

Democracy and the Challenge of Ethno-Nationalism in Nigeria's Fourth Republic: Interrogating Institutional Mechanics

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Abstract

Nigeria is an amalgam of rival ethnic groups pitched against each other in a contest for power and resources that have reflected in the political processes, sometimes threatening the corporate existence of the country. Right from the constitutional conferences organized during the colonial era down to the ones organized after independence, the question of an acceptable system of co-existence has been contentious. However, the intervention of the military in the political affairs of the country and their long duration in governance, succeeded in abating the full manifestation of ethno-nationalism. But the return of the country to democracy in 1999 has enabled the suppressed ethno-national grievances to explode, throwing up issues beyond the capacities of democratic institutions. It has become a threat to the survival of the country's nascent democracy and its corporate existence. As a result, the democratic government is resorting to the tactics of previous military administrations in the management of these problems. This paper examines the State's response to an emboldened ethno-nationalism and its implications on the process of democratisation.

Keywords: Nigeria, democracy, democratisation, ethno-nationalism, military legacies, institutional building

Introduction

The return of Nigeria to democracy in 1999 opened up the space for expression of suppressed ethnic demands bottled up by years of repressive military rule. Some of these ethno-nationalist sentiments have manifested insurgencies in the Niger Delta region under the auspices of the Movement for the Emancipation of Niger Delta (MEND), the renewed demand for Biafra spearheaded by the Movement for the Actualization of Sovereign State of Biafra (MASSOB), the incessant ethnic clashes in the middle belt region, the frequent religious disturbances and Sharia-instigated riots in the North as well as the increasing notoriety of the

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Oodua Peoples Congress (OPC) in the west. The activities of these organisations and the spontaneous ethno-religious crisis occur outside of the confines of the law. The response of the state tends to escalate the situation. This is of course worsened by a weak institutional mechanism reinforced by the perverted federal structure¹ of the Nigerian state inherited from the military rule that stunts efforts aimed at tackling the problems holistically. The inability of the state to manage these crises effectively endangers the nascent democracy and weakens the fabric of the state, thus threatening its survival.

These issues are not new. Nigeria, since its independence in 1960, has experienced unstable attempts at democratization. The country's attempts at democratisation over time have often collapsed due to factors directly related to the diversities and heterogeneity of the country. Most of the ethno-related crises stem from rival contestations for power and resources by factions of the civilian elite operating from ethnic platforms whose activities polarized the polity and threatened its corporate existence.

The Nigerian military came into the fray as a stabilizing force to contain and conscript all autochthonous manifestations of ethno-nationalism. As a result, the military dominated governance in Nigeria, for the most part of the country's independence between the years 1966-1979 and 1983-1999 repressing these ethno-nationalist tendencies and maintaining the unity of the country.

The military was however not immune from the ethno-nationalist syndrome that had crept into every other aspect of life in Nigeria. Some sections of society saw the military as serving the interests of the North that dominated the officers' corps of the Nigerian military. This perception, coupled with the military administration's poor management of the economy and its institutionalization of corruption, made it seem that the military regime was more a problem than a solution.

It was in this backdrop and in a post-Cold War environment that helped pro-democracy groups, donor countries and development agencies push the country back towards democracy. Given this scenario, the Nigerian military class had no choice but to carry through the transition programme that eventually paved the way for democracy on 29 May 1999.

In the following section, the paper examines the key concepts and background of ethno-nationalism in Nigeria and some of the measures instituted to manage it. Thereafter the paper analyses the problematic of how the return to democracy opened up avenues for ethno-nationalism, comparing it to previous manifestations in the country. The responses of the democratic institutions to this new ethno-nationalism vis-à-vis its constitutionality and

¹ The structure of federalism which were negotiated by elected representatives of the people during the constitutional conferences of 1954-55 in Ibadan and 1958 in London prior to independence in 1960 was arbitrarily adjusted by the military administrations that embarked on centralization of powers at the centre and weakening of the component units by splitting the four regions into thirty-six states and a federal capital territory of Abuja.

implications on the democratic process in the country is the penultimate section before the conclusion and recommendations.

Ethno-nationalism in Nigeria

Ethnicity is the cultural characteristic that connects a particular group of people to each other. The concept is rooted in the idea of societal groups, marked especially by shared nationality, tribal affiliation, religious faith, shared language or cultural and traditional origin and background. Ethnic groups as "human groups (other than kinship groups) held together by the belief in their common origins, provides a basis for the creation of a community" (Mbaku, 2001, p. 61). Here the emphasis is placed on a set of beliefs not biological traits (race) or objective group characteristics (religion, language). However, ethnicity can be seen as referring to differences in language, religion, colour, ancestry and culture to which social meanings are attributed and around which identity and group formation occur (Nagel, 1995, p.443) Ethnicity can result from choice or ascription. Either an individual chooses to be identified with a recognized ethnic group, or membership in a certain ethnic group can be imposed on him by the greater society (Barth, 1969). This implies that while individuals can choose their ethnicity, the choice must be acceptable to society. Ethnicity is a combination of individual choice and social imposition (Mbaku, 2001, p.61). Furthermore, ethnicity is not a permanent trait but a changing group characteristic, which means that the boundary of an ethnic group as a social category can change (Barth, 1969, p.17). Nationalism on another hand is an ideology that creates and sustains a nation as a concept of a common identity for groups of humans.

Nationalism is intensified by the politics of exclusion and occurs when an ethnic group is politically mobilized. Therefore nationalism is politicized ethnicity and manifests whenever a group of people feels particularly targeted for ill-treatment or oppression especially in a heterogeneous political system (Joireman, 2003). British colonial rule over the territorial area that is today called Nigeria united the autonomous ethnic and cultural entities that had no prior contact with each other in any form before then². These entities had their own political systems, social and religious values distinct from each other (Okafor, 1997, p.1). The creation of a unified entity was purely for economic exploitation and the administrative convenience of the British crown. The political system that was adopted has not taken into consideration the most effective means of reducing the differences in social, political and economic development of these disparate groups, namely the accommodation of ethnic difference

² The British venture into the area called Nigeria was spurred by capitalist expansion that sparked a scramble for Africa by the capitalist countries of Europe. The need for a secure foothold for raw materials and a market for European goods meant that a vast territory needed to be placed under a unified administrative system, as in the case of Nigeria, where diverse and culturally differentiated groups were forced together.

(Asia, 2001, p.14). The colonialists had little interest in the social, economic and political development of the country (Duruji, 2008, pp.1-3). The administrative style adopted by the British, created distrust, suspicion and cleavages, which resulted in rivalry among the major ethnic groups for the control of the soul of Nigerian state, as manifested in several violent confrontations prior and post the country's independence³.

The indigenous people, which took over administration of the country after independence, did not do much to appease the demands of the various Nigerian groups into a positive pan Nigeria aspiration. Instead they continued with the colonial model of administration. Most of the policies undertaken were aimed at suppressing the development of ethnic consciousness perceived as challenging the legitimacy of the state. Though this approach succeeded in keeping ethnic agitation at bay during the era of military rule in Nigeria, the return to democracy in 1999 enabled the ventilation of trampled ethnic demands in the country.

Theoretical underpinning of ethno-nationalism in Nigeria

The theory of instrumentalism which views ethnic identity as manipulated to achieve a defined political or economic gain for the elites is the appropriate explanatory tool for the manifestation of ethno-nationalism in Nigeria. The role of the elites in mobilizing ethnic sentiments is vital because these individuals who participate in group action in the name of ethnicity has a choice to make and this is only done, when they perceive that benefits outweighs costs of the choice.

The theory also stipulates that this sentiment and the actions it brings, disappear when it is no longer politically expedient. This understanding is obvious because the notion of inclusivity that underlies state-formation process does not apply to Nigeria because of the country's politicized identity-based politics. The state has limited autonomy and is incapable of arbitrating among competing ethnic groups, this basically makes the state the core terrain for contestation by the disparate groups over its control and by extension its vast resources (Ake, 1996). Given its arsenal of patronage positions and public finance, elites bereft of cross-cutting ideology, resort to ethnicity as a force to ascend the ladder of power and superintend over disbursement of these resources (Obi, 2002).

But the question that arises is; why are people inclined to participate in ethnically-oriented programmes that are often risky to their lives? The answers – people in Nigeria face persistent impoverishment and socio-economic insecurity that alienates them from the state

³ Some of the violent ethnic clashes included the Jos riots of 1945, the Kano riots of 1953, the Tiv uprisings of 1959-1960 and 1964. The violence in Western Nigeria led to the imposition of a state of emergency in the region in 1962 and the pogrom which is the systematic killing of Igbo people in the North. This preceded the civil war that lasted for 30 months in which over a million lives were lost.

and it is this condition that pushes people to seek solace in primary group identity (Ake, 1996). This factor is reinforced by a high rate of illiteracy that ultimately hinders the appearance of civic awareness that could have allowed the masses to be abreast of intricacies of modern government and the real issues therein. This lack of understanding makes them vulnerable for recruitment by self-seeking elites that presents ethnicity as panacea for their impoverishment (Kaur, 2002, 2007 and Jinadu, 2004).

Important to note is the fact that poverty creates divisive socio-economic competition. The net effect of this competition is insecurity associated with limited job opportunities and social services. This limited survival opportunities results in situations where frustrated and unsuccessful people find it convenient to blame their plight on some assured advantages possessed by members of other groups.

Another factor that makes it easy for the elites to manipulate ethnicity to serve their parochial interest is the system of multi-party, single-member electoral process in Nigeria which encourages ethnic chauvinism. The case is so because most of the constituencies in Nigeria are conterminous with ethnic homeland. As such, it is easy for candidates to contest elections without any program but their ethnic credentials of being 'the son of the soil'. In this case, they utilize ethnic appeals and idioms to solicit votes, emphasizing the neglect of their respective ethnic groups of which they promise to rectify on assumption of office, thus promoting the 'us versus them' syndrome (IDEA, 2003).

The high level of ethnic consciousness generated as a result, undermines class consciousness that could have whittled down ethnicity. Moreover, the tendency of the Nigerian state to repress, intimidate, emasculate and clampdown on popular class organizations on occasions of economic and political crisis has contributed to consign alignment along ethnic lines (Ake, 1996). This leaves space only non-class forces like ethnicity to thrive and dominate the political space in the country. Related is the long duration of military rule in the country. Its repressive nature has also been interpreted through the ethnic prism that accuses the military elites who monopolized power as representing sectional interests.

Elite manipulation also occurs easily because the Nigerian political scene presents an environment for a strong belief in the ethnic group's entitlement. This belief informs the general orientation among the elites and masses alike on the size of the national cake that should accrue to their respective ethnic groups.

Additionally, developments in the global political-economy have had implication by reinforcing the undemocratic character of the Nigerian state with consequences for ethnic politics. This is because globalization needed an authoritarian state with the capacity to enforce the fundamental restructuring it needed, and so authoritarian regimes that are ethnocentric are supported to repress resistance including those anchored on genuine ethnic grievance. The tinted history of inter-ethnic relations in Nigeria which has been quite discordant has always been reinforced whenever the situation required it. The elites have

capitalized on these situations to advance parochial interests by recalling mistrust, betrayal and acrimony that occurred in the past.

Management of Nigeria's ethnic diversities

The heterogeneous nature of the Nigerian state and the problem it poses to nation-building is well recognized by its managers. Subsequently, policy measures to accommodate the diversities were implemented in the past to assuage feelings of marginalization and contain deviant behaviour from aggrieved groups. Some of the policies were implemented by the colonial administration and continued by the Nigerian ruling elites that replaced them. Others were initiated by the Nigerian ruling elites. Most of these measures are tokenistic and have not only failed to address the problem of ethnicity in Nigeria but have also complicated ethnic divisions in the country.

Examples include the colonial policy of *Sabon gari*, which sought to separate Nigeria's internal immigrants from one another, and the Native Authority system instituted to create ethnic citizenship different from the civic citizenship of the urban areas by allowing each ethnic group to sustain its particular heritage in accordance with colonial interests. These colonialist policies were vital in creating new symbolic focus on ethnicity because it gave members of ethnic groups in urban areas a viable reference point for their ethnic identity (Nnoli, 2008). This closed up all avenues for cross-cultural interaction that could have promoted understanding among ethnic groups in the country.

Similarly, the principle of federalism introduced in 1954 by the Littleton Constitution was a response to ethnic politics. It was initially meant to create centers for the three major ethnic groups (Hausa–Fulani, Igbo and Yoruba) to ventilate their particularistic issues within self-contained regional governments, but the minority ethnic groups, which were present in all the three regions, persistently complained of domination. To satisfy those agitations as well as weaken the regions to prevent the re-occurrence of Biafra⁴, the military administration of General Gowon arbitrarily divided the regions into twelve states (Asia, 2001). This arbitrary multiplication of federation units was to be replicated by successive military administrations in the country to 36 states plus a federal capital territory of Abuja. This arbitrary creation of states by the military only succeeded in perverting the structure of the Nigerian federalism and making it a source of tension⁵.

⁴ Biafra was a short lived republic established mainly by the Igbo, the major ethnic group in the then eastern region under Lt. Col. Odimegwu Ojukwu who cited insecurity and non-accommodation of the Igbo in Nigeria. That declaration precipitated into a civil war that lasted for three years after which Biafra reunited with Nigeria.

⁵ Tension and conflict stemming from the issue of Nigeria's federal structure in the first republic heightened based on the accusation that the Northern region was too big. The North represented half of the seats at the Federal House of Representative, which meant that its elites did not need to campaign in other parts of the country to win an election at the centre. The arbitrary creation of states

The 'federal character' principle introduced by the 1979 Constitution was designed to ensure the representation of various ethnic groups in the national decision-making process as a determinant of political behaviour. It is related to the quota system applied to ensure equitable distribution of resources and opportunities among the various Nigerian groups. However, the implementation of this principle tends to sacrifice merit for mediocrity leading to disaffection among the populace. Imposition of the two-party systems in the botched third republic was a regulatory policy initiated by Ibrahim Babangida's military administration to prevent an ethnically-based party system. The two political parties were facilitated by that administration to draw a country-wide membership support base. The goal for instituting a two-party system was to incorporate ethnic competition into intra-party struggles as against a battle between ethnic groups camouflaged in party competition as witnessed in the First Republic. In this way it was hoped that the ethnic factor would be kept away from public consciousness (IDEA, 2000, p.96). This measure, however, had limited success going by the obvious outcome of the annulled presidential election of 12 June 1993⁶ but in the Fourth Republic, the formation and development of political parties has down played issues of ethnic identification as platform of support mobilization as indicated in the dominance of the Peoples Democratic Party which controls most of the elective offices cutting across all the geo-political regions of the country.

Ethno-nationalism and the Fourth Republic Dispensation in Nigeria

The end of the Cold War witnessed the accession of democracy as a universally-embraced governing system for delivering social good and rendering of accountability to the people. The idealism that is associated with democratic practices and the hope it holds for socio-political systems makes the system appealing. One of the most appealing aspect of democracy as a system of governance is the expandable systems of rights that must be guaranteed, even though it brings with it its own peculiar set of problems. The peculiar problems become obvious in multinational, multicultural societies with a history rooted in colonialism. It becomes obvious when an unresolved issue of nation building exacerbates uncontrollably especially when a hitherto authoritarian system experiences expanded democratic space (Fearon & Laitin, 2006). This is because democracy is a system that is responsive to the people (Dahl, 1956). It presents an environment for constitutionalism and

has also favored the North by increased representation in federal institutions and unequal distribution of resources based on application of the quota system. The south has always demanded this situation to be redressed .

⁶ The election conducted in June 1993 produced a result that stunned Nigerians because for the first time voting alignment defied religious and ethnic consideration as Abiola-Kingibe's Social Democratic Party (SDP) ticket which was a Moslem-Moslem ticket won overwhelmingly in the Christian southern part of the country from the results released. Even the candidate of the National Republican Convention Bashir Tofa lost in his home state of Kano to SDP.

social mechanism which permits the largest possible part of the population to influence major decisions (Lipset, 1960).

It was natural therefore that a country like Nigeria that is not used to this experience would encounter hiccups at the initial stage. That is not surprising because the Nigerian state is a product of coercion and has remained so for many years under military rule, thereby not providing its citizens the opportunity to imbibe a democratic culture and way of life. Underpinning this characterization are presence of weak state structures and incapacity, poor performance and illegitimacy, corruption and partiality, inability to establish control over the monopoly of violence and lack of security, and law and order (Nzongola-Ntalaja, 1999, p.38, Agbu, 2004, p.12). It is this weak state that produces politics that makes violence a prime means of political action in Nigeria (Allen, 1999, p.371). It enables excessive coercion, repression and abusive violence, constructs a vicious terrain of violent challenges (Ikelegbe, 2004). This antagonistic characterization is associated with the framing of politics in the mould of ethnic conflicts where claims are seen as largely exclusive (Ake, 1996). In such a situation, the image of a biased state furthering sectoral interests would be the dominant perception of the major segment of the population. This results in the making of exclusive political claims and engenders fierce competition for the control of the state, thus raising the quest for power into a zero-sum game as is the case in Nigeria.

In this game, the only avenue of support mobilization available to the elites struggling for power is ethnicity. Given the multi-ethnic nature and the high level of ethnic identification in Nigeria; political struggle takes place along highly divisive ethnic lines (Williams, 2004).

It is therefore understandable that the major ethno-national movements are concentrated in the south and middle belt regions of the country because the military rulers were perceived as perpetuating northern (Hausa-Fulani) hegemonic interests (Awodiya, 2006, p.2). With the return to democracy in 1999 repressed ethnic feelings exploded calling to question the domination of the Hausa-Fulani military elites.

The emergence of organizations such as MEND, MASSOB and OPC was seen as bringing into the open, complaints that were previously mouthed with hushed tones, thanks to the transition to democracy (Ubani, 2006, Jason, 2006). The activities of these organizations, suggest an escalation of ethnic consciousness in the country (Duruji, 2008). This has permeated the Nigerian society to the extent that the activities of these new ethnic militia organizations challenge the legitimacy of the state⁷.

⁷ Since the return to democracy in 1999, a new form of ethnicity has emerged in Nigeria through organizations that are emboldened and violence-oriented. They brandish arms openly and are spread all over the country. These organizations include the Niger Delta Volunteer Force, Movement for the Emancipation of Niger Delta Egbesu Boys of Africa, Oodua People's Congress and Bakassi Boys among others.

It is not therefore surprising that the democratic government resorted to failed military administration's tactics of unleashing the might of the state to suppress these ethno-nationalist manifestations (Philips, 2000, Obinor & Obayuwana, 2006). This administrative style has manifested in Odi, Zakibiam, Onitsha and Gbaramutu where troops were sent to raze down the communities in a manner that is not in conformity with the rule of law. A unit of the military – the Joint Task Force (JTF) – is permanently stationed in the oil-rich communities of the Niger Delta to protect the oil installations which have been the target of militia organizations. In Lagos and Onitsha, the government gave the police shoot-at-sight orders for OPC and MASSOB members because of their notorious activities in those cities. MASSOB claims that about 700 of its members were killed as a result of that order, a clear violation of the rights of those individuals (Duruji, 2009). Such action on the part of the state brings into question rule of law and due process which are vital elements of any democracy.

Ethno-nationalism in the Niger Delta region

The Niger-delta region presents a classic case of the manifestation of ethno-nationalism in Nigeria. The region, since the dawn of the fourth republic democracy, has witnessed intensified agitations for resource control and increased militia activities (Ikelegbe, 2004). These activities have come in the form of kidnapping of oil workers, blowing up of oil pipelines and installations and killing of security operatives. The militia insurgency in the Niger Delta region which begun in 1998 was ignited by the Movement for the Survival of Ogoni People (MOSOP) that carried out peaceful agitations in the early 1990s against the degradation of Ogoni environment as a result of the oil exploration (Osezua, 1999, Obi, 2002, Isumoha, 2004, Emmanuel, 2006). The repression of the Ogoni uprising and hanging of the leader of MOSOP, Ken Saro Wiwa, by General Sani Abacha's military regime sparked off an international uproar that encouraged other Niger Delta ethnic groups especially the Ijaws who are the largest minority group in the country to follow suit (Osaghae, 1995, Ojeifa, 2004). The declaration at Kaima in 1999 spurred the militant agitation which transformed into an insurgency due to the complications of the Nigeria brand of democracy especially the 2003 General Election⁸. These events provided the government with an excuse to militarize the area with the deployment of a joint police/military unit called Joint Task Force (JTF).

The Kaima declaration changed the contour of the Niger delta struggle and took it beyond where the Ogoni struggle left it. The declaration called for the immediate withdrawal of military forces from Ijaw land and warned the oil companies against employing the services of the Nigerian armed forces to protect its operation or risk the wrath of the Ijaw people (Ojeifa, 2004). The oil companies were also ordered to stop all exploration and

⁸ According to the report of Justice Kayode Esho, an administrative panel set up by Governor Chibuike Amaechi of Rivers state in 2008, it was revealed that most of the militia groups in the Niger Delta were thugs armed by politicians to intimidate voters with violence during the 2003 General elections. The militia groups fed on the perceived ethnic grievances of the region.

exploitation activities in Ijaw land so as to put a stop to gas flaring, oil spillage, and blow out that was degrading Ijaw land. They were also advised to withdraw their staff and contractors from Ijaw territory by the 30th of December 1999.

Though the government reacted swiftly against the organizers of the forum, the agitators did not back down. It was this epic declaration that galvanized and mobilized the Ijaw people to confront the injustices perpetrated against them by the Nigerian state. The Niger Delta People's Volunteer Force (NDPVF) was the first militia group formed mainly by the Ijaw people to champion the cause of Niger Delta people by violent means.

Even though the government of Olusegun Obasanjo was able to arm-twist Asari Dokubo, the leader of the group, into surrendering, MEND which became prominent shortly after that event, adopted 'formlessness' as a strategy of asserting claims on the Nigerian state. The new strategy was necessary because MEND realized that since Asari, the arrowhead of NDPVF, was identified it was easy to immobilize him and hence his group. The long incarceration of Asari who was released shortly on assumption of office by Shehu Yaradua in June 2007 was enough to transform MEND activities into an insurgency (Jason, 2006).

MEND's activities have led to instability in the economy (Ebiri & Etim, 2009). The violent actions carried out by MEND are the core issues revolving around the Niger Delta question today (Aderemi & Osahon, 2008). The intensified activities of the militia groups under MEND led to stoppages in oil production in the region. For instance production dropped to 1.46 million barrel of crude oil per day as of July 2009. These disruptions had a negative impact on the 2009 Nigerian budget which was dependent on earnings from oil at 2.2 million barrel per day at \$45 per barrel (Igbikowobo, 2009).

Institutional response to ethno-nationalism in the Fourth Republic

The avalanche of ethno-nationalism after the 1999 transition to democracy has become a huge challenge for the democratic administration. The magnitude of the eruptions has overwhelmed the government and compelled them to adopt the use of force to suppress those manifestations as indicated in the deployment of soldiers to Odi, Zakibiam, Odioma and Gbaramutu (Obinor & Obayuwana, 2006). Similarly, troops were deployed to Onitsha and Port Harcourt to crush ethnic militia activities though it was against the constitutional provisions on the use of soldiers in internal conflicts⁹. For instance, section 217 (c) of the 1999 Constitution stipulates that the deployment of soldiers as aid to civil authorities

⁹ The violent clash between MASSOB and NARTO in Onitsha and the notorious activities of MEND in Port Harcourt compelled the government to set up joint police and military task force to restore order given its assessment that it is beyond what the regular police can provide.

and restoration of civil order is to be authorized by the National Assembly (FGN 1999). The militarization of ethnic conflicts and non-adherence to rule of law and due process is further exemplified by the "shoot-at-sight" orders to the security operatives against OPC and MASSOB in Lagos and Onitsha respectively (Ploughshare, 2004, PARAN, 2006).

In the Plateau state, the May 2004 sectarian violence between the Hausa-Fulani settlers and the indigenous Tarok population, compelled the president to invoke emergency powers with the support of the National Assembly suspending elected democratic institutions in that state for six months including the state assembly and the functions of the governor in a manner that did not follow the due process of law¹⁰. The 1999 Constitution in section 188 stipulates that the governor can be removed either by impeachment, resignation or incapacitation but the section of the constitution relied upon by the president was not only ambiguous but circumvents the will of the people.

The legislative institution has proven incapable of intervening decisively in the management of ethno-nationalism in the country. Early in the life of the fourth republic the legislature was assertive as exemplified by the passage of the Niger Delta Development Commission (NDDC) bill against the wish of the President, and resolution of the onshore-offshore oil well controversy on determination of derivation percentage to oil-producing states to assuage the feelings of ethno-nationalists in the Niger Delta. Besides, the National Assembly has not been able to achieve a major constitutional re-engineering to ameliorate and diffuse some of the issues that stoke ethno-national feelings and agitations. The process to achieve that was botched by politicians seeking tenure elongation¹¹.

The Judiciary on the other hand has been unable to mediate effectively in the resolution of ethnic conflicts. For instance, nobody has been convicted through the judicial process for the several arson and killings that have occurred. The trial of some of the leaders of major militia groups in the country was not carried through to its logical conclusion but was discontinued by the government prosecution after those personalities were granted bail by the courts¹². The government has been able to use the slow judicial process as a ploy to weaken the militia organisations. At times, their leaders were held incommunicado. But it was

¹⁰ Though the 1999 Constitution in section 11(4) stipulates that the National Assembly can make laws for a state of the federation if the State Assembly is unable to sit, the situation in the Plateau state did not degenerate to that level. However the constitution was silent on the appointment of an administrator.

¹¹ Since 1999 there have been several attempts to amend the military-imposed constitution so as to address some of the demands by ethnic organizations. But none of these attempts – the Political Reform Conference instituted by Olusegun Obasanjo, the All Party Committee and the National Assembly-initiated processes – has seen the light of day. The last exercise in 2006 by the National Assembly was truncated by a third-term ambition of former president Olusegun Obasanjo who wanted an introduction of a clause that will permit him third term. This was used as an excuse by the opposition to defeat the process at its second reading in the Senate (Akpe, 2006).

¹² In 2005, the government arrested the major ethnic militia leaders such as Asari Dokubo of NDPVF, Ralph Uwazurike of MASSOB, Fredrick Faseun and Gani Adams of OPC and charged them with various crimes but they were released shortly after the 2007 elections and the charges dropped.

not effective. For instance, the prosecution of the leader of NDPVF Asari Dokuboh led to the emergence of a more daring MEND that operates without a visible point man or leader¹³. Similarly, the incarceration of Ralph Uwazurike the leader of MASSOB led to the emergence of a more violent faction called the Biafran Must Be Society (BIAMUBS) which derides the 'non-violence philosophy of MASSOB. The resilience of the militia groups forced the government to discontinue some of the court processes against the leaders of these ethnic self-determination groups after the 2007 General elections in Nigeria.

Conclusion

Conflict in an ethnically-diverse society like Nigeria cannot be unexpected. However, strong state institutions which could prevent or reduce the violent explosion of ethno-nationalism were lacking. The lack of strong institutions in Nigeria notwithstanding, the manner with which the managers of the state handle the ethnic agitations impacts on the corporate existence of country. The Nigerian state as an authoritarian contraption designed to serve the interests of the colonialists that created it and the factional elites that continued after them, lacks the impetus to acquire such characteristics. Overwhelmed by the magnitude of the problem, the civilian regime relapsed to the tactics and strategy of repression adopted by the previous military administrations. However, instead of mitigating ethno-nationalism in Nigeria it has made it worse.

The paper therefore advocates that for the ethnic conflicts and assertive agitations to be arrested, there must be justice and equity in the Nigerian political system. This justice and equity can only be achieved if dialogue and discussion are openly encouraged. Through this effort, a deal on equitable framework for the governance of the country with substantial support from the people at the grassroots can be brokered and this would ultimately ensure the survival of the state and its fledgling democracy

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¹³ It was only after the government of Umaru Yar Adua offered Amnesty from August 6 to October 4, 2009 to encourage the Niger Delta militants to surrender their arms in exchange for non-prosecution and government rehabilitation that major leaders of the loose MEND militia organization began to emerge in the media radar. These include General Boyloaf, Ateke Tom, Farah Dagogo, Africa, Young shall grow, Tompolo and a host of other who operated different camps in the creeks of Niger Delta.

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