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## THE BRITISH COLONIAL LEGACY AND THE CHALLENGE OF FEDERALISM: THE NIGERIAN EXPERIENCE

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### SUMMARY

Nigeria is a British “creation” because it was the British colonialists who amalgamated the diverse ethnic nationalities in 1914. To enhance their governance of the new country, they introduced some structures and policies like constitution making, revenue sharing formula, population censuses, regionalism, educational dichotomy, religious dichotomy, “Northernisation” of the military and other “divide and rule” strategies. The wobbling foundation laid to sustain the nation was deliberately designed to favour a particular section of the country. In 1966, six years after independence, the foundation collapsed and resulted in the 30 months’ civil war which engulfed the nation. More than a century after the amalgamation, and a little over half a century after independence, Nigeria still grapples with challenge of national integration. The situation has resulted in diverse separatist agitations and the clamour for restructuring of the country. Adopting a historical analytical method, the paper examines the evolution of the country and establishes a nexus between the British colonial

legacy and the outbreak of the Nigerian Civil War. Even though the discourse terminates with the end of the First Republic, it supports the call for the restructuring of the polity to reflect federal principles that will enhance justice, equity and national development.

### INTRODUCTION

The most glaring legacy of colonial rule is the emergence of the geo-political entity known as Nigeria as a result of the amalgamation of the diverse autonomous ethnic nationalities into one fold. In terms of relations between these diverse groups, colonial rule was a paradox. In some ways, it brought the people together in new ways and for new purposes, providing new integrative factors. In some respect, it emphasised already existing differences and introduced new ones (Ikime, 2006). Lord Fredrick Lugard, the pioneer Governor-General of the new entity, engineered deliberate unbalanced policies and structures in the management of the colonial enterprise.

For instance, he abolished the Legislative Council which had been in existence in the Lagos Colony since 1862, created an ineffective Nigerian Council and also refused to break the wider Northern Nigeria into smaller administrative units. Lugard’s admiration for the Northern system resulted in his unsuccessful attempt to transplant the indirect rule system of administration from the North to the South, while he wholesomely refused to allow the spread of influence from the South to the North. The colonial government under his watch and other administrators

regulated the influence of Western education pioneered by the Christian missionaries into the Northern Nigeria and thereby created inequality which has not been bridged.

Subsequent colonial rulers like Hugh Clifford continued with the divide and rule foundational agenda of Lugard. The Legislative Council, established in 1922, legislated for the Southern Protectorate only, while the North was ruled by the proclamation of the Governor. Subsequent constitutions, revenue sharing formula, delineation of electoral constituencies were also deliberately designed and used by the British colonial agents to favour the North. Having used the unfair structure put in place by the British colonialists to ride to capture power at independence in 1960, the Northern elites designed and entrenched new strategies to perpetuate their hegemony over the South. Indeed, ethnicity and religious bigotry, corruption etc, which contributed to the collapse of the First Republic in 1966 and the outbreak of the Nigerian Civil War could not be divorced from the British colonial legacy. The agitation for the restructuring of the polity is a call for the undoing of the British colonial legacy which continuously undermines federalist efforts as well as the adoption of "true federalism" which the military truncated in 1966.

The paper is divided into six sections. Section one is the introduction, section two gives a background to the amalgamation, section three critically examines issues and challenges associated with the amalgamation, section four looks at colonial legacy after the amalgamation, section five discusses

the colonial legacy and the challenges in pre-Nigerian Civil War era, while section six is the conclusion.

### **Background to the Amalgamation of Northern and Southern Protectorates**

Following the signing of the Niger Convention of 1898, which settled the outstanding territorial differences between Britain and France in West Africa, the enormous territory that was already being informally referred to as Nigeria came under the influence of Britain. However, apart from the Colony of Lagos, the Protectorate of Lagos, the Niger Coast Protectorate and the Royal Niger Company territories, the rest of the country was yet to be effectively occupied. Consequently, the British government set up the Niger Committee and appointed the Earl of Selborne, the Under Secretary of State for the Colonies as Chairman of the Committee. The membership of the Committee included some men-on-the-spot such as H. McCallum, the Governor of Lagos Colony, Ralph Moor, the High-Commissioner of the Niger Coast Protectorate and George Goldie, the unofficial Governor of the Royal Niger Company's territories (Uzoigwe, 1996; Fwatshak, 2014).

The Committee recommended among other things that the Colony of Lagos, the Niger Coast Protectorate, the Protectorate of Lagos and the Niger Company's territories should eventually be amalgamated into a common territory under a Governor-General, who would be resident in Nigeria. It also decided that the River Niger cannot be the dividing line, that both banks of the Niger must be under one jurisdiction on account of international



questions which will probably arise in connection with the use of the river; and also because if there were different jurisdictions on opposite banks, the administration of the criminal and civil law will be more difficult. This was the beginning of the great imbalance in the Nigerian federation that has given rise to difficulties. A determination made for reasons of international law in the era of imperialism has become an axiom of the Nigerian politics. The Committee also recommended the division of Nigeria into a Maritime and Sudan Provinces. The Maritime Province, that is Southern Nigeria was further divided into Western Province with its capital in Lagos, and with an area similar to that of the existing Colony of Lagos; and the Eastern Province with capital at Asaba including the rest of the Niger Delta. The implication of this recommendation was that Southern Nigeria west of the Niger (excluding Lagos) and east of the Niger, would be under one jurisdiction. The capital of the proposed Sudan Province that is, the present Nigeria was to be at Lokoja. All provinces were to be divided into divisions and districts (Uzoigwe, 1996).

In 1906, the Niger Coast Protectorate was unified with the Colony and Protectorate of Lagos to become the Protectorate of Southern Nigeria, with Lagos as the seat of government and Walter Egerton as the High-Commissioner. The territory was divided into three Provinces, each with a commissioner in charge as follows: Eastern Province, with headquarters at Calabar; Central Province, with headquarters at Owerri and Western Province (at one time known as Yoruba Protectorate) with headquarters at Lagos. Before Lugard became the Governor-

General of Nigeria, there had been strong advocacy for the division of the Nigerian territory into a number of units which could develop into component units of a future federation of Nigeria. E.D. Morel, editor of *African Mail*, for example advocated for the split of the territory into four provinces, namely Northern or Sudan Province, with headquarters at Kano; the Central Province with headquarters at Zungeru; the Western Province – approximating the pre-1963 Western Nigeria plus Ilorin, Kabba and Borgu, with headquarters at Oshogbo; and Eastern Province, corresponding to the pre-1967 Eastern Nigeria extending to the Benue River, with headquarters at Calabar (Akpan, 1978).

Also Sir C.L. Temple, Acting Governor of Northern Nigeria, in 1913, advocated the split of Nigeria into more political units than the existing two. The significance of Mr. Temple's argument was that Nigeria would be better administered, its population better served, the talents and energies of the officials better developed and directed, if the large territories of Northern and Southern Nigeria were broken into smaller units, under experienced administrators designated Chief Commissioners and exercising original authority and executive powers through decentralization or delegation. He specifically recommended that the existing 13 Provinces of the Protectorate of Northern Nigeria should be re-grouped into three, namely: the Hausa States with headquarters at Kano; the Benue Provinces with headquarters at Lokoja; and the Chad Territories with headquarters at Maiduguri. As regards the Protectorate of Southern Nigeria, he proposed that the

three Provinces already established, with Lagos Colony as a fourth, should be divided into two. Temple's proposals, like that of Morel, pointed to eventual federal union for Nigeria, and if they had been accepted at the time, perhaps, Nigeria might have been saved the wrangling of the 1950s which culminated in the bloody events of the 1960s. None of the proposals were accepted by Lugard. Earlier in 1906, when Egerton wanted to include Ilorin and Kabba into the Protectorate of Lagos because they were not only Yoruba-speaking, but also were parts of Old Oyo Empire, Lugard was prepared to go to war if that happened. Had the British officials on-the-spot advocated for administrative integration right from the start, London would perhaps not have rejected the idea. If that had been done the later history of Nigeria would have been different (Akpan, 1978; Uzoigwe, 1996).

The British government did not have any long term political programme for Nigeria. It did not develop any political theory with which to govern the new territory. The Niger Committee may have had some ideas that with time Nigeria might evolve into one nation-state with a Governor-General, but that was something that might happen in the distant future. With respect to political theory, except for the general concepts of crown colony government, protectorate and how to deal with "barbarous" races, no effort was made to deal with such ideals as democracy, federalism, confederalism or unitarism (Uzoigwe, 1996).

### **The Lugard's Amalgamation of 1914: Issues and Challenges**

Available evidence indicate that three clear motivations triggered the 1914 amalgamation, namely: finance, communications/trade and administration. A fourth not mentioned, but which can be conjectured, was the military aspect. As a soldier, Lugard easily grasped the military importance of Nigeria, governed under one administrative umbrella, against colonialist rivals, such as France. However, the primary aim of the British was economic. The Protectorate of Northern Nigeria quite unlike the Southern Protectorate Nigeria was a poor territory, without access to the sea, with a larger area and population, with costly railway construction and river dredging projects. The financial difficulty made it to rely on annual grants-in aid from the Imperial Treasury. Obviously, the lack of a seaport in the North resulted in the absence of vital custom revenues; the closed nature of its economy; the limited nature of its imports and exports meant that the contribution of its external trade to the custom revenue of the South was quite marginal. Moreover, the vast landmass made development costs prohibitive. Indeed, starting from 1900, the Southern Protectorate and the Lagos Colony had progressively subsidized the revenue of the Northern Protectorate. By 1912, the subsidy had reached £70,000 per annum. Even this amount was insufficient to defray the Protectorate's expenditure (Akpan, 1978; Uzoigwe, 1996: 5).

The economic dimension of the amalgamation can be more succinctly discerned from the comment of Lord Harcourt, the British Colonial Secretary that

amalgamation of Nigeria demanded both “method” and “a man”. The man was to be the Lord Lugard and the method was to be the “marriage” of the two entities.

Harcourt observed thus:

We have released Northern Nigeria from the leading strings of the Treasury. The promising and well conducted youth is now on an allowance on his own and is about to effect an alliance with a Southern lady of means. I issued the special licence and Sir Fredrick Lugard will perform the ceremony. May the union be fruitful and the couple constant (Odje, 2002: 445: 21).

Thus, in this “marriage”, the North, right from the beginning, was to be “man” and “husband” and the South, the “woman” and “wife”. The use of the term, “youth” (man) for the North and “lady” (woman) for the South was not an accident, nor an exercise in humour. It was a deadly serious matter, with the game plan being to bring the two parties together in order to give the North political power over the South and permanent control over the Southern resources. In England of the time of Lord Harcourt, a married woman had no independent existence outside their marriage. All the women’s property and resources automatically became the husband’s. The woman could not enter into a contract in her own right. Her husband had to conclude all contracts on her behalf. Although this position altered by Married Women’s Property Act of 1882, Lord Harcourt had Common Law position in mind when he decided to marry the young man without means to the young lady of means. That

latter was to provide the wherewithal for the former to live well and be master of the house for the rest of their lives

At present, the “Southern lady of means” is richer and the bridegroom “the well conducted youth” from the North is poorer and poorer over the years...hence, the husband” in the typical Nigerian fashion would ensure that the relationship is maintained at all cost, even if it means killing the bride in order to take over the wealth. This is the situation in which the oil producing part of the South finds itself today. According to Gambo Jimeta, “the North (husband) will go to war over oil”. The Northern politicians understood the plan perfectly and have implemented it faithfully and fervently since then. They are well focused on how to cling to power, for they know that is the route to Southern resources. How have they retained power?” the formula has been an amazing one: control of the army and manipulation of the census figures. All these combined with the help of British administrators of Nigeria right up to independence, and have assured the North permanent political power and control of Southern resources ([www.restructuting.ng/nigeria-federalism-constitution-hisoric](http://www.restructuting.ng/nigeria-federalism-constitution-hisoric). Accessed 11/8/17).

The assertion that the 1914 amalgamation did not and was not intended to unite Nigerians politically can be seen from the other policies and structures that Lugard and his successors initiated. Lugard abolished the Legislative Council which had been in Lagos Colony since 1862, rather than extending its jurisdiction to cover the entire country. Rather, he established the infamous Nigerian Council. This so-



Regional elections, were remote-controlled by the federal government in order to exert Northern hegemony, a legacy inherited from the British colonialists (Ojiako, 1981; Ikime, 2002).

On the 15th of January 1966, the Nigerian military intervened and ended the First Republic. The coup d'état was led by Major Kaduna Nzeogwu, an Igbo who was born and bred in the North. However, he did not emerge as the military leader, rather, Major-General Aguiyi-Ironsi did. On the 29th of July, in the same year, some Northern military officers led a counter coup and terminated the regime of Major-General Ironsi; the unfolding events resulted in the Nigerian Civil War which lasted from July 1967 to January 1970. Subsequently, the North effectively used the military to entrench its dominance over the South in all ramifications. The military particularly destroyed the "true federal" structure of the pre-Civil War era and replaced it with a unitary system that masquerades like a federal system. This has heightened the ongoing clamour for restructuring of the polity.

### **Conclusion**

According to Uzoigwe (1996), the challenges associated with nation building in Nigeria is primarily traceable to the colonial legacy. He notes particularly that Lugard's stewardship did Nigeria more harm than good because he was a "tribalist" who admired the Fulani rulers of the North and demonized the Southerners particularly the educated elite. His economic, political, educational, religious and judicial policies were not nationalistic. Lugard stoutly and

rigidly maintained the distinction between the North and the South, but was not opposed to the use of Southern resources to bail out the North. As the Southern elite saw it, he was "willing to rob Peter to pay Paul, but would reluctantly amalgamate Peter and Paul and turn around to ensure that the two friends should not interact with each other because, in his opinion, Peter was a very bad fellow! And yet, Paul never complained to him about Peter's badness".

Almost every decision he took after the amalgamation seemed intended both to consolidate the gulf between the North and South and to be of help to the North. For example, by regionalization of the administration, he ensured that the two parts of the country grew further apart. By centralizing only those departments which he needed for the direction of overall policy, he ruled Nigeria practically as a curious type of confederation in which he allocated resources as he saw fit. He centralized the Treasury so that he could more conveniently use Southern revenues to balance Northern deficit. The Emirs adored their benevolent benefactor and inherited his prejudices against the Western educated Southern elite even though they hardly come into close contact with this class of Nigerians. The influence of these elite was considered to be so bad that Lugard and the Emirs felt that the only way to prevent them from corrupting the North was to shield the North from them as well as from Western education.

Subsequent British colonial rulers consolidated on the Lugard's divide and rule principle and connived with the North to entrench the Northern hegemony over the South. At independence, the Northern elite

perfected the policy of dominance. The North ensured that the census and election figures were manipulated to give them advantage over the South. Moreover, the North perfected the dominance of the military and other security apparati in line with the colonial legacy. With the control of the military the North successfully prosecuted the civil war. At the end of the war, the Northern military constitutionally institutionalized a perpetual hegemony over the South and extended it to cover areas like revenue formula, state and local government creation etc. Obviously the emerging structure negates the principle of federalism which the founding fathers bequeathed to the citizens at independence. It is the genuine attempt to reverse the British colonial legacy which has resulted in the Northern dominance of the South and re-invent the fiscal federalism that has engendered the current clamour for the restructuring of the country.

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