

## Federalism And The Accommodation Of Diversity In Nigeria: The 2014 National Conference In Perspective.

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**ABSTRACT:** Nigeria unarguably sits atop the league of states involved in unending experiments of building and remodeling federalist institutions. For close to six decades of independence, Nigeria is yet to evolve an acceptable federal governance model for the management of the challenges of unity, nation building, democracy and development. Nigeria has evolved from a colonial arrangement conceived on three unwieldy component regions into a union of 36 states and 774 constitutionally ingrained localities. Yet, pressures for fundamental federal and constitutional reforms have remained unabated thus making persistent and intense divisiveness a recurring feature of contemporary Nigerian politics. This paper utilized secondary (including historical) sources of data to show that the extant governance architecture has increasingly become fatigued to contain age-long and emerging national challenges at a great cost to national integration and nation building. It concludes on the note that the over 600 Resolutions of the 2014 National Conference which were reached by the 492 delegates through consensus touched most, if not all the, critical issues that had been listed as encumbrances to Nigeria’s rapid development and attainment of nationhood. The paper therefore recommends the implementation of the resolutions of the 2014 National Conference as the blueprint to strengthen the practice of federalism in Nigeria.

**KEYWORDS:** Federalism, Nation-Building, National Conference, Nigeria, Restructuring

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Date of Submission: 12-05-2018

Date of acceptance: 28-05-2018

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### I INTRODUCTION

Federalism is a political structure that allows states to unite under a central government to maintain a measure of independence and interdependence. This governance pattern which appears as a compromise formula allows for power sharing between national and state governments. The Nigerian federal arrangement emerged from her colonial experience. British colonialism had put Nigeria together as a country in 1914 due to prevailing necessities of size, cultural and traditional diversity, language, historical particularism as well as economic and political considerations.

The attraction for federalism in Nigeria is induced by its perceived integrative tendency, which makes it capable of serving heterogeneous societies. In the words of Roberts and Simbine (2003:89): “...when socially and culturally distinct people find themselves together in the same polity through circumstance of history, to live peacefully together and govern together, they have to strike a balance, which must be acceptable to all the parties involved. Federalism, the system which shares power in such a way that each recipient unit assumes a separate existence and commands relatively exclusive authority over some clearly specified sphere of state activity, in principle, ensures such a balance”.

However, in spite of its integrative tendency, Odukoya and Ashiru (2007:76) are quick to point out that federalism does not necessarily possess the magic wand or formula that instantaneously resolves the problems and contradictions of heterogeneous societies. Rather they argue that the socio-economic and political specificities of different societies, coupled with constant and continuous engineering, re-engineering and adjustment is needed, if the goals of federalism are to be achieved (Ibid). The deep-rooted problems of federalism in Nigeria is the issue of diversities - ethnic and religious which continually stifle national loyalty thus delegitimizing the central authority.

Interestingly, almost six decades after independence, federalism’s reputation as being capable to accommodate diversities have been continually subjected to test in Nigeria. This is fundamental because of the perpetual search for a workable arrangement that could engender social, political and economic inclusion that would allow local people to decide on local priorities.

The fact remains that particularistic and exclusionary form of identity politics has intensified in recent years and it is responsible for most of the egregious violations of human values. It is in light of this, that this paper examines the challenges of federalism in the realm of accommodating diversities in Nigeria. In precise

terms, it interrogates the interface of the federal principle and federal practice in Nigeria and the unending clamor for evolving a workable governance formula.

## **II FEDERALISM: CONTENT AND CONTEXT**

Federalism is a political ideology that implies a division of governmental powers between the national government and the constituent units which may well be states or provinces and or regions, as pointed out by Ayoade (1988:13). While Federalism to Tella, Doho and Bapeto (2014:55) is an ambiguous term which has no clear or universally acceptable meaning apart from its philosophical terminology, including its differentiated approaches. The word federalism to him is used to make useful a useless situation defined by its diversified operation in the world and which has found expression in such terms as quasi federalism, cooperative federalism, organic federalism dual federalism or even decentralization.

Federalism refers to the mixed or compound mode of government, combining a general government (the central or 'federal' government) with sub regional governments in a single political system. Its distinctive feature, exemplified in the founding example of modern federalism of the United States of America under the Constitution of 1789, is a relationship of parity between the two levels of government established. It can thus be defined as a form of government in which there is a division of powers between two levels of government of equal status. The above position is well established by Professor K.C Wheare; the globally acknowledged father of contemporary federal theories. K.C Wheare (1963:11) defined federalism or federal government in his famous book: *Federal Government*, as "the method of dividing power so that general and regional governments are each within a sphere co-ordinate and independent". In fact, a common element of all definitions of federalism is the recognition of the existence of a central as well as other equally independent units of government. Federalism is distinguished from confederalism, in which the general level of government is subordinate to the regional level, and from devolution within a unitary state, in which the regional level of government is subordinate to the general level. It represents the central form in the pathway of regional integration or separation, bounded on the less integrated side by confederalism and on the more integrated side by devolution within a unitary state.

One perspective that cannot be overlooked in this paper is Frederick (2008:27) who believed that federalism is a process and not an institution or a design. He argues that any particular design or pattern of competencies or jurisdiction is merely a phase, a short run view of continually evolving political reality. To him, therefore, if so understood as the process of federalism, it will become apparent that federalism may be operating in both the direction of integration and differentiation. Consequently, federalism should be seen as a process by which unity and diversity are politically organized and these processes include political phenomena, persons, ideas and institutions put differently. This means we understood federalism as a general principle of social organization and that some degree of federalism resides in every political system.

In comparison, however, many people do not acceptably define the characteristics of federalism because those existing federal systems do not all embody these criteria and where they do, there are identifiable variations from one federal system to another. For example, it is difficult to classify Switzerland and Canada as federal states but as quasi federal. Besides, there are unitary systems of government where we find some of these institutional attributes. The parliament of United Kingdom is bi-camera. On the other hand, it must however be noted that legislative or institutional approach is not relevant, but within the frame-work provided by a federal arrangement with particular reference to its division or governmental powers, that the federal instruments take to its meaning and significance. Indeed, what the process successfully adds to our understanding is that it sensitizes us to the dynamic or changing and evolving nature of the federal balance of power and to the fact that inter-governmental cooperation usually cuts across the formal constitutional division of power (Tella et. al, 2014:56).

However, the point must be made that the mere presence of a federal arrangement of governmental powers and political structures does not however, suggest that federalism has taken root. It must among other things, be able to guarantee and allow for the preservation of regional autonomy and the right to self-rule without foreclosing the possibilities of shared rule (Odukoya and Ashiru, 2007:81). This is achievable only at the point when federalism accommodates diverse groups and their interests.

The moment the above condition is missing, as is the case with Nigeria where Federalism remains so only in name, the polity owes itself a duty to look inwards and restructure the praxis of federalism (politically, economically, structurally and functionally) to make it serve its intended purpose fully. Thus, the crave by Nigerians to negotiate the continuous existence of the country through National Conferences remains relevant and such desire(s) are in order in the continuous evolution of federalism.

## **III SUB-NATIONAL IDENTITIES AND DIVERSITY CRISIS IN NIGERIA: AN EXPLANATION**

The concept of identity has long been used in social anthropology and psychology, and it has grown popular over time. As a social-political concept, "identity" has both an individualist and a collective meaning. In any case, it can simply be defined as "a person's sense of belonging to a group if (it) influences his political

behavior” (Jega, 2000:14). It is said to be “always anchored both in physiological ‘givens’ and in social roles...” (ibid:63). Its attributes comprise commitment to a cause, love and trust for a group, emotional tie to a group, as well as obligations and responsibilities relating to membership of a group with which a person identifies. According to Pye, “those who share an interest share an identity; the interest of each requires the collaboration of all” (1962:124). Thus, ordinarily, identities serve as rallying and organizing principles of social action within the civil society, and in state-civil society relations. They guide and inform political behavior and they add dynamism to political conduct in the context of plural societies (Diamond and Plattner, 2000).

However, the question of which sort of identity has the most significant impact or bearing on a person’s behavior is the critical issue and the subject of theoretical concern. It is significant that while identities are more or less fixed, its consciousness is fluid and dynamic. However, its activation remains docile until it is either mobilized or provoked into action, which in turn, as evinced by the Nigerian situation, gets manifested as unending diversity.

The activation or provocation of identities has come to the fore as the main link of economic, cultural and political processes. In the competition and contestation for the control of power and resources in Nigeria, especially since the petroleum driven economy began to suffer decline; identities along ethnic and religious lines have remained the constant reinforcement of the pursuit of socio-political and economic benefits within the arena of competitive politics.

#### **IV FEDERALISM AND THE CHALLENGE OF DIVERSITY MANAGEMENT IN NIGERIA**

Since independence in 1960, the practice of federalism in Nigeria has been unable to contain the manifest diversities often mobilized by ethnic and religious identities. Contrary to the established belief that Federalism is the best governance model that can accommodate multi-lingual and multi-ethnic identities and the diversities emerging therefrom; the practice of federalism in Nigeria has been consistently challenged by certain factors at a huge cost to nation building and national integration. Seven of the main challenges are discussed below:

##### **a. Ethnicity and Religion**

The persistent, ever volatile, resource sapping ethnic and religious crises that continually explore the fault lines of religion, region and tribe to foment discord and aggravate hostility and mistrust among Nigerian communities has remained a constant challenge to the practice of federalism. Nigeria, being a plethora of ethnic groups and religious affiliations presents a difficult to manage scenario resulting in the polarization of the country along ethnic and religious lines. Unfortunately, success has not been recorded in all attempts to design a workable arrangement that can contain the manipulation of ethnicity and religion. In recent years, this challenge has worsened considerably with the manifestation of the Boko Haram menace, the recurring farmers–herdsmen conflicts, unending ethnic skirmishes and the endless religious intolerance that is rocking the country.

##### **b. Power Sharing**

The heterogeneous nature of the Nigerian state and the mutual distrust that exists between ethnic nationalities have made the power sharing formula to be of great concern. Historical events such as the first and second military coups of 1966, the Gideon Okar attempted coup, the June 12 crises and the political complications that followed the ill-health of late President Umaru Musa Yar’adua are undoubtedly, outcomes of ethnic/regional power tussles. Ojimba (2012:17) averred that “the issues that made up the Nigerian National question are the political structure of the country, the relationship between the different ethnic groups, the political system to be adopted in taxation, revenue generation, the relationship and responsibilities between different levels of government, fundamental human rights, social justice, prevention of the environment and the defense of the nation”. Thus, the practice of federalism has remained unable to throw up an agreeable power sharing formula as part of efforts to manage diversities in Nigeria.

##### **c. Resource Control**

This is a longstanding challenge to federalism’s capability to manage diversity borne out of resource related issues. This challenge has defied an acceptable solution as all Nigerians irrespective of region always complain of political and economic marginalization. The people of South South Nigeria are loudest in this persistent call for realignment of resource distribution to increase the percentage of the national cake allocated base on derivation while other non-oil producing states of the other zones are in love with keeping the status quo because increasing the amount to be allocated based on derivation means reducing what goes to the other states from the distributable pool (Osaghae, 2004:164). According to Dafinone (2001:36) “efforts have been activated as far back as 2001 to support the call for fiscal federalism base on the principles of national interest, need and derivation where resource control was defined as the practice of true federalism and natural law in which the federating units express their rights to primarily control the natural resources within their borders and make agreed contribution towards the maintenance of common services of the government at the center”. This sharply

contrast the views in other parts of the country including many non-oil producing communities of the south that all revenues on all resources found within Nigeria belong to all people of Nigeria.

**d. Centralisation of Oil Revenues**

The virtual reduction of the federal system into a conduit for the distribution of centrally collected oil revenues to states and local governments is another challenge. According to (Gana and Egwu, 2003:19), “this oil-centric distributive federalism, in which all governments in the federation (federal, state and local) derive an average 80 percent of their budgets from a common national pool of oil revenues (the Federation Account), has fueled the worst pathologies of Nigerian politics. Although it endows the sub-national governments with considerable powers of patronage, the system of centralized revenue sharing ultimately negates the development of the multiplicity of points of political and economic power that is a defining feature of democratic federalism”. Given Nigeria’s diversity, this economic and political centralization has engendered considerable frustration and a centrifugal repercussion.

**e. Power Concentration**

Given the concentration of resources and real powers at the center, the competition for the control of the federal government has tended to be vicious, corrupt, and politically and ethnically explosive. Despite the imaginative elaboration of various consociational power-sharing strategies, Nigeria’s ethnic and regional groups feel they must control the federal government or the presidency in order to feel secure or thrive (Edewor, Aluko and Folarin, 2014:72). This produces an excessive and unhealthy obsession with the sectional provenance, rather than political competence or programs, of presidential candidates. The perverse political consequences of Nigeria’s over-centralized and corrupt fiscal federalism have been most evident in the syndrome of youth militancy, state violence, and anarchy in the oil-rich Niger Delta, ‘from which much has been taken but little has been returned, except environmental disaster, economic destitution, and political repression’ (Diamond 2001, xv).

**f. Skewed Local Governments**

Another liability of the Nigerian federation’s fiscal centralism is the inducement it has provided for the proliferation of new units of centrally funded constituent state and local governments as an easy avenue by communities to national resources. This not only abets the process of hyper-centralization, but also fuels inter-group rivalries over new boundaries as well as conflicts between new groups of ‘state indigenes’ (defined constitutionally not in terms of residence or even birth place but of ancestor’s place of origin) and non-indigenes (Olayiwola, 2016:8).

The skewed nature of existing Local Governments within and across political zones has become a serious national question in Nigeria. Olu-Adeyemi (2017:48) shows that: while Lagos and Kano states were both created in 1967, and later, Jigawa State was carved out of Kano in 1991. No state has been carved out of

Lagos, yet Kano has 44 Local Governments. Jigawa has 27. Between Jigawa and Kano, there are 71 Local Governments, while Lagos still has 20 Local Governments! Interestingly, the population of Kano was put at about 9.6 million and Jigawa at about 5 million while Lagos was allocated about 9.1 million, according to the 2006 Census. The implication of the above is that even Kano after the creation of Jigawa is still more populous than Lagos! And how come the new Kano with 10 million people has 44 Local Governments, while Lagos with about the same number of people has 20 Local Governments? Just as it is in the case of Local Governments, the point must also be made in the case of States per zone. While for instance, the South East has only five states; the Northwest has seven.

**g. Military Intervention in Politics**

To a very large extent, military intervention in Nigeria facilitated the entrenchment of diversities thereby hampering the full expression of federalism. Beginning with the promulgation of Decrees No. 33 and 34 of 1966 that practically abolished Nigeria’s federalism and effectively turned Nigeria into a unitary state; the 30-month Civil War; misguided creation of States and Local Governments, unity by *diktat*; clandestine membership of the Organisation of Islamic Countries (OIC) etc; the military’s venture into government fueled ethno-religious suspicion and distrust in Nigeria. This misadventure is aggravated by the reality that “a federal society has and is informed by, traits and features which logically are the exact opposite of those that underline a typical military organization” (Babawale, 1998:82). Thus, the history of military rule in Nigeria is in fact the history of the subversion of Nigeria’s federal structure, no more, no less.



## **V NATIONAL CONFERENCE: RESOLVING THE PROBLEM OF ACCOMMODATION THROUGH CONSENSUS**

According to Olukoju (2013:13), “a cursory survey of the histories of nation-states which emerged from colonial rule reveals that, for heterogeneous – multi-ethnic and/or multi-religious – entities, the struggle for independence and the nation building process that followed involved consensus building and constitution making, which required the convening of Conferences”. The independence of India (1947), Zimbabwe (1980) and South Africa (1994) followed a series of negotiations aimed at achieving a workable consensus among the diverse (racial, ethnic, social and religious) groups in each territory. The point is that dialogue, consultations or constitutional conferences are unavoidable in the construction of a heterogeneous country.

Olukoju (2014:3) also averred that: In Nigeria, constitutional arrangements of the period 1914-46 were imposed

without the direct involvement of the indigenous peoples or their representatives. This was because the era was the heyday of British imperial rule, which came to an end with the conclusion of the Second World War. Despite pretense to the contrary, British rule was already in its terminal stage in Nigeria from at least 1945, benchmarked by the successful labour strike of that year and the conclusion of the Second World War, which had reduced Britain to a second-fiddle world power behind the United States and the emergent Soviet Union. It can now be appreciated why opposition to the Richards Constitution even before its formal inauguration in 1946 was irresistible paving the way for the Macpherson Constitution, the making of which was preceded by unprecedented consultations from the village to the regional level. The Ibadan Conference of 1950 was a watershed because it was the outcome of the consultations there that shaped the 1951 Constitution.

The Macpherson Constitution remains a benchmark as it was the first time in Nigeria that citizens had a say in what becomes their constitution. Subsequently, platforms to discuss were created and dialogues took place in Nigeria and the United Kingdom to address perceived defects in the 1951 Constitution, and these led to the Lyttelton Constitution of 1954. Eventually, the Independence Constitution that took effect from 1960 resulted from conferences in Nigeria and London in 1957/58.

After independence, there has not been anything close to proper dialogue on how the State is to operate except informal discussions among key stakeholders, and consultations that had taken place in the face of constitutional crises and national emergencies – such as the census crises, Western Nigerian crises and the events leading to the civil war. Under the several military regimes, attempt was made to create room for dialogue but each time, the military leaders bungled it as they seem to have their minds made up on the type of Constitutional arrangement they want to bestow on the people. Such was the circumstances surrounding the 1977 Constituent Assembly, the 1987 Babangida regime’s Political Bureau and the 1994/95 Conference organized by the Abacha regime.

Since the return to civil rule in 1999, a National Political Reform Conference has held in 2005 while in 2014, another National Conference was organized by the Goodluck Jonathan administration. While substantial numbers of the delegates to the 2005 NPRC were handpicked with a clear ‘no-go area’ of issues that could be discussed; the 2014 National Conference had a fair representation although no delegate was elected but every ethnic nationality, State and Local Governments, Political Parties, trade group, religious body and other critical stakeholders were represented. It is also on record that the 2014 NC had no ‘no-go area’ thus setting the stage for a frank dialogue whose recommendations appear apt to resolve the problems of diversity in Nigeria.

Perhaps the greatest issue for consideration through a consensual approach is the problem of accommodation. From all indications, most enlightened Nigerians now accept that the military-era, command style pseudo federalism cannot work well for the benefit of the people in a democratic setting in a multi-religious and multi-ethnic country. Consequently, it is the content of the federal system that must be worked out in any meaningful conference. History is a reliable guide here. The 1951 Constitution, based on the 1949/50 consultations, opted for a federation with a relatively weak centre and powerful regions. But within a few years, it was discovered that the regions were becoming too strong for the centre, which needed to be bolstered in the face of bickering centrifugal movements. This was addressed in the 1954 Lyttelton Constitution that strengthened the centre and moderated the seemingly excessive devolution of the 1951 Constitution. The position was further reinforced in the 1960 (Independence) Constitution which clearly delineated the constituents of the Exclusive, Concurrent and Residual Lists, by which certain items were the exclusive preserve of the federal government. A second provision was that where a regional law contradicted a federal law, the latter prevailed, thus underscoring the supremacy of the centre vis-a-vis the regions. It can be said that the creation of a fourth region (Midwest) in 1964 and an increasing number of states between 1967 and 1997 weakened the regions and strengthened the centre. The tendency was intensified by prolonged military rule with its top-down, command style of administration. Its lingering effect is the suffocating grip of an imperial presidency on the nation prompting a long running agitation for the restructuring of the country into a fair, equitable federation. A commentator (Onwe, 2014) noted that the common denominator among Nigerians, irrespective of their differences, “is their disaffection.” We are thus “united” by our “differences” and “disaffection.”!

The accommodative possibilities of the Resolutions of the 2014 National Conference is the crux of this paper as discussed below.

## **VI THE 2014 NATIONAL CONFERENCE RESOLUTIONS AS BLUEPRINT FOR FEDERAL ACCOMMODATION**

Former President Goodluck Jonathan inaugurated the National Conference on March 17, 2014. The Conference, chaired by Justice Idris Kutigi, a former Chief Justice of Nigeria, had 492 delegates. In his address at the inauguration, President Goodluck Jonathan stated that the Conference was convened to engage in intense introspection on the political and socio-economic challenges confronting the nation. He added that the conference was to chart the best and most acceptable ways to resolve such challenges, in the collective interest of all the constituent parts of the federation. The Conference had 20 standing committees in virtually all the areas with recurring challenges on national unity, federalism, nation building and national development. The 20 standing committees were:

1. Agriculture and Water Resources;
2. Citizenship, Immigration and Related Matters;
3. Civil Society, Labour and Sports;
4. Devolution of Power;
5. Economy, Trade and Investment;
6. Energy;
7. Environment;
8. Foreign Affairs and Diaspora Matters;
9. Judiciary, Law, Human Rights and Legal Reform
10. Land Tenure;
11. National Security;
12. Political Restructuring and Forms of Government;
13. Political Parties and Electoral Matters;
14. Politics and Governance;
15. Public Finance and Revenue;
16. Public Service;
17. Social Sector
18. Religion;
19. Science, Technology and Development; and
20. Transportation.

At the end of the five-month-deliberation, the delegates reached consensus on wide-ranging recommendations made by the 20 standing committees of the Conference. The above comment is necessary as the over 600 Resolutions made by the 492 delegates were reached by consensus thus falling in line with the underlying position of federalism that only a negotiated understanding of the Nigerian project among the representative leaders of the entire population can ensure lasting peace, guarantee a durable and sustainable democracy and establish an enduring Federation.

Among several landmark resolutions contained in the **Nigeria 2014 National Conference Report**; Confab 2014 resolved as follows:

- That Nigeria shall retain a Federal system of Government; that the core elements of the Federation shall be as follows: i. A Federal (Central) Government with States as the federating units; and ii. without prejudice to States constituting the federating units, States that wish to merge may do so in accordance with the Constitution of the Federal Republic of Nigeria (as would be amended)
- That (i) The States shall be the federating units; and (ii) Any group of States may create a self-funding Zonal Commission to promote economic development, good governance, equity, peace and security in accordance with the Constitution of the Federal Republic of Nigeria (as would be amended).
- That in the spirit of reconciliation, equity, fair play and justice, there shall be created an additional State for the South East Zone; and (ii) that all other requests for State creation should be considered on merit. Confab also recommended that additional States should be created in each of the six (6) geo-political zones to bring the number of States in each zone to nine (9).
- The number, structure, form and administration of Local Governments shall be determined by the States and that the List of the Local Governments Areas contained in the First Schedule of the 1999 Constitution (as amended) be removed and transferred to the States to be covered by a law of the State Houses of Assembly.
- Appropriate devolution of powers and Fiscal federalism.
- That the sharing of the funds accruing to the Federation Account among the three tiers of government, should be done in the following manner: i. Federal Government- 42.5%, ii. State Governments- 35% and iii.

Local Governments- 22.5% to replace the existing formulae of i. Federal Government-52.68%, ii. State Governments -26.72% and iii. Local Governments-20.60%

- Conference agreed that Local Government Areas should be stripped of their status as the third tier of public administration.
- There shall be a Federal Police with areas of jurisdiction covering the entire country and on clearly spelt out matters and offences; For any state that requires it, there shall be a State Police at the State level, to be established, funded and controlled by the State; and State Law may also provide for Community Policing while the deployment of Police Officers of the rank of Deputy Superintendent of Police (DSP) and below should be done to their States of origin.
- Adequate funding and proper supervision of relevant government Agencies, MDAs on Youth development programmes.
- That 50 per cent accruals from excess crude account should be transferred to the Sovereign Wealth Fund (SWF) while equivalent percentage of earnings from solid minerals should also be taken to the fund. The Act establishing the Nigeria Sovereign Investment Authority (Act. No.15 of 2011) was signed into law in May 2011 to manage the pools of funds meant for stabilisation, savings and development of infrastructure.
- The National Conference resolved that removal of subsidy on petroleum products within the next three years should be preceded by building of new refineries and repair of existing ones to full capacity. The Conference unanimously resolved that Private Sector investors granted licenses to build new refineries shall, within a period of three years, build such refineries or automatically forfeit such licenses to enable other participants who are ready and willing to build such refineries to do so.
- The National Conference unanimously adopted the recommendation of the Committee on Public Service that legislators both at National and State levels should function on part-time basis in order to reduce the bloated cost of governance in Nigeria. The Committee called for the review of the salaries of the lawmakers toward ensuring that their allowances are comparable with what obtains in other arms of the public service.
- The National Conference resolved that it is necessary to strip Legislators, Governors, Deputy Governors of entitlement to Pension, Life insurance and severance benefits. Accordingly, the Conference resolved that payment of pension, life insurance and severance allowances where such existed are to be cancelled in line with what has been described as global best practices. In a related development, the Committee also recommended that the Ministers, Commissioners and Local Government Chairmen should discontinue appointment of 'Special Advisers' and Special Assistants' as cost-saving measure.
- The National Conference adopted the recommendation of its Committee on Public Service that legislation on Minimum Wage should be retained in the Exclusive Legislative List. Also, it recommended an upward review of retirement age to 65 years of age or 40 years of service from the present practice of 60 years of age or 35 years of service, whichever is earlier.
- The national enumeration exercise should remain the responsibility of the Federal Government but the national census exercise should be preceded by the development of a full scale integrated national database which will include: registration of all settlements (including cities, town, villages, hamlets, farmsteads, nomadic fishermen and herdsmen), registration of all households, registration of buildings, update and sustenance of birth registration and update and sustenance of death registration.
- The rotation of the office of the President of Nigeria between the North and South divide and simultaneously revolve among the six geo-political zones of the country. This resolution applies to the office of the state governors, which shall be rotated among the three senatorial districts of each state while that of the local government chairmen shall be rotated within the local government areas.
- The CONFAB resolved that the Modified Presidential System of Government, which is seen as home-made model of government that combines the attributes of Parliamentary and Presidential systems, is best for Nigeria.
- CONFAB passed a resolution that a President elected under this new system shall exercise full responsibility for his government and shall select not more than 18 ministers from the six geo-political zones of the country.
- Henceforth, the Minister of Finance and no longer the President as presently obtained, would present the annual budget estimates to the National Assembly.
- Conference voted to retain the existing bicameral legislature.
- Conference decided that Nigeria should revert to her old National Anthem which embodies unity, peace and prosperity.
- Conference decided that Public funds should no longer be made available to political parties. It consequently recommends that Section 228(c) of the 1999 Constitution be expunged.
- Conference recommended the institutionalization of affirmative action for women and people living with disability. This implies provision for the reservation of a defined quota for women and persons living with disability in party hierarchies, and as candidates for elections in every party's constitution, manifestoes and other documents.

- Conference decided that the multiple party system should be sustained in accordance with extant provisions of the Constitution.
- The National Minimum Wage, as currently provided for in the Constitution of the Federal Republic of Nigeria 1999 should remain on the Exclusive Legislative List; and all stakeholders, including state governments should avail themselves of the tripartite framework for determining the minimum wage to ensure ownership and acceptability.
- The Land Use Act should remain in the Constitution but be amended to take care of those concerns, particularly on compensation in Section 29 (4) of the Act to read; land owners should determine the price and value of their land based on open market value.
- The scrapping of the Pilgrims Welfare Board.
- Culture and tourism should, in addition to being treated as important means of attracting foreign direct investment (FDI), be used as effective foreign policy tools.
- Conference decided that the role of traditional institutions should be recognized as advisory in the Constitution. Conference also recommends the establishment of a National Council of Traditional Rulers (NCTR).
- In the event of the death of a sitting President, the Vice-President shall only act for 90 days, after which there must be an election to fill the void.
- The rejection of single six-year tenure for the office of the President.
- To ensure greater financial autonomy of the Judicial organ and insulate it from manipulative tendencies of other organs, all its funds (capital and recurrent) should be a first line charge on the Consolidated Revenue Fund of the Federation/State.
- The immunity in civil and criminal matters as enshrined in Section 308 of the Constitution for certain public officers should be removed.
- Conference decided that the Federal Government should concern itself mainly with regulatory policy issues and articulation of strategic national direction, providing guidance to State Governments and Agencies as well as formulation of foreign/international policy interphase of the Agricultural sector.

A new Nigeria not deeply rooted in the principle of fiscal federalism and political federalism cannot address current reality. The undue politicisation of the issue of resource control was very unsettling at the Conference. For a balanced federation to exist, the economic component of federalism cannot be subsumed under primordial considerations. The surreptitiously negotiated derivation weight increase from the current 13 per cent to 18 per cent for oil-producing states, five per cent allocation for solid minerals development, and five per cent for the North-East by the Elders Committee of 2014 CONFAB on Derivation Funds, for instance, amounts to nothing but a grandiose balancing act that cannot stand the test of time. This development will be a permanent sore in the fiscal relations among the federating units. Whatever interventionist measures needed to tackle the pervasive poverty up North should have been left at the discretion of the Presidency.

## **VII THE WAY FORWARD**

There are issues that Nigeria is already settled about such as democracy and federalism that should not be discontinued. However, problems bedeviling their proper operation in Nigeria can be finally put to rest if the resolutions of the 2014 National Conference can be implemented. If the Federal Government so desires, the resolutions of 2014 CONFAB could be subjected to a national referendum to gauge its acceptability across the country.

Prior to the adjournment of plenary session on July 14, 2014 and the eventual submission of the 899-page 2014 National Conference Report on August 21, 2014, there has been intense debate (and the debate continues) amongst Nigerians on whether the recommendations shall be implemented. While some school of thought suggested that the recommendations should be forwarded to the National Assembly for consideration and passage into law, others believed that they should be subjected to a Referendum before their inclusion in the Constitution. Whichever way the powers that be decides, the fact remains that some of the far-reaching resolutions are purely administrative matters that could be handled as such while those that are constitutional in nature could be sorted out.

## **VIII CONCLUSION**

Based on the foregoing discussions, the 2014 National Conference has discussed the future of Nigeria and provided answers to lingering national questions covering politics, economy and social structures. CONFAB 2014's 899-page Report that contains over 600 Resolutions reached by consensus are clear solutions to the numerous challenges confronting Nigeria and its people.



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Lanre Olu-Adeyemi. "Federalism And The Accommodation Of Diversity In Nigeria: The 2014 National Conference In Perspective " *International Journal of Humanities and Social Science Invention (IJHSSI)* 7.05 (2018): 62-70.