Introduction
- 3.2 Learning Outcomes
- 3.3 Military Administration in Nigeria
 - 3.3.1 Evolution of Military Administration in Nigeria
 - 3.3.2 Military Coups and Regimes
 - 3.3.3 Impact on Governance and Development
- 3.4 The Military in Politics
 - 3.4.1 How the Military got involved in Politics in Nigeria
- 3.5 Achievements
- 3.6 Problems of Military intervention in Nigeria Politics
- 3.7 Summary
- 3.8 References/Further Reading
- 3.9 Possible answers to self-assessment exercise (s)



3.1 Introduction

In the last unit, we discussed the Public sector administration in Nigeria and the implementation of government policies and the management of public programs through Ministries, Departments, and Agencies (MDAs). Departments function under ministries and are specialized divisions that handle specific aspects of the ministry's responsibilities.

This unit will discuss the military administration in Nigeria as a central to the evolution of the Nigerian state. This unit will discuss how militarization came to occupy such a central role in the state and society in Nigeria, by using the concept of civil-military relations as its main theoretical framework through which to view this evolution. You will also learn about the military's achievements and the problems associated with military regime in Nigeria.



3.2 Learning Outcomes

By the end of this session, you should be able to:

- explain how the military got involved in politics in Nigeria
- highlight the military achievements in Nigeria
- explain the problems of Military intervention in Nigeria Politics



3.3 Military Administration in Nigeria

3.3.1 Evolution of Military Administration in Nigeria

The military administration in Nigeria has been central to the evolution of the Nigerian state.

Military administration became a prominent governance system in Nigeria due to a mix of historical influences and other features peculiar to its character as a state. Military administration started in Nigeria as early as 1966, following a series of coups and counter-coups that destabilized the government and led to power struggles. The first military administration started with the regime of Major General Johnson Aguiyi-Ironsi, who suspended the constitution and dissolved the parliament. This marked the beginning of military rule in Nigeria. This follows by the regime of General Yakubu Gowon who took over power in a bloodless coup in 1966. This follows the Nigerian Civil War which lasted from 1967 to 1970 and had a significant impact on the country's military administration. Following the civil war, the military took control of the government and ruled the country for many years. The next military administration focused on stabilizing the country and maintaining control over the various regions. After the oil boom of the 1970s, the military government implemented various economic reforms and initiated infrastructural development projects. Yakubu Gowon by the regime was overthrown in a coup in 1975 and the country experienced further political instability. Another military coup led by Murtala Mohammed took over the government. This coup resulted in the removal of General Yakubu Gowon from power (Orhero and Okolie, 2023).

Another military regime took over and continued the military administration in Nigeria. The new military regime was led by General Murtala Ramat Mohammed. After the successful coup in 1975, he took control of the government and initiated a series of reforms. Another significant event in Nigeria's military history was the appointment of General Olusegun Obasanjo as head of state. During his time in power, Obasanjo implemented various reforms in the military and played a key role in the transition to civilian rule. His leadership was instrumental in shaping the future of military administration in Nigeria. Another military regime was followed under the leadership of General Yakubu Gowon. After the General Yakubu Gowon, another military leader took over the administration. He was General Murtala Mohammed, who ruled from 1975 to 1976. During his rule, General Murtala Mohammed implemented several changes in the military administration. These changes included the reorganization of the military hierarchy and the

establishment of a new Supreme Military Council. These changes were aimed at centralizing power within the military and consolidating control over the country's administration. This shift in power dynamics led to significant changes in the way the country was governed. General Muhammadu Buhari became the head of state after a successful military coup in December 1983. His administration aimed to restore discipline and integrity to the government.

General Muhammadu Buhari was a key player in the military administration of Nigeria during the 1980s. Another military regime came into power after the overthrow of the civilian government in 1983. The new regime, led by Major General Muhammadu Buhari, promised to restore order and stability to the country. The new regime set out to tackle corruption and inefficiency within the government and military. Another military coup took place in 1985, leading to the ousting of Major General Muhammadu Buhari. The new military leader, General Ibrahim Babangida, took control of the government. He came to power through a bloodless coup in August 1985. The coup marked the beginning of a new era in Nigeria's military administration. It led to a series of military regimes and power struggles. IBB ruled for eight years before being overthrown by Sani Abacha. IBB initiated a lot of reforms which included economic policies aimed at stabilizing the country's economic inflation. His administration also focused on improving social infrastructure such as health care and education.

After IBB, the military administration in Nigeria began to take a more prominent role in shaping the country's political landscape. The military's influence extended to the economy and social policies as well. Sani Abacha took over as military head of state after the regime of Ibrahim Babangida when the interim government of Earnest Shonekan was overthrown. Abacha's regime was marked by widespread human rights abuses and corruption leading to international condemnation (Ogbogo).

3.3.2 Military Coups and Regimes

Setting aside military intervention in politics, military coups alone have been instrumental in shaping the Nigerian political landscape. The first military coup was staged on January 15, 1966, which resulted in the assassination of Tafawa Balewa, the premier of the Northern Region, and Prime Minister of the Federation, Nwafor Orizu, the head of state, between January 16 – 17, 1976. The military regimes that emerged after the coups include the Aguiyi Ironsi regime (-1966); Gowon regime (1966-1975); Muritala/Obasanjo regime (1975-1976); Buhari/Idiagbon regime (1983-1985); Babangida regime (1985-1993) and Abacha regime (1993-1998). All of the military coups except the one that saw the

overthrow of Aguiyi Ironsi involved mostly Northern regionalists in top positions of power. Not surprisingly, Northerners do not see the 1st and the 3rd coups as being revolutionary but as counter-coups designed to save Nigeria from dissolution (Obi-Ani & Onu, 2022).

The adoption of military administration in Nigeria is not devoid of issues and disputes. It portends physical violence as a means of maintaining power. At the philosophical level, the militaristic governance is aimed not only at affecting the nation's goals, but also at increasing its power and serving vested interests. Internally, in relation to its employees, a charismatic authority looks for inner personal loyalty based on devotion to the power of personality and Gurkhas. Moreover, purely direct dialogue now seems to be rapidly exchanged for non-direct dialogue. In short, there was an external problem with external security as a whole and internal division over the ideological approach to eliminating occupation (Omaka et al.2021).

The military administration inferentially breeds internal divisions. First, with the international community, approaches and attitudes toward collaboration with the freed soldiers were significantly different over two years. Some retired servicemen have expressed dissatisfaction with the Federal Government's programs for their rehabilitation. One of the main disputes in the Civil War period could be cited as an example of this ideology. A faction at the dawn of the post-civil war adopted the way of *realpolitik* with national economic and ideological independence.

Its members were called progressives and were led by Obafemi Awolowo, Nnamdi Azikiwe, and Samuel Ladoke Akintola. Another side resisted *realpolitik* with a cosmopolitan economic and ideological combination. It was called the Conservatives (Ojo, 2024).

3.3.3 Impact on Governance and Development

Given the undeniable fact that the valiant soldiers heroically removed the innocent civilians from power at various pivotal stages of Nigeria's rich national history, the indelible mark left by the military rule has had a profoundly visible impact on both the intricate intricacies of governance and the unceasing quest for development in this great nation.

An all-encompassing and undeniable impact, to be exact; one that seamlessly encompasses multifaceted aspects such as political instability, economic policies, unprecedented infrastructure development, and the crucial matter of national security. Furthermore, it is essential to note that the systematic military intervention in Nigeria has exerted an undeniable influence on the country's foreign relations and diplomatic efforts, with far-reaching consequences that ripple

through every intricate fiber of this great nation. As a direct result, the efficiency and effectiveness of government operations have undergone profound transformations, propelled forward by both the blessings and burdens bestowed upon the nation by the military administration. Moreover, it is crucial to acknowledge the undeniable impact of the military administration on the decision-making process within the governance structure. It has consistently played a pivotal role in shaping the trajectory of decision-making, often leading to a centralized and authoritarian approach that leaves an indelible imprint on the collective psyche of the nation. A nation perpetually caught between the desire for progress and the longing for freedom (Arize and James, 2023).

. Through its multifaceted influence, military rule in Nigeria has sculpted and molded the very essence of governance, thereby shaping the destiny of this proud nation. Its undeniable impact, though at times marred by conflicting interests and complex entanglements, has played an instrumental role in navigating the labyrinthine corridors of power, governance, and development in Nigeria's vibrant tapestry of history.

3.4 The Military in Politics

3.4.1 How the Military got involved in Politics in Nigeria

The Nigerian Army was created, organized and trained during the colonial period. It originated from the small indigenous forces used to establish early British rule. The forces became part of the West African Frontier Force. Later the Royal West African Frontier Force (RWAFF) was established towards the end of the 19th century and covered British dependencies in West Africa. The RWAFF had its headquarters in Ghana (the Gold Coast) and maintained a naval force in Lagos which was part of the British (Royal) Army under the operational control of the British Army Council. This West African Command broke-up when Ghana became independent in March, 1957. This led to the establishment of national forces in Nigeria and Sierra Leone. Later the disposition and operational control of the Nigerian Armed Forces, together with their budget was transferred to the British Governor-General in Nigeria. The Nigerian Armed Forces were made-up of the army, small navy and smaller air force created in 1964. According to Akinsanya (1973) by independence, 18% of the officer corps of the army was Nigerianised as opposed to other federal and regional bureaucracies.

A survey of the literature on military intervention in politics reveals four broad categories of factors for interaction:

- (a) Socio-economic development;

- (b) Political development;
- (c) Characteristics of military establishment perse; and
- (d) Foreign influence
- (a) Socio-economic development**

According to Finer (1962) the propensity of Military to intervene in politics is likely to decrease with increased social mobilization. What this means here is, social mobilization refers to such developments as urbanization, rise of mass education and media, development of a monetized economy and increased mass political participation. (Karl Deutsch, 1961) opined that the reason is, increases in the number of potential political actors diffuse increased political resources to these actors. Finer on other hand, argued that, economic development especially industrialization, diminishes the propensity for military intervention.

(b) Political Development

According to Finer and others, the propensity for military intervention in politics decreases with increasing popular attention to and increasing participation in politics. Similarly, weaknesses in civilian political institutions create unrest like political parties, interest groups, civilian governmental institution. This creates lack of legitimacy of the civilian authorities and can cause the military to intervene. The emphasis here is the civilian government depends increasingly on the armed power to stay in power.

(c) Characteristics of Military establishment

The political sociology of the military in Less Developed Countries (LDCs) is based on organizational theory. The military in LDCs is seen as the most nationalistic, unified, disciplined, modern and efficient structure in the society. Furthermore, the larger and more sophisticated the military, the more likely they will have the administrative and technical skills necessary for running government and the greater the propensity for the military to intervene (Morris, 1964).

(d) Foreign Influences

It is argued by Alexander (1965) that, the most important causes of military intervention in Latin America was due to the influences of German, Italian and the foreign military missions. There is the demonstration effect simply put, military coups are contagious.

All the above factors have contributed to the military interventions into body politics. This is because the Nigerian Military sees itself as an “impartial arbiter” by the roles it came to shoulder in post-independence Nigeria such as maintenance of law and order in the various crises such as the Tiv Division in the former Northern Nigeria in 1960 and 1964, and the former Western Nigeria in 1962 and 1965.

Self-Assessment Exercise 1

Do you agree that political development is a factor for military intervention into politics?

3.5 Achievements

The Nigerian state is large with over three hundred ethnic groups, religious difference and above all thickly populated. Apart from the colonial administration, since Nigeria became independent, that is, post-colonial, the military ruled the country for about three decades.

Precisely, from 15th January, 1966.

The Nigerian military has made significant contributions in the development of Nigeria in the area of politics.

- a. The creation of more states. No civilian government after independence succeeded in structurally creating more states and local governments successfully.
- b. The introduction of the NYSC scheme after the civil war was by the military.
- c. The popular 1976 Local Government Reform which unified the system of Local Government in Nigeria was by the military.
- d. The recognition of the Local Governments becoming a full tier of government was by the military and consequently, the 1979 constitution was drawn by the military before handing over to the civilian regime in 1979.
- e. The Land Use Decree introduced by the military as well as the indigenization Decree was meant to facilitate the economic growth of Nigeria.
- f. The introduction of the Primary Health Care, Petroleum (Special) Trust Fund (PTF) was meant to turn around the socio-economic activities of the citizenry.
- g. The history of Festival of Arts and Culture (FESTAC) in 1977 brought glory to Nigeria.
- h. There was serious expansion in the education system by establishing new educational institution all in a bit to increase literacy level.

3.6 Problems of Military intervention in Nigeria Politics

It will be misleading to assume that, the military did not impact negatively on Nigeria's development. It could be recalled that, the leaders of the 1966 military coup promised to rid the country of all ills such as bribery and corruption, ethnicity, political crises and embezzlement of public funds among others. Subsequent coup leaders re-echoed the same statement. However, today such ills which confronted the country during the first republic are very much prevalent.

For instance, although the military worked hard to in the area of economic development, the manufacturing sector has remained dependent on imported raw materials and the inflation rate has been on the increase since the introduction of the special adjustment programme.

There is no doubt that, the military had done creditably well in the education sector. However, the large turnout from these institutions has created massive unemployment which the government of the day is finding it very difficult to grapple with. Furthermore, in spite of the repeated promises on assumption of political leadership, the military had failed to develop the country particularly in the social and economic sectors. Nigeria is still bedeviled with ethnic, religious and economic crises. In spite of the above short comings, the military deserves commendation for maintaining the unity of Nigeria as a nation. As Ukpabi (1986) noted:

“For one thing, it has proved time and again, that is, the only instrument capable of maintaining Nigerian unity without which this country will continue to be seen by outsiders as a mere geographical expression.”



3.7 Summary

In this unit you have learnt military administration, how the military in Nigeria was created and how it found itself involved in politics. You also learnt the various postulations why the military must be involved in politics. The military contributed immensely to the political development of Nigeria but had pitfalls in its rule.

In the preceding lesson, you learned how the early stages of the military formation took place at about the 19th Century and covered the British dependencies in West Africa except the Gambia and the headquarters was in Gold Coast. It was after 1957 that the Nigeria Armed Forces was transferred to the British Governor-General in Nigeria. There are four categories of factors that will warrant intervening into politics. The

simple reason being that, the military institution sees itself as an impartial arbiter. However it could be said the military did so well in the political development of Nigeria but had some challenges in the process.



3.8 References/Further Reading

Adeoye, A. A. and John, A. A. (2005) (eds) Readings in Nigerian Government and Politics, New Generation Books and Communication, 41, Awolowo Way, Opp. Rational Building, Oke-Bola, Ibadan, Nigeria.

Akinsanya, A. A. (1973). The Nigerianisation of the Western Nigerian Higher Public Service, PhD Dissertation, Chicago University.

Aluda, O., & Amana, I. A. (2024). Military Coups in West Africa and Insecurity in Nigeria: An Overview. West African Journal of Interdisciplinary Research, 2(2), 86-97. ijaar.org

Arize, B. C., & James, C. C. (2023). Military in Nigerian Politics: Implication for Nation Building 1966-1998. Nigerian Journal of African Studies (NJAS), 5(2). nigerianjournalsonline.com

Dada, J. P. (2005). The Nigerian Military and National Development in Koroma, D.S.M. and Haruna, M. B. (eds) Towards Sustainable Development in Nigeria: Trends and Perspectives, CSS Press, 15, Broad Street, Lagos, Nigeria.

Karl Deutsch (1961). Social Mobilization and Political Development, American Political Science Review 55, September.

Miners, N. J. (2023). The Nigerian Army: 1956-1966. [\[HTML\]](#)

Obi-Ani, P. & Onu, A. (2022). Military Factor in Nigerian History Since 1960. Nsukka Journal of the Humanities. journals.co.za

Ogbogo, E. I. (2020). The First Military Coup D'état of 15th January 1966: Lessons for Nigeria. researchgate.net. researchgate.net

Ojo, T. I. (2024). MILITARY RULE. Modern Nigeria. [\[HTML\]](#)

Omaka, A. O., Nwamuo, B., Alaku, E., & Nmaju, U. U. (2021). The January 1966 military revolt in Nigeria and the ethnic conundrum. Journal of Arts and Humanities, 10(2), 51-68. theartsjournal.org

- Orhero, A. E., & Okolie, U. C. (2023). Nigeria's Trend of Military Administration and Economic Decay: An Analytical Review. *Social Sciences, Humanities and Education Journal (SHE Journal)*, 4(2), 355-381. unipma.ac.id
- Samuel, F. (1962). *The man on Horseback*, New York: Frederick A. Praeger.
- Ukpabi, S. C. (1986). *Stands in Nigerian Military History*, Zaria: Gaskiya Corp.



3.9 Possible answers to self-assessment exercise (s)

Self-assessment exercise

Do you agree that political development is a factor for military intervention into politics?

Answer

The Nigerian Army was created, organized and trained during the colonial period. It originated from the small indigenous forces used to establish early British rule. The forces became part of the West African Frontier Force. Later the Royal West African Frontier Force (RWAFF) was established towards the end of the 19th century and covered British dependencies in West Africa. The RWAFF had its headquarters in Ghana (the Gold Coast) and maintained a naval force in Lagos which was part of the British (Royal) Army under the operational control of the British Army Council. This West African Command broke-up when Ghana became independent in March, 1957. This led to the establishment of national forces in Nigeria and Sierra Leone. Later the disposition and operational control of the Nigerian Armed Forces, together with their budget was transferred to the British Governor-General in Nigeria. The Nigerian Armed Forces were made-up of the army, small navy and smaller airforce created in 1964. According to Akinsanya (1973) by independence, 18% of the officer corps of the army was Nigerianised as opposed to other federal and regional bureaucracies.

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 - (b) Political development;
 - (c) Characteristics of military establishment perse; and
 - (d) Foreign influence
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Unit 4 Fiscal Federalism in Nigeria

Unit Structure

- 4.1 Introduction
- 4.2 Learning Outcome
- 4.3 Main content
 - 4.3.1 Revenue Allocation
 - 4.3.2 Restructuring
- 4.4 Summary
- 4.5 References/Further Reading
- 4.6 Possible answers to self-assessment exercise (s)



4.1 Introduction

In the previous session, you learnt about the military involvement in politics, factors that warrant its involvement, contributions and predicaments. In this current unit, you will learn how revenue in Nigeria is been shared among the component units of government, the issue of restructuring and corruption.



4.2 Learning Outcome

By the end of this session, you should to:

1. Explain the principles upon which revenue is shared among the units of government in Nigeria;
2. Discuss restructuring.
3. Examine the acts of corruption and effect on governance.



1.3 Fiscal Federalism in Nigeria

1.3.1 Revenue Allocation

The political and economic nexus in revenue allocation in Nigeria can better be understood when one considers the colonial and dependent nature of the Nigerian economy, which in turn provokes a contestation and struggle among the ruling class for the political control of the state, Bolaji, (2014). According to Bolaji, the politics-economics nexus becomes more complex when one considers the heterogeneous and the multi-various nature of Nigerian societies. He maintained that, the

inherent diversity in Nigerian federation introduced a dangerous dimension to the contest for power; hence, the various groups and communities within the nation will stop at nothing to gain access to state power knowing fully well that, this in turn assures them of the control of scarce economic resources of the state. Thus political considerations have greatly influenced the economics of revenue allocations in Nigeria. In Nigeria, revenue allocation system over the years has witnessed a turbulent and highly politicized system. This throws the following questions:

- a. How should federally collected revenue be shared between the centre and the federating units?
- b. What should be the principle for sharing statutory and non-statutory revenue, among the state?
- c. Who possesses the power of amendment to the revenue/income tax allocation principles?

The historical and political conditions of a nation have great influence on its revenue allocation. In Nigeria, the funding of levels of Government Issue came to the fore when regions were granted internal autonomy under the Richards Constitution of 1946 (Anyanwu, 1997).

In most, if not all federations, one of the most constant sources of intergovernmental wrangles is the problem of securing adequate financial resources on the part of the lower levels of government to discharge their essential and political responsibilities. One cannot ignore the importance of revenue in the day to day running of any government, so, the mode of acquiring the revenue particularly by the regional/state governments and now includes the local governments in Nigeria creates problems several times.

In Nigeria, the issue of intergovernmental fiscal transfer and economics of federalism made the Federal Government to set out commission and committees to articulate a proper revenue allocation formula and make recommendations. Some of these commissions were:

- a. Phillipson Commission (1946)
- b. Hicks – Phillipson Commission (1951)
- c. Chick Commission (1953)
- d. Raisman Commission (1958)
- e. Binns Commission (1964)
- f. Dina Committee (1968)
- g. Various Decrees and Acts were also promulgated among others.

Whatever principle that is adopted, the ultimate objective is to reduce the imbalance either horizontally or vertically among the tiers of government. But with all these mechanisms, there have been entangles

among them, competing for bigger allocations from the national cake, unnecessary claim of rights over ownership of jurisdictions due to economic factors and control be it political, economic or otherwise.

Horizontal imbalance is the differences in allocation among the same levels of government e.g. Borno and Lagos, or Yobe and Bauchi. Vertical imbalance is the differences between the tiers of government, that is, Federal, states and Local Governments. The current sharing formula is:

FGN - 48.5%

STATE - 24%

LGA - 20%

Special Fund - 7.5%

Source: Office of the Accountant General of the Federation, 2010

4.4 Restructuring

A critical examination of sharing federally derived revenue reveals that, there are contentions issues that have generated fierce controversy and partisan politics among the levels of government in Nigeria. The issue of resource control assumed a wider dimension since the return to civil rule in 1999. In fact a combination of the negative aspects of revenue allocation formula has led to the agitation for a restructuring of the Nigerian Federation (Goke, 2014).

The word restructuring does not mean the merging of states as some people would prefer. Restructuring simple means:

Divesting the central government of certain powers and limiting its area of influence to such issues as fiscal policies, military defenses, foreign policy, immigration and national elections. (Nuhu, 2016).

Nuhu maintained that, restructuring will help to stem the tide of restiveness in many parts of the country. It will also resolve the questions of citizenship, religion, resource control and fiscal federalism. When these issues are properly addressed, Nigeria will be said to be on the right path to meaningful development. The essence of the restructuring is to make the Nigerian federation less centralized, less suffocating and less dictatorial in the affairs of the constituent units and logistics, (Nuhu, 2016). He further observed that, the call for restructuring is more relevant now in the light of the governance and economic challenges facing the country as well as the rising tide of agitations, some militant and violent, require a reset in our relationship as a united nation.



4.5 Summary

From the discourse above, you have learnt the concept of restructuring and why it should be carried out in Nigeria now. You have learned some of the reasons why there is the necessity of restructuring in Nigeria.

In the above session you have learned that restructuring in Nigeria now is timely due to numerous challenges ranging from economic, social and political dimensions. The essence is to put Nigeria back on the track for meaningful development and well-being of the citizenry.



4.6 References/Further Reading

- Anyanwu, J. C. (1979). *Nigerian Public Finance*, JOANEE Educational Publishers Ltd., 51 Awka Road, Onitsha, Nigeria.
- Bolaji, O. O. (2014). *Revenue Allocation, Resource Control and Nigerian Political Economy* in Adeoye A. A. and John, A. A. (eds) *Readings Nigeria Government and Politics*, New Nigerian Books and Communication, Ibadan.
- Goke Lalude (2014). *Resolving the National Question*, in Adeoye, A. A. and John, A. A. (ed). *Readings in Nigerian Government and Politics*, New Nigerian Books and Communications, Ibadan.
- Nuhu, Y. (2016). *What is in restructuring in the era of change in Nigerian Politics*, Proceedings of IASTEM International Conference, Dammam, Saudi Arabia 17th – 18th December.



1.6 Possible answers to self-assessment exercise (s)

Self-assessment exercise

What is restructuring?

Answer

A critical examination of sharing federally derived revenue reveals that, there are contentions issues that have generated fierce controversy and partisan politics among the levels of government in Nigeria. The issue of resource control assumed a wider dimension since the return to civil rule in 1999. In fact a combination of the negative aspects of revenue allocation formula has led to the agitation for a restructuring of the Nigerian Federation (Goke, 2014).

The word restructuring does not mean the merging of states as some people would prefer. Restructuring simple means:

Divesting the central government of certain powers and limiting its area of influence to such issues as fiscal policies, military defenses, foreign policy, immigration and national elections. (Nuhu, 2016).

Nuhu maintained that, restructuring will help to stem the tide of restiveness in many parts of the country. It will also resolve the questions of citizenship, religion, resource control and fiscal federalism.

When these issues are properly addressed, Nigeria will be said to be on the right path to meaningful development. The essence of the restructuring is to make the Nigerian federation less centralized, less suffocating and less dictatorial in the affairs of the constituent units and logistics, (Nuhu, 2016). He further observed that, the call for restructuring is more relevant now in the light of the governance and economic challenges facing the country as well as the rising tide of agitations, some militant and violent, require a reset in our relationship as a united nation.

Unit 5 Separation of Powers

Unit Structure

- 5.1 Introduction
- 5.2 Learning Outcomes
- 5.3 Origin and concept of Separation of Powers
 - 4.3.1 Objectives/Advantages of Separation of Powers
 - 4.3.2 Disadvantages of Separation of Powers
 - 4.3.3 Applications of Separation of Powers
- 5.4 Fusion of Powers in Britain
- 5.5. Principle of Separation of Power in Nigeria
- 5.6 Summary
- 5.7 References/Further Readings/Web Resources
- 5.8 Possible Answers to Self-Assessment Exercise(s)



5.1 Introduction

In the last unit, we discussed the institution of the Judiciary, functions of the Judiciary, independence of the Judiciary, ingredients of the Independence of the Judiciary and limitations to the Independence of the Judiciary. In today's class, we will be discussing origin and concept of Separation of Powers, objectives/Advantages of Separation of Powers, and disadvantages of Separation of Powers as well as the applications of Separation of Powers. An essential tenet of how modern governments are structured is the separation of powers. This unit will look at the underlying rationale for the idea of separation of powers, as well as its goals and applications in a few different nations. Throughout this unit, we will also determine if the idea of separation is consistent with how the three branches of government interact in practice.



5.2 Learning Outcomes

At the end of this unit, you should be able to:

- define the doctrine of separation of power and explain its objectives
- understand the limitations of the theory of separation of power when applied to the reality of
- the organization of modern government
- know why some countries operate separation of powers while others prefer fusion of powers



5.3 Origin and concept of Separation of Powers

Early political thinkers are where the theory of separation of powers first emerged. But a French political theorist and jurist named Montesquieu gave the theory its best expression in his book "Esprit des lois" (The Spirit of Law), which was published in 1748. It won't be out of place if we extensively reference Montesquieu in light of the idea of the separation of powers' relation to his classic formulation: "There can be no liberty when the legislative and executive powers are united in one person or in one body of magistrates."

Once more, if the judicial power is not separated from the legislative and administrative authorities, there is no liberty. If it were combined with legislative authority, life and liberty of the subject would be exposed to arbitrary control-for the judge would be the legislator...Jean Bodin in his Republic (1576) also wrote that some separation of power was essential, advising that the prince should not administer justice but should leave such matters to independent judges (quoted in Laski). The idea of separation of powers, according to Wale and Phillip may mean three different things:

- (a) That the same persons should not form part of more than one of the three organs of government e.g. that ministers should not sit in parliament
- (b) That one organ of government should not control or interfere with the exercise of its functions by another organ e.g. that the judiciary should be independent of the ministers or that ministers should not be responsible to the parliament.
- (c) That one organ of government should not exercise the functions of another e.g. that minister should not exercise legislative power.

In his Second Treaties on Civil Government, John Locke wrote:

It may be too great a temptation o human frailty, apt to gab power, for the same person who have the power of making law to have also in their hands the power to execute them, thereby they may exempt themselves from obedience to the laws they made and suit the law both in its making and execution to their own private advantage.

Like Locke, Montesquieu was also concerned about the danger posed to the liberty of the citizens by the concentration of powers. According to him: Concentration of governmental powers in the hands of one individual is the very definition of dictatorship, and absolute power is, by its very nature, arbitrary, capricious and despotic...For it is not that repository of the combined power can pass tyrannical laws and then execute them tyrannically, he can also act arbitrarily in flagrant

disregard of the limits of his powers and then proceeds to legalise his action by retroactive legislation

In such a circumstance, government is not carried out in accordance with predetermined norms; rather, it is governed not by laws but by will, in accordance with the whims and caprices of the monarch. Therefore, the goal of the separation of powers is limited government, which necessitates that the structure of government be founded on a notion whereby the functions of law making, enforcing, and adjudicating are held by distinct agencies that operate according to their own staff and procedures. However, it is important to stress that there cannot be a complete separation of powers where the three branches of government do not interact in any way. In actual practice, the three organs of government must function by mutual cooperation.

According to the notion, no single entity or person should have power over more than one branch of the government. Power must not only be divided but must also be exercised by various people or groups of people, i.e., these powers must not be united in one person or group of people but rather given to three independent, co-ordinated agencies. 's, and the's, and the.'s, and the judge that the person who was the: and the's .'s In other words, division of powers is the political application of the economic principle of division of labor.

Self-Assessment Exercise (SAE) 1

Discuss the concept of Separation of Powers

5.3.1 Reasons for Separation of Powers

The establishment of the notion of separation of powers was done so to achieve or further a number of goals. These goals may also be thought of as the benefits or merits of the division of powers. These are some of them:

i) Prevention of Tyranny

It reduces the abuse of power because powers are separated from one another. There is a political term, which says, “power corrupts and absolute power corrupts absolutely”. Because there is no concentration of governmental powers in one authority, the tendency of having arbitrary rule is very low.

ii) Specialisation and Efficiency

The political application of the economic idea of division of labor, the notion of separation of powers, promotes specialization and

effectiveness in governmental administration. Practice makes perfect, which states that you should focus on the same task in a routine-like manner, becomes the rule of the day. It suggests that by focusing on law-making, legislators will become experts in it, and the administration will also become more skilled at developing and implementing policies. Similar to this, the judiciary improves its knowledge and distinction in its function of interpreting the law and resolving conflicts.

iii) **Preservation of Liberty**

The doctrine of the separation of powers also safeguards citizens' rights and freedoms through specialization. Tyranny and arbitrary decision-making are likely to result if the three branches of government's powers are centralized under one body. According to Lord Acton, "Power intoxicates and absolute, power intoxicates absolutely". Therefore, it is expected that the system will encourage the observance of the citizens' basic human rights, such as the right to life, freedom of association, and freedom to own property, among others, when power is distributed rather than centralized in a single authority.

iv) **Safeguards independence of each organ**

Separation of powers also guarantees each branch of government's autonomy in carrying out its duties and acknowledges that the tasks allocated to each branch by the constitution call for expertise unique to that branch. For a judge to be successful, he or she must have intelligence and erudition alongside impartiality and detachment. In addition to being able to relate to and empathize with his voters, a legislator needs to be able to effectively communicate with other parliamentarians in order to advance his ideas. A chief executive must also be able to prioritize among the various competing items on the policy agenda. Given the many characteristics needed by persons who will hold these various professions, it is most unlikely that these attributes can be found in one person. Therefore, it is only through separation of powers that individuals with these different but complimentary attributes can be assembled to discharge the three functions of government.

5.3.2 Disadvantages of Separation of Powers

i) Because it can be challenging for the legislative and administration, in particular, to work together, a strict separation of powers may have unfavorable effects. The government's machinery could at best be hampered or at worst come to a grinding halt if there is a lack of coordination between those who draft the laws and those who enforce them.

ii) It has been said that Montesquieu's doctrine of the separation of powers is unrealistic because it is overly idealistic and mechanistic. The three branches of government cannot be kept in separate, watertight containers due to the nature and functioning of government. Former U.S. President Woodrow Wilson criticized separation power in the following words:

“The trouble with the theory is that government is not a machine but a living thing...No living thing can have its organs offset against each other as check and live...Government is not a body of blind forces, it is a body of men with highly differential functions...but with common purposes”.

This view was shared by Mbah (2007:192) “who rightly opined that any attempt to achieve the idea of separation of powers as conceptualized by Montesquieu will amount to a motionless balance”.

iii) The purpose of the concept of checks and balances is to allow for flexibility or a lubricating force in the division of powers. However, the mechanism of the division of powers might have unexpected consequences such as impeding the ability of government officials to make timely judgments.

iv) It is difficult in practice, according to opponents of the separation of powers, to completely separate the various governmental functions. They contend that it is impossible to define each organ's domain of responsibility in such a way that each is independent and supreme in its domain, independent of the other organ's function. They contend that the legislative process is not complete until the executive branch grants its approval.

Self-Assessment Exercise (SAE) 2

Discuss the possible danger associated with the theory of Separation of Powers

5.3.3 Applications of Separation of Powers

Separation of Powers in the United States

The principle of separation of powers is clearly incorporated in the constitution of the United States. Richard Neustadt (1960:13) “described Separation of Powers under the U.S.’s government as a system not of separated powers but of “separated institutions sharing power”.” Similarly, S .E. Finer (1949) also stated that “the American constitution was consciously and elaborately made an essay in the separation of powers and is today “the most important polity in the world which

operates upon the principle". The Senate and the House of Representatives are the two legislative chambers that make up the United States Congress, and they each have the sole and primary authority to enact laws. Additionally, the executive arm has sole authority over the executive branch's functions, while independent courts are in charge of the judiciary. The checks and balances system, which we will cover in the following section, provides the necessary flexibility for the separation of powers processes in the United States.

5.4 Fusion of Powers in Britain

The concept of separation of powers is not included in the British constitution. Instead, what happens in Britain is what's called as a "fusion of powers." This shows up in various ways. First, the same election is used to elect members of the legislature and the executive branch to their respective offices. To put it another way, the Prime Minister, who is in charge of the executive branch, and the other members of his cabinet must have been chosen by the parliament to serve in that body. Second, the House of Commons, House of Lords, and the Queen make up the British parliament. The Queen, curiously, serves as the ceremonial head of the executive and is the country's head of state. Third, in addition to serving as the leader of the House of Lords, the British equivalent of the U.S. Supreme Court, the Lord Chancellor also serves as the minister of justice and the president of the Privy Council. The preceding examples suggest that there is no division of powers in the way the British government operates.

Self-Assessment Exercise (SAE) 3

Q1. Distinguish between the idea of fusion of power in Britain and separation of powers in the United States.

5.5. Principle of Separation of Power in Nigeria

Principle

The principle of separation of powers is a fundamental aspect of Nigeria's democratic system, enshrined in the 1999 Constitution of the Federal Republic of Nigeria. This principle ensures that the three arms of government the Executive, the Legislature, and the Judiciary operate independently and provide checks and balances on one another to prevent the abuse of power.

1. **Executive:** The Executive branch, headed by the President, is responsible for implementing laws and policies. The President appoints ministers with the approval of the Senate, demonstrating

a check by the Legislature. Sections 5, 67, and 108 of the Constitution provide for executive powers and procedures.

2. **Legislature:** The Legislature, comprising the Senate and the House of Representatives, is responsible for making laws. It exercises oversight over the Executive through powers such as impeachment (Sections 143 and 188) and budgetary approval (Section 80). This ensures that the Executive does not act beyond its mandate.
3. **Judiciary:** The Judiciary interprets the laws and ensures justice. It operates independently, with judges appointed by the President based on recommendations from the National Judicial Council (Sections 231-292). The Judiciary can check the Legislature and Executive through judicial review.



5.6 Summary

We have covered the doctrine of separation of powers in this unit, along with its history and goals. We also examined the benefits and drawbacks of the principle of separation of powers and used the examples of the United States and Britain to highlight the two extremes in its application in the two nations. The fundamental rationale for the division of powers is unquestionable, particularly in light of the expectation that it will assist protect people' liberties by avoiding the buildup and potential misuse of authority. A watertight or total separation of powers, as it was intended in the classical sense, is not, however, feasible in practice. This is why checks and balances, which we will explore, are used.

The separation of powers in Nigeria is designed to prevent the concentration of power in any single branch, thereby promoting democracy and protecting individual liberties. While each branch operates within its own sphere, their functions are interdependent, allowing for a system of checks and balances. This interdependence is critical in maintaining a balance of power, preventing tyranny, and ensuring effective governance.

Despite this framework, challenges such as political interference and power struggles occasionally disrupt the ideal functioning of this principle. However, the ongoing efforts to uphold the separation of powers continue to be crucial for Nigeria's democratic development.



5.7 References/Further Readings/Web Resources

Byrne, D. J. (2003) Human Rights: An Introduction, Pearson Education Ltd, New Delhi

Ogundimu, U. (1977). "Citizenship and Modernization in the Third World", The West

Ojo, A.O (1973). Political Science and Government of Nigeria for West African Student, Ilesanmi press & sons (Nigeria) Ltd, Ilesha
1999 Constitution of Federal Republic of Nigeria

Odo, E. U., "The Doctrine of Separation of Powers Under the Nigerian Constitution: A Critical Overview," The Nigeria Lawyer.

SabiLaw, "An Overview of Separation of Power in Nigeria."

PEOPLE: International Journal of Social Sciences, "The Doctrine of Separation of Powers Under the Nigerian Constitution."



5.8 Possible Answers to SAEs

Answers to SAEs 1

Discuss the concept of Separation of Powers

Early political thinkers are where the theory of separation of powers first emerged. But a French political theorist and jurist named Montesquieu gave the theory its best expression in his book "Esprit des lois" (The Spirit of Law), which was published in 1748. It won't be out of place if we extensively reference Montesquieu in light of the idea of the separation of powers' relation to his classic formulation: "There can be no liberty when the legislative and executive powers are united in one person or in one body of magistrates."

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- (c) That one organ of government should not exercise the functions of another e.g. that minister should not exercise legislative power.

Answers to SAEs 2

Discuss the possible danger associated with the theory of Separation of Powers

Disadvantages of Separation of Powers

- i) Because it can be challenging for the legislative and administration, in particular, to work together, a strict separation of powers may have unfavorable effects. The government's machinery could at best be hampered or at worst come to a grinding halt if there is a lack of coordination between those who draft the laws and those who enforce them.
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Answers to SAEs 3

Distinguish between the idea of fusion of power in Britain and separation of powers in the United States.

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The principle of separation of powers is clearly incorporated in the constitution of the United States. Richard Neustadt (1960:13) “described Separation of Powers under the U.S. government as a system not of separated powers but of “separated institutions sharing power”.” Similarly, S .E. Finer (1949) also stated that “the American constitution was consciously and elaborately made an essay in the separation of powers and is today “the most important polity in the world which operates upon the principle”. The Senate and the House of Representatives are the two legislative chambers that make up the United States Congress, and they each have the sole and primary authority to enact laws. Additionally, the executive arm has sole authority over the executive branch's functions, while independent courts are in charge of the judiciary. The checks and balances system, which we will cover in the following section, provides the necessary flexibility for the separation of powers processes in the United States.

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serve in that body. Second, the House of Commons, House of Lords, and the Queen make up the British parliament. The Queen, curiously, serves as the ceremonial head of the executive and is the country's head of state. Third, in addition to serving as the leader of the House of Lords, the British equivalent of the U.S. Supreme Court, the Lord Chancellor also serves as the minister of justice and the president of the Privy Council. The preceding examples suggest that there is no division of powers in the way the British government operates

MODULE 5

- Unit 1 Evolution of Nigerian Civil Service
- Unit 2 Intergovernmental Relations
- Unit 3 Principle and Function Civil Service

Unit 1 Evolution of Nigerian Civil Service

Unit Structure

- 1.1 Introduction
- 1.2 Learning Outcomes
- 1.3 Evolution of Nigerian Civil Service
- 1.4 The Structure of the Nigerian Civil Service
- 1.5 Summary
- 1.6 References/Further Readings/Web Resources
- 1.7 Possible Answers to Self-Assessment Exercise(s)



1.1 Introduction

In our last unit, we effectively discussed the fundamental features of civil service, elucidating the significant role it plays within a state's framework. By offering a comprehensive understanding of the functions performed by civil service, it sheds light on how these integral mechanisms contribute to the smooth and efficient operation of government entities. This unit will be discussing evolution of the civil service in Nigeria started from colonial period and has undergone many processes.



1.2 Learning Outcomes

By the end of this unit, you should be able to:

- Discuss the evolution of Nigerian civil service
- Analyze the structure of the Nigerian civil service



1.3 The Evolution of Nigerian Civil Service

In tracing the emergence and growth of the civil service in Nigeria, Nwosu (1977), started from 1900 when Britain formally established her authority in most of the area that had then become Nigeria. The British divided the country into three for administrative purposes. They were

the Colony of Lagos and the Protectorates of Northern and Southern Nigeria. Later in 1906 the Lagos Colony was merged with the Southern Protectorate and renamed the Colony and Protectorate of Southern Nigeria. In 1914 the two protectorates were amalgamated, and subsequently became known as the Colony and Protectorate of Nigeria. In order to be able to administer the territory, Britain imposed a unified alien civil service on Nigeria without giving much thought to its impact on the Nigerian traditional communities with their conflicting values, interests, norms and authority structure (Kingsley, 1963). It must be pointed out that despite the amalgamation and its attendant unification of the civil services of the north and south, the two areas still developed, at their own pace. The major function of the civil service was mainly the maintenance of law and order and raising enough revenue to sustain the colonial authorities. According to Okoli (2002), the service was geared towards the negative policy of preventing trouble in the areas under its administration. Economic and social development was never a major objective of the administration. Nwosu (1977) outlined the structure of the colonial service thus, At the head of the public service was the Governor General, who was accountable to the colonial secretary in London. The colonial secretary was himself accountable to the British cabinet and the parliament. The Governor General delegated his authority to the Chief Secretary, who was the effective head of the service. The chief secretary coordinated the entire service which was divided into two major parts - the departmental and the political administration. The departmental administration covered the technical and professional functions of the colonial regime. Such as education, health, agriculture, treasury, forestry, public works and audit. Assisting the Chief Secretary were the various departmental heads. In the absence of elected representatives of the people, they not only advised the Governor, but initiated policies, participated in legislation, and supervised the execution of enacted bills and approved policies. While the heads of technical departments operated from the central secretariat in Lagos, their subordinates were in charge of field offices. Considering the 'authoritarian' nature of colonial regimes and given the limited scope of colonial policies, the technical and professional heads of departments carried their duties without deference to any organised clientele or public; the constraints and contingencies that stemmed from the wider environments were tackled by the field administrators. The field officers referred to above were the Lieutenant Governor, the Residents, and the District Officers. These officers who were the pillars of colonial administration were fully responsible for the maintenance of law and order and the mobilisation of resources, which in any case were the main goals of colonialism. In explaining the importance of these officials in colonial administration, Kingsley (1963), stated that: The president and the governor, each in his geopolitical area, were concerned and more often than not, in more remote areas, a strong administrative officer was

the government in the real sense of it. These field officers it must be pointed out did not rule the people. Indirectly, instead they ruled them through their own people indirect rule in the north it was fairly easy since the emirs were already fully in charge before the advent of colonialism. They had almost questionable powers and also had a system of taxation. In the west where the Obas were fully in charge, (though with some measure of checks and balances) the indirect rule system was also successful. The east provided a different scenario all together. With the exception of few areas, where established traditional authorities were already in existence, the diffused authority system which was described as segmentary or fragmented (Ubikeze and Obi 2003) made it difficult for the indirect rule system to be introduced. However, this did not deter the colonial officials from building a structure on which their administration rested. They created the 'Warrant Chief's and made them to perform the roles that their counterparts in other parts of the country had been performing. It undoubtedly encountered many problems. The fusion of western administration with the traditional African , System, produced a new structure which Nwosu (1977) says corresponded with Fred Rigg's description of the pattern of role differentiation in a traditional society.

Riggs (1963) said that: "We find, then, in the transitional society a dualistic situation. Formally superimposed institutions patterned after, western models coexist with earlier indigenous institutions of a traditional type in a complex pattern which was heterogeneous overlapping. The new patterns thrive best at the centre in the higher levels of society; the older patterns persist most vigorously at the periphery, in the rural hinterlands and the lower levels of society, but the mixture is everywhere present and produces new forms characteristics of neither the western nor the traditional institutional systems." At this early period, Nigerians were restricted to the lower echelons of the civil service. Though the south and the north were amalgamated in 1914, both regions still had their separate civil services. In fact Odumosu (1963) states that departments like education, policy and prisons in the north were separated in policy and control from their southern counterparts. 58 The Richard's Constitution of 1946 marked a watershed in the political and administrative history of Nigeria. The constitution provided for a House of Assembly for each of the regions plus a House of Chiefs for the northern region: It equally provided a legislative council at the centre with an African unofficial majority. The councils were to advise the Regional Governors on any matter referred to them. The Governors were however not bound to accept their advice. According to Arthur Richards the objective of the 1946 Constitution was to Create a political system which is in itself present advance and contains living possibility of further orderly advance - a system within which the diverse elements may progress at varying speeds amicably and smoothly towards a more

closely integrated economic, social and political unity without sacrificing the principles and ideals inherent in their divergent ways of life (Obikeze and Obi, 2004: 142-145).

Self-Assessment Exercise 1

Q1. Discuss the evolution of Nigerian Civil Service

1.4 The Structure of the Nigerian Civil Service

Prior to the Udoji Commission Report of (1974), the Nigerian civil servants were divided into two separate groups - the administrative group and the professional group. Both groups were hierarchically organised. While the administrative group was made up of the administrative class, the executive class the clerical class and the manipulative class, the professional group consisted of the professional class, the technical class, the auxiliary class and the minor technical class. Each of the classes within the two groups operated so rigidly that it was very difficult for a civil servant to move from a lower to a higher class. This implied that a civil servant once recruited remained in the same class or grade throughout his service career. However, in 1974, based on the recommendations of the Udoji Commission on the re-organisation of the civil service, the Federal Government of Nigeria abolished the former four classes and replaced them with a unified grading system in which all the jobs or positions in the service were graded from levels 01-17, grade level 01 being the lowest while grade level 17 represents the highest position in the civil service. With this development, an employee can now join the service at level 01 and climbs upwards to his ability before retirement. In spite of this significant change, five main classes of civil servants still exist today in Nigeria, though not officially: These include the administrative class, the professional class, the executive class, the clerical class, and the manipulative class. Let us briefly explain each of these classes:

- i. The administrative class: This is the most prestigious and remunerative class in the civil service. Civil servants in this class are very close to the political head, i.e., the ministers/commissioners. Their main function is to advise the political head on policy matters. To be recruited into this class, the applicant must possess at least a second class honours degree from a recognised university and must in addition pass the interview conducted by the civil service commission.
- ii. The professional class: This class consists of specialists like doctors, lawyers, engineers, surveyors, architects, etc., who are charged with the responsibility of advising the government on technical matters. These experts help the government in

- construction of roads, houses, run hospitals, engage in agriculture, etc.
- iii. The executive class: The executive class consists of such positions as the executive officer, higher executive officer and senior executive officer. Civil servants in this class are involved in general administration and are charged with the actual implementation of government policies and programmes. The executive class used to be recruited from among people with good Higher School Certificates or General Certificate of Education, Advanced Level or a Diploma in Public Administration. These days, however, it has become the preserve of the people with less than a second class lower degree as well as that of Higher National Diploma Holders in the relevant fields.
 - iv. Clerical class: This class is made of a large number of subordinate staff who perform supportive functions to the government
 - v. The manipulative class: This class is made up of all the skilled and semi-skilled workers who abound in the various ministries and departments. These include the drivers, cleaners, guards, postmen, gardeners, etc. who represent the manual labour forces of the government (Ekhaton, 2003:259-261)

Self-Assessment Exercises 2

1. Discuss the Structure of the Nigerian Civil Service
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1.5 Summary

In this unit, we discussed the evolutionary and structural processes of the civil service in Nigeria. The unit examined deeply into the rich history and dynamic evolution of the Nigerian civil service, shedding light on its transformative journey over the years. By closely examining the intricate structure of the Nigerian civil service, insightful analyses were conducted to dissect its core components, functions, and administrative framework. This examination not only highlighted the key organizational elements of the civil service but also provided a nuanced understanding of its operations, role in governance, and contributions to national development. The exploration extended to uncovering the various reforms, challenges, and milestones that have shaped the Nigerian civil service into what it is today, offering a holistic view of its past, present, and potential future trajectories. In essence, the unit not only fostered a thorough understanding of the Nigerian civil service's evolution and structure but also underscored its significance in the broader context of public administration and governance in Nigeria.



1.6 References/Further Readings/Web Resources

- Ekhaton, V.E. (2003). *Rudiments of Public Administration*. Kaduna: Joyce Graphic Printers & Publishers.
- Ferrel, H. "Civil Service." In: David L. Skills (Ed.) (1968). *International Encyclopedia of the Social Sciences*. Vol. 2. New York: McWilliams.
- Kingsley, J.O. (1953). "Bureaucracy and Political Development with Particular Reference to Nigeria." In: Joseph, L. (Ed.) *Bureaucracy and Political Development*. New Jersey: Princeton University Press.
- Nwosu, H.N. (1977). *Political Authority and the Nigerian Civil Service*. Enugu: Fourth Dimension Publishers.
- Obikeze, S.O. & Obi, E.A. (2004). *Public Administration in Nigeria: A developmental Approach*. Onitsha: Book Point Ltd.
- Odumosu, O. I. (1963). *Nigerian Constitution*. London Sweet and Maxwell. Riggs, F.G. (1964). *Administration in Developing Countries the Theory*



1.7 Possible Answers to SAEs

Answers to SAEs 1

The Evolution of Nigerian Civil Service

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Answers to SAEs 2

The Structure of the Nigerian Civil Service

Prior to the Udoji Commission Report of (1974), the Nigerian civil servants were divided into two separate groups - the administrative group and the professional group. Both groups were hierarchically organised. While the administrative group was made up of the

administrative class, the executive class the clerical class and the manipulative class, the professional group consisted of the professional class, the technical class, the auxiliary class and the minor technical class. Each of the classes within the two groups operated so rigidly that it was very difficult for a civil servant to move from a lower to a higher class. This implied that a civil servant once recruited remained in the same class or grade throughout his service career. However, in 1974, based on the recommendations of the Udoji Commission on the re-organisation of the civil service, the Federal Government of Nigeria abolished the former four classes and replaced them with a unified grading system in which all the jobs or positions in the service were graded from levels 01-17, grade level 01 being the lowest while grade level 17 represents the highest position in the civil service. With this development, an employee can now join the service at level 01 and climbs upwards to his ability before retirement. In spite of this significant change, five main classes of civil servants still exist today in Nigeria, though not officially: These include the administrative class, the professional class, the executive class, the clerical class, and the manipulative class. Let us briefly explain each of these classes:

- i. The administrative class: This is the most prestigious and remunerative class in the civil service. Civil servants in this class are very close to the political head, i.e., the ministers/commissioners. Their main function is to advise the political head on policy matters. To be recruited into this class, the applicant must possess at least a second class honours degree from a recognised university and must in addition pass the interview conducted by the civil service commission.
- ii. ii. The professional class: This class consists of specialists like doctors, lawyers, engineers, surveyors, architects, etc., who are charged with the responsibility of advising the government on technical matters. These experts help the government in construction of roads, houses, run hospitals, engage in agriculture, etc.
- iii. iii. The executive class: The executive class consists of such positions as the executive officer, higher executive officer and senior executive officer. Civil servants in this class are involved in general administration and are charged with the actual implementation of government policies and programmes

Unit 2 Intergovernmental Relations

Unit Structure

- 2.1 Introduction
- 2.2 Learning Outcomes
- 2.3 Intergovernmental Relations
 - 2.3.1 Meaning of Intergovernmental Relations
- 2.4 Evolution of IGR
- 2.5 Types of Intergovernmental Relations
 - 2.5.1 The Partnership Model
 - 2.5.2 The Principal/Agent Model
 - 2.5.3 The Dual Model
- 2.6 Problems of IGR in Nigeria
 - 2.6.2 Intergovernmental Fiscal Relations
 - 2.6.3 Administrative Mechanism for Managing IGR in Nigeria
- 2.7 Summary
- 2.8 References/Further Reading
- 2.9 Possible answers to self-assessment exercise (s)



2.1 Introduction

In the previous lesson, you learnt about government and the evolution of federal system in Nigeria. In this session, you will learn how these units of operate in a federal set up like Nigeria. Here you will learn the meaning of intergovernmental relations, types of intergovernmental and problems of intergovernmental relations in Nigeria.



2.2 Learning Outcomes

By the end of this session, you should be able to:

- Define Intergovernmental relations.
- Discuss how intergovernmental relations work in a federal setting.
- Identify the problems of intergovernmental relations in Nigeria.



2.3 Intergovernmental Relations

2.3.1 Meaning of Intergovernmental Relations

The concept of Intergovernmental Relations (IGR) has different interpretations. For instance, Elekwa (1995) said, Intergovernmental Relations (IGR) involves the patterns of cooperative relationships between various levels of government in a federal governmental system. This definition emphasizes on a particular system of government, which is federal, what about the unitary system of government?

Adamolekun (2002) viewed intergovernmental Relations as a term which describes the interactions between the different levels of government in a country. Unlike the previous definition which emphasized on nations that practice federalism, it indicated that, it is not the system of government that matters before an IGR is practiced.

Anderson (1960) sees IGR as important interactions occurring between governmental institutions of all types and in all spheres. From the stand point of Anderson, one may say, it has created room for manipulations. This is because, what „A“ considers important may not be the same as what „B“ considers important and so creates possibilities of unnecessary manipulations of what really the term means.

In their contributions to the meaning of IGR, Mentzel and Fick quoted by Ezeaini (2004) maintained that IGR is a mechanism for multi and bilateral, formed and informal, multi sectoral and sectoral, legislative, executive and administrative interaction entailing joint decision-making, consultation, coordination, implementation and advise between spheres or government at vertical as well as horizontal levels and touching on every governmental activity.

The above definition by Mentzel and Fick seems very encompassing. It has covered all the other definitions mentioned and that is obtained in Nigeria among the tiers of government.

This is because; they (tiers of government) interact among and or between the levels of government which aims at better coordination of public activities such as policy formulation and implementation, sharing of resources and responsibilities for harmonious existence and well-being of the citizenry.

It is important to point out that, whenever IGR is mentioned, it is talking of the relationship between and among the levels of government of a country. Most writers do often associate IGR with the concept of

federation. In such situations, readers tend to understand that IGR is only obtainable where there is a federal arrangement, NO. It also exists in unitary systems, e.g. the United Kingdom is operating a unitary system of government but has more than a tier of government. There are the central government at Westminster and Whitehall, Home governments for Wales and Scotland as well as Local government.

Self-Assessment Exercise 1

Intergovernmental Relations in Nigeria before 1946 was tended towards concentration of authority. Discuss.

2.4 Evolution of IGR

Historically, IGR in Nigeria has followed closely the orientations of regimes in power and the direction of social forces or interest group especially, the dominant social forces in the society. The fortunes of these social forces fluctuated according to their relative political influence in the Nigerian body politic. When the fortunes of the dominant interest group manifest themselves in the control of the Central Government, IGR also is tilted more in favour of the central government. On the other hand, when the centrifugal forces move against the regime in power, IGR tended towards concentration of authority. For instance, IGR in Nigeria before 1946, there was high power centralization at the centre while there was low decentralization at the regions. The reason for this was, the British colonial masters favoured the unitary tradition mainly due to economic considerations.

It must be noted that, the 1979 constitution made elaborate provisions on the mode of IGR in Nigeria. It did not only apportion powers and functions of the different levels of government, it also put in place checks. e.g. the Federal Government cannot create more states or adjust state boundaries without the corporation of the state Governors. The same way, the state Governments act as a check on the legislative functions of the LGAs.

2.5 Types of Intergovernmental Relations

According to Bello – Imam (1996) there is three modes of intergovernmental relations worldwide and these are:

- (a) The Partnership Model
- (b) The Principal/Agent Model
- (c) The Dual Model

2.5.1 The Partnership Model

In this model, the three levels of government (Federal, State and Local) or two levels (Federal and State or Federal and Local) are regarded as equal before the law. That is, all of them can be sued when the need arises. Here, it is the constitution or parliament that regulates the activities of all the levels of government. In other words, the powers and responsibilities of tiers of government are derived from the constitution. In this model, there is an in built cooperation and understanding among the various levels of government to the extent that, the functions of one tier of government can be performed by another tier on its behalf (Bello – Imam, 1996).

2.5.2 The Principal/Agent Model

Under this model, the local government is not regarded as government but a form of local administration or field agent of the central government. Local governments are not really independent (Bello – Imam). The expenditure of local government is subsumed in the annual budget of the central government because, according to Imam, services are deconcentrated and not devolved. Furthermore, the operations of local government are grossly limited by central rules and regulations.

2.5.3 The Dual Model

This model attempts to integrate both the elements of the first two (Partnership and Principal/Agent models) but the emphasis is on functional competence.

Considering the Nigerian polity, all these three models of IGR have been practiced. Today, the system operation is more of partnership model because; all the levels of government depend on the constitutional provisions. During the period Nigeria practiced the native authority system, it was clearly the Principal/Agent Model of IGR that was in operation. However, currently, what is taking place in Nigerian politics is best described as the Dual Model. In almost all the states of the federation, Local Governments suffer from the same “ailment”. This level of government does not exist as a full tier of government as provided for by the constitution, rather what pleases the operators and hence, IGR is both an attitude of mind as well as structural arrangements which ensures the survival of the system (nation) for the well-being of the society at large. This is the concern of IGR. If IGR are series of financial, Legal, Political and Administrative relationships established among all units of government with varying degrees of authority and jurisdictional autonomy, then, in the present Nigerian context, it will be

out of point, if it is said, these arrangements of relationship do exist between and among the levels of government.

- (a) Federal – State – LG
- (b) Local - State
- (c) Local – Local
- (d) State – Local
- (e) Federal – State
- (f) Federal – Local

Thus, IGR involves political, economic and socio-cultural relations between levels of government.

Self-Assessment Exercise 2

List the types of Intergovernmental Relations

2.6 Problems of IGR in Nigeria

IGR affects all aspects of government functions as long as the issue involved cut across governmental units. However, three topical issues are usually given prominence in the existing literature on IGR:

- (a) Allocation of jurisdictional powers among the levels of government.
- (b) Intergovernmental fiscal relations.
- (c) The administrative mechanisms for managing IGR.

2.6.1 Allocation of Jurisdictional Powers

One major characteristics of federal constitution is the formal division of jurisdictional powers among and between the levels of governments within the polity. This allocation of jurisdictional powers is one of the focal points of IGR, particularly between the central and state governments. There are three ways of this jurisdictional power allocation:

1. There is an exclusive federal legislative list and residual list for the state.
2. There is an exclusive list for the state government and whatever is left belongs to the central government.
3. There is an exclusive list for the central government, a concurrent list for the central government and the states and residual list for state. The powers of the local government are derived from those of the state.

In Nigeria, the third approach of the three divisions of powers among the two levels (Central and State) schedule 2 of the 1995 constitution refers. The functional powers of the local government are specified in the 4th

schedule of the 1995 Constitution. These functions are also in two parts on the exclusive functions of local authorities and the concurrent functional powers between the state and local government authorities. IGR therefore comes in when there is need for cooperation and collaboration in the formulating of policies and execution of programmes.

2.6.2 Intergovernmental Fiscal Relations

This factor influences the nature of IGR in a federation. This is a fiscal arrangement which defines intergovernmental financial relations. The nature and conditions of the financial relations in any federal system of government is very important and fundamental to the survival and positive value of the federation.

Self-Assessment Exercise 3

Highlight the three topical issues are usually given prominence in the existing literature on IGR

2.6.3 Administrative Mechanism for Managing IGR in Nigeria

In older federations such as Canada, USA, etc. some permanent administrative mechanisms have been put in place for managing IGR. e.g. in Canada, there is a Federal – Provincial Relations Office at the centre with a political head of ministerial rank called Federal Minister for IGR. Nearly all the ten provinces have Ministries of IGR. In Nigeria, there are many constitutional bodies that facilitate IGR (see Third Schedule of 1995 Constitution). Unlike the older federations, the Nigerian Federal Government has not developed specific administrative mechanism specifically for IGR. Only a number of constitutional and administrative structures that can facilitate IGR while performing their primary duties, e.g. the Liaison officers. All states are required to establish this office in the Federal Capital as quasi-diplomatic outputs to facilitate the numerous interactions between the Federal and State Governments. In addition, they serve as lobbying agencies, postal boxes and extension of states protocol units.

IGR operates both in a Unitary and Federal systems. The degree of interaction depends on the complexity of the government and structures. This is why federal systems appear to be more involved in IGR. So long as one level of government cannot initiate, formulate and execute programmes to the satisfaction of the citizenry, there must be the need for one level of government to interact with another. Since this interaction occurs, IGR is in operation.



2.7 Summary

In the above discussions, you have learnt about the concept of IGR, its operation and how it should be managed for the well-being of the citizenry. You have also learnt the influence of constitution on the IGR. Base on the nature of government a nation practices like Nigeria, there are about six different levels of interaction. Finally, for any IGR to achieve its objectives, the nature and conditions of the financial relations is very important and fundamental to the survival and positive value of the federation.

In this unit, you learnt that, the concept of IGR has many interpretations. But the central idea is, IGR is a means to an end. This is because, where there is proper and actual IGR taking place; it brings about the desired objectives of governance. There are also basically three types world over and within the Nigerian polity, each type was practiced. Similarly, there are three important issues that are prominent in the literature of IGR. You also learnt that, older federations have permanent structures to manage IGR which in Nigeria such structure have not been properly developed. Finally, IGR takes place in both the unitary and Federal nations.



2.8 References/Further Reading

- Adamolekun, L. (2002). *Public Administration in Africa*, Ibadan, Spectrum Books Ltd.
- Anderson, W. (1960). *Intergovernmental Relations in Review*: Minneapolis; University of Minnesota.
- Bello – Imam (1996) *Local Government in Nigeria Evolving a third tier of government*, Heinmman Educational Books (Nig.) Plc. P.M.B. 5205, Ibadan.
- Elekwa, N. N. (1995) *Intergovernmental Relations in Nigeria in Ikejiani* – clerk, M and
- Okoli, F. C. (eds) *Local Government in Nigeria: Current Problems and Future Challenges*, Lagos, Mangrove Publication.
- Ezeani, O. E. (2004). *Local Government Administration*, Zik-chuks Printing Press, Enugu.

Federal Republic of Nigeria, 1995 Constitution, Federal Government Press, Lagos.



2.9 Possible answers to self-assessment exercise (s)

Answer to Self-assessment exercise

Intergovernmental Relations in Nigeria before 1946 was tended towards concentration of authority. Discuss.

Historically, IGR in Nigeria has followed closely the orientations of regimes in power and the direction of social forces or interest group especially, the dominant social forces in the society. The fortunes of these social forces fluctuated according to their relative political influence in the Nigerian body politic. When the fortunes of the dominant interest group manifest themselves in the control of the Central Government, IGR also is tilted more in favour of the central government. On the other hand, when the centrifugal forces move against the regime in power, IGR tended towards concentration of authority. For instance, IGR in Nigeria before 1946, there was high power centralization at the centre while there was low decentralization at the regions. The reason for this was, the British colonial masters favoured the unitary tradition mainly due to economic considerations.

It must be noted that, the 1979 constitution made elaborate provisions on the mode of IGR in Nigeria. It did not only apportion powers and functions of the different levels of government, it also put in place checks. e.g. the Federal Government cannot create more states or adjust state boundaries without the corporation of the state Governors. The same way, the state Governments act as a check on the legislative functions of the LGAs.

Answer to SAEs 2

1. Types of Intergovernmental Relations

- (a) The Partnership Model
- (b) The Principal/Agent Model
- (c) The Dual Model

2. However, three topical issues are usually given prominence in the existing literature on IGR:

- (a) Allocation of jurisdictional powers among the levels of government.
- (b) Intergovernmental fiscal relations.
- (c) The administrative mechanisms for managing IGR.

Unit 3 Principle and Function Civil Service

- 3.1 Introduction
- 3.2 Learning Outcomes
- 3.3 Civil Service
 - 3.3.1 Civil Service
- 3.4 Civil Service in Nigeria
- 3.5 The Principles of the Civil Service
- 3.6 Structure and functions of the Nigeria's Civil Service
 - 3.6.1 Structure of the Nigeria's Civil Service
 - 3.6.2 Challenges of the Nigeria Civil Service
- 3.7 Definition and Role of Nigeria's Public Service
- 3.8 Summary
- 3.9 References/Further Readings/Web Resources
- 3.10 Possible Answers to SAEs



3.1 Introduction

In our last unit, we examined the crisis in the western region that ultimately precipitated Akin Tola's resignation. Furthermore, it extensively covered the investigations concerning Awolowo, shedding light on the intricate details surrounding the situation. In this unit, we will be discussing the concept of civil service, role of Nigeria's public service; issue of civil service in Nigeria; principles of the civil service; the structure of Nigeria's civil service; the challenges of the Nigeria civil service.



3.2 Learning Outcomes

At the end of this unit, you should be able to:

- explain the concept of civil service
- discuss the issue of civil service in Nigeria
- highlight the principles of the civil service
- explain structure and functions of the Nigeria's civil service
- examine the structure of the Nigeria's civil service
- outline the challenges of the Nigeria civil service
- define and explain the role of Nigeria's Public Service



3.3 Civil Service

3.3.1 Civil Service

What is Civil Service? Zakari (2022) defined civil service as a "body of government employees entrusted with the administration of the country, excluding the military, judicial branches, and elected officials." The civil service is responsible for implementing government policies and providing public services.

The civil service is a term used to cover the public servants who are direct employees of the federal and state governments, other than the police, the armed forces personnel, judicial personnel and the teachers. Its usage excludes also employees of statutory corporations and boards (Nwosu, 1977). According to Adebayo (1986), the civil service comprises all servants of the state, other than those holding political appointments, who are employed in a civil capacity and whose remuneration is paid out of money voted by the legislature. Adamolekun (1983), sees the civil service as "the body of permanent officials appointed to assist the political executive in formulating and implementing governmental policies." He also sees the second usage of the term as referring to "the ministries and departments within which specific aspects of government are carried out." Though people often see the civil service and the public service as the same thing, they are technically, not the same.

Public service as a term is broader in scope than civil service. Hence, it includes not only those who work in the regular government ministries and departments but also statutory corporations, boards and the armed forces. Hence, Adamolekun (1983) defines it as the totality of services that are organised under government authority. It can therefore be said that civil service is narrower in scope and excludes some government employees who are public servants (Obikeze and Anthony, 2004:140).

3.4 Civil Service in Nigeria

The civil service is the administrative structure employed in civil capacity to fulfill government policies and programmes. This can be viewed in terms of structures i.e. ministries, departments, etc. or the human occupants of public offices i.e. permanent secretaries, ministers, and higher administrative staff. The Nigerian Interpretation Act of 1964 does not expressly define the term civil service. However, Section 2 of the Pensions Act of 1951 defines the "civil service, as the service in a civil capacity under the government of the federation or in a college, university or a pensionable employment under local authority." The civil

service is distinguishable from the military service and police service in that while the latter two are principally concerned with the safeguard of the country from external and internal dangers, the former is concerned with purely civil and non-technical affairs of the state. Members of the civil service are employed in a civil capacity as distinguished from military, judicial or police capacity. Military officers, judicial officers, police officers and many other technical officers like doctors, engineers, and draughtsmen are, strictly speaking, not civil servants. Civil servants are mainly of two categories: lower clerical staff and higher administrative staff. The higher administrative staff is directly responsible to the political head of department. The lower clerical staffs help the administrative staff and works under its direct supervision and control. The state reaches the citizens through the civil servants who are well trained, skilled and permanent body of professional class of officials, and who have taken government service as a career (Ekhaton, 2012).

Self-Assessment Exercises 1

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|--|
| <ol style="list-style-type: none"> 1. Define Meaning of Civil Service 2. Explain concept of Civil Service in Nigeria |
|--|

3.5 The Principles of the Civil Service

The civil service is guided by impartiality. The principle of permanence is also seen as part of the maxims. We will now explain all of them

Anonymity The principle of anonymity states that civil servants should be seen and not by principle be heard. Though they advise political office holders on issues relating to government they neither take the blame nor the glory of such policies. They are not expected to be seen defending such policies. That job is better left for political office holders and not the career officers. Civil servants as far as possible, are anonymous, and should not be seen as craving for publicity.

Neutrality The civil servant must be politically neutral. His job is to serve the government of the day with full dedication irrespective of what he feels about that particular government. He ought not to allow personal prejudices to colour his dedication to his duty. He is not expected to be a card carrying member of a political party or get involved in partisan politics though he is expected to vote at election times. The essence of making the civil servant politically neutral is hinged on the fact that since he does not leave with a change in government, he is not expected to have a strong attachment to any particular government so as to enable him give his best to make government policies succeed irrespective of his personal feelings towards such policies or government.

Impartiality Civil servants are paid from tax payers' money which does not belong to anybody or group in particular. They are therefore, expected to discharge their duties without fear or favour. Since the constitution emphasises the equality of all citizens, they are supposed to be treated equally by the civil servants. In rendering service to the public, the civil servant is expected to treat everybody with a high degree of impartiality. Favouritism is against the principle of the civil service and should not be encouraged in any guise whatsoever. 48

Permanence The civil service is often defined as a permanent body of officials that carry out government decisions: It is permanent and its life is not tied to the life of any particular government. Governments come and go but the service remains, or to use the; Nigerian jargon, soldier go, soldier come but barrack remain. The civil service in this regard, is the barrack that remains (Obikeze and Anthony, 2004).

3.6 Structure and functions of the Nigeria's Civil Service

Nigeria's civil service plays a crucial role in the administration of the country, functioning as the machinery through which the government implements policies, programs, and services (Zakari, 2022).

3.6.1 Structure of the Nigeria's Civil Service

Structure of the Nigeria's Civil Service includes (Zakari, 2022);

1. **Federal Civil Service:** This comprises ministries, departments, and agencies (MDAs) at the federal level, including the presidency. Key positions include the Head of the Civil Service, permanent secretaries, and directors.
2. **State Civil Services:** Each of Nigeria's 36 states has its own civil service, operating under similar structures as the federal level but catering to state-specific governance and administrative needs.
3. **Local Government Civil Services:** These are the administrative structures at the local government level, dealing with grassroots administration and community development.

Functions of the Nigeria's Civil Service

1. **Policy Implementation:** The civil service is responsible for translating government policies and programs into actionable plans and ensuring their execution.
2. **Regulation and Oversight:** Civil servants develop and enforce regulations across various sectors, ensuring compliance with laws and standards.

3. Service Delivery: Provision of essential services such as education, healthcare, transportation, and public safety.
4. **Policy Formulation and Implementation:** The Civil Service is primarily responsible for developing and executing government policies. This includes translating political decisions into actionable plans and ensuring that these plans are implemented effectively across various sectors.
5. **Advisory Role:** Civil servants provide expert advice to government officials and ministers on various issues, ensuring that decisions are based on comprehensive and accurate information. Civil servants advise political leaders, providing expertise and continuity regardless of changes in political leadership
6. **Budget Preparation and Management:** The Civil Service assists in drafting and reviewing the national budget, identifying areas for expenditure, and ensuring fiscal responsibility to minimize budget deficits
7. **Record Keeping:** The Civil Service maintains comprehensive records of government activities, including documentation and enforcement of regulations. This ensures transparency and accountability in governance.
8. **Public Education and Enlightenment:** Another critical function is to educate and inform the public about government policies, programs, and services, thereby promoting transparency and accountability .
9. **Support to Ministries and Commissioners:** Civil servants support various ministries and commissioners in executing their duties, including responding to emergent situations and performing routine administrative functions.
10. Recruitment and Training
 - i. Merit-based Recruitment: Recruitment into the civil service is generally based on merit, with processes including competitive examinations and interviews conducted by bodies like the Federal Civil Service Commission.
 - ii. Training and Development: Continuous training programs are provided to improve the skills and competencies of civil servants. Institutions such as the Administrative Staff College of Nigeria (ASCON) and the Nigerian Institute of Management (NIM) play significant roles.

3.6.2 Challenges of the Nigeria Civil Service

1. Corruption: Corruption remains a significant issue, affecting efficiency and public trust. Efforts are ongoing to combat this through various anti-corruption agencies and reforms.

2. **Bureaucracy:** Excessive bureaucracy can lead to inefficiencies and delays in service delivery. Reforms aim to streamline processes and reduce red tape.
3. **Inadequate Funding:** Budgetary constraints can limit the capacity of the civil service to effectively deliver services and maintain infrastructure.
4. **Political Interference:** Political interference can undermine the neutrality and professionalism of the civil service, impacting its effectiveness.

Reforms

1. **Public Service Reforms:** Various reforms have been initiated to improve efficiency, transparency, and accountability. Examples include the introduction of the Integrated Payroll and Personnel Information System (IPPIS) to curb ghost workers and the Treasury Single Account (TSA) to enhance financial accountability.
2. **Capacity Building:** Emphasis on training and capacity building to ensure a professional and competent workforce.
3. **Digital Transformation:** Efforts to digitize operations and services to improve accessibility, efficiency, and transparency.

Summary

1.5 Nigeria's Public Service

3.7 Definition and Role of Nigeria's Public Service

Nigeria's public service refers to the body of government employees entrusted with the administration, management, and implementation of public policies, services, and regulations (Zakari, 2022). These employees work in various government ministries, departments, and agencies at the federal, state, and local levels. The public service is responsible for executing the mandates of the government and ensuring that public resources are managed efficiently and effectively to meet the needs of the citizens (Adewumi, 1987).

Role Nigeria's public service according to (Zakari, 2022):

1. **Policy Implementation:** One of the primary roles of Nigeria's public service is the implementation of government policies. This involves translating policies and plans into actionable programs and services that benefit the public.
2. **Service Delivery:** The public service is tasked with providing essential services such as healthcare, education, transportation,

- and social welfare. These services are crucial for the socio-economic development of the country.
3. **Regulation and Control:** The public service ensures compliance with laws and regulations. This includes monitoring activities, enforcing standards, and taking corrective actions where necessary to maintain order and protect public interests.
 4. **Advisory Functions:** Public servants provide expert advice to government officials and policymakers. They offer insights and recommendations based on their expertise and experience, helping to shape informed decisions and effective governance.
 5. **Resource Management:** Effective management of public resources, including finances, human resources, and infrastructure, is a critical function of the public service. This ensures that resources are utilized optimally to achieve government objectives.
 6. **Social and Economic Development:** The public service plays a key role in promoting social and economic development. By implementing development programs and projects, they contribute to improving the quality of life for citizens and fostering economic growth.

Self-Assessment Exercises 2

- | |
|---|
| <p>Q1. Mention and Explain the Principles of the Civil Service</p> <p>Q2. Outline the Challenges of the Nigeria Civil Service</p> |
|---|



3.8 Summary

The used discussed and examined Civil Service system in Nigeria. It focus was primarily on the crucial role played by Nigeria's Public Service within the broader framework of the Civil Service sector. Delving further, attention was dedicated to exploring the various issues that plague the functionality and efficiency of the Civil Service in Nigeria. Moreover, a thorough analysis of the fundamental Principles that underpin the operations of the Civil Service was conducted to provide a comprehensive understanding. The structural architecture of Nigeria's Civil Service was also a key point of consideration within the unit, shedding light on how the system is organized and operates. To cap it off, a detailed exploration of the challenges faced by the Nigeria Civil Service was undertaken, highlighting the obstacles that hinder its optimal performance and suggesting potential areas for improvement. The structure of the Nigerian Civil Service is designed to support these functions efficiently. It comprises various departments and units overseen by permanent secretaries, who are appointed by the President.

The Head of the Civil Service of the Federation leads the service, coordinating its activities and ensuring alignment with national goals.

Despite its crucial role, the Nigerian Civil Service faces several challenges, including political interference, poor remuneration, lack of qualified personnel, and issues related to corruption and nepotism. These challenges affect its efficiency and effectiveness in delivering public services.

Efforts to address these issues include ongoing reforms aimed at improving the conditions of service, enhancing training and capacity development, and promoting ethical standards and professionalism within the service.

Nigeria's civil service is integral to the country's governance and development. While it faces several challenges, ongoing reforms and initiatives aim to enhance its effectiveness and responsiveness to the needs of the Nigerian population.



3.9 References/Further Readings/Web Resources

- Ademolekun, L. (1983). *Public Administration: A Nigerian and Comparative Perspective*. London: Longman
- Adebayo, A. (1986). *Principle and Practice of Public Administration in Nigeria*. Ibadan: Spectrum Books Ltd.
- Nwosu, H. N. (1977) *Political Authority and the Nigerian Civil Service*. Enugu: Fourth Dimension Publishers.
- Obikeze, S.O. & Obi, E. A. (2004). *Public Administration in Nigeria: A Development Approach*. Onitsha Book Point Ltd
- Zakari, M. (2022). *Introduction to Public Administration*. Monograph of Reading in the Department of Public Administration, National Open University of Nigeria. Published by KBS Global Resource LTD



3.10 Possible Answers to SAEs

Answers to SAEs 1

1. The civil service is a term used to cover the public servants who are direct employees of the federal and state governments, other than the police, the armed forces personnel, judicial personnel and the teachers. Its usage excludes also employees of statutory corporations and boards (Nwosu, 1977). According to Adebayo (1986), the civil service comprises all servants of the state, other than those holding political appointments, who are employed in a civil capacity and whose remuneration is paid out of money voted by the legislature. Adamolekun (1983), sees the civil service as "the body of permanent officials appointed to assist the political executive in formulating and implementing governmental policies."

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Answers to SAEs 2

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blame nor the glory of such policies. They are not expected to be seen defending such policies. That job is better left for political office holders and not the career officers. Civil servants as far as possible, are anonymous, and should not be seen as craving for publicity.

Neutrality The civil servant must be politically neutral. His job is to serve the government of the day with full dedication irrespective of what he feels about that particular government. He ought not to allow personal prejudices to colour his dedication to his duty. He is not expected to be a card carrying member of a political party or get involved in partisan politics though he is expected to vote at election times. The essence of making the civil servant politically neutral is hinged on the fact that since he does not leave with a change in government, he is not expected to have a strong attachment to any particular government so as to enable him give his best to make government policies succeed irrespective of his personal feelings towards such policies or government.

Impartiality Civil servants are paid from tax payers' money which does not belong to anybody or group in particular. They are therefore, expected to discharge their duties without fear or favour. Since the constitution emphasises the equality of all citizens, they are supposed to be treated equally by the civil servants. In rendering service to the public, the civil servant is expected to treat everybody with a high degree of impartiality. Favouritism is against the principle of the civil service and should not be encouraged in any guise whatsoever. 48

Permanence The civil service is often defined as a permanent body of officials that carry out government decisions: It is permanent and its life is not tied to the life of any particular government.

Q2. Challenges of the Nigeria Civil Service

1. **Corruption:** Corruption remains a significant issue, affecting efficiency and public trust. Efforts are ongoing to combat this through various anti-corruption agencies and reforms.
2. **Bureaucracy:** Excessive bureaucracy can lead to inefficiencies and delays in service delivery. Reforms aim to streamline processes and reduce red tape.
3. **Inadequate Funding:** Budgetary constraints can limit the capacity of the civil service to effectively deliver services and maintain infrastructure.
4. **Political Interference:** Political interference can undermine the neutrality and professionalism of the civil service, impacting its effectiveness.

Reforms