

Under Reconstruction: Ethnicity, Ethnic Nationalism, and the Future of the Nigerian State

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Introduction: A Sketch of the Context

Nigeria transited from military authoritarianism to civil rule on 29 May, 1999. Since this date, the country has been bedevilled by all forms of protracted conflicts. Many innocent citizens have lost their lives and properties worth millions of dollars have equally been destroyed. These conflicts, that are now threatening the stability, national cohesion, and survival of the multiethnic Nigerian post-colony, have taken a definite pattern. They are now being championed by the various ethnic militant movements that are agitating for social justice, regional autonomy, and their own significant slice of the proceeds from the country's resources¹. Undoubtedly, Nigeria is blessed with stupendous human and material resources, but ironically, it has become the bastion of inequitable state policies, poverty-ridden, etc., where ethnicity has pervaded every facet of its life. In a nutshell, these conflicts are function of social frustrations of the disadvantaged ethnic groups arising from failed expectations of government to deliver their basic socio-economic needs.

This research explores the primacy of ethnicity, ethnic nationalism, and enters into critical discussions on the activities of the various ethnic movements to examine their implications for Nigeria's survival. First, what are the historical roles of ethnicity in Nigeria? Second, what account for the upsurge in the activities of ethnic movements in the pre- and post-29 May, 1999 Nigeria? Third, what are the structural problems within the 'defective' Nigerian federation that are now compelling various ethnic minorities to violence with the aim of achieving their goals of de-marginalisation? Fourth, are the activities of the ethnic militias the bane to the corporate existence of Nigeria or contribute to the vibrancy of its democratic politics?

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¹ For further readings on the interface of ethnicity, politics and conflicts see generally: *Otite Onigu*, Ethnic Pluralism, Ethnicity, and Ethnic Conflicts in Nigeria, 2000; *Nnoli Okwudiba*, Ethnicity and Development in Nigeria, 1995; *Eghosa Osaghae*, "The Ogoni Uprising: Oil Politics, Minority Agitation and the Future of the Federal State", *African Affairs*, 94, 1995; *Eghosa Osaghae*, "Managing Multiple Minority Problems in Nigeria", *Journal of Modern African Studies*, vol. 36, no. 1, 1998; *Donald C. Williams*, "Accommodation in the Midst of Crisis?: Assessing Governance in Nigeria", in *Goran Hyden / Michael Bratton* (eds), *Governance and Politics in Africa*, 1992; *David Turton*, *War and Ethnicity: Global Connections and Local Violence*, 1997.

To fathom the import of ethnicity, and the impacts of ethnic nationalism/organisations on Nigeria and democratic processes, it is imperative to enter into discursions on the significance of ethnicity in Nigeria's political history. This is fundamental for three reasons. First, by probing the historicity of ethnicity in politics, we stand on a better platform of discovering the historical abuse [or otherwise] of the concept from the inception of the country and how this is manifested in the subsequent transitions of power between the same group of autocrats – whether in civilian or military uniforms. Second, a firm grasp of the centrality of ethnicity in politics provides adequate basis for us to appreciate the issue of marginalisation as one of the antecedents to the collapse of the country's socio-political order. It is apparent that in Nigeria the state is at the centre of these crises for its non-representativeness and non-responsive to all sections of the population²; implying that, the Nigerian government and popular interests are diametrically opposed. This is true considering the situation in the volatile Niger Delta [ND] region that has become one of the hotbeds of ethnic agitations in recent years. Third, the marginalisation of ethnic minorities is a function of the inherent lapses in Nigerian federation, thereby promoting ethnic consciousness in all facets of the state's life³. Thus, ethnic movements serve the interests of de-marginalisation of different ethnic nationalities, as well as ethnic politicking in the context of democratisation.

1. Ethnicity: what is it?

Before I venture into elaborating the key arguments of this paper, it is necessary to do some exercise in concepts clarification. First, *ethnicity*, a social phenomenon, is a function of the existence of a multiplicity of 'ethnic groups' as it describes in-group/out-group relations. Hence, Osaghae⁴ defines ethnicity as "individual or group behaviours based on ethnic group differentiation, usually in a competitive situation." To really understand ethnicity and its potency in Nigeria, we must, first of, all define 'an ethnic group' and find answers to the reasons why such identity/ethnic loyalty become fundamental bases of individual and group behaviours. Ethnic groups may be defined as categories of peoples characterised by cultural criteria of symbols including language, value system, and normative behaviour, and whose members are anchored in a particular part of the new state territory⁵. Other scholars⁶ gave

² *Isiaka Alani Badmus*, "What Went Wrong With Africa?: On the Etiology of Sustaining Disarticulation of the African Nation-State", VRÜ 39 (2006), p. 270.

³ See *Isiaka Alani Badmus*, "Retired Military Officers in Politics and the Future of Democracy in Nigeria", *Africa Insight*, vol. 35, no. 3, 2005; *Eghosa Osaghae*, "Ethnic Minorities and Federalism in Nigeria", *African Affairs*, vol. 90, no. 359, 1991; *T. Rotimi Suberu*, *Ethnic Minority Conflicts and Governance in Nigeria*, 1996, p. xi-xiii.

⁴ *Eghosa Osaghae*, "Ethnicity in Africa or African Ethnicity: The Search for Contextual Understanding", in *U. Himmelstrand et al (eds.)*, *Development Themes in an African Perspective*, p. 138.

⁵ See *Otite*, 2000 (see fn 1), p. 10.

an explicit definition that sees an ethnic group as “consists of people who conceive of themselves as being of a kind. They are united by emotional bonds and concerned with the preservation of their type. With very few exceptions, they speak the same language...and they have a common cultural heritage.”

One thread that runs through the above definitions is that an ethnic group has both objective and subjective aspects. In objective terms, some scholars⁷ see an ethnic group as having a collective proper name; a myth of common ancestry; shared historical memories; one or more differentiating elements of a common culture; association with a specific homeland; etc. As sound as these elements are, it is important to note that, while they are necessary, they are not sufficient to define an ethnic group because, as Osaghae⁸ argued, it is basically behaviour-oriented and dynamic rather than static. In subjective terms, an ethnic group is said to exist when its members define and see themselves as such in their relation with ‘outsiders’ who also recognise the group of identity. Thus, the subjective sense of common identity is almost developed only in the context involving relationships among two or more ethnic groups. Apparently, the subjective nature of ethnic group signifies the imperative of ethnic consciousness in defining it, and suggests that, ‘to borrow the words of a class analysis, an ethnic group is one which has transformed from being an ethnic group in-itself to an ethnic group for-itself;⁹ or from ethnic ‘awareness’ to ethnic ‘consciousness’.¹⁰

These definitions do not deny the existence of contextual differences in characterising ethnic groups in various societies. Osaghae¹¹ utilises the definition offered by two American sociologists to explain this scenario. An ethnic group is, according to Theodorson and Theodorson¹², “a group with a common cultural tradition and a sense of identity which exist as a *sub-group* of a large society”. This definition unmasks the fact that in the American context, an ethnic group is nothing more than a minority group. If that is the case, the poser then becomes: what are the defining elements of ethnicity in Africa? In Africa, scholars agreed on both the potency of language and the myth of common descent. Doubtless, these two instruments support the fact that many ethnic groups of the contemporary era are ‘new’ creations which owned a lot to the ‘ethnicising’ process of getting each of them together. Certainly, language and myths were the principal instruments utilised in the

⁶ T. Shibutani / K.M. Kwan, *Ethnic Stratification: A Comparative Approach*, 1965, p. 47.

⁷ Otite, 2000 (see fn 1); Clifford Geertz, *The Interpretation of Cultures: Selected Essays*, 1973, p. 263; Adele Jinadu, *Confronting the ‘Gods’ of Ethnicity*. Ibadan: CEPACS Occasional Paper, No. 1, 2003.

⁸ Osaghae (see fn 4).

⁹ Nnoli, 1978, Op-cit, p. 7, cited in Osaghae, *Ibid*.

¹⁰ A. Gidden, *The Class Structure of the Advanced Societies*, 1973, p. 111, cited in Osaghae (see fn 4).

¹¹ Osaghae (see fn 4).

¹² G.Theodorson/ A. Theodorson, *A Modern Dictionary of Sociology*, 1969.

process. Furthermore, in a situation where language was insufficient to galvanise ethnic solidarities, it is usually combined with the myth of common descent. This myth was fundamental even before colonialism and was vital to the unity that existed among the pre-colonial groups. In a nutshell, in contextualising an ethnic group in Africa, all-encompassing definitions should recognise the specific nature of ethnicity which is not a static, all-pervading, ever-present phenomenon. Instead, it is dynamic and intermittent, and its salience is often situational. Expectedly, delving into the situational character of ethnicity raises the issue of ethnogenesis; meaning the etiology of ethnicity and enquires into its whys and hows. Since several scholars subscribe to different schools of thought on the issue of ethnogenesis, at the risk of banality, we shall broadly analyse their works under two perspectives: the Involuntary/Non-rational, and the Voluntary-Instrumentalist perspectives

1.1. The involuntary / non-rational Perspective

This is the *natural* thesis that sees ethnicity in psychologically reductionist prismatic lenses. Central to this approach is the position that ethnic identity is natural and not something that individual rationally decides to assume. Thus, individual is choiceless in matter relating to it because it is an unchanging legacy of one's birth. In this respect, Geertz¹³ sees ethnicity as one of the 'givens' of life, which flows "more from a sense of natural – some would say spiritual – affinity than from social interaction." In the non-rational perspective, two variants are extant. First, some pundits¹⁴ see ethnicity as the natural state of an underdeveloped society which modernisation is capable of withering away consequent on the incorporation/inclusion into a national culture, and replaced by more 'rational' identities like class. Melson and Wolpe and other scholars¹⁵, in contrast to the first variant argue that, rather than quitting, modernisation oftentimes heightens ethnicity/ethnic conflict. Thus, ethnicity, rather than being a sign of underdevelopment, is a natural, no-choice identity that is everlasting and permanent to each and every one and which his biological existence bestows as a resource in his interaction with other people¹⁶.

Involuntary/Non-rational approach has been flawed on three grounds. First, its emphasis on the naturalness of ethnicity is misleading, because it fails to recognise its dynamism

¹³ See Clifford Geertz, (ed.), *Old Societies and New States: The Quest for Modernity on Asia and Africa*, 1963, p. 110.

¹⁴ M.R Doornbos, "Some Conceptual Problems Confronting Ethnicity Integration Analysis", *Civilization*, vol. 22, no. 2, 1972; P.Gutkind, "Preface: The Passing of Tribal Man in Africa", *Journal of Asian and African Studies*, vol. 5, nos. 1 and 2, 1970

¹⁵ R. Melson./ H. Wolpe, "Modernisation and the Politics of Communalism: A Theoretical Perspective", *American Political Science Review*, vol. 64, no. 4, 1970; A. Cohen (ed.), *Urban Ethnicity*, 1974.

¹⁶ E. Shils, "Colour, the Universal Intellectual Community and the Afro-Asian Intellectual", *Daedalus*, vol. XCVI, 1967.

and account adequately for its potency in one society and irrelevancy in other situation. Second, it overromanticised its naturalness thesis to the extent of overlooking the socio-economic and political environments of ethnicity. This mistake is costly in that it diminishes its academic soundness because ethnicity depends on social forces and impulses. Third, while credit must be given to scholars that follow this approach on their recognition that ethnicity is a permanent form of moral obligation to one's fellow ethnic, Osaghae cautions that "it overlooks the fact that many individuals have a relatively weak and diffused loyalty that imposes no particular obligation to help one's kin." All the same, the perspective is useful because it sees ethnicity as an adaptive mechanism in the alienating milieu which attends the process of social change.

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¹⁷ See C. Geertz, (above fn 13), p. 110.

¹⁸ M.R. Doornbos (see fn 14); P. Gutkind (see fn 14).

¹⁹ R. Melson, / H. Wolpe (see fn 15).

²⁰ E. Shils (see fn 16).

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2. The historical context of the problems of ethnicity in colonial and post-independence Nigeria

2.1. The Pre-Independence Period, 1914 – 1959

Most African states are multi-ethnolinguistic societies where both the 'major' and 'minor' ethnicities are locked-up in a protracted competition for the control of state power, larger access to scarce resources at the expense of others. In this kind of society, inter-ethnic showdowns are expected especially from the deprived ethnic nationalities, and if not properly checked, the Hobbesian state of nature will definitely ensue. Nigeria is one of the countries that typify the picture painted above. The potency of ethnicity in Nigeria can only be meaningfully understood within the context of interrogating the entrance of ethnic consciousness in the society and the country's attempt at independence.

Nigeria was and still is a project rather than a reality. This project eventually became one entity in 1914 due to the amalgamation of the then Northern and Southern protectorates by the British colonialists. Certainly, the amalgamation impacted, *either positively or negatively*, on the country's future because the colonial administrators relied heavily on force to subdue the local populace in furthering their interests. Consequent on the threatening image of the colonial state, the indigenous people were compelled to look for assistance in the traditional solidarity groups, ethnic/national groups; that ultimately became the nucleus of resistance to colonialism. Furthermore, the urban centres that are supposed to be the melting-pot of parochial identities failed to achieve this objective because colonial rule was recreating traditional solidarity groups and ethnocentrism²¹.

Thus, the colonial rule was self-centred at the expense of their hosts while the political economy of the state was purely designed to serve the interests of the metropolis for little/no attention was paid to the indigenous people's social welfare. The insensitivity to the people's welfare was evidenced in the rapidity at which urban associations of people from the same rural background was spawned in the colonial cities. Because most of these associations provided rudimentary forms of social welfare system to their members, these associations overrode the state as the primary focus of political allegiance.

Expectedly, this self-centredness revived ethnic consciousness in the indigenous people which, by extension, survived colonial rule. The colonial state's failure to command the much needed allegiance of their host exposed the system to chaos. Resultantly, ethnic consciousness metamorphosed into political consciousness, because ethnic/urban associations were able to provide the required leadership to the rural dwellers and above all, political enlightenment. The point is that the arbitrary nature of colonial rule brought forth

²¹ Claude Ake, *The Feasibility of Democracy in Africa*, 2000, p. 98.

nation-wide solidarity among the indigenous people to confront oppression and its machinery. Interestingly, these associations provided the platform for nationalist activities in the country as the first nationalist movement to oppose colonialism was a product of ethnic associations/mass organisations. In spite of the plural character of the Nigerian society, the Nigeria National Council [NNC] which was at the vanguard of resistance to colonialism was seen as Nigerian voice since it drew its supporters across the country. But, despite the potency of the NNC as obstacle to colonialism, it failed to withstand the British pressure. This is because the glue that held the nationalists together was eventually fractured with the adoption of the Lyleton Constitution of 1954 that officially laid the foundation of ‘federalism’ in Nigeria’s political history. Thus, Nigeria became a federation of three regions—North, West, and East—with North bigger than the remaining two regions combined. According to Suberu²², the “obvious and increasingly vociferous victims of this regional arrangement were the diverse minority groups which comprised roughly about 1/3 of the population of each of the three regions ... Fearing or alleging political domination and socio-economic discrimination under the tripartite regional system, these minority groups embarked on a vigorous campaign for new regions or states in which their minority status could be substantially ameliorated, or completely eliminated.” With this ‘federalist’ constitution, residual power was vested in the regional government under leadership of regional Premier, who was the leader of the majority party in the regional legislature. Consequently, ethnicity became politicised because the then nationalist leaders – Alhaji Ahmadu Bello, the leader of Northern People’s Congress [NPC], Dr. Nnamdi Azikiwe of the National Council of Nigerian Citizens [NCNC], and Chief Obafemi Awolowo, leader of the Action Group [AG] – saw, considered, and paraded themselves as regional leaders to champion ethnic causes and opted for power in the region instead of remaining in the central government which was still under British colonialism. In the ensuing election, the ethnicisation of politics became apparent with the three political parties winning decisively in their respective regions.

The foregoing developments contextualised the upsurge of ethnonationalism as a prelude to Nigeria’s independence in 1960. Adumbratedly, the 1954 constitution puts in place arrangement that is very adversative to a federal system of government in the real sense of it. Why? This is because the Northern region was bigger than the other two regions combined. Worse still, within each region, there were ethnic minorities that contested the arrangement because, despite the fact that the constitution expanded the scope of electoral politics and the gradual transfer of powers, the dominant political parties represented dominant ethnic interests within the federating regions, and that those outside these ethnic blocs, but subject nonetheless to the regional governments, would be at a serious political and economic disadvantage²³. Thus, minorities within each region saw themselves wallowing in

²² Suberu (see fn 3), p. 17.

²³ Mustapha Abdul Raufu, “Transformation of Minority Identities in Post-Colonial Nigeria”, in Jega Attahiru (Eds.), *Identity Transformation and Identity Politics under Structural Adjustment in*

the problem of, and akin to a majoritarian dictatorship whereby majority interests held sway, and minorities had no say. This situation must have prompted Mustapha's conclusion that minority identity developed, not necessarily as a question of number or cultural differences, but as recognition of their 'powerlessness' in the face of ethnicised electoral politics²⁴. This development compelled the Secretary of State for the Colonies to set up Henry Willinck Commission of Inquiry in 1956 to establish the genuineness of minorities' fears. Though, the Commission ascertained the fear of ethnic minorities, confirmed the backwardness of the region concerned, their neglect, and the genuineness of their agitations, the Commission was convinced that the problems' solutions lie in the political process rather than states creation. On state creation, the Commission opined that the new states would not eliminate the minority problems, instead would put heavy administrative and financial cost on the emerging federation and would perpetuate separatist sentiments that 'might otherwise disappear'²⁵. Instead, it recommended 10 years of human and industrial developments. Also, it recommended, "the constitutional entrenchment of bill of rights and the creation of a special Commission to address the peculiar environment problems of the Niger Delta minorities, and hoped that the emergence of national political parties after independence would help to allay the fears of the minorities"²⁶. Furthermore, it proposed the establishment of minority areas in Benin and Calabar provinces; the protection of non-Muslim minorities in the North via the implementation of legal reform; the creation of a national nay regionalised police force, etc.

Although, most of the minority groups demanded for a more balanced federation by securing their rights, increased access to political participation and power, and their demand for local autonomy, they still supported the continuation of the Nigerian federation. The agitation and activities of the minorities contributed to the vibrancy of democracy in Nigeria for increased in the level of political consciousness that resulted in the formation of political parties that started challenging the majority political parties in their respective regions. The multiplicity of political parties, laudable as it was, became not only problematic but also, a curse on the country as Nigeria became polarised along ethno-cultural cleavages. Political leaders were locked up in protracted struggles that, ultimately, exposed the concealed structural weaknesses of the country's federalism. These leaders were much more interested in protecting their respective power bases instead of finding solutions to the inherent structural deficiencies within the federation so as to rise above particularistic interests. The failure of finding solution to the lingering Nigeria's political crisis graduated to the 1959 federal elections that were expected to usher Nigeria to independence.

Nigeria. Uppsala and Kano: NAI and the CRD, 2000, p. 87

²⁴ Kalu, A. Kelechi, "Constitutionalism in Nigeria: A Conceptual Analysis of Ethnicity and Politics", *West Africa Review*, Issue 6, 2004, p. 9. Emphasis in the original.

²⁵ *Ibid.*, p. 58.

²⁶ Eghosa Osaghae, *Crippled Giant: Nigeria since Independence*, 2002, p. 10.

The elections were marred by the problem of ethnicity because no single party was able to have majority vote to rule the country. The results were: NPC 134, NCNC 89, AG 73, while the remaining 16 seats went to the independent candidates²⁷. These results confirmed the assertion that these parties were regionally based; thereby relying on ethnic supports from their respective region. At this point, ethnicity was seen by the elite as the basis of their electoral support, while the electorates themselves favoured politicians from their ethnic stock. What became pathetic was that since no party was strong enough to form the government at the centre; hence the federal government was formed by the NPC/NCNC coalition, while the AG became the opposition party. Under the Westminster Parliamentary democracy, Dr. Azikwe, the leader of the NCNC became the President, while Alhaji Tafawa Balewa, the deputy leader of the NPC, was the head of government and Prime Minister. Sooner or later, the NPC/NCNC coalition government collapsed due to a plethora of ethnically loaded issues, and the lust for power that saw the frictions between the two parties on the one hand, and between the federal government and the opposition party. In a nutshell, the crisis that followed the 1959 Federal elections prepared the breeding ground for conflict in the post-independence Nigeria.

2.2. *The Post-Independence Period, 1960 – 1999*

As already noted, politics in the Nigeria's pre-independence period was hindered by the negative utilisation of ethnicity. Politics became an elite game and luxury to the masses. These 'illiterate' masses became pawns in the elite game of politics. The major test for the federal government was the crisis that hit the opposition AG, the party that has been a torn in the flesh of the NPC/NCNC coalition since 1959 elections. The Western regional crisis provided the much awaited opportunity for the federal government to finally deal with the party. The AG crisis centred on the different political views, and personality conflict between the party leader, Chief Awolowo and his deputy, Chief Samuel Akintola. The crisis' root can be located within the context of the mode of coexistence of the AG with other parties, that is, on what strategy the AG should adopt to maintain itself and possibly expand its influence. While Awolowo wanted to spread the party's tentacles across the federation, Akintola's thought was on the contrary. In Akintola's opinion, it would be advantageous for the AG to limit its operations and consolidate on its regional base, without attempting to challenge its rivals in their own zones of influence because this would guarantee the AG a home base from which it could work out an acceptable *modus operandi*. These opposing ideologies were later 'exported' to the Regional House of Assembly where pandemonium ensued. Unsurprisingly, the State of Emergency was declared with the suspension of the Western regional government and the appointment of a Sole Administrator with unlimited powers; while the party leadership including Awolowo were arrested, charged for felony, and finally jailed. Consequently, the machinery for the dismemberment

²⁷ Billy Dudley, *An Introduction to Nigerian Government and Politics*, 1982, p. 61.

of its political domain through the creation of a new state was quickly set in motion. In the face of this persecution, members of the embattled party defected *en masse*; its strength in the Federal House of Representatives fell rapidly from 73 to 13. Evidently, the implications of the Regional crisis on Nigerian politics were that after ruthlessly routing the AG and gaining seven additional seats at the House of Representatives, (thus earning an absolute majority in the legislature), the NPC grew in confidence. However, this crisis and the growing confidence of the NPC precipitated a great deal of tension between the coalition partners that portends the inevitability of confrontation. The Western regional crisis led to the split of the AG. Akintola and his supporters decamped and formed the United People's Party [UPP] which eventually aligned with the NCNC and became the regional Premier. The implication of this was that, the AG became the opposition party in its own base and became a shadow of itself with the carving out of the Mid-West region from the Western Region in 1963. This political situation was too severe for the party.

Beyond the Western regional crisis, the years between 1962 and 1966 were so tensed in Nigerian politics for the succession of crises that centred on ethnicity. The population census of 1962-1963 boiled the polity. It should be recalled that the basis for the Northern dominations of Nigeria was the census. Understandably, the figures were vital for resource distribution to the regions and revenue allocation. Thus, it became a political weapon and subjected to manipulations. The crisis ensued when the South rejected the results for alleged manipulations. The census figures released in July 1962 gave the North a "30% population increase from 17.3 million to 22.5 million; that of the East increased by 71% and that of the Western region by 70%"²⁸. The fury that greeted the census from the South necessitated another census in 1963, the results of which were not much different from the previous one. Expectedly, the new results were equally rejected by the South as Southerners believed it would reinforce northern domination. The crisis was the 1964 General Elections. Ethnicity was brought to the fore during the campaign as the whole exercise was reduced to anarchy. Consequent on the crisis that marred the elections, animosity ensued between the leadership of the NPC and the NCNC. Consequently, Azikiwe refused Balewa to form the government. In the deadlock, going by Ake's words, "*ethnic antipathies* grew to alarming proportions, and civil war and political disintegration looked increasingly likely." This charged atmosphere, coupled with the 1965 Western House of Assembly elections crisis dealt a final blow to Nigeria's First Republic as the country experienced its first military coup on 15 January 1966 with Major General Aguiyi Ironsi as the new Head of State.²⁹

²⁸ S.A. Aluko, "How Many Nigerians?: An Analysis of Nigeria's Census Problems, 1901-63", *Journal of Modern African Studies*, vol. 3, no. 3, 1965.

²⁹ On the 1965 election crisis in the West, see: *Dudley*, *Instability and Political Order: Politics and Crisis in Nigeria*, 1973; *Larry Diamond*, *Class, Ethnicity and Democracy in Nigeria: The Failure of the First Republic*, 1988; *Ikime Obaro*, *The Fall of Nigeria*, 1977; *A.H.M. Kirk-Greene*, *Crisis and Conflict in Nigeria*, 2 volumes, 1971.

Military intervention compounded the already charged ethnic politics of the epoch, because the coup was believed to be ethnically inspired by the North for the loss of officers it suffered. This led to a counter coup in July of the same year. The July coup was perceived as ethnocide against Igbo residents in the North, a mass exodus of Igbo from the North to the South began in earnest, signaling the disintegration of Nigeria. The two coups apparently put Nigeria on the bushpath to self destruction that, ultimately, culminated in civil war in 1967. One important area of focus on the 13 years of the military rule [1966-1979] is how the military leadership were able to manage political ethnicity. Undeniably, the military era, especially the post July 1966 period witnessed a new military-bureaucratic partnership and healthy majority-minority relations that eventually saw ethnic minority groups in important positions in government. The General Yakubu Gowon military government³⁰ catered for minorities' interests of which he himself was a member. It is to Gowon's credit that he replaced the regionalised Nigerian federation with a 12 state system in 1967 comprising 6 states each in the Northern and Southern regions of Nigeria. The state creation solved two problems, albeit tentatively. The first, being the division of Northern Nigeria into several states. The military satisfied some ethnic minorities of Northern region's demands for their own state and secondly, the alleged Southern anxiety about the disproportionate size of the North. Furthermore, In order to sustain the commitment of the minority communities in the Eastern Region to federal unity on the one hand, and to undermine support for the Igbo-led secessionist bid, the creation of Rivers and South East states was a strategic move. Hence, the primary rationale for the state creation exercise was to liberate the minorities from the regional stranglehold of the ethnic majority groups, it also satisfied sub-ethnic agitations for statehood status within the majority groups.

The succeeding military regime of Generals Murtala Muhammed and Olusegun Obasanjo intensified efforts on the federal territorial evolution and reorganisations with the creation of additional 7 states in 1976. Thus, Nigeria became a federation of 19 states in 1976 divided into 12 ethnic majority states against only 7 minority states.

Despite these achievements, the nature of military rule became its achilles heel since it was characterised by authoritarianism, with established command structure. The concentration of power coupled with the absence of legitimacy of military rule called into question the position of the minorities. The lack of accountability on the part of the military further widened ethnic cleavage. Thus, emphasis was place on power as the minority groups worked for the reversal of the *status quo*. This was the situation during the 1976 state creation as the Murtala/Obasanjo regime turned a deaf ear to Ayo Irikefe recommendations for further division of the Southeastern state into two. Instead, the Yoruba small states of Lagos and Ogun continued to exist as two separate states contrary to Irikefe's recommendations³¹. Though military doused ethnic tensions, but it failed to suppress ethnic con-

³⁰ See J. Isawa Elaigwu, Gowon: The Bibliography of a Soldier – Statesman. Ibadan, 1986.

³¹ *Federal Republic of Nigeria*, Federal Military Government Views on the Report of the Panel on Creation of States, 1976.

sciousness among the populace. Ake opines that the military failed to halt ethnic consciousness partly because of its blockage to democracy. Contrarily due to the coercive ecumenism of military rule and its arbitrary power people were generally alienated from the state and cleave to traditional solidarities. Due to its organisation, the military was unable to employ negotiated consensus, nor could it mediate pluralism. Rather it accentuated the divisive potentials of social pluralism³².

Military rule did not succeed in transcending the Nigeria beyond political ethnicity, which became the hallmark of the Second Republic [1979-1983]. Ethnic consciousness/solidarity fed into partisan politics as the five political parties were ethnic-based. The scenario foreshadowed the rebirth of the First Republic parties. The National Party of Nigeria [NPN] was the offshoot of the NPC; the Unity Party of Nigeria [UPN]-a product of the AG- became the Yoruba party in the West; the Nigerian People's Party [NPP] had Igbo as the majority. The two other parties were the Great Nigerian People's Party [GNPP] and the People's Redemption Party [PRP]. Noteworthy is the fact that the GNPP was the amalgamation of the various ethnic minorities in the North, Middle Belt and East, while the PRP was the reincarnation of the old NEPU of the First Republic. Apart from the country's ethnic problem, corruption among government officials, general poverty, and opposition to the administration thereby finally signalled the collapse of the Shehu Shagari led government through a coup. Thus, the Second Republic is generally categorised as an unmitigated failure.

Not only did military rule fail to stem ethnic consciousness/solidarity, its authoritarian nature provided the much awaited opportunities for the populace to oppose it which, eventually, provided the nucleus around which oppositions were mounted. I submit that, the impact of military rule on Nigeria's politics is a double-edge sword as it failed the post colonial state in the curbing political ethnicity as well as offering Nigerians the opportunity to see beyond various forms of identities in politics. Ake³³, contends that, the main contribution that the military made to the political development of Nigeria could well be said to be their addiction to, and their poor performance while in power. This precipitated strong antipathies for military rule and strong demand for democracy. Consequently, Nigerians shifted their attention from religious, nationalist/ethnic solidarity and focused on ending military rule.

The above situation can be better explained within the context of the June 12, 1993 presidential elections that marred the ill-fated Third Republic [1987-1993]. For the first time Nigerians, irrespective of their background, rose above parochialism in politics because of two fundamental reasons. First, the two parties put forward by the federal military government [FMG], the Social Democratic Party [SDP] and the National Republican Convention [NRC] were not only established by, but equally financed by the FMG. The

³² Ake (see fn 21), p. 105; *David Jemibewon*, *A Combatant in Government*, 1978, pp. 11-17.

³³ Ake (see fn 21).

rationales behind the creation of these grassroots' parties were to provide a turn around for Nigerians and to transcend the old lines of cleavages. Moreover, the limitation of the number of party to two actually paid off since it curtailed the primacy of ethnicity in politics, especially during the transition period. This is because Nigerians rose above sentiments, and voted for candidates based on merit, programmes, credibility, and abilities. Second, apart from the fact that the two parties presented Muslims as their presidential candidates, the SDP moved a little bit ahead to have a Muslim-Muslim coalition/ticket where both the presidential candidate [Chief Moshood Abiola] and his vice [Baba Gana Kingibe] were all Muslims. Political life became de-ethnicised as the majority of the North rallied round the SDP by voting massively for Abiola, a Yoruba Muslim from South-West Nigeria. The story was the same in the East where the populations are Christians. Interestingly, for the first time in Nigeria, Christians voted massively not only for Muslim but for a party that had Muslims as presidential candidate and vice. This appears incredible since by conventional expectations and political behaviour, it would have been unthinkable to have a Muslim – Muslim ticket because in a country in which religion differences are highly politically charged, it would be courting certain defeat. Despite the normalcy that went with the elections, the General Babangida led FMG annulled the election that was widely believed to have been won by Abiola³⁴. With this annulment, the FMG repealed the Transition to Civil Rule Decree No. 13, and suspended the National Electoral Commission [NEC]. The annulment was widely interpreted as a calculated attempt to sideline the Southerners from the corridor of power by the Hausa/Fulani ethnic groups. This has serious implications, not only for democracy but also for future regional and ethnic relations.

The 'alleged' Southern marginalisation by the North relapsed Nigeria into the 'son of the soil' syndrome. In this situation, popular rage was so bitter, while widespread civil unrests became a way of life in the Southwest. Thus, political ethnicity fanned the fire of hatred, and the already existing cleavages widened. The transfer of power by Babangida to the Interim National Government [ING] led by Chief Ernest Shonekan, a Yoruba, did absolutely nothing to avert the danger posed by political ethnicity. The ING's inability to win the loyalty of the populace provided a fertile ground for General Sani Abacha who was the Secretary for Defence in the ING to take over in a bloodless coup of 17 November, 1993. Copying Babangida, Abacha manipulated the political space in different ways. First, he abolished all democratic institutions and fundamental rights were curtailed. Second, from co-opting some members of the democracy movements to the idea of Constitutional Conference [CC] as against the Sovereign National Conference [SNC] of all ethnic nationalities with the intention of remedying the structural defects of the country's federalism via the production of a new constitution, opposition to military rule skyrocketed. This is because the idea of CC was interpreted an attempt for prolongation of military rule. Resis-

³⁴ See *Julius Ihonvbere*, "The Military and Nigerian Society: The Abacha Coup and the Crisis of Democratisation in Nigeria", in: *Eboe Hutchful Abdoulaye Bathily* (eds.), *The Military and Militarism in Africa*, 1998.

tance to Authoritarianism served as unifying factor for various ethnicities at the epoch because the junta became repressive and eventually re-militarised the space. The political situation became dissatisfying to elites, civil society groups, etc which apparently sealed Nigerians hope of de-annulment of Abiola's mandate. The military were able to contain oppositions by the application of force: assassinations, arrest of political opponents, etc that reached its zenith with the arrest and subsequent detention of Abiola on charge of treason when he declared himself President. Abacha's scheme for self-succession suffered severe blow from democracy movements that made the country ungovernable for the junta. Amid this situation, on 8 June, 1998 Abacha suddenly died while the mantle of the country's leadership fell on Abdulsalami Abubakar, a General of northern extraction.

The new regime was quick enough to realise the mistakes of the past military regimes and its grave consequences on Nigeria. The first step to resolve the political gridlock was to launch a '*sincere*' transition programme of which the most fascinating aspect was its ethnic dimensions. The presidential candidates of the three political parties, the People's Democratic Party [PDP], the All People's Party [APP] and the Alliance for Democracy [AD] were all Yoruba. The PDP, widely regarded as the party of the military had a retired General and former head of state, Obasanjo as its candidate, while APP/AD coalition fielded a consensus candidate, Chief Olu Falae, erstwhile Secretary to the FMG. This arrangement was widely believed to pacify the Yoruba who suffered humiliation brought about by the June 12 crisis and the death of Abiola in detention. The PDP's victory saw the emergence of Obasanjo as the new president of Nigeria's Fourth Republic which was inaugurated on 29 May, 1999.

3. The Nigerian post-colony, ethnic nationalism, and the crisis of governance

From our discussions, it is apparent that the Nigerian post-colony is characterised by all forms of fissiparous tendencies. The overall implications of these have been unmitigated inter-ethnic rivalries, animosities and hostilities among the federating regions that are detrimental to the proper functioning of Nigeria³⁵. The basic problems of Nigeria are multi-layered in nature. From the time when it was proclaimed a federation, the country has been wallowing in the problematic of what can be apparently described as '*malfunctioning federalism*'. Ever since this period, according to Omeje,³⁶ "all subsequent post-independent (sic!) constitutions have in their preliminary and substantive provisions reiterated the principle of federalism as a core principle of state structure. Successive regimes, both military and civilian, have all reaffirmed this commitment including its defining parameters of equitable sharing power and resources between the centre and the relatively autonomous,

³⁵ E. Anugwon, "The Military Ethnicity and Democracy in Nigeria", *Journal of Social Development*, vol. 16, no. 2, 2001, p. 94.

³⁶ Kenneth Omeje, "The State, Conflict and Evolving Politics in the Niger Delta, Nigeria", *Review of African Political Economy*, 2004, p. 425.

federating, sub-national governments. But in reality, the post-colonial centre has progressively sequestered, disempowered and de-authorised the sub-national space, creating a centripetal structure based on a top-bottom dikat and tokenism.” Omeje’s analysis aptly captures the basis of Nigeria’s dialectical contradiction that often repeats proclivity towards conflicts; that is the issue of marginalisation³⁷. This contradiction in the Nigerian federalism provided the breeding grounds for ethnic identity politics to thrive, thus challenging its survival.

At the heart of this crisis is fiscal federalism that defined how different ethnicities have access to the country’s wealth. The disenchantment of the ethnic minorities with the centralised federal state over the national question is deep-seated. National question has essentially been adjudged as having to do with ordering the relations between the different ethno-linguistic groupings. To the intent that each group may have same rights and privileges, access to power and equitable share of national resources. Consequently, access to national wealth and the quest for justice in the distribution of resources trigger a crisis of ‘confidence and thrust’ between the ‘major’ ethnicities and the ‘minority’ ethnic formations with high degree of intensity in the oil-producing ND. This is evidenced in the flare-points of the ND people which include, but not limited to, access to oil revenues and adequate compensation for damages to their ecosystem and environmental despoliation, and a halt to federal hegemony of ‘oil power’ and alleged domination by the major ethnicities. Certainly, successive governments have been trying to address the issue of marginalisation so as to assuage the fear of minorities. The government responses to the ethnic minorities’ problems ranged from redistributive, reorganisation and/or regulative or repressive in nature. In his analysis, Suberu³⁸ identified three official responses to the agitations of ethnic minority. These are: *Redistributive Policies*. This involve minor adjustments in federal revenue sharing meant to take care of the ‘the strident claims of oil-producing communities to a significant proportion of economic resources obtained from their localities; *Reorganisation Policies*. Involving creation of new units of constituent, federally-funded, state and local authorities. This in response to demands for autonomy participation and decentralisation. *Regulatory/Repressive Policies*. In response to the failure of the initial policies, the Nigerian state has come to employ more and more regulatory or repressive measures. These include: banning of ethnic minority associations; detention, arbitrary conviction and/or imprisonment of outspoken elite, violent suppression of protests/demonstrations by ethnic minority agitations for autonomy; as a seditious or treasonable offence punishable with death penalty. These approaches merely compound a profound crisis of state legitimacy and governance in Nigeria. Suberu’s analysis of the state responses and their consequences on ethnic situations and the country’s governance can be better appreciated by looking *in extenso* at the plight of the small homogenous Ogoni people of the ND and their agitation

³⁷ Ajayi Ade, “The National Question in Historical Perspective” Text of the Fifth Guardian Newspaper Lecture delivered at NIIA, Lagos, November 4, 1992.

³⁸ Suberu (see fn 3), p. xii.

through their popular social movement: the Movement for the Survival of Ogoni People [MOSOP]. MOSOP forms an interesting case of ethnic organisation that is fighting perceived marginalisation.

3.1. *Fiscal Federalism, Ethnic Minorities Agitations and the Deepening Crisis of Governance: The Ogoni Uprising*

3.1.1. Prologue to a Conflict: Oil, Poverty, and Governance in the Niger Delta

The Nigeria's ND covers an area of 70,000 square kilometres, half of which is wetland. The wetland area, often regarded as Africa's largest, is made up of 36,000 square kilometres of marshland, creeks, lagoons, etc and rich in fauna and fluvial resources with high biodiversity. Harbouring Nigeria's crude oil reserves to the tune of 33 billion barrels and 160 trillion cu.ft. of natural gas reserves [2003 figures], the ND is the heart of Nigeria's oil industry. This fact also makes it the driving force behind the country's economy. The Nigeria's oil industry commenced with the discovery of oil deposits by the Anglo-Dutch group, Shell D'Archy, in commercial quantities near the small ND community of Oloibiri in 1956. From those humble beginnings, oil production has grown to dominate Nigeria's economy and the fiscal basis of the state. The dominance of oil sector of Nigeria's economy was strengthened by global increases in the oil price during the 1970s. Thus, from \$250 million in 1970, Nigeria's oil production was increased to \$11.2 billion in 1974³⁹. It is estimated that from oil production alone, Nigeria generated about \$300 billion between 1970 and 2000. This apparently amounts to 96% of the country's foreign earnings⁴⁰. While other sectors have withered away to 'comparative irrelevance', Nigeria's net oil revenues stood at \$45.1 billion in 2005 and were predict to rise to \$52.7 billion in 2006.

The foregoing statistics portray a better scenario for the Nigerian state and its people. While many observers believe that Nigeria would rank among richest countries in the world, ironically, it is among the world's poorest countries. The statistics for July 2006 show that over 70% Nigerians lived in abject poverty, surviving on \$1 or even less on daily basis. This is because most of the country's population has gotten remarkable little in return for all the wealth Nigeria has produced. Much of this wealth have either been squandered or stolen by those in government.

The situation in the ND is even more appalling. In this respect, Human Rights Watch reported that 'the grinding poverty that afflict the populations of Nigeria's main oil – producing states throws Nigeria's fundamental inequities and its failure to realise the basic human rights of Nigerians into a sharp relief.' ND is one of Nigeria's least developed. With the highest infant mortality rate, the 2006 UNDP Report stated that the ND was unlikely to

³⁹ *International Crisis Group*, "Nigeria: Want in the Midst of Plenty", Africa Report No. 113, July 19, 2006, p. 7.

⁴⁰ *Charles Soludo / Okonjo-Iweala Ngozi / Muhtar Mansur*, *The Debt Trap in Nigeria: Towards a Sustainable Debt Strategy*, Africa World Press, 2003, p. 1.

meet any of the Millennium Development Goal targets, other than school enrolment, by 2015 'or anytime soon after.' The region is now entangled in deepening crisis of environmental apocalypse, conditioned by the impacts of a poorly regulated oil industry/production. The network of pipelines that interlace the ND's maze of creeks and swampy terrain records hundreds of oil spills that often destroy the ND's environment. Oil spillage and gas flaring are the two greatest environmental problems connected with oil exploitation in Nigeria. Flaring gas has produced one of the best-known symbols of the Delta's problems in the controlled infernos that light up the night sky for miles around them. Oil production has negatively affected the cultural and socio-economic activities of these people. It has affected the delicate balance between man, land, and water. Presently, the region is occupied by 9 States, Rivers, Abia, Ondo, Bayelsa, Cross River, Edo, Imo, Akwa-Ibom, and Delta, and many ethnic formations such as the Ogoni, Ijaw, Kalabari, Urhobo, Itsekiri, etc form its sociological configuration with various organisations agitating for self determination.

3.1.2. A Rising Tide of Discontent of the Ogoni Ethnic Nationality

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⁴¹ *International Crisis Group*, (see fn 39), p. 7.

⁴² *Charles Soludo* pp., (see fn. 40)., p. 1.

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3.2. *Ethnicity, ethnic nationalism and the Nigeria's fourth republic*

With the return of democracy in May 1999, ethnicity has become a recurring factor in Nigeria's politicking and serves as a major threat to state survival. This is true considering the alarming dimensions that ethnic militias' agitations for either self-determination or fair treatment by the central state are taking. One needs to appreciate the fact that ethnic animosity, as I discussed above, predated the Nigerian state but the intensity of identity politics and spasmodic ethnic conflicts in post-transition Nigeria made some scholars to suggest that the reappearance of ethnicity is the effect of democracy creating a 'vent' for the previously contained dissatisfaction accumulated under military rule by different ethnic nationalities. While this line of thinking is logical, however, relying on this argument in totality is problematic because linking ethnic confrontation so closely to the 'vent' created by democracy obscures the fact that many of these conflicts predate the democratisation process especially as some of the post-military ethnic conflicts are simple continuations of confrontations that had become manifest even under the military⁴³. Mustapha's argument is

⁴³ Mustapha Abdul Raufu, "Ethnicity and the Politics of Democratisation in Nigeria: Structures, Transformations and Processes." Paper presented at the Workshop on: Ethnicity and Democracy in Africa held at Queen's University, Kingston, Ontario, Canada, 2000.

rational because of the nature and dynamics of the various ethnic movements and vigilante groups of the Fourth Republic of which the O'odua People's Congress [OPC], the Niger Delta People Volunteers Force [NDPVF], Arewa People's Congress [APC], the Movement for the Actualisation of the Sovereign State of Biafra [MASSOB], the Ijaw Youth Movement [IYM], Egbesu Boys of Africa [EBA], the Movement for the Emancipation of the Niger Delta [MEND], are prominent. It is germane to state that some of these organisations fit more as vigilante groups. Finally, a brief review of the origins, philosophies, and activities of the most prominent movements will help our understanding of their existence in Nigeria.

The OPC, the ethnic movement that caters for the Yoruba people's interests, represents their (Yoruba's) disenchantment with the military and perceived Hausa/Fulani hegemony. Its emergence was a response to the annulled 1993 elections. This annulment was regarded as affront on the 'Yoruba nation' by the identity constructed around Hausa/Fulani and relying on its demographic advantage in the armed forces. In the words of its leader, Frederick Fasehun, the OPC is, "agitating the marginalisation of the Yoruba, to defend, to protect and to promote their socio-cultural aspect, and also fight for justice for all."⁴⁴ The emergence of the movement became imperative after it has been ascertained by the Yoruba political elites and the radical youths that "military rule was not sufficient to help the Yoruba nation develop its full capacity in all the areas of national life. By its nature, military rule was not sufficiently representative of the diverse interests and needs of the people. The argument is that, almost always, the sentiments of geography, tribe and religion will connive to make it difficult for all the different people to have equal access to the offices and wealth of the nation."⁴⁵ Though the OPC was not, *prima facie*, conceptualised to be ethnic militant group rather it was intended to serve as a rallying point for the Yoruba in a nationalistic revival for self-protection and growth. It, thus, emerged to vehemently resist the systematic stultification of the Yoruba. Since the inauguration of the Fourth Republic, the organisation has purely redefined its roles in the polity by relaxing its political role and concentrates more on maintenance of law and order (vigilante duties), since one of their own (Obasanjo) is the President of the country. However, the 'alleged' persecution of perceived enemies by the OPC members is poisoning the relationship between the group and security agents.

The Southeastern part Nigeria is not left out of ethnic militancy where MASSOB has been clamouring for the de-marginalisation of the Igbo and to achieve regional autonomy. MASSOB, a socio-political group represents the Igbo nation's secessionist ambitions. Its leader Ralph Uwazuruike has vowed to actualise the Biafra dream that failed during the Nigerian civil war [1967-1970]. Biafra, contends Uwazuruike, "failed because of our violent approach, but this time around, we do not want any casualty, yet we are more deter-

⁴⁴ Africa Today, vol. 6, no. 2, February 2000.

⁴⁵ The Guardian, (Lagos), Sunday, 6 November, 2005.

mined than ever to have our independent Biafra.”⁴⁶ Contrastingly, MASSOB approach has been confrontational in nature. Its activities are regarded as threats to Nigeria’s existence; this has led to frequent clashes between its members and the Nigeria Police Force with negative consequences. Attempt to launch the Biafra state in Aba, a town in South-East Nigeria in May 2000, resulted in bloody clashes between the police and MASSOB leading to destruction of properties and death, and arrest of the MASSOB leaders, who are undeterred from continuing with their separatist agitation. To underscore MASSOB’s resolute desire to actualise its dream, it now has a national Igbo holiday, while Biafra national currency was in circulation for a while.

EBA is the militant wing of the Ijaw nation in the South-South geopolitical zone. Open neglect, continual exploitation of their oil wealth by the oil companies, deprivation and environmental/ecological degradation of their area led to its formation. Since then, EBA has been engaging the federal government and oil companies in violent exchanges in the difficult terrain of multi-channeled creeks and swamps in the ND. This was the situation before the federal government deployed troops (in operation HAKURI II) to erase Odi from the face of the earth on 8 November 1999 – when Egbesu Boys allegedly killed several policemen. At the end of the two days operation, over 2000 lay dead, while thousands were forced to flee their homes⁴⁷. The Odi massacre reveals the growing tendency of oilification of extra-oil conflict in the ND. This is because official justification for ‘Operation HAKURI II’ was to safeguard against threat to oil by the Odi gang. The ‘Operation HAKURI II’, according to the former Defence Minister, General Danjuma, was initiated with the mandate of protecting lives and property – particularly oil platforms, flow stations, operation rig terminals and pipeline, refineries and power installations.⁴⁸ Contrastingly, it is contended in many quarters that the Odi incident is episodic of the larger ethnic Ijaw-State confrontation. However, in spite of the state military intervention, the Ijaws have continued to aspire to regional autonomy from the inequitable Nigerian federalism as they resist government suppressions. Presently, the former leader of EBA, Asari Dokubo, is now leading the NDPVF to promote and protect the interests of the Ijaws. The group’s major demand is the actualisation of the famous KAIAMA Declaration which sought to establish Ijaw’s sovereignty over its natural resources. The NDPVF regards the Obasanjo administration as Ijaw’s enemy for the president’s insensitivity to the marginalisation met on Ijaw’s nation. The group is notorious for conducting periodic raids on oil installations. This has brought constant showdown between the State, and Dokubo and his paladins. *In addendum*, NDPVF had demanded for the convocation of SNC where the contentious issues of self determination and resource control would be discussed. Also, NDPVF has

⁴⁶ Akintunde Muyiwa, “Can the Centre Hold?” *Africa Today*, vol. 6, no.2, February 2000

⁴⁷ *Environmental Rights Action*, A Blanket of Silence: Images of the Odi Genocide. Benin/Lagos/Port Harcourt, Environmental Rights Action, 2002, p. 7.

⁴⁸ I.O. Albert, The Odi Massacre of 1999 in the Context of the Graffiti left by the Invading Nigerian Army. Ibadan, PEFS Monograph, New Series, no. 1, 2003.

insisted on the abrogation of all laws that deprive people the right to their resources and an end to the oil companies' environmental degradation of the ND.

The emergence of the APC was widely believed to have been spurred by the formation and activities of the OPC. Thus, in operation, it acts as a counterforce against what is regarded as the Yoruba's irredentism/expansionism. The APC has youth of northern extraction, which are easily recruitable among the *Almajiris*, the underprivileged, that are easily amenable to manipulation by unscrupulous political elite. The youth dimension of this organisation is true because poverty and unemployment, especially amongst the youth, are significant factors in causing and facilitating violent conflicts. Such harsh economic conditions breed frustration and aggression. Since both the rural and urban areas of Nigeria abound with youth under such conditions, little motivation and mobilisation is needed to engage them in riots, and reprisal attacks, especially, when these usually go with the 'opportunity' to loot.

The defence of various ethnic interests has, on many occasions, brought the OPC and the APC into open confrontations with negative consequences. Another thrilling aspect of the APC is its agitation for the Islamic legal system (Sharia) in the North. Apart from the inter-ethnic conflicts, the advent of democracy also witnesses the upsurge in intra-communal conflicts apparently aided by ethnic movements of which the clashes between the Yoruba of Ife and Modakeke; between Jukun and Takun; among the Urhobos, Ijaws and the Itsekiri; the Aguleri/Umuleri are prominent.

From the analysis, it is frightening that the activities of the various ethnic social movements have increased the vibrancy of democratic politics in Nigeria because it has forced the demands of the various ethnic nationalities [especially minorities] on the national agenda. Though, it is plausible to argue that while their activities have increased the vibrancy of politics, it has equally been threats to the survival of Nigeria. One needs to add, *in passing*, that the incessant conflicts and agitations especially under the Fourth Republic suggest that minority demands/interests have not been *properly* put on national agenda of democratisation even though the present government has not been lacking in this respect. Then steps by the Obasanjo administration to cater for different ethnic demands constitute our major task in the next section.

4. Reconstructing the Nigerian post-colony: the Obasanjo administration's roadmap to a conflict free Nigeria

Since May 1999, the present Obasanjo has embarked on several measures to address the issue of ethnic agitations for a 'conflict-free' Nigerian state. These measures are multi-layered but I will discuss some of them and their shortcomings.

4.1. The Oil-Bearing Ethnic Nationalities and the Niger Delta Quagmire

Prior to the Nigeria's Fourth Republic, previous governments had responded to the ND's volatile situation. Paradoxically, the management regime, institutional and policy measures

adopted especially under military rule, were 'perceived' collaborations with the forces of transterritorial extraction, to destroy the delta basin ecosystem.

First, with the dumping of toxic waste of Italian origin at Koko in Delta state, the Babangida-led government quickly responded by establishing the Federal Environmental Protection Agency [FEPA] by Decree 88 of 1988. FEPA was empowered to, amongst others, establish and prescribe national guidelines and standards for environmental management, and to control the movement of hazardous substances, and supervise and enforce compliance with environmental laws so that pollution can be prevented and controlled⁴⁹. Laudable as these goals are, it is contended that its terms of reference appeared too broad, hence, did little in modulating the ND's conflict dynamic. FEPA was to later mid-wife the establishment of a National Policy on Environment [NPE] in 1988 to enhance human environment, preserve the ecosystem and its biosphere, etc. However, for numerous reasons, all these measures failed to succeed in ameliorating the environmental-conflict nexus, thereby prompting the military government to announce the establishment, by Decree 23, of the Oil Minerals Producing Areas Development Commission [OMPADEC] on 10 July, 1992⁵⁰. OMPADEC was under the direct supervision of the presidency, its members were *appointed* by, and accountable to the presidency, while its came directly from the 3% derivation fund controlled by the federal government. Since OMPADEC members were government appointees, they were not truly representatives of the oil-bearing communities, thereby serving the federal bourgeoisies interests and its oil minority allies. Furthermore, corruption was brought forth with the embezzlement of contracts' fund, politicisation in contracts' awards, and above all, the Deltans were not part of the decision-making process of OMPADEC. All these made the Commission's effectiveness and impacts on the conditions of the ND hardly noticeable.

Since May 1999, there have been determined efforts by the Obasanjo's administration in resolving the festering conflicts of the delta. Immediately after his inauguration; Obasanjo visited the area to assess the situation and how to address the repression and exploitation that had driven the oil-bearing communities to the wall. Consequently, the Niger Delta Development Commission [NDDC] Bill was proposed and its passage led to its establishment. The NDDC is mandated to oversee the implementation of a comprehensive master plan for the development of the Delta region. The Commission is an *ad hoc* structure which is to facilitate development of the region by identifying and addressing the people's urgent needs as a complement to the states efforts and the Corporate Social Responsibility contributions of the oil companies. Interestingly, the NDDC has been able to record some successes compared to its predecessor. In terms of social infrastructural developments but all these, in the eyes of the oil-bearing minorities, are minute considering the

⁴⁹ A.A. Falomo, "Government's Action in Environmental Protection in Nigeria", in Akinjide Osuntokun (ed.), *Dimensions of Environmental Problems in Nigeria*, 1997, p. 103.

⁵⁰ *Federal Environmental Protection Agency, Transition to Sustainable Development in Nigeria*. Lagos, 1992, p. 24.

amount of oil that has been exploited from the area since 1956. Beside, the NDDC is plagued with difficulties. First, it is under-funded. Considering its huge assignments that spans 9 states and over 300 communities, lack of fund greatly limit its capacity. Some of the problem crippling the NDDC, include the placement of partisan politics before development agenda; oil companies' inadequate commitment to funding the NDDC; the state governments' inability to justify the money received in the last six years by making tangible impacts in their states. But for the aforementioned Odi and other episodes of spasmodic violence, the Obasanjo's led administration could have been credited with better performance experiences compared to its predecessors.

4.2. *The Human Rights Violations Investigation Commission*

One fundamental step taken by the Obasanjo's administration at its inception is the setting up, on 4 June 1999, of the Human Rights Violations Investigation Commission [HRVIC] popularly known as the Oputa Panel. The Commission was established to reconcile all ethnic nationalities consequent on the large scale human rights violations suffered between January 1966 and May 1999 in order to move the country forward. In spite of the good rationale behind its establishment, the reconciliatory process failed to achieve the stated goals for many reasons. First, most influential Nigerians, especially those who perpetrated human rights abuses, refused to appear before the Commission. Classic examples are Generals Babaginda and Abdulsalami Abubakar. Second, many Nigerians, especially relatives of those that lost their lives during military authoritarianism, were very skeptical about the fairness and credibility of the Panel because it was believed that nothing tangible will come out of it⁵¹. This attitude apparently shows the degree of bitterness of these people towards Nigeria. Furthermore, the death of Abiola is a deep wound in the minds of his Yoruba ethnic group that any gesture by the present civilian administration will find difficult to heal. Up till this moment and despite the fact that Chief Obasanjo is from their ethnic group, most Yoruba do not believe in the continued existence of Nigeria because of the humiliations suffered under the Babangida and Abacha regimes.

4.3. *The National Conference and Ethnic Militant Movements Question*

In order to damp down ethnic fires and make the centre hold, the Obasanjo administration inaugurated the National Political Reform Conference [NPRC] where the impact(s) of ethnic movements on Nigeria became a contentious issue. Since these movements 'allege' marginalisation of their ethnic nationalities by the central state, two thorny issues became fundamental to resolve the dangers posed by their actions: Resource Control/Derivation, and Rotational Presidency. Concerning the first, ethnic minorities of the South-South geopolitical zone demanded an increase from the present 13% to 25% of the derivation fund. Additionally, they demanded an agreement that another 25% can be added instalmentally at

⁵¹ J. Rowell et al, *The Next Gulf?: London, Washington, and the Oil Conflict in Nigeria*, 2005, p. 25.

the rate of 5% every year for the next 5 years, making the total 50%. This stiff oppositions, especially from the northern delegates who opposed what they regarded as the 'over ambition' of the South-South. At last the conference, having considered the environmental despoliation of oil exploration in the ND, recommended the following:

1. A clear affirmation of inherent rights of the people of the mineral producing area not to be mere spectators but to be involved by having assured places in the Federal Government mechanism for mining and marketing the resources;
2. There is a need to set up an expert Commission to study the issues involved in resource management, including revenue allocation and report within six months. The report would include how mineral resources can be best managed in the interest of the people and the country.
3. The Committee recommends an increase in derivation to 17% from the present 13%, with the 4% increase coming from the Federal Government allocation, and finally;
4. There should be a massive and urgent programme of development of resources of the ND by the Federal Government⁵².

Sadly, these recommendations were rejected by the South-South delegates, thus stalemating the conference.

The second thorny issue centred on the nature of both the President and Governors. The conference failed to reach consensus on the six-year single term for these officials. The agitation for six-year single term is widely believed to consent to the prolongation of Obasanjo presidency. While this agitation met stiff opposition from the majority of the delegates from all geo-political zones, the conference was, on this issue, successful for it espoused the position of the 1999 constitution that provides a term of four years for the President and Governors, including a possible re-election of an incumbent for another term of four years. On the issue of Rotational presidency, the conference recommended that the office of the president should rotate among the six geo-political zones. This should, however, be alternated between the North and the South. Furthermore, it was suggested that this provision, due to its emotive nature, should not be included in the constitution but should enjoy legal backing below the constitution. This provision shall also be extended to both state and local government levels. From the foregoing discussions, it is apparent that the NPRC has been counter-productive for further widening the rifts between the regions and ethnicities of the Nigerian federation.

4.4. *Ethnic Minorities, North-South Divide, and the Leadership Question*

Based on ethnicity, Nigeria is polarised along North-South divide. The race towards the 2007 presidential elections has become an issue that will first be tackled at the ethno-geographic level. Ethnic groups are at daggers drawn in their quest to produce the next presi-

⁵² See Sunday Vanguard (Lagos) 18 June, 2005, p. 11.

dent. The plural character of Nigeria is a ready ferment of ethnic conflicts. Ethnicity remains an asset in alliance formation, winning elections, and the control of state apparatuses. The countdown to the forthcoming general elections has again revealed the potency of ethnicity in politics. First, the Hausa/Fulani of the North, who are ensnared into squabbling over their inability to field a consensus candidate, are claiming it is their turn to rule. This position, which is allegedly based on a gentleman agreement on North/South rotation of the presidency of 1999, is now controversial. The North has threatened to go its own way if the presidency is not conceded to it. The quest for ruling at the Centre by the ND ethnic groups is more pronounced than ever. The chorus of marginalisation has become a rallying point and reveals the centrality of oil and the relevance of the ND. The South-eastern part claim to the presidency is rather uncoordinated and timid as intermittent trend to oppose power shift to the Southeast is apparently its only agenda. The South-West is for the moment out of the race since it would have ruled for eight consecutive years by 2007. The minority question remains largely unresolved and avoiding the issue will surely be counterproductive in the long run. This quagmire is convoluted by the presence and influence of a coterie of wealthy retired military officers. The Obasanjo led administration through the party in power, PDP, is attempting to douse this tension by making Jonathan Goodluck, a minority from the South-South the vice presidential candidate. Though the PDP Presidential Candidate, Umar Musa Yar'Adua is of the northern Hausa/Fulani origin, the position of vice president given the ethnic minorities is a positive step to heal the wound of marginalisation. If things work well for the PDP in the General elections, an ethnic minority from that zone will occupy, for the first time, the second position in Nigeria's political hierarchy. This may however not translate to an automatic representation of the party by Goodluck after Yar'Adua that is, if the aftermath of the Obasanjo-Atiku [the current vice president] personality clashes is anything to go by.

5. Conclusion and policy considerations

This study has discussed the imperatives of ethnicity, ethnic nationalism/ethnic movements, hence the emphasis on the impacts of ethnic militancy on the survival of Nigeria and the sustenance of its new democracy. Consequently, it did not fail to look at the effects of ethnicity on the political developments in historical context. The effects of ethnic politics, agitations, and conflicts on the post May 1999 Nigeria and government policies in assuaging the dissatisfying groups were also discussed.

From the foregoing analysis, it is observed that ethnicity is not a bane to democracy, but rather contributes to its vibrancy. Ethnicity becomes problematic when it is being used to achieve particularistic interests that are detrimental to state's interests. Undoubtedly, Nigeria is infected with the virus of political ethnicity accompanied with all the inauspicious and abhorrent outcomes that make its future looks 'uncertain'. To surmount ethnic problems and secure the future of Africa's largest democracy, Nigeria's 'defective' federalism has to be 'reinvented' to guarantee greater harmonious intra- and inter ethnic rela-

tions, social justice, and stability. Thus, the following measures/policy options need careful (re)considerations in order to achieve an integrative nation-state project, where all the restive ethnic nationalities will be pacified.

5.1. *Overconcentration of Power and Extreme Centralisation*

Quite obviously, both in structure and praxis, Nigerian federalism is wanton. One of its misleading features is the overconcentration of power and economic resources in the centre at the expense of the federating units. The overconcentration of power, over-reliance on oil revenues and absence of the practice of democratic decentralisation, has resulted in sapping the truly federalist institutions and values. The extreme centralisation of economic powers has equally led to the destructive competition for the control of power at the centre. For all intents and purposes, this misleading feature is detrimental to ethnic minorities because it has led to such “inauspicious and obnoxious outcomes as the erosion of the autonomy and security that genuinely federalists arrangements assure for minorities, the inordinate appropriation by the centre of the resources of the oil-rich Delta minority communities, and the direct and often counter-productive intervention of central authorities in those local and regional issues... that are best left to subnational authorities or communities.”⁵³

It is argued by some pundits that ethnic minorities thrive well and their rights best protected in a centralised federal structure, because a strong centralised state apparatuses often empower the federal government to intervene decisively in enforcing, or even preventing abuses of, minority rights at the subnational level. This view is based on Nigeria's experiences with the jettison of the centrifugal regional system by the Gowon military regime that helped to secure the autonomy of the country's ethnic minorities. But, it should be noted that excessive concentration of powers in the Centre can be counterproductive. In a nutshell, minority rights are best guaranteed and protected under a decentralised structure of federalism rather than under the hegemonic central state apparatuses.

5.2. *Politico-Economic Decentralisation*

In *addendum*, there is the need for the politico-economic decentralisation of Nigerian federal system in order to ensure that all the federating units have the opportunities and resources required for self-governance, and greater share of the resources exploited in their regions. Politico-economic decentralisation does not imply a call for any secessionist arrangement and other forms of fissiparous and divisive centrifugal tendencies. Instead, the de-concentration of powers in the central state/government would definitely translate to politico-economic empowerment of the weak federating units. The relaxation of the central state's tight control over oil revenues will definitely achieve this goal. Complementing this, mineral rents, should accrue directly to the oil producing communities involved, rather than to the central government. Furthermore, revenue sharing arrangements should not only

⁵³ Suberu (see fn 3), p. 67.

devolve greater resources to the sub-national authorities, but give greater weight to the principles of internal revenue generation effort and derivation in sharing revenues among these authorities. It is believed that this arrangement will ameliorate the friction between oil producing states/ethnic minorities and the federal government.

5.3. *Accommodative / Power-Sharing Strategies*

To promote ethnic justice, there is the need to devise 'appropriate/effective' power-sharing mechanisms and accommodative strategies. Although, attempts have not been lacking in this area as Nigeria is famous in the use of these mechanisms to enhance inter-ethnic inclusiveness in decision making processes. Policies such as 'Federal Character' principle', the 'Zoning' system that encourage the allocations or even rotation of political party posts among geo-political [ethnic] zones, etc are some of the strategies institutionalised by Nigeria to promote inter-ethnic representation in the composition of public agencies. Undoubtedly, the rationales behind these strategies are laudable since they often discourage sectional imbalance and bias in policy-making process. But, it is disheartening that the personalistic interests of the 'majority' ethnicities always work against the realisation of the stated objectives. For instance, the 'federal character' principle has always been relegated to the background in the distribution of resources and opportunities in favour of majority nationalities to the harm of ethnic minorities.

In the same vein, the 'zoning' arrangement also suffered similar setback for it is often used to reproduce and even further the hegemonic ambitions of the majority nationalities. While one is not discarding these strategies as vehicles of promoting inter-ethnic inclusiveness and harmonious relations, it is important to emphasise that their effectiveness need to be enhanced, while the tendencies of manipulation by the major nationalities be discouraged.

5.4. *The Imperatives of Mediatory Institutions and Adequate Compensation of the Minorities*

To stem ethnic violence/conflicts, minority groups' rights need to be guaranteed. One of the several regulatory institutions that can guarantee these rights is an independent judiciary. During military rule, the judiciary was a toothless dog as the state itself became the perpetrator of human rights abuses while the judiciary was unable to enforce human rights. The same went for the Press and the Police. Under Abacha, the roles of these mediatory institutions were severely circumscribed by inordinate political pressures or partisan obstruction or manipulation. In a truly democratic setting, an independent judiciary is a *sine qua non* for minority rights and federal democratic process protection. Furthermore, a stronger/independent judiciary will require a greater political commitment to the supremacy of the regular courts' system. Similarly, an efficient and reliable Police forces coupled with free Press are instrumental to the enforcement of the rule of law and deter arbitrary and unjust assaults on the rights of vulnerable social groups. Furthermore, adequate compensation of

the embittered ethnic nationalities is central to ethnic conflict resolutions. The FG needs to recognise of mineral-bearing ethnicities to control/utilise a 'significant' proportion of the wealth derived from their territories. And, the Deltans should be allowed to participate in the decision-making process that impacted on the oil companies activities operating in the delta basin.

Postscript: may/june 2008

At the time of completing this paper, INEC had conducted the General elections and finally announced Umar Musa Yar'Adua of the PDP as the winner of the Presidential election. The elections were very historic in Nigeria's political history because it was the first time that it experienced the transfer of power from an elected civilian administration to another. Paradoxically, the elections turned to be a disgrace to Nigeria as the exercises were marred by irregularities and condemned by Observer groups as fraudulent. Expectedly, the results announcement heated up the polity as violence ensued in different parts of the country. After a period of tension in which many people lost their lives, the Presidential candidates of the Action Congress [AC] and the All Nigerian People's Party [ANPP], Atiku Abubakar and Muhammadu Buhari respectively, agreed to challenge the results at the Election Petition Tribunal. Though, the Tribunal had upheld Yar'Adua's victory, the case is still in the Supreme court for hearing while Nigerians are eagerly waiting for the outcome of the exercise. Concerning the issue of ethnicity and ethnic violence, President Yar'Adua has started addressing this very seriously. The first sign of good things to come is the release of Asari Dokubo from detention. Also the president has summoned a conference on Niger Delta purposely to douse ethnic tensions and youth militancy. It is too early to assess the performance of the Yar'Adua's administration, but one thing is apparent: *Nigerians are watching.*

mediated settlements outside the courts, it accompanies and counsels clients in court cases, and it acts as a switch-point delegating clients to other institutions in a network of forums with partly overlapping jurisdictions. It is concluded that while paralegals are able to make some contributions towards improved access to justice in small cases and family disputes within and outside the courts, they are little powerful in the face of abounding corruption or cases involving powerful officials.

Under Reconstruction: Ethnicity, Ethnic Nationalism, and the Future of the Nigerian State

By *Isiaka Alani Badmus*, Lagos

This article, using a diachronic approach, advances the argument that a genuine national cohesion and the future of the Nigerian state cannot be fully guaranteed in the clear absence of addressing the inherent structural defects of the country's malfunctioning federalism. The Nigerian post-colony is, presently, confronted by the challenges pose by ethnicity/ethnic nationalism with negative consequences of political ethnicity, ethnic conflicts, etc. It is argued that the entrenchment of plural democracy has the capacity to address the lopsided policies of the central state that are at the peril of the weak federating states and most importantly, the oil-bearing ethnic minorities of Nigeria's Niger Delta. In *addendum*, the article argues and demonstrates that democracy in the real sense of has the potency of democratising the Nigerian nation-state; strengthening of mediatory and regulatory institutions; promoting intra-and inter- ethnic relations; etc. The agitations and activities of the oil-bearing ethnicities and various ethnic social movements of the Nigeria's Fourth Republic for autonomy and social justice were used to buttress this article's basic augments and concludes with the government's efforts in addressing Africa's most popular country's multilayered ethnic problems.

Transition to democracy and party bans, or: Why is there no party ban provision in the South African constitution?

By *Jörg Kemmerzell*, Darmstadt

The introduction or re-introduction of multi party systems in Sub-Saharan Africa between 1989 and 1994 has been widely accompanied by the fear, that the new institutional order might promote or award the politicisation of particularistic identities. This might be one reason for the heavy de jure and de facto restrictions of the activities of political parties in many African countries. At least 40 of 48 states in the region provide for the legal possibility of party bans. South Africa remains one of the few African countries that abstained from the adoption of party ban provisions. This seems remarkable not only because of the countries history of violent ethnic conflict, but also of the Apartheid system representing a