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Negotiating the Federal Accommodation: Minorities and the Issue of the National Question in Nigeria

Tunde Agara

Ethnic minority tensions and agitations in Nigeria are important features of the on-going struggle to resolve the “national question” through convening the Sovereign National Conference, all in a bid to dialogue and negotiate a true federal system that incorporates and accommodate the minorities within the federal system. This paper suggests that the minority issue in Nigeria is deeply rooted in the complex triad of pre-colonial, colonial and post-colonial historical and structural processes that have foisted and institutionalized the oppressive hegemony of the country’s three major ethnics over the minorities. To further illuminate this perspective, we have adopted Edward Azar’s Protracted Social Conflict (PSC) theory as both a theoretical and an explanatory tool. The minorities’ response to this inequality has move along the trajectory of protest, agitation to establishment of militias groups to argument for self-determination and now a call for negotiation. The official response has been redistributive (minor or token changes in the revenue sharing formula), reorganization (creation of more states/local governments), and repressive or regulative (leading to ban of political parties and other cultural organizations of the minorities). These intimidatory and repressive responses have only made more strident the minorities’ call for a negotiated federal system while questioning the legitimacy of the present systemic arrangement. It is in this regard that the present administration has decided to convene a national dialogue or national conference to discuss some of the issues involved. However, the different and sometimes conflicting agenda being floated as core issues by different groups and affiliations for discussion may inhibit or nullify the entire negotiation process and outcomes.

Introduction

Of all the former British colonies, only Ghana and South Africa have resisted the colonialist’s pressure to foist the federal system of government on them at independence. In the case of Nigeria, its acceptance of the federal format was necessitated by the amalgamation of former disparate ethnic nationalities by the colonial governor; Lord Lugard and the British insistence that it was only on this basis that the country could be granted the so-much-desired self-rule. The British insistence could have only been motivated by both Ghana’s and South Africa’s earlier refusal of federalism. Thus, Nigeria’s path to federalism merely posits one of the two ways scholars are in agreement about forming a federation, that is, either through imposition or coercion or through agreement or bargain reached by leaders of the federating state (Anderson, 2008; Duchacek, 1990; Riker; 1966.).

To historicize, federations have been formed all over the world in a series of historical wave in the last two centuries. The first of such wave, which started in the 18th century to early 20th century, saw the transition of former con-federal systems into federations. The

American brief experience at confederation from 1781 to 1789 became the first of such transition into a federation. The Swiss con-federal system also evolved into a federation in 1848 after a brief civil conflict. In Germany, a con-federal system also gave way to federalism with the first federal constitution emerging in 1871. The Canadian federalism evolved in 1867 from both devolution and coming together of its constituent units and Australian federation emerged in 1901. The second wave of federal formation came out of former authoritarian dictatorship states of Latin America. In the wake of the Peninsular War in the 19th century and early 20th century, four federations won their independence. In the last 20 years, the adoption of genuine democracy has led to a virile federal arrangement in Argentina, Brazil, and Mexico with Venezuela adopting a highly centralized federalism.

The third wave of federalism emerged with the break-up of former European and colonial empires and the independence of former colonies. India, Pakistan, Malaysia, and Nigeria constitute good examples of this period. However, the efforts of the colonialists to form federal systems out of countries in West Indies, Central Africa, French West Africa, and East Africa were not successful. Equally unsuccessful were similar attempts by the colonialists to impose federal arrangements on Indonesia, Mali, and Uganda. The process of decolonization gave birth to the federations of Belau, Comoros, Micronesia and St. Kitts and Nevis. The fourth and perhaps the most significant wave emerged from the ruins of the collapse of communism and the Soviet empire. Out of these ruins have emerged the Russian federation and Bosnia-Herzegovina out of Yugoslavia. Closely related to this is the fifth wave of federal systems that emerged from post-conflict environments. Prominent among these states are Ethiopia, which adopted federalism after the defeat of Mengistu's regime, Sudan as part of its comprehensive peace accord that ended its long civil war, Democratic Republic of Congo and Iraq. In the case of Sri Lanka and Cyprus, adoption of federalism was seen as a means to bring an end to internal conflict and division but this has not succeeded as expected. The latest entry is Nepal which is currently looking at the possibility of federalism after the end of the Maoist insurgency. The sixth and final wave of federalism involves former unitary states now adopting the federal format. A very clear example is Belgium that adopted a federal constitution in 1993, democratized and federalized post-Franco Spain, and post-apartheid South Africa that adopted federal system along the German lines. Italy, Indonesia, Peru, and even the United Kingdom have devolved substantial powers to regions without adopting federalism with Bolivia and the Philippines on the fringe of adopting federalism.

In spite of the swelling in the numbers of federal states, the number of failed federal systems is on the increase with Central African Federation, Rhodesia/Nyasaland, West Indies, Yugoslavia, Union of Soviet Socialist Republics, and Czechoslovakia prominent on the list. Among the Third World nations, India and Nigeria have had an enduring federal system. However, several reasons have been given for the failure of these countries to effectively manage the federal system among which domination by one or a few constituent units, authoritarianism, economic underdevelopment, and lack of constitutionalism featured as prominent reasons. In Nigeria, the near failure of the federal system had led to a civil war. A major concern now is that the persistent shortcoming of the federal system to accommodate ethnic minorities in Nigeria is throwing up a constellation of ethnic agitations and other problems which include agitation for self-determination, a call for a National Sovereign Conference, a debate on the National Question, and perhaps the most

important since it has the power to affect the continuing stability of the federal system, the emergence of ethnic militias set to enforce the various ethnic demands and protect their ethnic nationalities from marginalization.

Be that as it may, federalism has always been conceived as a means or formula for managing heterogeneity or diversity. Federalism is also recognized as a governmental format which provides political accommodation for diverse elements and peoples who are not homogeneous in terms of culture, language, origin and religion. As a concept, "federalism" does not enjoy a consensus of meaning among political scientists who had found the concept useful both as a descriptive and analytical tool. As a concept, it suffers from both a definitional and consensual crises. For example, Livingston (1952), McWhinney (1962), Erlich (1984), and Oyovbaire (1985) have argued that federalism is the product of political, economic, and social forces thus making the constitutional federal structure the dependent variable. Wheare (1967) has, on the other hand, stressed the preeminence of the federal form and by so doing, along with Riker (1966), made the constitution to be the independent variable and the social outcomes as the dependent consequences. Riker (1966) with Awa (1976) have yet stressed the imperative of political party system as a crucial federal variable while Reagan (1966), Elazar (1974), Bakvis (1981), Bird & Stauffer (2001) and Boadway & Shah (2007) have expressed the view that inter-governmental institutions are crucial for structuring political and social interactions within a federal system.

Despite this seemingly confusion about what federalism really is, scholars have found it very convenient to associate it with a political arrangement or system that recognizes power sharing between (at least) two levels of government (federal-state) as is the case in the United States or three levels of government (federal-state-local) as is the case in Nigeria. These levels of government have final authority in their respective spheres of jurisdictions. This is acceptable in theory but it is not so tidy in practice. However, the varieties of federal system which have emerged since its adoption would not have made a strict legal-constitutional federalist like Wheare (1967) or a bargain-induced federalist like Riker (1966) to classify them as such. It is perhaps with a view to resolving this that Osaghae (1997) has attempted to classify federal systems into categories of thoroughgoing federal government (that is operation of full-fledged federal constitutions that embody centralization and non-centralisation) and federalism without federal government, which has subsets of territorial decentralization/power sharing and non-territorial federal instrumentalities (notably pluralist unitary arrangements and elements of consociationalism and non-majoritarian democracy like executive power sharing or ethnic arithmetic formula, quota system, segmental autonomy). As Osaghae (2006) has noted, "the expansiveness and seemingly elasticity of the meanings and applications of federalism have (not only) complicated its definition" but has not also succeeded in diminishing its usefulness and adoption as a governmental or political format for managing diversity" (p.4).

The focus of this paper is to analyze the call for negotiation for an accommodation within the federal set-up and the refusal of which has often led to violent ethnic demand for self-determination fueled by the perceived indifference of the federal structure to the plights of the minority ethnic groups. The paper also focus on the different and often conflicting agendas that have been muted as germane and necessary for discussion if the Sovereign National Conference (SNC) is to be useful and successful. This implies that

parties at the SNC may already have a fixed mindset about the possible areas and trajectory of the discussion failing which the negotiation may not serve any useful purpose. The paper is divided into seven sections. The first section is the introduction which seeks to explain the context of the discussion in the fact that federal systems are generally seen as panacea for heterogeneity. The second section attempts to conceptualize two key words that also aid the focus of the paper. The third section investigates the phenomenon of ethnic minorities in general and specifically traces their evolution or emergence in Nigeria. Section four of this paper is the theoretical framework adopted while section five focuses on negotiation as a means of resolving the conflict. Section six looks at the content of the negotiation and the different agendas that have been set and finally we conclude.

Conceptualizing Political Accommodation and Nationalism

The concept of “political accommodation” implies that a federation is made up of different peoples or ethnic nationalities for which a federal system must provide political accommodation. In other words, these different ethnic nationalities that made up the federating states or units must be accommodated within a federal system while at the same time reconciling any possible differences and regulating all possible conflicts which may arise in the process of configuring or sharing power. Federalism as a political format therefore provides a framework for managing differences. Of course, this is not to imply that once a country is made up of diverse elements and peoples, such a country is divided, unstable politically, and difficult to manage. Rather, the extent to which any country shows these features will depend on; as Osaghae (2006) has noted,

the configuration of power, number and extent of equality or inequality among constituent groups, and why and how differences are mobilized and politicized to articulate grievances, seek redress and make contesting nationalist claims and demands including recognition and protection of identity (culture, language, religion), self-determination, and political autonomy, on the state and other groups within it. (p.5)

The possibility of political accommodation therefore depends on the medium or process by which these claims and demands are made on the political system. If the claims and demands were of such that make them irreconcilable or are processed through violence, political accommodation becomes almost impossible. This leaves us with the fact that political accommodation is only possible within a context where competing demands and claims by constituent groups are reconcilable and the various groups making up the federation are agreed to stay together.

All the extant literature on federalism recognized that out of many, three issues are crucial to any discussion of political accommodation. The first is the materialist or fiscal resource basis of political accommodation (Bird & Stauffer, 2001; Boadway & Shah, 2007). The problem generated with fiscal allocation is salient to every federal system particularly in a situation where not every federating unit is equally endowed with natural resources, where some units joined the union with the hope of reaping material benefits from the pooling of resources or especially, in a highly centralized federal system, where the national resources are controlled and monopolized by the center. A union emanating from a federal bargain negates the idea that rich units should get richer and poor units

poorer basically because this also negates the principle of political accommodation. A major problem of the federal arrangement is how to find solution to this problem without encouraging parasitism on the part of the poorer units and stultifying the development of the richer units. A corollary to this is the search for an equitable formula for sharing the resources of the nation. This becomes problematic basically because the federating units are not the same in terms of population, resources, land and spatial coverage and levels of development. Therefore the question that begs for an answer and which needs to be negotiated among the different ethnics that make up the federation is shall unequal groups within the federation be treated equally?

The second issue that plagues political accommodation is the way and manner demands are articulated by those who are aggrieved. Many options are opened to the articulators of these demands. They can adopt a peaceful, systemic, and judicial means or where these are perceived as ineffective, can adopt violent, non-systemic, un-conventional, and extra-judicial means. The choice of the means adopted is in part a function of the seriousness of the demands, the intended impact or urgency of the demands, and the perceived efficacy of the means in drawing government's attention to the demands so that government or its agency can act on time. However, the first method is seen as been the preferred mode of articulation since it fits into the democratic mode of articulating demands. This is why Lijphart (1985), Horowitz (1994) and Osaghae (1999, 2005) have variously seen democracy as *sine qua non* for political accommodation although they are also quick to point out that heterogeneous societies like federal systems require a peculiar blend of democracy that has been characterized as multiethnic, pluralist, and non-majoritarian.

In states with these types of characteristics, political parties become a major articulator of diverging demands. However, because of the natural tendency of the elite minority to hijack the political parties and use them as medium for articulating their own interests and demands impervious to the needs and aspirations of the non-elite majority, the issue of political accommodation within an heterogeneous societies should not be left entirely to market forces of free and fair election and open competition. As a matter of fact, other considerations should be brought in to complement and act as safeguards such as ethnic arithmetic formula, proportionality, quota system, preservation, empowerment rights, and constitutional protections. Where the state cannot guarantee that ethnic minorities will be heard, these do not have any option but rather automatically, resort to non-constitutional, non-systemic, and violent means of expressing their demands.

The third issue in political accommodation has to do with achieving a balance between national cohesion and the autonomy/self-determination of the federating units (Amoretti & Bermeo, 2004; Burgess, 2006). While most literature on federalism has concentrated on national cohesion, the experience of most African federal states have shown that this is a major issue and the overbearing nature of the central government has often led to separatist agitations by some of the richer units or those units who resent the central government's interference in what they term as their internal affairs. Rothchild (1999) has highlighted certain conditions under which, he opined, minority nationalists are more likely to cooperate with state elite and accept political accommodation frameworks:

1. demands are negotiable;
2. the state is responsive to legitimate demands;

3. the perceptions of state elite are pragmatic;
4. authentic representatives of the main ethnic groups are included in the decision-making processes; and
5. there are no hurtful or antagonistic political memories. (p.325)

Although since the beginning of civilization men have shown preferences and loyalty to specific places or traditions, nowhere is this more manifested than in federal systems. The inability of the federal system to amicably settle these three issues raised above have generated a feeling of marginalization and converted national loyalty to ethnic or primordial loyalty. The coterminous of nationalism with civilization has made scholars to see social modernization and nation-building as inseparable. Greenfeld (1992) has termed nationalism as the “constitutive of modernity” thereby seeing “modernity as defined by nationalism” (p.18). Kramer (1997) had conceived nationalism as reflecting “certain transitional, historical processes (e.g. changes in political institutions, economic systems and ideas about religion), but it also contributed decisively to the modernizing political, cultural, and social structure that helped to produce it” (p.527). The discussion of the historical evolution of nationalism from Western Europe till date is beyond the scope of this paper, but suffice it to say that literature that has done detailed narration of the evolution and development are many. Examples of some of them are Kohn (1944), Kramer (1997), Alter (1994), and Seton-Watson (1977).

However, a discerning characteristic of all extant literature on nationalism is the tendency to see it as a historical phenomenon; something that has evolved over time, rather than as a natural phenomenon of identification. However, both Kohn’s (1944) definition of nationalism as “a state of mind, an act of consciousness” and Alter’s (1994) definition of nationalism as “both an ideology and a political movement which holds the nation and sovereign nation-state to be crucial indwelling values, and which manages to mobilize the political will of a people or a large section of the population” connote that nationalism is a distinct type of ideology, a form of consciousness that shapes the political actions and cultural identities of individuals as well as groups. Coleman (1986) has defined nationalism as “the consciousness of belonging to a nation or a nationality, and a desire, as manifest in sentiment and activity, to secure or maintain its welfare, prosperity, and integrity and to maximize its political autonomy” (425). Nationalism implies a national sentiment be it political, economic, religious, or symbolic that unifies a people together and for which they are ready to sacrifice anything to sustain. This conception of nationalism introduces the primordial but broader issue of national identity which as Kramer (1997) has noted “depend on various dichotomies that define the nation in terms of its differences from other places or peoples” (p.526).

Implied within the notion of nationalism and nationalistic feelings is the consciousness of separateness, of being distinct and different from the other, a consciousness of “us” as against “them.” Nationalistic feeling reifies differences and extend the basis of these differences to dimensions that may often connote a feeling of superiority, a feeling and belief that one race, tribe, or ethnic group is superior and far better than the other. This “oppositional” perspective of nationalism and national identity has been described by Sahlins (1989) as “a socially constructed and continuous process of defining ‘friend’ and ‘enemy’ . . . National identities . . . do not depend on the existence of any objective linguistic or cultural differentiation but on the subjective experience of difference” (pp.

270-271). Sahlins (1989) therefore concludes that although something called national identity is “there”, he, nevertheless, insists that national consciousness is a “constructed” identity and therefore does not express or reflect a natural, primordial reality. Within a federal pluralist society filled with much sentiment of ethnic differences and more heterogeneous factors than homogeneous, ethnic consciousness, and differentiation becomes “natural” and is “real”. In cases where some set of people feel that they are marginalized and that the political arrangement and structure does not provide enough or sufficient political accommodation for them to feel they “belong”, primordial instinct of identifying with their “kind” kicks in and national loyalty is transferred to ethnic loyalty expressed through ethnic identification and nationalism. Thus, ethnic nationalism and identification becomes an intellectual response to the political, social, and cultural problems of integration and legitimacy.

The Phenomenon of Ethnic Minorities in Nigeria

A major issue in any academic consideration of “ethnic” or “ethnicity” is the criteria by which a social group is labeled as “ethnic.” However, in spite of the fact that many of what had been identified as “tribal/ethnic” entities by Western anthropologists had no empirical expression outside the mind of the ethnographer (Kuper 1988; Southall 1970), the convention has always been to see people thus classified as having a common culture. Thus, the International Criminal Tribunal for Rwanda (ICTR, 1998) in its report had defined an ethnic as “a group whose members share a common language or culture” (para. 513). However, some anthropologists like Barth (1969) have concluded that there is no relationship whatever between perceived social distinction and observable practices. So, in reality, since the so-called “ethnic” distinction does not correspond with any particular “objective” criteria as Ardener (1989, p. 111) had stated, then it is safe to conclude that “ethnic boundaries are between whoever people think they are between” (Fardon, 1987, p. 176). If we accept this, then we must equally conclude as Stanton (1989) had, that ethnic classifications are made or invented by us that “they are our product...abstractions away from the concrete reality of the world of persons” (p. 4).

However, the issue of culture which featured prominent in the definition of ethnic by the ICTR cannot be so easily dispensed off without some thought. The concept of culture began as part of the classificatory scheme that binds the concept of “race” with European colonialism and ideas of social evolution (Eltringham, 2004, p. 8). In virtually all the literature on anthropology, culture is associated and inextricably linked with social evolution. Thus, the Oxford English Dictionary does not see culture as that complex whole which includes knowledge, belief, art, morals, law, custom, and any other capabilities and habits acquired by man as a member of society but rather as improvement, intellectual development and the particular form, stage or type of intellectual development or civilization. It is in this respect that we agree with Eltringham (2004) that “a definition of ‘ethnic group’ that relies wholly on the criteria of ‘culture’ draws on a classificatory concept that shares epistemological roots with racism” (p. 9).

In Nigeria, ethnic minorities became an issue with the colonial division of the country into regions in the 1940s. Before this time, the Native Authority system of administration in practice then had been established under the principle of local jurisdiction which made the entire ethnic groups equal. The equalization effect of the ethnic groups was disrupted

by regionalization which therefore led to the emergence of a majority-minority group distinction. Apart from this, the so-called majority ethnic groups were actually formerly disparate and scattered people whose sole similarity or commonality were that they spoke similar language and share similar custom but were now integrated by regionalization. A good example of this were the different tribes which made up the Yoruba race but were administered as different entities under the Native Authority system and later integrated with the creation of the Western region. The other ethnic groups equally scattered amongst them but of less number or population naturally assumed the minority stigma. This is what had made Ekeh (1983) to argue that ethnic groups in contemporary Nigeria were actually “emergent social formations” which evolved under colonialism. The majority status of the Igbos and the Hausa-Fulani emerged under similar circumstances in both the Eastern and Northern regions respectively. Thus, as Osaghae (1991) had surmised,

Regionalization was the cradle of ethnic minority problems in Nigeria. The regions not only contained groups of unequal sizes, more importantly, also afforded the elites of the majority groups the opportunities for transforming their groups from groups-in-themselves to groups-for-themselves. They did this because it was clear to them that only groups which was preponderant could hope to control power in the regions and at the centre. It was the ethnic nationalism instigated by the elites in the majority groups, more than the mere fact of lumping together unequal groups that brought about the problem of minorities. (p. 239)

Coleman (1986:386) had earlier expressed similar sentiments when he stated that “the promotion of cultural nationalism among tribal and nationality group also led to political minority movements” in Nigeria (p. 386). Having become aware of the rather unlimited opportunities available to them to control and monopolize political power at both the regions and the center and at the expense of the other less numerical groups due to their numerical superiority, the majority groups were quick to organize themselves in order to maximize this opportunity. A way this was done was to form and rally their members under a cultural umbrella which further accentuated the phenomenon of “us” versus “them” mentality (Fardon, 1987, p. 170). Thus, in the West, the *Egbe Omo Oduduwa* became the rallying cultural group for the Yorubas, in the East, it was the Igbo State Union which later metamorphosed in to *Ndigbo* for the Igbos and the *Jammiyar Mutanen Arewa* for the predominant Hausa-Fulani in the North. The minority groups were slow in catching on to this tactics and organizing themselves along a similar cultural line. Rather, they aligned themselves to different majority groups, seeking political power and relevance under the umbrellas of the dominant majority group of their choice. Even then, this was not done collectively. The minority groups were further divided as to the group of choice to which to show allegiance.

A distinguishing feature of ethnic minority in Nigeria is their spatial dispersion within territories (regions and later states) dominated by the major three ethnic groups. The creation of the Western region, for example, which had a dominating Yoruba ethnic group also contained what Osaghae (1991, p. 239) had called a “periphery” minority group of the Mid-West, the Eastern region included within it the Calabar-Ogoja-Rivers minority groups, and the Northern region encompassed the middle belt, southern Zaria and Borno. The creation of the Mid-Western region out of the former Western region also incorporated a majority and a periphery minority groups. The majority group was made of Benin people with the Ishan, Itsekiri, and Urhobo becoming the periphery minority groups. One of the

considerations in state creation in Nigeria has always been to cater for the minority, to carve out a territory for them where they will feel “safe” and can control by themselves (Ekwewke, 1986). However, the creation of more states had not been able to provide this assurance, or foresee the “creation” of a special category of minorities, what Ekeh (1972, pp. 95-98) had called the “marginals”. The “marginals” are the “accidents” resulting from further states creation and boundaries adjustment. In the real sense of it, they are only marginal minorities because states creation and boundaries adjustment have cut them off from their larger ethnic majority group thereby making them minority in the new state. Examples of these marginals would include the Yoruba-speaking minority elements of Ilorin and Kabba in the Middle Belt, western Igbos in the Mid-West, and the Ijaws who were perpetually in the minority in most of the states along the Nigerian coast.

Today, with the 40-state federal structure and Abuja enjoying the status of a federal territory, the problems of the spreading or dispersion of the minorities within the states or enclaves controlled and dominated by the majority ethnic still persist. It is inconceivable that even where more states are created, this problem of having all ethnic within their own states can be solved. Rather, it may generate a further problem of some states becoming unviable because they cannot sustain themselves through internally generated revenues.

Although what constitutes the category labeled as ethnic minorities in Nigeria do not constitute a homogenous or unified group and are not in spatial congruity to each other; being widely dispersed over wide geographical areas and belonging to different ethnic groups, with different languages, culture, and religion. In spite of all these, a unified front or reaction to their collective fear of domination by the majority could be seen. Okpu (1977) had identified three forms of reactions by the minorities namely; the constitutional self-determination policy involving alliance with the ruling party in another region to agitate for a new state; the compromise policy of cooperation with the ruling party in the region usually through the latter’s coercion; and a non-constitutional self-determination policy with demands for separate states through riots, revolts and threats of secession (p. 118). Osaghae (1991) had limited these three to two, namely; formation of opposition groups and agitation for separate states to be created for them (p. 241).

In all the geopolitical zones in Nigeria where the minorities are located, they have always sought for political accommodation through being in and forming opposition parties to contest for elections and to articulate their minority views. Their *modus operandi* has always been to align themselves with the major party in rival regions which may be sympathetic to their cause. For instance, in the Northern region, the United Middle Belt Congress (UMBC) which represented the main minority group did aligned itself at various times with the NCNC in Eastern region and the Action Group (AG) in Western region to oppose the ruling and dominant majority group in the North, the NPC. In the Western region, it was the Benin-Delta group that was in the minority and their political front the Benin-Delta Peoples Party (BDPP) which later metamorphosed into the Mid-West State Movement (MSM) to agitate for the creation of a separate region distinct from the Western region, aligned with the NCNC to oppose the ruling majority party in the West, the AG. The Eastern region was not left out of this experience also. The UNIP aligned with AG against the majority dominated political party, the NCNC. In spite of their alliances with other political parties, the minorities were still denied direct access to power at both the regional and national levels. At best, they became electoral pawns in the hands of the

majority parties and acted as outlet for any party that desired in extending its political presence and reach outside of its immediate enclave or region.

The second way by which the minorities sought for political relevance and accommodation within a Nigerian federation that was for all practical purposes controlled by the majority ethnic groups was by agitating for their own separate states. Again, this opened up and made the minorities susceptible to further exploitation by the majority political parties because all they had to do to win the support of the minorities was to join them in agitating for creation of more states. The main demand of the minorities was for the creation of Mid-West, Calabar-Ogoja-Rivers, and Middle-belt states. In 1957, prior to independence, a minorities commission that was set up to look into the fears of the minorities and how to allay them did not think that creation of separate states was the way out. Rather, the commission was of the opinion that the solution to the minorities' problems was in constitutional safeguards and political actions and so did not recommend the creation of any new states. However, this situation was reversed with the military under General Gowon coming into power. In 1967, Gowon created 12 states to replace the formerly existing four region format. As Osaghae (1991) had reported, Gowon did this for two reasons: the first was to woo the minorities to the "federal" side in the eventual outbreak of a war and, in particular, by creating new states for the Eastern minorities, Gowon hoped to create divisions in the Eastern region; a similar move made earlier by the civilian government of NPC by creating the Mid-west region in order to break the hegemony of the AG in the Western region (p. 243).

Protracted Social Conflict (PSC) as Theoretical Explanation

According to Edward Azar (1991), the proponent of this theory, PSC is "the prolonged and often violent struggle by communal groups for such basic needs as security, recognition and acceptance, fair access to political institutions and economic participation" (p. 93). PSC deals with relationship between intra-state actors such as communities, tribes and ethnics. The traditional preoccupation with inter-states relations is seen as obscuring the more realistic domestic relations among ethnic groups. Thus, the distinction between domestic and international politics is rejected as being rather "artificial" because "there is really only one social environment and its domestic face is the more compelling" (Azar & Burton, 1986, p. 33). Thus, the role of the state in the domestic relationship among intra-state ethnic actors is to satisfy or frustrate basic communal needs and by so doing preventing or promoting conflict (Azar, 1990, pp. 10-12).

The term "Protracted Social Conflict" (PSC) emphasized that the sources of conflicts lay predominantly within (and across) rather than between states. To explain this, PSC identifies four clusters of variables. The first is the "communal content" of a conflict which as Azar has argued is the most useful unit of analysis in protracted social conflict situations because it identifies the groups involved in terms such as racial, religious, ethnic, cultural and others (Azar, 1986, p. 31). In its analysis of the communal content of any conflict, Azar (1990) insists that it is the relationship between the identity group and states which is at the core of the conflict (that is, the "disarticulation between the state and society as a whole" (p. 7), and how individual interests and needs (such as security, identity, recognition and others (Azar, 1986, p. 31) are mediated through membership of social groups. This disjunction and disarticulation between state and society Azar (1990) has linked to the

colonial legacy which artificially created states made up of “multitude of communal groups” on the principle of “divide and rule” thereby resulting in many postcolonial multi-communal societies whose state machinery is either “dominated by a single communal group (the Hausa-Fulani oligarchy) or a coalition of a few communal groups that are unresponsive to the needs of other groups (the minorities) in the society” (p. 8).

The second is that Azar identified deprivation of human needs as the underlying source of PSC. He argues that “grievances resulting from need deprivation are usually expressed collectively. The failure to redress these grievances by the authority cultivates a niche for a protracted social conflict” (Azar, 1990, p. 9). Azar further affirms that needs are unlike interests because they are ontological and non-negotiable and so if they result in conflict, such conflict is likely to be intense, vicious, and from a traditional Clausewitzian perspective, irrational. Azar’s identification of these needs as security needs, development needs, political access needs, and identity needs. Arguing that security is at the root of development and political access, Azar (1990) opined that,

reducing overt conflict requires reduction in levels of underdevelopment. Groups which seek to satisfy their identity and security needs through conflict are in effect seeking change in the structure of their society. Conflict resolution can only occur and last if satisfactory amelioration of under-development occurs as well. Studying protracted conflict leads one to conclude that peace is development in the broadest sense of the term. (p. 155)

Third is that Azar (1990, p. 10) cited “governance and the state’s role” as critical factor in the satisfaction or frustration of individual and identity group needs. Simply put, he agrees that the state has the authority to govern and use force where necessary to regulate society, to protect citizens, and to provide collective goods; therefore, most states that experience protracted social conflict tend to be characterized by incompetent, parochial, fragile, and authoritarian governments that fail to satisfy basic human needs. The notion of a liberal democratic government is that the state is an aggregate of individuals who are entrusted to govern effectively and to act as an impartial arbiter of conflicts among the constituent parts. However, this is not the case particularly in states of Africa, Asia and Latin America origins where political authority and power “tends to be monopolized by the dominant identity group or a coalition of hegemonic groups” which use the state to maximize their interests at the expense of others (Azar, 1990, p. 10). The monopolization of power and authority by individuals and dominant ethnic groups limit the access to power by others and precipitates a crisis of legitimacy so that “regime type and the level of legitimacy come to be seen as important linkage variables between needs and protracted social conflict (Azar, 1990, p. 11). As Azar has pointed out, PSCs tend to be a developing countries phenomenon, especially those countries that are characterized by rapid population growth and limited resource base, especially those whose “political capacity is limited by a rigid or fragile authority structure which prevents the state from responding to, and meeting the needs of various constituents” (p. 11).

Finally, Azar identified the “international linkages” dimension of PSC; in particular the political-economic relations of economic dependency within the international economic system and the network of political-military linkages constituting regional and global patterns of clientage and cross-border interests. He submits that the “formation of domestic social and political institutions and their impact on the role of the state are greatly

influenced by the patterns of linkages within the international system” (Azar, 1990, p. 11). Drawing heavily from the works of Sumner (1906), Gurr (1970), and Mitchell (1981) among others, Azar attempted to trace the process by which one group’s experiences, fears and belief systems generate a reciprocal negative image which perpetuate communal antagonisms and solidify protracted social conflict. In particular, this negative image of another group’s intentions and history serve to justify discriminatory policies and legitimize atrocities. Actions from antagonistic groups are mutually interpreted as threatening, with the worst motivations attributed to the other side and this shrinks the space for compromise and accommodation and so “proposals for political solutions become rare and tend to be perceived on all sides as mechanism for gaining relative power and control” (Azar, 1990, p. 15). Thus, Azar (1991) perceives PSC as a model or framework that “synthesize the realist and structuralist paradigms into a pluralist framework” more suitable for explaining protracted and prevalent patterns of conflict than the more limited alternatives (p. 95).

Negotiating the Future of Nigerian Federalism

The agitation by the ethnic minorities in Nigerian federation is to redress what they perceived as historical and structural injustices, marginality, neglect, oppression and domination. The concerted opinion of the aggrieved minorities is that the Nigerian federation for which they have equal stakes as well as the majority ethnics and for which they have equally strived and suffered to preserve have not been fair to them. It is in this regard that certain calls are being made for a restructuring of the federal system. Specifically, three incidents are of importance here because of their potency to destabilize the federation. The first is the emergence of new social movements which found expression in Nigeria through the emergence of ethnic militias. The second is the agitation for a Sovereign National Conference (SNC) that is expected to bring all parties to a round table to address what have been dubbed as the National Question (NQ). The implication of this is a call for negotiation failure of which ethnic conflicts may happen. This is not to say that Nigeria has not witnessed many ethnic cum religious violence and conflicts.

As Ramsbotham, Woodhouse and Miall (2007) have noted, “conflict is an intrinsic and inevitable aspect of social change. It is an expression of the heterogeneity of interests, values and beliefs that arise as new formations generated by social change comes up against inherited constraints” (p. 13). A typical habit in conflict situations is to give high priority to defending one’s interests and for all parties in the conflict to see their interests as diametrically opposed. The ensuing conflict is asymmetric. In asymmetric conflicts, the structure is such that the top dog (here meaning the majority ethnics) wins, the under-dog (minority ethnics) loses. The only way to resolve the conflict is to change the structure but this can never be in the interests of the top dog and so a no win-win outcome ensures except a third party has to join with the underdog to bring about a resolution. The various calls for a SNC to debate the NQ is a call for a form of negotiation among the different ethnic groups that make up the Nigerian federation. Negotiation is thereby the process by which the parties within the conflict seek for settlement or resolution of their differences.

The question that concerns us here is whether negotiation in whatever guise, that is, as either SNC or NQ, can resolve the present dispute and agitations. This question is informed by the fact that different types of conflicts are associated with different families of

outcomes (Ramsbotham et al, 2007, p. 174). Negotiation as a process of conflict resolution is often slow and gradual with the inherent possibility that the process may often be punctuated by violence and conflicts even to the point of jettisoning the entire process. The process includes a pre-negotiation stage (Harris & Reilly, 1998, pp. 59-68), framing and re-framing of issues and changing parties' perceptions and understanding of the conflict with the potential outcomes becoming part of the process (Aggestam, 1999). The outcome of the negotiation becomes important especially since theorists have distinguished integrative (or positive-sum) from bargaining (or zero-sum) approaches. The whole essence of the outcome of negotiation is positive-sum, where all parties gain at the end and no one party gains more than the others.

The integrative approaches attempt to find ways to reconcile the conflicting positions of the parties involved in the negotiation and where this fails because of the sharp diametric of the positions, then seek ways to meet the underlying interests, values, or needs (Burton, 1987, Fisher & Ury, 1981, Galtung, 1984, Pruitt & Rubin, 1986). The processes involved in the integrative approaches include (1) setting the issues under contestation into a wider context or redefining the parties' interests in such a way that they can be made compatible, (2) sharing sovereignty or access to the contested resource, (3) increasing the size of the cake, (4) offering compensation for concessions or trading concessions in other areas, and (5) managing the contested resources on a functional rather than a territorial or sovereign basis (Ramsbotham et al, 2007, p. 175). However, Zartman (1995) has pointed out the inability of a purely integrative solution to ethnic conflicts but suggestions are that such solution should also consider other options as inclusive such as consociationalism, federalism, autonomy, power-sharing, dispersal of power and electoral systems that give incentives to inter-ethnic coalitions (Horowitz, 1985, Lijphart, 1968; Sisk, 1997).

Content of the Negotiation

The best engineered negotiation may collapse especially if the contents of the negotiation are either not clear, acceptable to all parties, or as the government is proposing. Certain areas are deemed as sacred, no-go areas and so bracketed from discussion, especially if such areas are germane to the issues being contested. While all is clear about the needful of a SNC, the national question, or what constitutes or should constitute the content of the national question which is to be debated or negotiated has remained an intractable challenge to virtually all parties clamouring for SNC. As Abutudu (2010,) has attempted to elucidate, "two broad perspectives have dominated the discourse of the national question and these are ethno-relativist and the class perspectives" (p. 24). A third perspective raises the issue of the continued hegemony of the political power and space and hence agitates for the expansion of the democratic space (Eteng, 1998; Soyinka, 1996).

For the ethno-relativists, the primary question which the SNC should resolve has to do with how the ethnic nationalities can co-exist and conduct their mutual relations in a political space that does not discriminate against them and also accommodate them thereby making them feel involved in its management and benefits. For them, competing ethnic groups and nationalities and how to manage inter-group relations constitute the NQ. Ajayi (1992) has given vent to this sentiment thus:

the perennial debate as to how to order the relations between the different ethnic, linguistic and cultural groupings so that they have the same rights and privileges, access to power and equitable share of national resources, debate as to whether or not we are on the right course towards the goal of nationhood, debate as to whether our constitution facilitate or inhibit our march to nationhood, or whether the goal itself is mistaken and we should seek other political arrangement to facilitate our search for legitimacy and development. (p. 14)

Ajayi's sentiment reveals only one of the many perspectives that inform the ethno-relativists school. Another perspective is exemplified by Oyovbaire (1989) who defines the NQ as "the concrete problems of social existence arising from assertive competition among persons who possess multi-ethnic or communal and regional consciousness which in Nigeria was created in its foundation by the turn of the 19th century, and of its articulation since that time, by and under colonial domination" (p. 385-386). As Oyovbaire further affirmed, the continued propagation of the pre-colonial forms compete for loyalty with the Nigerian state, a situation that is played out in the marked and contrived reluctance by these ethnic nationalities to subordinate their group loyalties to the loyalty to the nation-state which is the foundation of the incessant problem of political instability. Since this ethnic affiliations and loyalties are being manipulated by political opportunists, tribalists, and religious fundamentalists for their own selfish ends, then "the realistic meaning of the NQ should be this, namely; how do we contain the threat potential of competitive sub-nationalism to the state? How do we convert the pride and support nationalities have for their nations into pride and support for the state to which they belong purely as citizens?" (Oyovbaire, 2007, p. 43).

A third perspective of the ethno-relativist school perceives the NQ as resolving the problem raised by the various attempts by the central government to suppress and subjugate the nationalities that make up Nigeria. Federalism is not the suppression of ethnic identity but rather its preservation and this becomes more important especially as these nationalities historically pre-date Nigeria as a nation. Leading the argument for this perspective, Enahoro (2002) has argued that the issue facing Nigeria borders on its inability to manage the diverse nationalities by reinventing their historical autonomy. Specifically, he opined that:

The failure of Nigeria so far may be attributed in great part to the perennial tensions and conflicts among its nationalities, resulting from mutual insecurity, poverty, jealousies and fears. Rather than manage primordial identities, which are our nationalities, positively, successive constitutions have studiously and dismissively ignored them. But as disillusionment with the Nigerian project has grown it is to these very celebrated identities that the people have begun to look for refuge. (Enahoro, 2002, p. 8)

Deriving from this perspective therefore, the NQ must find solution to the problem of subjugating nationalities and rather give the historical ethnic nationalities political meaning. Thus, the main issue or what should be the content of the NQ as far as the ethno-relativists are concerned is that ethnic groups that make up Nigeria predate the Nigerian state and should be given political meaning by using them to form the units of federation and that the balance of power in the federation should be in their favor. This balance should include the right of a nationality to opt out of the union if its continued membership will jeopardize its other interests and identity. Thus, the overriding issue is the recognition,

preservation, and maintenance of the identity of the individual nationality as opposed to submerging this into a multinational Nigerian community (Abutudu, 2010, p. 27).

The class perspective perceives the NQ from the rubric of the internal contradictions within the dominant classes in which ethnicity and nationalities are employed as instruments of political struggle. From the class perspective, the NQ arises not from the existence of imbalances (which is taken as given) but rather from the manner in which the imbalance is mediated by the class character of the Nigerian state (Asobie, 1996; Eteng, 1998; Momoh, 2002). Giving voice to this perspective, Jega (1996) stated that the NQ in Nigeria

is essentially about actual inequalities, regional imbalances, relations of ethnic domination, cultural and religious antagonisms and competition as well as perceptions arising from these. However, it is not being concretely addressed. Instead, it is being complicated by the way the ruling classes have used perceptions of regional struggles and inequalities and so on, in their struggles for accumulation and in enhancing the strategies they pursue in advancing their interests. (p. 88)

In a situation where the dominant ambition behind the struggle for power by the political class is “to control the state and its resources which are then vandalized and appropriated” (Jega, 1996, p. 91), ethnic only posit a means of struggle. A democratic twist to the issue has been projected by Soyinka who chronicled the fact that demands by groups and individuals to be heard have usually been met with brutal repression which are, of course, sanctioned and rationalized by the state, thereby raising the issue of dictatorship instead of democracy (Soyinka, 1996, p. 283). Thus, the NQ becomes an issue in the context of dictatorship either by a political group, party or ethnic. As Soyinka (1996) further affirms, “a nation is a collective enterprise. Outside of that, it is mostly a gambling space for the opportunism and adventurism of power, [therefore] under a dictatorship, a nation ceases to exist” (pp. 286, 297). It is the monopolization of political power as enabled by dictatorship that forces people to regress to their cultural identity. Thus, as Abutudu (2010) has surmised, “the character of the state is, therefore, central to shaping the NQ. The issues bordering on the NQ arise not necessarily due to the fact that differences exist, but due to how the differences are managed by the state and the ways to which dominant classes choose to put the differences to use in their quest for political power or to hold on to power” (p. 29).

Madunagu’s (2012) submission that a truly SNC must “proceed with no assumption whatsoever, it is national in the truest sense of the term; it is virile; it is self-constituted, and while it lasts, it is superior to any other political institution in the land, including the incumbent government” (p. 6) further muddles the agenda for SNC as he insists that the SNC must not be reduced to what he calls a “Conference of Ethnic Nationalities” (CEN) principally because the Nigerian nation “is not equal to the arithmetical sum of the ethnic nationalities in it even when these nationalities, big or small, have been accurately identified and listed” (Madunagu, 2012, p. 9). Rather he submits that the SNC should address the “fundamental question of our national existence” which he listed as five (Madunagu, 2012, p. 9). First, there is the issue of the NQ and the structure of national unity. He explains this as dealing with the “question of relationship between the various nationalities that constitute Nigeria. It should make a choice between con-federalism,

federalism and unitarism” while he gives his personal preference for either “the retention of states as constituent units of a Nigerian federation or the empowerment of the current geopolitical zones” but definitely “not restructuring along ethnic lines” (Madunagu, 2012, p. 7). The second is the fundamental human rights with the SNC agreeing “on a list of enforceable and justifiable human rights to be enjoyed by all Nigerians with immediate effect, not at an unspecified future” (Madunagu, 2012, p.8). The third issue has to do with state and religion, with the SNC stating the terms of relationship that should exist between both. Fourth is the philosophy of government and political system and finally the economic system and property relations that should exist in Nigeria.

As desirable as the SNC and the NQ are as a means to effecting lasting peace through negotiation, its usefulness may be undermined by the fact that there are many contending issues that are begging for negotiation. The content and hence the issues to be negotiated and debated are contentious and with the very continued existence of the Nigerian state at stake. Negotiation implies that you lose some to gain some and everyone at the table must be ready to accept this. This is not likely as negotiators are coming to the negotiating table with specific agenda over which they are not ready to compromise.

Conclusion

We conclude by stating that in virtually all federal systems, there have existed two major social groupings, the ethnics in majority and those in minority. The upsurges in minorities’ uprising and agitation for inclusiveness in the federal arrangement which in some instances have leaned towards outright wars of genocidal proportion have become a global phenomenon. In Africa, Rwanda, Cote d’Ivoire, Liberia, Sierra Leone, Sudan, and the Niger Delta area of Nigeria posit some examples. In all of these struggles, the objectives have been rights claim equal, and universal citizenship through the breakdown of old exclusionary, discriminatory, and non-democratic structures that denied citizenship rights to people belonging to certain categories and made them second class or inferior class of citizens. In looking at this phenomenon, it will be a grave mistake to de-historicize it. This paper has recognized the fact that minority struggles have deep historical roots that must be unearth before any understanding or meaningful analysis can be made.

A major point of minorities’ struggles is that it is not an even flow. Rather, like all struggles, it has its low ebbs and rises or falls according to the constellation of political, economic, social, and technological (PEST) forces. While it is safe to presume that the struggle will come to an end once the demands of the groups are met or satisfied, but the characterization of groups as minorities, weak, marginalized, and oppressed, implies that the satisfaction of extant demands will almost likely generate new demands rather than end the struggle. This is because claims such as weak, marginalized and oppressed are basically ideological weapons used by the minorities for their cause.

Finally, going by the examples abound in Africa, it is important to stress the fact that depending on the character of the state, minorities’ agitation for self-determination has acquired different connotations and meanings, from equitable political accommodation to local political autonomy and control over local resources, to at the extreme, a right to secede to form a separate sovereign state of their own. In Nigeria, however, this agitation has taken two forms; struggle for a separate state as in the case of Biafra and for political accommodation including environmental issues and resource control as evidenced by the

Niger Delta minorities and the Bakweri in Republic of Cameroon. While the Biafran experience may show that threats of secession are often the last resort, it is equally dangerous for any federation to ignore minorities' claim for recognition and inclusiveness.

Postscript

Negotiations among the constituent units of the Nigerian federation have had a history that spanned both the pre- and post- independence periods. Of note are the various post-independent periodic negotiations in the form of constituent assemblies or conferences, the outcomes of which had nearly always led to the drafting of new constitutions. Examples of these are the 1960 Independence Constitution and the 1963 Republican Constitution. In spite of the authoritarian rule of the military, they have also shown a respect for negotiation, many of which resulted in the drafting of new constitutions to cater for the many agitations and inclusion of the minority elements of the Nigerian federal structure. Examples of these include the Constitutional Conference of September 2, 1966 under General Gowon, the Constitution Drafting Committee of September 1975 under General Murtala, the Constitutional Review Committee of September 1987 and the National Constitutional Conference of 1884/1995 under General Babangida, and finally the National Political Reform Conference of 2005 under civilian presidency of Obasanjo. The interesting aspect of all these was that it provided a forum for delegates appointed or chosen from all strata of the federation to consult and negotiate the nature of the federal character that would eventually emerge.

Thus, the President's announcement on independence day on October 1 2013 conveyed the government's intention to organize a National Conference (NC) which eventually took off on March 17, 2014 with a total of 492 delegates drawn from different sections of the society. These include: elder statesmen (37), military and security (18), traditional rulers (13), retired civil servants (13), organized labor (24), organized private sector (eight), youths (18), women (24), political parties (10), Christian and Muslim leaders (12), civil society organizations (24) and Nigerians in the Diaspora (eight). Others were people living with disability (six), Newspapers Proprietors Association of Nigeria (two), Nigeria Guild of Editors (two), Nigeria Union of Journalists (two), Broadcasting Organisation of Nigeria (two), socio-political/cultural and ethnic nationality groups (90), professional bodies (13), national academies (13), judiciary (six), former political office holders (24), Federal Government (20), state governments and FCT (109), former council chairmen (six) and chairman, deputy chairman, and secretary to be nominated by President Goodluck Jonathan (three). President Jonathan inaugurated the National Conference with Hon. Justice Idris Legbo Kutigi as Chairman, Professor A. Bolaji Akinyemi as Deputy Chairman and Dr. (Mrs.) Valerie-Janette Azinge as Secretary. However, many of the delegates were government nominees at both federal and states levels.

However, after four and a half months of intense debate, the conference successfully finished its assignment in August and submitted a 22-volume report to President Jonathan. The conference adopted about 600 resolutions. Among the resolutions was the creation of 18 additional states, adoption of modified presidential system, part-time bi-cameral legislature at all levels, abrogation of the local government as a tier of government, and zoning at the state and federal levels. However, of more concern to us in this paper is the nature and character of the participants at the negotiation table. As noted by former Senator

Okorounmu, there were three categories of delegates in the conference with different agenda. First were the South-West delegates, supported by the South-East delegates who pushed for devolution of power and regionalism, the minorities, consisting of the Middle Belt, and South-South delegates were concerned about their marginalisation and resource control, respectively. The third category consisted of core northern delegates, who were out to block changes in the structure of the country to ensure the sustenance of the status quo. Besides, the northern delegates were also opposed to regionalism, reduction of the president's power, and subjecting the outcome of the conference to a referendum. The ethnic minority that constituted the Middle Belt opposed a return to regionalism, fearing they may once again come under the domination of the ethnic nationalities in their zones, from which state creation had freed them. They, in fact, wanted more states created for ethnic minorities still entrapped in core northern states with Hausa-Fulani dominant ethnic majorities. The South-South, on its part, was fixated on the issue of resource control and resource ownership. So, the Conference has mostly been a clash of the South-West against the core North. While the South-West pushed forcefully for the realization of all the elements of their agenda, they found themselves almost in every case pitted against the core North, enjoying only lukewarm support from the South-East and a near total indifference from the rest of the country. So far, all indications are that the progressives may not have the kind of far-reaching changes that they had hoped for, although there is still some hope that we may have enough departures from the status quo to justify the submission of the conference outcomes to a referendum preparatory to writing a new constitution. With the unyielding posture of the core North, it will seem that appreciable consensus on most issues is superficial. The road to ethno-religious harmony is paved with thorns.

Another issue of concern to us here is the insistence of the President that the report would be submitted to the National Assembly for enactment into law. The general opinion and consensus is that committing the conference report to the National Assembly is tantamount to killing it. He stated that the northern delegates, most of who he feared would not feel comfortable with deliberations at the conference, would prefer a situation whereby the conference report would be sent to the federal legislature where they have the majority. According to him, that way, they will use their number in the parliament to scuttle far-reaching changes in the polity, which they consider anti-North. There are palpable fears that with the report going to the National Assembly, several of the recommendations might be seriously watered down, while other important sections may be thrown out. If that happens, the search for a negotiated people's constitution may still continue.

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