

INTERGOVERNMENTAL RELATIONS IN NIGERIA

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There is usually a mistaken assumption that intergovernmental relations (IGR) can be discussed only meaningfully in the context of a federal arrangement. This is the view of Graves who says that "IGR is synonymous with Federalis".¹ But in actual fact "IGR encompasses more than is usually conveyed by the concept of Federalism, where the emphasis is chiefly on nation-state relationships with occasional attention to inter-state relationships."² Although the levels of intergovernmental relations are more in a federal arrangement three levels of intergovernmental relations can be delineated in a unitary state. These are (1) National-Local Relations, (2) Interlocal Relations, and (3) External Relations. It must be said however that conventionally the literature of IGR excludes the relations between two sovereign states because the emphasis is on domestic rather than diplomatic relations. Diplomatic relations constitute a separate kind of political relationships rather than form a level of intergovernmental relations. Consequently, therefore, there are two levels of intergovernmental relations in a unitary state.

By the same token there are six levels of intergovernmental relations in a federation. These are (1) National-State Relations, (2) National-State-Local Relations, (3) National-Local Relations, (4) Inter-State Relations, (5) State-Local Relations, and (6) Interlocal Relations. Therefore it is possible

1 Thomas J. Graves, "IGR and the Executive Branch: The New Federalism", *The Annals of the American Academy of Political and Social Science*, November 1974, p. 42.

2 Deil S. Wright, "Intergovernmental Relations: An Analytic Overview", *ibid.*, p. 2.

to delineate six levels of IGR in Nigeria since it became a federation in 1954. We shall attempt an analysis of IGR since that date by postulating three main hypotheses. The first hypothesis is that the nature of IGR at the National-State, National-State-Local, National-Local and Inter-State levels of IGR is a function of the amount of heterogeneity within the national polity that necessitated a federal solution. There are two riders to this hypothesis, namely: (1) the level of heterogeneity of the polity and the resultant level of inter-unit accommodation determines the nature of the federation, and (2) the level of inter-unit accommodation defines the pattern and form of the political parties.

The second main hypothesis is that the relative affluence of the National Government vis-a-vis the states as well as the relative affluence of one state vis-a-vis the others makes the difference between a nation-centred and a state-centred Federalism. This means, in essence, that since the fiscal fortunes of the nation and the component states severally can change then Federalism and consequently IGR becomes a continuous dynamic process. Therefore IGR is not a one-time, occasional occurrence formally ratified in agreements or rigidly fixed by statutes or court decisions.³

The third and final hypothesis is that IGR at State-Local and Interlocal levels is a function of the heterogeneity of the state. This is more so the case when such heterogeneity is articulated in political party affiliations and/or interlocal boundary disputes.

This paper shall be divided into two main parts. The first part will deal with an elaboration of the hypotheses. The second part will deal with the development of IGR in Nigeria.

I

It is hypothesized that the nature of IGR at National-State, National-State-Local, National-Local and Inter-State Levels is a function of the amount of heterogeneity within the national polity that necessitated the federal solution. It is thus argued that the more diverse the elements within a political system the better it is suited for federalism and the more homogeneous the political society the better for unitary forms. This is James Madison's diversity hypothesis. It is also the view of Max Beloff when he

says that a federal constitution is necessitated where size, cultural and linguistic diversity, historic particularisms and considerable decentralization prevail.⁴ Federalism, therefore, is a device for the containment of diversity. In this sense, therefore, Federalism is a half-way house between separate independent states and unification. It is a process of seeking unity without uniformity. If this is true, then it can be argued that if Federalism is a device to keep separate people together without making them one people then Federalism limits the amount of relationship that could exist between them.

But it is the level of diversity between the peoples composing a federal union that determines the nature and type of federation. Broadly speaking, there are two main types of federations. These are aggregative and disaggregative federations. An aggregative federation is one in which previously sovereign states come together in a federation. This situation may arise because of several factors necessitating areal expansion to maximize the efficacy of the state apparatus. Such factors could be the threat by neighbouring large states or, in the case of some African countries, it might be an attempt to redraw colonial boundaries which separate people of the same language or cultural affinity. Such a federal arrangement is therefore built on the desire to cooperate and the advantages the units derive mainly from such cooperation. Consequently positive intergovernmental relations is a precondition for the formation of an aggregative federation. This means in essence that intergovernmental relations at National-State, National-State-Local, National-Local and Inter-State levels are most probably cordial because a feeling of mutual indispensability pervades such an aggregative federal arrangement.

On the other hand, the second type of federation which is disaggregative or centrifugal is a federation which grows out of the balkanization of a formerly unitary state. In such a situation the diversity within a unitary state reaches a level that, in the interest of the continuance of the constituent units, the unitary polity has to be split into its original elements. A disaggregative federation is therefore a reconciliational middle between the polar perils of imperium and anarchy. Unlike an aggregative federation, which is based on love and cooperation, a disaggregative federation is based on hate and jealousy such that paradoxically the individual units endorse Federalism to guarantee self-realization. This type of Federalism therefore raises the issue of whether national unity and Federalism are compatible. In a sense disaggregative Federalism contradicts unity. At best it only resolves

3 Deil. Wright, *ibid.*, p. 2.

4 Max Beloff, "The Federal Solution", *Political Studies*, Vol. 1, 1953, p. 131.

the problems of national unity without governmental centralization. Or as Daniel J. Elazar has aptly stated such a federation solves the perennial tug-of-war between centralization and decentralization by the principle of contractual non-centralization.⁵

But the diversity hypothesis has not gone unchallenged. Although many students of Federalism see a linear development between heterogeneity or diversity and Federalism Charles D. Tarlton has argued an opposite and equally logical case that where the diversity of elements predominates in a polity a unitary system would be better.⁶ According to him the elements of similarity among the constituent states of a federation must function at an optimum level of harmony over the existing elements of diversity if the federation must survive. If the elements of diversity predominate the 'secession-potential' of the system is high and a unitary system would offer better controls to overcome the disruptive centrifugal tendencies.

But whatever is the worth of Tarlton's argument, if a federation arises out of the need to recognize the separate identities of the diverse units within the state, intergovernmental relations get conditioned by the nature of the federation. Consequently vertical political communication i.e. National-State, National-State-Local, National-Local intergovernmental relations can hardly be cordial because of the minimal nature of the common cause. To some extent, the component units of a disaggregative federation have competing and sometimes conflictual interests. This situation, therefore, produces minimal intergovernmental relations. By the same token horizontal political communication i.e. Inter-State relations is also minimized and oftentimes conflictual.

Such a conflictual inter-unit relationship in a disaggregative federation also determines the nature of the political party system. If the interests of the component units of the federation are different and mutually exclusive then it is difficult for any political party or parties to harmonize such interests. Consequently, therefore, political parties find it more feasible to identify themselves with the interests of only one unit within the federation. As a result of such an identification of a political party with a unit the element of diversity is exaggerated and intergovernmental relations minimized

⁵ Daniel J. Elazar, "The Meaning of American Federalism", Public Education Paper n^o 7, Centre for the Study of Federalism (Philadelphia, Temple University n.d.) n.p.

⁶ Charles D. Tarlton, "Symmetry and Asymmetry as Elements of Federalism: A Theoretical Speculation", *The Journal of Politics*, Vol. 27, 1965, p. 871.

or muddled. Such a situation would only encourage state-centred federation where political powers are loaded heavily in favour of the states.

This leads us to the second hypothesis which is a variant of the diversity hypothesis. This is that the relative affluence of the National Government vis-a-vis the states as well as the relative affluence of one state vis-a-vis the others makes the difference between a state-centred or a nation-centred Federalism. Whereas in an aggregative federation a symbiotic relationship between the component units is accepted it is not true of a disaggregative federation. Where it happens that there is an uneven distribution of material resources between the states the wealthy state or states within the disaggregative federation tend to protect their wealth against the less wealthy units of the federation. This situation reduces the prospects of intergovernmental relations. But strangely enough the less wealthy units of the federation become vociferous advocates of a strong-centred federation particularly because they stand to gain more from a federal arrangement. On the other hand the wealthy units in such a federation prefer a state-centred federation and even in extreme cases advocate secession. Such was the case in Nigeria from 1950 to 1970. Each of the three original regions of the Nigerian Federation either advocated a weak federation or threatened secession.⁷ And whenever Federalism prevails in such a situation the governments of the wealthy units adopt such independent policies in their sphere of competence that will embarrass the governments of the less wealthy units. Such measures further minimize the prospects of intergovernmental relations.⁸

But the situation is slightly different when it is the federal government that is wealthy while the component states are poor. Such a situation, in spite of whatever the constitutional provisions are, tend to create a nation-centred federation. Since the national government becomes the surest sources of revenue for both federal and unit requirements a gradual erosion of the powers of the units in favour of the centre is set in motion. This is an unfortunate situation for both constitutional and political reasons. Constitutionally it destabilizes the federation by changing the balance between central and state powers. And politically it is undesirable because it results in the political overburden of the centre. It kills state initiative for generating revenue

⁷ The secession factor in Nigerian Politics is fully discussed in J.A.A. Ayoade, "Secession Threat as a Redressive Mechanism in Nigerian Federalism", *Publius, The Journal of Federalism* Vol. 3, N^o 1, 1973, pp. 57-74.

⁸ J.A.A. Ayoade, "Federalism and Wage Politics in Nigeria", *The Journal of Commonwealth and Comparative Politics*, Vol. 13, N^o 3, 1975, pp. 281-289 illustrates this trend in the Nigerian Federation down to 1966.

from its own independent sources to the extent that a crisis in federal revenue affects the entire nation. Load-shedding by the central government at such a point in time only transfers responsibilities to states or communities that are not prepared for them.

Although this relationship could be extended to cover State-Local relations there are major differences between Nation-State and State-Local relations. The most important major difference is that whereas Nation-State relations are regulated by the Constitution such that both levels of government are coequal in their respective spheres of competence the State-Local relationship is that of a principal and an agent. A Local Government is the derivative of a state government. They exercise only such powers permitted by the State Government. But within this general framework inter-governmental relations at State-Local and inter-local levels are a function of the diversity of the state. This becomes more salient if such diversity is translated into political party affiliations and interlocal boundary disputes. Consequently, in spite of whatever powers are permitted to the local governments by the state governments, intergovernmental relations will be affected by whether the same or different political parties control the state and the local governments. In a situation where the same political party is in power at the state and the local level intergovernmental relations tend to be positive because the relationship between the two levels of government are symmetrical. But when different political parties control state and local governments the relationship is asymmetrical and intergovernmental relations tend to be negative. In such a situation the distribution of amenities by the state government might reflect such conflict such that opposition localities are penalized by the state government financing such amenities. Or worse still, the state government might dissolve such local government councils as a punitive measure for ostensible mismanagement or inefficiency.

Similarly interlocal relations can be affected by the distribution of political party affiliation. Thus two local councils which are controlled by opposing political parties hardly communicate along political lines. This is more so the case when such interlocal conflict goes further back in history than the era of political parties. Local councils which are created out of a former single local government council for the purposes of satisfying local interests and identity are likely to remain at loggerheads with themselves. Consequently intergovernmental relations at such interlocal levels remain negative. And such negative relations can be exacerbated if there is an on-going boundary dispute between them. Thus intergovernmental relations is further minimized and political party differences are further reinforced.

What can mitigate such antagonism and lay a basis for positive intergovernmental cooperation is a formalized structure of interlocal relations. Thus if Local Government Acts contain such clauses that enforce interlocal cooperation perhaps over time positive intergovernmental relations might develop at that level. Such structures need not result into a dual-tiered or multi-tiered local government system. But judging from the Nigerian experience with a multitier local government system it may not mitigate interlocal conflicts although it is worth trying.

II

Having speculated about the theory and factors that condition intergovernmental relations we may now take a look at the growth of intergovernmental relations in Nigeria. The roots of Nigerian Federalism must be sought partly in the process of colonial acquisition and partly in the colonial administrative structure which is itself a product of the process of colonial acquisition and the prevailing local conditions. On January 1, 1900 the country now known as Nigeria came into being. But at that point in time it was a mere geographical expression, a synthetic unit. It remained in such a position without any change between 1900 and 1914. In fact up to 1914 both the Northern and the Southern Provinces of the country were separately administered. Each area had come under British rule at different times, under different circumstances and through different media.⁹ Thus in keeping with the terms or conditions of colonial acquisition different styles of administration had to be established in the different areas. Consequently two Nigerias started to develop and a disturbing Southern individualism based on its cash crops, rapidly expanding mission schools and a growing wage-earning and white-collar class started to emerge. The two administrations — Northern and Southern — were hostile and uncooperative. Regional feelings were so strong that competing railway systems were built.¹⁰ But such a development was not a matter of concern to the British colonial administration. On the other hand it was bothered by the growing financial involvement of the British treasury in the administration of Northern Nigeria. In order therefore to achieve economy in administration the North and the South were amalgamated on January 1, 1914. But it was merely a paper amalgamation because the dual nature of the administration persisted although

9 Uma O. Eleazu, *Federalism and Nation-Building: The Nigerian Experience 1954-1964* (Ilfacombe, Arthur H. Stockwell Ltd. 1977), p. 76.

10 *West Africa*, April 21, 1956, p. 195.

Lugard as the Governor-General supervised both. Nevertheless the amalgamation of 1914 was an attempt to end the phase of disparate and occasionally conflicting territorial powers. The intention was to achieve unity rather than uniformity in the administrative process. Departments of Government were duplicated in the North and the South and they remained separate administrations. The dual judicial system of the country was retained. In fact, it was not only that the North and the South were not amalgamated in practice but also that some of the colonial officers in charge of the Provinces especially in the North "regarded their Provinces or emirates as nascent sovereign principalities..."¹¹ It must be pointed out that even as innocuous as the amalgamation was its future implications for the politics of Nigeria forced the Sarudana of Sokoto, the Late Sir Ahmadu Bello to describe it as a 'mistake'. It is no surprise then that a later-day amalgamation attempt by Major-General Aguiyi Ironsi failed. Major-General Ironsi who was compelled by enthusiasm about political unity and the free flow of goods and services within the country replaced the federal arrangement with a unitary formula through Decree 34 of 1966.

The 1922 Clifford Constitution confirmed the spirit if not the words of the amalgamation directive of 1914. Sir Hugh Clifford, whose efforts to unify the administration of Nigeria were rebuffed by the Colonial Office, eventually promulgated the Constitution of 1922 that goes by his name. Under that Constitution the North was excluded from membership of the Legislative Council. It was only represented by the Lieutenant Governor and the Senior Residents of that Region.¹² And, may be quite logically, the laws passed by that legislature were not operative in the North. The new Legislative Council made laws only for the Colony and the Southern Provinces while the Governor continued to legislate for the Northern Provinces by proclamation. The Constitution therefore produced the necessary cover for separate development which emphasized the conservation of Northern folkways.

The fragile structure produced by the amalgamation of 1914 suffered another setback in 1939 when Sir Bernard Bourdillon split Southern Nigeria into two in order to make for speed and efficiency in the administration of the country. Although Bourdillon had created this tripod only for administrative purpose, his successor, Sir Arthur Richards, legitimized the division

11 Uma O. Eleazu, *op. cit.*, p. 79.

12 T.O. Elias, *Nigeria: The Development of its Laws and Constitution*, (London, Stevens & Sons, 1967), p. 27.

by writing it into the Nigerian Constitution of 1946. Sir Arthur Richards argued that Nigeria falls 'naturally' into three regions and the peoples of those regions differ widely one from the other. As far as he was concerned therefore the tripartite division of the country for purely administrative reasons was insufficient and must have a constitutional status. Consequently the three regions having become constitutional units developed along their own lines and the pattern for the future politics of Nigeria was indelibly set. This is in agreement with the plans of Sir Arthur Richards who had sought to create a political system which would protect the divergent principles and ideals of the Regions.

But in strict terms the Richards Constitution of 1946, apart from laying the basis for separate development, did not amount to a sharp break in intergovernmental relations in Nigeria. It was, in effect, a unitary constitution. In fact it can be argued that there were neither functional regional legislatures nor governments. The regional legislatures had no legislative powers of any kind.¹³ They were simply advisory. They were to consider and advise by resolution any matters referred to them by the Governor or introduced by a member.¹⁴ The failure of a Regional Legislature to consider a Bill did not affect the power of the Legislative Council to debate and pass such a bill. And finally the Houses were not competent to consider any matter certified by the Governor as very urgent or purely formal in nature. Although the Constitution did not provide for National-State relations it however made the Regional Legislatures the bridge between the central Legislative Council and the Native Authorities. Just as it ended the isolation of the Native Authorities so did it end the paternalist protection of the North by incorporating the North into the Legislative Council.

But the dialectics of unity with diversity was more apparent in the Richards Constitution of 1951. The Constitution followed the decentralist format of the 1946 Constitution and while supposedly granting increased autonomy to the three Regions it was also meant to build up a strong and united Nigeria. The Regional Legislatures acted as the electoral colleges for the central House of Representatives. The Regional Legislatures now have some legislative powers and each Region has an Executive Council. Thus, properly speaking, there was a constitutional basis for relations

13 T.O. Elias, *op. cit.*, p. 36.

14 O.I. Odumosu, *The Nigerian Constitution: History and Development* (London, Sweet and Maxwell 1963) p. 45.

between the two levels of government although it was not a federal arrangement. All central Bills in respect of a Region must first be laid before that Region's legislature for consideration and advice. Although Regional legislatures had powers to legislate on a prescribed list of subjects the central legislature had full powers of legislation on all subjects including those within the legislative competence of the Regions. And in the event of a conflict between the two laws the one enacted later prevailed over the one enacted later. This is a curious arrangement but it does not guarantee the pre-eminence of the Regions over the Centre because the Lieutenant Governor of a Region cannot assent to a Bill until the Governor has signified his approval of the Bill.

In essence therefore, the constitution only established a system of interlocking intergovernmental relations. It was by any standard an advance on the 1946 constitutional arrangement under which, for all practical purposes, there were no state governments. It was also an improvement on the 1946 situation because the State Governments were empowered to regulate local governments in their respective areas of jurisdiction. This then established the third level of government and the possibility of six levels of intergovernmental relations. The various State Governments created Local Governments and regulated their activities. It must be said that State-Local relations at this period was conditioned by the subordinate status of the Local Government Authorities. Usually they were agents of the various State Governments. Between 1951 and 1954 the Central Government did not have any direct relations with the Local Governments although the Constitution did not preclude this.

The Lyttleton Constitution of 1954 provided an interesting departure from the previous situation in terms of intergovernmental relations. It was the first Federal Constitution that Nigeria got. The 1953 motion for Self Government in 1956, the Kano Riots of 1953 and the Eastern House of Assembly Crisis of the same year have combined to bring out in bold relief the new political realities of Nigerian Politics. The 1953 Self Government motion forced the North to re-echo Alhaji Abubakar Tafawa Balewa's observation of 1948 when he said "I have real fears for the Northern Provinces and I am afraid that we may be too much hurried up in our development." 15 The Northern Legislators led by the late Sir Ahmadu Bello verbally resisted that push while the Kano Riots which followed shortly after the legislative meeting was a physical resistance against the push. And finally the Eastern Region Crisis showed the unworkability of the interlocking constitutional

arrangement of 1951. It was no surprise, then, that the Northern delegates advocated a confederal arrangement to guarantee separate development which had then become conventional wisdom. Similarly the Western delegates advocated a confederal arrangement for two main reasons. Because of the cocoa boom the Western Region had become the richest of the three Regions. It therefore saw itself as contributing disproportionately more to the survival of the federation. This was particularly unbearable because Lagos which had been merged with the Western Region in 1951 for administrative reasons was now to be excised and constituted into the Federal Territory. On the contrary the Eastern Region which was the poorest of the Regions was a strong advocate of Federalism.

The Constitution provided two Legislative Lists, namely: the Exclusive and the Concurrent. All other subjects not included in either List were residual and reserved exclusively to the Regions. This was different from the 1951 Constitution which had only one List for the Regions and gave residual powers to the Centre which could also legislate on the enumerated powers of the States. This shows that the Regions have come to be recognized as constitutional entities although in the event of a conflict between a Regional and a Federal law on a concurrent subject the Federal law prevailed. This corrected the anomalous provision of the 1951 Constitution.

But apart from a clear delineation of the spheres of competence between the two levels of government the Constitution, by constituting Lagos into a Federal Territory, created another level of intergovernmental relations i.e. National-Local level. The Lagos City Council was first made responsible to the Federal Ministry of External Affairs and later to the Ministry of Lagos Affairs. From 1954 to 1966 National-Local relations with particular reference to Lagos was complex. The coalition of political parties that controlled the Federal Government to which the Lagos City Council was responsible was not always able to control the majority of seats at the Lagos City Council. Yet because of the special status of Lagos as the Federal Capital the Federal Government could not neglect the development of the city of Lagos as a punitive measure. Nevertheless the Lagos City Council faced several tribunals and even suffered a dissolution.

The Constitutional Conference of 1957 and the consequent Willink Commission Report of 1958 on the Minorities problem introduced another level of intergovernmental relations which was meant to be transitory. Following the recommendations of the Commission a Regional level of intergovernmental relations was established through the creation of the Niger Delta Development Board as a public Corporation responsible directly

15 Legislative Council Debates, Second Session March 10, 1948.

to the Prime Minister.¹⁶ The scheme was designed to hasten the development of the Delta under the cooperative effort of the Eastern and Mid-Western Governments with the Federal Government which bears all the expenses of the project. The Board was supposed to last until July 1, 1969 or such later date as Parliament may prescribe. As it turned out the Military take-over of January 15, 1966 and the consequent creation of the Rivers State on May 27, 1967 made the Board irrelevant.

In the effort to implement the Federal Constitution of 1954 the unitary public service as well as the marketing boards were decentralized. Therefore senior civil servants transferred their services to their various regions. Consequently most of the civil servants in the Regions were senior too, and more experienced than, their central counterparts.¹⁷ Secondly in order to make the Central Civil Service reflect the federal character of the nation regions that were not adequately represented seconded state public servants to high policy positions in the Central Civil Service which they would not normally have got. Consequently the Regional Civil Servants were loathe to cooperate with Federal Civil Servants who were unable to give the administrative leadership expected of them. Fortunately the creation of more states under the military was not accompanied by a homecoming of senior Federal Civil Servants although the system of secondment has continued.

The Independence and the Republican Constitutions did not make such change in terms of the division of powers between the Centre and the Regions. As in 1954 Section 64(4) stipulates that when a Regional law conflicts with a Federal law it is the Federal law that takes precedence. But there are other provisions that are completely new. These are provisions relating to emergency and the creation of states. Under Section 65 of the Constitution the Central Legislature has power at any time to make laws for Nigeria or any part of it on all matters whatsoever for the purpose of maintaining or securing peace, order and good government during any period of emergency.¹⁸ This means that in spite of the constitutional division of powers the Central Government can take over the legislative powers of the Regions. This power was exercised in May 1962 by the Federal Government during the crisis in the Western Region.

16 Niger Delta Development Authority Act 1962 and Section 159 of the Federation of Nigeria 1960.

17 Ronald L. Watts, *Administration in Federal Systems*, (London, Hutchinson Educational Ltd., 1970), p. 85.

18 Emergency Powers Act 1961.

Similarly the Central Legislature was empowered to make laws for Nigeria or any part of it with respect to residual subjects for the purposes of implementing any treaty, (convention) or agreement between the Federation and any other country. However such a law does not come into operation in a Region unless the Governor of that Region has consented to its having effect.¹⁹ In the first Republic this was a sore issue in intergovernmental relations. Although the Federal government signed various agreements with Israel the government of the Northern Region would have no dealings with the government of Israel. Just as National-State Cooperation was required for the implementation of treaties so also was it required for the amendment of the entrenched sections of the Constitution. This provision applies to 108 sections of the Constitution.

Quite paradoxically intergovernmental relations in Nigeria got the greatest boost under Military Rule. This was the case because of the unitary military command that controls the government. National-State relations improved because the head of the government of each Region was answerable to the head of the Federal Military Government. However it must be said that the Regional Governments became subordinate to the Federal Government to such an extent that it amounted to unitary rule in practice.

Similarly interstate relations improved because soldiers who saw themselves as one were in charge of the administration of the states. Thus as Watts argued professionalization in public services led to formal and informal contacts among military governors. It must be said however that between 1966 and 1975 when Military Governors were drawn from their regions of origin interstate relations suffered some setback when compared with the period since July 1975. However the desire and need to dismantle the old regions after 1976 inadvertently had adverse effects on interstate relations. The Interim Common Services Agency (ICSA) of the Northern States and the Eastern States Interim Assets and Liabilities Agency (ESIALA) were dissolved. Unfortunately some states misinterpreted the intentions of the Federal Military Government. In fact the three states of the old Western Region almost went to 'war' on the transfer of public servants.

In spite of the inadvertent but politically expedient measure that halted inter-state relations in the Northern and the Eastern Group of States the Military Government initiated Nation-State-Local Relations through the revenue sharing arrangement established in 1976.²⁰ In 1976/77, 1977/

19 Section 69 The Constitution of the Federation of Nigeria, 1960.

20 J.A.A. Ayoade, "Federalism and Revenue Sharing in Nigeria: An Interim Survey of the New Local Government Finance", Paper Presented at the Local Government Planning Seminars, October - November 1978.

78, 1978/79 and 1979/80 the Federal Government gave ₦100m, ₦250m, ₦150m and ₦300 million respectively to all the Local Government Councils in Nigeria. But these grants were made to the Local Governments through the various states. Unfortunately fiscally hardpressed state governments diverted such local government allocation to state use. This situation muddled State-Local relations. But there was another effect of the involvement of the Federal Government in local government. Having become financially involved in local government the Federal Military Government set out the criteria that Local Governments must meet. But as the recent political history has shown the temporary relative affluence of the Federal Government vis-a-vis the State Governments was responsible for the expansion of the federal sphere of influence. But as we argued earlier intergovernmental relations is bound to be dynamic as long as it is conditioned by transient factors.

Conclusion

The historical run-down of intergovernmental relations in Nigeria which we have done brings out a few salient factors. In a multi-ethnically segmented polity like Nigeria a disaggregative federation is likely to appeal more to the people. By the same token there will be an uncritical assumption of the theoretical ideal of dual Federalism to the extent that people would think that any intergovernmental interdependence violates the principle of Federalism. Consequently intergovernmental relations are likely to be minimal. This is more so the case because of the operation of different political parties in central, state and local governments. In such situations governments distrust one another whereas where the same party is in power at all levels intergovernmental political harmony is more likely.

The public services at the various levels also produce problems of intergovernmental relations. Sometimes public servants feel that their ego is hurt and their job prospects inhibited through constructive intergovernmental relations. This element of competitive rivalry obstructs intergovernmental relations. Unfortunately whenever there is such an administrative conflict between such separate public services there is no hierarchical superior that can resolve the dispute.

But all that is not to paint a bleak future for intergovernmental relations in Nigeria. It can be argued that it is simply impossible to partition jurisdictions especially in such areas as the implementation of international agreements, economic planning, roads, health, social services etc. Secondly

it must be stressed that the mere forces of inertia which could be economic or political can force intergovernmental harmony. For example the regional inequalities of per capita fiscal capacity normally propel most central governments into an equalizing role. The period of oil boom in Nigeria proves this fact.

Nonetheless it is still pertinent to suggest definite measures to foster intergovernmental relations. Although the new Constitution gives room for interstate political communication through the establishment of the National Council of States it should have gone one step further to provide a legislative list of subjects on which they could legislate. Similarly provisions for interlocal cooperation should have been made in the Constitution. It could also have been encouraged by giving grants to interlocal endeavours.