

(POS313) INTER-GOVERNMENTAL RELATIONS IN NIGERIA

Course Outline

1. The concept of federalism as applicable to IGR
2. Determinants of IGR in a federation
3. Typology of Inter Governmental Relations
4. Inter-Government Relations in Nigeria
5. Inter-Government Fiscal Relations
6. Petroleum in Nigeria and IGR
7. Appraisal of Inter-governmental Relations

Power Sharing and Inter-Governmental Relations

Introduction

The issue of power sharing in a federal polity necessarily entails some levels of Inter-Governmental Relations (IGR). It is an issue that addresses the political arrangement as well as disposable resources (finance) to sustain the polity. This paper will seek to achieve three main broad objectives, i.e. to analyse the concept 'federalism' and its implications on the IGR over time in Nigeria political system. The second main objective is to situate local government within the parameter of the other levels of government i.e. federal and state governments. The third objective will be matters arising from the first and second objectives.

ON THE CONCEPT FEDERALISM.

The adoption of a federation structure in any political system presupposes the existence of diverse and competing ethnic and linguistic variables. It is usually designed to cope with difficult task of statecraft. It is probably for this reason that K.C. wheare defined a federal system as:

- An association of states so organized that powers are divided between a general government, which in certain matters is independent of the governments of the associated states, and, on the other hand, state governments which in certain matters are, in their turn, independent of the general government Peter Merkel seems to have lent credence to this assumption in is own conception of federalism.

Typology of Federalism

K. C. Wheare the leading scholar and exponent of federalism has identified various types of federalism by adding prefix to the concept 'federal'. K.C. Wheare's works, no doubt, was based on American experience of a federal state, which has, over time, captured his fancy. It is this that is aptly being referred to as true federalism. For K.C. Wheare, what qualifies America as a true federalism in the upholds federalism in its practice and principle. They applied to its application of underlying principles and its organic law.

According to Oyovbaire, another type has been identified by E. A. Corwin, which was referred to as dual federalism.

This suggests a period of amorous relationship between the federal and state governments it was a period when the state government was independent of, but at the same time collaborating with, the federal government.

Cooperative Federalism refers to a conflict-free situation in the relationship between the state and the central government. This however looks utopian given the conflicts that usually ensure over authoritative allocation of values in the society.

FEDERALISM

The federal system is a system of government which recognizes central as well as state or regional government. According to Kenneth Wheare A federal system is that system of government that recognizes the quality of a legal sovereignty.

Therefore a federal system is one in which sovereignty is not combine exclusively to the central or state government but rather it is divided between them..

BASIC CONDITIONS FOR FEDERALISM

- I. There must be a constitutional division of legal authority within the federation;
- II. Each component of government must be independent within its own sphere of competence;
- III. The division of authority must be clearly laid out in a supreme constitution;
- IV. The constitution must not be amendable by one level of government alone;
- V. There must be an umpire, usually a supreme court, to restore intergovernmental disputes over the boundaries of their legal authority; and
- VI. Each constituent government must operate directly on the people rather than indirectly through the other tier.

THE NIGERIAN EXPERIENCE

- Nigeria, like any other African country, is a colonial creation of the 19th century. In fact until the amalgamation of the North and Southern protectorates, the concept Nigeria never come to existence.
- At the onset, Nigeria federation consisted of three political regions – the North, the East and the West. Each of them, had a dual cultural make up i.e. a cultural majority and cultural minorities. Hence the ethnic and cultural diversity of Nigeria has provided a congenial ground for federalism.

The subsequent constitutions that followed the amalgamation of Nigeria such as Clifford constitution 1922, Richards constitution 1946 and Macpherson constitution 1951 all tended towards a unitary system of government. The objectives of 1946 constitution states:

- (1) To promote the unity of the country.
- (2) To provide adequately within that desire for the diverse elements which made up the country; and
- (3) The secure greater participation by Africans in the discussion of their own affairs.

The no 2 above had implication for a federal arrangement, but it was only attained in 1954, with Lyttelton constitution.

DETERMINANTS OF IGR

Inter-governmental Relation in a federation have not involved only co-operation but at the same time bargaining and even conflict. The particular form of administrative relation in each federation must be related to the particular conditions and situation of that federation. There are variation in administrative relations within different federation or each in the administrative relation of a single federation overtime.

The Inter-government Relation of any federation are usually by-product of the political dynamics of such society.

Broadly speaking, such determinants with be view within the following content.

1. The character of the society.
2. The institutional structure of the federation.
3. The political process in the federation.
4. The constitution

THE CHARACTER OF THE SOCIETY

It determines by different variable such as the balance of the political economy cultural, social and extent pressure for a unified system of action in a multi-ethnic federation each is usually suspicious of one another, and the pattern of the inter-governmental relation is usually determine by the suspicious.

There is also differences between unit cultural and homogenous the existence of multi-cultural society are the strength and the character of such federation.

Another variable of the character of the state is related with the religions that is being practice in that society. For instance, are they all Muslim? If they are all Muslims do they belong to the same group? At the extreme, if they are Muslims and exchange between the same group.

At the extreme if they are Muslims and Christian within the state political economy. The character and political relationship within such federation will be determine by the aggregate of the number of the Christian and the Muslim within that country or society.

THE INSTITUTIONAL STRUCTURE OF THE FEDERATION

The institution structure refers to the different Administrative unit within a federal set-up, the size of such unit and financial resources available to them. In most cases finance always determine the potential power that is made available to a unit for instance, the determines the amount of allocation of money that will release that will release to other ministries and parasatals in such a way if (federal ministry of finance) can flex his muscles over other unit and parasatal.

Another unit of financial unit in such federation is department of petroleum an the presidency. The Nigeria is determined largely by the resource from that for petroleum and its allied product such as Gas, diesel, grease etc.

THE POLITICAL PROCESS IN THE FEDERATION

The political process refer to the relationship among the political parties within the political system.

In the country, a multi-party system or a mono-party system in a multi-party state there are baned to be ruling party and opposition party.

An effective opposition party will check the ruling party of excesses which are usually by product of any government in power. We power corrupt and absolute power, corrupt absolutely.

On the other hand, if the country is a mono-party state, the political system will likely breed despotism i.e. a one man rule.

Closely related to issue of political process. Among the state which political process always bring out, for instance political party always highlight the disadvantage of the people between a state and how the political process can allocate resources to such a state i.e. in Nigeria. In such a way bargaining can take place in-order to rectified the imbalances within the structures.

Finally the degree of linguistic of cultural homogeneity within a state unit also affect the character of the state in terms of allocation of personnel who will manage the affairs of the state, for instance in Nigeria every state is divided into three (3) sectorial districts people within the sectorial district are in the bid to capture the political and administrative power of that state.

CONSTITUTION

Constitution is a very important document in any political system. It normally guides the relationship within and outside governmental apparatus. There are different types of constitution, and this to a very large extent determine a relationship in any political system.

A constitution can be unitary, federal or con-federal (confederation), A unitary system of government usually have a penchant for a strong centre, with a weak units. In variably, the centre will dictate relationships within the units.

In a federal constitution it is usually assume that every units are equal and co-ordinate; where as in a con-federal system, every units is granted autonomy and can decided to stay or opt out of the relationship. Therefore, the constitution of a political system determines the type of IGR that will evolve overtime. Again, the act of parliament (has made by government) give a source to IGR because many of the attitudes and the position of the citizens in a country may not have been envisaged by the constitution all the time. Therefore the act of parliament can make new announcement which could be binding on every citizen.

Another way the act of parliament can advocate or expunge an offensive plus in the constitution which in variably will affect the IGR.

THE TYPOLOGY OF IGR IN FEDERATION

This refers to the different type of relationship that may emerge overtime, in a federal system of government.

The following IGR has been identify.

- Nation-State Relations
- Nation-State-Local Relations
- Inter-State Relations
- State- Local Relations
- Inter Local Relations
- National- Local Relations

NATION-STATE RELATIONS

In the state nation relation the IGR is determine by the constitution that binds the federal and state government together, in Nigeria first republic. All the regional government have their own constitution separate from the federal constitution and as every one of their have a co-ordinate and see them selves as equal partners in the Nigeria project.

The relationship in the nation state IGR is not that of superior subordinate type of relationship. It is one of quality. However, at different level of hierarchy but in area were the two level can operate contently, there is a conception to the national interest by stipulating that incase of conflict the center will have the pre dominate the federal power on the long run usually prevail in the nation state relation.

NATION-STATE-LOCAL RELATION

The second style on IGR is usually the virtue in the literatures as Nation state lately relation. This usually take place when the federal government decide to relate to local government through the instrumentality of the state of regional government. It is strange in a constitutional system of government for the federal government to relate directly to the local government with going through the state government. This is the type of relationship that was created after the 1976 local government reform by the federal constitution which was enacted in 1979 otherwise known as 1979 constitution which usher in the democracy of Nigeria Second Republic. The federal government by the constitution was empower to give 10% of its revenue to the local government.

NATIONAL-LOCAL RELATIONS

Refers to relationship between federal and local government.

Accidentally, the Nigeria constitution does not provide for a direct relationship between the federal the local government.

The first time when local government the attention of the local government was with aspect to the local government reform of 1976 and subsequently it was includes in the 1989 constitution which we never used and lastly, the 1999 constitution. Even then these constitution, do not permit the federal government to deal directly with the local government has to be channeled through and state government

THE INTER-STATE RELATION:

As the name implies is relationship between two or more state within the federation the state do not need to be contiguous and relationship may not necessarily be described by law. In the ease of Nigeria since independent inter-state relation as been determined mainly by;

1. By ethnic situation of the state (composition)
2. The political party alignment
3. The nature and mode of nation of the state.

STATE-LOCAL GOVERNMENT RELATIONS IN NIGERIA FEDERATION

It is a relationship between superior and subordinate bodies. Reason is because Local Government to some extent are creation of a state government.

Since they are created by act of parliament of the state government, they are often impacted by such act, for instance. It is not possible to create an agency that is more powerful than his creator.

The first thing is that there is a legal relationship between the state and local government. The legal relationship stipulate primacy of the state government over the local government. It also state that the state government can take primitive action against the local government. And therefore, if the local government contravene the act setting it up, the state government can make such act.

There is also an Administrative relationship which further perpetrate the subordinate relationship of the local government to the state. For example, the annual budget of the local government must be submitted to the ministry of the local government for approval and no money can be expended until the state government approve such estimate.

INTER-LOCAL RELATIONS IN NIGERIA

This is define as the relationship between or among the local government that constitute the totality of the number of local government within that state.

In all state of the federation, state are always organize it local government in such a way that they meet at least once in a month or 3 month e.g. there is the issue of state local government joint account, there certain resources of local are painter joint project in the state. Such among may be paid in tearing the road that joint one local government and another, refuse disposal or common services that will be beneficiary to all the local government. Because of this joint account project, inter local government relation in NI seems to be symmetrical i.e. the inter-local government relationship in Nigeria is use to be symmetrical, harmony etc

Inter Government Fiscal Relation

Is about how they allocate resources among the government which are

1. The federal
2. State
3. Local

- Fiscal relation is very important issues in ay federal system of government fiscal relation determines the way the machinery of government operate a different level the issues of fiscal relation is usually determine through major issues or is centered around the variables.

PRICIPLES GUIDING ADMINISTRATION AND REVENUE ALLOCATION

Taxation is not new in the world, all known human civilizations have engaged in taxation at different times.

In the federal system there are principles that guide revenue allocation.

- ❑ The constitution must define which level of government has the right to tax certain items in the overall economic interest of the nation.
- ❑ The second principle is that revenue should be share to guarantee adequately and stability in every level of government.
- ❑ The skill for revenue and far allocation should enhance overall money financial resources available to that government i.e. No government out should tax what he can not control.