

THE RATIONALITY OF RESTRUCTURING: THE NIGERIAN EXPERIENCE

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\Abstract

All the ills presently plaguing the country are directly or indirectly a consequence of the wrong anti-federalist diversion Nigeria took in 1966. The faulty foundation bequeathed by the colonial masters on which Nigeria's federalism was built, the bleeding economy, the democracy of AK 47, the fractious politics, the weird leadership selection process, the spoilt reward system, the domination of the minority by the majority, the unequal distribution of the national cake, the long term military incursion into the nation's politics, the incessant killings of innocent citizens, the issue of little or no accountability with waste, the needless duplications at all levels and other societal dislocations call for restructuring. Hence, restructuring will bring back the conditions for a return to that golden era of public service, effective governance, increased efficiency, sustainable development and educational liberation/advancement. Restructuring effort should be geared towards creating a system that will make Nigeria work despite her diversity. It should include strengthening the institutions and this would bring the clamoured political, social and economic changes needed in Nigeria. This paper employs critical analysis and expository methods.

Keywords: Restructuring, society, Resource Control, politics, federalism, Nigeria

Introduction

There is a wide disagreement over the real meaning of restructuring or what exactly need to be restructured especially in Nigeria. The politicians and the people always express confusion at what the restructuring agenda basically entails. The issue of restructuring seems to re-echo in every newspaper publication, news bulletin, speech and report etc. The issue of restructuring is a genuine call to re-assess, re-define review the unity bequeathed to us by the colonial masters. The masses see this call as a demand for good governance, accountability and transparency while the elites see this call as a political solution to remain relevant in the present political dispensation.

There have been observable imperfections in the Nigeria Federalism which have triggered protests agitations and patriotic calls, for restructuring of the system.

In some occasion, negotiation has been used to address restructuring call for instance in the case of the Niger-Deltans probably because they were destroying the power house of the country's economy, which is resident in their region and in the case of Boko Haram probably because they were terrorizing the country, though there was no compromise in that of Boko Haram.

However, our opinions have remained divided on what restructuring exactly means. Restructuring has been used in many occasions in the country to imply divesting the central Government of certain power it wields and limiting its influence in such areas as fiscal policies, military defence, foreign policy, immigration and national elections. It should be stressed that restructuring does not imply separatist movement or national disintegration, it rather suggests the devolution of political power to federating units such that strengthens the regional states for them to explore, develop and utilize their own mineral resources in order to raise revenues for themselves at a comparative advantage, and provide security apparatus to safeguard the lives of their residents. Restructuring is very fundamental to the future of our country and it should include value re-orientation which would restore the dignity of Nigerians. But the introduction will not be complete without a brief history of Nigeria.

Brief History of Nigeria

Nigeria was born after the amalgamation of the southern and northern protectorates in 1914 by Lord Lugard. Various tribal groups and kingdoms with unique characteristics languages, cultural belief, political and social structures forms of government etc were brought under a country called Nigeria. The injustice, human rights abuses racial discriminations, non-participation and non-inclusion of Africans in the government of their own country, siphoning of the nation's resources to Britain and the wave of independence across the African countries at that time made a group of nationalists to demand for the nation's independence. After serious legal battles by the nationalist's movement. Nigeria gained her independence in 1960. But the debate continued till 1963 when Nigeria became a republic. Thus, the new Nigeria witnessed tensions and power struggles among the various major ethnic groups, conflict of interests, marginalization of minority groups etc. It continued till the military incursion of 1966 which overthrew the democratically elected government at that time and the subsequent civil war from 1967-1970. The civil war subsequently magnified the ethnic divisions and the country's diversity thus became a snare rather than a blessing. The aftermath of the civil war led to some restructurings in our national life. The military government jettisoned the federal constitution for a military constitution which led to state creation in 1967 and the Local Government reform of 1976.

Nigeria lost 29 out of her 59 years of Nigerian Independence to military rule, with the exemption of the interim government which lasted for 3 months. The democratic era of 1999 brought a lot of changes to the national life such as the massive constitutions review which gave rise to the 1999 constitution and its several amendments till date.

Meaning of Restructuring

Restructuring is a song on the lips of many Nigerians. Restructuring is to organize something such as a system or a company in a new and different way. It means that restructuring implies alteration and re- organization of an existing system in a way different from how it used to be. According to Obiora Okonkwo (2018), to restructure is to change an existing status in order to make it more functional. Restructuring is a purpose driven activity that hinges on replacement of an existing nature of a system with a new one that will be suitable to achieve the purpose of

the system. Restructuring is seen as a significant alteration, re-organization, reformation and re-arrangement of an existing structure, form or status quo in a revolutionary or evolutionary manner with the aim of making it more improved, effective, efficient and functionally competent. To those who are giving excuses that they don't understand what restructuring means. Tony Nyam (2018) challenge them to go and look at the structure that allowed the late Saradauna of Sokoto, Alhaji Ahmadu Bello to build the then Northern Region to what it was before the military intervened in our politics in 1966. We are also talking about a system that allowed Chief Obafemi Awolowo and Chief Michael Okpara to build the Western and Eastern regions respectively.

There are some difficulties associated with the precise meaning of restructuring and this made people to use other words such as true federalism, devolution of power, resource control, regionalism, self-determination etc. instead of the word restructuring. Restructuring according to Unya (2011), means to change, alter or restore the structure of something. Oyim (2013), sees it as changing the way in which something such as government, business or system is organized. Yaqub (2016), sees restructuring as a process that requires Nigerian citizens to take a closer look at the national edifice or better still the state of the nation with regard to how to address structural deformities (if any). Restructuring is a thorough going process that allows each region to control its resources and pay royalties to the federal authority.

The reasons for restructuring

Nigeria should be restructured in order to practice true federalism which has the tendency to engender economic growth and prosperity as well as stem the tide of agitation, protest, chaos etc that could lead to dissolution of the country. Restructuring will stem the tide of restiveness in many parts of Nigeria as it is capable of resolving the problems of citizenship, religion, and resource control to fiscal federalism. Restructuring should be geared toward solving the leadership problems in Nigeria. Hence, restructuring/Strengthening the institution would bring the clamored economic and political change.

The country should be structured to have regional equality in number of states and local governments landmass and population. In fact, Nigeria is bleeding on all sides from Boko Haram ravaged North-East and poverty-stricken North West to the bleeding fields of North central, allegedly by Fulani Herdsmen, as well as militant in the Niger-Delta, kidnapping in South East and the demand of Biafra Republic, likewise the ritual killings in the south west and the demand for Oduduwa Republic. The issue of violence and blood-letting in the land calls for urgent need to restructure Nigeria. Restructuring is neither dismembering nor balkanizing Nigeria, rather it will make Nigerians feel wanted wherever they choose to live.

Restructuring will make indolent state governors resourceful and creative instead of having to run to Abuja every month end for diminishing handouts and bailouts. Restructuring will cure the error of lopsided revenue sharing in favour of the centre and to favour some states that were ill-founded by the military junta. Restructuring will discourage people arriving the federal capital via night bus with nylon bags, only to return in chattered flights in the morning after hemmed in by boxes of padded wealth, simply because they morphed into overnight political hobos while the youths who toiled to study for degree or acquire skills are pushed

into crime because politics has become the golden egg, as machines of the real factories have stopped churning. It can lead to increased efficiency and cost effectiveness. It will bring back the conditions for a return to that golden era of public service and effective governance regionally and at the centre.

With restructuring, the process of recruitment into public leadership could be better subjected to closer local scrutiny for reputation, character and track record, as against the current practice where persons with dubious reputations and questionable bona fides among their own people are chosen into high national offices as leaders – presumably on behalf of their regions or localities by a distant central government, which often knows relatively little about the poor and low character reputation of such appointees among their own people. With restructuring, the central government along with its lower level federating constituents with and must be strong (each level must be strong for the right reasons and in the right areas of responsibility). It will help remove the current perverse-incentives system, where many people seek elected and appointive government positions, not to develop the God-given resources of their local areas and local lands or add to the wealth of their communities, but instead feed on and loot the unearned monthly allocations from the centre. It will reduce the current mentality and room-for – maneuver by elected and appointed leaders to treat the Abuja monthly allocations as part of Nigeria's current awoof – economy of unearned monthly allocations.

With restructuring, we demand a return to a Nigeria that worked for human progress and development across the entire country before young and inexperienced military boys truncated the evolution of Nigeria's democracy in January 15th, 1966. Bola, Ahmed Tinubu, as a keynote speaker at the 2017 Annual Dinner of the Kings College, Old Boys Association maintains in his speech entitled: A new Nigeria or a Better one: A fitting tools of a greater repair, that, “it will be better to restructure things to attain the correct balance between our collective purpose on the one hand, and our separate grass root realities on the other.

What and what must be restructured in Nigeria

There is consensus that Nigerians restructuring is inevitable, but the only bone of contention is, what needs to be restructured.

1. The constitution:

Thus, the lodging of greater power in one regional government would tend to produce in it an attitude of superiority and arrogance towards the others and thus destroy the equilibrium of the system. According to Wheare, there should be some sort of reasonable balance between the units in area, population and wealth which will ensure that all units can maintain their independence within the sphere allotted to them and that no one can dominate the others. It is argued that constitution must not only be decided to but must be seen to be supreme. The constitution is supreme and its provisions shall have binding force on all authorities and persons throughout the Federal Republic of Nigeria. It supersedes any law or statute or enactment. It is the ground norm, the organic and fundamental law of the land. Constitution performs two essential functions, first, they create pre conditions for a well-functioning democratic order, one in which citizens are genuinely able to govern themselves. Second,

they authorize specific persons to create general norms. As a protocol of survival of continuity for any social group, a constitution ensures that no one attains salvation or offers a program of salvation to the group by another route.

As a blue print of inter-governmental relations, a constitution sets forth the general parameters of legislative, executive and judicial powers. What holds people together is not the threads of a constitution but certain beliefs common to most members of a society.

So, there is need to consolidate on and strengthen the supremacy clause as contained in the constitution by conferring on every Nigerian the express right to go to challenge constitutional breaches in court.

It is obvious that the national or federal government exercise most of the governmental powers in Nigeria to the detriment of the constituent states. Hence, the constitution of any federation will not only be made in solemn agreement of all the ethno-regional groups of the country but must also be written and documented in a single document. The authority of a written constitution, the different tiers and levels of government as well as the different federating units know their extent of authority and jurisdiction and thus avoid encroachment into the area of others as well as have the basis for defending their actions.

However, there seems to be a resurgence of debates on constitutional restructuring of Nigeria. The issue keeps returning everywhere like a snake that is never slain. So, constitutional restructuring is an exercise in perpetuity.

2. **Federal character**

Federal character emphasized the fact that there should be no preponderance of persons from a particular ethnic group in a given government institutions. The implication is that public institutions must be composed in a manner to reflect the heterogeneous character of Nigerian state. The federal character principle should be strictly observed in appointment and location of infrastructure facilities in all the component units of the federal.

3. **Political restructuring**

The history and historiography of the struggle for restructuring of the Nigerian political structure shows that it is an age long practice that has bred conflicts and formation of conflict groups in the Nigerian society. Political restructuring in the views of Ahmed, Norafidah & Knocks (2017) entails both political reconfiguration of the country and devolutions of powers to the constituent units as it is practiced in other countries. For Najakku (2016), it is the re-organization and re-arrangement of the nature of resource control by the various government and regions to foster unity and development. Political restructuring which impinge on the federalist political structure of the country challenges the dysfunctions of the existing political structure with the aim of transforming it into a new and improved one.

In the views of Yaqub (2016), restructuring has polarized the country into north and south divide with the southerners being the protagonists and the northerners being the antagonists. For the protagonists, the Implications according to Ahmed, Norafidah and Knocks (2017), is that by the virtue of their contribution to general purse, the principle of justice and equity demand that they should be allowed to control and manage their resources since they bear impact of oil exploration while the antagonists maintained that oil exploration activities in the south were funded from the agricultural proceed from cocoa, groundnut, cotton, hides and

skin gotten in the north. Conversely, the antagonists of political restructuring are the political power brokers in Nigeria.

The issue of political restructuring in Nigeria is one that needs an addressing touch because Nigerian political structure is long overdue for restructuring.

Little wonder, those who are against restructuring the political structure of Nigeria have argued that the unity of Nigeria is non-negotiable and has been resolved by the fratricidal war fought in 1967 -1970. Abah and Nwokwu, (2017), observed that the age long rape on the federalist principles coupled with apparent abuse of federal character principle enshrined in the Nigerian constitution by the current President, Buhari led administration in the areas of appointment into key positions and alleged marginalization and neglect of some sections of the country may have awakened the consciousness of Nigerians on the need for urgent political restructuring of the Nigerian federation. Thus, the trending problem of Nigeria political structure as expressed by Ojukwu (1989), is rooted in our fear of unity. There is need for us to restructure the country otherwise Nigeria will continue to be what Chief Obafemi Awolowo called it “a mere geographical expression”.

The Igbos represented by the Ohaneze Ndi Igbo have been calling for political restructuring of the Nigerian state. This is implicit in the words of Chief Enwo Igariwey of Ohaneze Ndi Igbo who stated that they (Ndigbo) have been calling for political restructuring because they believe it is in the best interest of the country and the Igbos will only vote a presidential candidate who have restructuring agenda in his manifesto during elections. The views of the Igbos on the Nigerian political structure as deducible from the speech of the former Deputy Senate president Senator Ike Ekweremadu at the world Igbo conference (WIC) held in Enugu holds that, “The minimum Ndigbo demand of Nigeria is a restructure of the federation so that every component part of it can substantially harness its resources, cut its coat according to its clothes and develop at its own speed... Igbo should peacefully struggle for a better deal within the Nigerian common wealth and this struggle must be sustained by Nigeria”. The issue of this incessant agitations and struggles over resource control and restructuring often breeding conflicts by the different ethno religious bodies is a sufficient reason to restructure the federalist political structure of Nigeria, so that each region and ethnic group will have their interest met and satisfied and their restiveness and agitations curbed.

In the words of Ujah and Agbakwuru (2017), one of the reasons that the northerners shun the call for political restructuring is because of their landmarks and population which grants the northern political elites the opportunity of been appointed in large numbers into government positions and using land to hustle for fund in Abuja. The conundrum of political restructuring in Nigeria lies in the fact that the advocates of restructuring are people living in the regions that serve as a nation's “cash-cow” that is the source of the nation's stupendous wealth. These cash-cow regions today are ridden with rising unemployment, environmental devastation, extreme poverty and under development.

Essentially, political restructuring allows innovative and creative ideas and promotes the beauty of unity in diversity. It is a veritable tool to better Nigeria, some people especially elites

sees it as an abstract instrument to gain favour and achieve their self-interest and any sound minded person putting on his analytical glasses would see the need to restructure the political structure of the country.

4. **The Banking System**

The banking system needs to be restructured in recent times economic activities in Nigeria has declined driven by low crude oil prices, reduced public spending, reduced Gross Domestic Product (GDP) depreciation of the Naira and limited access to foreign exchange. This has negatively impacted the financial performance of most businesses. Again, the cash flows of many corporate (borrowers) have been squeezed by tougher market conditions and in some cases, lack of appropriate planning and execution. Furthermore, some borrowers cannot generate sufficient cash flows to sustain their debt burden. So, they are asking commercial banks to restructure their loan facility (facilities). But some banks are under significant pressure to restore and improve net interest margins, interest earning asset, while ensuring that non-performing loans remain below the threshold set by the central bank of Nigeria.

Consequently, lending has become riskier with a noticeable increase in default rates. As an early preventive action, corporate and their bankers can use informal restructuring workouts to preserve shareholder value and reduce the required specific provisions for non-performing loans. Informal workouts are based on the principle that banks under performing or distressed borrowers work together to resolve financial difficulties that would otherwise have resulted in solvency (receivership or liquidation). So, given our current economic climate and the absence of a formal legal and regulatory framework governing the restructuring process in Nigeria, it is now more important than even before to use out-of-court restructuring process to ensure the survival of many businesses.

5. **Federalism**

Federalism is a method devised to ensure division of jurisdiction, powers and authority between at least two levels of government. The history of Nigeria federalism can be traced to Arthur Richards's constitution of 1946 which brought regionalism in Nigeria, by dividing the country into three regions. It was followed by the Macpherson constitution of 1951 which made Nigeria a quasi-federal state. Then, Nigeria became a federal state following the coming on board of the Lyttleton constitution of 1954. What gave impetus for adoption of federalism in Nigeria by the colonialists are the heterogeneous characteristics of ethnic nationalities in the country.

Nwabueze (1983), defines federalism as “an arrangement whereby the powers within the government of a country are shared between a national, country-wide government, and a number of regionalized government in such a way that each exists as a government separately and independently from the others, operating directly on the persons and properly within its territorial area with a will of its own apparatus for the conduct of its affairs and with an authority in some matters exclusive of all the others”. This is to say that in a federation, the federal and regional governments both derive their powers directly from the constitution and are therefore independent of each other. They must therefore each work within the area of competence assigned to them by the constitution. He also argued that “within the area of competence assigned to it (the federal government) by the constitution, it has independent and

direct authority over the territory, the people and property of each region, it is as such a part of the government of the people and so entitled to their allegiance”. In the views of Kenneth Clinton Wheare, federalism as a federal principle is the method of dividing powers so that the general regional governments are each within a sphere coordinated and independent. In line with this, Okoli (2004), saw federalism as a system of shared powers between units of government. It is a system of government that involves organizing a nation in such a way that two or more levels of Government have formal authority over the same area and people. Odiye, (2005), argue that the true mark of any federation is that it distributes executive, legislative and judiciary powers between the federal government and constituent states in a written document known as the constitution. Osuntokun (2017), summarized restructuring as simply a call for the restoration of federalism- the foundational constitution structure to which all Nigerians subscribed as encapsulated in the independence constitution of 1960.

Unfortunately, what the country has is pseudo federalism since there exists ill-federalist practices within the federalism operational. The military was responsible for erosion of autonomy of the constituent regions thereby undermining the vibrancy of Nigeria's federal system. For instance, there is absolutely no doubt that the pseudo-federal system presided over by General Yakubu Gowon (1966-1975), Murtala Mohammed and Olusegun Obasanjo (1975-1979) severely compromised the integrity of Nigerian federalism, in addition to making a mockery of it while the regimes of Generals Muhammadu Buhari (1983-85), Ibrahim Babangida (1985-93) and Sani Abacha (1993-98) slaughtered and buried federalism in the praetorian graveyard of imposed centralized and authoritarian dictatorship that followed the Shehu Shagari administration of (1979-83).

The Nigerian federalism was subsequently severely compromised through the state creation exercises, which were undertaken under the watch of the military dictators. Consequently, the creation of more states makes the centre to be much stronger while the state becomes weaker. Hence, the age long rape of the federalist principles and the abuse of federal character principle enshrined in the Nigerian constitution by Buhari's regime in areas of appointment into key positions of alleged marginalization and neglect of some sections of the country may have awakened the consciousness of Nigerians on the need for urgent restructuring of the Nigerian federation.

However, it is not new that the revenue sharing formula in Nigeria is skewed in favour of the federal government, as significant functional responsibilities and overwhelming resources are allotted to it, to the detriment of the federating units. The 36 states in Nigeria federation are economically unviable as they have been created for some political reasons with weak financial base. The size of some states allocation have gone so low that after deductions from source, they are left with little or nothing to pay workers wage bills. In short, states governments are now mere agents in leadership with the federal government and not partners. In the North, the dreaded Boko Haram insurgents have been wreaking havoc on the lives and properties of people resident in the region. In the South South region (Niger Delta), the militants have been carrying out wanton destruction and vandalism of oil installations and hostage taking of oil workers especially expatriate officials. The people from Southern

Nigeria are the protagonists who sincerely want the status quo in Nigeria federalism to change. On the other hand, the people of Northern Nigeria are the protagonists as they entertain some fears on the intentions of the proponents of restructuring. According to Nwosu (2016), the structure should be changed because there is too much power at the centre and the structure we have is anti-developmental. Our federalism should be made less centralized, less suffocating and less dictatorial in the administration of the county.

The defective Nigerian federalism stifles competition and discourages diversification of the Nigerian economy as every component part of the federation has refused to engage in productive venture to boost her revenue base, hence, there is no doubt that Nigerian federalism is unbalanced and in dire need of structural rebalancing.

Restructuring Experience In Nigeria.

It is consistent with the Nigerian culture of saying and professing one thing and doing another. The restructuring experience is still a dream in Nigeria and this is based on so many factors which includes, conflict of interest among the leaders, ethnic bigotry, minority-majority dichotomy, the struggle for supremacy among the ethnic groups etc. Those opposing the calls for restructuring of the country were only interested in reaping from where they did not sow.

Experience has it that those talking of restructuring are actually hiding their real intentions under the slogan. Those who clamour for true federalism to enable each constituent to develop at its own pace are unwillingly advocating that Nigerians should live as if they are in different countries, where some citizens would have lived in a comfort zone, while others would live on the fringe. Those who pretend that Nigeria will survive without restructuring are those making it impossible for Nigeria to survive.

According to Yakassai (2016), those who call for restructuring in Nigeria today are doing so with some kind of hate in their minds adding that what is working in their minds is to find a way of denying states from the North the opportunity of getting the kind of shares they are receiving from the federation account.

Though, there have been previous attempts made towards the restructuring of the Nigeria state. Why then is it that no impact has been felt? What factor is inhibiting and challenging the restructuring of the pseudo –federalist structure of Nigeria. An attempt to restructure Nigeria in 1966 and 1967 was battered by the Northerners because of fear of domination of the southern region and the consequence was a genocidal war.

The restructuring experience in Nigeria had so many challenges and they include:

1. Nigeria is still characterized by insecurity, tribalism religious intolerance, nepotism, favoritism, marginalization, violence, kidnapping, terrorism etc.
2. In Nigeria corruption has been institutionalized such that it is even seen as one of the values in the country.
3. In the country there is also institutional failure which has made it impossible for laws to reign in the country.
4. It is only in this country that we substitute prompt responses to security challenges and serious national issues for political sentiments.
5. The restructuring scheme was not able to solve the problem of the national cake mentality where every region is waiting and struggling to get their share of monthly

allocation, appointments and political largesse.

6. The restructuring experience was not able to solve the problem of lost identity which was caused by the lack of rules of law, devaluation of human worth and human right abuses.
7. The discovery of oil in Nigeria which encouraged monetization (cash and carry policy) equally affected the restructuring scheme. The cash and carry policy consequently displaced value, integrity and poor moral standards.

Conclusion

Nigeria should live up to its name as a federal republic by getting rid of unitary system imposed by the military administration and Nigerians should restructure their attitude by being committed to the unity indivisibility and progress of a new Nigeria through effective governance. There should be devolution of more powers to the federating units in Nigeria. The principles of federal character as enshrined in our national constitution should be observed in appointment and location of critical infrastructure across all sections of the country. States should be empowered such that instead of collecting monthly allocations from central government each state would look inwards and use its resources to develop and send a specific percentage to the federal purse. Power must be decentralized to make ways for distribution and consumption arrangement so that every federating unit will increase its fiscal resources for development. If Nigeria is to remain undivided, concerted efforts would be made to remove tribalism, agitations for self-government, insecurity, religious intolerance etc. The Nigerian constitution should be abolished and re-enacted following a democratic process to lay foundation for true federalism in practice with sufficient citizenry consultation and referendum. There should be equal representation of all ethno-regional entities in all affairs of the country especially in the appointment of people into government offices. There is just no way out of Nigeria's quagmire except restructuring. Above all, Nigerians need mental restructuring instead of political restructuring.

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