

## Inter-Governmental Relations, Power Sharing and the Challenges of Good Governance in Nigeria's Federation

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**Abstract:** This study underscores the challenges inherent in powers sharing in the governance of the federal system of government in Nigeria. The study relied on materials from the secondary sources of information and data generated from the field survey in carrying out the study, while the theoretical framework chosen for the discussion of this paper is the System Relations Approach to Inter-Governmental Relations. The study established that the struggle for power among the actors and leaders in a federating state results to; ineffective governance because of lack of capacity, it promotes instability and threatens democracy, leading to additional operating costs, strengthening of local elites who misuse power etc. The implication of this study is that the inability of the constitution (Government) to come up with a virile power sharing formula among the federating levels and arms of government, will result to bad governance, which includes; corruption, economic mismanagement, the rule of man against the rule of law, absence of accountability and transparency in the management of public policies, which are the major impediments to the consolidation of democratic rule. Recommendation suggests clearly defined roles and duties of the federating units; that the enormous powers given to the central government should be reduced to check its excesses.

**Key words:** Inter • Governmental • Power Sharing • Good Governance and Federalism

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### INTRODUCTION

Intergovernmental relation is central to the practice of a federal system of government. Though federalism could connote intergovernmental relations, but that does not conclude that intergovernmental relation is limited to federal arrangement [1]. In other forms of administrative systems, like the unitary system of government, relationship exists between different levels or arms of government within the same political system. Federalism therefore implies power sharing, functions or responsibilities and resources among levels of government whereby power and authority are shared among the contending units, usually federal, states and local government as with the case of Nigeria. It is a constitutional mechanism for dividing power between different levels of government, such that the federating units can enjoy substantial, constitutionally guaranteed autonomy over certain policy areas while sharing power in accordance with agreed rules over other policy areas.

It therefore entails a system meant to integrate diverse groups especially when these groups are characterized by institutional diversity and organized into a single polity. The integration of these diverse groups into a single polity referred to as Nigeria Federalism have orchestrated Nigeria sovereign nation, more than anything else, the greatest obstacles been the pervasive insecurity to lives and property in the nascent and fledging Nigeria's democracy, as evidenced by the spate of armed robbery attacks, political assassination, religious conflicts and the seeming helplessness of security agencies to handle criminal acts [2, 3].

The Nigerian Federalism is a creation of the British colonial administration. Before the advent of the British colonialists, the area now known as Nigeria was inhabited by peoples who belonged to different empires, kingdoms and societies, which were traditionally administered by the local emperors. The relationship between these various entities was characterized by much conflict and little cooperation. Worst still was that these areas were

characterized and engulfed by such vices as cannibalism, ritual murder and the killing of twins were rampant among some of the people [4].

The arrival of British and other European explorers, merchants and religious missionaries tempered and eventually reduced these vices to the barest minimum. After a series of efforts at pacification and conquest, effective British occupation of the area took place from the Royal Niger Company, whose charter was revoked that year. Consequently, upon this, three separate territories emerged. These were Lagos, the Protectorate of Southern Nigeria and the protectorate of Northern Nigeria [5].

Lagos colony and the Protectorate of Southern Nigeria were amalgamated in 1906 by Sir Walter Egerton. The resultant territory then took on the title, "the Colony and Protectorate of Southern Nigeria". In 1914, the Colony and Protectorate of Southern Nigeria and Northern Nigeria Protectorate were amalgamated by Lord Fredrick Lugard.

Aniwofose [6] accounted that the 1914 amalgamation marked a turning point in the evolution of the Nigerian State and Nigeria as a political entity, while, Elaigwe [7] maintained that the idea of federalism began with the John Macpherson constitution of 1951 that introduced a quasi-federalism for Nigeria as a country.

Federalism connotes the existence of two or more levels of government, each constitutionally empowered to make decisions independent of each other within the legislative sphere assigned to it [8, 9]. Federal Government as provided by Sir Kenneth Where is a system of government in which sovereignty is divided between the central and state government, central and regional governments are co-ordinate in the sense that neither level of government is subordinate to the other in legal authority. He concluded that in this system of government, each level of government should be limited to its own sphere and within that sphere should be independent of the other. This system of government can therefore be contrasted with a unitary system of government in which the component units are legally subordinate to the central government [10]. The federal system of government is therefore more suitable for societies with complexities of diversities, namely: ethnic, linguistic, cultural, racial, religious and so on as well as other cleavages which are territorially defined. However, the nature of these diversities helps in a nation's decision to adopt the aggregative or disaggregate type of federalism. Nigeria therefore falls into the latter because of the wide diversities.

The great dual of split and disintegration experienced in Nigeria by 1914, 1946, 1963, 1964, 1965, 1966, 1967-1970 etc, heightened the demand for state creation in 1967, 1976 etc due to lack of proper attention to all sections of the communities and that such inequalities could only be corrected if states are not only created but further divided [11].

In 1976, when the late General Murtala Mohammed created additional seven states, he stipulated that the demand for state had been on the increase because of poor leadership, such poor leadership results from deficiency in satisfying all sections of the community [12].

Late General Aguiyi Ironsi in 1966 intended to bring the various diverse groups in the country under one authority, imposed the unitary system of government in the country, he however later discovered that Nigeria was too diverse culturally, ethnically, politically and geographically to be administered from the centre [13]. His government was however short lived and he was replaced by another military officer, General Yakubu Gowon on 29<sup>th</sup> July, 1966.

General Yakubu Gowon on assumption of office not only restored the federal structure, but went ahead to divide the nation into twelve state structure from the four regions (East, West, North and Mid Western) which the country was originally divided. It can therefore be said here that federalism is crucial to the existence of this country, Nigeria, since it is a system of government meant to integrate the diverse groups especially when these groups are characterized by institutional diversity.

It is in the light of the crucial nature of federalism that this study intends to underscore how power sharing (Intergovernmental relations) has promoted good governance or marred it in Nigeria's federal structure.

**Conceptual Clarifications:** In every research, worthwhile efforts are expended to clarify some core concepts that form the corner stone of the study for purposes of engendering better appreciation in the context of the study. In this study therefore, we are going to elucidate on such concepts as Inter governmental Relations (Power sharing), Good governance and Federalism.

**Inter-Governmental Relation:** This according to [14] means the complex patterns of interactions, cooperation and inter-dependence between two or more levels of government. It could also be further described as a plethora of formal and informal relationships and transactions that develop among levels of government within a nation-state.

For Nwankwo [15] intergovernmental relations are conventionally defined as important interactions between governmental units of all types and levels. In other words, it is an interacting network of institutions at national, provincial and local levels, created and refined to enable the various parts of government to operate in a manner more or less appropriate to our institutional arrangements. In-fact according to him, it is an evolving system of institutional co-operation that seeks to address the relations of equality and independence as defined by the constitution.

For Nwankwo *et al.* [16] in Nwokwu and Aja [17] intergovernmental relations are the processes and institutions through which governments within a political system interact. According to him it has become a notable feature of a federal political system; that it is an important component of any political system with more than one level of government. He maintained that its essential characteristics mean that Inter-governmental relations in federations have some distinctive features absent from inter-governmental relations in non federal countries. By this Obi [18] further contends that the constitutional underpinnings of constituent units with the full array of executive, legislative and judicial institutions provide them with hard protections and their own political constituency.

Inter-governmental relation deals with an important body of activities or interactions occurring between governmental units of all types and levels within a federal system. It is the manner in which the units or the agents of states associate with each other, whether civilian or otherwise, especially in a federal structure.

Therefore, flowing from the above, inter-governmental relations can be described as the interactions that take place among the different levels' of government within a state.

In this respect, political motivations and considerations of policy autonomy shape the conduct of inter-governmental relations in a way that may not be so evident or even possible for a sub-national level of government in a unitary state.

**Federalism:** Federalism which may also implies (Power sharing) refers to a situation which power, functions, duties, responsibilities and resources are shared among levels of government. Federalism refers to a system of government whereby powers and authority are shared among the contending units, usually federal state or local governments, as with the case of Nigeria [19]. It is a constitutional mechanism for dividing power between different levels of government, such that

federating units enjoy substantial, constitutionally guaranteed autonomy over certain policy areas while sharing power in accordance with agreed rules over policy areas.

Ojameruaye [20] federalism refers to a public sector with both centralized and decentralized levels of decision making in which choices made at each of the level concerning development and the provision of public services are determined largely by the demands for these services by the residents of the perspective jurisdiction. While, Ojo [21] he maintained that in a federal system, different governments provide different services to overlapping jurisdiction. For Okoli [22] he argued that federalism is a system of shared power between units of government. It is a way of organizing a nation so that two or more levels of government have formal authority over the same area and people. From his own point of view, it could be seen that federalism rests on divided sovereignty where state and nation control some portions of political power independent of others authority.

Oni [23] the distinctive feature of federalism is that legal sovereignty is shared between the federal government and the constituent states. They maintained that a federal constitution creates layers of government with specific functions allocated to each. While for Oni [24] he maintained that federalism is the putting of understanding and bond through agreement in law between independent entities to satisfy the need for autonomy and freedom, on the one hand and order and security on the other hand. In the position of Onwe [25] posits that federalism is a doctrine denoting a state of affair in a country where there are two or more levels of government, each of them posses its own sphere of governmental legislative jurisdictions. In essence, federalism is referred to as a state of affairs in a country whereby the exercise of governmental legislative focus is apportioned through constitutional legal provisions among different levels of co-ordinate governments. They concluded by giving the attributes of a federation to include; rigid constitution, the supremacy of the constitution, independent judiciary and court etc.

**Good Governance:** Phillimore [26] sees good governance as a system of government based on good leadership, respect for the rule of law and due process, the accountability of the political leadership to the electorates as well as transparency in the operations of government. Transparency, he maintained that it has to do with the leadership (Government) carrying out government business in an open, easy to understand and in explicit manner, such that the rules made by government, the

policies implemented by the government and the results of government activities are easy to be verified by the ordinary citizens. Accountability as a component of good governance refers to the fact that those who occupy positions of leadership in government must give account or subject themselves to the will and desire of the society and the people they lead.

Good governance provides a platform for rapid changes in the socio-economic and political status of nations and their citizenry. It encompasses all the processes where in public resources and problems are managed effectively, efficiently and in response to the critical needs of the society [27]. A U.N.D.P report, states that effective democratic form of good governance rely on public participation, accountability and transparency, it implies effective public administration in relation to public policy formulation and implementation in a bid to attain high level of economic stability [28]. The importance of good governance was led credence to by Kofi Anan, when he asserts that:

“Without good governance, the rule law, predictable administration, legitimate power and responsive regulation-no amount of funding, no amount of charity will set us on the path of prosperity” [28].

Furthermore, many variables are responsible for any government to be referred to as good or bad. The concept of good or bad is more or less on ethical concept which today’s politics (2019) tends to undermine. Ethically, the concept of good has to do with what is right and what to be the case.

The ability on the part of government to carry everyone on board regardless of social status, ethnic, religious and political affiliations and to maximize the human and natural resources for the benefit of all in the society is an important indicator of good governance. Good governance requires a moral climate that is conducive to self-actualization, mobilization for effective participation and empowerment of all for the building of a united nation, which one could be proud to associate with Report [29]. While, Uhummwangho [30] posits that good governance is in tandem with democratic governance which is largely characterized by high valued principles such as rule of law, accountability and participation, transparency, human and civil rights. These governance qualities have the capacity to provide the development process of a country.

## **MATERIAL AND METHODS**

This study adopted both primary (Survey) and secondary sources as methods of information generation.

In the survey method information was generated through the administration of questionnaires to a targeted population, the observation of events and their happenings in the public sector institutions, the documentary of events by the media, while from the secondary sources, information were gathered from textbooks, journals, magazines, newspapers, periodicals, government official publications etc.

**Theoretical Framework:** The theoretical framework for the paper is System Relations Approach to Inter-Governmental Relations (I.G.R) as propounded by Uhummwangho [30] and cited in Uhummwangho [31]. The systems model provides a comprehensive framework for identifying, coping with and integrating the institutional behavioural and management dimensions of I.G.R.

Furthermore, the systems model has a potential for resolving the allocation controversies which bedevil inter jurisdictional relationships. The theory is conceived as an organized purposeful whole, composed of structurally and functionally identifiable, though inter-related parts and delineated by identifiable boundaries from the supra-system (Environment) in which it is embedded. Where [32] states that the emergence of systems construct marked an important transition from the mechanistic conception of social reality which sought to explain a phenomenon from the stand point of its component units to holistic view parts in terms of a whole. He sees a system as a whole which cannot be taken apart without the loss of its essential characteristics which include;

- A set objective which the entity seeks to achieve, without which it cannot exist
- A hierarchy of inter-dependent units among which the system objectives are divided for national development.
- Specificity of sub system roles, each system has a defined and specialized role in the realization of the total purpose(s) of the unitary whole and sub-system roles are mutually reinforcing.
- An input transforming technology which refers to the processes and techniques by which resources inputs extracted from within and outside the system are transformed into outputs which themselves have implications for system persistence and effectiveness through feed-back mechanism.
- A boundary that exclude the plethora of other systems and defines the threshold of transactions among the universe of systems.

**Empirical Review:** A study by Wikipedia [33] titled, “Federalism: Problems and Prospects of Power Distribution in Nigeria”. The study, studied Power Distribution in a federal system of government, with the problems and prospects associated with it; it equally analyzed the nexus between democratic nurturing, sustenance and consolidation of power, vis-à-vis the battles of a federalism. The findings revealed imbalanced in power sharing, one of which that have created untold, unpleasant experiences and pains at one point or the other since independence, resulting to religious crisis, the Zamfara State debacle, that is the adoption of Shariah Penal code, recourse to emergency power in settling issues in a democratic federal setting (The Ekiti and Plateau State experience in Nigeria during the Olusegun Obasanjo regime), resources control, the lopsided revenue allocation formula, states creation, inadequate representation of the various ethnic groups at the centre. There have equally been intense heat on the power sharing formula that also amounted to accusations and counter accusations from all sectors of the polity. The study therefore recommended that all stakeholders in the federal polity should thread softly, be objective, rational, altruistic and magnanimous in order not to make a true federalism a fleeting illusion and a mirage; that the country (Nigeria) should devise an alternative to the present system of sharing power so that the country can be at peace with itself, avert crisis associated with unequal distribution of power and resources and still remain as a Federal Republic, upholding the cardinal principles of federalism.

The study by Adedire [2] though may be commended, especially with the objectives it intended to address, but these researchers observed that Uhumwangho and Ekpu’s study lacked focus, because, their recommendations did not tally or conform neither to the title of the study nor the objectives of the study; there was no implications of the study to the research study, no theoretical framework and most importantly, there was no methodology adopted for carrying out the research. These and many other lapses prompted these authors, (Ibeogu and Udu) to conclude that the study lacked focus.

In another study, by Ajibola [5] titled “The Nature of Governmental Relationship (Inter and Intra) in Nigeria’s Fifteen-Year Old Democratization”. The study examined the nature of governmental relationship. Its findings revealed that; the nature, pattern and character of governmental relation in Nigeria is hierarchical in nature; that most of the controversies that arose in the area of governmental relations in Nigeria can partly be attributed

to constitutional imperfections and flaw. The constitutional provisions concerning governmental relations capture partial aspect of practical realities. Recommendations were that the constitution should be revisited and governmental relations provisions such as power redistribution, resources allocation formula and local autonomy should be reviewed to enhance cooperation and harmonious relationship among different levels and arms of government; that the spirit of equal partnership between the tiers of government and among the states should be imbibed in the interplay of governmental relation in Nigeria.

However, like the previous study, this study by Elaigwe [7] was equally criticized by these researchers for not adopting any methodology for the study, it also did not anchor the research on any theoretical foundations and more also, there were no implications of findings to the study, but for the recommendation of the study, they are apt and commendable.

**Constitutional Provisions and Inter-governmental Relations in Nigeria:** According to Abidoye [1] the provisions of the 1999 constitution have in all, emphasized vertical interaction among the three levels of government rather than horizontal relationships. This according to Ibeogu [9] could impose limitations to the extent of cooperation among the levels of government and instead promote a dependency structure that could promote the inclusive authority model of Inter-Governmental Relations.

In relation to revenue sharing arrangement, the 1999 constitution stipulates an arrangement that allows for statutory allocation of public revenue from the federation account held at the centre to states and local governments (Section 7 (6); 162(1)-(8). This fiscal dominance of the federal government is a very great challenge to fiscal federalism [5].

Regarding the allocation of power, he maintained that where there is conflict between federal and state laws, that of the former takes preferences (Section 4 (5) and also where the state executive action clashes with of the federal, that of the latter supersedes (Section 5 (3). This implies that the federal government can intervene in any matter of public importance if it chooses to do so. It is clear that the constitutional provisions relating to power relations are not likely to enhance Inter-Governmental Relations as power are so concentrated at the centre in such a manner capable of turning the states and by extension, the local governments to political beggars always prostrating for political favours from the centre.

**Why Inter-Governmental Relations in Nigeria's State and Political System?:** Nwankwo [15] espoused that the dynamics of the Nigerian Federation and the Nigerian Constitution makes inter-governmental relations politically imperative. This he maintained that with over four hundred lingua-cultural groups, a population of over one hundred and seventy million (170m), thirty six states (36), a Federal Capital Territory and seven hundred and seventy-four local governments (774), then inter-governmental relations in Nigeria becomes inevitable.

He further maintained that Nigeria employed the framework of federalism to manage her conflicts, since inter-governmental relations is a necessary mechanism to promote cooperation, manage conflicts, respond to changing circumstances and deliver services more efficiently.

To this effect that [24] refers to inter-governmental relations to mean the complex patterns of interactions, cooperation and inter-dependence between two or more levels of government.

Onwe [25] noted that the essence of inter-governmental relations among governments is to develop high level of coordination among various tiers of government in the handling and implementation of policies and programmes for national development. To that extent, Ibeogu and Utobo [10] outlined the rationale for the studying of inter-governmental relations to include;

- Promotion of peace and harmony among the three levels of government;
- To enhance the emergence of cooperation rather than competition in federalism;
- To ensure effective and efficient utilization of available human and material resources among the various levels of government;
- To accelerate the achievement of self-reliant economy;
- To minimize inter-governmental conflicts among the various levels of government;
- To solve problems of rural and urban poverty, ignorance and suffering of the people;
- To respond to changing circumstances

### **Governmental Relations Among tiers and Levels of Governance in Nigeria (Military or Civil Rule)**

**A. Inter-Governmental Relation Under the Military Rule for Twenty-Nine year (29yrs) 1966-1999:** Since the military rule by the barrel of gun and decree, inter-governmental relations take this format;

With the military intervention in Nigeria politics in 1966, there were remarkable changes in intergovernmental

relations in the country. Within the period of military rule (1966-1979, 1983-1999), the federal-state interventions were skewed in favour of the federal government [16]. Ojameruaye [20] corroborated the above assertion when he stated that the federal-state relations as at 1994 was a clear departure from what transpired between 1960-1965, when the federal centre was weak. The point here is that there was high centralization of power, including resources at the centre at the expense of the states. The lopsided arrangement was achieved by means of various decrees issued by the successive military regimes. For instance, in May 1967, the military promulgated a decree which restored the federal military government powers to make laws for the peace, order and good government of Nigeria or any part thereof with respect to any matter whatsoever in the Federal republic of Nigeria. The Decree No 14 of 1967 created states and provided that they should inherit the powers of the former regions. It is argued that the subsequent decrees issued further reduced the powers of the states so that Nigeria drifted to unitarism. As if that was not enough, the issuance of Decree No. 27 of 1967 restricted the legislative and executive powers of the nascent twelve states in Nigeria, for the first time, to matters in the residual list. However, for any state to exercise matters in the concurrent list; Specific consent of the Federal Military government must be sought. In addition, most functions and projects of the states (Former regional governments) were taken over by the federal government. Most worrisome was the taken over of the first-generation universities instituted by the regions and states by the central government. The relationships between the federal and state government were apparently lopsided.

However, the relationship between the federal and state under the military government did not end with taken over functions and projects of the former regions (States), but even with the assassination of General Murtala Mohammed on 13<sup>th</sup> February 1976, his successor, General Olusegun Obasanjo, even concentrated more powers and resources at the centre, for instance, his administration issued Decree No 24 of 1977 which established the Nigerian Television authority (NTA), thereby granting the Federal government the exclusive responsibility for television broadcast in Nigeria [29].

**Inter-Governmental Relations in a Democratic Regime: the Nigeria Experience 1999-Date (2019):** The following models of governmental relation with respect to the different levels of government are examined. Authority and powers are shared into Exclusive List, Concurrent List and Residual Lists.

**Exclusive List:** All the powers and functions in the exclusive list are exercised by the federal government only. Some of the items in the exclusive list includes; currency coinage and legal tender, Defence, diplomatic, Consular and Trade representation, External affairs, Aviation and Airport, Immigration and Emigration, Custom and Exercise duty, Mines and Minerals, accounts of the arms of the Federation, Arms, ammunition and Explosive, Awards of honours and decoration, Bankruptcy and Insolvency, Banks, Bills of exchange and promissory notes, Borrowing money inside and outside Nigeria for the purpose of federation or any other state, census, Citizenship, Nationalization, Communal and Industrial Monopoly, construction and Maintenance of federal trunk road, control of capital issues, creation of States, Drug and Poison, Election to the office of the President and Vice President, Governor and Deputy Governor, exchange control Export duties, external Affairs, Extradition, Implementation of treaties, Issuance, Incorporation, Regulation and winding down of corporate bodies, Military National Parks, Nuclear energy, Passport and visas, Patents Trademarks, Trade or other business names, Pension, Payable out of government funds, Post and Telegraphs, Prison, Public debts, Railways, weights and Measures, Television, wireless and Broadcasting.

**Concurrent List:** All powers and functions in the concurrent list are exercised by the federal and state government at the same time. Items which usually appear in the concurrent list include; Health, education, Road, communication, electric Power, Allocation and revenue, Antiquities and Monuments, Archives, Collection of Taxes, electoral Law, Exhibition of cinematography films, Industrial, commercial or Agricultural Development, Scientific and Technological Research, Statistics, Trigonometry, Cadastral and Typography surveys, Universities, Technological and Post Primary education.

**Residual List:** The powers and functions in the Residual list are only exercised by the state and regional governments. Items of the Residual list include those items which are neither in the exclusive list nor in the concurrent list, they include: functions conferred on councils, Establishment and maintenance of cemeteries, burial grounds and homes for the destitute, registration of births and all marriages, provision of primary, adult and vocational education, licensing of bicycles, trucks and others establishment and regulation of markets and slaughter houses, Development of agriculture other than mining, Provision and maintenance of healthcare, traditional and chieftaincy titles.

### **Challenges of Good Governance in Nigeria's Federalism Resulting from Orchestrated Power Sharing Debacles**

In a federating system, one of the greatest challenges is that of sharing formula, especially with regards to fiscal resources generated or jointly owned by the federating states and units.

Though, each government is independent of the other in exercising its constitutional powers. For example the states may enact and enforce compulsory school laws in their respective states without the federal government's approval, similarly, the federal government may enact and enforce military conscription in each state without the state's consent. Thus, each government enforces its own law independently of the other, but despite this autonomy of power relationship among levels and tiers of government as guaranteed by the constitution, they still exists feud and rift by various levels and tiers of governments in Nigeria in these following areas:

#### **Intra-Governmental Relations: Executive-Legislative Crisis at the National and State Levels in Nigeria:**

Intra-governmental relations refer to the relationship between different arms of the same government [31].

The quest for harmonious governmental relation in Nigeria has been threatened more by the unending conflicts between the legislature and executive who are often entangled in a constant battle for supremacy and control of the policy making and implementation process, thereby jettisoning the tenets of democracy. The greatest shock Nigerians experience is the growing culture of impunity and flagrant disregard to principle of bargaining and cooperation entrenched in governmental relation noticeable among members of the executive and the legislature, both at the national and state levels in Nigeria since 1999-date (2019).

Notably, executive-legislative friction is hinged on psychological clashes within the context of the struggle for prestige and influence [32]. The leadership of the two branches clashed severally over the interpretation of the constitution relating to who holds the ultimate power. This is clear personality or psychological struggle rather than constructive constitutional engagement. Both arms of government jettisoned constitutional arrangements to engage in supremacy battle thereby leaving the judiciary as the final arbiter in such instances. It is instructive to mention that part II, section 4 of the 1999 constitution expressly provides for the powers of the Federal Republic of Nigeria. With respect to the legislative powers, sub-section (1) provides that:

“The legislative powers of the Federal Republic of Nigeria shall be vested in a National Assembly for the federation which shall consist of a Senate and a House of Representative” (FGN: 1999:16)

By the same token, section 4(2) puts it that:

“The National Assembly shall have power to make laws for peace, order and good government of the federation or any part thereof with respect to any matter included in the Exclusive list set out in part 1 of the second schedule to this constitution”.

Chapter VI of the same constitution provides for the creation of an executive branch whose responsibility it is to administer the day to day affairs of the nation. There is therefore no plausible reason, with the above provision, for any right or friction between the legislature and executive over the constitution, but for the interpretation and application of the provisions. The friction often develops over the applications of the provisions relating to the use of impeachment as a legislative weapon and the “veto power” as an executive armory. The legislature had excessively resorted to the application of section 143(1) and (2) of the 1999 constitution which relates to impeachment of the executive, headed by the president.

Though, the role of impeachment and the threats of impeachment appear to be alarming in any democratic state. Nwankwo [15] maintained that in developed countries where presidential democracy is in place, the impeachment clause is rarely used and when it is used, the objective is to safeguard both the people and national interest. It also promotes integrity and morality in governance. In Nigeria’s federalism and democratic rule, impeachment of public officers has been a frequent phenomenon with a devastating effect on our political and development process. Mohammed [12] accounted that since 1999, about 25 speakers, 10 deputy speakers, 5 governors, 10 deputy governors (With the recent deputy governor of Imo State, Eze Madu Mere, impeached, while about 3 senate presidents impeached between 1999-2007, while President Obasanjo and his vice, Atiku Abubakar survived impeachment threat, currently, Dr. Bukola Saraki (President of senate) and Senator Ike Ekweremadu (Deputy President of Senate) are currently being threatened with impeachment because of the rift between the Presidency and National Assembly [22].

**Federal-State Relationship with Recourse to Resources Control and Revenue Sharing Formula:** One of the areas of confrontation between the federal and state

government pertains to the revenue sharing formula and resources control. Revenue allocation problems constituted, perhaps the most teething problem in Nigeria’s democratic dispensation, especially during the Obasanjo’s administration, 1999-2007. Though controversial, the constitution allows the derivation figure at 13% of the total revenue accruing to the federation account directly from any natural resources, especially, oil revenue. The 13% derivation allocation is just to the oil producing states. When Obasanjo’s administration came on board, it failed to implement the 13% derivation principle in respect of revenue accruing to states where natural resources are located in conformity with section 162(2) of the 1999 constitution. After much pressure from the oil producing states (Akwa-Ibom, Bayelsa, Cross-River, Delta, Lagos, Ogun, Ondo and Rivers) his administration without any supporting law, the obnoxious on-shore/off shore dichotomy, arbitrarily decided to pay 60% of the 13% while withholding 40% which the administration estimated to be the off shore component. Again, payment of the 60% was from January 2000 instead of 29<sup>th</sup> May, 1999 when the constitution became operative [19].

**Local Government Area Creation, State or Federal Duties:** The control of the local government and the creation of local government is another area that has caused hiccups in the relationship between the state and the federal government since the advent of democracy in 1999. For instance, the creation of local governments and conduct of local pools in the created local governments (Otherwise referred as development areas) during the Obasanjo’s administration that he directed the Federal Ministry of Finance not to disburse funds to these states; Lagos, Jigawa, Niger, Katsina and Ebonyi. In a reaction, the Lagos state government under Ahmed Bola Tinubu filed a suit at the Supreme Court challenging the federal government’s action. The Lagos State government accused the federal government of illegally withholding its funds, which resulted in the inability of the local government to pay primary schools’ teachers, performs its functions and at the same time carry out its responsibility(s) as a tier of government.

**Feud Relationship Between the Federal and State with Reference to the Maintenance of Federal Roads by State Governments:** In accordance with the provision of the constitution, under the ambit of all tiers of government, the roads in Nigeria are categorized as follows; Trunk A, B and C roads which belongs to the federal, state and local governments respectively. However, the lukewarm



attitudes of the federal government in paying back the expense incurred in the rehabilitation and maintenance of the trunk A roads by the state government have discouraged state government in the rehabilitation of such roads. Instance abound across almost all states of the federation where willing governors rehabilitated federal roads that cut across their states with the intention of refund from federal government, but all to no avail.

**Internal Security Squabble: Who is In-charge, Governors, Police Commissioners or the Inspector General of Police?:** Another contentious issues of inter-governmental relations in Nigeria under the present political dispensation, especially the General Mohamadu Buhari regime, is who is responsible for internal security at the state level, governors, police (Commissioners of Police or the I.G.P) or the Fulani Herdsmen? State governors are made ceremonial chief security officers, where commissioners of police who are agents or employees of national government and the Fulani herdsmen wield the real powers and functions in the state. The Fulani herdsmen cause all manners of mayhem, resulting in the crisis across all states of the federation (Benue, plateau, Enugu, Ebonyi, Abia, Cross-River) etc, all happening in the light of the nation that the governors who are supposedly chief security officers of their various states are in no small measures incapacitated in the delivering of security through the orchestrated structures of imported police force (Federal police). To this end, the governor do not act even when lives and properties are lost in their states as a result of the mayhem caused by the Fulani herdsmen or opposition political parties, but only wait for the Inspector General of Police directive to state commissioners of police. It becomes worrisome that even though the police are employed for order maintenance, crisis management in most cases,, they are drafted for the ulterior motive of the federal government against the opposition states [3].

**State-State Relations:** The relationship among states in Nigeria is competitive and conflictual rather than cooperative. As rightly observed by Benjamin (2004), the emergence of the central government as the master government has reduced the inter-state relations on how states compete to maximize their share of the federation resources. However, it seems that since the present political dispensation (1999-date, 2019) the relationship among states of the same geo-political zones have been cordial with the intent of championing common interest. The states have been divided along geo-political zones, with such meeting as: Northern Governors forum,

Southern Governor's forum, South-South Governors forum, South East Governors forum, South-West Governors forum and the North Central Governors forum. These meetings are held to discuss the interest of the zones on issues surrounding the question of how to balance political power, how to attract the establishment of some of the nations industries, federal institutions (Schools and hospitals) and to promote regional economic integration. However, despite the governor's forum, there still exist acrimonies among governors of the same forum and beyond.

**State-Local Government Relationship:** The states government action towards the local governments since 1999 had resulted into unpleasant relations between the state and local governments. Between these periods, (1999-date, 2019) most local government chairmen have been suspended and removed from office without recourse to due process.

**Joint Local Government Accounts Between States and Local Government:** Another area of relation that has caused hiccup in intergovernmental relation between states and local government in the current political dispensation is the management of joint account by state and local government. The local government chairmen see it as an infringement on their authority as state governments sometimes starve local governments of their funds. In Ebonyi State, this has become a tradition since 1999 to date 2019 [7].

**Findings on Inter-Governmental Relations that Pose Threats to Good Governance in Nigeria Federalism:**

- The nature, pattern and character of governmental relation in Nigeria federation is hierarchical in nature resulting in the heads of state becoming the pinnacle to which all other levels of government and all state officials (Governors) were accountable and responsible to instead of the electorates;
- The Nigeria federalism instead of engaging in co-operative relations, competition for resources control and power struggle have dominated the political scene, thereby endangering the cordial relations expected among these governments. In fact, unhealthy rivalry has disrupted the functioning of Inter-governmental relations especially under the Buhari regime of 2015-2019 [4].
- The federal structure of Nigeria is believed to be “a bad marriage that almost all dislike but dare not leave. Most of the federating states, if given the option would want to secede, (South east) and this is what

has been generating crisis in Ibo land, as they want to pool out of Nigeria since the Ibo's are no longer comfortable in Nigeria soil, hence the 1967-1970 civil war in Nigeria.

- Rivalry in Nigeria federalism has fundamentally been instigated by ethnic mutual suspicion which increasingly weakens the fabrics of Nigeria's sovereignty. This not only culminated in the Nigeria Civil War, but it has also dragged the nation-state into the turbulent June 12 1993 political crisis which has completely made Nigerian sovereignty frail and fragile [7].
- Suffice to say that in theory, Nigeria is operating a federal system of government, but in real practice, the country is tending towards a unitary system. Therefore, the problem with federalism in Nigeria is the mix-application as it has to do with power distribution. Power distribution is a volatile issue which if not properly handled, could lead to various forms of crisis which are bound to crop up [22].
- Lopsided Leadership and economic Ineptitude- the imbalance in power distribution in Nigeria's federalism, economic colonization of the country's resources and wealth by a section of the country has led to mutual suspicion and mistrust among the different sections of the nation. This is manifested in the fierce manner that positions in the country are contested for; the way elections fought out among groups as no section wants to shift grounds due to this suspicion. Furthermore in the suspicion in imbalance of political power and resources distribution prompted the secessionist bid by the secessionist bid organized by the leadership of Isaac Adaka Boro for the creation of Delta people's Republic [18].
- The defective nature of the 1999 Nigerian constitution contributed in making it difficult to operate a true federalism. Most of the controversies that arose in the areas of governmental relations in Nigeria can partly be attributed to constitutional imperfections and flaws.
- Economic, fiscal practices and financial management lacks equity and fairness, which is a reflection in corruption, financial impropriety of government functionaries and the federal government's attempt to provide some social services nationwide assumes more responsibilities than would ordinarily be the case under a federal constitution. This indirectly affect development in Nigeria especially where the leaders in the country are corrupt and self centred;

in that respect distorts genuine federalism because of the federal government assuming responsibilities of state affairs beyond what the constitution provides.

- The military involvement in governance in Nigeria affected the practice of true federalism. This is because the military is hierarchically structured, so adopts the elements of unitary system rather than the principles of federalism, so when power is handed to the democratic leaders, they continue with the military mentality of hierarchical structures of governance (See Obasanjo's regime 1999-2007 and currently Buhari's regime, 2015-2019), Wheare [32].

## CONCLUSION

This paper has been able to analyze the challenges of inter-governmental relations and power sharing in Nigeria's federalism with an understanding that power sharing in the Nigeria's federalism has caused a lot of debate, power struggles and controversies especially in the Nigeria's political environment where ethnic factors, political factors, religious factors, economic factors and factors of derivation formula have much role to play. The position of this paper is that genuine federalism can thrive if only the principle of inter-governmental relations is reviewed and respected.

### Recommendations:

- The constitution should be modified to clearly define the roles and duties of the federating units;
- That the enormous powers assigned to the central government in the exclusive list should be reduced so as to check her excesses;
- Issues of inter-governmental relations should be reviewed and respected so that functions to be performed by each tier of government would be explicitly stated especially in the areas of financial management;
- The lopsided imbalance in the areas of appointive, elective and resources control should be addressed to guarantee development of all the segments of the country;
- Finally, the persistent agitation for resources control by the oil-producing state need to be addressed not just for the increase on the quantum of money accruable to them, but through building up of the capacity of their youths to engage or participate in the oil-extraction process in their region, thereby reduce the quest for secession.

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