

INTERNATIONAL LAW AND LEGAL CONSEQUENCES OF TRANSNATIONAL ILLICIT DRUG TRAFFICKING OFFENCES

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Abstract

The central argument of this paper is based on how international law has seen the issue of drug trafficking which is a global illicit trade that involves the cultivation, distribution and sale of substances which are subject to drug prohibition laws. In the declaration on the rule of law, member states recognized the importance of strengthened international cooperation in countering the world drug problem. The paper argues that illicit drug trafficking stand as threats to peace, security and development to the world. Such threats cause's problems like interpersonal crime and community violence; corruption and disintegration of social institutions. Trafficking in illicit drug leads to committing an organized crime in the society. Organizations linked to illicit drugs trafficking affect the social and economic development of countries due to the rationalized use of violence and corruptible practices links established in such states. Through the use of appropriate primary and secondary materials the paper discusses how illicit drug trafficking leads to the promotion of lifestyle associated with illicit drugs substances. It was discovered that in developing countries the use of illicit drugs substances has become a form of escape from social suffering or social abnormalities, especially in young people who have been excluded from educational and employment opportunities. It concludes that for illicit drug trafficking to cease, strong institutions need to protect legal and property rights of individuals and in turn, facilitate legal trade and that public officials found to be involved in the transnational illicit drugs trafficking should not go unpunished.

Key words: International law, Drug trafficking, Peace, Substances, Countries

Introduction

An illicit drug is defined as any drug which is illegal to possess or use or any legal drug used in an illegal manner, for example: a drug obtained on prescription but given or sold to another person to use. Research has shown that underlying factors influence drug use and its extent in the population. Trends in drug use are determined by a multitude of factors related to individual, family, community and environmental characteristics, as well as by the impact of national and local policy and service delivery (UNODC 2020).

Cannabis continues to be the most widely cultivated illicit crop worldwide. Since 2010, the illicit cultivation of cannabis has been reported, directly or indirectly, by 151 countries across all regions, covering 96 per cent of the global population. By comparison, direct and indirect evidence of the illicit cultivation of opium poppy

has been observed in 55 countries and of coca bush in 9 countries. Having said that, the illicit cultivation of opium poppy is mainly concentrated in just three countries, as is the illicit cultivation of coca bush.

Irrespective of significant annual fluctuations, estimates show an overall increase in the global area under opium poppy cultivation over the past two decades, in particular after 2009. Following a decline in the area under illicit opium poppy cultivation from a peak in 2017, global opium poppy cultivation rebounded in 2020, rising by 24 percent compared with the previous year, to reach 295,000ha. This rise was primarily the result of an increase in opium poppy cultivation by 37 per cent in Afghanistan, the country in which the vast majority of opium is produced. Nonetheless, the global area under opium poppy cultivation in 2020 remained 29 per cent below the peak in 2017 (Afghanistan Opium Survey 2020).

The global area under coca bush cultivation declined by 45 per cent over the period 2000–2013, before more than doubling over the period 2013–2018. In 2019, however, coca bush cultivation fell by 5 per cent, the first such decline since 2013. This was primarily the result of a decline of 9 per cent in the area under coca bush cultivation in Colombia, the country that accounted for thirds of the global area under coca bush cultivation in 2019. The second year-on-year decline in a row in the area under coca bush cultivation in Colombia, this went hand in hand with an intensification of manual coca bush eradication in 2019 (UNODC and Colombia 2020). Generally speaking, only a small proportion of the land available for agricultural purposes is dedicated to the illicit cultivation of opium poppy or coca bush. While the average ranges from 0.02 to 0.4 per cent in the countries where most opium poppy and coca bush are cultivated, in communities where there is illicit cultivation of opium poppy or coca bush, the proportion can be significant. In Afghanistan, for example, 22 per cent of agricultural land in Helmand Province, the main opium-producing province in the country, was under opium poppy cultivation in 2020.

Cannabis is produced in most parts of the world, but new areas such as the central Asian republics of the Commonwealth of Independent States, where previous production was undetermined, now show a potential to become major producers. The overwhelming majority of illicit drugs currently consumed are still plant products, or plant products that have undergone some semi-synthetic processes. According to a study investigating consumption patterns of drug consumers in the United States of America in the early 1990s, the share of illicit drugs other than cocaine, heroin and marijuana, measured in terms of money spent (money is still the only common denominator available for such comparisons) was 4 per cent over the 1990-1993 period. In other words, in the early 1990s more than 95 percent of the illicit drug market in the United States was constituted by traditional plant-based products (UNDCP, Drugs and Development 1996).

Be that as it may, the paper is to posit how the link between drugs and crime is well-established, because expert studies and opinions differ as to how far law enforcement prevents crime by limiting the number of drug abusers. Some researchers even question whether law enforcement may not, in fact, contribute to an increase in certain kinds of crime, such as violent conflicts among dealers for market share and crimes committed by abusers to finance their habit (Evans & Irwin 1993). The impact of illicit drug abuse and trafficking on law enforcement is both extensive and intensive. Illicit drugs have a considerable impact at each step along the chain of production, distribution and consumption, diverting time, energy and resources away from other responsibilities.

Trafficking of Illicit Drugs

Illicit drug trafficking is the crucial link in the chain between production and consumption. It is also the most lucrative stage in the process from the cultivation and processing of the illicit drug to the point of final consumption. Along the many routes on which illicit drug traffic moves, there appears to be some spillage, partly because of a tendency of traffickers to pay middlemen in kind. Several transit countries along trafficking routes are consequently showing evidence of increasing drug abuse and consumption. Some of the evidence for this is drawn together in a nine-country study carried out by the United Nations Research Institute for Social Development (UNRISD) and the United Nations University (UNU): in the comprehensive survey published at the outset of the project, the country studies themselves and the overview of their findings. Several divergent patterns of illicit drug distribution are found, depending upon: the level of activity (whether traffickers are wholesalers, middlemen or retailers); the degree of organization (whether traffickers have payrolls or enforceable "personnel policies", develop specialized departments, have vertical integration, build or fight over regional or countrywide market shares); the type of drug marketed (cannabis, cocaine, heroin or designer drugs); the existence of trafficker-insurgent-terrorist alliances; and the way organized traffickers compete for

market shares. Individuals do not appear to be major players, and early analogies to a cottage industry now make little sense for the illicit drug trade.

The trade has become increasingly organized, particularly at the production, wholesale and middleman levels, pronouncedly so for cocaine and heroin, less so for marijuana. It tends to be controlled by organized groups and in some cases cartels, often organized along ethnic lines to create stronger cohesiveness. Cocaine trafficking begins in the Andean region and spreads northward, with North America and Europe as the principal final destinations. The 100 tons of cocaine seized in the United States in 1995 alone would have had a street value of between \$2 billion (valued at minimum prices) and \$20 billion (valued at maximum prices). The value of cocaine seized in the United States was thus, on average, approximately \$10 billion, larger than the individual gross domestic product (GDP) of more than half the countries of the world. In 1995, 22 tons of cocaine was seized in 35 countries in Europe. The distribution route leads from the Andean countries through Central America, Mexico and the Caribbean region, although alternative routes through South America (Argentina, Brazil), Africa and Europe (partly Eastern Europe) have also become popular. In the same 1995, 9 tons of heroin were seized in Europe (35 countries), compared with 1.1 tons in the United States (Combined database of UNDCP, ICPO/Interpol and WCO).

The majority of heroin consumed in Europe originates in South-West Asia, which provided from 70 to 90 per cent of European heroin seized over the 1993-1995 period (Interpol, Asian Drug Scene p. 7).

Heroin trafficked to North America, by contrast, largely originates in South East Asia, which provides more than half of North American demand (Interpol, International Heroin Scene pp. 39-40) with the rest coming from Colombia, Mexico and South-West Asia (The transnational drug challenge 1994). Most heroin processing takes place close to the point of origin. The route of distribution to North America involves countries and areas

such as China, Hong Kong, Malaysia, Thailand and, increasingly, African countries for transshipment purposes. The heroin-smuggling route from South-West Asia to Europe goes mainly through Pakistan, the Islamic Republic of Iran and Turkey, and along the Balkan route (which accounts for 70 to 90 per cent of all heroin seizures in Europe), although smuggling through the Central Asian Republics of the Commonwealth of Independent States is becoming popular. The opening of the borders between east and west in Europe facilitated contacts and communication that were also used by drug traffickers, increasing the number of transit routes for drugs and markets for drug consumption (The Social Impact of Drug Abuse 1996).

International Legal Frameworks on Drug Trafficking

Illicit drug trafficking is the crucial link in the chain between production and consumption. It is also far and away the most lucrative stage in the process from the cultivation and processing of the illicit drug to the point of final consumption. Along the many routes on which illicit drug traffic moves, there appears to be some spillage, partly because of a tendency of traffickers to pay middlemen in kind. Several transit countries along trafficking routes are consequently showing evidence of increasing drug abuse and consumption.

Of all the illicit products trafficked by organized crime, drug trafficking is the most (in) famous and it has received systematic attention over the last decades. There are three international drug control conventions that regulate a range of activities connected to drugs, including the production, distribution and possession of controlled substances for medical and scientific purposes. The 1961 Single Convention on Narcotic Drugs, as amended in 1972 merged pre-existing multilateral treaties, and sought to streamline control by establishing the International Narcotics Control Board, which replaced pre-existing supervisory bodies. The Convention's aim was to assure adequate supplies of narcotic drugs for medical and

scientific purposes, while preventing their diversion into the illicit market and abuse. It exercises control over more than 120 narcotic drugs. (INCB 2018)

The Convention on Psychotropic Substances of 1971 extended the international drug control system to certain psychotropic substances including hallucinogens, central nervous stimulants, and sedative-hypnotic, such as LSD, amphetamines, and barbiturates. Finally, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 extended the control regime to substances frequently used in the illicit manufacture of controlled drugs (so-called precursors), and focuses on the growing problem of transnational trafficking while strengthening the framework of international cooperation in criminal matters, including extradition and mutual legal assistance. These three conventions enjoy broad global support, and therefore reflect and promote international consensus and cooperation against illicit drug trafficking. Since international drug control has long been a priority, in 1946 the Economic and Social Council established the Commission on Narcotic Drugs (CND), the central policy-making body of the United Nations in drug related matters. The Commission continues to meet annually to address international drug control issues and common strategies. (UNGA 2016). For instance, the Commission decides whether new substances should be included in one of the schedules or tables of the three drug control conventions and if there are moving across or deletions in the schedules and tables.

Over the past decades, there has been concerted global effort to track illicit drug production, drug trafficking as well as governments' interventions on illicit drug markets. Therefore, the available data on cultivation and seizures of controlled drugs and on trends of drug use provides a useful overview of the extent of drug trafficking in recent years. (UNODC 2017) As the 2017 World Drug Report points out, although drugs continue to represent a major source of revenue for organized criminal groups, business models are changing. Criminals are

exploiting new technologies and networks, such as the Darknet (i.e. an encrypted virtual network), that are altering the nature of the illicit drug trade and the types of players involved. For instance, it has been found that organized criminal groups operating in virtual networks tend to have looser ties and to be organized in horizontal structures (as opposed to vertical or hierarchical structures); also, studies have highlighted that smaller groups have become more significant. In addition, fewer groups are exclusively dedicated to drug trafficking, since a considerable number also operates in other illicit sectors.

According to the Report, an estimated quarter of a billion people - or around five per cent of the global adult population - used drugs at least once in 2015. Overall, drug trafficking seems to have increased slightly in 2015 and some drug markets, particularly cocaine and synthetic drugs - including synthetic opium - appear to be thriving. For cocaine trafficking, the vast bulk of the flow proceeds from the Andean region in South America, and it is largely sold in North America (usually via Central America) and Europe (for instance, via West Africa). The Report also shows that consumption of cocaine in the United States has been in long-term decline since the 1980s. The most recent decline could be attributed to renewed enforcement efforts in Latin America, such as those aimed at supply disruption in Mexico, which might have resulted in poor quality product in the US drug market. Nonetheless, these efforts have also increased competition and violence between trafficking groups. At the same time, demand for cocaine in Europe appears to be stabilizing after a period of rapid growth. (UNODC 2017)

With regard to heroin trafficking, approximately two-thirds of the global heroin supply comes from opium poppy cultivated in Afghanistan. The main trafficking routes of opiates out of Afghanistan are the so-called Balkan route (via the Islamic Republic of Iran and Turkey, mainly to West and Central Europe), the southern route (to South Asia, Gulf countries and other countries in the Near and Middle East and in Africa); and the northern route (through Central Asia mainly

to the Russian Federation). The vast majority of heroin and morphine seizures globally occur along these routes. (UNODC 2017) As for the global synthetic drugs market, the 2017 Report shows that it is more complex to study for a number of reasons. For instance, the information on synthetic drug manufacturing is more limited than that available on plant-based drugs (cocaine, opiates and cannabis) and this is largely due to the fact that synthetic drugs can be manufactured anywhere, as the process does not involve the extraction of active constituents from plants that have to be cultivated in certain conditions for them to grow. The challenges in tracking synthetic drugs production, prevents an accurate estimation of the volume of the corresponding market worldwide. Nevertheless, data on synthetic drug seizures and drug use suggest that the supply of synthetic drugs is expanding. (UNODC 2017)

In particular, recent attention has focused on the threats posed by methamphetamine and new psychoactive substances, two types of synthetic drugs. UNODC uses the term new psychoactive substances (NPS) to refer to those "substances of abuse, either in a pure form or a preparation," that are not controlled by the 1961 or 1971 Conventions, "but which may pose a public health threat". (UNODC 2018) The term "new" does not necessarily refer to the fact that they are new inventions - several NPS were in fact first synthesized 40 years ago - but to substances that have recently become available on the market.

According to the 2017 Global Synthetic Drugs Assessment, an increasing number of countries are reporting seizures of synthetic NPS, with over 20 tons seized in 2015. The same study also highlights that the NPS market continues to be very dynamic and is characterized by the emergence of large numbers of new substances belonging to diverse chemical groups. Between 2009 and 2016, 106 countries and territories reported the emergence of 739 different NPS. Nonetheless, despite this large number of NPS present in drug markets, the overall size of the market for such substances is still relatively small when compared with other drug markets, like the cocaine market.

(UNODC 2017) Since NPS are not controlled under the international drug control conventions, their legal status can differ widely from country to country. Many countries have implemented domestic legal responses to control certain NPS, and some have adopted controls on entire groups of NPS not explicitly and individually listed in the legislation, by using a generic approach of "chemical similarity" to a substance already under control by national law. At the international level, the Commission on Narcotic Drugs placed 17 new substances under international control in 2015-2016. (UNODC 2017)

International Cases of Drug Trafficking Offences

The Caribbean Drug Trade Experience

Two defendants were convicted on March 31, 2017 after a 12 day jury trial for their roles in an international drug trafficking conspiracy that aimed to transport more than 2,400 kilograms of cocaine aboard United States. Registered aircraft, announced Acting Assistant Attorney General Kenneth A. Blanco of the Justice Department's Criminal Division and Acting Administrator Chuck Rosenberg of the United States Drug Enforcement Administration (DEA). Dwight Knowles, a Bahamian national also known as "Arizona," and Oral George Thompson, a Jamaican national also known as "Chad," were convicted of conspiracy to distribute, and possess with intent to distribute, five kilograms or more of cocaine on board a United States registered aircraft. Thompson was set to be sentenced on June 21, 2017, and Knowles was set to be sentenced on June 23, 2017. United States District Court Judge Amy Berman Jackson of the District of Columbia presided over the trial and imposed a sentence.

According to the evidence introduced at trial, Knowles and Thompson sought to acquire United States registered aircraft to transport large quantities of cocaine from Colombia and Venezuela. Thompson moved to Colombia by 1997 and Knowles followed by 2010 (United States Department of Justice). From their base in Colombia, the defendants were better able to connect with sources of cocaine who

were seeking aircraft, mostly from the United States, to transport their cocaine from Colombia and Venezuela to Central America and the Caribbean, for eventual distribution elsewhere. The evidence introduced at trial also revealed that from 2011 through May 2012, Knowles and Thompson sought to acquire a U.S. registered aircraft to transport at least three loads of cocaine from Venezuela to Honduras. The evidence showed that a total of at least 2,400 kilograms of cocaine could have been transported in the three loads. The plan was to acquire a United States registered Beechcraft 1900 aircraft in The Bahamas, fly the plane to Haiti to refuel and pick up a second pilot, fly to Venezuela where the cocaine would be loaded on the plane, and then fly to Honduras to deliver the cocaine. In May 2012, Knowles and Thompson arranged for a Bahamian pilot to fly the Beechcraft 1900 aircraft to Haiti; however, upon arriving in Haiti, the pilot and two other men on the plane were arrested and the plane was confiscated by Haitian authorities.

The Drug Enforcement Agency in Orlando (Florida) office, Bogotá and Cartagena, Colombia Country Offices, and Special Operations Division investigated the case. The government of Colombia provided invaluable assistance through the investigation of this case, with specific assistance provided by the Colombian National Police. Invaluable assistance was also provided by The Royal Bahamas Police Force, Drug Enforcement Unit; the Ministry of Traffic, Transportation and Urban Planning, Curacao Civil Aviation Authority; and, the National Police of Haiti, Anti-Drug Traffic Office. The United States Federal Aviation Administration (FAA) also played a pivotal role in the investigation and prosecution of the case. This case was prosecuted by Trial Attorneys Adrian Rosales, Charles Miracle and Erin Cox of the Criminal Division's Narcotic and Dangerous Drug Section (NDDS), with significant assistance provided by the NDDS Judicial Attachés in Bogotá, Colombia; the Criminal Division's Office of International Affairs; and the Prosecutor General's Office of the Republic of Colombia (Fiscalía).

International Enforcement Mechanism and Legal Measures

Law enforcement tactics against producers and traffickers have been focused on physically restricting the supply of drugs to consumers, while actions against consumers have focused on deterring potential drug use through the threat of arrest (Caulkins & Reuter 2009). Illicit drugs have become a major global problem in recent decades following considerable recent political change, including the collapse of communism and the formation of international super-states to increase trade. Despite increasing collaboration between law enforcement authorities like Drug Enforcement Agencies in different countries, illicit drug problems appear likely to increase in the future because of the vast profits available, continuing (and increasing) demand and more permissive attitudes concerning drugs among young people. While rejecting legalization or decriminalization, the search for more effective responses by law enforcement authorities and the community generally must be stepped up. Police services continue to play an important role restricting the availability of illicit drugs but increasing emphasis needs to be given to reducing demand, including more available and more effective preventive drug education in schools. Police also need to work with harm reduction approaches devised to reduce the negative consequences of drug use for those who continue to use illicit drugs. New measures proposed in Britain are outlined (Bennet & Holloway 2009).

These stress the importance of a multi-sectoral approach operating at both national and local levels with the objective of reducing drug-related crime, reducing the harmful consequences of illicit drug use. Harm reduction requires a commitment for close collaboration between police and drug treatment services to maximize the effectiveness of needle exchange schemes and other harm reduction approaches. Cautioning, now commonly used in Britain for selected minor drug offences, has a number of benefits including reducing criminal justice costs. Greater emphasis must be placed on diversion schemes involving close links

between police and drug treatment services. Future progress requires firm commitments to providing adequate and effective drug treatment services, conducting research to develop and evaluate more effective diversion schemes, improving collaborations between sectors and effective leadership. In addition to the major costs of illicit drug use to the community, the huge cost to individuals must remain a major focus driving the search for more effective responses to the problems resulting from illicit drugs.

International Legal Challenges of Drug Trafficking

Most drugs found in the United States originate from a country outside the United States. Certain countries such as Mexico, Colombia, Jamaica, and Venezuela have been recognized during various periods by federal law enforcement as drug source countries. Drugs originate in other South America, Central America Asia and even Europe. Drug use has become so widespread that it is now an international problem. International drug Cartels earning multimillion dollars run rampant in some drug producing countries. Cartels usually influence corrupt politicians with drug profits and in some smaller countries influence the economy. Drugs usually originate from poor economies which find high demand and prices in the United States.

In recent years the United States has joined together with other countries in reaching agreements aimed at fighting international drug cartels. Some of these countries, such as Colombia, have made agreements with the United States government to extradite drug traffickers to the United States to face indictments and criminal justice is beyond corruption. Because of the international scale of the problem, drug trafficking has become an international problem. Drugs are imported into the United States because there is an international drug trafficking business. Drugs grown or manufactured outside the United States borders are smuggled across the border often by forces and organizations operating outside the United States Drug importation and international drug trafficking are prosecuted by the federal law

enforcement and will fall under the jurisdiction of federal court. The constitution gives the federal government authority to regulate all substances entering the country and the authority to police borders. To effectively combat the international drug trafficking requires marshalling the resources of the federal *government* (The National Drug Control Strategy 1996)

International Criminal Consequences of Drug Trafficking Offences

Illicit drug dealing or drug sale charges are criminal charges for the sale or attempted sale of any type of illegal controlled substance, such as marijuana, cocaine, heroin, or meth. State laws sometimes refer to drug selling as "possession with the intent to distribute." Illicit drug dealing charges are more limited than charges for drug trafficking, which includes any part in the chain of the making, transporting, and selling of illicit drugs. Generally, the penalties for drug dealing are determined by the type of drug sold, the amount of the illicit drug that was sold, and the number of prior offenses of the defendant, if any. In some cases, even if a person didn't intend to sell illicit drugs, they will be presumed to be selling if they have over a certain amount of the drug in their possession.

Tackling Organized Crime

Law enforcement will never be able to fully eradicate the illicit drug market (long and costly operations to disrupt one group only lead to its replacement by another). Strategies and interventions should therefore focus on curtailing the operations of those criminal organizations and individuals whose actions are causing the most harm to society, whether it be through the corruption of officials and institutions, violence against and intimidation of law abiding citizens, or the distortion or undermining of legitimate economic activities. Actions against organized crime groups need to be based on quality intelligence, focusing on how their operations impacts on society. This may lead to difficult decisions on priorities, focusing on the most harmful aspects of their operations rather than solely on seizures and arrests, and encouraging markets to be conducted in

away from public places or reliant on non-violent friendships networks. As this is a transnational issue, international cooperation will often be required.

Tackling the Problems Associated with Illicit Drug Retail Markets

Retail drug markets can operate in many different ways: in public or private spaces; concentrated or dispersed; and controlled by a small number of dominant groups or a large number of social networks. Different types of retail markets can have vastly differing impacts on the levels of harms caused to the community, through their visibility, violence or intimidation. Law enforcements that focus indiscriminately on any visible aspect of the market can result in changes to the market that actually increase community harms. The most common example is where a successful operation against on trafficking organization leads to increased violence through battles over the vacated 'turf' or the rise to prominence of a more violent organization.

Similarly, a raid on private premises where drug trafficking is concentrated can result in the market moving to a more public or dangerous location. While the circumstances in each area are unique, retail markets are generally more harmful when they take place in public areas, are concentrated and involve groups and individuals who are prepared to use violence, intimidation and corruption to protect their trade. Law enforcement strategies against retail markets therefore need to be based on good intelligence about the local market, and seek to influence the shape of the market in order to minimize consequential harms.

Reducing Availability of Illicit Drugs to Young People

While it is not realistic to expect law-enforcement authorities to stifle the overall availability of drugs in a particular country or city, it may be possible to influence the retail market in ways that minimize the risk of young people coming into contact with the market. Law enforcement agencies must focus their actions on shaping the local drug market so that it is less likely to be accessible to young people. For example, they can track

down on dealing in parks and playgrounds, or encourage markets to be run from private premises. Drug policy agencies may consider instituting the supply of drugs to children or involvement of minors in dealing as an aggravating factor in sentencing. This approach has been adopted in Czech Republic, Estonia, Denmark and the United States of America; people most likely to deal near schools are usually poor and black, because they usually live in highly populated urban areas where large numbers of schools happen to be concentrated. The costs and benefits of these 'aggravating factors' therefore need to be carefully considered. In a regulated market, availability to young people could be easily reduced by applying strict regulations on drugs, such as those that apply tobacco, alcohol or pharmaceutical drugs.

Recommendations

The most common forms of drug-related crime are theft, fraud, commercial sex work and robbery offences committed by people dependent on drugs, to raise money to pay for drug purchases. Many countries have found that people dependent on drugs account for a significant proportion of the overall rates of certain petty crimes. Those that have implemented initiatives to identify the most active offenders and refer them to evidence based treatment programmes for drug dependence have found that it is a cost-effective mechanism for reducing individual crime rates. As law agencies come into regular contact with these offenders, these agencies are well placed to play this identification and referral role. Arrest referral schemes, court diversions schemes and prison drugs away from a lifestyle of petty offending and drug dependence. Law enforcement agencies should therefore put greater emphasis on referring these people to services and services and treatment rather than on the more expensive process of prosecution and imprisonment.

The international trade in illicit drugs has been a transnational problem, and it has become a matter of security of nations. The community of nations should mobilize itself to meet the scourge of drugs. The negative

effects of the production, distribution and consumption of illicit drugs had created tensions in international political relations, within communities and families and for individuals, creating economic, social and political problems. The General Assembly on the drug problem should provide a solid foundation for genuine cooperation. But these efforts must be based on international law. Territorial integrity and sovereignty should also be considered. Since the 1950s, Kuwait had understood the importance of fighting the illicit drug trade, and had established a specialized office for drug control. It had also established laws specifically to deal with drug offenders accused of the import, possession and use of illegal substances. Although government efforts had come a long way in the field of drug control, popular efforts and the society at large were also working together to fight the phenomenon. Nepal had included the drug control policy in its current five-year plan, which reflected his country's commitment to control drug abuse and illicit trafficking. His Government had also approved a National Drug Control Policy and the National Drug Demand Reduction Strategy. Provisions had been made for the national laws to conform to the 1961 and 1988 United Nations Convention along with the South Asian Association for Regional Cooperation (SAARC) Convention of 1990 relating to drug abuse and drug trafficking.

The primary legislation under which criminal charges for drugs offences is brought is the misuse of Drugs Act 1977 and the Misuse of Drugs Act 1984. These have been further amended by the criminal Justice Act 1999, the Criminal Justice Act 2006 and the Criminal Justice Act 2007. The Misuse of Drugs Regulations 1988(SI 328 of 1988) (as amended) lists the various substances to which the legislation applies. The criminal Justice (Psychoactive Substances) Act 2010 covers substances which are not specifically proscribed under the misuse of Drugs acts, but which have psychoactive effects. The main drug offences under which charges are brought are offences of drug possession and possession for the purpose of supply. These are possible indicators for measuring law-

enforcement's contribution to reducing the negative impacts of drug markets, and which can also be more realistically achieved. If law-enforcement strategies and activities are to be guided by a different set of objectives and indicators, it does not mean a reduction in the role of law-enforcement strategies will strengthen the capacity of law enforcement agencies to develop more effective responses.

Conclusion

Drug trafficking offences have continued to be on the high rise with increasing socio-cultural and political effects despite the international legal frameworks that have been put in place. Consequences and trials of such drug trafficking offences have been mild in some cases, but in much more cases, more severe measures have been taken, amounting to death penalties. Production, distribution, carrying and selling of these drugs have their diverse range of legal repercussions as provided by individual countries drug law enforcement measures. The health and societal hazard of these illicit drugs cannot be overemphasized as its continuous circulation poses threats to global sanity, peace security, development and even threat to life, not forgetting the induced criminal actions carried out by youths who have become major consumers of these illicit drug substances. Therefore, the international effects of these menace in transboundary engagement of people dealing on illicit drug traffickers to the point that individual countries have also been legally empowered under international law provisions if strictly complies with by states, will be able to prevent, curtail or even solve the problems posed by illicit drug trafficking internationally.

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NATION BUILDING AND THE ISSUE OF POLITICS IN NIGERIA

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Abstract

Nations are an important part of modern society. Historically, the world used to be divided into empires and kingdoms. In the modern period, however, nations or nation states have replaced empires as the basic unit of human political organization. The paper examines if nation-building is a question of virtue. However, the main goal of politics is to cultivate the good character of citizens, empowering them in achieving the ultimate end of any society—human happiness. Nation-building defines the progress of any country and this is why it is not taken for granted by those who hold development close to their hearts. Nation-building is therefore the product of conscious statecraft, not happenstance. Nation-building is always a work-in-progress; a dynamic process in constant need of nurturing and re-invention. Nation-building never stops and true nation-builder never rest because all nations are constantly facing up to new challenges. Unfortunately, as the paper contends over the years, especially in Nigeria, the role of politics in nation-building has been surreptitiously scuffled through a deliberate constitutional design to permeate an unsavoury political exclusionism in addition to the crude stereotypic mentality built around them by Nigerians. The paper through a historical analytical methodology, made use of major primary and secondary documents to examine if nation-building strategies are developed to mean that state-planned nation-building entails a parallel process where the ruling political elites maintain and reinforce differences with "nations" in surrounding states and eliminate differences within their own boundaries. Against this backdrop, the paper asked: what role(s) should politicians play in the overall project of nation-building in Nigeria? It submits that the role of politicians in nation-building is to offer genuine political leadership which remains the panacea for resolving other problems inherent in the society.

Key words: Nation-building, Nigeria, Politics, Politicians, Society

Introduction

It is a fact of history that Nigeria secured her political independence from the British colonial masters more or less on a platter of gold. This assertion does not in any way infer that the decades of nationalist struggle amounted to child's play. However, the Nigerian independence struggle pales into modesty in

comparison with the protracted epic campaigns waged by such African countries as Algeria, Angola, Kenya, Libya, Mozambique, Namibia, South Africa and Zimbabwe. Political analysts believe that the plethora of problems which beset this country soon after flag independence were inevitable and are easily traceable to the nature, structure and political culture of the country at independence in 1960. They also

believe that we got to our handicapped status at independence largely because the House of Nigeria was divided from Day One, thanks to the ethno-regional agenda of the major protagonists, as well as British policy of divide-and-rule (Obaro 2006, p.292).

The political and economic misfortunes of Nigeria since independence are traceable to the culpable betrayal of the country by her elite. The coups and counter-coups, the thirty-month civil war, the politicization of the Nigerian Armed Forces, the institutionalization of corruption, the systematic squandering of the country's riches and the pauperization of the masses are all by-products of elite buccaneering. This class sees the country as a colony, not as "Our country" or even "their country", but as one vast no-man's-land to be exploited and ravished with fearless abandon. To sustain their hegemony and economic exploitation the elite methodically indoctrinate and brainwash the poor masses to hate across the ethno-lingual divide and celebrate their "leaders" cheap political manoeuvres at the expense of their own well-being (Onyeoziri 2007, pp.40-51).

On a higher level than the basic, many Nigerians also looked forward to a more enabling social, economic and political environment for the legitimate pursuit of personal happiness and self-actualization. Others hoped for the commencement of a genuine process of national reconciliation, nation building and meaningful development, while yet others anticipated a process that would reposition Nigeria for a leadership role in Africa and enhanced relevance in the wider comity of nations. Therefore, the paper takes a critical look of things to be done in order to achieve a better nation as well as examine the roles of politicians in the overall project of nation-building. If indeed there is a genuine and sincere political leadership definitely there won't be issue of bad governance and all other issues would be resolved amicably.

Nation-Building and the National Question

Nation-building is the process of creating unity and sense of belonging among heterogeneous groups in the state. According to Nwabughuogu (2004) the concept of nation building involves the creation of a favourable environment that will sustain the sense of love developed by the individuals and groups for the nation-state. Thus, nation-building would normally involve

the creation of impressive elements of organization (political, social, and economic) that characterize a modern state: good roads, water supply, facilities for education and health, efficient communication, opportunities for employment and so on that would make the citizens develop love for their country. Nation-building has many important aspects. Firstly, it is about building a political entity which corresponds to a given territory, based on some generally accepted rules, norms, and principles, and a common citizenship. Secondly, it is also about building institutions which symbolize the political entity – institutions such as a bureaucracy, an economy, the judiciary, universities, a civil service, and civil society organizations. Above all else, however, nation-building is about building a common sense of purpose, a sense of shared destiny, a collective imagination of belonging. Nation-building is therefore about building the tangible and intangible threads that hold a political entity together and gives it a sense of purpose. Even in these days of globalization and rapid international flows of people and ideas, having a viable nation remains synonymous with achieving modernity. It is about building the institutions and values which sustain the collective community in these modern times.

The national question in the Nigerian context is about 'nationhood and development' as every ethnic group continues to struggle for a definition of their place within the Nigerian public space. Abutudu further maintains that this struggle is reflected in the agitations, by different groups, for what they consider important to them as members of the Nigerian state. For instance, the debate over the greater control of Nigeria's oil wealth by the ethnic groups in the Niger Delta has been advanced most forcefully by those from the region, while the issues of rotational presidency and true federalism have been the demands of the people of the southeast and southwest regions respectively even as some groups in the north remain reluctant in supporting any of these demands (Abutudu, 2010). However, as Ihonvbere (2004, p.2) explains from a theoretical stand point, "The national question in Nigeria is nothing but the (un)evenness in the distribution of, or access to power and economy in the context of deliverables and what advantage co-ethnics or a fraction of them take of one another in the process." Ihonvbere, according to Akinola (2012), holds that the

phenomena have little to do with ethnic domination-qua-ethnic domination. It has however been posited that while the elements of social class and structure introduced by Ihonvbere (2004) may lead us to believe that the Nigerian national question and identity crises have more to do with the class structure of ethnic groups than ethnicity itself, it would be more accurate to say that "ethnicity and class co-exist overlap, and reinforce each other in the Nigerian context" (Adejumobi, 2002, pp. 155-181). Akinola (2012) upholds the argument by Adejumobi (2002) as evidence that the "allurement of ethno-nationalism in Nigerian politics" continues to reflect itself not only in ethnic terms but also along class lines, even as the enduring religious tensions in a secular state persist within and between a predominantly Muslim north and Christian south. Whatever side of the argument one might be inclined to pitch tent with, what could be deduced from the above discussion on the national question in Nigeria is that the questions of ethnicity, religion, class, federalism revenue allocation, and constitutionalism, amongst other factors, have remained largely unresolved almost 100 years after the amalgamation of Nigeria in 1914 (Akinola, 2012). Also, the commonly held notion is that the Nigerian crises stem from the fact that the groups that now make up Nigeria were never consulted before they were incorporated into modern Nigeria (Abutudu 2010).

Perhaps, the most often cited authorities in this regard are the statement credited to the first Premier of the Northern Region and the foremost Nigerian political leader of Northern extraction, late Alhaji Ahmadu Bello. According to Alhaji Bello, the amalgamation of the southern and northern Nigeria protectorates in 1914 was "the mistake of 1914" (Osaghae, 1998 quoted in Akinola 2012, p. 8). Soyinka (1996, pp. 277-300) argued that Nigeria is an artificial creation. When Flora Shaw suggested the name in 1898, the word anticipated the thing; unfortunately, a clear identity did not follow directly from the naming. "Nigeria" was the name for a colonial project: to make a country out of a set of British territories; or, more accurately, to unite politically neighbouring but formerly autonomous states and peoples under imperial rule in one colonial state. Initially, Nigeria was imprecisely defined; territorially, British administration varied considerably, if it existed at all. The British presence was precarious as best since there was no public of

citizens or member. Almost a century later the state is not in question, but what national allegiance, identity, and patriotism means in Nigeria is deeply in doubt.

Consequently, Nigeria has come to be perceived as "an African place created by Europeans" and "a telling reality of a country where 'nested identities' exist from the village to the national levels" (Akinola 2012, p. 8). It is important to point out that rather than debunk these sarcastic appellations, the palpable tension between nationhood and state-building in Nigeria in the past eighteen years of democratic rule (if democracy could be equated to civilian rule) has merely helped to reinforce them. Remarkably, extant discussions of the subject failed to rise above the cacophonous ethnic-bound and have been tendentiously framed along these self-same ethnic lines.

The central issue of the national question is loyalty to the Nigerian State and love of the nation, or patriotism. According to Connel (1985), the lack of this vital ingredient is the bane of nation building and the most formidable obstacle to meaningful development in this country. Nation building has to do with the cementing of the bonds of nationhood among the various ethnic nationalities that constitute Nigeria. Nation building is, therefore, the process of attaining nationhood, the process of becoming a nation. Given the arbitrary manner whereby the colonial pencil was squiggled over the face of Africa, nation building is a vital issue for a leading African nation like Nigeria. The specific area to be examined is on the challenge of reconciliation.

The Challenge of Reconciliation

Reconciliation, as mentioned here, is an umbrella term for an overarching process that specifically refers to concepts of justice, peace, healing, forgiveness, truth, reparations, and human rights, among other issues, in a broader peace building framework necessary for the post-conflict transformation of society into a more peaceful, inclusive, and democratic one (David 2003). Reconciliation has been applied to several levels of conflict—from individual and group to broad systemic and structural conflicts and it continues to take on different meanings. While a great deal of debate still exists on the applications of reconciliation, it is pertinent to state that the concept of reconciliation mentioned is "complementary and interdependent instruments of the overall

relationship-building process of reconciliation,” and “reconciliation is not one instrument among several, rather, it is the overall relationship-oriented process within which these diverse instruments are constitutive parts.

Nigeria’s post-civil war nation building project has generated a range of diverse memories that have not necessarily been conducive to reconciliation and peace, but rather have reinforced and reignited the conflict in many ways. This prompts the need for a deeper interrogation and understanding of “the very meaning [of] ‘peace’ that various nation building approaches claim to be building.”(Bruno & Genevieve 2012). Addressing the existence of post-war individual/group memories of hurt, injustice, and marginalization involves more than advancing or integrating “top-down” and “bottom-up” approaches and “best practices.” Instead, it entails a critical interrogation of the notion of peace “by recognizing the inter-subjective processes implicated in building, living and thinking peace.” Memory is powerful in linking individuals/groups to peace building projects; it is critical in broader debates about a nation building agenda, the ways peace and reconciliation can be reached, and what kind of peace and reconciliation is tenable or untenable in a post-war context. The burden of memory is borne and shared by individuals or groups that are socially or culturally knit together, and as such, memory is strongly linked to political and economic processes, practices, and agendas. Nigeria provides a contextual example for exploring the nexus between memory and reconciliation and what this means for other emerging post-conflict states in Africa such as Liberia, Sierra Leone, Rwanda, and Somalia.

Scholars have sufficiently explored the events leading to the Nigeria-Biafra War. So the war broke out following a series of failed negotiations, the disagreements and differences between General Yakubu Gowon (Nigeria’s military head of state) and Colonel Chukwuemeka Ojukwu (the military governor of Nigeria’s Eastern Region) over the future of Nigeria and the political structure to adopt going forward led to the suspension of an orderly process of engagement. The federal government lost its effective authority over the Eastern Region, which seceded from the main federation, declaring its independence as the Republic of Biafra on May 30, 1967. The Nigerian government responded to the secession with military force on July 6, 1967,

and the ensuing conflict ended with the collapse and surrender of Biafra in January 1970. The end of the Nigeria-Biafra War was marked by the magnanimous proclamation of “no victor no vanquished” by the General Yakubu Gowon-led Federal Military Government (FMG). This was widely welcomed and immediately followed by the policy of “Reconciliation, Rehabilitation, and Reconstruction (3Rs)” toward the victims of the war. In a national broadcast, titled “The Dawn of National Reconciliation,” Gowon declared that the task of reconciliation had truly commenced (FMI, 1970).

The harsh conditions of surrender expected from the FMG did not materialize; rather, the period was marked by the magnanimity of the FMG in pronouncements that guaranteed the personal safety and security of the Igbo and their properties, the right to re- side and work anywhere in Nigeria, the reabsorption of civil/public servants of Igbo extraction into the civil service and the military, and the granting of general amnesty to the Igbo. John de St. Jorre, whose popular account referred to the conflict as “The Brothers’ War,” argues that this was probably the only armed conflict of its magnitude in history, perpetrated with so much viciousness and bitterness, where no reprisals, trials, or executions occurred (John de St. Jorre 1972). A retrospective examination reveals that the FMG pronouncements did not fulfill the intended purposes, as they turned out to be more sensational than real. It gradually became apparent that there were indeed those who emerged as “victors” and others who were really “vanquished.” The institutional and structural context of Igbo marginalization and alienation as reflected in subsequent developments and events in post-war Nigeria explains this point. After three months of war in 1967, Biafra had lost two-thirds of its territory, and its capital, Enugu, was sacked in the fourth month.

This meant that war was brought home to Biafra, and the territory was transformed into a vast refugee camp. In 1968, the federal government established the National Rehabilitation Commission (NRC) with the primary task of coordinating post-war food relief efforts, compensating those whose property had been destroyed or damaged by the conflict, resettling and assisting fleeing populations, and undertaking reconstruction projects (ECS Rehabilitation Commission 2002). However, these policies were never actually implemented in the post-war era, raising the question of

whether or not the Gowon regime was sincerely committed to genuine reconciliation. The situation was aggravated when the federal government openly rejected, rounded up, and expelled the personnel of humanitarian organizations and countries that were eager to assist in these efforts in Biafra at the end of the war. The federal government's reservations stemmed from the view that these relief organizations and church charities played a crucial role in sustaining Biafra's war efforts and in prolonging the conflict (Paul 1998). The federal government's half-hearted and insincere approach to reconciliation along with its misguided approach in dealing with humanitarian organizations and countries willing to assist in post-war reconstruction in the region marked the beginning of ill feelings and sentiments harbored by the Igbo in post-civil war Nigeria.

Operating from a position of relative disadvantage and inequality, the East-Central state remained the only state out of the twelve created in 1967 to be governed by an "administrator," while the others had military governors. This situation persisted until the Gowon regime was toppled five years after the war. The post-war reconciliation rhetoric experienced a further crisis with the enactment of the Public Officers (Special Provisions) Decree No. 46 of 1970, which prevented senior Igbo civil servants and public corporation personnel from being reabsorbed on the grounds that they were accomplices who had aided Biafra's war effort. Predictably, many top-ranking civil servants of Igbo extraction were routinely dismissed or compulsorily retired from the armed forces, prisons, and police. This was a situation that was radically different from what was promised, but the logic behind the action of the government was to reward the ethnic groups that remained in the federation after Biafra's secession, and not to be seen to be rewarding those who had taken up arms against the state (Isawa 1986).

The fate of army officers of Igbo ethnic extraction was even more severe, as they were rounded up and subsequently faced a military tribunal, where some were dismissed without benefits for their role in the secession while others were discharged with full benefits. Some officers remained in detention, and others were reabsorbed and put on probation without promotion for a period of four years (Lagos Daily Times, 1971). The government-instituted

Abandoned Properties Implementation Committee (APIC) was a considerable setback to national reconciliation in post-war Nigeria. This committee presided over the sale of Igbo properties outside Igboland and in parts of the former Eastern Region (Port-Harcourt) to indigenes of those states at ridiculously low prices. The government's decision to adopt the "Twenty Pound Policy" and the Banking Obligation (Eastern States) Decree of 1970 further eroded the promise of reconciliation (Benjamin 1985). The Indigenization Decree of 1972 which reviewed the ownership structure and control of Nigerian enterprises and compelled foreign companies to sell part of their shares to Nigerians at a time when the Igbo had barely recovered from the effects of the war and were still perceived to be economically emasculated - capped this string of pernicious and polarizing policies.

The unequal structural relationship between the Igbo East Central States and other states in the federation was deepened with the new national revenue-sharing formula that came into effect after the war. The modification of the Distributive Pool Account (DPA) in 1970 led to the re-organization of "distributive imperatives," under which fifty percent of the DPA resources were shared equally among states. The other fifty percent went proportionally to their populations benefitting regions that had been split into more states while the clamor for more states by the Igbo failed to yield any real results (Henry 2005). There was a shared perception among people of the Igbo ethnic group that the establishment of only two Igbo states in the 1976 state-creation exercise, compared with the creation of five states each in the Hausa/Fulani (Northern) and the Yoruba (Western) regions, had put the Igbo at a huge disadvantage in the competition for socioeconomic and political opportunities in the federation (Benjamin 1983). The postwar rhetoric of reconciliation succeeded to a large extent in imposing relative peace and stability, but also provided the cover for the pursuit and entrenchment of the "victor's" interests.

Similarly, the cumulative assault of fifteen years of uninterrupted military rule and tyranny had left the mark of Cain on the average Nigerian. The siege mentality, persecution complex and "uniform syndrome" left a scar on the psyche of the ordinary Nigerian that would take some time to heal. Almost incredibly, Nigeria has wobbled into the 21st century. In the theatre of human

civilization, Nigeria sits as an observer in the backbenches, watching the drama unfolding on the stage filled to the brim with actors from Western Europe and North America. South Africa plays a supporting role, while Nigeria yodels in the dimmest part of the audience hallucinating that she is part of the drama (Osaghae 1998).

The bestiality and terror of the Babangida and Abacha years had succeeded in deepening the cleavages of inter-ethnic antagonism, hatred and suspicion and fuelled the centrifugal tendencies of ethnocentrism (Roberts & Oladeji 2005). The seething resentment and shouldering hostility nursed by Nigeria's ethnic groups against one another or against the Nigerian state were only barely contained during the brief Abubakar interregnum between the Abacha regime and the budding Obasanjo Administration. (And this was because of the hesitant expectancy elicited by the promised transition): it was therefore not too surprising that this cauldron would erupt into a near conflagration at the installation of a democratic regime. This flare-up, with its obvious implications for the maintenance of law and order posed the first major challenge to emerging different Administrations. A due recognition of this challenge was contained in the list of seventeen priority or key areas Obasanjo mapped out for his Administration's immediate focus and attention (Obasanjo 1999). Top on the list of seventeen was "the crisis in the oil producing areas"; "law and order" featured as the third item; while "political and constitutional dialogue" featured as item number sixteen (Lawal 2000).

While the challenge before every administration is the area of reconciliation could be said to have been daunting, one factor had actually doused its explosive potential from one significant quarter. This quarter is the Southwest zone of the country and this factor was the fact that the new President was a Yoruba man from that zone and a kinsman of the martyr of June 12. Thus, although the Southwest zone rejected Obasanjo at the presidential elections of February 1999, when he did win they rushed in to claim ownership. This factor served to rein in the restive propensity of the Yoruba political elite who noticeably toned down their clamour for the "Sovereign National Conference" (Chukwuma 2014).

President Obasanjo, however, took some prompt direct action to further defuse the potentially explosive atmosphere in the country after the exit of the military (Dimeji 2015). These measures included the extensive purge of the armed forces to weed out highly politicized officers, including in particular those who had fed fat on the nation via political office during decades of military rule. The new president also embarked on a determined campaign to pursue and recover the funds looted from the national treasury by late General Abacha, his family, business associates and partners. Obasanjo also promptly set up the machinery to bring the major culprits of the Abacha terror apparatus to book. With regard to the Babangida era, Obasanjo has developed a severe case of selective amnesia (Kawu 2013).

Obasanjo's focus on the Abacha regime, while leaving Babangida and others to frolic unabashed, is suspiciously *ad hominem*. In other words, it seems to stem from a revenge mission against Abacha, rather than a genuine pursuit of justice. Abacha, you will recall, locked Obasanjo up for attempted coup. Though purportedly a born again Christian, Obasanjo is not internationally renowned for his forgiving spirit. If Obasanjo's concentration on Abacha's family and men in terms of criminal prosecutions and loot recovery did not proceed from personal vendetta, then why only Abacha? Some equally guilty past leaders now left free to rove and even contemplate a return to power did much more harm than Abacha, but you might also recall that Obasanjo had strong backers for his presidential selection.

Crisis of Nation-Building

The attainment of flag independence, or the slipping of the less industrially developed societies from positions of total dependence on, and possession by the industrialized nations of the West to being formally independent reached its highest stage during the early part of the second half of this century. This phenomenon, generally regarded as "decolonization", is said to be followed by state-formation and nation building (Gambari 2008). There is a general assumption in the various postulations that this form of change is a generic process – a movement from an archaic tribal polity to a state whose features are bureaucracy, popular participation, and other elements of a "modern" polity. That the "new nations" have not generally followed the European patterns

envisaged by these analysts and the persistent gaps in the range of the constants and variables covered in their Eurocentric examination of the processes of change are, at least, indicative of the inadequacies of their conceptions, model-building, and empirical (mostly macro-theoretical) analysis of nation-building.

Nation-building has many important aspects. Firstly, it is about building a political entity which corresponds to a given territory, based on some generally accepted rules, norms, and principles, and a common citizenship. Secondly, it is also about building institutions which symbolize the political entity institutions such as a bureaucracy, an economy, the judiciary, universities, a civil service, and civil society organizations. Above all else, however, nation-building is about building a common sense of purpose, a sense of shared destiny, a collective imagination of belonging. Nation-building is therefore about building the tangible and intangible threads that hold a political entity together and gives it a sense of purpose. Even in these days of globalization and rapid international flows of people and ideas, having a viable nation remains synonymous with achieving modernity. It is about building the institutions and values which sustain the collective community in these modern times. The quality of life, its mould and the mores and mien which condition it, are the elemental products of the nature of nation being built. It involves the "building" of the individual and the re-creation of a political community with a relevant economic system and the search for it of a cohesive and enduring ethos capable of making the individual identify with the political community. For the individual, the ideal nation is the "good community" reflected through a polity with regulations and laws the individual readily obeys without offending his conscience, a society in which, at the very least, he "can feed his family without stealing, can protect his family without killing, and can make a living without lying to conceal his beliefs. To achieve this polity the preconditions for nation-building would have to be fulfilled. These include high level of consciousness with regard to the meaning and purpose of the nation-state, institutionalized (self-propelling) norms and practices which guarantee equal rights and opportunities for all citizens, and a structured culture of popular control of the means of production (and distribution) which condition

the patterns of social relations. Not too many societies exhibit these characteristics. And we can hardly point out countries in the industrially less developed world that have achieved this ideal status. Perhaps this partially explains the instability which is currently a common feature of the world's new nations"; that is, their degree of approximation to the ideal.

The Role of Politicians in Nation-Building in Nigeria

Attention has also been drawn that politicians regarded power as an end-in-itself rather than the means to an end. They were not primarily interested in realizing the greater good for the electorate. And since power was so conceived, it follows that any method to achieve it was legitimate. In other words, it was unnecessary, if not irrelevant, to talk of the rules of the political game, since this would imply that there were certain ends in view which politicians intended such rules to serve. But since it is difficult to conceive of politics without a notion of rules, it means that, there is no proper notion of politics as well. And without a proper notion of politics, the predominant ethnic is privatization, that is, the pre-occupation of the politicians with their personal consideration.

Most analysts have, however, concentrated on the ethnic factor. It is argued that 'tribes' are too many and semi-autonomous to work together within a common national framework. The forces that pulled these 'tribes' apart were more than those that united them, and this not only made management difficult at the centre but also culminated in a civil war. The constitution was deficient in arresting these centrifugal forces, since it recognized the power and status of these regions. It was partly because of the threat posed by the regions that the military made the centre stronger, a structure retained by the presidential constitution of the second republic. The presidential constitution in fact went further to demand the establishment of national parties and stresses the federal character in appointments to key offices (Edigin 2010).

Objections have been raised to the ethnic factor, especially by analysts who believe that ethnicity was only used by politicians, just as they used religion, to manipulate the electorate, trivialize important issues and get away with moral and criminal offences. Analysts who disagree tend to focus on the colonial factor as the main obstacle to stability in the first republic. The

argument is that the British deliberately bequeathed a fragile state, one that was difficult to operate because of the consequences of the colonial policy of divide and rule, the separatist tendencies which the colonial economic structure had fostered, and the educational system which gave rise to an elite that cherished Western culture at the expense of the indigenous, and who even posed a threat to their own society and culture/ there importantly, it is suggested that the ruling class which inherited power from the British was one that could not run a modern nation-state in view of its propensity for the accumulation of wealth without a strong base in production.

It has also been suggested that the Blackman cannot govern, no matter how hard he tried. The Blackman is regarded as inherently barbaric, disorderly and predatory. For want of a descriptive label, we could call this the African character hypothesis. It is a hypothesis which European missionaries, administrators and officials held for so long. It has developed its variants in contemporary forms, especially in such views as 'only prayer can solve our problems', 'our destiny is not good', 'Nigerians are ungovernable', 'indiscipline is the greatest problem'. This hypothesis is certainly native, for it locates serious problem in the political economy in psychology. It admits the inferiority of African culture and the erroneous fact that genetics as a role to play in politics. It ignores the rich empirical data on pre-colonial African government, where black men built and governed states of varying sizes, and similar problems of indiscipline in Western culture.

A critique of some other suggestions can be summarized. First, some justify, rather than explain, the fall of the first republic. For instance, the view that the military brought it to an end only pushes the analysis further to why the military intervened in the first place, if the system was viable and efficient. Second, some analysts have confused the predisposing factors (if you like, the political environmental background) with the facilitatory factors (or what some would call the catalysts) for instance, analysts who have seen the 1965 elections in the West as the major factor tend to ignore that the elections. Some have even confused the symptoms of a problem with the problem itself. This is the mistake which analysts who attribute the fall to political violence have made. Violence was a consequence and not a cause of instability, though it was accompanied by a

chain of other reactions. Violence does occur in all societies, but developed nations absorb it so easily since it does not threaten the economic market place and the essential economic processes. In developing countries, violence is treated as major indices of instability' since it disturbs the economic market which is the central concern of the ruling class.

An alternative explanation is to see the fall as the outcome of the interaction of three inter-related factors, namely,

- (a) The nature of politics in Nigeria
- (b) The character of the Nigerian state, that is, a weak state which inherited several problems created by colonialism, and
- (c) The country's relations with the international economy, a relation that contributed to our underdevelopment and its attendant political implications. This would mean that we have to consider the pre-1960 historical experience, and locate ethnicity and regionalism in their proper context, that is, in the context of a neo-colonial state and class relations.

Since 1960, politics has taken the form of a 'winner take all game', and politicians do not accept exclusion from government office. Politics involves primarily the ability, or the process, to gain control of public resources, not for public ends, but for private ends. Losers have no rewards, except they could align with winners. In the words of the 1976 constitutional drafting committee, politics is about 'the opportunity to acquire wealth and prestige, to be able to distribute benefits in the form of jobs, contracts, scholarships, and gifts of money and so on to one's relatives and political allies'. These are, no doubt, large rewards. Self-aggrandizement, greed corruption and accumulation have to be justified and rationalized, and this is where religion and ethnicity become very useful. Violence, complaints about discriminations and ethnic rivalries developed to their peak (eg. In the Tiv resistance of 1960 and 1964, Western Nigeria in 1965) in period when the control of the instrumentalities of government at either the federal or regional level threatened the access of a group of politicians (or the community they allegedly represent) to resources. Political stability is possible in this type of system as long as all politicians are satisfied about their access to public resources. But there is no state where this is possible since accumulation is a dynamic

process involving the consolidation and expansion of wealth, the crystallization of class structure and the recruitment of new members into various class categories.

Conclusion and Recommendations

Nation-building is a search for nationhood, leading to the development of national consciousness among individuals and groups for a given nation. Nation-building, which officially started in Nigeria in 1900 when Britain took over the direct administration of Nigeria has not been able to produce the necessary cohesion expected of any modern state, because certain basic necessities of life such as food, cloth, shelter, health, and efficient transport system are yet put in place in different communities by our leaders. The paper has addressed the issue of politics and politicians in the nation-building project in Nigeria in actual fact the politicians are supposed to provide the leadership direction in the process of nation-building. However, the reverse has been the case. Attention has been drawn in the paper that politicians regarded power as an end-in-itself rather than the means to an end

The paper recommend a complete change of attitude on the part of the Nigerian political leadership class, because no matter how perfect or excellent the constitution or other instruments for ensuring accountability and proper governance in the country might be, all will come to naught unless the political leadership class show the political will to abide

by and enforce them. Therefore, there is need to build a culture of honesty and establish a tradition of selflessness and patriotism in public service. If the political leaders change their attitudes and become transparent, more focused and committed, then, Nigeria will be ushered into the Kennedian tradition of: ask not what your country can do for you, ask what you can do for your country! If we imbibe this Kennedian tradition, good governance will be enthroned then the nation-building will flourish. If again the country must stay as one nation, and sustain its national development, then it must exist without a consideration of the country's dividing factors. Thus, religion, sex, tribe, language must not matter at all. There is also as a matter of urgency the need to use more of professionals and result oriented Nigerians to carry out national tasks than to use unprogressive people that are advantaged due to the "Federal character" policy at the detriment of better and more qualified people. To be specific, if a Yoruba, Ibo or Nupe tribe is the most competent for any political post, such individual should be able to run for the presidential post or any other post without recourse to the federal character principle or the claim that it is not their turn. This is the best way to achieving national development, devoid of political antagonism, dissension and enmity, which has been polarized by the practice of the politics of identity on this side of the world.

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OWNERSHIP OF NATURAL GAS IN NIGERIA: AN ANALYSIS, REFERENCING CANADA AND UNITED STATES OF AMERICA

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Abstract

This paper is an attempt to x-ray the ownership of natural gas in Nigeria, with its establishing laws, thus relating the substance with what is obtainable, in other oil producing jurisdictions. Here special reference is made to CANADA AND UNITED STATES OF AMERICA. Whereas, the analysis touches and concerns the contractual arrangements and its fiscal implications.

1.0 Introduction

Natural resources are a gift of nature and endowment of comfort that makes existence of mankind complete. As a nature's priceless gift to man and because nature endowment of this resources is without reference to people or nation, the Subject of ownership and control is such that have generated a great deal of passion amongst people and nations.

Sadly, these resources has been identified as playing a key role in triggering conflicts all through history, Whereas, it has been held to be the immediate as well as the remote causes of all great wars and human tragedies. For example: the scramble for partition of Africa at Berlin conference, the. Boer Wars of South Africa, the obnoxious apartheid system of South Africa, even Hitler's second world war, apart from its desire to create a master Aryan Race, had economic domination of Europe by German as exemplified by its annexation and conquest policies. The desire of industrialized nations in continuing to do business with the developing countries apart from finding sales outlet is to exploit the mineral and natural resources of these countries to their maximum benefits. However, the possession of mineral resources is therefore crucial to nation's wealth and Well-being, so far the issues of ownership and control of such resources cannot be taken for granted.

Globally, a basic petroleum law or natural gas will contain a provision which will state the ownership of petroleum or natural gas occurring in a countries subsoil or (Petroleum in situ) as belongs to that state. Whereas there are instances where some countries allows

ownership of petroleum in underground either to belong to the landowner or who takes care of the accumulation of petroleum or to no one at all. Such practice of ownership by landowner is very pronounced in United States and Netherland with a common understanding that if petroleum migrates to another place outside the boundaries of the owners land, the ownership will lost.

Specifically in Netherland, the land owner has the ownership of petroleum in situ or underneath his land, but the landowner is not allowed to drill for petroleum or to produce petroleum unless in possession of drilling permit or an exclusive exploitation concession. This kind of ownership arrangement vest ownership of petroleum not to the landowner perse but to the concessionaire.

Furthermore, there is ownership by human race or human kind based on the United Nations Convention or the law of sea 1982 concerning mineral resources in situ in international area "as it was declared to be the common heritage of mankind" whereas the international area is designated to be the deep sea bed beyond the continental shelf.

Concerning produce gas,ownership can be obtained through lisencc depending upon the kind of work contract been adopted. A lisencc vest ownership of petroleum if and when produced in the person holding the lisencc. Such holder becomes the owner if the petroleum at the moment and at the time and place where the petroleum enters the borehole of the well drilled by him, on its way to the wellhead. A Contractor can also acquire ownership of certain

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position of produced petroleum product at the time and place where that portion is delivered to the contractor at an agreed point of delivery downstream.

Above all, a buyer of petroleum may also acquire petroleum ownership. Generally the practice of oil and gas hinges mostly on the old long established common law principles of England notwithstanding the fact that the United Kingdom came late to the business of oil and gas. Whereas U.S brought their own petroleum legal business organisation and documentation which met obvious difficulties or an institutional barrier as regards ownership in the developing countries.

2.0 The Aim and Objectives of the Paper

One of the aims of this paper is to critically examine the ownership of natural gas in Nigeria. It is also targeted to Xray the existing laws establishing the ownership of natural gas in Nigeria.

The global ownership theory of Natural gas cum petroleum as it occurs in other jurisdictions, which ofcourse is made for general application, is also highlighted as a back up to Nigeria situations.

It is also the aim of this paper to identify and appreciate the various forms of petroleum contractual arrangements in other jurisdictions, with special reference to what is obtainable in CANADA and UNITED STATES OF AMERICA. The benefits and demerits of the different contractual arrangements where fully highlighted to enable the-would be rich oil nations to have options of the best practice to adopt.

The paper also highlights the fiscal regimes and its legal implications, and the benefits therein contained.

The paper proposes harmonious relationship, between the host government, the international oil companies and the local communities to ensure, promote economic development and eradicate conflicts.

Before now, it has been a major problem on the part of the host countries in a petroleum contractual arrangements, as to know the kind of contract agreements that would be beneficial or may attract adequate financial favour to them.

Above all, it has been discovered that due to poor educational knowledge or lack of education perse, has actually negatively affected the position of a cross section of some rich oil producing nations, thus denying them the opportunity of striking a good deal of negotiations with international oil companies at the contracting level, involving explorations, exploitation and mining leases.

The paper showcases the essence and reasons for state cum public and sovereign ownership interest against private or individual interest.

However, there are four concepts of ownership prevalent globally determining ownership system of petroleum.

3.0 The Accession System

This System provides that a private, state or federal interest in the ownership of petroleum can co-exist within the state. The practice is prevalent in USA, Canada and Australia. A tested case of Bernard VS Monongahela Natural Gas Co. 216 Pa. 326 (1906) facts: The court refused to stop drilling by an adjacent landowner who was alleged to be draining the petroleum reservoir under the plaintiff land. The court held while recognizing the vagrant and migratory nature of petroleum in porous rock, that the plaintiff remedy was available only in self-help by drilling his own well, from this one can safely say that ownership of petroleum occurred when actually it was produced or reduced to possession Which conforms with the rule of "Capture" This works in contrast to the common law doctrine of "whoever own the soil, also owns the sky and to the depths" from this, two theories of ownership emerged.

a. **Qualified ownership theory:** Common in Okland, California, Indiana and Lousiana. Here landowner is regarded to have title solely and in severalty to oil and gas in place, beneath his land. He loses his right to adjacent neighbour operator. If his oil and gas migrates to his adjacent neighbour and it is produced from there. Under this Situation there is no remedy.

b. **Absolute Ownership Theory:** Practicable in Texas Pennsylvania and Arkansas, here the petroleum deposit is located in a common reservoir while the landowners is designated as collective owners. The petroleum is entrapped within the combined land territories. They have a co-equal right. Hence the petroleum cannot escape or be drained by adjacent neighbour. There is a unitization agreement to this effect.

3.1 Domanial System

This reinforces National jurisdiction over petroleum operation. It states that ownership of petroleum resources belongs to the Govt. or sovereign authority. The origin of this system is feudal - At the middle Ages Europe was governed by too many feudals who claims the ownership of minerals, within the confines of their own area of jurisdiction, whereas overtime this right have been transferred to the crown and then to the sovereign state. Argument justifying state sovereign ownership: state is responsible to defence of general interest of the people and as constituted authority is in better position free to fix as it seeks fit the terms and condition for exploration and exploitation of mineral resources within its realm of authority. There has been laws enacted to regulate operations, while holders of petroleum rights are to comply accordingly.

3.2 Regalian System

Here no body owns petroleum and mineral resources until they have been discovered whereas the ownership of such discovery can only be decided by law, However, states establishes the procedure for acquisition, disposal and transmission of ownership based on certain existing facts e.g. who is the 1st occupier, existence of right of ownership based on the resources, evidence that it can be exploited.

4.0 Islamic Perspective

Here there are various school of thought viz: a. Maliki's school of thought in the Hanbali's law, puts that all mineral is in the public domain and private may be extracted only by those who are granted license by the state to do so.

b. **In the case of Hanbali's school of thought-** a basic distinction is made between solid and liquid mineral - this school opined that solid mineral in surface mines are all in public domain - solid mineral in private land belongs to the owner of the land whereas those in public land are considered to be in custody of the community at large and this will require the permission of the state before it can be exploited.

c. **According to Shati school of thought-** minerals found in public domain is public property as to those found in private land, they are not private property as such but requires authorization before they can be exploited.

Further emphasis on petroleum and natural gas resources can be seen from the

5.0 United Nations Resolution on the Ownership of Natural Resources - which can be exemplified through the various resolution adopted at different times which reinforced "State sovereignty over their natural resources' for example in 1952, the UN Resolution 626 was adopted, in 1962 further assurance was provided through resolution 1803.

Again in 1974 UN Resolution 3281 was also adopted which guarantee state free exercise, full and permanent sovereignty over all its wealth natural resources and economic activities. Such authority include Possession, use and disposal.

6.0 Ownership of Natural Gas and Produce Gas in Nigeria

However, ownership of natural gas and produce gas in Nigeria was directly connected to the various laws that regulates petroleum operation or activities in Nigeria such as:

a. 1999 constitution of the Federal Republic of Nigeria Section 44(3) provide thus "The entire property and control of all minerals, mineral oil and natural gas in, under, or upon any land in Nigeria or in, under, or upon the territorial waters and exclusive economic zone of Nigeria shall vest in the government of the federation and shall be managed in such manner as may be prescribed by the national Assembly"

b. The territorial Waters (Amendment) Act 1977 "The entire ownership and control of all petroleum in, under, or upon any land which the section applies shall be vested in the state"

c. Exclusive Economic Zone Act, Cap 116 laws of the Federation of Nigeria 1990 "Vest in the Federal Republic of Nigeria sovereign and exclusive rights to natural resources including oil and Gas, of the sea bed, subsoil and super adjacent Water of EEZ.

d. Petroleum Act 1969 - Section I - Proclaims Nigeria National. Sovereignty "Re-asserted state ownership of oil resources.

e. 1963 Constitution vest to the president all property that was, immediately before the 1963, which was held by the crown, Now to the president, to be held in trust for the benefit of the government of the federation.

f. Land Use Act "Vest ownership of every land to the governor and farm land to the Local government chairman. Whereas the governor

can only allocate land for public interest whereas issues bordering on legislation were exclusive responsibility of the Federal republic.

7.0 Petroleum Contractual Arrangements

Types of contracts arrangement varies from country to country. The purpose of petroleum contractual arrangement is to show how to share profit and to calculate cost, whereas it serves as a tool for calculating risk. It is the responsibility of the Government to bring in the laws and regulations concerning the exploration and fiscal system applicable. The chosen system will be used for negotiations and acquisitions.

Fiscal system can be divided into contract and concession. The main difference between the two is hinged on ownership of natural resources. In concession systems, the hydrocarbon ownership belongs to the investor at the well head. At the sale points the government charges fees and taxes to the investors. The ownership of the equipment and installations transfers to the state upon expiration or termination of the concession. Investors are responsible for decommissioning which is very cost intensive.

In the production sharing agreement, the contractor owns only part of the production, and the place of delivery is often different from the place of production. The government owns all fixed equipment and installations from the moment of commissioning, unlike in concession, where government or national oil company is responsible for abandonment .

7.1 Types of Petroleum Contractual Arrangements

The various choices of arrangement is usually influenced by political and economic factors. For instance, the shift from concession agreement to other modern types of development contracts, was dictated by the desire of host countries to exercise control over the exploration and exploitation of petroleum resources found in their territories.

Below are some of the most popular types of contractual arrangements.

i. **Concession:** - it is an arrangement between the host state and the international oil company

**<www.Pwc.com/id/en/publication/asseteumpublication/financial-reporting-m-the-oil-and-gas-industry.pdf>

(IOC). There is the traditional concession and the modern concession. In the traditional concession, the IOC had control of the production and assumes ownership of the petroleum resources found without the involvement of the host country.

Features of a traditional concession

- The host country receives only a meagre sum for the oil produced in form of royalties and small bonuses.
- Large areas of land were granted to the IOCs which they could not even put to immediate use.
- The agreement could run for a long time e.g. for 60 years without any possibility for renegotiation.
- The host governments were usually excluded from participating in decision making.
- The IOCs relied on the concept of property rights which accorded them complete ownership of the petroleum extracted.

Features of modern concession

- The IOC bears all the risk of exploitation and production.
- The IOC can only acquire rights if it is incorporated under the laws of the host country.
- The IOC must allow for national participation in the petroleum activities.
- The duration of the grant is shorter than in the traditional concession.
- The host government receives much bigger royalty.

ii. **Petroleum joint venture:** Joint venture is simply an association of persons for the prosecution of a single venture. The petroleum joint venture is an arrangement where the national oil company becomes a partner in a contract with the Oil Company or licensee in the exploitation of a commercial discovery. The features of a petroleum joint venture includes:

- Ownership is shared between the parties, mostly in equal.
- Community interest in any of their undertakings.
- The foreign companies usually develop the human and infrastructural element of the host communities.
- Profit and loss is shared to the extent of their percentage in the agreement.

iii. **Joint operating agreement:** this involves two or more people combining property and expertise to carry out a common business enterprise in which they have a joint right to control and share profits and losses. Some features of a JOA includes:

- Contribution of funds to finance joint operations and the sharing of production from the joint operations.
- Establishment of an operating committee.
- Prohibition of certain operations and expenditures without the consent of all the parties or majority.
- Right of access of non-operators to the records and accounts of the joint operators.
- Fiduciary relationship of the operator with the non-operators.

iv. **Production sharing contract:** This is an arrangement between the host country as represented by its national entity and the international oil company acting as the contractor whereby both parties agree to share the production in pre-determined proportions. The main features of a PSA includes the following:

- The IOC is appointed as a contractor by the host community.
- The contractor bears all the cost of production and exploration.
- If the IOC does not discover oil in commercial quantity, it receives no reimbursement for exploration expenses.
- The equipment used for carrying out the operation becomes the property of the host government.
- The crude oil produced is allocated in a pre-agreed formula.

8.0 The Position in Canada and U.S as Regards Contractual Arrangements

8.1 Canada

Canada is the United State largest foreign supplier of crude oil and natural gas. About 60% of Canada's oil production is exported to almost all to the United States. It is imperative to attach the attainment of such outstanding point to some basic institutional factors such as licensing, Access to local supply and pipelines etc.

It is also notable to emphasize that the policies that is adopted towards exportation give room for a better and robust economy. The policy had made' it mandatory that authorization requires that the quantity exported be surplus to Canada's requirements.

This view was supported by a legislative language which states thus:

The quantity of oil and gas to be exported does not exceed the surplus remaining after due allowance has been made for the reasonably foreseeable requirements for use in Canada having regard to the trends in the delivery of oil or gas in Canada.

Even at that, long-term gas exported licenses oblige an exporter to ensure that potential Canadian buyers have been informed and offered access on the same basis as export customers.

The introduction of the national energy programme was a major government policy intervention into what prior thereto had been just another Canadian industry oil and gas which aim at sharing revenue between federal/provincial, domestic versus international and of course it touches on the reduction of cash flow to explorations and production companies through charges. taxes and levies as follows:

1. **Municipal:** Property taxes, fees, license, Road Access
2. **Provincial:** Royalties, fees, Corporate Taxes, Administrative process Regulatory matters.
3. **Federal:** Income Taxes, Amortization and depreciation rates, Export permits, pipelines.

*** www.cdhowe.org No.178 April 2003

**** www.Psac.ca/wp/content/uploads/contrib-OGS-cdm-Econ.pdf Accessed 12/5/18

8.2 United States of America

In United States, the term petroleum is referred to as oil and gas, whereas the knowledge of oil and gas in the United State emanates from an instrument known as oil and gas lease which also is referred to as a lease form. This document basically governs the exploration for and the production of oil and gas.

Oil exploration activities were first recorded in the United States of America. At the beginning of the petroleum industry in the US in 1857, deal-making parties adopted the traditional concession agreement, derived from contracts used in the mining industry. The lease issued on Dec. 30, 1857, to Col. Edwin L. Drake on the tract of land in Titusville, Pa, where oil was first discovered in 1859 follows the pattern of concession i.e it contained the core elements that exists in basic petroleum concession agreements today, namely:

- The award by the lessor to the lessee (or "licensee" or "concessionaire") of exclusive exploration and production rights in a specific area for a given term with a possible time extension (although Drake's rights also covered coal and other minerals, which is not common in modern petroleum contracts).
- Payment of a royalty (called a "rental" in the Drake lease) corresponding to a fractional share of the production (one-eighth or 12.5% was traditional at that time for mining activity), payable in cash or in kind to the lessor.
- The obligation of the lessee to carry out the operations as soon as practicable, without undue delay, or otherwise the lease could be terminated.

***** The oil and gas lease is both a conveyance and a contract. A lease is a conveyance because it is an instrument under which the mineral owner conveys a right to an oil company to explore for and produce oil and gas. A lease is a contract because the company accepts the right to explore and produce burdened by certain express and implied policies. One must note that the oil and gas lease in the U.S. is a business transaction. And oil and gas lease owner, who generally lacks the capital or expertise to explore or develop, transfers those rights to an oil company (reserving a royalty interest in produce). Both parties expects to make a profit from the

The oil and gas lease is not a lease in the traditional sense of landlords and tenant manner, hence the problems emanating therefrom are not subject to or governed by the landlord tenant law. However, the oil and gas lease represent a unique business transaction with its own legal characteristics and creates a unique relationship which appears to be both a conveyance and contract.

The landowner transfers the right to develop the minerals to an oil company to conduct operations on the landowner's land at the oil company's sole risk and expense.

In exchange, the lessor receives money up front in the form of bonus and the expectation for more money, if a good well is completed, in the form of royalty. Finally, the expectation of both the lessor and lessee is profit from the production of the oil and gas, even though, their immediate goals are different; while the lessee wants exploration rights on the land for a long period of time, the lessee also wants an option but not an obligation to drills . If the lessee gets to produce oil from the land, then he would want to hold the lease for as long as it is profitable to do so .

The lessee wants its right to use the surface for exploration to be as broad as possible and of course, wants to pay as little as possible for all their rights since the short term interest of the lessor is different from the lessee.

Whereas disputes frequently arise involving the surface use; Lease termination, implied covenants and royalty e.g. an issue Whether a particular payment is royalty or bonus; where a third party who is the owner of a non-participating royalty interest is entitled to a share of the royalty, but not bonus, hence the rule is that an interest in production that

transaction and lease sets out their bargain. See generally, Joseph Shade, Primer on the Texas law of Oil and Gas (3rd Ed. 2004)

*****This is what is Lessee gets during primary term of the lease. See Ernest E. Smith & Jacquelline Lang. Weaver, Texas law of Oil and Gas 1-3 (2d. ed. 3003); Joseph Shade. Oil and Gas Lease and ADR, A marriage in Heaven waiting to happen, Tulsa L.J 559 (1995)

***** This is what the Lessee gets during the secondary terms of the lease

extends over the life of the lease is referred to as royalty.

In the United States, the operator is desirous of securing a lease with a small capital investment, keeping the lease as long as it was productive or was valuable speculative purpose and at the same time being able to terminate an unprofitable lease without liability to the lessor. On the other hand, the lessor or landowner has been interested primarily in obtaining royalties from the lease so far he pressed for early exploration and development operations.

The minerals interest is real estate, regardless of the ownership theory in United States, both estate and profit are real estate because the mineral estate is dominant, the lessee is not obligated to pay for using the surface, nor is he obligated to maintain or restore the surface in the absence of a statute or lease provision requiring such restoration.

The situation is different with other states in United States, thus in Texas, fee simple is determinable in the minerals, In Oklahoma, profit-a-prendre is subject to equitable termination, in Kansas, licence may become irrevocable. In the states of Texas, Colorado, New Mexico, Michigan and North Dakota, the owner of oil and gas right owns the right to search, develop and produce, plus a possessory right to the oil and gas in place beneath, the owner's tract. These rights to search, develop and produce but no possessory right own right to oil and gas in place. The right creates a profit pendre to extract minerals.

Summary of U.S. Position

a) The entire property and control of all petroleum in, under or upon any land belongs to the owner of the land. A person who owns land which an oil company desires to develop for oil and gas, lease that land to the oil company.

b) The landowner, as lessor, authorizes the oil company, as lessees, to conduct operations on the landowner's land at the oil company's sole risk and expense. The power to renew or extend a lease is entirely vested in the landowner, it is

at his sole discretion to extend the lease further than the initial duration.

c) The landowner grants a lease to the oil company further to a request by the oil company to explore for oil and gas on the landowner's land.

d) In the United States, the low level of availability of petroleum does not amount to a declaration of state of national emergency. Moreso, each state law governs its state within the United State.

e) In the United State the terminology used is oil and gas lease.

f) The landowner receives certain consideration consisting primarily of royalty and bonus.

g) The oil and gas lease creates a relationship between the lessor and lessee, which may last for generations. The long term expectations of the lessor and lessee are the same which is the expectation of profit from oil and gas production. The business deal, evidenced by the oil and gas lease is structured in such a way that if a good well is developed on the leased property, both the lessor and the lessee will profit.

h) The landowner gives the oil company the entire right of the land during the duration of the oil and gas lease and does not in any way interfere, except the oil company commits a wrongful use of the land.

i) The modern oil and gas lease may terminate on its first anniversary date if the lessee fails to pay, delay rentals or fails to fulfill its obligation.

ii) The United State makes use of the joint operating agreement and farm out agreements.

9.0 Fiscal Implications

When negotiating a petroleum contact agreement, both parties i.e. the host country and the IOC, seek to protect their financial stability in the contract. This is due to the large size and capital intensive nature of the investment and associated profit gains. On the part at the IOC, they want to ensure that the host country does not change the fiscal rules or

***** Right to the fruits another's land.

***** The landowner owns both the surface and the minerals underlying his land Eugene O Kuntz et al, Cases and Materials on the Law of Oil and Gas 11-15 (2nd ed. 1993)

*****The amount of the royalty and bonus are matters negotiated between the lessor and lessee. The amount varies widely depending on desirability of the land in question as a prospect for oil and gas development.

make laws which will not benefit it; while the host country wants to ensure its profit is not jeopardized by an action of the IOC.

The term fiscal regime represents the set of laws and regulations that the government of a host country is determined by the distribution of economic gains obtained during the exploration and production of petroleum resources. The Fiscal regime defines relation and activities between the government and the oil company or the partnership companies to reduce the economic risks and to share the capital investments cost.

Fiscal regime provides terms and conditions of conducting business during the complete integrated process from exploration activities to production and trading. The fiscal systems are intended for both the host state and the IOC. Fiscal regimes currently used in oil and gas business worldwide could be concessionary and contractual. Contractual regimes could be conducted as production sharing agreements and service contracts. It is important at this point to emphasize that there are many different fiscal systems with the same goal. To provide a greater income from petroleum production with minimal risks. Incompatibility of the fiscal system is the result of a large number of valid contracts and different conditions of certain activities that are influenced by political and economic parameters.

A complex interdisciplinary process followed by economic analysis precedes exploration and production of hydrocarbons. Each year a large number of countries around the world offer their blocks for oil and gas exploration. Usually, some of them present a new business model or a new fiscal regime concerning hydrocarbon exploration and production tax systems are continuously being reviewed in some countries and introduced to producers or importers. National hydrocarbon exploration and production is being conducted under-a certain fiscal regime.

- **Royalties:** Royalties are a commonly used method of revenue taken by the government. Royalties are based on the volume of hydrocarbon production and exports. Royalties are an attractive solution for the government because they ensure a constant income as soon as production starts. Since the royalties are related to the production or sale, their amount can be easily and accurately calculated. High-levels of royalties can discourage investors and prevent her to invest on time. Therefore, a variable scale is often applied based on the level of oil production and oil prices. Oil royalties may be paid in oil. The Lessor may receive oil from the Lessee and then market the oil.
- **Ringfencing:** Ringfencing means a clear delineation of taxable units, i.e. the area of certain projects and contract. When the ringfencing is applied, the income of a project cannot be used to cover losses of other projects. This means that all costs of the Project must meet revenue generated in the area that covers the project. Some countries allow research costs to exceed the boundaries of blocks. The goal of ringfencing is the protection of current income tax and to some extent, equalization rules for exploration and development by treating new-and existing investors equally. The disadvantage is the lack of incentives for exploration and further investment. The government can be found in the position to give subsidies for failed exploration.
- **Carbon tax:** It is a tax that increases revenue without significantly altering the economy while simultaneously promoting objectives of climate change policy. The objective of a carbon tax is to reduce the harmful and unfavorable levels of carbon dioxide emissions, thereby decelerating climate change and its negative effects on the environment and human health. Carbon taxes offer a potentially cost-effective means of reducing greenhouse gas emissions.

***** Effects of a Carbon Tax on the Economy and the Environment. *Congressional Budget Office*. 2013-05-22. Retrieved 2017-09-29<https://en.wikipedia.org/wiki/Carbon_tax> Accessed 12/05/18

***** Nordhaus William D. "Carbon Taxes to Move Toward Fiscal Sustainability" *The Economists' Voice* 2.0: "The Financial Crisis, Health Care Reform, and More", (Columbia University Press, 2012) pp. 208 - 214, <https://en.wikipedia.org/wiki/Carbon_tax> Accessed 12/05/18

- **Corporate Income Tax:** In some countries, the petroleum industry is classified under the standard of corporate income tax although the country can make an exception and use a higher tax rate to achieve a higher royalty. More and more countries accept the progressive tax rate to ensure distribution of additional profit in case of high profitability of the project. This is achieved by using a graduated tax rate that is tied to the price of crude oil, production volume, the amount of sales, etc. Corporate taxes are clearly defined and control is quite simple and already pre-determined which phases of the life of a project. They are also fixed and simple to charge and monitor.
- **Bonus:** With larger bonuses given to the government in the initial phase of commercial discovery, the risk is higher for investors. The high bonuses often are balanced with lower fees and taxes, share of a production and/or the-government share. Bonuses are easy to administer because they are fixed and usually a one-time occurrence. They are also an early source of revenue for the government. The disadvantage of bonuses is the susceptibility to external factors such as the political situation, the reputation of the investor, etc. High bonuses are often the reason for withdrawal of investors from considering the project at all.
- **Government Participation:** Many production share agreements include the term, which ensures the government or national oil company participation in the project. The government's participation may be in various forms. One form is the percentage of share interest where the government asks for the same conditions that the partners have in the joint venture. The most common case is where the investor has: the costs of exploration, and the government has the option of entering into a project with a certain share in the moment of discovery, increasing the percentage of a share, the impact of government decisions related to development and production increases as well. In most of these projects, the government is paying only production costs to the investors. Depending on the contract,

there is a possibility when the investor has the right to seek compensation for prior costs in case the government joins in on the project. The government entering in on the project decreases profits for investors, but the larger government share means the smaller other fiscal fees.

- **Limit cost Recovery:** Many contracts stipulate a production limit that can be used for cost recovery. After deducting fees, the remaining income is used to offset the costs. If costs are over the limit, the difference is transferred to the next period. Most of the contract has no time limit on transfer costs. The share production agreements limit is between 35% and 5000. There is also the Egyptian model if you are reimbursed under restrictions, the rest of the oil intended for expenses belong to the government as in Egypt and Syria. Cost recovery limit provides state income from production which facilitates administration.
- **Tax on Rental Resources:** Tax on rental resources is a type of additional income tax that is linked directly to the profitability of the project and applied after achieving certain goals. When the objective is achieved, a relatively high tax rate is applied. This project provides a grace period on the taxes payment for the period until the return of the investment costs. Then the additional shares in profit are increased on the government's side. The main advantage is neutrality of the tax. It will not be charged unless the profitability of the project is achieved and the government will provide its share as additional earnings. The main disadvantage is the lack of earnings for the government in the case of marginally successful projects. The role of administration is critical in its assessing and collecting.
- **Harmonised sales tax:** The harmonized sales tax (HST) is a consumption tax in Canada. It is used in provinces where both the federal goods and services tax (GST) and the regional provincial sales tax (PST) have been combined into a Single value added sales tax.

***** "What is HST?" Canada Revenue Agency
<<https://en.wikipedia.org/wiki/>

Harmonized sales tax
Accessed 11/05/18

- **Import and export Duties:** The import duties are applied to all the material and equipment imported into the country. Throughout history, these measures were designed to protect domestic production. Some states have restrictions, and have issued a list of materials and equipment which are enabled to be imported without payment of Custom fees. Import duties are a source of income from the very beginning of exploration. The list of materials increases administration and time for project development. When the equipment was originally imported for one project it could be used for another, but it often causes problems.
- **Taxes on Land:** The tax on land is paid annually, depending on the size of the rented area. Different amounts are charged for exploration and production areas. The purpose of this tax is to force investors not to lease space without exploration or some of the activities in this area. Also they are acceptable and provide income during all each accounting period. It takes an efficient and professional administration for proper control of costs (risk of "gold-plating"). The low percentage of limitations is very restrictive for investors, especially for the development of marginal fields.
- **Profit share by hydrocarbon:** In the production share agreements, profit is the income that remains after deducting fees and expenses. In most cases, the shares variable scale depends on a number of the mentioned factors. Profit sharing is variable during the project and is a frequent subject of negotiations, depending on the period. The variable scale allows the government to use the same form of contracts and to meet different projects without any legislative framework changes. At the same time a variable scale allows the investor to develop marginal fields, especially if it is tied to the rate of return because it will provide an additional load in case of unprofitable production.
- **Environmental taxes and duties:** The public increase pressure on governments around the world with increasing

environmental awareness and require the supervision over the operations of investors. In most cases, early production opens, funds for the decommissioning that will be used for finishing the project after the end of production. The payment of environmental taxes and drawing up insurance policies to compensate for the damage of possible environmental pollution is normal, Costs incurred in environmental protection are considered operating expenses and they are tax-deductible. Depending on the contract, the costs resulting from the repair of damage caused to the environment are not subject to tax deduction. Direct taxation of the costs of remedying the damage is the best way of controlling investors. However, the implementation of direct taxation is complex and requires additional administrative costs.

- **Liabilities to the local community:** These obligations could include a quota of local employees, covering the seats of their training and the purchase of domestic goods and the inclusion of indigenous companies for repair services, etc. The aim of the training is the transfer of knowledge (know-how). A number of public employees are referred to the education and practical training in the sectors of the company's investors. Sometimes this process has the dual role of control at the sometime. Usually these costs are recoverable and tax exempt. Local government obligations are to achieve transfer of technology and know-how to increase employment and domestic industry strengthen. This advantage can be a disadvantage in case of unrealistic demands where overload investors have high expenditures. Relationships with the local employees must be declined for upon work completion.
- **Variable scale:** The only alternative to a fixed percentage value of compensation, costs, profits and bonuses is variable scale related to the level of production shown as the R-factor.

***** Daria karasalihovic-sedlar;
Goran Babir, et al, Types of Fiscal Regime in
Hydrocarbon Exploration

and Production' *The Mining Geology Petroleum Engineering Bulletin*" pp. 49-51.

10.0 RECOMMENDATIONS

1. It is incumbent on the contracting parties involving in petroleum contractual arrangements to be abreast of the full knowledge of the business, so as to be on a better ground to negotiate. This became necessary considering the complex nature of the subject of trade.

2. There's urgent need to all the oil producing nations to package their citizens across the globe for full training of technological acquisition and transfer in view of the complex nature of the business.

3. The knowledge and ascertainment of the ownership of natural gas in all oil producing nations became highly desirable and necessary considering the antecedent and the volatile nature of conflict arising from such areas e.g. particularly between the state and the local community where oil producing operations exist.

4. Such Hitech acquisition ability will not only enhance production capacity of the contracting host country it will boost the financial economy, fiscal and infrastructural development.

11.0 CONCLUSION

One of the most important parts of petroleum contractual arrangement is to ensure favourable exploitation of the fiscal regime as much as possible that will attract investors but also provide financial compensation for the state, its industry and the local community. The ability of a host country to balance the need to ensure that it is adequate financially compensated for the exploitation of its petroleum resources and as well attract investors to its petroleum business, all of which hinges on the success or otherwise of its fiscal regime. Flexibility is the main foundation of a successful contract. Therefore, the duty of the government is to ensure an independent body that will oversee the operations of investors.

In the present day, petroleum contractual arrangements are not only concerned with the financial gains to the host government or the IOC. Other important issues such as technological and technical skills, play a vital role in determining the fiscal regime which a host country will prefer to adopt.

ASSESSMENT OF THE IMPACT OF JOB CREATION ON THE YOUTHS IN KWARA STATE, NIGERIA.

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Abstract

The increase in number of unemployed youths is a major problem that need the attention of government at all levels in Nigeria. This study assessed National Directorate of Employment vocational training education and capacity building programmes on participants' standard of living in Kwara State. Four research question and one (1) hypothesis were raised to guide the study. The descriptive survey research design was adopted for the study. The population for the study comprises of male and female youths between the age ranges of 18-35 in Ilorin South Local Government, Kwara State, Nigeria. These were estimated to be 42,677 according to 2006 population census. A sample size of 260 respondents was selected. Multi-stage sampling procedure was adopted to select respondents who participated in the study. A self-developed questionnaire was used as the instrument for data collection. The reliability test of the questionnaire was done using test retest technique and a co-efficient 0.82 was obtained. The administration of the instrument was done by the researcher and six field research assistants. The data collected was analyzed using frequency count, percentages and t-test. One of the findings revealed that there is credibility vocational training education of National directorate of Education create job opportunity for youths in Kwara State. It is therefore, recommended that the government should allocate adequate resources to vocational training education.

Keywords: Assessment, Impact, Job-Creation and Youths

Introduction

Unemployment has become the worst enemy of the people as it makes life unbearable. Hence, every successive government in Nigeria is committed to creating job for the teeming unemployed among the school leavers and graduates of tertiary institutions. For instance, series of programmes such as National Directorate of Employment (NDE), National Poverty Eradication Programme (NAPEP), National Economic Empowerment and Development Strategy (NEEDS), Small and Medium Enterprises Development Agency of Nigeria (SMEDAN) among others have been created to train and retrain many of the graduates in employable and marketable skills (Ambali & Abdullahi, 2016).

Lack of employable skills is a major problem that contributed to the unemployment in Nigeria.

This is so because, the educational system operated at post-independence era in the country placed emphasis on liberal education rather than acquisition of vocational skills, which prepare the individual for better employment opportunities. In other words, the then system focused on and produced school leavers and graduates without vocational skills that could enable them to be self-reliant. The subsequent increase in population, as Adebayo (2006) observed that establishment of more schools and higher institutions of learning in Nigeria. This in turn produces school leavers and graduates, whose numbers are always on the rise year after year without commensurate provision of employment opportunities both in the public and private sectors.

National Directorate of Employment (NDE) was established in 1986 by the Federal Government

of Nigeria and statutorily charged it with the responsibility of designing and implementing employment opportunities programmes for the unemployed teeming population in Nigeria in the area of vocational skills acquisition, entrepreneurship training, rural development training, and women empowerment among others. These aimed to boost employment generation in the country and the state in particular. It was formed to tackle employment problems in both the short- and long-term perspectives by formulating and administering job creation as well as employment-related training programmes (Adebisi & Oni, 2011).

Oni (2007) remarked that, vocational and technical education builds practical and applied skills in an individual which are essential for national development in aspects of commerce, agriculture, industrial, economic and socio-economic development. Dike (2009) observed that vocational/technical education prepares learners for careers that are based in manual or practical activities, traditionally non-academic and totally related to occupation or vocation. Vocational education assumes that a choice of an occupation has been made and that appropriate training is needed to enable the individual advance in his chosen occupation. Vocational education is designed to develop occupational skills. It gives individuals the skills to live, learn and work as a productive citizen in a global society (Dike, 2009).

Omoruyi and Osunde (2004) which indicated that vocational skills acquisition among clientele could ensure gainful self-employment and create more employment opportunities for other members of the society. Dike (2009) observed that vocational education and job training programmes has been an integral part of national development strategies in many societies because of its impact on human resource development, productivity and economic growth.

Billett (2011) define vocational training education as any forms unitary to generating the kinds of capacities that societies and communities need, contributed to individuals'

development and had a range of distinct educational purposes not addressed by other education sectors. In its contemporary forms in many countries, it also has the greatest potential to engage the widest range of learners within its programmes, institutions and experiences. Okoro (2001) defines vocational education as "any form of education whose primary purpose is to prepare persons for employment in recognized occupations".

The term capacity building has been widely used within the area of social sciences and humanities. Ammar (2015) defined capacity building as a systematic and integrated approach that includes education and training, human resource development, knowledge management and knowledge networks to develop and continuously improve governmental, organizational and individual competences and capabilities necessary for achieving safe, secure and sustainable nuclear power programme.

Furthermore, ability to fulfill a capacity building mission means that the capacity building providers and organizers have to ensure that the following indices are put in place: sufficient numbers of facilitators/instructors who have prerequisite knowledge and skills which are appropriate and adequate learning materials, suitable physical infrastructure and financial and other resources (Wing, 2004). Capacity building programmes can have significant impacts on job creation populace with the view of equipping them with the necessary skills, knowledge and training that will enable them for self-reliance. The United Nations Development Programme (2007) understanding of capacity building is "the process through which individuals, organizations and societies obtain, strengthen and maintain capabilities to set and achieve their own development objective over time".

Capacity building involves human resource development, the development of organizations and emergence of an overall policy environment, conducive to the generation of appropriate responses to emerging needs (Garriga, 2019). According to Lund University

(2021) capacity building is the process through which individuals, organisations, and societies obtain, strengthen and maintain the capabilities to set and achieve their own development objectives over time. Capacity building (or capacity development) is the process by which individuals and organizations obtain, improve, and retain the skills, knowledge, tools, equipment, and other resources needed to do their jobs competently (Potter, Christopher; Brough and Richard, 2014). Vocational training education and capacity building programmes may tend to have impact on poverty reduction and job creation on youths, if adequately implemented.

The increase in number of youths' unemployment in Nigeria is one of the social problems affecting the growth and well-being of the affected persons. High turnout graduates across various tertiary institutions and school leavers in Nigeria tends to have multiple effects employment, without commensurate creation of employment opportunities. Although the Nigerian Federal Government in 1986 established the NDE with a view to alleviating unemployment, the rate of unemployed Nigerians keeps increasing daily. The focus of this paper is to assess the extent to which NDE training programmes meet the needs of trainees and to which extent the programmes have alleviated unemployment situation in the country.

Armstrong (2003) believed that training and capacity building for both men and women is key priority for poverty reduction in order to address lack of appropriate skills and capacity both within the private and public sectors. The bane of unemployment has been lack of technical/vocational skills that are relevant to the modern and technological advanced world by most Nigerian graduates and school leavers. It is on this premise, that, this study intends to examine National Directorate of Employment vocational training education and capacity building programmes on job creation among youths in Kwara State, Nigeria.

The following research objectives have been drawn to guide of the study:

- i. To determine the credibility of vocational training education as a means of job creation by National Directorate of Employment among youths in Kwara State.
- ii. To determine the capacity building programme put in place for job creation by National Directorate of Employment in Kwara State.
- iii. To examine the level of awareness of youths on capacity building programme of National Directorate of Employment in Kwara State.
- iv. To determine the impact of National Directorate of Employment in creating vocational training education for youths in Kwara State.

Methodology

A descriptive research design of survey type was adopted for the study. This method was used because the study requires the researcher to collect information for the purpose of describing the study in details. In the same view, Adeyemo (2006) viewed survey method as a useful technique when a researcher wants to collect data on phenomena that cannot be directly observed. The justification for this design is to seek opinions of the respondents (youths) on National Directorate of Employment vocational training education and capacity building programmes on job creation in Kwara State, Nigeria.

The population for the study comprises of male and female youths between the age ranges of 18-35 in Ilorin South Local Government, Kwara State, Nigeria. These were estimated to be 42,677 according to 2006 population census. The sample for the study would be determined through Raosoft (2022) online sample calculator which recommends a sample size of 260, since the total population of this study is 42, 677. Therefore, the researcher adopts 260 as the sample size for the study. Multi-stage sampling procedure was adopted to select respondents

who participated in the study. At the first stage, stratified sampling technique was used select two (2) Wards in Ilorin South Local Government (Rural and Urban areas). Also, at the second stage, purposive sampling technique was used to draw two (2) Wards each from Rural and Urban areas. Making total four wards. At the third stage, simple random sampling technique was used to select 260 respondents for the study.

A self-designed and structured questionnaire was used as the research instrument for data collection. The questionnaire is named "National Directorate Employment Vocational Training Education Capacity Building Programmes Job Creation Youths Questionnaire (NDEVTECBPJCYQ)". The questionnaire for this study consisted of six sections. Section A contained demographic information of the respondents, that is, gender, age and status. Section B contained items on National Directorate of Employment vocational training education and capacity building programmes on job creation among youths. Appropriate options were provided from which respondents are to choose, the options to these items were taken on four (4) point Likert rating scale type: Strongly Agree (SA); Agree (A); Disagree (D); and Strongly Disagree (SD). The researcher opted to used questionnaire because of factual information was required from the respondents on National Directorate of Employment vocational training education and capacity

building programmes on job creation among youths.

The items in the instruments were validated by experts in the fields of adult education, vocational education, test and measurement through a cross-examination by peer review in relation to the research questions raised for the study. The reliability of the instrument will be done through test-re-test method. 30 copies of the questionnaire were randomly administered on respondents selected which did not form part of the main study for pilot testing. The data collected in the first and second instances were correlated to ascertain the difference between the first and the second tests in order to obtain reliability co-efficient by using Pearson Product-Moment Correlation (PPMC) from which a co-efficient (r) of 0.82 was obtained.

The administration of the instrument was carried out by the researcher and six volunteer research assistants who have preliminary knowledge on the content of the questionnaire, administration procedure, privacy and confidentiality of the respondents. Items in the questionnaire was read to ensure accurate and reliable information. The researcher seek the consent of the respondents before administered questionnaire. The data collected was analyzed using descriptive and inferential statistics. All the research questions raised will be analyzed by using frequency counts and percentages. While, hypothesis formulated was tested using t-test at 0.05 level of significance.

Results

This section presents the results and interpretation from the data collected:

Research Question 1: What are the credibility of vocational training education as a means of job creation by National Directorate of Employment among youths in Kwara state?

Table 1: Analysis of views of respondents on credibility of vocational training education as a means of job creation by National Directorate of Employment among youths.

S/N	Items	SA	A	Positive Response	D	SD	Negative Response
1	Vocational training is capable of solving unemployment problem among youths.	130 (50.0%)	110 (42.4%)	240 (92.3%)	20 (7.7%)	0 (0%)	20 (7.7%)
2	NDE skill acquisition programme is capable of providing youths with skills needed for employment.	75 (28.8%)	160 (61.5%)	235 (90.3%)	20 (7.7%)	5 (2.0%)	25 (9.7%)
3	The NDE skill acquisition scheme has the potential of eradicating poverty.	130 (50.0%)	100 (38.5%)	230 (88.5%)	20 (7.7%)	10 (3.8%)	30 (11.5%)
4	NDE skill acquisition programmes helps to reduce poverty through the creation of job opportunities and self-reliance.	160 (61.5%)	100 (38.5%)	260 (100%)	0 (0%)	0 (0%)	0 (0%)
Total Grand Percentages				965 (92.8%)			75 (7.2%)

Table 1 show answer to research question one. This shows the positive or greater percentages responses of respondents to all items 1-4 which stood at 965 (92.8%). While, lower percentages responses 75 (7.2%). This implies there is credibility vocational training education of National directorate of Education create job opportunity for youths in Kwara State.

Research Question 2: What are the capacity building programmes put in place for job creation by National Directorate of Employment in Kwara State?

Table 2: Analysis of views of respondents on capacity building programmes put in place for job creation by National Directorate of Employment

S/N	Items	SA	A	Positive Response	D	SD	Negative Response
1	Tailoring skills are provided to people by NDE	95 (36.6%)	155 (59.6%)	150 (96.2%)	10 (3.8%)	0 (0%)	10 (3.8%)
2	Graduate Internship Scheme (GIS) is provided by NDE	80 (30.8%)	166 (63.8%)	246 (94.6%)	14 (5.4%)	0 (0%)	14 (5.4%)
3	Soap making skills are provided to people by NDE	175 (67.3%)	85 (32.7%)	260 (100%)	0 (0%)	0 (0%)	0 (0%)
4	Hairdressing skills are provided to people by NDE	145 (55.8%)	88 (33.8%)	233 (89.6%)	20 (7.7%)	7 (2.7%)	27 (10.4%)
Total Grand Percentages				989 (95.1%)			51 (4.9%)

Table 2 show answer to research question one. This shows the positive or greater percentages responses of respondents to all items 1-4 which stood at 989 (95.1%). While, lower percentages responses 51 (4.9%). This implies that capacity building programmes put in place for job creation by National Directorate of Employment in Kwara State had impacts.

Research Question 3: What are the level of awareness of youths on capacity building programme of National Directorate of Employment in Kwara state?

Table 3: Analysis of views of respondents on level of awareness of youths on capacity building programmes of National Directorate of Employment

S/N	Items	SA	A	Positive Response	D	SD	Negative Response
1	Aware of capacity building programme of NDE increases youths employment	165 (63.5%)	49 (18.8%)	214 (82.3%)	33 (12.7%)	13 (5.0%)	46 (17.7%)
2	Aware of capacity building programme of NDE provides empowerment women	202 (77.7%)	58 (22.3%)	260 (100%)	0 (0%)	0 (0%)	0 (0%)
3	Aware of capacity building programme of NDE promote entrepreneurship	125 (48.1%)	102 (39.2%)	227 (87.3%)	33 (12.7%)	0 (0%)	33 (12.7%)
4	Aware of capacity building programme of NDE provides basic skills	88 (33.8%)	127 (48.8%)	215 (82.6%)	30 (11.5%)	15 (5.9%)	45 (17.4%)
Total Grand Percentages				916 (88.1%)			124 (11.9%)

Table 3 show answer to research question three. This shows the positive or greater percentages responses of respondents to all items 1-4 which stood at 916 (88.1%). While, lower percentages responses 124 (11.9%). This implies that there are high level of awareness of youths on capacity building programme of National Directorate of Employment in Kwara State.

Research Question 4: What are the impact of National Directorate of Employment in creating vocational training education for youths in Kwara State?

Table 4: Analysis of views of respondents on the impact of National Directorate of Employment in creating vocational training education for youths.

S/N	Items	SA	A	Positive Response	D	SD	Negative Response
1	NDE vocational training has improved my socio-economic status.	99 (38.1%)	1118 (45.4%)	217 (83.5%)	23 (8.8%)	20 (7.7%)	43 (16.5%)
2	NDE skills acquisition provides business opportunities.	142 (54.6%)	118 (45.4%)	260 (100%)	0 (0%)	0 (0%)	0 (0%)
3	NDE programme promote investment opportunities through income.	112 (43.1%)	108 (41.5%)	220 (84.6%)	33 (12.7%)	7 (2.7%)	40 (15.4%)
4	NDE made available qualified instructor for youths in learning vocational skills.	106 (40.8%)	128 (49.2%)	234 (90%)	26 (10%)	0 (0%)	26 (10%)
Total Grand Percentages				769 (91%)			76 (9%)

Table 4 show answer to research question five. This shows the positive or greater percentages responses of respondents to all items 1-4 which stood at 769 (91%). While, lower percentages responses 109 (9%). This implies creation of vocational training education by National directorate of Education had positive impact in Kwara Sate.

Hypothesis testing

Ho₁ *There is no significance difference between vocational training education and capacity building programmes for job creation among youths in Kwara state on the basis of gender.*

Table 5: T-test Analysis on the significance difference between vocational training education and capacity building programmes for job creation among youths in Kwara state on the basis of gender.

Gender	No	Mean	Std Dev	T	Df	P-value	Remark
Male	198	2.9444	0.8751				
				1.651	258	0.233	Accepted
Female	62	3.1130	1.1510				

@0.05 alpha level

Table 5 shows that the t-value on 258 degree of freedom (1.992), p-value (sig 2-tailed) 0.233 > 0.05 level. Therefore, the null hypothesis which was states that there is no statistical significance difference between vocational training education and capacity building programmes for job creation among youths in Kwara state was accepted. This implies that there is no significance difference between vocational training education and capacity building programmes for job creation among youths in Kwara state as perceived by respondent on the basis of gender.

Discussion of the Findings

Based on the data collected, analyzed and interpreted. The findings from research question one revealed that there is credibility vocational training education of National directorate of Education create job opportunity for youths in Kwara State Total grand percentages 965 (92.8%). While, lower percentages responses 75 (7.2%). This finding support the work of Ambali and Abdullahi (2015) remarked that, the NDE vocational training programmes were found to be very relevant to the needs of the participants' and had contributed meaningfully to the socio-economic growth of Kwara State.

Second finding from the study revealed that capacity building programmes put in place for job creation by National Directorate of Employment in Kwara State had impacts on beneficiaries. This is also in line with Armstrong (2003) believed that training and capacity building for both men and women is key priority for poverty reduction in order to address lack of appropriate skills and capacity both within the private and public sectors. Similarly, the finding of Franca et al (2013) revealed that, vocational and technical education is practical skills oriented which helps in the maximum creation of jobs and can contribute to strengthening the social links of a community by promoting employment creativity and sustainable means of subsistence.

Another finding from the study revealed that there are high level of awareness of youths on capacity building programme of National Directorate of Employment in Kwara State. This finding support the findings of Dokubo and Dokubo (2014) which remarked that, vocational and technical education programmes are means for economic empowerment and they enable trainees acquires skills necessary for employment, self-reliance and community development. Also, this finding agrees with that of Omoruyi and Osunde (2004) which indicated that vocational skills acquisition among clientele could ensure gainful self-employment and create more employment opportunities for other members of the society.

Answer to research question four shows that creation of vocational training education by National directorate of Education has positive impact in Kwara State. Thus, creation of Vocational training Education by NDE makes youths in Kwara state to be self-dependent and create employment opportunity for youths. This finding is in accordance with the work of Akintoye, (2008) who opined that capacity building philosophy is pursued through policy planning and well-articulated programmes. This is in line with (NDE, 2009) saying that the NDE designed the Vocational Skills Acquisition Training to train youths in a wide range of vocational skills in view of making them self-employed and economically self-reliant.

Result of the hypothesis postulated indicated that there is no significance difference between vocational training education and capacity building programmes for job creation among youths in Kwara state as perceived by respondent on the basis of Gender. This implies that both vocational training education and capacity building programme create job opportunity for youths in Kwara state. This is supported by Armstrong (2003) who believed that training and capacity building for both men and women is key priority for poverty reduction in order to address lack of appropriate skills and capacity both within the private and public sectors.

Conclusion and Recommendations

The philosophy of vocational technical education in Nigeria is to equipped youths and adults with the necessary skills to gained employment opportunities. The study focused on National Directorate of Employment vocational training and capacity building programme as means of alleviating poverty among youths. Findings of this study revealed that vocational training had contributed to socio-economic development and well-being of participants. The government intervention in providing small and medium enterprises for youths through NDE has reduced unemployment gap in Nigeria. Based on the findings of this study, the following recommendations are hereby:

The government should allocate adequate materials, financial and human resources to vocational training education. These resources aforementioned are directly or indirectly contributes to the achievement of vocational training education goals and objectives in Nigeria.

The government should review vocational training education and capacity building programmes of NDE implementation strategies so as to ensure effectiveness delivery. Education stakeholders, should agitated for revision of vocational education system that would propel the nation to industrial and technological development. Educational experts are to strategies to curb the deficiency of vocational training, entrepreneurial skills and competences among the youth for provision of an effective and efficient programme which will develop young adult to create jobs and assure

themselves of economic independence and meaningful life.

The government should create more awareness about participation in vocational training education and capacity building programmes. The onus is therefore, on the government to develop young adults to becoming the creators, innovators and potential entrepreneurs in the global space.

The government should partner with the informal sectors, as part of collaborative and complementary efforts of NDE by providing enabling environment for training of youths on vocational training education and capacity building programmes. These will help to equip individuals towards economic development by opening doors for job creation, new business initiatives, enhancing competencies, and improving self-reliance culture.

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CHALLENGES AND PROSPECTS OF POWER SHARING IN THE NIGERIAN CONTEXT OF FEDERALISM

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Abstract

Basically objective of this paper is to see how power sharing in Nigeria over the years among regions has dominated political, social, and economic discourse in Nigeria. This can be traced back to the annulment of the June 12, 1993 Presidential Election in Nigeria when M.K.O. Abiola (a Southerner), won the election but was annulled by Military President Ibrahim Badamasi Babangida (a Northerner). This can be said to be regional and ethnic differences even when it ought not to be so. The agitation grew, leading to the emergence of President Olusegun Obasanjo taking over office as President in May 1999, who led the country to her next Republic. A comprehensive content analysis of the variables was done and was analyzed qualitatively. Findings revealed that Nigeria is practicing centralized federalism and not true federalism with respect to power sharing/rotation. This paper however, examines the after effects of Power sharing in Nigeria through historical method of enquiry. It concludes that power sharing only leads to bringing to office incompetent people who do not have the charisma for leadership. The paper submits that there are no changes in the Socio-economic indices of the Country. This paper suggests that if power sharing is the consensus factor to solving Nigeria's political problems, then its operations should be enshrined in the constitution.

Key words: Federalism, Power sharing, Challenges, Prospects, Nigeria

Introduction

The issue of power sharing in Nigeria from one geo-political zone to another has become a great deal and debate to Nigerians. Considering the fact that Nigeria possesses an array of great rational and people, immeasurable intellectual capacity. Sometimes the citizenry become very disappointed on issues that ought not to be topical, becoming a national discourse but then reckon that every human has the monopoly of knowledge to suggestions and opinions. One will, however, expect that some issues drag for a long time, celebrating them as it were, will be totally discarded and thrown in the waste bin of no issues. From independence in 1960 to 1999, the rationale behind the domination of leadership particularly at the national level (Presidency/Head of State) by one geopolitical zone either as military or civilian has been questioned.

This development was fuelled further by the annulment of the June 12 1993 presidential election that was to put to office a southerner and was annulled by a northern military president. That development created the impression that the North did not want a shift of power to another zone (Kamar, 2005). The paper surveys those arguments for rational presidency in Nigeria and the rationale behind the agitation. Making use of historical method of enquiry, the paper has five segments starting from theoretical framework, followed by conceptual explication power sharing, federalism, the rationale behind power sharing as well as federalism and power sharing. The paper further assesses whether these arguments are justified or not with the conclusion of the implication of using wrong premises to reach conclusion and proffers recommendations.

Theoretical Framework

The choice of pluralist theory was adopted in this paper in order to explain the cause of agitation and unrest among Nigerians on power shift/rotation. Robert, A. Dahl is a leading exponent of this political theory. It is relevant here because the central tenet of this theory is that power and influence are distributed in a political process. (Miller, 1983: 735) with a view that politics and decision making are located mostly in the framework of government, but that many non-governmental groups use their resources to exert influence. Pluralist *theory* assumes that *political power* in democracies is dispersed among several veto groups that compete equally for resources and *influence*.

The theoretical point of view held by many social scientists which holds that politics is best understood through the generalization that power is relatively broadly (though unequally) distributed among many more or less organized interest groups in society that compete with one another to control public policy, with some groups tending to dominate in one or two issue areas or arenas of struggle while other groups and interests tend to dominate in other issue areas or arenas of struggle. There tends to be little overlap between those leaders who participate most influentially in one policy area and those who are influential in other policy areas, and what linkage there is tends to come from popularly elected political officials (especially political executives and party leaders) who, by the nature of their jobs, must exercise leadership (or act as brokers) in a number of different policy areas.

There is no single, unified "power elite", but rather there are many competing power elites with differing backgrounds, values and bases of support in the broader society. Government tends to be depicted as a mechanism for mediating and compromising a constantly shifting balance between group interests rather than as an active innovator or imposer of policies upon society. The theory further explained that groups of individuals try to maximize their interests. Self, P. (1985), however observed that, lines of conflict are multiple and shifting as power is a continuous bargaining process between competing groups. There may be inequalities but they tend to be distributed and evened out by the various forms and distributions of resources throughout a population. The theory pointed to the fact that the existence of diverse and competing interests

is the basis for a democratic equilibrium and is crucial for the obtaining of goals by individuals (Paul, 1989).

However, the pluralist theory is a theory that centers on the idea of how power is distributed. The theory is most appropriate for this paper because both the south east and south-south states, due to their difficult experience of being deprived of power, have become dissatisfied with Nigeria federalism. All things being equal, the strength and weaknesses of this theory is that it is mainly based upon a perspective that citizens are involved in political arenas through different interest groups, and that political power should be dispersed to secure its own legitimate interests and none of these groups will dominate the system.

Conceptual Explication Power Sharing

The concept of "power sharing" and "rotation" are by no means novel in the Nigerian political lexicon (Morgan Nkwoche, 2014). In the build-up to Nigeria's political independence, the signs of an eventual contest for control of political power in an independent nation were evident amongst the constituent units. However, power shift is the movement of political power from one zone to the other with a much hospitable characterization that guarantees each zone equal and inevitable access to the presidency, irrespective of size, location or political pedigree (Robinson Akpan, 2014). For Sanusi (2010), zoning/power shift is a can of worms, its potential contribution to national unity dubious and its negative consequences unpredictable and unmanageable. Also, Olisa Agbakoba in Calculia (2011), it is important to ask why the drafters of the constitution prescribed zoning or its constitutional name-federal character.

The reason is quite simple, there are, broadly speaking, two types of federations: Homogenous federations, where citizens have a strong sense of national unity, and diverse or divided federations. In homogenous federations, unity is not a major issue and the social forces allow a strong central government. The second is the diverse or divided federation like Nigeria. Here, citizens identify with very distinct groups; sometimes members of a particular group may see their identity as incompatible with the national identity, thus creating tension around the issue of national unity. Nigeria is a perfect illustration of a diverse or divided federation.

Federalism

The concept of federalism defers a universally accepted definition. Babawale (1988), an exponent on contemporary federalism discuss, saw federalism as:

a constitutional arrangement which divides the lawmaking powers and functions between two levels of government in such a way that each within its respective spheres of jurisdiction and competence is independent and coordinate. This constitutional form is brought about by circumstances, where people are prepared to give up only certain limited powers and wish to retain other limited powers to be exercised by coordinated authorities. He observed that coordinate supremacy of all the levels of government with regard to their respective functions remains a cardinal principle of federalism.

This means that federalism has emerged as a particular kind of functional arrangement between states for living and working together nationally, while presenting a measure of separate identity (Babawale, 1988). Kapur (1986) averred that federalism is a dual government where powers are divided and distributed by the constitution between a central government and regional or state government. Such powers are original and derived. The component units i.e. the regional or state governments are coordinate units must also be left with adequate economic resources to run their administrations and perform the functions assigned to them satisfactorily without being dependent on the peanuts that come from the national government.

Babawale (1998) defines a federal state as:

one in which there is an: explicit and constitutional demarcation of powers and functions among national and sub-national units; moreover, the powers and responsibilities are distributed in such a manner as to protect the existence of authority of both levels of polity each of which is independent within its own sphere... federalism refers to the doctrine which advocates and promotes the form of organization of a state in which power is dispersed or decentralized by contract as a means of safeguarding local identities and individual liberties

He further states that federalism describes not only the structure of a state; it also designates its political culture and political process. An important characteristics, which distinguishes federal system from non-federal systems, is non-centralization of power. For in a federal polity, there is division of power between the central and component units. It is pertinent to note that in Nigeria's federal experience, the reasoning propounded by Babawale (1988) and Kapur (1986) does not hold in practice. This is because the Federal Government has usurped virtually all the powers, which were formerly exercised by the state governments. Corroborating this line of thought, Akindele and Bassey (2001) defines a federal state as a political entity or country where powers and indispensable decisions are exercised and made at two or multilateral levels of government in accordance with the strict mutually agreed constitutional provisions of the country concerned. Egbeulem (2011) argued that these positions formed the basis of the claim that federalism is anchored on considerable tolerance of diversity and willingness to take political action through conciliation even when the power to act unilaterally is available.

Babawale (1988) adopts United States of America as the model Federal State. Following his preferences for American style federalism, he chooses to call other constitutions that do not make the component units autonomous as quasi-federal states. For example, Babawale's concept of federalism regarding the pre-1966 Nigerian constitution as quasi-federal because section 66 allowed the Federal Government to declare a state of emergency on any region and to take over the running of the government of that region for a specific period of time. Ekpo and Enamidem (2003) equally observed that protagonists of resource control began to push forward the argument that the country cannot be said to be a federation when the elements of federalism are lacking elements such as state police, control of natural resources by the federating unit.

Although, Nigeria is supposed to be a federation, nothing in its structure and administration lends credence to this claim. Ekpo and Enamidem (2003) further assert that the manifestation semblance of a federation in Nigeria is merely the 36 states otherwise the country is to all intents and purposes a unitary state. The government at the centre is stronger than the states, with latter depending mostly on

allocations from the former for survival. From Babalawe's (1988) definition and analysis, it could be concluded that in any true federalism, the regions or states have the constitutional right to control their resources without much interference from the central government. They have also established that the basic principles of true federalism given by Nwabueze (1982) which include: separateness and independence of each government; mutual non-interference of inter-governmental immunities; equality between the region or state governments; ascertaining the number of regional or state governments which a Federal Government can meaningfully co-exists; mode for the division of powers and the supremacy of the constitution are glaringly lacking in Nigerian federalism.

According to Ndu (2003) cited by Egbulem (2011), there are two key reasons for the erosion of true federalism which characterized the Nigerian state in the First republic before the intervention of the military in 1966. One of the reasons he gave was the collapse of the First republic when the military intervened in January 1966. That intervention by the military marked the end of true federalism in Nigeria. He asserts that unfortunately, that visionary development of federalism specifically from 1954 to 1965 abruptly ended with the mutiny of January 15, 1966, which not only eliminated some of the founding fathers of federalism in Nigeria, but also killed the essence of federalism itself. The federal form which survived that military onslaught and on the basis of which the country precariously persisted as an entity has never regained its true essence. Two interconnected developments accounted for that demise, Ndu (2003).

First, the coup and the eventual threat to the unity of the country following secession and the civil war were traumatic events that called for centralized authority capable of pulling things back into one fold. Secondly, there was, and still has always been the professional practice of unified command with which soldiers are familiar. He sees the centralized federalism in Nigeria today as one of the disruptive heritage of military rule in Nigeria. The second reason he advanced for wearing a way of true federalism was because most states in Nigeria are feeble, particularly in their extractive capability and, consequently can hardly perform as federating units. Ndu and other protagonist of true federalism have argued that states are feeble not because they lack the resources and

manpower that would make them strong economically and administratively, but the fiscal and legislative relationships between them and the federal government render them feeble (Ndu, cited in Nwogwugwu et al, 2015).

Nwabueze (1982), cited in Egbulem (2011) further pointed out that the erosion of Federalism is due to lack of proper understanding of the concept among the leaders and the general public of the nature of federal relationship of the concept among the leaders and the general public of the nature of federal relationship as manifested between the federal and state governments. He noted that the autonomy of each tier of government in Nigeria is misconstrued to mean competition and confrontation with each trying to frustrate the other, Whereas, the conception underlying is that the federal and the state government are mutually complementary part of a governance mechanism.

Revenue allocation is another challenge to our federalism. The reason being that states totally depend on the federal government from the colonial masters, through unitary system of government given to use by the military also promoted this challenge and is responsible for the poor condition of the state, if states in Nigeria were independent, and came together to form a federation, they would have been stronger.

The Rationale behind Power Sharing

Since independence in 1960, the northern part of the country has been known for their dominance in the leadership of Nigeria mostly at key positions in virtually all areas. This interest is buttressed by the fact that in the First republic, that is, 1960 - 1966, a Northerner, Sir Abubakar Tafawa Balewa was the Prime Minister (Kamar Bello, 2005). When the military took over in 1966, apart from about three months stay in office of General Aguyi Ironsi, a southerner, General Yakubu Gowon, a Northerner assumed the mantle of leadership up to 1975 when another Northerner, General Murtala Mohammed took over up to 1976 when he was assassinated and his second in command in the person of General Olusegun Obasanjo, a Southerner took over with his programmes up to 1979.

In the second republic, another Northerner, Alhaji Shehu Shagari became the president between 1979 - 1983, immediately after the end

of that republic, the military took over power on December 31st in 1983, another Northerner, General Mohammadu Buhari became the Head of State up to 1985 when there emerge a palace coup. This resulted to the coming of General Ibrahim Babangida, a Northerner up to 1993 when there was a serious chaos caused by the annulment of the presidential election in that year that was poised to be won by a Southerner, Chief Moshood Abiola (Waidigbenro, 2015). In the same vein, the interim government put up by Babangida when he stepped aside in August, 1993, which was headed by Chief Ernest Shonekan, a Southerner was toppled by another Northerner, General Sani Abacha. Based on this development, the Northern region has not just been accused but proven as constantly monopolizing power in the Nigeria. That, the British colonialists who colonized the country assisted in the perpetuation of Northerners in power in order to continue their exploitation of the country. Ibrahim (2000), attested to this in the following words:

In Nigeria, the Hausa-Fulani oligarchy was maintained in power by the British during colonial rule through the indirect Rule System of National Administration. During the First Republic, the Northern people's congress, a party considered as an instrument of the Hausa-Fulani oligarchy won both the Federal and Northern Regional elections. Since then, most succeeding regimes, civilian and military, have been monopolized by the Hausa-Fulani, and there have been serious concerns in the country about the perpetuation of Hausa-Fulani domination. Even among the Northerners, there are those who believed in this thesis. But if analyzed critically, it would be seen that the development of Northerners dominating the country's polity is not designed but accidental due to many factors but mainly distrust among the various ethnic groups in the country particularly the major ones, Yoruba and Ibo in the South. Each of them could not trust the other to assume the mantle of leadership instead they prefer the third; Hausa/Fulani under which they prefer to be deputy particularly the Ibo. Yahaya (1994), observed that the Hausa Muslims of the far-North appear to be the target of the frustration of all other Nigerians.

Furthermore, all of these labeled on Northern domination are to an extent unfounded. This is because in the 1959, 1979, 1983 and 1993 elections, the so-called Hausa/Fulani has never voted emblock. On this, Muazzam (1994) while reviewing the 1959, 1979, 1983 and 1993 elections demonstrated that the Hausa Fulani had been consistently involved in issue voting rather than sectional as follows: In 1955, the Northern people's congress had to go into coalition with the National Council of Nigeria and Cameroon to form a government, in the 1979 elections, Shehu Shagari's National Party of Nigeria's votes were higher in the areas defined as "minority" than in the traditional "Hausa Fulani" enclave. It was Kano that provided the test case on the legal interpretation of the 1993 elections. In June 1993 elections, the Hausa-Fulani from Kano, Jigawa, and Kaduna voted for Abiola of social democratic party. On the contrary, the Yoruba's of the South-West have never had such record in their voting pattern in the Nigerian project. For instance, the Yoruba's of South-West has never voted for any candidate or party outside the Yoruba enclave right from the time of emergence of Action group; an offshoot of Yoruba cultural group; Egbe based on Oduduwa in the early 1950s.

But despite the above fact, the voting pattern of the North had been wrongly manipulated for criticism. This could be due to the strong propaganda instrument the south west has in her support. Vis-à-vis, the bigger opportunity came in 1993 with the annulment of presidential election, based on that development, various agitations came up from different angles of the western Nigeria of either a power shift in presidency, restructuring of the federation power shift or even Sovereign National Conference. Based on this, different rational groups were mobilized for that course. In a related spirits, Olaitan (1998), submits that the crisis of June 12, 1993 presidential election had brought up questions as to the perpetual marginalization of some segments of the Nigerian polity in the political and power equation in Nigeria. Indeed, the annulment was perceived by not an insignificant number of the Nigerian polity as a conscious attempt at denying segment of the Nigerian polity, the control of Nigeria presidency. The scholar however submits that the solution to the perceived injustice lies in devising a framework for the working of the polity called Nigeria whereby all segments would have a sense of

belonging by providing access to all important positions and offices in the country.

Furthermore, there is need to ensure balancing in filling political offices especially the presidency as the narrow head of all structures of leadership. Even the focus of the often publicized Sovereign National Conference is restructuring with its centre point of power shift specifically shift of the presidency from the North to the South. Amuwo and Herautt (1998), observed that the main drive towards institutional reforms in a federal system is the recognition that existing state institutions, particularly at the centre are inadequate to apprehend, comprehend and resolve immediate and new changes. Restructuring is meant to serve as a steering mechanism to properly give focus and locus to attempts at collective identity and distributive politics. The aim is to correct perceived structural defects and institutional deformities.

It is intended to lay an institutional foundation for a more just and an equitable sharing of the political space by multinational groups cohabiting in a federal polity. This type of agitation could not be more than the struggle by the elites for acquisition of power and wealth. Thus, the restructuring effort of Nigerian polity under General Abacha's regime through the National Conference of 1994 was informed essentially by factionalism of the elites as well as by the persistent demand by pro-democracy and human right groups and the call for a Sovereign National Conference. Those actions were not more than means of getting a share of the resources of the country through access to political power. There is no wonder then that even in the constitutional conference of 1994, there was no issue that received greater attention than the issue of power shift. The issue generated a very sharp division in the committee on power sharing of the conference with the southern members massively supporting it while their Northern counterparts largely opposing it. However, a committee was formed that came up with the resolution and was attained through North/South rotation of presidency. However, the resolution was amended by the military led by Sani Abacha by making the shifting to be on the basis of six zones and six positions. The game plan was never concluded before the demise of general Abacha. General Abdusalami who succeeded the leadership did not continue with the issue rather adopted the 1979 constitution which has

no provision on power shift and left the idea with the parties. Thus, the interest of a southern president in the name of power shift in presidency was finally achieved in 1999.

Federalism and Power Sharing in Nigeria

In the build-up to independence the Willink Commission was set up to look into the question of domination of minorities by majority ethnic groups in the various regions, and a Bill of Rights was subsequently entrenched in the independence constitution. However, two years later the guarantee of human rights proved to be insufficient to protect minorities and the structure of the federation was adjusted with the creation of the Mid-Western region in 1963. As it turned out, several states would later be created for the same purpose and to defuse the intense struggle for power that, between 1967 and 1970, deteriorated into civil war. In other words, apart from the problem of minority protection caused by the fear of majority domination in the regions there was a fear that one section of the country would dominate the rest because each of the three regions at independence was the homeland of one of the three dominant ethnic groups: Hausa/Fulani, Yoruba and Igbo. The Hausa/Fulani dominated the Northern Region, the Igbo the Eastern Region and the Yoruba the Western Region and the three groups were engaged in a fierce struggle for dominance of the country. Two elements of this struggle for dominance defined national politics in the First Republic and were reflected in the election crisis that created the environment for military intervention on 15 January 1966 and, ultimately, the descent into civil war.

The first element was that each of the three major political parties in the First Republic had strong base in one of the three regions and was thus ethnically based, a factor that led to fragile coalition governments. The second was that because the northern region was larger than the other two regions combined it was guaranteed the upper hand in democratic politics. It was always the major partner in any coalition and therefore became the dominant region and the most favoured in power-sharing arrangements, much to the distress of the other ethnic regions (Post & Vickers 1973; Dudley 1973; Osaghae 1998). The Northern People's Congress (NPC), in search of partners from the other regions, did not hesitate to deploy the enormous resources under its control as the party in government to

enhance its electoral fortunes in those regions and tended to precipitate crises, especially during the general elections of December 1964 and the western regional elections of October 1965.

The structural imbalances cited above not only affected the stability of the federation, they were deepened by the killings that attended the coup d'état of 15 January 1966, largely led by Igbo officers. Tafawa Balewa, the prime minister, a northerner; Ahmadu Bello, the premier of the Northern Region, and Ladoke Akintola, premier of the Western Region, were among the major casualties. In the Eastern Region the coup plotters failed to carry out similar killings of political leaders, thereby raising the 'suspicion that the military were less "the trustees of the nation" than the instrument of the Igbo seeking to establish hegemony over peoples of Nigeria' (Panter-Brick 1970, p 26). Although the coup was abortive, General Aguiyi Ironsi, an Igbo officer, became head of state and failed to bring the coup plotters to trial. There was a counter-coup by northern troops on 29 July 1966, during which General Ironsi and about 200 Igbo officers were killed. A stalemate attended the counter-coup when the military governor of the Eastern Region refused to recognize the new central government. The counter-coup was followed by a pogrom against Igbo residents in the Northern Region and the country descended into civil war, with declaration of the state of Biafra (Panter-Brick 1970; Post & Vickers 1973; Dudley 1973; Osaghae 1998).

As part of the effort to prosecute the civil war and ensure Nigeria's territorial integrity the country was divided into 12 states, several of them created for minorities and splitting the major dominant ethnic groups into several units. Further measures were taken after the war to promote and extend power-sharing arrangements, especially when the country returned to civil rule in 1979. These measures included the further splitting of the country into 19 states and the stipulation in the 1979 Constitution of the observance of the federal character in appointments and election to public office, in the composition of the leadership of political parties and in the electoral formula. Indeed, the Constitution required a candidate to win not only the majority of YES votes over NO votes; he or she must record 'not less than one-quarter of the votes cast at the election in each of at least two-thirds of all states in the

federation and the Federal Capital Territory'. According to section 134, where no clear winner emerges a run-off election must be held between the two highest-performing candidates. These provisions did not, however, eliminate ethnically based parties in the Second Republic (1979-1983). This was largely due to the presence of two leading politicians from the First Republic, Chief Obafemi Awolowo and Dr Nnamdi Azikiwe, who led two major parties and continued to draw followers largely from their ethnic bases.

The persistence of ethnically based parties ensured that there was no decisive dominance of any party under the presidential system adopted in 1979. The second general elections, in 1983, were riddled with malpractice and misuse of the federal control of the police and ultimately provoked the coup of 31 December 1983. Prolonged military rule further deepened the fear that one section of the country, the north, would become dominant. The reason was that the military governments were dominated by men and officers of northern extraction. All post-war military heads of government, with the exception of General Olusegun Obasanjo (1976-1979), were officers from the north. Although the establishment by General Ibrahim Babangida (1985-1993) of a two-party system served to promote more national parties, the annulment of the 12 June 1993 presidential election, won by chief Moshood Abiola of the Social Democratic Party (SDP), a Yoruba from the South, reversed the gains achieved by that process. The revolt that attended the annulment was the deepest crisis to have faced the country since the civil war.

At the National Constitutional Conference of 1994/1995 power sharing became a major issue of debate as a way out of the impasse. Inaugurating the conference, General Sani Abacha urged it 'to devise for our people a system of government, guaranteeing equal opportunity; the right to aspire to any public office, irrespective of state of origin, ethnicity or creed, and thus engender a sense of belonging in all our citizens' (Federal Republic of Nigeria – FRN –1995, p 3). The conference committee on power-sharing declared that 'the problem of power-sharing had been responsible for much of the tensions, emotions, conflicts, stresses and strains in most countries ...' and emphasized the need to evolve a 'power-sharing formula' based on Nigeria's historical experience (FRN 1995, p 143).

Several ideas, among them a rotational presidency, multiple vice-presidents and the creation of six geopolitical zones to facilitate the process of rotation of the limited number of public offices, were canvassed at the conference. Some of these ideas were accepted, others were not. The issue of a rotational presidency, the most controversial of the options (the South insisted on it while northern delegates opposed it), was only resolved by a consensus committee. The consensus committee brokered a broad concept of power sharing that included the rotation of the presidency, rotation of executive heads of government at state and local government level, zoning of public posts and proportional representation at all levels of government, and the establishment of the federal character commission to 'monitor and enforce federal character application and proportional representation in all aspects of our national life' (FRN 1995, pp144.145). The committee on the executive observed that 'the election of the Nation's Number One Citizen has been a major source of political crises and upheaval' and agreed that the presidency should rotate between the North and the South.

In the same spirit, the office of governor would rotate among the three senatorial districts of a state while chairmanship of a local government would rotate among the three sections into which each local government would be divided by the state electoral commission (see also Agbaje 1998). Although this rotation principle was written into the 1995 Constitution it failed to find its way into the 1999 Constitution. Nonetheless, the principle was accepted by all three parties registered to participate in the transition to civil rule programme of the Abdulsalam Abubakar military government (1998-1999). Each of the political parties nominated a southerner of Yoruba extraction as its presidential candidate to underline the broad acceptance of 'power shift'. By 2002 the ruling People's Democratic Party (PDP) had reached a consensus that the presidency would go to the North after the tenure of President Olusegun Obasanjo. That agreement was to reassure Atiku Abubakar, then vice-president, and encourage him not to contest the PDP primaries against Obasanjo, who was making a bid for a second term. The rotation and zoning principle was written into the party's constitution in 2009 (Akinbajo 2010). Article 7(2c) of the PDP constitution states that: 'In pursuance of the

principle of equity, justice and fairness, the party shall adhere to the policy of rotation and zoning of party and public elective offices, and it shall be enforced by the appropriate executive committee at all levels.' Thus, since 1999, the broad acceptance of the rotation of vital public offices between the North and the South and among the six geopolitical zones and the allocation of appointed and elected offices in the same manner in the political parties and Parliament became the formula for realising the federal character principle stated in the 1979 and 1999 constitutions.

Evaluation

Not all scholars subscribe to the adoption of power sharing in Nigeria ((Mahoney 2000:507, & Pierson 2000 and 2004). As some oppose the idea, others accept the idea on the other hand. Therefore, this paper intends to examine the implication of power shift in the Nigerian polity. Truly, there is no point submitting that power shift has the potential of doing more harm than good to the polity by further complicating the search for good governance, national integration and democracy. This is because the operators of the concept are those characters that have been participating in the Nigeria enterprise right from her inception as an independent state or even beyond. They have participated in the running and ruining of Nigeria enterprise. They comprise representatives from every interest group in Nigeria be it tribal, religious, social, professional etc. therefore, in that type of situation, little or nothing is expected from them other than their previous ruinous characters. No matter the name it is called, parliamentary, presidential, French indicative, rotational presidency, power shift, power sharing, democracy, military, democrat in uniform etc. there could be no improved changes in the lives of great number of the masses who are in majority. And this exactly is what is happening in Nigeria today despite power shift from the south to the North or vice versa. This situation has only increased looting public funds, corruption and increased poverty in the land, with power shift in Nigeria, the country is the 3rd most corrupt nation in the world, and over 70% of her population is below poverty line (Corrupt Perception Index (2019).

The notion of power sharing then becomes an ideology, an exercise in false consciousness meant to create a feeling of power dispersal in the face of power concentration. In any event,

to talk about power sharing in the increasingly exclusivity and monopolistic structure of the Nigerian political process is to raise hopes about a more pluralistic future (Agbaje, 1989). Therefore, the notion of power shift cannot produce more than an oligarchic situation and existing power structure of inequalities if not worse under a situation of asymmetrical relationship in a deeply divided society such as Nigeria as well as have seen from 1999. This development could make the attainment of democratic situation not beyond its normalist pretensions more tenuous if not impossible. Agbaje has even predicted that the notion of power sharing is not likely to work as we have seen since 1999. That the notion is not necessary and that it could injure the polity. This is because; Nigeria exhibits at least three characteristics which traditionally identified in the comparative literature as toxic to power sharing arrangements. One, is a network of deep social and territorial divisions, corresponding roughly with political loyalties, engaged in asymmetrical political relationships and with very little cross-cleavage allegiances. This structural network is under-written by political memory distilled from political experience informed more by the politics of domination than by the politics of group equality as well as by contemporary political culture, including attitudes that tend to concede rather than context in the existing power equation.

Unequivocally, the notion of power shift is unnecessary not only because it dictates have been taken care of by constitutional provisions of federalism and its twin sister in Nigeria: Federal character but because it could be taken care of by transparency in the implementation of democratic principles. Power shift could not work because given that in the best times, consociation government including an arrangement of power sharing is largely a holding operation with an inherent tendency to maintain the socio-economic status, to emphasize closed door negotiations, encourage governmental immobilize with the consequent growth of cynicism towards the political process and ultimately accentuates the oligarchical predilection of revisionist democratic theory and practice (Nnoli, 1996). Specifically, power shift can only lead to interest articulation in a particular zone despite when there is best qualified in that zone which will also lead to bringing to office incompetent people. However, this will go a long way to disorganize the government from the top down.

Conclusion/Recommendations

Nigeria has adopted a complex power-sharing arrangement in which elements of power sharing straddle federalism and electoral systems in order to guarantee broad representation, cross regional collaboration in the appeal for votes and, particularly, to ensure that all segments of society feel they have guaranteed access to the number one position in government. This framework could be defined as federal character and zoning with rotation. While power-sharing principles have evolved since the 1960s, the federal character principle was introduced in 1979 and the zoning with rotation principle emerged out of the post-12 June 1993 presidential election annulment negotiations. The power-sharing arrangement was essentially responsible for stability in Nigeria in spite of the poor conduct of electoral administration between 1999 and 2007.

It was, however, upset by the death of President Yar'Adua and the interest of Goodluck Jonathan, his vice-president, in standing for the presidency before a president from the North had completed two four-year terms, as set out by the power-sharing principle. The fact that the PDP presidential primary and the presidential election did not end in grave political polarization shows that the power-sharing arrangement is flexible enough to blunt the sharp North-South divide, reflecting the capacity of the Nigerian system to manage electoral competition. This has been made possible partly by the creativity of politicians, the long experience of cross ethnic and cross regional interaction promoted by the federal framework, as reflected in party organization and the electoral formula and the zoning with rotation principle that has liberalized access to the office of president by means of 'power shift'.

Previous state reorganization, as Suberu (2010) has observed, has transformed the arenas that groups and parties can dominate as springboards to power, thereby promoting greater proportionality in the relationship between ethnic group size and electoral strength. The national spread required by the electoral formula has also promoted the inter-ethnic alignments and coalitions that facilitated moderate behaviour in the conflict over the entrance of Goodluck Jonathan to the presidential race. This was shown in the constant effort to adjust the zoning arrangements and in the voting pattern

revealed by the results of the 2011 presidential election. However, the debates and controversies that dogged the choice of candidate and the violence that greeted his victory show that the power sharing zoning with rotation principle remains a problematic formula in the effort to transform democracy into a system of limited or provisional victories.

In view of the ongoing matter, this paper does not condemn in totality the concept of power sharing, but it has only argued that it cannot solve the socio-economic problems of Nigeria. At least, if it attains nothing, it shows that the so-called Nigerian radicals and human right activists are nothing other than tribal cabals and sectional jingoists. In essence, the solution to Nigeria's socio-economic and political problems should be searched for in other areas and not in power shift. Like Jeja (2000), observed; the role of the post-colonial state in Nigeria has been drastically affected and conditioned essentially three major factors; its colonial origin, excessive factionalism amongst the multi-ethnic, multi-religious and regionally segmented elite and prolonged military authoritarian rule, and (democratic dictatorship). These defines the pattern and the character as well as the essence of its role in the capitalist development process in state civil society relations, in international relations, and in the dynamics of resources utilization and accumulation in the Nigerian political economy.

Unless these factors are addressed, no matter what methods adopted in the country, it would take the country nowhere as we have recently seen with power shift. Scholars and journalists alike as molders of the thinking and behavior of the people have not helped in that direction because they have been repeatedly reminding Nigerians about varying forms of identity, differences and conflicts in the polity and little or nothing about how to develop a Nigerian nation. Thus government to be "they" which has nothing to do with you or me, an alien institution

whereby "people's business was to get as much from it as they could without getting into trouble" (Achebe, 1960), in this type of situation, "the real tragic hero is the Nigerian State". Nobody has any commitment to it and everybody is seeking for access, not to bake the cake, but to eat the cake" (Jeja, op cit: 44).

Another basic factor that needs-urgent attention is that: Nigeria has a patrimonial as well as a rentier character. Patrimonial is the distinction between the public and the private domains has become blurred and power, which has become a major source of wealth, has become personalized. The major characteristics of a rentier state is that, it's main relationship with the society is mediated through its expenditures on the military and state security, development projects, consumption subsidies and construction (Ibrahim, 2000). Another major factor that should be looked at, is the non-discrimination of "who is and who is not" from this state to be qualified for any political position.

In conclusion, it seems that only a comprehensive democratic culture with all its intricacies that can take Nigeria closer to the emergence of stable, meaningful, purposeful and beneficial polity. If this is not attained, there would hardly be any need for an ideology such as power sharing or power shift. But if it is the rotational presidency that could bring the necessary platform for entrenching democratic culture in Nigeria with her pluralistic structure, it could be adopted and entrenched into the country's constitution. Such an arrangement should also state the modalities for its operation, either on two zone bases or on six zones as well as it would oscillate. This is necessary because the method adopted by the south west should not be repeated by other zones before power could shift them. This includes blackmail and even ethnic militia which is damaging.

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EDUCATION IN DISTRESS: NEGATIVE IMPACT OF COVID-19 PANDEMIC ON THE EDUCATIONAL SYSTEM IN NIGERIA

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Abstract

The novel Coronavirus Disease (COVID-19) pandemic is a disaster that has affected most countries of the world, including Nigeria. The outbreak of the pandemic has constituted a serious challenge to the education sector since it led to the total shutdown of schools. This study aims to highlight the negative impact of coronavirus pandemic on the educational system in Nigeria. Secondary sources of data collection and social distance theory were adopted. The paper found out that the continued closure of schools across the federation amounts to violation of children's right to education and distracting the academic progression of students as well as the general deterioration of the educational standard in Nigeria. The paper recommends that priority should be given to ICT education, which should run side by side with classroom learning. Similarly, government should provide all infrastructural facilities that will support online education in all schools in Nigeria to prevent any future close down of schools which may arise from the emergence of unforeseen forces.

KEYWORDS: Coronavirus, Education, Educational System, Nigeria, Pandemic.

1.0 Introduction

While the developing countries especially in Sub-Saharan Africa (SSA) were suffering from high rate of illiteracy, high rate of school dropout, low school enrolment, poor educational funding, COVID-19 emerged in late 2019 which further exacerbate the already fragile educational sector in these countries. COVID-19 is an acronym for Corona Virus Disease of 2019 which is a highly infectious disease caused by severe acute respiratory syndrome corona virus 2 (SARS-CoV-2) (World Health Organization (WHO), 2020). Findings reveal that COVID-19 is transmitted through close person-to-person contact involving respiratory droplets from talking, coughing or sneezing (WHO, 2020; NCDC, 2020). It can also be contracted by contacting infected surfaces with unwashed hands before touching the nose, mouth, or eyes (NCDC, 2020).

The COVID-19 challenge started on December 12th, 2019, when Wuhan, China was hit by an

unknown acute pneumonia caused by the severe acute respiratory syndrome coronavirus (SARS-CoV-2). The World Health Organization (WHO) classified Covid-19 as a Public Health Emergency of International Concern on January 30, 2020, and the disease was declared a worldwide pandemic on March 11, 2020. The new COVID-19 outbreaks have been declared a public health emergency by the WHO (Samuel, 2020). At the end of 2021 a new SARS-CoV-2 variant, Omicron, emerged and quickly spread across the world. It was first detected in Southern Africa and within just a month of its initial detection, has rapidly spread across the world comprising the majority of SARS-CoV-2 cases in many countries including United Kingdom (UK). Since its identification in late 2021, it has become the dominant severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) variant in many countries.

The Covid-19 pandemic spilled over to Nigeria in the early year of 2020 through the trans-border relationship between Nigeria and other

parts of the World and rapidly spread across the major states particularly Lagos and Abuja. Like many other countries across the globe and in line with the international standard protocols to restrict the spread of the Covid-19 pandemic, Nigeria had shut down virtually all sectors and imposed travel restrictions and large gathering. This development affected the educational sector as well since all schools were closed to curtail the spread of the pandemic. Considering the high level of illiteracy in Nigeria, some have argued that the impact of the Covid19 pandemic on the country's educational system is alarming (Sahu, 2020; Omaka-Amari., Aleke., Obande-Ogbuinya., Nwakwe., Nwankwo and Olapegba 2020, Kola & Opeyemi, 2020).

Closing down of schools in the country brought about destabilisation in the education sector as both students and parents were disturbed (Amorighoye, 2020; Education in Emergencies Working Group (EiEWG) (2020). While medical experts justified the continued closure of Nigerian schools during the outbreak of COVID-19, it was acknowledged that such action could have negative impact on the education system in general, and the academic performance of Nigerian students in particular who are already exposed to a declining standard of education in the country (Omaka-Amari *et al.*, 2020).

Despite the considerable devastating effect of Covid-19 on the educational system in Nigeria, not much attempts have been made to examine such effect. It is against this background that this study aims at examining the effect of the COVID-19 pandemic on the Nigerian educational system by reviewing the existing literature. The study contributes to the literature on Covid-19 by focusing on its impact on the educational system in Nigeria and providing a much better perspective of the effect of Covid-19.

2.0 Conceptual Clarifications

2.1 Education

The term "education" comes from two Latin words: "educare" which means "to lead forth" and "educare" which means "to bring up." This signifies that education brings out and develops a person's abilities. Okoosaye-Orubite (2019) defined education as a social construct that is meant to fulfill the specific demands of society at any given moment. The society shapes its form, content, methods, and clients. Nzewu (1985) asserts that education serves the

purpose of training or fostering individuals to live in society and hence perform specified duties for society. Clark, as cited in Vikoo (2016), defines education as an interaction between a teacher and a student that is within the instructor's control in order to achieve the desired change in the student's behavior. O'connor (1966), noted that each civilization's educational system is a more or less complex process designed by society to instill in individuals specific talents or attitudes that are seen valuable and desirable in that community.

In a related trend, Adelowo (2010) defined education as a business that aims to instill values, attitudes, and skills in society. Pauley and Buseri (2019) consider education as a socializing agent that provides all of its beneficiaries with the essential tools, such as knowledge, skills, attitude, cultural values, language, and social skills, to enable people to conform to their society's desires or demands. Ocho (2005) sees education as the process through which individuals are made functional members of their society. It is a process through which young people acquire knowledge and realize their potentials and use them for self-actualization and to be useful to themselves and to others.

2.2 Corona Virus

Coronaviruses are clumps of RNA viruses that cause sickness in mammals and birds. They cause respiratory tract infections in humans and birds that can range from moderately to deadly. Some cases of the common cold (which is also caused by other viruses, primarily rhinoviruses) are mild, whereas more fatal kinds can cause SARS, MERS, and COVID-19 in humans (Feigin & Cherry, 2017). Covid-19 is an infectious disease caused by a novel coronavirus, according to WHO (World Health Organization, 2020). It is a mild to severe respiratory illness caused by a unique coronavirus. It is spread primarily through contact with respiratory droplets on materials, surfaces, and objects by the causative virus. Symptoms include cough, shortness of breath, and fever, which can progress to lung inflammation and respiratory failure (Merriam Webster, 2020). A unique coronavirus causes this "extremely infectious respiratory" sickness (Dictionary.com, 2020).

Covid-19 can cause moderate symptoms in some people, but it can also cause significant sickness and death in others. The fact that Covid-19 is associated with a higher fatality rate

than influenza shows that the virus is more dangerous. On February 11, 2020, the World Health Organization (WHO) officially designated the novel coronavirus "Covid-19". The number 19 indicates that the disease was first found in people in 2019. COVID refers to the short version of coronavirus disease. The novel coronavirus is also known as nCOV (novel coronavirus).

Most infectious diseases are identified by their symptoms (Osuchukwu, Agba, & Emeh, 2017); however, sore throat, fever, congested nose, muscle discomfort, and chills are frequent symptoms associated with Covid-19. Breathlessness, headaches, bodily discomfort, loss of taste and smell, and repetitive shaking with chills are among the other symptoms (Medical News Today, 2020). As a result, the symptoms of Covid-19 are similar to those of a regular cold. Coronaviruses are a type of zoonotic virus that causes a wide range of illnesses, from the common cold to severe acute respiratory infections.

The zoonotic family indicates that these viruses can be transmitted from animals to people, with Covid-19 being the first to do so (Lab Manager, 2020). Depression and anxiety are becoming typical symptoms related with Covid-19 (WHO, 2020). The World Health Organization WHO (2020) reported that corona viruses are a family of viruses that cause illnesses ranging from the common cold to more severe diseases such as Severe Acute Respiratory Syndrome (SARS) and the Middle East respiratory syndrome (MERS).

These viruses were originally transmitted from animals to people (Jacob, 2020). SARS, for example, was transmitted from civet cats to humans while MERS moved to humans from a type of camel. Several known corona viruses are circulating in animals that have not yet infected humans (Jacob, 2020). Therapeutic diagnosis and findings have revealed that people tainted with COVID-19 can be symptomatic or asymptomatic in the premature stages of the virus depending on the person immune system. It is reported that the signs of the infection contain dry cough, fever, tiredness, shortness of breath, headache and general body weakness owed to the incentive of supplementary pains in the body (Anifowoshe, Aborode, Ayodele, Iretiayo, & David, 2020)

2.3 Theoretical Framework

The study employs the Social Distance Theory, which contends that effective distance between

and among groups is crucial in limiting the development of the COVID-19 pandemic in Nigeria. The sociology of space by Georg Simmel (1908), in which he established the 'geometry of social activity,' gave birth to the concept of social distance as a theoretical construct. The author understood social distance as an erudite interpretation of sociality as geometric and metaphoric forms of 'distance.' Simmel explains the origins and his vision of social distance theory in his other work, *The "Stranger"*. The theory was later on modified by Simmel's (Bogardus, 1933).

Bogardus (1933) social distance is a function of the effective distance between the members of two groups: social distance studies the center of attention which is on the feeling reactions of persons toward other persons and toward groups of people. Thus, for him, social distance is essentially a measure of how much or little sympathy the members of group feel for another group. Putting into consideration how social distance can mitigate transmittable epidemics, Reluga (2010) notes that social distancing practices are changes in behavior that prevent disease spread by reducing contact rates between susceptible individuals and infected individuals who may transmit the disease. This theory can be used to help Nigeria stop the spread of the COVID-19 pandemic.

However, one of the theory's key flaws is that the benefits of social distancing are contingent on how much it is employed by individuals. Because people are sometimes hesitant to pay the costs associated with social distancing, their usefulness as a control technique is limited. However, the importance of social isolation caused by moderately transmissible diseases cannot be overstated. This is due to its strategic value in postponing epidemic spread until a vaccine becomes widely available. However, in highly transmissible diseases with no vaccine available, social distance is largely irrelevant. Given the mechanism of transmission of COVID-19 (handshakes, body contact, cough, and so on), social distance could be an efficient way to decrease its spread, therefore the theory's utilitarian usefulness in our research.

Furthermore despite it relevant, much is needed to be done by government toward effective implementation of the theory. Creating of spacing and sitting arrangement of students in classrooms and building of additional structure has become mandatory for conducive learning during and after the pandemic.

2.4 Literature Review

The Coronavirus illness of 2019 (COVID-19) first occurred in Wuhan City, Hubei Province, China, on 30 January 2020, and was designated a worldwide health emergency by the World Health Organization (WHO) (WHO, 2020). COVID-19 is an acute respiratory disease caused by a novel coronavirus detected in Wuhan, China in December 2019. COVID-19 is an acronym for Corona Virus Disease of 2019 which is a highly infectious disease caused by severe acute respiratory syndrome corona virus 2 (SARS-CoV-2) (WHO, 2020). Findings reveal that COVID-19 is transmitted through close person-to-person contact involving respiratory droplets from talking, coughing or sneezing (WHO, 2020 and NCDC, 2020). It can also be contracted by contacting infected surfaces with unwashed hands before touching the nose, mouth, or eyes (NCDC, 2020). The COVID-19 challenge started on December 12th, 2019, when Wuhan, China was hit by an unknown acute pneumonia caused by the severe acute respiratory syndrome coronavirus (SARS-CoV-2). The World Health Organization (WHO) classified Covid-19 as a Public Health Emergency of International Concern on January 30, 2020, and the disease was declared a worldwide pandemic on March 11, 2020.

Despite the fact that COVID-19 affects both young and old individuals, data suggests that the risk is higher in the elderly and those with underlying health issues such as diabetes, hypertension, asthma, and other bronchial or respiratory illnesses. COVID-19 primarily affects the respiratory system of its victims, causing mild, moderate, or severe respiratory disease, particularly in the elderly and those with underlying health issues or disorders (WHO, 2020). This implies that some victims of COVID-19 experience clear symptoms such as cough, sneezing, loss of the sense of taste, loss of the sense of smell, fever and shortness of breath; however, some other victims are mere carriers of the virus, displaying none of those identified symptoms throughout the incubation period of 1 to 14 days (WHO, 2020). When COVID-19 attacks older persons or those with existing health problems, their health can deteriorate to the point where they develop septic shock and acute renal damage, which can lead to death due to multiple organ failure. COVID-19 is a highly contagious or infectious disease that affects the respiratory system and may be transmitted by coming into contact with infected

person's droplets or touching infected surfaces. A laboratory test is used to diagnose COVID-19.

Coronavirus illness (COVID-19) case has been identified in Lagos State, Nigeria, according to the Federal Ministry of Health the case was confirmed on February 27, 2020 in Nigeria since the outbreak began in January 2020 in China. On the 25th of February 2020, an Italian citizen who works in Nigeria returned from Milan, Italy to Lagos, Nigeria. The Virology Laboratory of the Lagos University Teaching Hospital, which is part of the Nigeria Centre for Disease Control's Laboratory Network, validated his identity. The patient was being treated at the Infectious Disease Hospital in Yaba, Lagos, and was clinically stable with no significant symptoms. The Government of Nigeria, through the Federal Ministry of Health, strengthened measures to ensure an outbreak in Nigeria was controlled and contained quickly.

The multi-sectorial Coronavirus Preparedness Group led by the Nigeria Centre for Disease Control (NCDC) immediately activated its National Emergency Operations Centre and worked closely with Lagos State Health authorities to respond to this case and implement firm control measures. This truth jolted the federal and state governments into action to safeguard the country's population. They tried to prevent the disease from spreading in the country after learning about the high rates of morbidity and mortality in other places around the world. Enlightenment efforts for proper hygiene and social separation in public areas were launched by civil society and government authorities. In addition, the Nigeria Centre for Disease Control (NCDC), which is in charge of disease control in the country, collaborated with state governments to find and track victims and their contacts. In order to stop the virus from spreading further, Nigeria's Federal Government took the severe step of closing national borders and airspace, as well as schools, worship centers, and other public places, on March 30, 2020. This has all been done to slow the pandemic's spread and impact.

2.4.1 Impact of Covid-19 Pandemic on Educational System in Nigeria

One of the sectors affected by the COVID-19 pandemic is education. Schools around the country were forced to close because of the outbreak. Prior to the epidemic, the Nigerian government had been battling to offer quality education to the country's rapidly rising youth

population and lower the school dropout rate. However, with the Covid-19 pandemic, this scenario is exacerbated because only a small number of children from very wealthy parents can afford to provide online education for their children, leaving a large number of youngsters uneducated during the lockdown. According to the United Nations, the COVID-19 pandemic has caused havoc on education institutions around the world, affecting approximately 1.6 billion students across 190 countries and continents (United Nations, 2020).

According to the UN, school and other learning space closures have touched 94% of the world's student population, with up to 99 percent in low and lower-middle income nations (UN, 2020). The crisis has exacerbated pre-existing education disparities by limiting opportunities for many of the world's most vulnerable children, youth, and adults, particularly those living in poor or rural areas, girls, refugees, and people with disabilities, and those forcibly displaced, to continue their education. Learning losses also have the potential to extend beyond this generation, erasing decades of achievement, particularly in support of girls' and young women's educational access and retention. Due to the pandemic's economic impact alone, 23.8 million extra children and youth (from pre-primary to tertiary) may drop out or not be able to attend school in 2021 (UN, 2020).

In a low income country such as Nigeria, the government owned public schools could not provide online education for their students, except some few private schools. Prior to the pandemic, Nigeria had been struggling to keep its children in school due to high rate of school dropout. In fact, Nigeria contributes approximately 20% of the total global out-of school children. This figure is likely to increase due to the pandemic and the income gap between the rich and poor in the country. According to a United Nations International Children's Emergency Fund (UNICEF) report, 10.5 million Nigerian children aged 5-14 years are out school. Only 61% of 6 to 11 year olds attend primary school regularly (UNICEF, 2020).

The country's basic education system is in jeopardy as a result of school closures, further complicating an already ill-equipped learning environment, particularly in public schools. Furthermore, the virus's development has diverted the government's attention away from

other pressing national issues such as public infrastructure development, government-owned schools, and the fight against insurgency and toward the fight against the COVID-19 pandemic. By implication, the limited resources available as a result of the global economic downturn and the sharp drop in the price of crude oil on the international market, which is the country's main source of revenue, have been diverted to the fight against the virus, leaving other sectors of the economy, including education, underfunded. This has also made it difficult for the government to provide sufficient relief to public schools in order to build on the Federal government's e-learning program. Obviously, one of the main boosters of education is to address the challenges caused by the closure of schools in the country, which means that all of the necessary infrastructure and learning facilities for studies must be in place.

The current condition of a school has a direct impact on teacher morale and effectiveness as well as the learning environment in general. Inadequate educational facilities in Nigeria represent a threat to the right to education in normal circumstances, and they are significantly worse now that COVID-19 has spread. Nigerian schools are typically under-equipped and unsuitable for learning, and a lack of financing and school closures has put basic education in jeopardy (Amorighoye, 2020). Insufficient finance and ill-equipped facilities in public and some private schools have made it very difficult for Nigerian students at all levels to access basic education in the country, despite the mandate to school heads and proprietors to introduce digital or e-learning to pupils. The outbreak of COVID-19 is exacerbating the country's slide in educational standards and educational inequality, as only those with access to e-learning or digital learning benefit.

Instead of lessening the socioeconomic divide between the rich and the poor, this has widened it. In support of this position, Amorighoye (2020) argued that the federal government's decision to close elementary schools and tertiary institutions as part of its efforts to contain the virus's spread in the country, first in Lagos, Kano, and the Federal Capital Territory (FCT) (Abuja), and then in the rest of the country, has severely disrupted the academic calendar and impacted the academic syllabus for the year 2020. According to Hussain (2020) the impact of Covid-19 on Nigerian education is

tremendous because the government did not have the technology to cater for the 46 million students affected by the pandemic. She noted that unlike other developed countries, the Nigerian government did not have any clear-cut policy measures on how to mitigate learning disruptions for children or how to mitigate the digital divide. As a result, children from higher socioeconomic backgrounds are less likely to have their learning disrupted because they attend private schools with well-equipped ICT infrastructure, and their parents can afford remote learning resources at home. The majority of the pupils, on the other hand, come from helpless and disadvantaged households and lack access to computers and other devices outside of school.

In many situations, these children come from poor families or reside in areas with limited or non-existent internet access and intermittent power. Inevitably, this digital divide will exacerbate the learning disparities among these children between the rich and poor in the country.

3.0 Summary of Observations

Although the continued closure of schools across Nigeria contributed immensely in minimizing the risks of spreading the Covid-19 pandemic to innocent pupils and students across the country, the effect of such action on the educational system has been so devastating. It has resulted in violation of Nigerian children's right to education (at least temporarily), as well as obstructing the annual school academic calendar and truncating the expected year of entry. It has also contributed in delaying the promotion of students to the next level of studies and graduation from schools, colleges, and universities. The lockdown due to Covid-19 pandemic has intensified the general deterioration of the country's educational standard.

The long time away from school due to COVID19 lockdown might have caused some form of relapse in knowledge and ability of both students and some teachers especially those in the basic education level. It has further affected the rate of new discovery or findings by undermining certain research activities in the Nigerian institutions. Global sharing of ideas, knowledge and research outcomes through international conferences and seminars has been totally brought to a standstill as a result of border closures and travel restrictions across

nations. The pandemic has exacerbated pre-existing education disparities by limiting opportunities for many of the world's most vulnerable children, youth, and adults, particularly those living in poor or rural areas, girls, refugees, and people with disabilities, and those forcibly displaced, to continue their education.

4.0 Conclusion and Recommendations

The pandemic of the Corona virus has wreaked havoc on the worldwide economy, as it necessitates movement restrictions in order to prevent the infection from spreading. The pandemic has had a huge impact in Nigeria, particularly on the education sector due to school closures. Because of the high cost of offering information technology (IT) education system, many public schools have had difficulty transiting from classroom to online education. Unfortunately, many low-income students, particularly those living in rural areas, were left out and continued to fall behind in the educational divide between affluent and poor.

Having reviewed the effect of Covid-19 pandemic on educational system in Nigeria, this study offers some important policy recommendations. Firstly, in line with the principle of 'new normal', Nigerian schools and institutions should explore the opportunities offered by ICT in the education sector especially in the area of teaching through the virtual means. This will reduce the potential adverse effect of Covid-19 and similar pandemic on education in the future.

Secondly, there is a need to increase educational expenditure in Nigeria in order to increase the nation's investment in human capital in the long run. This will help in filling the gap created during the pandemic.

Thirdly, government should provide the necessary infrastructural facilities that will support online education in all Schools in Nigeria to prevent any eventuality of future close down of schools because of pandemic.

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POVERTY REDUCTION IN AFRICA: ROLE OF THE CIVIL SOCIETY.

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Abstract

Many civil societies in Africa are relegated to the background in policy decision making. Some governments in Africa now see civil society as a threat to their existence because of the pressure they exert on them for transparency and accountability. Several African countries have experienced economic growth in recent years as a result of growth in their GDP but are still enmeshed in poverty and inequality. There are variations in the roles of civil society in relation to poverty reduction. These variations depend on different factors including the poverty profile of the country, and state or society in question. Civil society in Africa finds it difficult to operate independently, because they depend heavily on the government for financial sponsorship. Consequently, the government takes advantage of this reason to impose certain limitations on the activities of civil societies. The paper significantly underscores the strategic role that civil societies can play entrench democracy in Africa in pursuit of development on the continent. Concept analysis is adopted in this course of this research paper. If the recommendations suggested are adopted by policy makers, Sub-Sahara Africa will be on the path of development and tenet of democracy.

Keywords: Africa, Civil Society Organisation, Poverty, Inequality, Socio-Economic.

1.0 Introduction

Civil societies in Africa are relegated when it comes to policymaking decisions. Some governments in Africa now see civil society as a threat to their existence because of the pressure they exert on them for transparency and accountability. Civil societies in Africa usually participate in poverty reduction in Africa by engaging in formulation, monitoring, evaluation, or implementation of Poverty Reduction Strategies (PRS). Some Civil Society Organisations (CSOs) are ideally involved in all the three stages mentioned above while some

others engage in one or two of the stages. However, the inclusion of Civil Society Organisations (CSOs) in any or all of the stages mentioned above depends on the particular country in question because every African government has different perceptions about CSOs.

Even though many countries in Africa such as Nigeria and South Africa have experienced economic growth in recent years, they are still ridden with poverty, irregularities, and inequalities because the activities of the CSOs in these countries are either confronted with extensive government interference and lack of

funding. These irregularities have been the major concern of civil societies in African countries because they believe that such irregularities stem from ineffective government policies. Some of them even depend on aid from International Financial Institutions (IFIs) such as International Monetary Fund (IMF) and World Bank for their financial support. These IFIs evaluate CSOs by accessing the working relationship between the CSOs and the government of their specific countries. Therefore, it is about time role of civil society is recognized and promoted in these two countries.

The dependency of some CSOs on the government has caused their activities to be restricted and has also caused their roles to be diminished due to government interference. Even the CSOs that do not depend on the government for funding also face the issue of strict laws in terms that limit their participation in decision-making processes. CSO relation with the central government in Africa differs because these countries have different historical background. The Africa pathetic scenario reflect the situations where civil society roles have been diminished in relation to poverty reduction. The major challenges, which have facilitated the diminishing of civil society roles, include government interference and lack of funding.

This research paper is in 6 sections. Section one is the introductory part while section two is the conceptual framework. The third second of the research paper is the theoretical framework of the study while section four focuses on mechanisms that have been adopted for reduction of poverty in Sub Sahara Africa. Section five of the research paper highlights the factors that enhancing poverty in Sub-Sahara Africa. Section six which is the last part is the conclusion as well as the recommendation.

2.0 Conceptual Review

2.1 The Concept of Poverty and Civil Society

There has been no specific definition of the concept of poverty but many scholars agree with certain key components which are used to define the concept. For an individual or a group to be in the state of poverty, it means the individual or group has not been able to attain the lowest level of living standard for a reasonable period of time. The inability to attain the lowest level of living standard could be

caused by a lot of factors which prevent the individual or group from gaining adequate access towards basic needs such as food, shelter, clothing, healthcare, education, employment and many others (Akintola and Yusuf, 2001).

Situations that prevent individuals from having inadequate or no access to basic needs could be in the form of economic, social, political and psychological incapacitation (Ajakaiye and Adeyeye, 2001) Civil Society Below are some of the different descriptions of civil society by some few authors in the field of political science. Orvis stated simply that civil society is any public domain that encompasses different independent activities under the legal auspices of the State (Orvis, 2001:17). According to Gyimah Boadi, civil society refers to gathering of organisations which represent neither the state nor the masses. These organisations emerge as a result of the voluntary activities of members of the society who seek to protect and promote their personal values and interests (Gyimah-Boadi, 1996).

Orji described civil society as properly planned activities which are executed by individuals or groups with the aim of changing the direction and effect of certain policies and programmes established by the government. Civil society is not interested in changing the policies of the government but are rather concerned about tuning such policies towards the beneficial directions of the society (Orji, 2004:80-90). Ghaus Pasha's description of civil society revolved around its independence from both the state and the market but he also acknowledged the fact that a successful and effective civil society must have goals and interests which connect all its members together. (Ghaus Pasha, 2005). Ikelegbe on the other hand described civil society as an establishment which is based on the principles of participation and self- governance. Furthermore, he said that such establishments have the long term objectives of redefining public affairs and public policies. He further explained that civil society serves as a tool through which the citizens can hold the state and its officials to accountability of their actions during struggles and challenges (Ikelegbe, 2005).

Uwais referred to civil society as the aggregate of organization and networks which operate outside the confines of state apparatus. These organisations include social groups, professional

groups and NGOs (Uwais, 2008:50-153). Olateju argues that civil society is used to describe different institutions based on their function. The first institution is described a civil society because it opposes the states' actions (monitoring function) and also an institution that integrates different social units with the state (intermediary function) (Olateju, 2012:310-319). The similarity among these definitions is that they all include element such as the political background, independency from the state, level of efforts, level of power, vision, purpose and experience of a particular group. Irrespective of the fact that many authors have tried to develop their own definitions of civil society, there are certain elements in the definition which cannot be tempered with because those are the key elements around which the definitions must revolve.

3.0 Theoretical Review

3.1 Liberalism

Before the mid centuries, the ideologies of liberalism were tuned towards a democratic direction in which a market society and democratic political institutions prevailed. All these ideology developments revolved around the commitment towards human rights. The problem of poverty became so severe during the nineteenth century to the extent that solutions to the problem needed some amendments in the commercial and capitalist atmosphere of the society. The components of liberalism have always been connected with seeking the maximum welfare of the society. However, in as much as the will to attain a maximum welfare increases each and every day, the problem of poverty also increases each and every day in different societies.

The developing of liberal thoughts was done based on the concept of poverty after the Cold War era (Makau wa Mutua, 1996). During this development, three basic liberal conceptions of poverty were established namely poverty in a moral sense, poverty as a 20 sense of justice and poverty as a matter of utility. It was on the basis of these three concepts that three major instruments were established to aid the transition of the concepts of poverty from the Cold War era to the mid-nineteenth century. These three instruments were the International Covenant on Economic, Social and Cultural Rights, the Millenium Development Goals and the South African Constitution (The South African Bill of Rights, 1997).

3.2 The Moral Conception of Poverty in liberal Theories

The first concept of poverty according to liberalism was moral responsibility. Liberalists believed that the poor are not meant to suffer therefore the rich people are automatically conferred with a compassionate responsibility to help the poor (OKojie, 2016). This moral conception is mostly facilitated by certain religious connotations. However, the explanation of poverty by Immanuel Kant was rather based on reasoning than religion. He explained that the reason why the poor should be helped by others in the society is that others in the society would also wish to be helped if there were to be in that situation too. The moral conception does not consider what caused the poverty but rather the best solutions that would consider the poor population.

With the moral conception, liberals also concluded that poverty is inevitable so there should be a standby solution for the poor and the solution must be orchestrated or developed by the very society in which the poor people dwell. The moral conception has limitations because the responsibility of helping the poor lies with the individuals in the community. That is to say, the help must come from one individual to the other. Another limitation is that there is no legal scrutiny involved should the donor refuse to offer a helping hand to the poor. The advantage of the moral conception is that it comes in the form of an appeal to the donor without any forceful obligations therefore there is a greater possibility for the donor to consider helping the poor when he is allowed to do so by his or her will (Okojie, 2016). If the donor or the benefactor fails to listen to the pleas of the poor, he or she is described as having no moral consciousness. The poor person is described as 'unfortunate' while the rich is described as 'lucky'. The objective of the MDGs are mostly backed by the moral conception described above therefore it is better to evaluate MDGs by their moral achievements rather than their legal achievements. Preferably, it would also be effective if they are evaluated by both but problems would arise when the some legal objectives contradict the moral ones. The South African Constitution also has deep connections with the moral conception of poverty. The whole era of apartheid, from its emergence to its end was one of the moral claims ever to have occurred.

3.3 The Justice Conception of Poverty in Liberal Theories

The second conception of poverty according to the liberal theory was based on justice. In this context, liberals had the perception that poverty was created because the state failed to exhibit justice on behalf of some groups in society. That is to say, poverty is the result of the state's injustice political activities towards vulnerable members of a particular society. When such unfairness occurs, it usually involves depriving individuals of their rights. The individuals would always make claims to the state concerning their rights but some states fail to fulfill their part of the obligations either because of the unavailability of resources, some form of greediness or other reasons best known to the state. Thomas Paine explained this by referring to the legal system of property. In his explanation he highlighted that the indigenous land owners get deprived twice and that is injustice to the brim. First, the ownership of their lands are transferred to the rich elites and then second, they are not given any compensation for their loss. French people appreciate economic rights because of their long history under monarchy rule where economic rights were only determined by the monarch leadership.

On the other hand, Americans have always encouraged capitalism where economic rights were decentralized and choices were made available for the citizens, therefore their level of appreciation of economic rights cannot be compared with that of the French (Guyen, 2017). The confirmation of the French people's appreciation for economic rights could be seen in their inclusion of the rights of the poor into the French Constitution of 1791. The justice concept of poverty sees the poor as 'rights bearers' as compared to the moral conception which sees them as 'unfortunate'. The South African Constitution was developed based on the claims of rights by citizens especially the poor. In 1913, the South African government enacted the Natives Land Act which gave them the opportunity to deprive Black South Africans of all the lands. As if that was not enough, most Black Africans were also deprived of their South African Citizenship in 1948, a right that they were entitled to by birth. When Nelson Mandela and the African National Congress came into power in 1994, they were determined to fight for justice on behalf of the black indigenes. The Economic Covenant mentioned earlier on was

also rooted in the principle of justice. The Economic Covenant derived its justice claims from many different instruments such as the Constitutions of Latin American countries and materials published by Frank Roosevelt based on the idea of 'freedom of want'.(Roosevelt, 1941).

3.4 Liberalism and Civil Society

Liberal views of civil society is concerned with how states have been transformed from an era of dictatorship to an era of democracy. During this period, many countries experienced democratization in different forms and that would not have been possible without civil societies. Churches, social movements and voluntary organizations have all played their part in making democratization a success. The ideas of liberalism concerning civil society rest on the notion that an entity can only be free when it is given the will to choose which actions to perform (Guyen, 2017).

This is the only way that entity could experience liberty. Theories of liberalism also assert that the only way different changes can emerge to facilitate the development of a society is when groups or individuals operate independently from the state because as long as the state is involved, the groups will be limited by law in many aspects. Liberals also believe in the power of pluralism. In this sense, they mean that civil society is better off when it provides the platform for individuals to choose different projects upon which their lives would be built. One major obligation which liberals confer on the state is that, the state is responsible for ensuring that the rights of citizens are guaranteed. Specifically, the most important rights that need to be guaranteed include the right to free association and free speech (Tushnet, 2000). These rights allow individuals to relate with other individuals based on a common identification or objective. These rights also allow civil society to hold governments and international organizations responsible for their actions.

4.0 Mechanism Adopted for Poverty Reduction in Africa

It was obvious that the major aim of NEPAD was economic development through different objectives which include poverty reduction. Poverty reduction policies which have been adopted in Sub Saharan Africa over the last two decades include the Structural Adjustment

Programmes (SAPs), Poverty Reduction Strategies (PRSs) and the Millennium Development Goals (MDGs). These policies are geared towards promoting trade, investment, industrial development and infrastructure.

4.1.1. New Partnership for Africa's Development (NEPAD) The New Partnership for Africa's Development (NEPAD) is a very excellent project which could be used to evaluate the contributions of civil society towards development in Africa. NEPAD was conceived in 2001 when the Heads of States of African countries met in 2001 in Lusaka in Zambia. The major aim of this development was to provide a concrete and strategic vision which would increase development in Africa through economic cooperation of African countries. Prior to NEPAD, there were two different plans which were laid down by Thabo Mbeki and Gen. Olusegun Obasanjo and these plans were the Millennium partnership for the African Recovery Programme (MARP) and the OMEGA Plan which was developed by President Abdoulaye Wade of Senegal. These two plans were later fused together to create the NEPAD. The aim of NEPAD was to be achieved by setting certain objectives which included the eradication or reduction of poverty, promotion of sustainable growth, integration of African economies and the empowerment of women. These objectives were to be achieved by applying the principles of conflict resolution, good governance, democracy and the protection of human rights.

Two sectors that contributed towards the successful implementation of the NEPAD at that time were the private sector and the civil society. The importance of the civil society and private sector were even stated in the NEPAD Framework Document. To evaluate the significance of the civil society in the implementation of NEPAD, the evaluation must be done at different levels including national, sub regional and continental levels. NEPAD has prioritized its activities into eight areas including political, agricultural, education, infrastructure, health, science and technology, tourism, environment and economic. As of 2010, NEPAD had made considerable progress in areas such as poverty eradication, women empowerment and education. This was facilitated by the ability of the African Union to intensify the inclusion of NEPAD into its structures and processes. This move created a huge confidence for the NEPAD framework and also established a productive relationship between the AUC and the NEPAD

Secretariat which consequently facilitated the development of the AU/NEPAD Action Plan (AAP). NEPAD had received a lot of support from the United Nations and many regional institutions. In 2008, global institutions such as the World Bank, the European Union, US Agency for International Development (USAID) and the Group of Eight Industrialized Nations (G8) have also shown recognition and support for the NEPAD program. The motivation for the NEPAD program was the fact that African economies were weak due to their dependence on primary production. There were other areas such as export that needed to be explored by these African economies but one country could not do that single handedly therefore an integration was highly necessary. There are two issues associated which are supposed to be taken seriously so far as these policies are concerned. The first issue is the provision of support for these policies and the second issue is the implementation of these policies. Providing support for these policies is very important and this support must come from all the countries in the Africa. When policies are drafted, African countries must debate them extensively and also participate in the formulating them as well. The implementation of the policies is as equally important as their formulation and this is where Aid agencies take center stage. It is not easy to define poverty as a concept at all. The different definitions that have emerged have all considered the financial orientation using concepts such as income, consumption, spending and so on to measure the level of poverty in a particular society (Grusky and Kanbul, 2006:11). This kind of definition had existed since the end of the Second World War but in contemporary times, the definition has been refined by the inclusion of different concepts related to basic needs, capabilities and human development. These concepts are closely linked with indicators such as life expectancy, educational attainment and standard of living which are all yardsticks for the measurement of the level of human development (UNDP, 2006:263). According to the Organisation for Economic Co-operation (OECD), poverty could be defined as 'interlinked forms of deprivation in the economic, human, political, sociocultural and protective spheres (OECD, 2006). Poverty causes an individual to lose his or her voice and power (Narayan et al., 2000). According to HDI statistics, Sub Sahara Africa has not improved on its poverty problem since 1990 so that made it the poorest region in

the world as of the 2014 (UNDP, 2016:265). Poverty related to income have reduced in all other continents except Africa because approximately 300 million of the population in Sub Saharan Africa (SSA) live on less than \$1 a day. There are also situations where poverty is perceived as a dynamic problem in some countries. Therefore citizens keep going in and out of poverty as a result of issues such as dependency, age, ownership and so on. For example, when a teenager depends on his family for support, he or she is considered poor due to his or her age and dependency on family. However, when he or she becomes an adult and gets employed or stops depending on his or her parents, he is not considered poor at that stage. In other countries, poverty is perceived as a chronic. That is to say people who are referred to as poor must have been poor for most part of their life and even possibly passed on towards future generations. There are many factors that contribute to the persistence of poverty in the Africa and these factors are either socio-economic or political-economy driven. The common ones include corruption, weak civil society, human rights, resource curse, weak nations, low capabilities, inequality, exclusion, risk and vulnerability and more.

4.1 Socio Economic of Poverty Factors

4.1.1 Risk and Vulnerability

In our everyday life, there is bound to be different risks and vulnerabilities especially when it comes to issues concerning survival but people in the rural areas face the highest risks because they depend mostly on agriculture. In Africa, large portions of the populace depend on agriculture therefore it means that most citizens in the SSA region face higher risks as well. These risks and vulnerability are contributory factors that facilitate poverty in the Africa region and they include harvest failure, conflict, health shocks and market failure. Harvest failure is the prime risk factor face by people living in the rural households in the Africa (Sinha and Lipton, 1999). There geographical nature of lands in Africa makes it prone to problems such as environmental degradation, poor roads, landslides and poor access to inputs which in turn increase the vulnerability of the rural inhabitants of the Africa region and also reduce the national budget of the country in question. The long term effect of the harvest failure risk include national budget instability, selling of assets by rural inhabitants and unfavourable

national trade. An example of harvest failure was the case of Southern Africa between 2001 and 2003 which was caused by heavy rainfall which in turn causes a general decrease in the level of maize harvest in the region. In the long run, there was huge inflation in the whole of Southern Africa with Malawi experiencing the highest of 400 percent increase in prices of maize. Conflict is another form of risk and vulnerability factor which breeds poverty in Africa. A very high and positive correlation exists between conflict and poverty. In Africa, there have been different phases of conflicts ranging from civil wars, ethnic wars, military curfews and so on. Between 1997 and 2007, more than 35% of states in the Africa were negatively affected by conflicts which had occurred about a decade of two ago (Azarya, 1994). Conflicts always have a direct and negative effect on the survival of the household. The poor masses are the ones who bear most of the consequences of a conflict while the elites always benefit one way or the other. The effect of conflicts include severe injuries, deaths, destruction of properties, displacement of households and many more others. These consequences go a long way to increase the dependency ratios in the affected countries. When properties such as company buildings, warehouses and offices are destroyed it mostly results in the jeopardizing of the livelihood of most citizens by causing unemployment and low savings which eventually lead to poverty. Conflicts also cause cultural friction and dislocation (Steward and Fitzgerald, 2000). Market failure is another form of risk and vulnerability factor as far as poverty in Africa is concerned. Market failure does not cause poverty in SSA but rather increases it. This is due to the fact that poor people in Africa do not possess the materials and properties that could help them recover in terms of any market shocks. When there is market fragmentation (lack of infrastructural linkages) the effect is not felt by only the markets but also by the producers themselves because they are deprived on information when there are changes in prices. There is also the need to discuss risks such as health shocks which is also a very strong risk that makes producers vulnerable and eventually poor. When citizens have health issues, production activities tend to slow down or reduce and this results in the general loss in assets and properties. Ill health and poverty could work in two dimensions. That is to say ill health can cause poverty and poverty can cause ill health as well. The level health

problems in Africa is at an alarming rate with mortality rate in 2005 was 166/100 and there has not been much improvement since then. On the other hand, life expectancy has reduced since three decades ago. Low life expectancy is caused by many factors including untreated or untreatable diseases. One of such diseases is HIV/AIDS. Therefore in actual sense, it could be concluded that untreated diseases could cause poverty in the long run. As of 2006, deaths resulting in HIV/AIDS cases in SSA were approximately 2 million (Van de Waal and Whiteside, 2003). When a household is affected by HIV/AIDS, that household normally faces other vices such as less income, reduced food security and drought (Harvey, 2004).

4.1.2 Inequality and exclusion

Inequality can simply be described as discrepancies in the sharing of resources between the poor and the rich. In many modern societies, the rich are always favoured when it comes to sharing social resources while the poor are always discriminated against. Such acts can prolong the poverty that already exists or even magnify it. There are many domains where inequalities exist especially in African societies and they include income, asset ownership, employment, health, education and so on.

Many African societies are structured in such ways that they rich would have various options to protect or increase their wealth and also make it difficult for the poor to accumulate much wealth. Any society that has a high level of inequality is also bound to breed low school enrolments, high fertility rates, corruption and low life expectancy. Low income also restricts individuals from acquiring properties that could help them to produce more wealth, therefore it has long term effects on national income as well. In a country such as Tanzania, the inequality is gender oriented (Okojie and Shimeles, 2006) while countries such as Burundi and Senegal have religious oriented inequalities. Exclusion on the other hand, reduces the capabilities of the individual.

The difference between exclusion and inequality in this context is that, exclusion totally deprives the individual outright share of social resources even when they need them. In worse cases of exclusion, the individual is deprived of very basic resources such as food, shelter, clothing and also basic rights such as rights of association and rights to ownership which are very crucial for the acquisition of wealth. With inequality,

the individual still gets to partake in the social resources including institutions but his or her share depends on factors such as age, gender, race, ethnicity and so on. These factors are also considered when it comes to exclusion as well. These factors were the basis on which the Rwandan genocide and the San face in Botswana occurred.

5.0 Factors Enhancing Poverty in Sub-Saharan Africa

Africa's problems are magnified by the fact that most of its countries have not done enough in reduce poverty on the continent. This is due to the wrong decisions taken by African leaders from time to time. The factors discussed above are defects which can be solved by the affected individual or at most by the society he or she lives in. There are also factors which cause or facilitate poverty but are not within the control of the individual. Such factors are caused by the activities of the state, its political system or its political leadership. Some of these problems or factors include corruption, non-developmental politics, weak states, weak civil society, resource curse and human rights.

5.1 Corruption

The act of corruption sweeps across the entire globe but the cases in Africa are mostly extreme especially in countries such as Nigeria, Equatorial Guinea and Ghana. Long lists of public officials have been accused and charged with corrupt activities ranging from outright stealing, ghost payments, bribery and kickbacks (Khan, 1996:683). Corruption prevails in countries with weaker institutions because accountability is low or absent totally. A corrupt individual might not really affect the nation extensively except he or she was Head of State but a corrupt set of elites would undermine poverty reduction activities.

5.2 Weak States

A weak state would obviously have weak institutions as well as a weak security or defense system. In many African countries, land and properties are owned and controlled by individuals and that makes it very hard for the government to oversee many activities that transpire in terms of properties. The only way these governments can control such activities is through policies (Medard, 1982). In the case of a weak state, there would also be weak policies and citizens would absolutely take the law into the own hands. In countries such as Egypt,

Libya, Tunisia and Djibouti where many properties are controlled by the government, the rate of poverty would be so low. On the other hand, countries in which many other authorities compete with the state would experience an abysmal use of properties by many citizens and that might result in poverty.

5.3 Weak Civil Society

Africans prefer simple ways of living and would always try to avoid the complexities by maintaining very minimal contacts outside their religion, tribe, clan, family or region. This does not mean Africans are not patriotic but rather means that most of them are conversant with their own small societies as compared to a shared national identity. In other words, Africans have a closed society which limits their contact with other citizens in other societies. This means that many Africans have weak societies (Molutsi and Holm, 1991). Donors would only support organisations which are based in the capital city rather than those in the rural areas therefore many of the closed societies in the rural areas are often ignored the access to certain benefits or advantages (Global Fund, 2009). This kind of situation still exist in many African societies till today and it has numerous impacts on poverty. Due to the lack of government support for these closed societies, it becomes very difficult for these societies to organize and finance their own campaigns especially the campaigns with political agendas. The role of the media cannot be underestimated when it comes to societal development but in many African countries, media outlets are owned and controlled by political figures who prefer to direct the media to work with institutions in the urban cities than the rural ones.

5.4 Human Rights

Human rights is also considered as a variable of development because it can shape poverty in many ways. The explanation of human right and poverty could indirectly be linked to the principles of inequality and exclusion. When a citizen is deprived of any right in any form, such deprivation can undermine local attempts to change systems that contribute to, and perpetuate, poverty (UNDP, 2016). In the formulation of poverty reduction policies, policy makers would always need to consider the virtues of empowerment, participation and accountability. In Africa, many poverty reduction strategies or policies are formulated

to match the norms and required international standards. The international evaluation of human rights depends on the standard of living of the citizens of that particular country. That is to say, food, health, housing, education and social security should all be at excellent levels, if not some of them (UNDP, 2006).

5.5 Mismanagement of Resources

Perhaps the most obvious cause of poverty in Africa is resource curse. This is because African countries solely depend on primary production, which means that the success of any African country would depend on its endowments of raw materials such as oil, gold, gas, diamonds, bauxite, manganese, timber and many more. The successes of countries such as Ghana and South Africa are heavily associated with the availability of gold and cocoa while the success Nigeria is associated with the availability of crude oil (Lal and Myint, 1996). The availability of these resources have also caused problems in some countries such as Sierra Leone which is heavily endowed with diamond fields but has failed to develop and most of its citizens live on less than a dollar per day. The advent of corruption and misappropriation of funds has led to the impoverishment of most of the citizens after the civil war. The rent and royalties gained from extracting resources in Africa goes directly into the pockets of leaders while the masses suffer from inequalities, deprivation of rights and low standard of living.

6.1 Conclusion

The fact has been established that civil society is a very important and integral force in development especially in developing countries in Sub Sahara Africa. Some of the roles they play have been thoroughly described in various section the study, particularly their efficient roles in poverty reduction in the developing states in Sub Sahara Africa. A conclusion is given below by referring back to the different conceptions described in relation to the study. For an individual or a group to be in the state of poverty, it means the individual or group has not been able to attain the lowest level of living standard for a reasonable period of time. Civil society has been defined by different authors in their own perspectives but whatever the case might have been, most of the definition revolved around the same elements including the political background, independency from the state, level of efforts, level of power, vision, purpose and experience of a particular group.

Many of these development strategies are motivated by the search for economic growth by many countries or state institutions and for this reason, many different means have emerged to achieve this particular objective. Development has evolved to create new and more effective ways of reducing poverty. Lastly, many of the poverty reduction strategies that are designed for Africa fail to take into account the socio economic and political conditions in Africa because the international policy agencies and institutions responsible for implementing such developmental strategies still have a lot to learn.

6.2 Recommendation

The study suggest the following recommendations.

i. The Need for Improved Governance in Sub-Sahara Africa

Evidence has shown that Sub-sahara Africa problems revolves around democracy as well as improve governance. Many modern states have failed in Sub-Sahara Africa and this has also provided opportunity for civil societies to perform national duties such as taking care of the needs of the population and alleviating poverty in the long run. If democratic rule is more solidified as well as improvement in governance, it will inturn enhance the effectiveness of CSO in respective states.

ii. Zero Tolerance for Corruption

The study recommends that there must be zero tolerance for corruption in Sub-Sahara Africa if they its CSO is to be effective. The issue of

corruption needs to be tackled in African states because it undermines the allocation of resources to non-state actors which in turn disturbs developmental projects. Sub-Sahara African states are believed to be fantastically corrupt as funds meant for parastatal and non-state actors are often syphoned by elected officials. Another example is South Africa who seems fair in development compare to other Sub-Sahara Africa countries but still has a lot of problems that needs to be taken care of. The racial discrimination in the country's past had truly dented future prospects of many public organisations but there are still ways through which these organisations call make things work.

iii. Reviewing State Funding Policies

Another high recommendation is, reviewing state funding policies. This is because, as long as most of Civil Society Organisation depend on the government for aids, it would be very difficult to be completely independent from the government even when its policies are not favourable. For the future of civil society to be shaped positively, many driving forces need to be activated. These driving forces include the source of funding, the connection between politics and technology, the level of citizen engagement, market integration, geopolitical stability, climate change effects, trust between government and businesses and international organizations etc.

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DEMOCRATISATION QUESTION IN AFRICA THROUGH INDIGENOUS KNOWLEDGE SYSTEM: A YORUBA POLITICAL HERITAGE ANALYSIS

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Abstract

The motivation behind this paper is to seek the extent in which the encounters between the continent of Africa and the rest of the world have had neutralizing effects within the context of indigenous knowledge system through Yoruba political heritage assessment. This could be attested to by the fact that Africa in the 20th century was externally exploited-economically and politically- during the colonial era and presently through globalization. These encounters were predicated on discrimination and the need to obliterate the indigenous knowledge system in favour of a euro-centric set of values. As the paper argues, the indigenous knowledge system was portrayed as primitive and as an impediment to progress. Thus, an attempt was made fostering western knowledge system and democratic values on African continent. Currently, attempts to democratize have been fraught with myriads of problems confronting the African continent. The paper through a historical methodology, essentially made use of relevant documents to contest that the process of democratization for most part of Africa has not been sustainable, as a universal model seems unattainable. These have occasioned the scuttling of the democratic process by forces within and outside Africa, bringing about crises and civil unrests. Indigenous knowledge system is revisited not on the basis of searching out divergence between western world and the African knowledge systems but with a view of exploring their points of convergence. It concludes that the integration of the indigenous knowledge system in the mainstream of African politics has implications for democratization, peace, sustainability and nation-building.

Key words: Africa, Indigenous knowledge, Democratization, Continent, Politics

Introduction

Indigenous knowledge as a concept according to Ezeanya-Esiobu (2019) is as diverse as there are voices that utter the term. At the foundation of its several interpretations is an agreement that indigenous knowledge is an alternative to mainstream, Western styled, or "modern" understanding of knowledge. Indigenous knowledge explores the unique and shared knowledge of a population of people or community, which informs their collective world view (Ellen & Harris, 2000, pp.2–6). Indigenous knowledge is based on communal understanding and is embedded and conditioned by the culture of the locality in question. The development of indigenous knowledge is a byproduct of efforts to master

the environment and has been a matter of survival to the communities. Indigenous knowledge has been further defined as culturally informed understanding inculcated into individuals from birth onwards, structuring how they interface with their environments. It is also informed continually by outside intelligence. Its distribution is fragmentary. Although widely shared locally on the whole than specialized knowledge, no one person authors it or social group knows it all. It exists nowhere in totality, there is no grand repository (Sillitoe 2002, p. 9).

Greiner (1998, p.1) asserts that indigenous knowledge is "the unique, traditional, local knowledge existing within and developed around specific conditions of women and men

indigenous to a particular geographic area.” Warren defines indigenous knowledge as “the local knowledge that is unique to a given culture or society; it contrasts with the international knowledge system which is generated through the global network of universities and research institutes” (Warren et al. 1999). The term indigenous knowledge is further defined as local knowledge that exists as a result of interactions with the environment by members of a community within a geographical area (Kiggundu, 2007, p. 42) Indigenous knowledge covers all fields of human endeavour including, but not limited to, agriculture, environment, pharmacology, health, trade and economic, political systems.

The discourse examines the extent of obliteration of the indigenous knowledge system by the Western indigenous knowledge system on democratization process in Nigeria and Africa. It looks at Western political legacies and its impacts on the post-colonial period in Africa; with its myriads of problems on the continent. The emphasis of this work on African indigenous knowledge system is with a view of highlighting the points of convergence between the Western African conceptions of democratization. It is also aimed at making points that can be integrated into the African political system for peaceful and sustainable democratization, and nation building. To a very large extent, Indigenous people are set of individuals living in a define area, and communities within a nation state, with similar traits, characteristics, language, culture value, belief system and traditions, Their allegiance is to a particular group and society for the purpose selling their own ways of doing things, to a vulnerable indigenous ideas, no matter how primitive it may be perceived.

Salami (2006) opined that Indigenous people have had their own ways looking at and relating to the world, the universe, and to each other. Their traditional education process were carefully constructed around observing natural processes, adapting modes of survival, obtaining sustenance from the plant and animals world, and using natural materials to make their tools and implements. Indigenous knowledge is seen as a people’s culture. It is the local knowledge that is unique to every culture and society (World Bank, 1998). Kiggundu (2007) again sees indigenous knowledge as the totality of all knowledge and practices established on past experiences and observation that is held and use by people.

According to Greiner (1998), indigenous knowledge refers to what indigenous people know and do and what they have known and done for generations practices that evolved through trials and error and flexible enough to cope with change. Indigenous knowledge system is also seen as a dynamic experiential knowledge of a people.

Kiggundu (2007) believed that indigenous knowledge system was made understandable through demonstration and observation accompanied by thoughtful stories in which the lessons were imbedded meaning indigenous knowledge system is not static or an unchanging artifact of a former life way, but rather it has been adapting to the contemporary world since contact with other began and thus, it will continue to change. Today, many indigenous knowledge systems are at risk of becoming extinct because of rapidly changing natural environments and fast pacing economic, political and cultural changes or because they adapt too slowly (World Bank, 1998). However, many practices disappear only because of the intrusion of foreign technologies or solutions to problems without being capable of sustaining them. The tragedy of the impending disappearance of indigenous knowledge is most obvious to those who have developed it and make a living through it. But the implication for other can be detrimental as well, when skills, technologies, artifacts, problem solving strategies and expertise are lost. The Global forum of indigenous people and the information society declared that information and communication technology (ICT) should be used to support and encourage cultural diversity and to preserve and promote indigenous languages, distinct identifies and traditional knowledge of indigenous people nations and tribes in a manner which they determine best advances these goals (United Nations, 2003).

Be that as it may, the structure of the paper centered on perception of African political thinkers on democratization, indigenous knowledge system and democratization process in Africa, indigenous knowledge system and democratization traits in Yoruba traditional society.

Perception of African Political Thinkers on Democratization

Africa is one of the continent in the world, that felt the hard knock of the European colonizers in every ramification, seek the subjection and

did not only feel oppression of Africans, they also sought for the extinction of African culture thereby concluding that African has no culture or its culture is Barbaric. Then, African traditions had played prominent roles in the development of African Political Thought. The culture and social development of every individual affects or influence the idea(s) of people toward the democratization process and politics in Africa. The ideas of African thinkers have led to political liberation and political development in African states. In their effort, they went further to destroy the identified three social structures that emerged in Africa as a result of colonialism like transformed indigenous social structure, migrated social structure and emergent social structure. Similarly, Sillitoe (2002) encourages African in the defence of Traditional values and artifacts against imagined or real danger.

Trifonas, (2003), believes that some of the major problem confronting African is dependence and ignorance. He also observed that most African state tailored their political system toward the colonial master, neglecting their own traditional or indigenous system. In his reaction to democratisation he advocated for the adoption Negritude. According to him, Negritude' is a distributive culture shared by African and all members of African diaspora should develop it, express it and offer it to the world as a part of the universal human heritage. Negritude pledge cultural awareness of African for the development of African. He is also of the view that democracy should be embraced in Africa such democracy should emanate from the people, since, sovereignty belong to the people, such should rest with the people opposed one party system and support multi-party because of the pluralistic nature of Africa.

Nyereres political philosophy is encapsulated in Ujamaa, which emphasizes 'Africanness' in its politics. It also means family-hood it is a clarion call for the people of African to combine effort as a family working together for their common good. In the case of Obafemi Awolowo he was concerned about Nigeria. According to Omotoso (2016), he asserts that the Yoruba had a culture which was higher than the cultures of other groups found in Nigeria. He explained that, the fact that the Yorubas had not been able to develop as rapidly as one would have expected could only be explained by the retarding effects of the other groups which co-exist with them within the same political unit. Awolowo also subscribed to the fact that the society is in

hierarchical order considering the cultural relations that exists. He stressed the need for the adoption of democratic ideals.

Broadly speaking, the political system of the Yoruba people is a monarch system and yet with the trait of elective principle towards the process of choosing their king Oba or leaders as the case may be. The election of the king (Alaafin) of Oyo normally goes through the body of noblemen (chiefs) known as the Oyo Mesi, the seven principal councilors of the state. Most of the indigenous traditional institutions of governance across African States were more democratic and more egalitarian system than the modern political institutions in contemporary African states in several respects.

It is noted that the indigenous knowledge have established leadership system long before the formation of modern African states, their right for self-determination was undermined followed European colonial rule, and by the modern African State, democratization based on the custom and practical of the people since immemorial; the society that have numerous trait of commences and built on own values instead of introducing alien values to the local communities. But then, there exist a wide range of dissimilarities across African States in terms of their traditional system of governance they differ in their nature. For instance, where leadership has been disrupted by apartheid measured and argues it lack legitimacy (Koelble 2000, p.30). In the case of Nigeria the traditional value system and governance was manipulated, the case of Oyo empire which as a good structure of checks and balance as a system of running their traditional society was also disrupted by colonial system of governance and values. The African pre-colonial political system, were highly decentralized with law making, social control, and allocation of resources carried out by local entities, such as lineage grouping villages communities and age (ECA, 2007).

Indigenous Knowledge System and Democratization Process in Africa

The concept of democratization is a product of the word democracy. It is a concept that took its origin from the Greek City States as an indigenous knowledge system of that society at earliest period, but was sold to other states of the world including Africa. Democracy is by far the most popular form of government in the world today. Though defined and understood in

myriad of ways, democracy has been widely described as the most attractive form of government. Democracy emphasizes equality of citizens and freedom of expression, such that legitimate power resides with the people while government gains legitimacy only by the consent of the governed. Although differing in characterization, democratic theories have revolved around processes and principles that will result in political freedom for all, supremacy of the rule of law and a commitment to the progress of the political entity (Dunn, 1994).

Noting that "the people cannot decide until somebody decided who the people are", Good (1996 p.11) suggests that constituting the rules of democracy must be preceded by national feeling or a sense of national unity which does not exclude any group regardless of gender, ethnicity or class. In recent past, Africa has been faced with the task of defining, re-defining, shaping and grooming her democracies, a process which has been filled with political adventures including decisions on what forms of democracy to adopt, how government should be structured and what dividends should be expected from democratic rule (Omotoso, 2016).

The world witnesses the emergence of mass organization in Africa, Asia and Europe that have risen to the demand to end a dictatorial rule and replacing it with a democratic process. Democratization is the totality of the process of achieving a democratic rule or governance in a particular society. Democratization became an international phenomenon during the cold war, as United States and its western allies sought to propagate democracy globally as a means to contain communism; even though quite frequently they embraced and supported autocratic (undemocratic regimes in Africa). Western governments and media also turned a blind eye to human right violations by the regimes such as Mobutu Zeseko of Zaire, and Moi of Kenya; regimes which supported or claimed to support the West. The post-cold war era, therefore, offered the West, especially the United States, a unique historical opportunity to impose its political and economic values across the globe with Africa as a prime target. Western styled democracy and democratization became the precondition for Africa countries that sought foreign aids from IMF and World Bank in order to address socio-political and economic

challenges. Thus, the role of Africans in pushing for democratization based on their local conditions is referred to as the second independence". Democratization is contingent on their interest as dictated by colonialism, cold war, neo-colonialism and globalization.

Consequently, indigenous knowledge system and democratization in African has been a contending one today, when running through the x-ray of African indigenous society, what has been consistently ignored is that democratic values and process have been an indigenous to African as it were to the ancient Greeks. African societies includes indigenous democratic values that were not necessarily civilized to the Europeans mindset portrayed as barbarous and therefore, stood in need for civilization. Several research of the pre-colonial society or rule has shown African experimented variety of political organization ranging from representative democracy to various forms of monarchical and decentralized system.

The structure of African states implies that the Kings and Chiefs rule by consent and the subjects are fully aware of the duties they owe to him and are able to exert pressure to make him discharge these duties, for example the indigenous political system of the Igbos of Eastern Nigerian present one of the most elaborate example of direct and participatory democracy in traditional African. The Igbo operated a decentralized political system with a monarchical system apart from place, such as Nri, Ontisha, Oguta and Osomari who operate a centralized politics, the Igbo society would have been tagged fully sole authority paramount ruler lack essential norms of government. Then the democratic trait embedded in the Igbo society are operated throughout the general assembly consisting of several village representative, whereby each village elects or appoint its own delegate to the village group, women also have their representative in the village assembly of the political affairs in Igboland. The political system of Buganda was based on kingship, it was apparently a representative of monarchy in which parliament and the Prime Minister not only ensured representation according to the concept of modern democracy but also limited the powers of the king to avoid tyranny (Cathrine, 2006).

Indigenous Knowledge System and Democratic traits in Yoruba Traditional Society

A cross examination of the pre-colonial Yoruba political and cultural heritage has been noted with some element of democratic features. The pre-colonial Yoruba society remained a social and political organization with a demonstration of some democratic values, and this traditional was established on what can be called a participatory democracy. Democracy emphasizes that power should be shared among people of different categories, and that sharing of power must also be acknowledged by those who hold power directly and whose ownership of power is by mere inference. For the Athenians, democracy involves rotation in office and the filling of offices by a lot and enlargement of governing bodies (Ayittey, 2006). Democracy places more emphasis on value, stipulates liberty, separation of power, majority rule as well as sovereignty of people.

Traditional Yoruba political and governance structure begins with an administrative and political head, usually the Oba and the cabinet made up of chiefs who assist in the running of their domain and the maintenance of law and order. Decisions are consensually made alongside council of chiefs who make laws and set punitive measures. Although the Oba among Yoruba is supreme leaders, the political system is structured with checks and balances to check tyrannical rule. The Oyo Empire provides a vivid example with the Alaafin as the administrative head (with the baale of smaller towns being answerable to the Alaafin), the Oyo Mesi (the council of kingmakers), the age grade, and Ogboni cult acting as a check on the powers of the chiefs and the Alaafin who can be impeached if found tyrannical. Yoruba belief in good governance is founded on a sense of responsibility from all actors, that is, the recognition and willingness to collectively do what the society requires. Take this proverb for instance:

Okọ kú, ọmọ ọba méta a pèrè; Ọbẹ mú epo, Lálá mú iyò, Àjùwọ̀n mú ata. (The husband died, and three princesses made their contribution [to the feast]; Ọbẹ brought palm oil, Lálá brought salt, and Àjùwọ̀n brought pepper).(Omotoso, 2016).

On the other way round, in traditional Yoruba society, the leader of Ilu (town or society) is the Oba, the leaders of smaller villages are the

Baale, while the leader is the compounds are called Olori Ile, and the political and administrative organization of the society was headed by a king and divided into towns and regions with each major town and settlement headed by a king in council with other administration. In the traditional Yoruba society, despite operating a monarchical Authority, there existed an elaborate organization of palace officials and chiefs in most cases includes civil chiefs, the military chiefs, ward chiefs, heads of the compounded and extended families assist the king discharging his executive powers.

Nevertheless, the function the king as the head of the council of the society include the protection of the general interest of members of the society which calls for overseeing the general health of the society and the citizens, including the internal security of members, issues of peace and war, and the administration of justice, with the king as the last court of appeal for the whole kingdom, and also concerned with the conduct of the relationship with other regional kingdom and societies (Fadipe, 2006). There is also local governance by the ward chiefs, with head of compounds as well as the military chiefs, and families' heads responsible for the administration of part of the society within their territories echoing traditional Yoruba social organization as it replicated at the ward and compound levels with activities of the Oba in council (Fadipe, 1970, p.207).

Every democratic society must have administrative checks and balance to curb the excess of the leader in such communities. The traditional Yoruba society accorded the Oba a considerable amount respect, which almost equals veneration although his power are not meant to be absolute due to hierarchy of power relations in the management of the society. Hence this hierarchy of power relations titled in favour of the Oba but it did not translate to unchecked power, thus the power arrangement in traditional Yoruba political setting was such that it provided check and balances with a structure that gave power to some bodies of persons to exercise on behalf of others with a second structure of providing the institution with the power to check the possible excesses by those who wielded powers based in a social and political fabric meant to encourage inter-institutional checks and balance to moderate social and political power relationship in the society. In the case of Oyo kingdom, Alaafin (the Oba) is checked by the institution of Oyo-mesi

in the case of possible abuse of power and arbitrariness. The Alafin is elected by the kingmaker (Oyo-mesi) despite the Alafin is the Supreme Judge of Oyo Empire the final courts of appeal. The Oyo Mesi is also vested with the power to moderate the power and influence of Alafin. In the case of arbitrariness, the Oyo-mesi under the leadership of Basorun, would present the Alafin with a calabash or parrots egg as a sign that he must commit suicide, he could also be compelled to commit suicide. The Oyomesi does not also has an absolute power as they have checked by the Ogboni, represented the popular opinion and backed by the regions authority, therefore the view of the Oyomesi could be motivated by the Ogboni. But the Basorun as the head of Oyo mesi was also in a position to influence the political decision of both Oyo mesi and the Ogboni.

The Ijebu-Egba also has similar traits of checks and balance among the various organs of government. In this part of Yoruba community, the Osugbo is standing in place of Ogbeni Osugbo was a council of society in Ijebu and Egba kingdom. They discharge all the business of society without the king being necessary present, assured successively administrative, legislative and judicial roles (Amoah, 1998). However, the Osugbo give report of each business to the king or Oba reflecting the power of veto and override yet both parties does not enjoy absolute powers.

In the case of Ile-Ife, the spiritual headquarter of the Yoruba, headed by the Ooni and second in command as Obalufe and other traditional chiefs both on the right and left. Those on the right represent princely interest and those on the left represent religions and spiritual interest. The Ooni also enjoyed power, influence and respect but without absolute power, as he is checked with some mechanism to control the excesses or any misrule. In the case of such he could be asked to open the beaded crown call Are which is tantamount to committing suicide if mis-rule.

Then it has noted that Ile-Ife was ones governed by female Ooni called Lume Gbagida during 17th or 19th century according to Akinjogbin (1980, pp.124-126). It was also noted that the Oba and the subject have their eewo (taboo) which they must observe and each eewo is with a penalty because violation of it could spell perdition and woe for the entire kingdom. Any violator of the eewo loses his

throne or title as the case may be (Akinjogbin, 1980, p.131). Another democratic feature traceable to the Yoruba society was that each traditional Yoruba kingdom has a settled system of ascension after the demise of an Oba, already known to the citizen and the potential contestants for the royal stool. Who became Oba must have fulfilled both the spiritual and material criteria because throne is open to all eligible candidates who were assumed to have equal access to the throne, reflect the role of people to determine who ascend the throne and rule them.

The Yoruba society also portrays a participatory democracy. Society was replicated at the wards and compound levels which emphasis the process of democratization in the traditional Yoruba society. Then, freedom of expression, separation of powers, and checks and balance are embedded in the various form of Yoruba traditional setting. The citizen also enjoy a means of expression of their opinion to the Oba, these are done through songs and other forms symbolism during festivals like Edi festival in Ife, where various songs and traditional poetry to ethnic praise or pass insult into the ruling Oba, thus expressing the feeling of the people.

Way Forward

Since indigenous knowledge represent an important component of global knowledge, it is important for Africans to collectively come out with policy statement, which will serve as principle and guide toward achieving suitable outcome. Urgent steps should be taken to document the African indigenous knowledge to avoid distortion and loss of vital information by the aged custodians. Convention of indigenous knowledge into electric storage, to meet up with the global ICT development and increase the life span of such knowledge. African and Nigerian in particular should place more value on their indigenous knowledge and also incorporate them back into their curriculum, taught in schools.

Conclusion and Recommendations

Today, indigenous media of communication seem to be waning in popularity in Africa largely arising from the advent of modern communication media; dearth of skilled personnel; the drastic reduction of the power and influence of traditional rulers; availability of globally acceptable signs; domination of the global economy and culture by powerful

advertisers; and the negative influences of globalization on indigenous cultures and languages (Olatunji & Thanny, 2011). Objectively, governance in the African region in the pre-colonial times was centered on family and communities resource case, including leadership, kinship, religion, indigenous doctors and the villagers bond by duties and obligation into a community. Such communal and social cohabitation lead to the developmental system of democratization within the African communities. African indigenous knowledge system exists, likewise in other developing societies where indigenous governance was aimed at collective improvement of the people. The specific focus on the Yoruba traditional society has shown traits of traditional institution in the Yoruba kingdom as a well organization setting. The present democratization process in African and even in the Yoruba communities is quite different in terms of application; Africans have embraced the idea of the western democratic process and neglecting our own traditional knowledge system because of the world other; colonialisms, neo-colonialism and the concept of globalization.

However, it is usually believed that even after African liberation, Africans have the initiative of adopting suitable policies for African State but African were carried away with luxuries

infuriated by the western knowledge in the colonial era. Then the question that arises is would the African indigenous knowledge system survive with the western indigenous knowledge system? At this juncture, it is worthy of mentioning that if African indigenous knowledge was adopted as a system of governance, it would have improved over the years after a lot of modifications, and can be sold to others. If democracy is been perceived and practice to suit every society who wish to practice democracy, the same way, the concept of federalism have also been practiced differently to suit the indigenous knowledge and tradition.

Again, this is also applicable to the concept of democracy and democratic process has been practiced to suit indigenous system and society in Africa. This paper recommends the decolonization of knowledge and an innovative inclusion of the indigenous knowledge and political systems into our circular polity. This will allow for decision-making that is more inclusive and culturally sensitive. Success stories of countries like India that have successfully integrated their indigenous knowledge to modern-day practices across the sectors of their economy should be selectively adopted

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RELEVANCE OF AGOSTINHO NETO'S POLITICAL PHILOSOPHY AND IMPLICATIONS FOR CONTEMPORARY DEMOCRACY AND DEVELOPMENT IN AFRICA

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Abstract

This paper "Relevance of Agostinho Neto's Political Philosophy and its implications for Democracy and Development in Africa" examines, the life and times, political philosophy as well as the relevance of Agostinho Neto, the paper evaluates how Neto combined his political activity and career of a revolutionary fight with the Portuguese for the independence and freedom of Angola in 1975. The paper explores how Neto fought for his people irrespective of his hard times, difficulties, several arrests and other sacrifices of lives of his people. Irrespective of these challenges, he was determined and achieved what he wanted as he gained leadership of the armed struggle against colonial rule and obtained independence for his people (Angola). Both Power centered approach and the National accommodation theory were adopted to explain the dynamics of power struggle and freedom and also uses content analysis to obtain data and draw conclusions and lessons for contemporary democracy and development for African leaders to emulate in order to leave legacies for the people whom they govern more than their personal gains.

Keywords: Agostinho Neto, Philosophy, Relevance, Democracy, Development, Angola and Africa.

Introduction

António Agostinho Neto was born at Icolo e Bengo, in Bengo Province, Angola, in April 26, 1922. Neto attended high school in the capital city, Luanda; his parents were both school teachers and Methodists; his father, also called Agostinho Neto, was a Methodist pastor. After secondary school he worked in the colonial health services before going on to university. The younger Neto left Angola for Portugal, and studied medicine at the universities of Coimbra and Lisbon. He combined his academic life with covert political activity of a revolutionary sort and PIDE, the security police force of the Estado Novo regime headed by Portuguese Prime Minister Salazar, arrested him in 1951 for three months for his separatist activism. He was arrested again in 1952 for joining the Portuguese Movement for Democratic Youth Unity. He was arrested again in 1955 and held

until 1957. He finished his studies, marrying a white 23-year-old Portuguese woman who was born in Trás-os-Montes, Maria Eugénia da Silva, and the same day he graduated. He returned to Angola in 1959, was arrested again in 1960, and escaped to assume leadership of the armed struggle against colonial rule. When Angola gained independence in 1975 he became President and held the position until his death in 1979 (Martin 2004 and Inge 1997).

Agostinho Neto died September 10, 1979 in Moscow, Russia after surgery for cancer and hepatitis shortly before his 57th birthday. Jose Eduardo dos Santos succeeded him as President. But the Angolan civil war continued to rage for almost a quarter of the century more. Neto was 56 years old at the time of death. Neto had a long battle with cancer of the pancreas, as well as chronic hepatitis that ultimately took his life. Neto had been to the Soviet Union multiple

times for treatment because of the high level of medical professionals there. Few people knew about the African Nationalist's failing health, because he and his colleagues thought it was better to hide this information, as to not show weakness (Johnson 1979).

This paper is structured and organized in sections five sections, the first section covered the general introduction while the second section deals with the methodology, the third section deals with theoretical framework while section four covered Neto's philosophy as well as the critique and the relevance of the philosophy. Lastly section five dwelled on conclusion and recommendations.

Methodology

This research work is qualitative and exploratory. Similarly, the data in this paper is derived from secondary sources. Additionally, the paper employed content analysis of other publications, internet materials, library and other materials that are pertinent to the topic. The content analysis method was applied to examine the existing literature on the subject. Upon the availability of the data, a coherent elucidation of the theme has been offered.

Theoretical Framework

This study employed "Power centered approach" by Aristotle, Smith, Hobbes, Marx Weber and others and the "National accommodation theory" propounded by Smock and Smock in Obiyan (2000) in their comparative study of two plural societies (Ghana and Lebanon).

The "Power center approach" encompasses the necessities and existence of power in relation to the contemporary issues which explains the nature of power in handling societal issues. Political power is unavoidably consequential in responding to issues that requires one's ability.

The major proponents were the 17th century Greek philosophers and the modern theorists which includes; Plato, Adams Smith, Thomas Hobbes, Karl Marx and Max Weber, Immanuel Kant, Thucydides and Hans J Morgenthau whom is considered to be the father of modern realist thought. All of these scholars made consequential input on the subject matter and this has stand the test of time (Krasner, 1992).

In general, political powers include domination exercise of control and political right to

determine whether one person or group can exercise power over others. It also analyzes the different forms of power in relation to crucial part of the political order. The power centered approach to political behaviour today lays emphasis to the importance of power in economic relations, and it will also prove if democracy and legitimacy as associated with power is justifiable. If power is conceptualized as the transformative capacity of actor or their ability to affect actor's behaviour. It is the ability to affect actors' preferences and reading of both interest as the problems in the system in which it involves.

The society is known for communal relationship and had a great respect for the culture, traditions and norms (communalism). In this regards, the societal roles and culture were structurally differentiated (Ake, 1982) and community interest surpasses that of individual.

Power in Social Science and in politics is the ability to influence or outright control of the behaviour of people, it can be seen as evil and unjust which involves force or threat of force but the existence of power is accepted as prevalent to human and social beings.

Robert Dahl (1961) opined that power is the state of affairs which holds a given relationship, A-B, such that a given influence attempt by A over B makes A's desired change in B more likely; In this perspective, power is fundamentally relative and depends on the specific understanding of the relationship between A and B. This requires B's recognition of the quality and superiority in A which will motivate B to change in the way A intends. This also because, from the conceptualization of power, certain features would be analyzed and the analysis awaits uses in the relationship sense. When there is only one player or element, the issue of power does not arise, it is because power implies ability to influence or control others to get things done by others (Robert Dahl, 1961).

On the other hand, the national accommodation theory approach gives recognition to public policies which pay attention to the existence of subgroups in the distribution of national resources and offices aimed at minimizing parochial conflicts, while ensuring in the political system for nation building (Obiyan, 2000).

According to Smock and Smock in Obiyan (2000) National accommodation refer to a

political strategy for communally fragmented societies in which the political system accommodates the communal groups at the same time that it attempts promote a measure of common loyalty to the national community. By incorporating communal groups into the political system and giving them a stake in its survival, it moderates conceptions of communal self-interest. National accommodation has its goals and achievement of unity and diversity. By promoting national accommodation, a sense of national citizenship can be imposed over existing network of subnational loyalties.

As an approach, it has afforded researchers the opportunity of analyzing national building policies which take representativeness as a basis for distributing national resources and offices rather than depending on the colonial powers. This is one of the advantages that it has over such models of pluralism as the equilibrium and conflict model. The equilibrium model holds that crosscutting loyalties and multiple affiliations of members of a society in groups (ethnic, religious and linguistic) make integration inevitable in a society. The same individual belongs to several of these associations to which he shows his loyalties. These multiple affiliations and multiple loyalties mitigate intergroup conflict and hence promote integration in the society through the fluid interplay of political interest. It argues that this resulting inter play makes nation building possible. The equilibrium theory has several drawbacks. First, while it may be true that multiple affiliations and loyalties can mitigate intergroup conflict, many studies by scholars have revealed that the loyalty of an individual to groups is not uniform and that primordial attachments are far stronger than those of social and class affiliations. Therefore, multiple membership does not necessarily eliminate or mitigate, intercommunal conflicts nor does it necessarily guarantee nation unity. The conflict theory of plural societies, as propounded by Smith holds that the complete absence of any shared culture and values among groups make any cooperation or shared activities impossible. And in the absence of any cooperation, only political domination by the cultural minority can hold the society together. As has been contended by Smock and Smock, the assumptions of Smith's (1971) model which is a rigid hierarchical ordering of groups, absence of any crosscutting associations or interest and a closed political system do not hold for most

plural societies. Crosscutting associations are inherent in every society, though they may be weak in some. This model also restricts the focus of researchers. Thus, this point shows the superiority of our national accommodation model over conflict and equilibrium theories of plural societies. Our adopted model – national accommodation – as we have pointed out overcome the problems which bedevil the equilibrium and conflict theories or pluralism in that it, among others, draws researchers' attention to deliberate public policies of mitigating conflict in the analysis of national building and integration. It achieves this by including a means of managing communal tensions and promoting improved intergroup relations, it allows us to analyze plural society ad national building within the context of compromised arrangement in access to national resources and power; the incorporation of primordial groups in the structure and process of the political system. (Abdala, B. 2012)

Neto's Political Career and Philosophy

In December 1956 the Angolan Communist Party (PCA) merged with the Party of the United Struggle for Africans in Angola (PLUA) to form the Popular Movement for the Liberation of Angola with Viriato da Cruz, the President of the PCA, as Secretary General and Neto as President (Africa year book 1977).

The Portuguese authorities in Angola arrested Neto on 8 June 1960. His patients and supporters marched for his release from Bengo to Catete, but were stopped when Portuguese soldiers shot at them, killing 30 and wounding 200 in what became known as the Massacre of icolo e Bengo. At first Portugal's government exiled Neto to Cape Verde. Then, once more, he was sent to jail in Lisbon. After international protests were made to Salazar's administration urging Neto's release, Neto was freed from prison and put under house arrest. From this he escaped, going first to Morocco and then to Congo-Léopoldville (Martin 2004).

According to Walker (2004) Neto visited Washington, D.C. in 1962 and asked the Kennedy administration for aid in his war against Portugal. The U.S. government turned him down because it had oil interests in colonial Angola, choosing instead to support Holden Roberto's comparatively anti-Communist National Liberation Front of Angola (FNLA).

Neto met Che Guevara in 1965 and began receiving support from Cuba. (Abbott 1988) He visited Havana many times, and he and Fidel Castro shared similar ideological views. (Chazan 1992).

On 26 February 1974 his last child Mihaela Marinova was born in Bulgaria, from Bulgarian woman Radka Marinova Following the Carnation Revolution in Portugal during April 1974 (which deposed Salazar's successor Marcelo Caetano), three political factions vied for Angolan power. One of the three was the MPLA, to which Neto belonged. On 11 November 1975, Angola achieved full independence from the Portuguese, and Neto became the nation's ruler after the MPLA seized Luanda at the expense of the other anti-colonial movements. He established a one-party state and his government developed close links with the Soviet Union and other nations in the Eastern bloc and other Communist states, particularly Cuba, which aided the MPLA considerably in its war with the FNLA, the National Union for the Total Independence of Angola (UNITA) and South Africa. However, while Neto made the MPLA declare Marxism-Leninism its official doctrine, his position was to favour a socialist, not a communist model. (Abdala 2012) As a consequence, he violently repressed a movement later called Fractionism which in 1977 attempted a coup d'état inspired by the Organização dos Comunistas de Angola. Tens of thousands of followers of Neto Alves were executed in the aftermath of the attempted coup, over a period that lasted up to two years. (Abdala 2012).

The Soviet Union awarded Neto the Lenin Peace Prize for 1975-76.

The Public University of Luanda, the Agostinho Neto University, is named after him. A poem Chinua Achebe entitled Agostinho Neto was written in his honor. An airport in Santo Antão, Cape Verde is named after him. due to the beloved work he performed there as a doctor. For the same reason, the main hospital of Cape Verde in the capital Praia is named "Hospital Agostinho Neto" (HAN). There is also a morna dedicated to him. A Street in New Belgrade in Serbia is named after him, the Dr Agostina Neta Street.

In 1973. during one of his few unofficial visits to Bulgaria, Neto met a woman with whom he had a daughter, Mihaela Radkova Marinova, who

was raised in orphanages in Bulgaria. Neto's family has not recognized the child. (Maia 2010)

Neto was more than a poet who put art at the service of his country. He was directly involved in Angola's armed struggle and a very active member of the MPLA (Movimento Popular de Libertação de Angola) from its very beginning. This movement was founded in 1956 in order to fight against Portuguese colonial power and was engaged in military flights from 1961 to 1975. The MPLA took power in 1975, the year Angola gained independence from Portugal, and has remained in power ever since. Agostinho Neto was elected its president in 1962, remaining so until he died in 1979, which makes him the first president of independent Angola. During his time as president of the MPLA. Neto was very aware of the importance of educating all Angolans about the need and benefits of joining a common anti-colonial war and about the importance of putting tribal/ethnic differences aside. To that end, he, along with his party members, not only would use several African languages to inform the various African ethnic groups about the nature and objectives of the guerrilla war, but also give some public speeches. away from the watchful eye of the PIDE (Policia Internacional de Defesa do Estado) of course Since the Portuguese would often spread negative rumors and misleading information about the MPLA's objectives amongst African populations in order to handicap its success, it was essential to inform Africans about the true nature of the guerrilla war. Yet as we very well know, despite the MPLA's strong efforts to minimize ethnic rivalries during the fight for colonial independence, civil war in Angola has lasted for about 27 years, ending only in February of 2002 with the assassination of UNITA's rebel leader Jonas Savimbi and the signing of a subsequent peace accord between UNITA and MPLA.

One would need to write another essay and one on the politics of international economy in order to properly address the reasons why the civil war managed to last so long in Angola, without forgetting to explore the role of the USA and South Africa in the process. I will of course leave that to the scholar who has no fear of unmasking international political/human disgraces. If Neto's use of the Portuguese colonial language proved to be inconvenient in many ways, it might also have had some benefits.

It could be suggested, for example, that it made Neto's works more easily accessible not only to Portuguese-speaking countries, but also to other countries through translation, and thus in some ways facilitated the spread of Neto's political plea worldwide, which in turn might have contributed to international diplomatic pressure to end colonialism in Angola. It can also be suggested that the use of the colonial language allowed Neto to "write back to the colonizer (to borrow from the title chosen by Asheroit's et al. (1989) *The Empire Writes Back*) That is, it allowed Neto to speak directly to the colonizer and appeal to his/her sense of justice; it allowed him to state his people's right to independence as well as the legitimacy of African culture and its existence long before the arrival of colonizers. There is no doubt that Neto's use of Portuguese created a technical barrier between him and his people and was a constant reminder of his alienation from that people and from his African roots. In the poem translated as "Friend Mussunda" ("Mussunda amigo"), Neto speaks of that alienation with tremendous sorrow and anguish: "To you friend Mussunda to you I owe my life and I write poems you cannot follow / do you understand my anguish?" (mussunda means Angolan nationalist). And yet, that same language which Mussunda cannot understand gave Neto the power to communicate with colonial authorities, which might in some ways have helped his political project.

To put it metaphorically, Neto was the ones who used the guns the colonial master had "innocently" given him to annihilate that same master. In other words, the colonialist might have thought that his politics of assimilation intensely geared to the young Africa was a priority guarantee of his colonial success, only to find out at the end that was also the first a prior guarantee for his ultimate failure: it was both the solution and the problem. (wenm. Wikipedia.org>wiki> Agostin...)

Critique of Neto's Philosophy

Both the Power Centered Approach and the National accommodation theory used projects Neto's philosophy, the Power Centered approach encompasses the necessities of power in relation to contemporary issues especially the nature of power in handling societal issues as is required to once ability. It is important in economic relations and also prove if democracy and legitimacy as associated to power is

justifiable. Also, the National accommodation theory gives recognition to public policies which pay attention to the existence of subgroups in the distribution of natural resources and offices aimed at minimizing parochial conflicts while ensuring in the political system for nation building. This is in line with Neto's philosophy because his fight for Angolan independence and developed close links with the Soviet Union and other Nations in the Eastern block and other Communists States. The philosophy is however criticized on the bases that Neto celebrated the accomplishments of Blacks the world over. He did not spare the United States for its role in the oppression of the black race. This is especially noticeable in African personal speaks of the ocean that separated him from himself over the centuries, so that he had forgotten the hands that built the wondrous world, however, lynched, his brother whipped, his wife gagged, and his son kept in ignorance, the voice of one whose sorrowful song, accompanied by the doleful sound of the popular instruments he often played, drifted over the regions where the crushed black populations were clustered:

The theme of the "world negro" was executed by Neto with his customary sparseness and tight allusiveness, reminiscent only of such masters, who practiced this same economy in his most successful works, in which he bonded together themes of oppression, compassionate identification and brotherhood with near-miraculous condensation and a verbal energy, a trick well-known to Neto, too. Very often is noted that in Neto's works on the themes of fraternity and worldwide oppression or of aspiration are expressed without that militancy is observed there is only the slightest trace of social criticism lurking almost imperceptibly in the background. It can be said that the real motive of this work is to delineate the source of a truly "African" poetry, which, in fact, is conceived as a blood-tie coming through suffering, through a transcendental aspiration and through certain cultural bonds that African Blacks have in common. While Neto seeks here to identify the fraternal spring from which his work originates, the work is not a call to revolution per se, nor is Neto expressing here a limited esthetic that require on "African " Neto talking here of sources, but this is not restrictive, that is to say into the body of world poetry Roots and audience can be widely separated. Neruda, for example, far from the modernist climate-and despite his effusive style-

approaches Neto in his quest confused impurity of the human condition. Neto's works, like Neruda's, is "a poet's dispensation to the world," a voiced concern for the down-trodden and the forgotten. One thinks of Whitman: one also thinks of the multifaceted and as "the voice of the people is too complex and too universal in application to be branded as merely "militant," or "regional," Rather, one will normally encounter broadly humanistic themes.

Nonetheless, the burden of these works must be viewed as containing a mobilization of sorts. In them we discern a frequent call to his compatriots that they bestir themselves, but never that they take arms. Is this cautious language the result of the hesitations of a physician, who protects life, rather than taking it? The understandably guarded rhetoric of one who knows his writings are being scrutinized by the colonial powers? Neto speaks of the "glorious struggle of the people" in which he conveys the "message" of his identification with the fear and hunger of his African brothers, and tells them it is time to match, to shed their inertia and to move against the oppressor and his forced assimilation, including even his linguistic impositions. And then Neto, the lexicon does include such words as *luta*," suggesting that he has finally given up his earlier caution, so that the Christian upbringing, if it had at first led him to express sentiments such as compassion, love, brotherhood, hope, and peace, seems to have lost ground. Nonetheless, in the "message" of hope that Neto intended to convey to his brothers we noticed the voice of the political activist, the existential committed) intellectual, and the socially oriented physician who, over and over again, condemned, though with understanding, the use of alcohol as an opiate against seemingly insoluble conditions.

Relevance of Agostinho Neto's Philosophy

The ideological as well as structural works of Neto realizes the identification with all who suffer through hunger, thirst, the ravages of drink, and political fear and humiliation. The first person singular, which, of course, always bore the concept of collectivity within it, is swallowed up by the first person plural.

The goals of departure implicit of the many, lacking in self-interest or gain, again, the idea of the common departure, with its vocabulary of resolution and its hope in the future, is reinforced by the abundant use of first person

plural future verbs. Studies in 20th & 21st Century Literature, like an ancient soothsayer, Neto predicts here and with total accuracy the birth of a nation, proclaiming that nationhood to be virtually inherent in the hope and the resolution of his compatriots, into whom he, envisaged, leader and even "soldier," has melted and disappeared. Yet, the diction, though marking determination, is unmarred by tones of war.

When we talk of "Reconquest" "A reconquista," we find the same determination, the same linguistic expression of a spiritual solidarity, the same tension between the past (in both its negative and its positive ramifications) and a happier tomorrow-these tensions being again framed in future and cumulative imperative verb forms that structurally declare the imminence of revolution, announced in the smile of the Africans. (That smile, however, is implicitly misread as simple-minded acceptance by the haughty Portuguese.) "Come, Africa," the poet exhorts repeatedly, "Come and plunge into our African past, the past of the *batuque*, the *tom-toms*, come and observe with clear eyes the façades of Christianity and democracy behind which our misery lurks, obfuscated; In a memorable poem devoted to his friend *Mussunda*, Neto recovers these same themes of past suffering and ancient traditions brought into perspective by a not too distant future. Again he sees his role as that of a leader, but this time one whose poetic gifts and education would not alienate him. Rather, they would bring him, like a griot, *Agostinho Neto Pure Poetic Discourse and Mobilization Rhetoric* Published by New Prairie Press (winter, 1991) closer to the people.

Thus, also in this poem is the theme of confraternity, here represented by the "quality of friendship which is symbolic of the bond uniting all oppressed Angolans. The structures of this poem again reinforce the spiritual unity of the whole black people, bent upon fruitful revolution: "We are one." says the poet to his friend. And the African past, brought into the ripe present, is effectively evoked by Neto's use here of a phrase of *Ki mbundu*, the traditional language of many Angolans, and indeed the language of the poet's childhood (but one he later regretted not having mastered).

Still the use of this language should not be viewed as a mere embellishment, for buried in the phrase we find the nucleus of the poem, housed in the word "*Kalunga*," -a word which in

some contexts means "death." But which in this poem suggests (as in "Departure") that Neto is the one in whom the hope and "destiny" of the people are enshrined. In addition to the tightness of Neto's style and the fusions of his ideology to his syntax, we must note his exceptional sense of imagery and symbol, which plays its part in the extraordinary success of his verse.

Though many protest poets have an unfortunate tendency to fall into allegory and abstraction the latter rescues his poems from these pitfalls by a skillful use of concrete diction and imagery is considered to be as indispensable to the true African mentality as is rhythm. Image is but a manifestation of rhythm: ("But the power of the analogical image is set free only under the influence of the rhythm. The rhythm alone produces the poetic short-circuit and transforms the copper into gold, mere speech into the 'Word.'). That Neto like Senghor understands the importance of rhythm, as well as of image, is clear in the lines from his work.

Conclusion and Recommendations.

We shall end our brief study of Neto's work with an attempt to give beautiful words might move hills but can they move mountains. To say, as the poetry makes nothing happen" might indeed be too pessimistic and inaccurate and yet we can certainly and safely say that Neto's work was far from making everything happen. Neto might have indeed been able to move some important hills, but without the help of the armed struggle as well as other complementary action, those hills would probably never move mountains. If only the cries, putrid smells, bloodshed and lack of light in the oppressed person's eyes were allowed to penetrate the thick wall of the colonialist's utilitarian human mind, if only emotion had a little more room to breathe freely, then perhaps could perform fresh, new and potent miracles.

Neto's work portrays a big challenge to African/Nigerian democracy and development, his determination for the future of Angola in particular and African unity generally clearly indicated his selfless style of leadership. This should be a big lesson for our leaders today to cater for the basic needs of our people for example hunger, thirst, security challenges, housing, water not forgetting capital intensive projects like good roads, hospitals, schools etcetera. Neto did not only struggle for Angola's independence but he left indelible legacies.

One element of the challenges of underdevelopment is to develop political processes which can mobilize the people to withstand the present strains and minimize development through internal efforts. This entails seeking collaborations among ourselves and combating our productive capacity to supply our own needs or to enter the world markets; sharing technology; polling market information, setting market information, setting up the mechanism and institution of joint planning and most importantly having the political will to attempt through a political judgement exercised in favor of strategic historical options.

Also, there should be emphasis on a clean government and an effective public service, national solidarity, pragmatic and transparent economic policies, and political correctness are very essential in providing the functional leeway for popular development in Africa. Fundamentally and very importantly, an excellent educational system begets a refined society. With a functional educational system that is adequately funded, the African society will take its right place on the roadmap to popular development.

The third world's problems lie partly with their diversity and different levels of development with diverse political perspectives, philosophies, ideologies and social structure. We nevertheless have some similarities, which are far more important. It is therefore high time developing countries formed debtor's club just like the creditors have theirs. Such a club, when eventually formed shall provide an integrated approach to debt problems. There are no magic wands. There shall be no new way to ease the burden until we ourselves have begun the name and practice to the game. Finally, the continent's political leadership should consciously evolve well-articulated policies aimed at resuscitating the moribund power sector, enriching the continent through increased food production and promoting industry for favorable international economic relations. This should be done with the political will to eradicate corruption and nepotism in governance.

This is achievable with the right mindset, attitudinal change and the redefinition of our moral values on the parts of the continent's political leadership and followership to entirely shape its image and position in a globalized world.

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LAW OF RIGHT TO SELF DETERMINATION AS A CONFLICT PREVENTION AND MANAGEMENT MECHANISM IN AFRICA; AN APPRAISAL

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Abstract

The African continent has been, and is still plagued with series of conflicts that have turned violent and claimed substantial part of humanity. These conflicts are linked to agitations by groups and subgroups within African states aspiring to exercise their respective rights to self-determination. The experiences in Uganda, Angola, Burundi, Sudan, Cameroun and Nigeria show that these conflicts have left millions of people either dead or displaced with attendant consequences such as insecurity, dislocation of families, starvation, poverty, diseases and mass violation of human right that culminate into humanitarian crisis. The study, therefore examines the dynamics of the right to self-determination and how its expression can prevent and manage conflicts in Africa. The paper adopts the doctrinal methodology in apprising the law of right to self-determination by examining the character and nature in the right under extant international treaties, municipal laws as well as case laws. The paper finds that the right to self-determination is recognized in international law, but the distorted understanding and attachment to statehood as the only means of expressing the right to self-determination by African States and absence of clear enforcement mechanisms on settling self-determination related claims have caused and exacerbated these conflicts. The right to self-determination is critical to the enjoyment of other rights and allowing its exercise would effectively prevent and manage conflicts in Africa. The paper recommends for a proper understanding of the nature and application of the right to self-determination as provided under international law based on the peculiar aspirations and needs of concerned parties.

KEYWORDS: Right, Self Determination, Conflict prevention, Management mechanism, Africa, Human Rights

1. Introduction

The quest for human beings to live in a peaceful world is one that has been very elusive and thorny one. All over the world, and across ages, agitations for human rights have been bitter and tough; it has been an intense struggle between might and right. This has occasioned a repeated decimal of pains, bloodshed and loss of lives. No doubt, the age-long struggle of the oppressed people against repression in many parts of the

world has made the observance of human rights a primary condition for civilized existence.¹⁵

The study of human rights has been in the main, a concerted effort by scholars and jurists towards development of the human person; towards a future that centers on human beings with attendant enjoyment of peace and happiness without distinction as to race, color, class or religion. These virtues of peace, liberty and happiness are core and inviolable entitlements that are indispensable to the

¹⁵See the Preamble of the American Declaration of Independence. This philosophy is reflected in international treaties like the United Nations charter and the municipal laws of modern

states. to the context of Nigeria, section 14. (I) provides thus; "The Federal Republic of Nigeria shall be a State based on the principles of democracy and social justice

completeness of the individual. They form the basis for the existence of man and if they are taken or subtracted, then man can be said to be diminutive. The constitutions of modern states have alluded to this fact and loudly emphasized that the basis for the formation and existence of Governments is to the purport that these cherished entitlements are so protected and preserved as they constitute the primary objectives for the formation of nation states.

This philosophy has been recognized, accepted and codified by various International and regional human rights instruments like the United Nations (UN) charter,¹⁶ the European Convention on Human Rights (ECHR), American Convention on Human Rights (ACHR)¹⁷ and the African Charter on Human and Peoples' Rights (ACHPR). Within our municipal legal system, the Supreme Court of Nigeria has accorded the highest respect to human rights by describing them to be core entitlements that precede modern society, supersede the ordinary laws of the land and being immutable to the extent of the immutability of our constitution.¹⁸ They represent the minimum living standard for civilized humanity.¹⁹

The future of the world seems fastened largely on the fuller actualization of human rights universally. Human rights do not centre exclusively on the individual person. They transcend towards various groups and nationalities agitating for greater participation, recognition and involvement on issues affecting their lives. These agitations by individuals, groups (whether as minorities or indigenous people) and nationalities, within and beyond the confines of territorial boundaries and

Sovereignty of states is what has often been described as the right to self-determination.

The right to self-determination has been the basis for the participation of citizenry and topical in the policy debate of states and organizations under contemporary global order. It forms the foundation for the enjoyment of other rights and the platform where people across the globe exercise their voices. Thus, repression of the expression or recognition of this right has often led to chaotic situations. Self-determination related conflicts therefore remain the most persistent, highly relevant and very devastating in the world²⁰. Conflicts based on self-determination are said to culminate into terrorism with over one third of the specifically designated global terrorists identified by the United Nations states department of treasury are said to be associated with self-determination movements²¹. They have become global in perspective and surfaced in virtually every region in the world.

This study argues that self-determination related claims are ignited by a repression of the right of a people in a given geopolitical or economic setting, with particular reference to transitional African states where the expression of this right is perceived as constituting a threat to the sovereignty states. This perception, founded on a distorted understanding of the concept is fundamentally defective as it is argued that self-determination can find expression in ways other than secession or agitations for statehood.. It is further submitted that self-determination has been, and remains the platform for effecting changes in pluralistic societies where individuals and groups insist on

¹⁶See the Preamble of the United Nations Charter 1948

¹⁷See Articles 2,3,4,5 and 6 of the ACHPR 1981

¹⁸ Ransom Kuti. V.A.G of the Federation (1985) SN. W.L.R (pt 10) at 211 pp 229-230

¹⁹Eze Onyekpere JHRLP, Vol 5 No 1 January 1999P. 13

²⁰ M. van Walt & O. Seroo (Ed.) The Implementation of the Right to Self Determination as a Contribution to Conflict Prevention Report of the International Conference of Experts held in Barcelona from

21 to 27 November 1998, by the UNESCO Division of Human Rights Democracy and Peace & Centre UNESCO de Catalunya. Centre UNESCO de Catalunya, 1999. ISBN 84-920375-9-8. 288 pp (<http://www.unescocat.org/pubang.html>). Accessed on 20th May 2021.

²¹Earned Sovereignty; Breaking the gap between Sovereignty and Self Determination. Tamilton.co/conflict resolution/earned sovereignty/1.pdf last accessed on the 20th of May 2021

making their voices heard. Therefore, states within the African region must change from their antagonistic posture to adopting civilized channels of devising institutions aimed at appreciating the voices and aspirations of their subjects as a means of conflict prevention and management. The change in posture and perception will open pathways for political stability, economic development and the prosperity that has eluded the continent.

The primary objective of this study is to examine the imperatives of the right to self-determination as a tool for conflicts management in Africa. This involves an appraisal of the laws on the right to self-determination under International law. To achieve this aim, an examination of the character, dynamics and scope of the concept will be made. The paper is divided into six sections. Section one is the general Introduction: section two is on the meaning, evolution and character of the right to self-determination. Section three is an appraisal of the regime for the right to self-determination in the context of various international and regional human rights instruments. Section four deals with the constraints and benefits of the right to self-determination, while global trends on self-determination and conclusion of the study are represented in sections five and six of this study.

2. Meaning Evolution of the Right to Self Determination

Human rights are classified into first generation rights to include civil and political rights, second generation rights to include economic and social rights and the third generation rights to include

what has been known and referred to as collective or group rights. These group rights among others include the right to self-determination.

There are many definitions of the right to self-determination. It has been defined as the freedom of indigenous people to live well, according to their own values and beliefs, and to be respected by their non-indigenous neighbors²²; the belief that every person had the right to select their own form of government and to choose the sovereignty under which they should live²³; It is the principle in international law that Nations have the right to freely choose their sovereignties and political status with no external compulsion interference. What this widely implies is the right of any people or nation to be involved without discrimination *in* a democratic process of governance and to influence one's future politically,²⁴ socially²⁵ and culturally²⁶. It embodies the right for all peoples to determine their own economic, social and cultural development²⁷. The International Court of Justice refers to the right to self-determination as the need to pay regard to the freely expressed will of the people²⁸.

Self-determination could also have economic relevance to a sovereign state. In this regard, it denotes the right of a state to exercise full sovereignty and control over its own natural resources, including resistance to foreign exploitation that might result in depriving the local population of its means of subsistence²⁹. This aspect of the principle is usually described as economic self-determination. Self-determination in this regard also implies the

²²Eric Irene A. Dais The Concept of Self determination and Autonomy of Indigenous peoples in the Draft United nations Declaration on the Rights of Indigenous peoples (2001)14 St. Thomas Law 263

²³President Wilson Wildrow of the United States of America

²⁴ See Franck, T.M., The Emerging Right to Democratic Governance, 86, AMER. J. INT'L L, 1992, at 52

²⁵See the Report of the Sub commission on Prevention of Discrimination and Protection of Minorities on its twenty-sixth session, E/CN.4/1128, at para #28

²⁶Espiell, H.G., The Right to Self-determination: Implementation of United Nations Resolutions, E/CN.4/Sub.2/405/Rev.1

²⁷ Eide, A., Minority situations: In search for peaceful and Constructive Solution, 66 Notre dame LAW Review, 1991, at 1335

²⁸ICJ Advisory Opinion on Legal consequences for States of the continued presence of South Africa in Namibia (South West Africa) ICJ Report, 1971, 16, at para.#31-32

²⁹Dinstein, Y., Collective Human Rights of Peoples and Minorities, 25 INT'L COMP. L.Q. 111, 111 (1976).

notion of permanent sovereignty of a state over its natural resources³⁰.

Self-determination for a people could mean the right of the majority to determine the government they wish to live under through periodic elections, and change their government through a revolution. The principle can be interpreted in terms of claims against the state as well as the necessity for governments to represent the governed legitimately³¹. For minorities or racially disadvantaged groups, the principle implies the right to equality and participation in the national political process and the right to recognition of their cultural identity; the right to self-administration over issues directly relating to their racial well-being; a right to regional autonomy and in extreme situations necessitated by circumstances, demand for complete secession from their parent states. At its core, self-determination means that human beings, individually and groups should be in control of their own destinies and that institutions of Government should be devised accordingly in meeting the needs and aspirations of the governed.

Conceptually, the right to self-determination can be expounded to be intricately linked to the principle of social contract where the state finds her legitimacy on the consent of the governed; a consent that is contractual in nature with inherent and implied terms that makes for the governance of the state a collective issue and not the exclusive prerogative of the political or privileged class. Understood from this perspective, ownership of a state is collectively, a proprietary interest of both the governors and governed. Therefore, since the people are stakeholders in the state, their aspirations are founded and must be given credence as a necessity. The concept is coterminous to a democratic value that is intricately linked with human rights and liberty, centered on the people as the primary source and essence of government, such that a government that is not people centered or discriminative in outlook and ideology may lose her legitimacy. It is this idea that inspired the French revolution and American declaration of independence, brought down the apartheid regime in South Africa and orchestrated the downfall of classical colonial

structures. The spirit of self-determination is the platform for change and pivotal in the promotion of democratic reforms world over today.

2.1. Evolution of the Right to Self Determination

The earliest significant expression of the will of the governed occurred in the British colonies in America where general anti-imperial sentiments culminated in the American Revolution. The mood of the times among the colonists was clearly expressed in the famous declaration of independence: The revolt of British Colonists in North America during the mid-1770s has been seen as the first assertion of a national and democratic concept of the right to self-determination, because of the explicit invocation of natural law. The natural rights of man, as well as the consent of, and sovereignty by the people governed; these ideas were inspired particularly by the John Locke's enlightened writings of the previous century. Thomas Jefferson further promoted the notion that the will of the people was supreme through the authorship of the American declaration of independence which is said to have inspired Europeans throughout the 19th century.

The French revolution was undeniably one of the most important events in modern international history, as its effect is still felt today. The concept of human rights, now appreciated across the globe, was highly influenced by the declaration of the rights of citizens. In its latter stages, the French revolution was responsible for redrawing the map of Europe and for the abolition of feudalism. The naturalistic ideas and the principle of self-determination from the French revolution inspired among other things, the Bolshek revolution in Russia. The pulse of the revolution still beats, albeit faintly, but the change and influence it brought has had an irrevocable effect on modern international history. By 1941, the principles of self-determination had attained an international level when the allies of the world war signed the Atlantic charter and accepted the principles of self-determination.

In January 1942, twenty six countries signed the declaration of the United Nations which

³⁰ G.A. Res. 3281 (XXIX); 1314 (XIII); 626 (VII); 1803 (XVII); 2158 (XXI). See also *Umozurike*, 204-223;

³¹Rosenstock, *The Declaration on Principles of International Law*, (1971) 65 AMER. J. INT'L L., at 732

adopted the principles of self-determination. The ratification of the United Nations Charter in 1945 placed the right to self-determination into the framework of International Law and diplomacy. By 1941, the principles of self-determination had attained an international level when the allies of the world war signed the Atlantic charter and accepted the principles of self-determination³².

2.2 Appraisal and character of Right to Self Determination

Under international law, there has been a lack of consensus on the character, and possible scope of the application as well as potential beneficiaries of this right. This is reflected in the gulf between the static view³³ of self-determination and perhaps the more radical view of the people seeking self-determination. At one end of the spectrum are those who regard self-determination simply as the right of states to act without external interference. At the other extreme is the belief that each ethnic, linguistic, religious or nationalistic group has the right to secede from the defined state of which it is commonly accepted as a part. Today, the right to self-determination is considered *Jus Cogens*,³⁴ and a part of customary International law that imposes binding obligations on all nation states.

For a proper appreciation of the character of the right to self-determination, its scope and manner of operation, it can be conveniently said to possess both internal and external elements in character. An examination of these elements now becomes expedient.

2.2.1 Internal Self Determination

Traditionally, the internal aspect of self-determination has not been an issue in International law since sovereignty of states, as

³² <https://www.history.com/topics/world-war-ii/atlantic-charter>; Last accessed on 14th May, 2022.

³³ This view perceives determination from the mono dimensional perspective of secession

³⁴ "*Jus cogens* (or *ius cogens*) is a latin phrase that literally means "**compelling law**." It designates norms from which no derogation is permitted by way of particular agreements. It stems from the

the fundamental principle of the international order did not allow for interference into the domestic affairs of a state. But with the evolution and development of human rights as a concept with universal application and an index for determining the standard of states in terms of civilization and development, the principle of state sovereignty is weakened. This is because the rule against human rights violations has assumed the status of *Jus cogens* under International law, breach of which unveils the seemingly sanctity of sovereignty as a defense that hitherto held sway. Thus, the internal aspect of self-determination has become increasingly important in the debate on self-determination. The content of internal self-determination can be divided into two main categories: group autonomy and democratic government.

The first category touches on the right of a people to determine their constitution including autonomous status, whereas the second category corresponds with the right to govern by way of democracy. With the inclusion of the right to autonomy into the Draft Declaration on the Rights of Indigenous Peoples in Article 31, the element of group autonomy is being acknowledged. In this context, self-determination simply means participatory democracy, the right to decide the form of government and the identity of rulers by the whole population of a state and group within a state to participate in decision making process. It is the right of indigenous people and minorities to exercise their own cultural, linguistic, religious, or territorial political autonomy in the matters of internal or local affairs, within the boundaries of an existing state. In order words, as a people, they have a collective right to form their own autonomous status, in the matters of internal or local affairs.

idea already known in Roman law that certain legal rules cannot be contracted out, given the fundamental values they uphold". See generally

[https://www.oxfordbibliographies.com/view/document/obo-9780199796953/obo-97801997969530124.xml#:~:text=Jus%20cogens%20\(or%20ius%20cogens,the%20fundamental%20values%20they%20uphold](https://www.oxfordbibliographies.com/view/document/obo-9780199796953/obo-97801997969530124.xml#:~:text=Jus%20cogens%20(or%20ius%20cogens,the%20fundamental%20values%20they%20uphold). Accessed on May 14, 2022.

It is a struggle to get representation within an existing state³⁵.

Under the purview of this concept, monetary policy, defense, educational system, the maintenance of national frontiers, foreign affairs, commerce, financial institutions, money and banking remaining within the domain of the national government. The implementation of internal self-determination does not change the form, style and the status of the existing state. Hence internal self-determination is conceptualized as the best alternative to independence to be able to accommodate separate identities of population groups within a State. Under the concept of internal self-determination, governing institutions need to be devised and structured in such a way to allow the people live freely and determine their own destiny³⁶. It is the viability of the internal concept to self-determination that enhanced the transition to majority rule in South Africa and by progress towards the resolution of the Palestinian question; allowed people in heterogeneous political settings to stay together and still maintain their distinct identities and the concept of self-determination has also allowed indigenous people across the world including

the indigenous people of America a platform to express their claims.

The Wilsonian approach to self-determination, which was the dominant interpretation of self-determination for a long time, demonstrates that the internal aspect of self-determination played a role in the aftermath of World War 1. By presupposing that every person had the right to select its own form of government and to give their consent on a continuous basis, the Wilsonian approach was guided by a democratic understanding of the concept. This is also supported by the Universal Declaration of Human Rights in Article 21 which states that the authority of government is based on the will of the people, expressed through periodic and genuine elections. The principle of participation is to be found in the ICCPR³⁷. It can be contested that since human rights are traditionally understood as rights of citizens against the state, the internal aspect of self-determination is implied in Articles 1 of the ICCPR and the ICESCR³⁸.

In Nigeria, the Constitution of the Federal Republic of Nigeria 1999 as amended appreciates the need to recognize the diverse cultural, religious and linguistic settings that make up the country by providing for the

³⁵see Report of experts at the Barcelona, M. Van Walt & O. Serroo (Ed.) *The Implementation of the Right to Self Determination as a Contribution to Conflict Prevention Report of the International Conference of Experts held in Barcelona from 21 November 1998*, by the UNESCO Division of Human Rights Democracy and Peace & Centre UNESCO de Catalunya. Centre UNESCO de Catalunya, 1999. ISBN 84-920375-9-8. 288 pp (<http://www.unesco.org/pubang.html>). Last assessed 20th May 2013

³⁶Leenjijis, et al; *the origin, the Evolution, the meaning and the Implementation of Self-determination.* <http://gada.com/oduu/7263/2010/12/25/oromo-theorigin-the-evolution-the-meaning-the-implementation-of-self-determination..> Accessed on the 24th of July 2021.

³⁷Article 25 of the ICCPR provides thus; Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; (c) To have access, on general terms of equality, to public service in his country.

³⁸Articles 1 of both covenants provide thus- All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Federal character commission as a way of accommodating all the ethnic interests and groups and to give them some sense of national identity. Section 14 of the Constitution of the Federal Republic of Nigeria provides for the existence and recognition of various ethnic groups in terms of specified privileges³⁹. It is submitted that the principle of internal self-determination is in tandem with Article 24 of the International Covenant on Civil and Political Rights and Article 1 of the twin covenant as these provisions explicitly provide that all peoples may pursue their aspirations without inhibition even within the confines of a state.

2.2.2. External Self Determination

The first element of the external aspect of self-determination is based on the principle of non-interference into the domestic affairs of states and expressly linked to the notion of state sovereignty. External self-determination is the right of a people within a given area to independence and freedom from external interference. It is the establishment of sovereignty, separate statehood, independent nation state and sovereign people. The United Nations General Assembly resolution 2625(XXV) proclaimed the establishment of a sovereign and independent state determined by a people, constitutes the modes of implementing the right to self-determination by that people. Self-determination is about territorial and political sovereignty: as such it is the supreme inalienable and natural right of every nationality

to assert their complete independence from either colonial or foreign domination.

There seem to be two aspects of exercising external self-determination under International law to wit; self-determination from the claws of colonialism and secession involving the desire to break away from an existing state into another independent political entity. In our discourse on the external elements of self-determination, we shall be narrowing same to the latter part as the concept of colonialism is no longer tenable, albeit theoretically, in African states. As such emphasis is placed on the expression of external self-determination by way of secession.

An important element of the external right of self-determination in the context of the rights of indigenous peoples touches on the issue of secession. The determinant question on the legitimacy of secessionist claims are anchored on the political validity of the State and its boundaries or on the success of armed struggle against an oppressive government⁴⁰. International law on self-determination has not expressly made provisions for the right to secede from existing state by virtue only of the right to self-determination⁴¹. At present, there seem to be the view that only two situations may establish a right to secede: colonization and more recently, in the case of gross human rights violations. The latter situation comes to play under instances like the Kosovo situation⁴² where there was massive, systematic and consistent derogation of the rights of the Albanian people within a state⁴³. In general it

³⁹ Constitution of the Federal Republic of Nigeria, 1999 as amended.

⁴⁰State practice has also recognised the legitimacy of secessionist movements performed through violent attempts to gain effective control over a territory, such as the cases of the secession of Eritrea from Ethiopia, the dissolution of Yugoslavia, and the relative success of the secessionist movement in Chechnya.

⁴¹See Eastwood, L.S., and *Secession: State Practice and International Law after the dissolution of the Soviet Union and Yugoslavia*, 3 DUKE J. INT'L L. 299, at 300

⁴² For more information, see <http://www.rferl.org/nca/special/nato-kosovo> accessed on the 25th of July 2021

⁴³The situation in Kosovo where a complete denial of their right to internal self-determination, and the heavy oppression exercised upon them by the central Government. This oppression was so grave that the Alliance itself justified military intervention by NATO to put an end to an imminent humanitarian catastrophe in order to stop a situation characterised by gross and systematic human rights violations. See independent International Commission on Kosovo, "The Kosovo Report". This report was presented to United Nations Secretary General Kofi Annan

can be said that the more representative and accommodating to the aspirations of her citizens, there are the less chances of recognition of a right to secession by the international community. However, there is a third situation that may lead to secession; where the municipal law or constitution of a state permits same. A case in point is the constitution of Ethiopia⁴⁴. The Ethiopian constitution therefore remains a model for the articulation of the right to self-determination within the African sub region¹⁹. On the whole, it is expedient to note that the doctrine of self-determination has many layers to wit; it includes a right to democratic participation within the framework of a state, group rights and certain additional entitlements for minorities and other indigenous people.

It is applicable internally and externally. The internal application of the doctrine finds

on October 23, 2000, at Web page address <http://www.kosovocommission.org/reports> accessed on the 25th of July 2021

⁴⁴Article 39 of the Ethiopian constitution provides thus;

1. Every Nation, Nationality and People in Ethiopia has an unconditional right to self-determination, including the right to secession.
2. Every Nation, Nationality and People in Ethiopia has the right to speak, to write and to develop its own language; to express, to develop and to promote its culture; and to preserve its history.
3. Every Nation, Nationality and People in Ethiopia has the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits and to equitable representation in state and Federal governments.

⁴⁵See Article 31 of the draft declaration which states thus; indigenous peoples, as a specific form of exercising their right to self-determination, have the right to autonomy or

expression where the people within a given geographic locality are allowed to freely participate in the political, economic and cultural activities that affect them. This view is consistent with the draft declaration of the right of indigenous populations and by the UN sub-commission on prevention of discrimination and protection of minorities⁴⁵. The application of external self-determination only occurs when there has been a consistent derogation of the rights of a people or a denial of their right to express their right to self-determination. In this context, the remedial theory may apply to justify the aggrieved people in breaking away from the parent state⁴⁶

3. International Regime on Self-Determination

In some Jurisdictions in the world, there are constitutional mechanisms for safe guarding and protecting third generational rights

self-government in matters relating to their internal and local affairs, including culture, religion, education, information, media, health, housing, employment, socio economic activities, land and resource management, environment and entry by non-members, as well as ways and means for financing these autonomous functions.

⁴⁶It is the view of this researcher that the application of external self-determination commonly known as secession should be the last resort and only applicable where the Government in a State has lost its legitimacy by reason of inequitable representation, consistent and massive derogation of the rights of groups or sub groups within a state. Otherwise, self-determination can be achieved in a way that leads to an broad arrangement that could be tailored towards achieving the precise needs of the parties concerned. These arrangements can have territorial arrangements as well as non-territorial functions. In developing appropriate arrangements, the most attributes are flexibility, creativity and a profound understanding of the legitimate aspirations and peculiar needs of the parties involved.

including the right to self-determination. For example, New Zealand parliamentary commissions for Environment⁴⁷ the Hungarian Parliamentary Commission for Future generations,⁴⁸ the parliament of Finland's committee for the future⁴⁹ and the erstwhile commission for future generations in the Knesset in Israel⁵⁰. Moreover, some international organizations have offices to safeguarding these rights. An example is the high commissioner in national minorities of the organization for the security and cooperation in Europe⁵¹ The directorate general for the Environment of the European Commission has its mission protecting and improving the environment for present and future generations and promoting sustainable development.

In some jurisdiction, the right to self-determination is expressly provided for and protected by the municipal laws. A particular example is the Aland Island case where there is an express constitutional provision with respect to the right to self-determination.⁵² Same is

applicable to the case of Scotland and Wales.⁸ Another instance that provides for the legal framework for the expression of the right to self-determination under a municipal law is the case of Portugal where Azores and Madeira people were granted constitutional status as autonomous Regions in 1976⁵³ Spain, in its 1978 constitution recognized the "right to autonomy of the nationalities and regions which make up the Spanish state"⁵⁴The Ethiopian Constitution provides for a wide range of approaches to the right to self-determination including in some isolated cases the right to secession⁵⁵.

The right to self-determination has assumed a status that is legally binding under international law through repeated affirmations by the UNGA and international acceptance of the principle which has led to its crystallization into a rule of customary international law. The principle of self-determination has the status of *Jus*

⁴⁷See

www.pce.paeliament.uz/publications/all-publications last visited on the 26th of July 2021

⁴⁸ www.fdsd.org/wordpress/wp-content/.../UKELA-magazine-piece.pdf last accessed on the 26th of July 2021

⁴⁹web.eduskunta.fi >Start page> Committees last visited on the 26th of July 2021

⁵⁰en.wikipedia.org/wiki/Three_generations_of_human_rights last visited on the 26th of July 2021

⁵¹www.osce.org >institution & structures last visited on the 26th of July 2021

⁵²Since ancient time part of the Swedish cultural area, these islands by historical coincidence in 1809 came to Russia. As a part of the Grand Duchy of Finland, dependent from the Zarist Russia, the Swedish Alanders enjoyed some cultural rights. Yet, at the end of the Zarist Empire in 1917 the Alanders were denied self-determination and became a part of the newly independent Republic of Finland. Sweden disputed this change in status and the issue was settled by the League of Nations In

1920, when Finland recognized the Alanders' right to maintain their culture_ language and traditions and to enjoy a demilitarized and autonomous status. In 1920, the Finnish parliament approved the Law on self-administration of Aland, which established the first official territory with autonomous status in Europe. The Russians endorsed this arrangement as former "Protection power", renewed this support in 1940 and again after 1945. Aland today is considered one of the most advanced forms of political autonomy in the world. Alanders Self-Administration Law, called "Autonomy Act" in 1951, has been revised several times with its last version approved on the 16 August 1991.

⁵³The Portuguese constitution of 1976 declared that the special political and administrative arrangement of the Azores and the Madeira's was based on their geographical economic and social constitutions and on the historic aspiration of the people to autonomy.

⁵⁴See Article 2 of the Spanish constitution of 1978.

⁵⁵ See Article 39 of the Ethiopian constitution.

cogens.⁵⁶ Under International law.⁵⁷ Both the ICJ and the Inter American commission on human rights are said to have reached decisions alluding to the fact that self-determination has attained the character of *erga omnes*⁵⁸ under International law⁵⁹. The juridical status of the principle is enhanced by its incorporation in the League Covenant, Atlantic Charter, the United Nations Charter⁶⁰, where it is identified as one of the purposes for the formation of the UN⁶¹. It has been affirmed as a prerequisite for the enjoyment of other Human rights⁶², the UN Covenants on Human Rights — the Covenant on Civil and Political Rights and the Covenant on economic, social and cultural rights, both recognize the right to self-determination⁶³. The principle is also recognized in the Declaration on the Granting of Independence to Colonial Countries and Peoples.⁶⁴ Wherein, the UNGA stated the right to self-determination as belonging to all peoples for the pursuit of their political, economic cultural and social development. The Declaration of Principles of International Law concerning Friendly Relations and Co-operation among States⁶⁵. Also

references this right. Another international instrument that recognizes the right to self-determination is the Vienna declaration⁶⁶. Other multilateral and regional international instruments on the right to self-determination include the American⁶⁷ and European Conventions⁶⁸, the Helsinki Act⁶⁹, as well as the African charter on Human people's Rights.⁷⁰ There is considerable authority for the proposition that the right of self-determination has juridical validity as a positive law in modern international law.

In appraising the law on right to self-determination under the various Nigerian constitutions, it is imperative to state that the exercise of the right particularly in the Nigeria context is linked with the enjoyment of fundamental human rights and the notion of equality of peoples. Thus, discourse on the subject of self-determination under the Nigerian constitutions cannot be done in isolation of human rights provisions. Beginning with the post-independence constitutions, provisions have been made with respect to the right to self-determination and human rights as can be

⁵⁶The *Barcelona Traction Case* Judge per Ammoun

⁵⁷Jus Cogen Rules also referred to as peremptory norm is a fundamental principle of international law that is accepted by the international community of states as a norm from which no derogation is permitted.

⁵⁸The term *Erga Omnes* flowing to all. *Erga Omnes* obligation to a state is owed to the International community as a whole. When a principle achieves the status of *erga omnes*, the rest of the International Community is under a mandatory duty to respect it in all circumstances in their relation with each other

⁵⁹See *Nicaragua case* (NiCad v, United States) 1886 11CJ 14; Many consider the language of the ICJ reflective of both a *Jus Cogen* and *erga omnes* duty to respect the principle of self determination. Similarly, the Inter American commission was explicit regarding the *erga omnes* duties of all states to guarantee civil and political rights, see Inter American commission on human rights, organization of American states, press communiqué No. 13/93 (May 25, 1993)

⁶⁰ Article 1(2) and 55 of the UN Charter

⁶¹ Article 1(2) and 55 of the UN Charter.

⁶² UN Resolution 637 (VII)

⁶³ Article 1 of both Covenants.

⁶⁴GA Res 1514 , GA Res 1541, 1960

⁶⁵ GA RES 2625(XXV) October 24, 1970

⁶⁶The Vienna Declaration, after affirming the people's right to determine political, economic, social and cultural issues, states that such rights are not to be construed as ‘ authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent states’. However, the emphasis is put again on the government representing the whole people belonging to the territory without distinction.

⁶⁷ Article 1 and 26 of the Convention

⁶⁸ Article 24 of the Convention

⁶⁹ Article 8 of the Act

⁷⁰ Article 20 of the Charter.

viewed in the 1960 independence Constitution⁷¹, 1963 Republican Constitution⁷² and 1979 Constitution respectively. Under the 1999 Constitution (as amended) two Chapters, spanning 26 (twenty six) sections are devoted to self-determination and human rights subject. The eventual adoption of a bill of right by Nigeria in its Independence Constitution in 1960 was informed by, and predicated on the need to allay the fear of domination of the over 100 ethnic nationalities by the three major tribes.

The heterogeneous nature of the country was the factor that led to the inclusion of the tenets of human rights in our constitutions. This resulted from the fears of minorities for their development in a country that was gradually marching to self-determination. The recognition and inclusion of human rights in the constitutions of post Independent Nigerian is tied to the quest for self-determination. The inclusion of a bill of right in the Independence Constitution, 1960 was not only important but remarkable because it was a departure from the position adopted by Britain, Nigeria's colonial master which at the time did not have a bill of rights as such. This according to Nwabueze⁷³ could forestall the infringement of individual liberties by the executive.

The preamble to the 1999 Constitution unmistakably set the tone by dedicating itself to promote "good government and welfare of all persons on the principles of freedom, equality⁷⁴ and Justice".⁸⁷ While chapter two is captioned, Fundamental Objectives and Directive Principles of State Policy, chapter four is entitled, "fundamental rights". Under the Fundamental

⁷¹Chapter 2 1960 Constitution

⁷²⁸⁰ Chapter 2, 1963 Constitution from section 18 to 40

⁷³B.O. Nwabueze, *Constitutional History of Nigeria*, (London: Longman, 1962) p 120.

⁷⁴The Preamble to the Constitution draws attention to the plural reality of Nigeria. The Preamble thus proclaims a goal of indivisibility and indissolubility with a view to achieving sustaining unity in diversity; To live in unity and harmony as one indivisible and indissoluble sovereign nation under God, dedicated to the promotion of inter-African solidarity, world peace, international co-

Objectives and directive Principles of State Policy, the second generation rights, consisting of economic, social and cultural rights are extensively set out in sections 13 to 21. These rights are predicated on the necessity for the material wellbeing of the citizenry with the state playing a pivotal role. These rights which are essentially equalitarian and egalitarian in character are rooted on the belief that the attainment of certain level of social and economic standards is a necessary condition for the enjoyment of the civil and political rights. Accordingly, these rights require affirmative governmental action for their enjoyment⁷⁵.

4. Global Trends on Self Determination; Way Forward For Africa

As indicated in the opening part of this work, self-determination related conflicts remain the most persistent, highly relevant and very devastating in the world. Between the formation of United Nations till date, there have been an upward of a minimum of 150 small scale wars resulting in more than 20 million dead with many displaced. Millions have perished in the hands of their own country men in Cambodia, Indonesia, Burundi, Nigeria, Paraguay, Tibet, Uganda, Angola and Sudan. It is estimated that the former Yugoslavia left at least 150,000 dead and more than two Million refugees.

Africa has been opined to "present a complex mosaic of ethnic, cultural, linguistic variety with many different kinds of national minorities with different aspirations of them were facing serious difficulties to survive as a cultural group with a distinct collective identity"⁷⁶. Complicated by

operation and understanding; And to provide for a Constitution for the purpose of promoting the good government and welfare of all persons in our country, on the principles of freedom, equality and justice, and for the purpose of consolidating the unity of our people

⁷⁵ For further reading, see, K.Kartasshkin, "Economic, Social and Cultural Rights" in *The International Dimension of Human Rights*, K. Vasak (ed) UNESCO, Paris Greenwood press, Westport Connecticut, 1982 at 111-133

⁷⁶Working autonomies in Europe; www.gtbv.it/3dossier/eu-min/autonomy

poor governance, poverty and hunger, agitations on self-determination are rife in the continent.⁷⁷ Presently, there are numerous groups across the region with strong agitations touching on self-determination; The Tamazgha and Kabylia agitations in Algeria, the Lunda-Tchookwe and Cabinda in Angola, Anjouan and Moheli in Comoros, the Katanga in Democratic Republic of Congo, Bioko Island in Equatorial Guinea, Oramia, Afar, Ogaden agitations in Ethiopia, the Ambazonia struggle in Cameroun, the Biafran and proposed Oduduwa Republics as well as agitations of the Niger Delta People in Nigeria⁷⁸.

Conflicts and destruction of lives accompany these claims thereby aggravating the economic situation in a continent that is already stigmatized as the seat of world poverty. Many factors such as poor leadership, ethnic discrimination, endemic corruption, poverty and hunger account for the proliferation of these separatist movements. Besides a distorted understanding of the application of self-determination, a major factor that has exacerbated these conflicts in Africa is the adoption of *pacta sunt servanda* as a regional policy. In simple terms, the doctrine of *pacta sunt servanda* implies that an agreement once made must be observed. The relevance of this contractual concept to the issue of self-determination is that when groups of people agree to come together to form a state and subsequently exercise the right of self-determination,⁷⁹ they impliedly commit themselves to stand by their commitment and

to remain part of the state. The constituent groups in the state are therefore barred from withdrawing from the association⁸⁰.

The theoretical basis of this argument is the idea of the social contract which views society as the product of a contract between either the constituent citizens on the one hand and the sovereign on the other. A logical extension of the *pacta sunt servanda* thesis is that once a unit or a people exercise self-determination, the right is exhausted. Constituent sections of the unit cannot not seek unilateral application of the principle in the post-colonial context. The rationale behind the "once-and-for-all"⁸¹ argument is that according recognition to post-colonial claims could lead to a situation of indefinite divisibility and balkanization in the existing international state system⁸². As a bar to post-colonial self-determination, the once-and-for all thesis has no juridical basis⁸³.

History is replete with instances where nations have renegotiated their political status and redefined their international borders in meeting with the aspiration of the people concerned. The United Arab Republic (U.A.R.), was a federation of Egypt and Syria, formed in 1958. Syria⁸⁴ withdrew in 1961⁸⁵. The federation was reformed later with Iraq, Syria and Egypt⁸⁶. Iraq and Syria withdrew in 1963 Singapore⁸⁷, Saba and Sarawak, were incorporated into the Malay Federation in 1963. Singapore withdrew from the arrangement two years later.⁸⁸ Similarly Senegal and Mali were federated as the Mali Federation in June 1960⁸⁸. Two months later,

Proceedings of the First Annual Conference of the Nigerian Society of International Law (Lagos 1959), 70-114, particularly 89-90.

⁷⁸ See generally <http://en.m.wikipedia.org/wiki>

⁷⁹ See generally Blay, KNB (1985) *Self-determination: its evolution in international law and prescriptions for its application in the post-colonial context*. PhD thesis submitted to the faculty of law, University of Tasmania, cited in <http://eprints.utas.edu.au/1139>

⁸⁰ Ibid

⁸¹ Ibid

⁸² Ibid

⁸³ Ibid

⁸⁴ Ibid

⁸⁵ See the comments of Ijalaye in "Some Legal Implications of the Nigerian Civil War".

⁸⁶ Blay, KNB, supra

⁸⁷ On the Singapore separation see generally Leifer, "Singapore Leaves Malaysia". The World Today, Vol. 21 (1955), 3614. Sopice, *From Malayan Union to Singapore Separation. Political Unification in the Malaysian Region 1945-64* (1974), 183-229.

Milne, "Singapore's Exit from Malaysia: The Consequences of Ambiguity", Asian Survey, 6, No. 3 (1966)

⁸⁸ Blay, KNB, supra

Senegal withdrew. In 1981, following persistent demands for secession by French Canadians (in Quebec), Canada organized a referendum to enable the people of the claimant region to decide whether they wanted to continue association with the rest of Canada. The majority cast a positive vote. As an international policy prescription, the once-and-for-all thesis is objectionable because it ignores the fact that in the post-colonial era, cases of gross violations of human rights like genocide could make the restructuring of the relationship between a group and its parent community through self-determination desirable. To condone violations of human rights in order to avoid balkanization or to ensure stability would consequently amount to confusing a means with an end⁸⁹.

For a region that is confronted with poverty, hunger, infrastructural deficit, unemployment and low GDP, the eruption of conflicts orchestrated by poor leadership and ethnocentrism has further inhibited economic and social development of the inhabitants. In order to solve this quagmire and navigate the continent towards the path of economic recovery and sustainable development, there is need to identify the aspirations of these separatists' movements with a view to reaching a consensus on the way forward. This is no doubt an arduous task that requires the assistance of International organizations to step in with sincere commitment. In resolving these issues, dialogue and negotiation are pivotal and devising the institutions of Government, including constitutional arrangement, tailored towards meeting the aspirations of the contending parties is critical.

5. Constraints and Benefits of Right to Self Determination

5.1 Constraints

There are many factors which impede the expression of the right to self-determination. One of such is the doctrine of *pacta sunt servanda*. The lack of proper perception with respect to the legitimate agitations and aspirations of those clamoring for self-determination has constituted a clog on the attainment of this all important human right. Thirdly, the dogmatic attachment to state hood has constituted a clog on the recognition of right to self-determination. Legitimate claims on self-

determination are often seen as threat to state sovereignty. Once these misconceptions have been formed, Politicians go to the extreme to ridicule and trivialize legitimate claims issues on the right to self-determination. The extreme emphasis placed on statehood has led to the distortions and misconceptions that attend claims on self-determination. Moreover, there are no formidable institutions that adjudicate on claims touching on self-determination. Another constraint is that enforcement and implementation on claims with respect to self-determination seem to be regulated by International politics and diplomacy where the interests of the international actors rather than the genuine agitations and welfare of oppressed groups seem to be the underlying factors that hold sway. This is also informs why so many disagreements over self-determination have regrettably, led to armed conflicts as the most viable option.

5.2. Benefits

One of the major benefits of exercising the right to self-determination is that it will lead to the prevention of conflicts in the African region. This study has shown the rate of conflicts arising from the repression from expression of right to self-determination leading to devastating loss of lives and properties. Expression of the right by democratic means and dialogue and which does not necessitate the breakup of a state, would be a major contribution to the prevention and resolution of conflicts. Again, the right to self-determination is a determinant for the enjoyment of the natural resources bestowed on a people. The economic aspects of the right to self-determination are first of all manifested, in the right of all peoples to determine, in freedom and sovereignty, the economic system or regime under which they are to live. It is a platform for equitable participation of indigenous people and minorities in the economic and political affairs of a state. It is also a platform for the voices of the people to be heard and for the enjoyment of human rights.

6. Conclusion and Recommendations

6.1. Conclusion

This study has done an appraisal of the law of right to self-determination. The study finds that it is a right with universal application; a core entitlement of every person or group without

⁸⁹Ibid

exception. The right to self-determination is a sine qua non for the enjoyment of other rights be they political, economic social or cultural. The right to self-determination has been recognized under various international laws. Derogation from recognizing, appreciating or exercising the exercise of this right can lead to a consequential denial of every other right. The attendant effect is that this can lead to a situation of chaos as has been witnessed world over, especially in Africa. Conversely, a proper appreciation and application of the right can serve as a tool for conflict prevention and management.

6.2. Recommendations

In view of the importance of the right to self-determination under contemporary international law, proper appreciation of the dynamics and application of the right to self-determination is recommended. This requires mass awareness and education by International Organizations on this subject by bringing to fore the importance of the right to self-determination and its compatibility with the concept of statehood. Understood this way, claims on self-determination can be resolved amicably through dialogue and the adjustment of institutions of Government including constitutional mechanisms to accommodate the aspirations of all parties. Secondly, there is need for the United Nations and other regional bodies to establish adjudicatory bodies on self-determination claims. Decisions from these institutions will

serve as precedents and possibly prevent further escalation of conflicts. Finally, African states must relax the *pacta sun servanda principle* and begin the resolution of self-determination issues on their individual merits. To continue the systemic and consistent derogation of rights and legitimate claims of a people within a state based on exaggerated concept of sovereignty is a notion that is gradually losing grounds globally, especially in view of the "forced political marriages" that characterize many states in the African continent under the aegis of colonial lords, where Many tribes and peoples were coerced into political affiliations. Definitely, if these affiliations are unable to stand the test of time, legitimacy and good governance, it is only reasonable to give heed to legitimate claims and voices of the people concerned. Therefore, the imperatives for African states to consider genuine agitations from agitators and claimants of self-determination related rights no longer a discretionary political option. For a continent that is continually confronted by endemic poverty, poor governance, hunger and diseases, the need to pay regards to the will of the people by properly appreciating, recognizing and allowing the exercise of legitimate claims touching on the right to self-determination within the continent is highly recommended. This will inevitably, contribute towards the diffusion of tension in Africa.

MEDICAL DOCTORS' PERCEPTION OF MANAGEMENT POLICY ON COVID 19 PANDEMIC AND HEALTH CARE DELIVERY IN BENUE STATE, NIGERIA

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Abstract

This study captures medical doctors' perception of management policy on COVID-19 and health care delivery in Benue State. The objective was to determine medical doctor's position about the origin and nature of COVID-19 and to ascertain the doctor's views as primary stakeholders in the nature of health care delivery system in Benue State. A descriptive design was employed for the study where 263 respondents were drawn from the Nigerian Medical Association 2020 annual General and Scientific Conference held in Makurdi, Benue State. Though the study found out that the medical doctors had conflicting views about the origin of the virus, they were in total agreement that it was transmissible in Benue State at the time of research. Despite global actions taken against the pandemic, the study found out that the level of preparedness to tackle the disease both at national and state levels was low. Findings showed that those who had personal protective equipment were less than half of the total population of respondents. By this, the paper concludes that, though medical personnel were not in doubt of the virus and its spread, its control was very far from being achieved due to the poor health care system in Benue state through which the actions against COVID-19 are expected to be executed. No wonder the respondents who are the health personnel at the centre of managing the pandemic could not access adequate personal protective equipments and medical items needed for the management of COVID-19. It was recommended among other things that, the state government should comply with the national actions on corona virus by initiating a state policy on the management of COVID 19 and deploy equitable use of resources for same. Also, given the transmissible potency of COVID 19, there is need for serious enforcement of preventive measures such as the use of face mask and provision of hand washing stations in public and private institutions.

Key words: COVID-19, Policy, Management, Pandemic and Prevention

Introduction

In human history, the world population has come to deal with pandemics of differing forms and nature be it the earlier forms of smallpox, tuberculosis, SARS or the recent incidence of HIV/AIDS or Corona virus code named COVID 19. It has created catastrophic damage in many

different forms. Although the outbreak of the Corona virus led to global economic slowdown, fall in the price of crude oil, and less inflow of dollars into Nigeria, the associated public health concerns have also led to factory closures in China, substantial drop in imports, widespread travel restrictions around the world, and

cancellation of many conferences, sporting events, business travels, among others

After three months of wide spread infecting over 118,000 people across 114 countries, on March 11, 2020, the World Health Organization announced that the COVID-19 virus was officially a pandemic. The first reported case in China appeared November 17, 2019, in the Hubei Province, but went unrecognized. Eight more cases appeared in December with researchers pointing to an unknown virus whose origin generated a lot of controversy and confusion with the United States in particular and other allies suggesting China was not transparent about the origins of the outbreak. This early hullabaloo about its origin and the politicisation of the outbreak dealt a devastating blow to the eventual management of the disease as governments across the world were caught napping with some in total denial of the virus existence

Without a vaccine available, the virus spread beyond Chinese borders taking an early toll on highly industrialized countries of the west and south where it covered about 188 countries of the world. With the world red flag on infections and casualty rate raised against the United States, Brazil and Russia, the indication was that, the world was yet to grasp the how to deal with the pandemic even as public health around the globe continued to improve. It became an issue of prayer that the corona virus should not hit global health as catastrophic as the Bubonic plague of the 14th century. Apart from its indiscriminate nature in who it infects, rich or poor, its effect is also equitably distributed between the rich and poor members of the society. International locking of borders and suspension of civic and commercial activities across countries stimulated a need for progressive global conversations for action.

It is no gainsaying that this current pandemic demands state governments to commit to decisive, pro-active actions. At the initial stage, it was relatively straight forward, the need to get the general public to recognize that there is a clear danger, and thus to accept the interventions necessary to keep themselves and their loved ones safe, as well as the wider community. However, with the increasing number of infections and deaths across the globe, no state could afford to stagnate in its actions to deal with the pandemic.

Reaching the continent through travelers returning from hotspots in Asia, Europe and the United States, Africa's first COVID-19 case was recorded in Egypt on 14 February 2020. Since then, the Covid-19 statistics provided by the Africa Centre for Disease Control and Prevention (Africa CDC) at the time of the research indicated that out of the 55 African countries, 52 reported corona virus infections amounting to 22,513 cases and 1,126 deaths, with the Union of the Comoros, Lesotho, and Western Sahara as the only African countries that had not reported Covid-19 cases (Africa CDC, COVID 19, 2020). Looking at the rate of infections and fatalities witnessed across the globe, the worst affected countries remain outside the African continent. However, the likelihood of health systems on the continent becoming overwhelmed as the virus spreads is high, given the weak and fragile state of public health systems in most African countries (Mario, 2017). Given the challenges that many African countries face with weak health systems, the implication of the Covid-19 pandemic is dire.

Nigeria confirmed its first case of COVID 19 on 27 February/2020, in Lagos State and since then to the time of research, the disease spread to 35 states and the FCT A report by the Nigeria Centre for Disease Control on 1st July 2020 shows that at least a case of the disease had been reported in these states with only Cross River not reporting any case of the virus although there are controversies about the genuineness of the clean health status of the state.. It must be noted that, public health responses to the Covid-19 pandemic in Africa have varied from one country to another, but reflect a general trend of placing restrictions on movement (mostly lockdown), African countries have also adopted other WHO recommended mitigation strategies including quarantine, social distancing, self-isolation, and improved water, sanitation, and hygiene (WASH) practices. Others include mass corona virus testing and contact-tracing at the community level. Unfortunately, for a country like Nigeria, political intrigues about the disease coupled with the realities of a decreasing economy, high unemployment and inequality has led to the failure of these strategies. On the other hand, health care delivery is at the heart of achieving the workability of these strategies and the need to boost its capacity to deliver this mandate (Amzat, Aminu, Kolo, Akinyele, Ogundairo, and Danjibo 2020). This research therefore assesses

the public health care system in Benue State, Nigeria in managing the COVID 19 pandemic.

LITERATURE REVIEW

Origin and Spread of Covid-19

With very unclear source, the corona virus code named COVID 19 emerged in the later part of 2019. Primarily, Corona viruses are a group of viruses that can cause disease in both animals and humans. The Severe Acute Respiratory Syndrome (SARS) virus strain known as SARS-CoV is an example of a corona virus. SARS spread rapidly in 2002–2003. The new strain of corona virus is called Severe Acute Respiratory Syndrome Corona virus 2 (SARS-CoV-2). With its emergence in 2019, the disease is code named Covid-19.

At the instance of its outbreak, the new corona virus which is transmitted to humans from person to person was first found in Wuhan, China. Controversies and confusion has continued to trail concerning the origin of the dreaded virus. To many health experts, the new strain of corona virus likely originated in bats or pangolins. There are also claims or suspicions about a biochemical experiment as a weapon of destruction (Ugo, 2020). This by implication means that corona virus is the work of human hands manufactured in the laboratory. These controversies and the inability of scientist particularly in the originating country to determine the origin of the virus has caused a lot of confusion world over and has also led to the breakdown of relations between America and China. It can be stated that the origin of the dreaded disease is shrouded in secrecy thus the trail of accusations by former America president, Donald Trump that China did not take a transparent approach in dealing with the pandemic at the beginning. This is to the extent that, back in November 2019, Chinese authorities stopped doctors from warning their colleagues about the virus and censored news of its seriousness (Deutsche Welle, 2020). However, despite this confusion, China took comprehensive measures after research and was able to drastically reduce infections and deaths while America and other European countries like Spain and Italy ran into the gaping mouth of the corona virus which swallowed 20,000 people and more than 470,000 were confirmed to have Covid-19 around the world as of 26th March 2020. This was a pandemic, in reality, well before the World Health

Organization finally declared it one on 11 March (Walsh, 2020).

This position remains undisputed because, historical antecedents of pandemics and prior warnings about possible emergence of yet another pandemic particularly involving a new respiratory disease was earlier lurking around. Walsh (2020) had recalled that, expert's predictions about an impending flu pandemic was a matter of time and that there could be millions of undiscovered viruses in the world. He recalled that in 2019, US president Donald Trump's Department of Health and Human Services carried out a pandemic simulation exercise named "Crimson Contagion" which imagined a flu pandemic starting in China and spreading around the world. The simulation predicted that 586,000 people would die in the US alone. While the predictions of this simulation are confirmed in many fronts particularly in the area of nature of disease and its origin, the death toll is also rising in leaps to fulfillment of the Crimson Contagion predictions.

As the western countries played politics with the disease and the Chinese quickly turned to research to contain the virus, the early transported infections out of China started witnessing a spontaneous ravaging of the west and sooner or later the global community was left despaired by the virus. World Health Organization situation report shows that, for the months of March, April, May and June, the number of infections and fatalities in America and parts of Europe had continued to increase at an alarming rate. This is to the extent that as of 31st January, China accounted for 9,720 of the 9,826 cases of corona virus reported covering Europe, South East Asia, America, Western Pacific and the Mediterranean. Two months after that, the report showed that the United States moved from a paltry 6 infections to account for 406,640 out of the total 790,890 cases reported globally. As months passed by and the virus continued in its ravaging spree, China indeed proved its strength and capacity in health management and technology by containing the spread of the virus while the so-called super powers in America and Europe were humbled. For Africa, it is a foretold story of neglect of the health sector occasioned by corruption and bad governance.

This is why the African continent, for yet to be explained reasons was not worst hit but not spared either. This could be seen as daily

increase in figures across Africa has shown that no one can be spared. Though the spread is more noticeable in countries like South Africa and Algeria, a close analysis of the data on infections shows a dramatic variation with the infection rates of up to 35 times more between Nigeria and a country like Uganda and Nigeria having a recovery rate that ranks among the lowest in the region. This is the conclusion of the Premium Times (2020) review on the COVID-19 situation in the seven sub-Saharan African countries – Nigeria, Ethiopia, Ghana, Kenya, South Africa, Senegal, and Uganda using data such as the number of tests conducted, the number of positives test as a percentage of the number of tests conducted, and the number of infected people who have recovered as of June 15th 2020.

The data also included the number of deaths as a percentage of the number of confirmed cases for the virus as of the same date. The data which were sourced from Africa CDC, national CDCs as well as the ministries of Health websites of the countries under survey, revealed that Nigeria is a stark outlier from the other countries. This is to the extent that apart from Senegal whose population is one-eighth of Nigeria's, Nigeria has conducted far fewer tests than the other countries under survey. This number was also described as paltry in a country with an estimated 200 million population (Akor, Jimoh, John-Mensah, Ramoni and Oke 2020). As of June 15, 2020, Nigeria had conducted 96,802 sample tests, while Senegal conducted 64,501 tests. South Africa, with less than 30 per cent of Nigeria's population, conducted 1,121,958 tests. Similarly, Uganda, with barely 23 per cent of Nigeria's population, has conducted 43,829 tests more than Nigeria; Ghana whose population is just 15 per cent of Nigeria's has done 1,157,929 more tests than Nigeria. Kenya which is just 26 per cent of Nigeria's population has done 92,299 more tests than Nigeria and Ethiopia, which is about 56 per cent of Nigeria's population, has conducted 90,583 more tests than the most populous country in Africa. This analysis raises questions and doubts about the reported figures of corona virus in Africa and Nigeria particular.

Ewunonu, reporting to Premium Times said the country's testing policy was faulty from the beginning. This is because Nigeria adopted what National Centre for Disease Control (NCDC) calls "smart testing" at the beginning of the response. This, according to them is to

ration the scarce and expensive Polymerase Chain reaction (PCR) test kits to only appropriate persons who manifest symptoms of COVID-19 (Ibekwe, 2020).

In fact, using Nigeria's rate of infection, if the country had conducted as many tests as South Africa, and Ethiopia, Nigeria would have recorded almost doubled its number of confirmed cases as at June 15, 2020. As faulted by Ewunonu, Nigeria like US waited too long before taking actions that would have slowed the spread of the virus. As it stands today, the virus has penetrated the global community defiling all measures to halt its spread including global and national lockdown. In Nigeria today, there is no single State that can convincingly deny the Presence and spread of COVID 19.

Global Actions against Covid-19 Pandemic in Perspective

The ravaging spread of COVID-19 across the globe forced a simultaneous global lockdown disrupting the World life existence with drastic radical crosscutting reforms by national governments and international institutions like the World Health Organization. This was to contain and decrease morbidity and mortality of the pandemic as well as reduce the deterioration on economic assets, social cohesion and livelihoods which has brought even strong economies to their knees. It is obvious that the damage cannot yet be predicted as the Pandemic has opened a Pandora box of confusion, disagreements and contradictions contravening the regulations at the international arena. The World Health Organization (WHO) for instance has faced controversial issues that tend to undermine her superficial role in global health matters. This has to do with issues like clinical trials of discovered vaccines in Africa particularly Madagascar against the authority of the WHO (Ugo, 2020). In the same vein, Italy has deciphered the stand of the WHO that COVID-19 is a deadly disease without a cure. They revealed that COVID-19 is a bacterium infection that is curable with conventional medications (Ugo, 2020). This revelation it can be argued to be sensible as infected persons across the globe have been treated without the affirmation of a designated vaccine and discharged after testing negative to the virus.

To make effective the global lockdown to contain or reduce the spread of the virus, the World Health Organization rolled out a number of precautionary measures to be observed by

individuals and communities across the globe. These among others include ; maintaining social distancing, regular and thoroughly washing of hands over running water with alcohol based hand wash, avoid touching of eyes, nose and mouth, follow and maintain good respiratory hygiene and staying home to self- isolate with symptoms such as cough, headache and mild fever, and seek medical attention. Wearing of face masks it is recommended to also prevent the spread of COVID 9 (WHO 2020). Aside these measures and more, individual countries have embarked upon aggressive testing and treatment of infected persons among her citizens. This so to speak individualistic approach became necessary since travels were banned and boarders shut and even the rich could not seek for better health care provision outside their country.

Nigeria’s COVID 19 Management Strategy and Health Care Delivery

When the Nigerian Presidential Task Force (PTF) on Corona virus codenamed COVID-19 was constituted on March 9, 2020, the mandate was clear. With a timeline of six months, the body was assigned to “strengthen the national response strategy, particularly in the areas of testing, containment and management of COVID-19 and brace up collaboration with all tiers of government, private sector, faith-based organizations, civil Societies, donors and partners among others”. It was also commissioned to “build awareness among the populace; direct the deployment of any relevant national assets when necessary; lay a foundation for scientific and medical research to address all emerging infectious diseases; and advise the government on the declaration of national emergency as part of the containment measures when necessary”. Armed with this mandate, the PTF in collaboration with the National Centre for Disease Control (NCDC) rolled out strategies to reduce the spread and manage the effect of the virus. This was not without challenges as issues of denial and political manipulation continued to ridicule the efforts by government and relevant stakeholders to contain the virus.

In addition to the above challenges, the COVID-19 crisis has laid bare stark weaknesses cutting across all aspects of our health care systems, from brain drain of medical professionals to unavailability or total decay of infrastructure. With the upsurge of COVID 19, the inability to

provide enough medical essentials such as masks and to deploy testing in most parts of the country and the near absence of the research for and supply of drugs and vaccines has made matters worse. The number of testing laboratories in the country remains inadequate for the country’s population and as compared to other sub-Saharan African countries. However, according to Ibrahim (2020), the response has picked up and gathered momentum at the National level with business leaders and philanthropists playing a very significant role. Also, some states such as Lagos, have exhibited much greater capability and professionalism in dealing with the crisis. Beyond the immediate health policy response, various measures are put in place by the Central Bank of Nigeria (CBN), the National Assembly, the Organized Private Sector and other key market players to cushion the effect of the corona virus on business, households and the larger economy. These measures include special intervention funds, credit support facilities and tax reliefs. However, the most urgent priority among these measures is to minimize the loss of life and health in which public health capacity in terms of workforce and facilities become pertinent to meet the challenge.

1. Methodology

A descriptive design was employed for the study where respondents were drawn from the Nigerian Medical Association 2020 annual General and Scientific Conference held in Makurdi, the Sate headquarter. It is an annual event where all medical doctors practicing in the state attends. A descriptive design was employed for the study where respondents were drawn from the Nigerian Medical Association 2020 annual General and Scientific Conference held in Makurdi, the State headquarter. It is an annual event where all medical doctors practicing in the state attend.

The minimum sample size of 237.2 was arrived at using the formula

$$n = \frac{Z^2pq/d^2}{1+ Z^2pq/Nd^2}$$

With assumptions that 50% of health workers have knowledge of COVID-19 pandemic and are involved in the management of the COVID-19 patients in the state and 5% tolerable margin of error at 95% confidence interval. Consideration non-response rate of 10%, the calculated

minimum sample size was adjusted to 263. Simple random sampling technique was used for selection of actual respondents. The list of all the registered members was obtained from the secretary office and used as the sampling frame. Registered members who did not attend the AGM and those who were in attendance but did not consent to the study were excluded from the study. Self-administered questionnaire was used for data collection. Information obtained include: socio-demographic characteristics, knowledge of Corona Virus and management of the pandemic.

Data Analysis and Results

All analysis was conducted using statistical Package for Social Sciences (SPSS) version 23.0. Data sorted were categorized, summarized, and presented in exploratory formats as frequency tables and charts. Chi-square (χ^2) test was used for test of association between the independent variables and the main outcome of the study, with statistical significance set at *P* value of 0.05.

1. Information on COVID-19

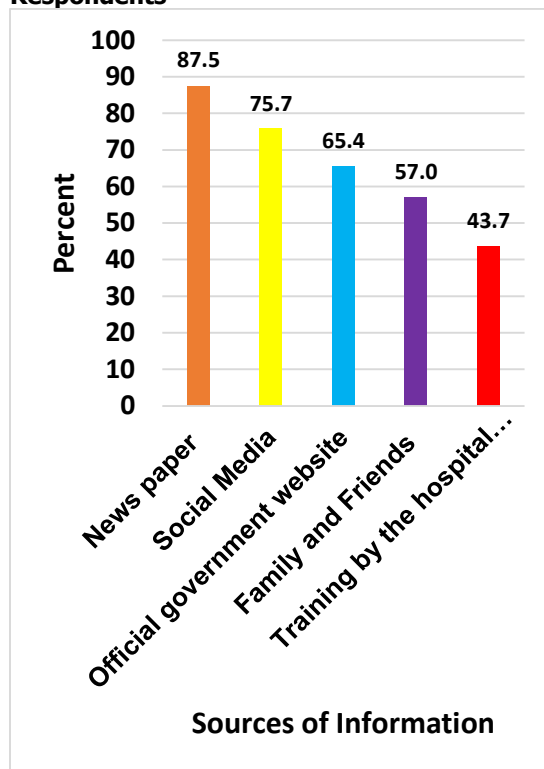
Data gathered from the respondents showed that, all (100.0%) the respondents have heard of Covid-19. The predominant source of information was newspaper (87.5%), followed by social media (75.7%), official government website (65.4%), family and friends (57.0%) and training by hospital management (43.7%). The implication of this result is that, adequate information concerning COVID-19 has been disseminated by outside sources rather than deliberate efforts by government hospitals management to their medical personnel.

Table 1: Respondents sources of information

Sources	Frequency	Percent
News paper	230	87.5
Social Media	199	75.7
Official government website	172	65.4
Family and Friends	150	57.0
Training by the hospital management	115	43.7

Source: Field Report 2020

Figure 1: Sources of Information among Respondents



2. Existence of Covid-19 Virus and the source

All the respondents believed that Covid-19 exists. Majority (70.5) of them were of the opinion that the Virus was from bats, followed by laboratory (67.1%), 5G technology (4.9%), natural cause (1.9%), sea foods (1.9%), bioterrorism (1.1%), Wuhan city (0.8%) and 5.7% were not sure of the source. The disagreements in the opinion of medical doctors in this result indicate that no serious efforts have been done by the health sector in terms of research to unravel the source of the virus in order to find scientific ways of tackling it.

Table 2; Respondents Opinion of Sources of Covid-19 Virus

Sources	Frequency	Percent
Made in the laboratory	108	67.1
Originates from Bats	105	70.5
Caused by 5G Technology	13	4.9
Natural	11	4.2
Genetic Mutation	5	1.9
Sea foods	5	1.9
Bioterrorism	3	1.1
Wuhan City	2	0.8
Not sure	15	5.7

Source: Field Report 2020

3. Opinion on the nature of the Virus

Almost all (98.5%) of the respondents opined that Corona virus was transmissible, 27.4% believed that the transmission was acquired and 2.7% opined that it was genetic.

Table 3: Respondents opinion of the nature of Covid-19 Virus

Sources	Frequency	Percent
Transmissible	259	98.5
Genetic	7	2.7
Transmission is acquired	72	27.4

Source: Field Report 2020

4. Management of COVID

4.1 Rating of level of preparedness

Majority of the respondents rated the federal and the state preparedness to be poor (74.5% Federal and 65.8% State respectively). Good rating was better for the State (27.0%) as compared to the federal 20.9%, and less than one third rated the federal and the sate very good (2.7% and 3.4%) respectively.

Table 4.1: Respondents perception of federal and state level of preparedness towards management of Covid-19 pandemic (n=263)

Federal/State	Frequency	Percent
Federal level		
Poor	196	74.5
Good	55	20.9
Very good	5	1.9
Undecided	7	2.7
State level		
Poor	173	65.8
Good	71	27.0
Very good	9	3.4
Undecided	10	3.8

Source: Field Report 2020

4.2 Existence of Covid-19 in Benue State and Accessibility of personal protective Equipment

Almost all (97.7%) of the respondents agreed that COVID 19 existed in Benue State. However, those who had personal protective equipment were less than half (43.7%). Of those who had PPE, majority of them purchased it out of pocket expenses. Those whose PPE was purchased by hospital management constitutes 17.4%.

Table 4.2: Respondents perception of Existence of Covid-19 in Benue State and Accessibility of personal protective Equipment

Variables	Frequency	Percent
Existence of Covid-19 in Benue State (n=263)		
YES	257	97.7
NO	6	2.3
Possession of PPE (n=263)		
Yes	115	43.7
No	148	56.3
Supply of PPE (n=115)		
Self	84	73.0
Hospital Management	20	17.4
Hospital Management and Self	11	9.6

Source: Field Report 2020

Table 4.3: Respondents perception of items provided by facility for routine management of Covid-19 patients

Items	Frequency	Percent
Hand washing station	220	83.7
Hand sanitizer	173	65.8
Surgical face mask	143	54.4
Cloth face mask	120	45.6
Surgical Gloves	116	44.1
N95 face mask	71	27.0
Eye protection google/face shield	51	19.4
Disposable, fluid resistant gown	48	34.0
Powered air purification respirator	24	9.1
Adequacy of items		
Adequate	91	34.6
Not adequate	172	65.4

Source: Field Report 2020

According to the result above, about 34.6% of the respondents are positive that there are adequate COVID-19 protective items, while about 65.4 of the respondents opined that the COVID-19 protective items are not adequate.

Table 4.4: Training on the use of PPE

Provision of item 2 months prior to study	Frequency	Percent
Yes	78	29.7
No	185	70.3

Source: Field Report 2020

According to the result above, those respondents who agree that there is training on the use of PPE are around 29.7%, while those respondents who disagree that there is Training on the use of PPE are around 70.3%, meaning that the majority did not receive any training of the use of PPE in Benue state. The implication

of this revelation is that, there has been no deliberate strategy by the government through the state health sector to boost the capacity of the health personnel in responding to the spread of the virus.

Table 4.5: Respondents assessment of the quality of health care system in managing COVID-19 in the state

Quality of Health Care system	Frequency	Percent
Poor	164	62.4
Good	80	30.4
Very Good	5	1.9
Undecided	14	5.3
Total	263	100.0

Source: Field Report 2020

From the result above, about 62.4% of the respondents agree that healthcare system in Benue state is of poor quality; being the majority of the response we conclude that there is poor quality of healthcare in Benue state and as such, poor management of COVID-19.

Table 4.6: Perception of respondents on boosting of health care provider’s capacity to managing COVID-19 pandemic

	Frequency	Percent
Yes	56	21.3
No	207	78.7
Total	263	100.0

Source: Field Report 2020

According to the table 4.6 above, the perception of respondents on boosting of healthcare providers’ capacity to managing COVID-19 pandemic; the result shows that about 78.7% disagree that the authorities are boosting the healthcare providers’ capacity to manage COVID-19 pandemic. It is therefore concluded that healthcare providers’ capacity to managing COVID-19 pandemic is poor.

Conclusion and Recommendations

This study presents a detailed review of medical doctors' perceptions of COVID-19 pandemic management policy and healthcare delivery in Benue State, Nigeria. This assessment was done in the first wave of the COVID-19 pandemic in

Nigeria precisely three months into the lockdown. According to the findings, it was concluded that COVID-19 was real and a pandemic. The findings revealed that, respondents displayed a good degree of knowledge about COVID-19, as well as a positive attitude to comply with the essential Infection Prevention and Control measures proposed by the World Health Organisation and adopted by the Nigerian government for minimizing COVID-19 spread. The study concluded this was very far from being achieved due to the poor health care system in Benue state through which the actions against COVID-19 are expected to be executed. No wonder the respondents who are the health personnel at the centre of managing the pandemic could not access adequate personal protective equipment and medical items needed for the management of COVID-19. From this, it can be inferred that there was no notable satisfaction with the government's actions and efforts in preparing for and management of COVID-19, and respondents believed that Benue state's healthcare system is of poor quality. Drawing from this conclusion, the following recommendations were made;

The state government based on the national actions on corona virus should initiate a state policy on the management of COVID-19 and deploy and ensure the equitable use of resources for same.

Workshops and seminars should be frequently organized by state ministry of health and private health centres for health care providers in order to adequately equip them on management of COVID 19. The trained HCP will in turn organize awareness and sensitization campaigns on safety and control measures of COVID-19.

The transmissible potency of COVID-19 demands a more serious enforcement of preventive measures such as the use of face mask and provision of hand washing stations in public and private institutions. It behooves on Benue State to deliberately ensure the provision of equipment designed for the successful enforcement of these measures.

The management of a highly transmissible virus like COVID 19 cannot be achieved without adequate provision of personal protective equipment for health workers. Thus, management of government and private health centres need to take responsibility for the provision. This further calls for the production of local equipment that will be affordable and readily available.

With this new challenge of corona virus, it has become even more pertinent for government to declare a state of emergency in the health sector by adequately equipping and taking seriously the welfare of the health practitioners to curtail brain drain in the sector.

The need for scaling up of testing centers to all the local government areas of the state has become a sure action that must be taken by the government health sector if the spread of the virus must be curtailed.

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GOOD GOVERNANCE LEADERSHIP CHARACTER IN NIGERIA: PROSPECTS FOR NATIONAL DEVELOPMENT

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Abstract

In spite of the prevalence human and natural resources, Nigeria still struggles to run the semblance of a modern state. By comparison, countries like Malaysia, Singapore and China through the vision and hard work of their leaders such as Mahathir Mohammad, Lee Kuan Yew, Chairman Mao and Deng Xiaoping respectively have transformed their countries. Prior to the twenty-first century, these countries which have a roughly similar history and circumstances with Nigeria were once considered Third World countries and emerging markets. In the modern dispensation, all the others have joined the First World while Nigeria still lags behind. India, another country in Asia, which was subject to colonial rule like Nigeria, has recorded major achievements in the face of overwhelming challenges, including a runaway population. The objective of this paper is to mention how no nation of the world grew and enjoyed steady development in all spheres of its national life without experiencing good and selfless leadership. This is largely because qualitative growth and development has always been an outcome of good governance. As mentioned the state of Nigeria's pitiable socio-economic development has been a direct consequence of the actions and inactions of the leadership class that has managed the affairs and wealth of the country since independence. The motivation behind this paper is to ask what, then, is the problem with Nigerian political leadership? What roles do citizens have to play in the Nigerian project? The paper adopts the analytical method of historical reconstruction in discussing the problem with Nigerian leadership within the sphere of national development.

Key words: Leadership, Nigeria, Prospect, Development, Character

Introduction

The term leadership has been defined in several ways. Riggio and Murphy (2003) stated that leadership is a process by which a person influences others to accomplish an objective and directs the organization in a way that makes it more cohesive and coherent. They posited that a leader is a "person who is elected or appointed or who has emerged from the group to direct and coordinate the group members' efforts toward some given goal. On the other hand,

leadership has been seen as a process whereby an individual influences a group of individuals to achieve a common goal. These definitions identify leadership as a process involving an individual who is wielding some level of influence in such a manner as to bring about the accomplishment or fulfillment of certain objectives. Scholars have defined a leader in different ways. The leader generally plans, organizes, directs, and supervises the activities of group members and develops and maintains sufficient cohesiveness and motivation among

group members to keep them together as a functioning unit.

A leader is one or more people who selects, equips, trains, and influences one or more followers who have diverse gifts, abilities, and skills and focuses the followers to the organization's missions and objectives causing the followers to willingly and enthusiastically expend spiritual, emotional, and physical energy in a concerted coordinated effort to achieve the organizational mission and objectives. While this definition captures all the elements of leadership, Bass and Bass (2008) states that "transformational leaders motivate their followers to do more than the followers originally intended and thought possible. The leader sets challenging expectations and achieve higher standards of performance" Leadership and leaders are not synonymous, but are analogous to one another.

While leaders are expected to lead and influence their subordinates, leadership is a process of influencing people towards achieving a clear goal. Leadership is at the heart of public sector governance, and it is vital to the overall development of a nation as well as the welfare of the citizens. According to them, the quality of leadership affects the pace of development in any country. They opined further that there is a dearth of leadership skills required for effective public governance in Africa. A change in the right direction in the governance of infrastructure development in Nigeria might create a favourable climate for economic growth and social stability. Government exists to serve the needs of the public, and good governance exists to ensure that those needs are served efficiently, effectively, and fairly. This means that governance has a lot to do with how authority is exercised in institutions and the traditions of government, which includes the process of bringing government into being.

The United Nations (2007) defined governance as the way society sets and manages the rules that guide policymaking and policy implementation. It was stated that public governance is concerned with the conduct of governments at all levels to bring about the best possible benefits to their citizens. Therefore, governance can be good or bad depending on the manner and mode of governing. They pointed out that good governance should focus on the welfare of the people, and should be geared toward the provision of good

infrastructure that will promote the happiness of the citizenry.

Oyedele (2012) posited that the success or failure of a leader or government is measured by the level and nature of infrastructure development embarked upon by the leader or government and how well it meets the aspirations of the people in democratic governance. Good and effective public governance helps to strengthen democracy, promote economic prosperity and social cohesion, and reduce poverty (United Nations, 2007). Good governance must be perceived to solve social problems. It was again observed that governance is good when it allocates and manages resources to respond to collective socioeconomic and political problems. Argument was that good governance should promote gender equality, sustain the environment, enable citizens to exercise personal freedom, and provide tools to reduce poverty, deprivation, fear, and violence. Therefore, this paper is set to examine essence of leadership character through good governance in Nigeria by way of provision of infrastructural development to the entire citizenry. Again the paper discusses about political, economy, socio-political as well as administrative reforms including prospects of good governance and leadership failure in Nigeria. Similarly the paper made use of one theory out of five theories of leadership such as Transformational Leadership, Leader-Member Exchange Theory, Adaptive Leadership Strengths-Based Leadership and Servant Leadership to explain good governance leadership characteristics in Nigeria.

All things being equal, there is need to put leadership theory and practice in the context of history, to understand how the field of study has evolved. The earliest theories of leadership were the Great Man Theories, which emerged in the late 1800s. The Great Man concept evolved into trait-based theories of leadership, which defined leadership by a leader's characteristics, most of which were considered innate. Far more importantly, understanding of leadership may have aligned with these theories: leaders were often men with dominant personalities. We still see this theory at play unconsciously today, when someone is overlooked for a leadership role because of a quiet personality.

Reforms in Nigeria

Different political leaderships have initiated various reforms in Nigeria between 1960 and

2010. Olaopa (2010) examined the Nigerian civil service reform and the requirements for successful reforms. The National Planning Commission (2004) and the Oxford Business Group (2011) articulated a variety of reform programs in Nigeria ranging from the National Economic Empowerment and Development Strategy (NEEDS), to the business and electoral reform policies. The Federal Government of Nigeria in year traced the Niger Delta development reform plan as well as the road map for power sector reform, and also the road sector reform program in Nigeria as major reforms embarked upon by the government. Analyzes on the progress and challenges of the Nigerian reform programmes was categorized into economic, administrative, and sociopolitical.

Economic Reforms

The Nigerian economy was heavily based on agricultural production during the first republic to satisfy domestic consumption needs primarily, although some of the produce was exported. It was during the military administration of Yakubu Gown that the economic status of Nigeria took a boost with oil production and revenue generated from exporting petroleum products. The third national development plan (1975–1980) and the fourth national development plan (1981–1985) published by Nigeria Federal Ministry of Economic Planning (1986) demonstrated a period of progressive economic prosperity which brought about significant economic reforms. The privatization policy of the Federal Government of Nigeria was a significant economic reform that helped to redirect the public sector governance. Okonjo-Iweala and Osafo-Kwaako (2007) stated that between 1999 and 2006, about 116 enterprises were privatized in Nigeria including various loss-making government-owned enterprises operating in industries such as aluminum, telecommunications, petrochemical, insurance, and hospitality industry. A major component of the privatization programme was the unbundling of the Power Holding Company of Nigeria (PHCN) into 18 companies responsible for power generation, transmission, and distribution. Reform in the energy sector of the Nigerian economy has been gradual and steady. At independence in 1960, Nigeria’s main energy supply came from coal and the National Electric Power Authority (NEPA).

Neither the supply of coal nor the electricity output was adequate which made energy reforms imperative. Between the first republic and the year 2010, significant energy reforms had been put in place especially with the discovery of oil and liquefied natural gas (LNG) in abundance in Nigeria. Schiere (2012) identified and discussed the following energy reform phases in Nigeria

1. Government encouragement of the private sectors to invest in the electricity industry thereby breaking the monopoly of NEPA and generating competition.
2. Establishment of the Nigerian Electricity Regulatory Commission to supervise and regulate energy policy of the government.
3. Privatization of the energy industry to encourage competitiveness.
4. Creating consumer awareness on the efficient use of energy.
5. Initiating deregulation programme.

A major economic reform program in Nigeria was initiated during the Olusegun Obasanjo’s administration. In 2000, the government launched a Poverty Alleviation Program (PAP) which was an emergency measure aimed at poverty reduction, creation of employment, constructing rural infrastructure to stimulate growth, and provide amenities such as water and electricity. The poverty alleviation programme developed into a more elaborate economic reform package called the national economic empowerment and development strategy (NEEDS). According to the National Planning Commission (2007), “the Nigerian economy was in distress, characterized by policy instability, rising poverty level, poor governance, high rate of inflation, unemployment, huge budget deficit, corruption, and near collapse of the social and economic infrastructure by the year 1999”. It was against this background that NEEDS as an economic reform programme was introduced. The goal was primarily on poverty reduction, focusing on employment generation, wealth creation, and value reorientation. The underlining strategy was to promote the private sector as the engine for growth. For this economic reform program to succeed, the National Planning Commission (2007) identified the following critical factors:

- a. Justice and good governance must prevail in addition to promoting constitutional democracy, fighting corruption and upholding the rule of law.

- b. Ensuring security of life and property in order to attract domestic and foreign investments to boost economic growth.
- c. Pursuing an aggressive policy on developing physical and human infrastructural facilities as well as maintaining and rehabilitating existing infrastructure.
- d. Developing a professional and result-oriented public service that can transform the socioeconomic framework of the nation.
- e. Strengthening the bonds of collaboration among the different tiers of the federal system of government to promote good governance.

Marcellus (2009) posited that the NEEDS policy was not different from previous development plans of the government, despite the claim to the contrary, and argued that poor prioritization of policies and programs, and lack of commitment of the leadership robbed the country from achieving the objectives of the policy. Another economic reform program during the period under review was the banking sector reform. Okonjo-Iweala and Osafo-Kwaako (2007) opined that prior to this reform; the Nigerian banking sector was weak and fragmented due to its poorly managed liberalization during the structural adjustment program of the 1980s. To strengthen the financial sector and improve availability of domestic credit to the private sector, a bank consolidation exercise was launched in 2004 which required "deposit banks to raise minimum capital base from \$15 million to \$192 million by the end of 2005".

Banks merged as a result of this reform bringing about financial solvency and economic stability. Reform of the insurance sector which consolidated the 103 insurance businesses in Nigeria in 2004 to about 30 with a capitalization of about \$1.6 billion brought significant economic prosperity. It was argued that financial sector reforms in Nigeria included the policy of budgeting based on a conservative oil price benchmark which resulted in the creation of an Excess Crude Account in 2003 that generated funds for infrastructure and economic development in Nigeria. Ogujiuba and Obiechina (2011) traced the evolutionary stages of financial reforms in Nigeria since independence and identified the following three phases:

1. The foundation phase from 1950 to 1970, characterized by the establishment of financial institutions and the development of the necessary legal framework. During this phase, the Central Bank of Nigeria (CBN) was established.
2. The expansion phase between 1970 and 1985 during which commercial banks established branches in the rural and semi-urban areas making lending to private sector more accessible.
3. The consolidation and reform phase which started in 1986 and continued to 2010 under the different political leaderships of Nigeria. Prominent reforms of this phase included the initiation of the Structural Adjustment Program (SAP) which started in 1986, and the establishment of the Nigeria Deposit Insurance Corporation (NDIC) under the Babangida's administration.

Although the structural adjustment programme was aimed at economic growth and poverty reduction, the structural adjustment programme led to increase in the gap between the rich and the poor and intensification of poverty in Nigeria. The trade policy reform was another important economic measure aimed at establishing good governance. Following the SAP in 1988, a seven-year tariff schedule was adopted which significantly reduced tariff averages, leading to the introduction of policies on import prohibitions which banned selected products that were viewed as strategic for the growth of the economy in order to protect the infant industries (Okonjo-Iweala & Osafo-Kwaako, 2007). By liberalizing its import regime and adopting the common external tariff (CET) of the Economic Community of West African States (ECOWAS), Nigeria's trade policies became more transparent and predictable, thereby enhancing good governance. It is important to mention that Nigeria witnessed significant public sector reforms during the Obasanjo's administration.

Administrative Reforms

The Nigerian civil service (NCS) constitutes the administrative arm of the federal government of Nigeria. Political leaderships come and go, but the civil service remains and serves the government of the day. Essentially, the role of the civil service in public sector governance and infrastructure development cannot be overemphasized. It was identified that the NCS as a body of government employees entrusted

with the administration of the country, and mandated to carry out the policies of the government of the day. In 1960 when Nigeria gained independence from Britain, it inherited a civil service that was fashioned after the colonial parliamentary system. Olaopa (2010) observed that the Nigerian civil service was strong and very professional between 1960 and 1975, before it began to decline due to politicization and bureaucratic corruption. Over the years, several commissions have made recommendations for reforming the civil service in Nigeria including the Margan Commission of 1963, the Adebo commission of 1971, and the Udorji Commission of 1972-1974. There was also an attempt to reform the civil service in 1985 by the Dotun Philips Panel, and the 1988 civil service reorganization decree promulgated under Babangida's administration. Notably, the Nigerian civil service has been undergoing gradual and systematic reforms and restructuring between 1960 and 2010 which has made some impact on governance in Nigeria.

After independence, the challenge that Nigeria faced was to begin the process of replacing expatriate colonial administrators with well-trained Nigerian civil servants. The Nigerianisation of the civil service was a daunting task. Through aggressive staff development programs, qualified Nigerians took over and administered the civil service. A quiet revolution in the Nigerian civil service began in the first republic with the aggressive move to replace expatriate colonial administrators. During the military administrations, the civil service became politicized, and corruption became the order of the day which engulfed the civil servants as transparency and accountability were undermined (Olaopa, 2010). Consequently, the methods, standards and values of the civil service dropped jeopardizing good governance. Over a period of time, the civil service witnessed some decline. Some of the factors responsible for this trend included: weak performance by ill-trained management staff; lack of proper manpower planning, forecasting, budgeting and control; and the removal of occupational classifications by the Udorji Commission in 1974. The 1988 reforms introduced by the Babangida's administration recognized the politicization of the civil service and initiated major changes. Administrators were appointed by the political leadership and

promotions were no longer based on merits. Top civil servants became very powerful public officers with allegiance to politicians.

Some of the measures taken by successive governments to reform the Nigerian civil service, including:

- a. Demilitarization which ensured that the system was guided by the constitutional provisions, the public service rules, and the financial regulations.
- b. Reintroduction of the pooling system which ensured that all officers were assigned appropriate tasks that enhanced professionalism, harmonized development, and led to efficient transfer of skills and talents within the service.
- c. Restoration of the office of the Head of Civil Service which aimed at providing solid leadership, maintaining political neutrality, and improving staff welfare.
- d. Centralization of training for all categories of staff which ensured efficient manpower development.
- e. Comprehensive restructuring of the civil service system which helped to streamline roles and responsibilities and define expectations.

Socio-Political Reforms

In 1960, Nigeria inherited a parliamentary political system of government from colonial Britain. The system was new and strange to the politicians who had little or no knowledge of the parliamentary system of government. Most of the political mistakes and problems of the first republic can be blamed on this factor. During the long military era that followed, Nigerians embarked on a desperate search for a political system that could work better for the nation. A drastic political reform came into existence when Nigeria embraced and adopted the presidential system of government fashioned after the American democratic system. This was a significant political reform in Nigeria that ushered in the Shagari's presidential political leadership in a multi-party system of government. Therefore, the political process in Nigeria transitioned from the parliamentary system in the first republic, to a presidential system in the second republic. The series of military interventions in the political history of the nation clearly demonstrated that the problem with Nigeria had little or nothing to do with the political system operating in the country. It has more to do with endemic

corruption, ineffective leadership, poor governance, and a host of other social issues such as tribalism, religious intolerance, and lack of patriotism.

Under the political leadership of Yakubu Gowon, new states were created during the Nigerian civil war. In 1970 when the war ended, the geo-political map of Nigeria had changed from regional structure – Northern, Eastern, and Western regions, to a country of 12 states. State creation as a socio-political reform measure was based on the assumption that Nigerians would abandon regional and ethnic allegiance and embrace national unity and practice tolerance. Based on this philosophy, subsequent political leaderships of Nigeria, namely the Babangida, and Abacha administrations, created more states totaling 36 by the year 2010. State creation may have brought government activities closer to the people and generated rural development; it has also become the source of another type of social problem in Nigeria. People now focus more on misappropriating state resources recklessly and often unchallenged. With the creation of more states comes the pressure to create more local government authorities. Nigeria has 744 local governments by the year 2010 serving as the third level of government. This is a significant political reform in Nigeria.

The quest for political stability in Nigeria led to two attempts aimed at reforming the constitution. A new constitution for the third republic was drafted, debated, and approved in 1989 under Babangida's administration but was not implemented. In 1999, government set up a committee to review the constitution and recommend amendments that will encourage good governance. In 2003, the national assembly set up a committee to review the 1999 constitution. A national political reform conference was convened in 2005 by Obasanjo's administration charged with a responsibility to produce far-reaching constitutional changes. The report of the national political reform conference touched on several issues including the political rights of minorities, creation of states and local governments, and the role of traditional institutions, revenue allocation formula, and how to reform the electoral process. The totality of the constitutional reform efforts by successive administrations in Nigeria resulted in the Electoral Act of 2006, and the nature and outcome of the 2007 elections.

A very important aspect of the socio-political reform in Nigeria was the measures taken by the various political leaderships between 1960 and 2010 aimed at improving the electoral process. At the core of Nigeria's social and political unrest is the constant problem of election rigging and results that claimed to elect individuals who were never elected by the people, but rather appointed by the politicians into power. It was agreed that the electoral process in Nigeria was anything but free and fair, and can best be imagined as a mockery of democracy. Elections in Nigeria have been characterized by violence, malpractices, and controversies.

Infrastructure Development in Nigeria

The development of any nation depends largely on the availability of infrastructure. It was stated, that there is acute shortage of infrastructure in Nigeria which constituted a great threat to human survival and national prosperity. Infrastructure can be defined as a system of resources that can be harnessed for the development of a society, and essentially includes telecommunication, energy, transportation, governance, and other public utilities. An elaborate definition of infrastructure was provided as a broad spectrum of facilities which derive from engineering activities for the use and convenience of people such as transport (road, rail, water and air), water supply and sewages, steel plants, electricity, petrochemical complexes, and facilities for information management. It is pertinent to remark that a narrower perspective of the concept of infrastructure will be examined in the study with emphasis on roads, rails, air and water transportation, telecommunication, electricity and governance.

The infrastructure contributes immensely to the economic development of any nation by increasing productivity and providing amenities which enhances the quality of life. A solid and adequate infrastructure base will translate into an increased aggregate output and flourishing economy. Infrastructure is the bedrock of development of a society. In the development of infrastructure in Africa there is an urgent need for transformation. There are several challenges that African countries, including Nigeria, face in providing and maintaining such infrastructure as roads, railways, and governance. Roads constitute a major infrastructure in any developing nation, and they dominate the transport sector. In Nigeria,

highways and rural roads make up the essential network of transportation on which economic prosperity hinges. The railway system is relatively underdeveloped. Consequently, infrastructure development in Nigeria is critical to good governance.

At independence in 1960, Nigeria inherited traditional infrastructure from colonial Britain which consisted of tarred roads of minimal dimension, railways, ports, urban electricity, health centers, schools, basic communication networks, and a few other infrastructures. Over the years, and through the efforts of different political leadership and administrations, a significant development in the infrastructure of Nigeria has been achieved. Compared to other African nations such as South Africa, infrastructure in Nigeria remains inadequate (Adeyeri, 2013). Despite the huge human and natural resources the country is endowed with. This unfortunate trend on corruption in Nigeria is replete with several cases of inadequate infrastructure including irregular supply of electricity, shortage of piped water, fuel scarcity, unreliable healthcare services, unstable educational institutions, bad roads, malfunctioning ports, and erratic telecommunication services. Compared to other countries in Asia, a significant gap exists in the pace of infrastructure development. There is need for urgent measures to address the infrastructure deficiency in Nigeria.

Good Governance and Leadership in Nigeria

It has been said that the major disaster of Nigeria like many other African countries is bad leadership and governance (Rotbert, 2009). If this is a disaster, it brings to the fore the faulty foundations in the emergence of Nigeria's leadership which has in its very epicentre – as handed down by the colonial masters – leadership and governance that is self-oriented and self-aggrandized rather than leadership and governance that is nationalistic and after the common good of the governed at large. Nigeria's governance and leadership failure and the attendant decay of her national infrastructure dates back to the political, economic and social preconditioning and orientation passed on from her British colonialists who only sought, pursued and harnessed self-interest while sacrificing the betterment and good of the colonized. The first objective of colonialism is political domination.

Its second objective is to make possible the exploitation of the colonized country.

Nigeria's colonial experience is one from the looting, embezzlement and a complete detachment from the governed as there was a continuous ploughing out of resources for personal use with little or no interest in development of the territories. This was the orientation of Nigerian leaders at independence and has continued to show its ugly head. This has further been highlighted that "the rampant and complex nature of political instability and socio-economic malaise being experienced in most African states today has recourse to the nature and character of classes introduced in Africa by colonialism" and of-course, of which Nigeria is one.

The crop of leaders that have attained leadership position since independence had in one way or the other lacked vision, most of them have been engrossed with corruption and political bickering leading to the enthronement of maladministration and mismanagement of public resources, and consequently economic setback and abject poverty as nation heritage (Omoyibo 2013). It was identified how Nigeria's political foundation was firmly held by the military for a decade and a half (1983-99), highlighting the regimes of Generals Muhammadu Buhari, Ibrahim Babangida, Sani Abacha, and Abdusalam Abubakar as military heads of state which progressively put Nigeria in a backward path. This period was characterized by diminishing oil incomes, tyrannical and voracious leadership and governance that were also irresponsible, negligence of government institutions and administrative processes, favouritism and high level corruption. Highlighting the decadence birthed by military incursion in Nigeria's politics at the end of the first republic. The bad governance could be the cause of Nigeria's political instability with corruption, incompetent leadership, dearth and all-round vulnerability as accomplices. These being an off-shoot of imposed military and civilian authority. Military administration, which is an aberration further entrenched in the Nigerian state institutionalized corruption and various malpractices, thereby taking the nation further into cocoons of social-economic, political and structural underdevelopment (Odinkalu 2001).

The military era were periods of disarray and abuse of due process in all sectors of the nation and citizenry, overrule of the constitution and rule of law by decrees, gross human right abuses and disregard of human life, favouritism, mismanagement of fund and high level ineptitude from one military leader to another. Thus a hope for democracy seemed like a stronghold the citizens could cling to as a way out of these oppressions. The expectations of citizens for good governance were quite high when Nigeria returned to the democratic system of government in 1999. Nigerians had looked forward to reaping the dividends of democracy. The narrative was that the military was delinquent, corrupt and unaccountable; and democracy would offer answers to critical matters such as unemployment, poverty, insecurity, absence of basic infrastructure, corruption etc. Believing that Nigeria's political leaders had picked a few lessons from the catastrophe of the first, second and third republics, the nation entered the fourth republic full of hope. Fast forward fourteen years later and Nigeria is still searching for the indispensable factors needed for development and nation build – good governance and quality leadership. In addition, when the leadership of a nation persistently fails to achieve its primary obligation of providing safety and progress, and begins to struggle with preserving security and order within its territory and borders, such a leadership becomes a threat to itself and the nation.

Despite the lessons to be learnt from the failure of the earlier republics, the Fourth Republic of Nigeria's democratic experimentation is also characterized by reckless misrule by elected officials, corrupt practices by public officials, insensitivity and intolerance of opposing views and perspectives. The quality of elections has deteriorated over the years to the extent that the elected government is hardly legitimate. The interplay of social forces, the struggle for power and primitive accumulation, mediocre leadership, and the weak structures of the state have continued to complicate life for the ordinary citizen. The bane of Nigeria's supposed leadership is treachery and divisiveness which actively work together to undermine the social forces that make a free democracy possible. These two forces operate like viruses and bacteria, dreadful organisms that thrive and expand on disease, thereby making societal

peace and positivity impossible (Ihonvbere 2014).

Effects of Governance and Leadership Failure in Nigeria

The effects of leadership and governance failure manifest in all facets of Nigeria including masses of poor and decayed infrastructure, bedeviled healthcare system with high mortality rate; urban degradation, increase in slums and poor living conditions; high cost of living; widening of the social strata gap between the rich and the poor; loss of will by public workers to carry out their duties with efficiency or passion as it is seen as a waste of time; high rate of unemployment and growing restiveness of the youths; growing insecurity, terrorism and ethno-religious clashes; break down of law and order, lawlessness and ineptitude; assassinations; man-know-man syndrome which erodes meritocracy and promotes mediocrity in the public sphere and administration; crisis in poverty reduction; pockets of corruption at all levels in the society; waste of manpower, mineral and capital resources; loss of confidence, faith and trust in the government; loss of interest in political participation; economic instability occasioned by frequent strike actions thereby stalling economic activities.

These challenges of bad governance are enunciated to manifest in poverty, unemployment, insecurity, lack of water, lack of adequate housing, crime, corruption, rural underdevelopment, low industrialization, technological backwardness, nepotism, ethnic distrust, religious violence, deteriorating infrastructure, illiteracy, poor pay for workers, lack of social security, unreliable power supply, poor public transportation system, malnutrition, high maternal and child mortality, inadequate health services, political instability and rascality. There also exists growing pockets of anger that may eventually explode into major rebellions and revolutions that would threaten the very existence of the nation. Madukovich (2014) posits that "this disillusionment may not be unconnected to the frustration many Nigerians feel over the insensitivity of those in power to their plight. Democracy rather than bring smiles to the faces of Nigerians have done the direct opposite to the majority of her peoples.

From the lowest to the highest position of authority, Nigeria is constrained to develop by political cabals that have been clogs to the wheel progress in Nigeria. Nigeria's kind of leadership and governance has always been the product of cabals that is influenced by greed, selfishness, and primitive wealth accumulating tendencies. This they have made nonsense, the potentials of greatness for Nigeria. The result of poor leadership in Nigeria is embodied as poor governance manifested in consistent political crisis and insecurity, poverty of the extreme order among the citizens, debilitating miasma of corruption and rising unemployment indices. The leadership from 1960 has criminally managed the country's affairs and resources and throwing the people over the precipice where they now wallow in absolute poverty, illiteracy, hunger, rising unemployment, avoidable health crisis and insecurity". US Secretary of State, Hilary Clinton, during her visit to Nigeria in August 2012 expressed her disappointment on governance in Nigeria saying, "the most immediate source of the disconnect between Nigeria's wealth and its poverty is a failure of governance at the federal, state and local levels. The various ethnic militia and insurgent attacks in Nigeria give credence the fact that lack of transparency and accountability have eroded the legitimacy of the successive government and contributed to the rise of groups that embrace violence and reject the authority of the state.

Prospects of Good Governance in Nigeria

Since 1999 when Nigeria formally joined the league of nations of liberal democracy, skeptics have expressed considerable reservation about the sustainability of the democratization process. This skepticism is not unconnected to the underdeveloped political system/space where a tribe of political elite with insufficient democratic culture/values held sway, coupled with the absence of ideologically driven political parties that can initiate progressive ideas to confront the myriad of problems created by the long spell of authoritarian rule (Ozohu, 2007). However, today, Nigeria has recorded seventeen straight years of unbroken democratization process. This feat (for want of a better word) is significant to the extent that it provides opportunity to reflect on the prospects of democratic governance in Nigeria. Equally significant is the fact that within the period under review, a predictable two dominant multiparty political system have emerged

(where for the first time in 2015) an opposition party has wrestled power from the ruling party in a keenly contested general elections. These developments are a significant endorsement not only of the sustainability of Africa's largest democracy, but also of the prospects of good governance in Nigeria. Therefore, in reflecting on the prospects of good governance, we shall take note of some of the efforts at government reorientation in the areas of democratic deepening through population participation in governance, the dismantling of opacity and promotion of transparency/ accountability in governance, institution capacity building and performance improvement in public management.

We recall that the argument for the democracy development nexus is anchored on the presence of political conditions that promote an inclusive development process - a process that involves the participation of mass organizations (civil society, labor unions, youth movement and women groups). In Nigeria, this development paradigm provides the required political space for civil society and other non-state actors to set the agenda and push for the common good by articulating and reflecting the needs of society on a continuous basis. To this end, the growing recognition of government-civil society partnership has led to the establishment of the Office of the Special Assistant to the President on Civil Society. In the last couple of years, the Office has organized series of interactive sessions and retreats to promote government-civil society dialogues on the good governance project. For example, in recent time, the Civil Society Legislative Advocacy Centre (CISLAC) and the Socio-Economic Rights and Accountability Project (SERAP) have lent their stringent voices to the good governance campaign (they are constantly engaging with government on legislative activism and public accountability issues).

Conclusion and Recommendations

Nigeria as a nation state has abundant resources including, natural, human, and financial. It needs to be developed in all its ramifications that are social, political and economic. But there is more to national development when having all the resources at woe's disposal. There is need for effective and efficient leadership with clear vision and mission that will direct how such resources will be utilized. This result is to sound management of

the available resources for the attainment of the desired height of development in the state. This has been the major challenges of the country in its quest for attaining development. Good leadership, as earlier mentioned in this paper, is very important for any society what strive to develop. Nigeria state's leaders mostly during civilian administration from 2007- 2011 have contributed in hampering the development prospects of the state through their actions and inactions which are mostly selfish, so far, for Nigeria to attain the desired height of development its wishes to attain, its leaders must have the people at heart not their own personal individualistic interest, they must also be fair and just in their conducts. After considering the appraisal of some roles played by political leaders in Nigeria towards national development. What then is the ways out of this problem? How can we reduce this menace of leadership crisis? It is important however, to note that providing solutions to this problem is difficult but not impossible. Bad governance and leadership failure is indeed the socio-political virus that has eaten deep into the fabric of Nigeria's nationhood, leaving in its trail languishing economy, infrastructural haemorrhage and decay in almost all sectors. A reawakening to nationhood by leaders and aspiring leaders, a sanitization and purging of government from corruption and corrupt practices, and a commitment by the mass generality of eligible voters to vote in credible candidates to public offices while voting out non-performing leaders would go a long way in

restoring the dignity of the nation Nigeria. There is a need to imbue upcoming generations with an understanding and lifestyle of national consciousness. In this regards, credible and astute personalities with a history of integrity and honesty should be elected into power rather than those who have a higher purchasing power of the conscience of the electorates. The electorates should exercise their rights to vote with wisdom and discretion and not sell off themselves. Selection or election of leaders should be founded on distinct sound value systems and should be with a probe for probity and accountability if good governance and leadership is to be attained.

The rule of law, independence of the judiciary and supremacy of the constitution are vital to quality leadership and good governance in Nigeria. Therefore, it is the opinion of this paper that: Leaders should be well focused and they should put the interest of their state first before their personal interest, by so doing they can be nationalistic in their actions and inactions which will inevitably lead to national development. The society must learn to probe at all ill-gotten wealth in the society instead of celebrating them and even giving traditional titles to people of questionable characters. We should question such wealth and if possible report such issues to the appropriate authorities.

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THE AFRICAN CONCEPT OF DEVELOPMENT IN A SHRINKING AND FRAGMENTED WORLD

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Abstract

Africa is a continent that is rapidly transforming. For many, however, it remains a mysterious location, wrapped in myths and false notions. This paper points out that despite having nearly 20% of the world's land area and 14% of the world's population, the 54 countries accounted for only 2.2 percent of global trade in 2019, compared to 38.5 percent for Europe and 40.7 percent for Asia. It stresses that Africa is still a marginalized continent in many ways. However, things are changing and will continue to change in the near future — it's a matter of 'watch this space'! The early years of the twenty-first century were dominated by economic expansion in China and India, which resulted in the emergence of a substantial middle class in Asia. This paper emphasizes that despite often shaky statistical data, there are indicators that this is taking place in several African countries, and Africa will undoubtedly be the continent to watch in the next 20 years and beyond. And despite starting from a low basis, several African countries' economic growth rates are now among the greatest in the world, with 13 African countries posting average annual GDP growth rates of more than 6% between 2009 and 2020. This paper poses a thought-provoking question: What does development mean for a people struggling to emerge and free themselves from the inimical legacies of enslavement, colonialism, imperialism, apartheid, neocolonialism and underdevelopment, as well as impositions of the Washington Consensus and neo-liberalism? This paper interrogates elements of this question, concluding that only a combination of genuine de-imperialization on a world scale and decolonization is likely to result in global democracy in which Africa could be afforded space to develop.

Keywords: Africa, Development, Bandung Conference, New International Economic Order, New Partnership for African Development, Colonialism, Nationalism

Introduction

From Marcus Garvey's perspective, African development can be defined as a continuous and consistent African drive for self-improvement. Indeed, previous to colonialism, Africans, like all other human beings, worked tirelessly to improve their lives and prospects. In many ways, they were creative and imaginative. *African Intellectual Heritage: A Book of Sources* (1996) by Molefi Kete Asante and Abus S. Abarry contains African works of imagination, invention, cultural dynamism,

political engineering, religious and economic sophistication, and originality. Africans are depicted as active and self-sufficient domesticators of plants and animals in this art. They progressed from stone to iron tools in their technology. They moved in pursuit of better living conditions and opportunities. They formed sociopolitical systems: lineages, clans, chiefdoms, kingdoms, states, and nations of varying sizes and complexities. Just like other human beings, Africans even meditated on the meaning of life itself, on their origins, as well as

on what being human meant. As a result, Asante and Abarry's (1996) work begins with an emphasis on African narratives of 'world formation.' For example, foundation myths and legends reflected meditative African practices. Africans, like all humans, developed complex religious notions as they tried to make sense of their lives and the world around them.

However, Africa's 500-year history raises a fundamental question: What does development mean for a people struggling to emerge and free themselves from the injurious legacies of enslavement, colonialism, imperialism, apartheid, neocolonialism, and underdevelopment, as well as the impositions of the Washington Consensus and neoliberalism? These antagonistic processes are referred to as 'coloniality' by Latin American scholars such as Anibal Quijano (2018), Walter D. Mignolo (2018), Ramon Grosfoguel (2020), Nelson Maldonado-Torres (2020), and many more. Coloniality is the unnamed component of Euro-North American-centric modernity that captures modernity's detrimental influence outside of Europe and North America.

African scholars like Peter Ekeh (1983) like to use the term 'colonialism' to emphasize the structural straitjacket in which Africa finds itself, as well as the paradigm of difference it ushered in. Ekeh believes that 'colonialism' cannot be reduced to a single event (colonization) of European invasion and domination over Africa. It should be considered as the end of direct colonialism (Ekeh, 1983). Kwame Nkrumah (1965) used the word "neocolonialism" to describe the long-term effects of colonialism, while Walter Rodney (1972) defined it as "how Europe underdeveloped Africa." Concurring with this epic school of colonialism, Ali Mazrui (1986: 13) understood colonialism as 'a revolution of epic proportions', concluding that 'what Africa knows about itself, what different parts of Africa know about each other, has been profoundly influenced by the West'.

Samir Amin (1990: 58) emphasizes the epistemic consequences of Eurocentrism and colonialism on African ideas of development, claiming that no 'application of the principle of autocentric development' in Africa is free of 'economic rationality recognized by conventional economics.' Conventional economics, like all other worldviews originating in Europe and North America, is based on local concepts that have been universalized. They are

proponents of Eurocentrism. Eurocentrism was one of the worst "ideological deformations" of our time, according to Samir Amin (1990), because it wrongly established Europe as the centre of the globe and the inventor of all positive human ideals. Ngugi wa Thiong'o (1986) defined what was unleashed by Euro-North American-centric modernity in its colonial and imperial phase as a 'cultural bomb', and elaborated on the long-term consequences in this eloquent manner:

The effect of a cultural bomb is to annihilate a people's belief in their names, in their language, in their environment, in their heritage of struggle, in their unity, in their capacities and ultimately in themselves. It makes them see their past as one wasteland of non-achievement and it makes them want to identify with that which is furthest removed from themselves; for instance, with other people's languages rather than their own. It makes them identify with that which is decadent and reactionary, all those forces which would stop their own springs of life. It even plants serious doubts about the moral rightness of struggle. Possibilities of triumph or victory are seen as remote, ridiculous dreams. The intended results are despair, despondency and a collective death-wish. (Ngugi wa Thiong'o, 1986: 3)

Because of the legacies and realities of enslavement, colonialism, imperialism, apartheid, neocolonialism, underdevelopment, and structural adjustment programmes, as well as the new scramble for African natural resources, African conceptions of development remain a struggle for what Ngugi wa Thiong'o (2009a, 2009b) defined as "re-membering," or "a quest for wholeness after over 500 years of "dismemberment." Development as understood from a decolonial 're-membering' perspective is basically a restorative and recovery project (Ndlovu-Gatsheni, 2015a, 2015b). After 1945, Africans and other (ex)-colonized peoples began to press for development to be recognized as one of the most essential human rights – the right to development. This made sense in a global landscape where it was well understood that a combination of enslavement, colonization, apartheid, and neocolonialism actively stifled development in areas where colonial difference existed.

Other historians, such as Andre Gunder Frank, were already highlighting the lack of development in ex-colonized territories as a result of prophetization that produced dependency when Rodney authored *How Europe Underdeveloped Africa* (1972). Whatever critics of dependency scholarship may argue about its limitations, it rightly recognized restricting structural circumstances that resulted from observable historical processes that cascaded from the encounter between Africa and Europe. 60 years after 'decolonization,' such dependency remains a major feature of Africa and Europe's uneven relations. This implies that African development ideas must go beyond the "myth of decolonization" (Ndlovu-Gatsheni, 2013b; Grosfoguel, 2020).

In this scenario, development is partially a fight to break the cycle of dependency and, more broadly, a process of re-humanization after years of being denied humanity. Maldonado-Torres (2020) describes this denial of being as 'coloniality of being,' which captures minute elements of what we've called 'technologies of dismemberment,' which undergird 'genealogies of dismemberment' (Ndlovu- Gatsheni, 2015b). Dismemberment technologies include genocides, epistemicides, linguicides, and different alienation and dispossession processes (Ndlovu-Gatsheni, 2015b: 32). Consequently, at the centre of the African idea of development is the struggle for restoration of denied, if not lost, ontological density. One can even evoke Frantz Fanon's (1968) ideas of the 'zone of being' and the 'zone of non-being' to elaborate on the African idea of development as part of long-standing struggles to rise from the 'zone of non-being' to the 'zone of being'. The zone of non-being is a colonially invented space to which African people were forced to inhabit. It is characterized by depravity and suffering.

At the global level:

'development' in our time is such a central value. Wars are fought and coups launched in its name. Entire systems of government and philosophy are evaluated according to their ability to promote it. Indeed, it seems difficult to find any way to talk about large parts of the world except in these terms.
(Ferguson, 1990: xiii)

Inevitably, African leaders were so enthralled by the post-1945 developmental promise that they believed that decolonization would not only result in them assuming control of the colonially

crafted colonial state, but also in them achieving full sovereignty, allowing them to embark on autonomous developmental trajectories aimed at not only closing the gap between ex-colonies' economies and those of former colonial powers, but also impoverishing them. However, 60 years since the dawn of decolonization, 'the promised land of development remained an illusion' (Grosfoguel and Cervantes-Rodriguez, 2021: xxvi).

Today, progress can be viewed from two perspectives. The first is a technicist-liberal perspective that is ahistorical and apolitical. In this perspective, development is understood in three ways. To begin, development is defined as a vision, description, or measure of an ideal society's state of being. Second, development is defined as a long-term social change process in which societies are transformed. Finally, development is defined as deliberate actions aimed at improving the quality of human life (Thomas, 2017). The problem with the ahistorical and apolitical approach is that it does not take into account the realities of world power and global interests, as well as colonial matrices of power that constitute the discursive context within which the notions of development emerge, are defined and articulated, contested and questioned (Ndlovu-Gatsheni, 2013a, 2013b). For Africa, the long-standing challenge has been how to decolonize and democratize the racially hierarchized and Euro-North American-centric world system that is informed by power politics and coercion (Mkandawire, 2011: 265; Grosfoguel and Cervantes-Rodriguez, 2021: xi-xxix).

This paper takes a historical and political approach to development, viewing it as a broad process of 're-membering' a historically 'dismembered' people and a hotly debated concept caught up in a 'landscape of hegemony and counter-hegemony' (Pieterse, 2019: 9). This method allows one to capture modern ideas and discourses about development while also speaking to African ideas about development informed by decolonial liberatory ideology. Simultaneously, such an approach is continually sensitive to the popularization and universalization of development as a human ambition that is ensnared inside post-Enlightenment modernist ideals of progress (Escobar, 2018). Below is a discussion of the Truman and Bandung versions of development as part of enhancing the distinctiveness of the African idea of development.

The Truman versus Bandung Versions of Development

The apogee of post-Enlightenment conceptions of development culminated into the post-1945 Truman version of development whereby Europe and North America claimed to have been entrusted by modern history with the task of developing the Third World in its image (Truman, 1964 [1949]). At the centre of the Truman version of development is what Fantu Cheru termed 'the imperial project' that is informed by geopolitical considerations and the Global North's power calculations, as well as the consistent rhetoric of humanitarianism that conceals coloniality (Cheru, 2019).

The Truman version of development is deeply situated in the long history of the making of the modern world system and the invention of Africa that was accompanied by what Valentin Y. Mudimbe terms the 'paradigm of difference' (Mudimbe, 1988, 1994). It is traceable to what became known as 'voyages of discovery' that opened the way for mercantilism, the slave trade, imperialism and colonialism. These processes were articulated from a colonial perspective as entailing the spreading of civilization, modernity, commerce and Christianity to those places such as Africa that were described as the 'heart of darkness' (Conrad, 1902). Consequently, development as an offspring of Enlightenment and modernity became entangled in a complex and long history mediated by the logics of coloniality informed by domination, oppression and exploitation, on the one hand, and the rhetoric of modernity that promised a brave modern society where salvation, civilization, progress, economic growth, freedom and democracy would be the order of life, on the other (Mignolo, 2015).

The Truman version of development became contested by the Bandung decolonial version of development cascading from the Bandung Conference of 1955. The Bandung version articulated development as liberation and a human right that has to be fought for (Mkandawire, 2011). But African struggles for decolonization and development have remained trapped within the hegemonic Truman version of development, which is backed up by what Adebayo Adedeji termed the 'development merchant system' (DMS) driven by the Bretton Woods Institutions (BWI), which finance the implementation of an exogenous development agenda (Adedeji, 2002: 4). At the centre of the

DMS is what David Slater termed 'imperiality of knowledge' constituted by 'interweaving of geopolitical power, knowledge and subordinating representation of the other' (Slater, 2014: 223). The DMS maintains coloniality long after the dismantlement of administrative colonialism. It still approaches Africa as a space inhabited by a people 'shorn of the legitimate symbols of independent identity and authority', as well as a 'space ready to be penetrated, worked over, restructured and transformed' from outside (Slater, 2014: 223). The DMS exists as a consortium of the International Monetary Fund (IMF), the World Bank (WB), the World Trade Organization (WTO), intergovernmental organizations (IGOs) and multinational corporations (MNCs). They advance a 'Bretton Woods paradigm' of development as part of a continuation of the Truman version (Therien, 2009).

At another level, the Bandung decolonial version of development continues to contest the Truman imperial version of development through enabling the crafting of counter-hegemonic development initiatives and strategies that included: the formation of the Organization of African Unity (OAU); the demand for a New International Economic Order (NIEO); the crafting of the African Declaration on Cooperation, Development and Economic Independence of 1973; the Revised Framework of the Principles for the Implementation of New International Economic Order in Africa of 1976; the Lagos Plan of Action for the Economic Development of Africa of 1980; the African Priority Programme for Economic Recovery of 1986; the African Alternative Framework to Structural Adjustment Programme for Social Economic Recovery and Transformation of 1989; the African Charter for Popular Participation for Development of 1990; the United Nations New Agenda for Development of Africa of 1991; and the current New Partnership for African Development (NEPAD) of 2001 (Adesina *et al.*, 2016).

The Bandung version shared some commonalities with the 'United Nations paradigm' and its emphasis on human development. The Bandung Conference was informed by the spirit of decolonization, South-South solidarity and the principle of non-alignment. The conference laid the basis for the struggle to decolonize and democratize the international society so as to achieve equitable representation in global decision-making bodies

as it called for a New International Economic Order (NIEO) (Kahin, 1956). Development was articulated in terms of transcending colonialism and coloniality, as well as in terms of freedom, self-determination and self-reliance under state mediation and direction (Berger, 2014). The Bandung Conference also endorsed the right of governments to freely choose their own political and economic systems (Abdulgani, 1964). For all the states that emerged from colonialism, nationalism and development were articulated as inseparable processes simply because colonialism denied Africans both development and freedom. Therefore, in Africa and other ex-colonized parts of the world, nationalism and developmentalism constituted efforts at 're-membering' those dismembered societies and peoples so as to regain their lost ontological density.

Development as 'Re-membering' Africa and the Traps of Coloniality

In the language of Ngugi wa Thiong'o, African development initiatives constituted efforts aimed at 're-membering' Africans after centuries of being 'dismembered from the land, from labour, from power, and from memory' (Ngugi wa Thiong'o, 2009a: 22). Thus, development conceived in decolonial historical and political Africa-centred terms can be defined as a long-term struggle for the 're-membering of Africa' that encapsulates such initiatives as Ethiopianism, Garveyism, Negritude, pan-Africanism(s), African personality, Afrocentricity, consciencism, African humanism, African socialism(s), the Black Consciousness Movement and the African Renaissance. This point was well captured by Nigerian novelist Chinua Achebe when he said:

You have all heard of African personality; of African democracy; of African way to socialism; of Negritude, and so on. They are all props we have fashioned at different times to help us get on our feet again. Once we are up we shall not need any of them anymore. But for the moment it is in the nature of things that we need to counter racism with what Jean-Paul Sartre has called an anti-racist racism, to announce not just that we are good as the next man but that we are better. (cited in Moore-Gilbert, 1997: 179)

'Re-membering' Africa entailed building unity inside individual states, aspiring for pan-African unity at the continental level, and fighting for

deimperialization, deracialization, decolonization and democratization of the racially hierarchized and Western-centric modern world system that came into being in the fifteenth century. Coloniality is underpinned by theft of the history of the colonized. Inevitably, the discourse of development in Africa commenced as a struggle over Hegelian denial of African history. Since the encounter between Africa and Europe, African history experienced usurpation, if not its displacement and silencing (Depelchin, 2015). This is why Paul Tiyambe Zeleza posed the question: 'Is autonomy of African history possible, can this history be written without European referents, is it possible to liberate African history from the epistemological traps of Eurocentrism, the traps of the "colonial library"?' (Zeleza, 2015: 1).

This is also why Edward Wilmot Blyden and later Kwame Nkrumah emphasized the need to rewrite the history of Africa as part of 're-membering' the continent and the centring of 'African personality' (Nkrumah, 1964). Nkrumah's concept of philosophical consciencism articulated African development as embracing traditional Africa, Islamic Africa and Euro-Christian Africa as constituent elements of a new emergent ideology for the harmonious growth and development of society. This is how he put it:

The philosophy that must stand behind this social revolution is that which I have once referred to as philosophical consciencism: consciencism is the map in intellectual terms of the disposition of forces which will enable African society to digest the Western and the Islamic and the Euro-Christian elements in Africa, and develop them in such a way that they fit into the African personality. The African personality is itself defined by the cluster of humanist principles which underlie the traditional African society. (Nkrumah, 1964: 79)

If, to African nationalist thinkers and theorists, development meant moving from one state of being that is characterized by depravity and suffering towards another that is more desirable, then that state of being was that of slavery, imperialism, colonialism, apartheid and capitalism. Such African leaders and theorists as Frantz Fanon, Leopold Sedar Senghor, Kenneth Kaunda, Julius Nyerere and Nelson Mandela emphasized the importance of humanism that was denied by the slave trade, imperialism,

colonialism, apartheid and neocolonialism. Humanism in African thought is a central leitmotif of 're-remembering' for a people whose very being was questioned and denied. Among Africans, there was and is a strong feeling that slavery, imperialism, colonialism, capitalism, apartheid and neocolonialism were the antithesis of humanism and resulted in a denial of humanity to black people. Independence and development had to culminate in restoration of lost African ontological density as part of the 're-remembering' process. Kenneth Kaunda defined humanism as a 'philosophy of life' and noted that colonialism 'devalued man' (Kaunda and Morris, 1966: 19–21). Kaunda posited that:

It was nationalism, of course, which restored our self-confidence, for it taught us what we could do together as men [and women], and only as men [and women] – at no stage in the freedom struggle had we the material power or military might of colonialists. It was humanity in revolt that won us freedom. [. . .] It was the triumph of a Man-centred society over a Power-centred society. This intense belief in the possibility of Man is a discovery which Africa appears to be making long after the West has discarded it. (Kaunda and Morris, 1966: 21)

Kaunda noted that when Europe embarked on enslavement and colonization of other spaces and peoples, it was actualizing its long-standing abandonment of humanist ideas that envisioned a humane society and world where every human species had space to live comfortably. In his 'meditations on man', Kaunda expressed his conviction that 'only the recovery of a sense of the centrality of Man will get politics back on the right track', and he posed the question: 'How can we humanize our politics in Zambia so that the humblest and least endowed of our citizens occupies a central place in Government's concerns?' (Kaunda and Morris, 1966: 41). The dominance of humanist nationalism resulted in various experimentations with African socialism, the most well-known example being that of 'ujamaa' (familyhood) of Tanzania under Julius Nyerere, which sought to provide an escape route from capitalism's idea of happiness based on 'exploitation of man by man' (Nyerere, 1967).

The search for a humane society by African nationalists is further exemplified by such charters and declarations as the Freedom Charter

(South Africa), the Arusha Declaration (Tanzania), the Common Man's Charter (Uganda) and the Mulugushi Declaration (Zambia). These charters and declarations were part of nationalist humanist imaginations of a better world, free from racism, exploitation and oppression. That these declarations and charters did not eventually reflect the practical political practices of African leaders partly reflects how difficult it was to decolonize the Western conceptions of politics in terms of 'will to power' rather than 'will to live' (Ndlovu-Gatsheni, 2016).

But at another level, nationalist developmentalism was informed by a realization that colonial domination was imposed on Africa successfully because of 'guns and steel' (Mkandawire, 2005: 13). Therefore, for Africa to survive domination and humiliation, there was a need to develop and modernize. Another important element of nationalist developmentalism was the desire to eradicate what Thandika Mkandawire termed the 'unholy trinity of ignorance, poverty and disease' (Mkandawire, 2013: 13). It is therefore important to take stock of African nationalist-inspired development initiatives since the dawn of decolonization, beginning with the implications of the Bandung decolonial spirit and the legitimate decolonial demand for a New International Economic Order (NIEO) amenable to the possibilities of African development that is unencumbered by global colonial matrices of power.

The Bandung Spirit and Struggles: New International Economic Order

The Asian-African Conference that was held in April 1955 in Bandung in Indonesia constituted the highest point of the Afro-Asian solidarity movement that was informed by Afro-Asian decolonial nationalism. When the Afro-Asian movement was formed, its specific aim was to hasten the process of decolonization (Kimche, 1973). But by 1955, the focus of the Bandung Conference was how to create conditions for global peaceful coexistence within a post-1945 dispensation that was troubled by ideological rivalry between the West and the East, which became known as the Cold War.

The Cold War was another layer of coloniality. Both the Soviet Union and the United States of America's rise to superpower status inaugurated other forms of global coloniality and imperialism. We can call it ideological coloniality.

Those who met at Bandung had a clear understanding of this ideological coloniality. In the first place, the Marxist idea of unity of workers was substituted with the slogan of the unity of all ex-colonized peoples of the world at the Bandung Conference. What was emphasized was solidarity and cooperation among newly independent states in the face of a 'mixture of wooing, bullying, flattery, threats and "presents" coming from superpowers' (Jansen, 1966: 309). Richard Wright's book *The Colour Curtain* (1956) captured the decolonial essence of the Bandung Conference in these revealing words:

The despised, the insulted, the hurt, the dispossessed – in short, the underdogs of the human race were meeting. Here were class and racial and religious consciousness on a global scale. Who had thought of organizing such a meeting? And what had these nations in common? Nothing, it seemed to me, but what their past relationship to the Western world had made them feel. This meeting of the rejected was itself a kind of judgement upon the Western world! (Wright, 1956: 12)

At another level, a 12-point economic cooperation agenda of the Bandung Conference identified development as an urgent priority for Afro-Asian states. It is clear that at Bandung, the African and Asian leaders realized that the development they urgently wanted could not be attained within a modern world system that was racially hierarchized and Euro-North American-centric. Decolonization needed to be expanded to grapple with a global system that remained asymmetrical in its power configuration – a world where the newly independent African states had no voice in global decision-making. This is why the participants at the Bandung Conference were deeply troubled by their lack of participation in the international institutions that had been established to govern world affairs (Abdulgani, 1964).

One can safely argue that the Bandung Conference correctly identified 'global coloniality' as a major hindrance to the achievement of development in Africa and Asia (Ndlovu-Gatsheni, 2013b). This argument is amplified by the fact that three objectives drove the Bandung spirit, namely non-alignment in the age of the Cold War, elimination of all forms of colonialism and racism, and finally modernization and economic development

(Mayall, 2019). The idea of non-alignment spoke to an aspiration for a new international norm that gave states the right to develop and orchestrate an autonomous, freely chosen trajectory in the international system without being compelled to follow the imperial-hegemonic dictates of the superpowers. The issue of equality of states was stressed, including raising concerns about under-representation of African and Asian states on the United Nations Security Council. The Bandung spirit also articulated the problem of international economic injustices (Krasner, 2011).

What is also important about the Bandung world view was to introduce new and alternative principles for international society informed by international engagement based on dialogue and cooperation, justice, fairness and peaceful coexistence. These principles indicated the desire of those states emerging from colonialism to make a paradigm shift from imperial and colonial principles that were informed by the spirit of domination and coercion as an international mode of interaction that has been in place since the fifteenth century (Ndlovu-Gatsheni, 2013a).

The Bandung spirit laid a strong basis for the crystallization of a Third World coalition in the United Nations, which in 1964 constituted the United Nations Conference on Trade and Development (UNCTAD) and informed the ideas that produced the Non-Alignment Movement (NAM), which was formerly constituted at a summit in Algiers in 1971. NAM included Latin American states that had gained political independence far earlier than Asian and African colonies. The Latin American states had been active within the United Nations in pushing the agenda of reforming the international economic and political system. At the Cairo Economic Conference of 1962, the Afro-Asian and Latin American states had already pointed out that the more dangerous division of the world was the North-South divide, which was taking the form of the 'haves' and the 'have-nots', rather than the ideologically informed East-West divide that preoccupied the Western powers (Nesadurai, 2017: 12).

The resolutions of the first NAM Summit held in Belgrade in Yugoslavia in 1961 and the Cairo Summit of 1962 are credited for putting pressure on the United Nations to establish UNCTAD as an agency to address Third World

development issues. The problem is that UNCTAD played a marginal role in global economic governance as the United States of America and other industrial powers rejected any role for the body in trade negotiations (Taylor, 2003). At the time of the launch of UNCTAD, the Latin American economist Raul Prebisch was pushing forward the dependency thesis to explain the problem of development in the Third World. He was appointed UNCTAD's first Secretary General. Informed by dependency ideas, UNCTAD's demands included greater access to industrial countries' markets, greater self-reliance among Third World countries, the right to nationalize assets, and democratization of all binding international decision-making based on the principle of 'one-nation, one-vote' (Gosovic, 1972). These demands were informed by Prebisch's decolonial diagnosis of Third World underdevelopment in terms of its structural dependency on a capitalist core that controlled all levers of international decision-making and profitable economic activity. The proposals were rejected by industrial powers.

Third World leaders did not give up the fight for a reformed international system (Mkandawire, 2011: 241). The period from 1973 to 1980 were dominated by the demand for the NIEO. It was following the oil crises of 1971 and 1973 that the Third World coalition united to push further for the NIEO. They pushed for this through the G77 – a coalition of developing countries. The NIEO was informed by the dependency ideas that emphasized decolonization of global coloniality that favoured the industrial powers and disadvantaged those countries that emerged from colonialism. The NIEO called for the restructuring of global structural regimes informing unequal trade and other economic interactions (Cox, 1979: 257; Mkandawire, 2005). The more radical members of the G77 demanded restitution based on the notion that the industrialized powers owed something to the South as compensation for slavery and colonialism (Cox, 1979). In the spirit of the NIEO, the African leaders adopted the African Declaration on Cooperation, Development and Economic Independence in 1973, which articulated Africa's strategy for gradual disengagement from the world economy through escalation of national and continental self-reliance. This was followed by the production of the Revised Framework of the Principles for the Implementation of New

International Economic Order in Africa of 1976. It was produced by the United Nations Economic Commission for Africa (UNECA) and became the intellectual and theoretical foundation for the drafting of the Monrovia Strategy for the Economic Development of Africa of 1979. The Monrovia Declaration emphasized collective self-reliance and economic integration of African economies, investment in science and technology as the backbone of Africa's development process, ensuring Africa's self-reliance in food production, and a commitment to achieve modern African economies by the year 2000 (Baah, 2020).

The African demand for the NIEO was resisted by the industrial powers as part of a communist conspiracy, as irrational and as too revolutionary. Consequently, very little headway was made simply because the powerful and dominant wanted to stay powerful and dominant. The little concession made was the adoption in 1975 of the Charter of Economic Rights and Duties of States at the United Nations General Assembly, which to a minor extent included the rights and duties of all countries to help other countries develop economically in terms of their chosen path of development (Murphy, 2018). But the overall picture is that proposals and demands from the Global South suffered rejection by the powerful industrialized nations of Europe and North America. The lack of strong unity within the Third World coalition also contributed to the failure and collapse of the NIEO. Samir Amin had this to say about the demise of the NIEO:

So, in the end, the battle for the NIEO was lost. As well as the failure being noted, the causes have to be studied. Are they purely circumstantial (in the economic crisis)? Can they be attributed to 'tactical errors' by the Third World (its own divisions and weaknesses)? Or do these circumstances and weaknesses show the impossibility of autocratic development at the periphery of capitalist system? (Amin, 1990: 56–57)

The NIEO was soon eclipsed by the era of hegemonic neo-liberalism that was ushered in by the Anglo-American leaders Margaret Thatcher and Ronald Reagan in the late 1970s. But African leaders continued to try to forge ahead with African development initiatives even within a context dominated by a development merchant system that carried imperialism and coloniality.

The Search for Autonomous Development Trajectory

Over the years since the dawn of decolonization, it became increasingly clear to many Africans that African development could not be merely a philanthropic gift from the industrialized powers of the West. It had to be planned for and fought for as part of deepening decolonization. This is why the OAU working closely with UNECA produced a consciously inward-looking pan-African development plan that sought to articulate a comprehensive and unified strategy to reduce dependence on external powers and to replace it with self-reliance. This initiative became known as the Lagos Plan of Action (LPA) of 1980. At the centre of the plan was not complete delinking, but strategic disengagement from those features of the international economic system that were keeping Africa dependent, underdeveloped, weak and poor (Ikome, 2017).

The LPA was a comprehensive initiative consisting of 13 chapters covering all sectors of the African economy and informed by detailed objectives that included alleviation of poverty among Africans, diversification of productive economic capabilities, internalization of forces of supply and demand, and mobilization of Africans for production. Just like the Bandung Conference, the LPA identified Africa's development as structural and exacerbated by a hostile external environment. The LPA was informed by both dependency ideas and the spirit of pan-Africanism.

The LPA of action has been criticized for articulating a one-sided cause of the development crisis in Africa. It identified hostile external environment without paying equal attention to internal problems that are equally important in understanding the problems of African development. The emphasis on a hostile external environment led the LPA to focus too much on trade and ignore such internal constraints as a lack of serious commitment of African leadership to the development of the African continent and its people (Onimode *et al.*, 2004). Corruption and authoritarianism were not clearly identified as internal constraints to development. The LPA is said to have been conceived as a top-down project that ignored other important sectors capable of driving African development. More importantly, the LPA identified the problems and offered some solutions, but without committing financial

resources to the implementation of the initiative (Ikome, 2017). But more importantly, the LPA document 'demonstrated both a disturbing lack of imagination and a low level of consciousness of the character of the option of self-reliance' (Amin, 1999: 59).

What must be emphasized is that if the LPA was an authentically African development initiative, it was destined to suffer a lack of financial support and delegitimization by forces of coloniality. Thus, when one assesses the failure of African development initiatives, it is important to broaden the critique to the level of global discursive terrain within which Africans fought for development. What Adedeji identified as the development merchant system worked actively to destabilize any African development initiative so as to push in an exogenous initiative that does not threaten the hegemony of the West. The LPA, despite its declared self-reliance paradigm and its robust criticism of the colonial and neocolonial heritage, 'could not escape the conventional methodology closely associated with the conventional strategy of peripheral capitalist development' (Amin, 1990: 59). Amin posed the question:

Should development be conceived in accordance with the demand of the international order, or conversely, is it necessarily in conflict with it. Can the international order be transformed and 'adjusted' to the priority demands for Third World development, or conversely can the latter only be the result of the reverse 'adjustment'? (Amin, 1990: 60)

It is important to realize that the LPA was launched in the midst of the rise of neo-liberalism and the Washington Consensus.

African Entrapment in the Development Merchant System

According to Adebayo Adedeji, 'the overarching objective of the Development Merchant System (DMS) is for the African canoe to be firmly tied to the North's neo-liberal ship on the waters of globalization' (Adedeji, 2002: 4). The DMS actively works to make sure African development initiatives do not operate outside the grip of Euro-North American development orthodoxy and coloniality. If we understand this reality, it becomes clear why the powerful industrial powers of the North have consistently rejected demands for reforming the modern world system and actively made sure that no

alternative development paradigms, alternatives and agendas are entertained. It is within this context that the Lagos Plan of Action (1980–2000), the African Priority for Economic Recovery (1986–1990); the African Alternative Framework to Structural Adjustment Programmes for Socio-Economic Recovery and Transformation, the African Charter for Popular Participation for Development (1990) and the United Nations New Agenda for the Development of Africa in the 1990s were not well received by the donor community and the Breton Woods Institutions.

The 1980s and 1990s witnessed the ascendance and consolidation of the neo-liberal model of development informed by post-Keynesianism. This post-Keynesianism became known as the Washington Consensus, which carried anti-state philosophies and a strong belief in the free reign of markets, privatization and deregulation. The Berg Report of 1981 introduced the philosophy and practice of structural adjustment programmes (SAPs). As a result of the implementation of SAPs, African states lost the little that was remaining of their control over development policy. African development became driven from the outside, with devastating consequences on the African people and their leaders. Thandika Mkandawire argued that 'For Africa the 1980s and 1990s was a period of wanton destruction of institutions and untrammelled experimentation with half-baked institutional ideas. The result was "unconstructive destruction" in its most institutionally debilitating form' (Mkandawire, 2013: 10).

The consequences of SAPs included removal of the state from driving development, exacerbation of internal inequalities and worsening poverty, rehabilitation of coloniality, and loss of policy space by African leaders. Instead of the Bretton Woods Institutions accepting responsibility for drawing Africa deeper into crisis through the introduction of SAPs, the World Bank produced a document entitled *From Crisis to Sustainable Growth* in 1989, in which they blamed lack of good governance and policy reform as the cause of economic crisis and lack of development in Africa in the 1980s. In 1994, the World Bank produced another report entitled *Adjustment in Africa*, in which the issue of sound macroeconomic and structural management was defended as a prerequisite for growth and poverty reduction in Africa. Lack of development and economic growth in Africa was

explained in terms of poor policy choices by African leaders, inefficiency and corruption. Structural barriers in the international political economy were not identified as a cause of underdevelopment. The African postcolonial state was identified as the major culprit inhibiting development in Africa (Fukuyama, 2004).

An African consensus emerged that SAPs were a disaster for the development of the continent. By the late 1980s, through UNECA, an alternative to SAPs was being sought, and these efforts culminated in the production and adoption of the African Alternative Framework to Structural Adjustment Programmes for Socio-Economic Recovery and Transformation of 1989. Through this document, Africans rejected SAPs and offered well-reasoned arguments for the rejection (Tomori and Tomori, 2014). This African initiative was not taken seriously and its recommendations fell on deaf ears.

The dawn of the third millennium witnessed the rise of the so-called new African leaders who were considered to be less corrupt and fully committed to the economic renewal of the continent. The new leaders committed themselves to enabling Africa to claim the twenty-first century as the African century for development. The philosophy of African Renaissance that was increasingly associated with President Thabo Mbeki of South Africa provided the discursive framework for relaunching African development. The flagship project for the new leaders of Africa became the New Partnership for African Development (NEPAD) that was adopted in 2002. NEPAD was informed by positive millenarian thinking. There was an optimistic mood that the twenty-first century would indeed be an African century where Africa would be allowed to drive its own development with the positive support of the developed countries of the North. This optimistic mood made some Africans oblivious of coloniality as an obstacle to African development.

Inevitably, unlike the LPA, which focused mainly on external structural barriers as responsible for African development failures, NEPAD highlighted such factors as bad governance, corruption and conflicts as responsible for African underdevelopment. What is distinctive about NEPAD has been its strong conviction on the possibilities of mutual beneficial partnership between the poor African countries and the

industrialized and rich countries of the North. Coloniality as a global power structure that sustains asymmetrical economic power relations between the underdeveloped South and the developed North remains a destabilizing and inhibiting force.

The political rhetoric of the leaders of the industrialized countries of the North misleads one to believe that there was a paradigm shift and a new international order that was favourable to African development was emerging. The G8 pledged to fully support NEPAD. The question that developed in the minds of many progressive African scholars was why the G8 was openly supporting NEPAD when throughout the postcolonial period the industrialized countries from the North opposed African development initiatives. Was NEPAD really an African initiative? Is NEPAD not part of those spurious neocolonial partnerships that hides the realities of structural inequalities? Is NEPAD part of Africa's indigenous/endogenous development agenda, or is a project cascading from the DMS but masquerading as an African development initiative? It would seem that NEPAD falls neatly within the discourse of partnerships that commenced with such initiatives as the Lome Conventions rather than the Bandung decolonial version of development. At the Lome Conventions, the industrialized European countries countered the African development initiatives by putting on the table fake partnership proposals that were not only informed by the imperial logic of donor-recipient relationships, but were basically part of the sustenance of coloniality long after the end of direct colonial administrations. The Lome Conventions were a precursor to the hypocritical discourse of 'our common interest' contained in Tony Blair's Commission for Africa (Hurt, 2017).

Conclusion

Many Africans are experimenting with the concept of 'developmental states' in an attempt to follow the Asian Tigers' developmental path. However, in comparison to the growth of the Asian Tigers, the global colonial and imperial power matrices are not enabling them. Africa is currently undergoing what has been dubbed the "second scramble for African natural resources." The scramblers don't just come from the West; they're also from the East. From the east, China is leading the scramblers. Within this framework, there is also the 'Africa Rising' concept, which is based on growing demand for

African basic products. This time, development is narrowly defined as economic growth driven from outside by outside demand for African natural resources. African ideas must drive the development trajectory.

However, the African struggle for development is taking place within a modern world system that is resistant to decolonization and an international order that is consistently working to discipline anti-systemic movements and forces in order to breathe new life into the world system. The world system and its fluctuating international orders continue to subject African development attempts and plans to the logic of classical economic philosophy and the dominating logic of capitalism accumulation, which made Africa a periphery in the first place. This is why the Bandung spirit has been repeatedly frustrated, and the African demand for a new international economic system has been rebuffed.

In the eyes of those in the Global North, an acceptable model of development for Africa is one in which African economies are modified and aligned to the imperatives and demands of the international division of labor. Africa has never been short of development ideas and plans; what it has lacked is the imagination to envision autocentric development outside of the framework of classical economic thought and capitalist imperatives. The DMS actively tries to prevent and eliminate any development initiative that threatens to undermine the modern world system and international order.

According to Samir Amin (1990), Africa has fought for a place to develop new economic concepts and envision new development alternatives that are appropriate for the African reality and experience. A slot like this is not available. Africa, on the other hand, continues to collaborate with other developing countries to achieve space and economic fairness. To achieve the goal of establishing a new international economic order, Europe and North America must truly accept decolonization and deimperialization of the global system as a type of 're-membering.' Only a combination of true global deimperialization and decolonization may lead to a global democracy in which Africa is given room to grow.

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GREEN MOTIVATIONAL STRATEGIES AND ENVIRONMENTAL SUSTAINABILITY: EVIDENCE FROM SELECTED PAINT FIRMS IN LAGOS STATE

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Abstract

Environmental sustainability has become a prominent and an essential factor for organisations that are developmentally focused; hence the need to incorporate strategies to managing the environment into the human resource activities. This study examined green motivational strategies and environmental sustainability with evidence from selected paint Firms in Lagos State. The study adopted the following theories; Ability, Motivation and Opportunity (A.M.O) Theory and Social Information Processing (SIP) Theory. The study employed a descriptive research design with a sample size of (280) respondents from twenty (20) selected paint firms in Lagos State, Nigeria, using a structured questionnaire. The stratified and simple random sampling procedure was employed in selecting respondents for the study. Data gathered were analysed using descriptive and inferential statistical analyses and findings from the study revealed that the level of green passion positively affects employees' compliance on green related issues with ($R^2= 0.951$: $p= 0.000<0.05$); also, organisational citizenship behaviour for environment has a positive significant relationship with employees' involvement in meeting green targets with (0.901 : $p= 0.000<0.05$). The study concluded that effective green compensation and reward practices will enhance employees' green passion and spur them to comply with environmental regulations and promote organisational citizenship behaviour for environment where employees will always aim at meeting green targets. As a result, management of paint firms should establish a reward system based on acquisition of designated environmental protection skills, competencies and knowledge for revitalising of the environment.

Keywords: Environmental Sustainability, Green Culture, Green Passion, OCBE.

Introduction

The global campaign and increased concerns towards the creation of a better environment has risen from just mere specific treaties to formulating strategies for positive environmental change (Jabbour, Teixeira, & Jabbour, 2013; Renwick, Redman, & Maguire, 2013; Pinzone, Guerci, Lettieri, & Redman, 2016; Venturelli Caputo, Leopizzi, Mastroleo, & Mio, 2017; Hartmann and Vachon, 2018; Latan, Jabbour, De Sousa Jabbour, Wamba, & Shahbaz, 2018; and Fernando, Jabbour, & Wah,

2019). The fact that the planet remains our precious and most treasured asset, its effective management becomes our responsibility, which requires a concerted effort. In this guise, production organisations in which the paint industry is a member, is implored to actively engage in activities which would aid proper management of work environments to ensure sustainability. In realizing this vision, customers and employees who are major stakeholders are constantly demanding greater responsibility towards environmental concerns from organisations (Boiral, Talbot, & Pail, 2015;

Boiral, Raineri, & Talbot, 2018; Atiku & Fapohunda, 2020).

Nigeria being one of the developing economies in the world (Achi, Aghara & Ojiaku, 2018), manufacturing firms currently constitutes major environmental polluters, contaminants and defilers. Thus, to combatting these menace, green human resource management was initiated and integrated into human resource management (HRM) practices, with environmental management (EM) and implemented by organizations to realize and obtain corporate green strategies by providing opportunities and motivating employees to become involved in environmental activities for environmental sustainability (Fapohunda, 2020). It is against this background, that the study offered practical implications on how to draw out advantageous employees' green behaviours in the workplace, through the employment and usage of green motivational strategies to enhance environmental sustainability.

Similarly, due to the constant rise in global environmental movement which is directed at seeking reduction in air pollution, water and environmental abasement, it becomes imperative for employers to put in place employees that are environmentally liable and whose ideals align with organisation's architecture to assiduously contribute to the viability and continuous enhancement of the environment (Renwick, Redman, & Maguire, 2013; Pinzone, Guerci, Lettieri, & Redman, 2016; Venturelli, Caputo, Leopizzi, Mastroleo, & Mio, 2017; Latan, Jabbour, De Sousa Jabbour, Wamba, & Shahbaz 2018; Hartmann and Vachon, 2018; Fernando, Jabbour, & Wah, 2019; Fapohunda, 2020). One of the key fundamental functions of the human resource department of any organisation is to positively influence employee behaviour through organisational policies and processes as a strategy for improving corporate performance for increased efficiency, quality and profit (Atiku & Fapohunda, 2020).

Factors considered as green motivational strategies in this study are green passion and organisational citizenship behaviour for environment while level of employee compliance on green related issues and employee involvement in meeting green targets served as indicators for environmental sustainability. So, for paint producing firms to

effectively manage their environment, employees' must be made to adopt and embrace the organisations' environmental goals, which must guarantee that the objectives of the organisation are in line with employees' beliefs and employees must be rewarded for meeting targets on corporate environmental goals (Peng & Yew, 2019; Atiku & Fapohunda, 2020).

The quest for socio-economic advancement has resulted in crises and challenges. Thus, various nations of the world have started to actively explore means for sustaining their environments. Lagos State which is the biggest commercial hub in Nigeria has outstanding environmental challenges. Nonetheless, there are few empirical studies on using green motivational strategies to enhancing employees' passion towards environmental sustainability; hence; this study.

Despite frantic efforts by governments at all levels to reduce the amount of pollutions pumped into the atmosphere by manufacturing firms, so much still needs to change if the environment is to be sustained (Atiku & Fapohunda, 2020). Problems identified by this study which serve as bane to environmental sustainability via activities of these firms are captured and discussed in subsequent paragraphs; and these challenges form the thrust of the study. In terms of air pollution, manufacturing firms play a huge role in the amount of air pollution witnessed by the environment. Study by Oyedokun, (2019) reported that lethal gases are frequently discharged by these firms after operations which degrade the environment and create the propensity for an increased risk of chronic respiratory diseases like lungs cancer, heart disease and development of many other terminal illnesses.

In the area of water pollution, manufacturing firms are also major contributors to water pollution across the globe. These are illegal dumping of contaminated chemicals, water, gases, heavy metals or radioactive materials into major waterways which causes damage both to marine life and the environment in general. On soil pollution, the activities of manufacturing firms over the year had adverse effects on the soil and it has become polluted, as a result of industrial wastes being hurled into landfills. These chemicals which are toxic in nature can destroy the fertility of the soil,

thereby causing reduction or decrease in the productivity of crops; which sometimes may contaminate foods which are meant for human consumption.

The health and well-being of citizens can also be put into jeopardy through the activities of manufacturing firms; as humans are exposed to air, water and soil pollution among others, they face an increased risk of falling victim to illnesses and diseases. World Health Organisation (WHO, 2015), opined that 5% of those diagnosed with lung cancer will be due to extended exposure to pollution. The organisation stressed further that a small percentage of chest infections, lungs diseases and heart diseases can also be attributed to pollutions emitted from production activities of these firms.

Global warming, can be attributed to production activities of paint producing firms over the years Oyedokun, (2019); whose usage of toxic materials and gases are burned and released into the environment, examples are carbon dioxide and methane; even though these gases are capable of absorbing radiation from the sun, they also have direct implications on the temperature of the environment. Should this be allowed to continue unguarded, it can bring about a rise in the earth's temperature and put our existence as human beings under threat, as there will be continuous depletion in the ozone layer. Given the reasons stated above, activities of manufacturing firms need to be investigated and measured to reduce the adverse effects of their operations on our environment.

The broad objective of this study was to examine green motivational strategies as veritable tools for promoting environmental sustainability among selected Paint Firms in Lagos State, Nigeria. Specifically, the study aimed to:

- i. examine the extent to which green passion has an effect on employees' compliance on green related issues; and
- ii. investigate if there is a relationship between organisational citizenship behaviour for environment and employees' involvement in meeting green targets.

In line with the objectives, the research questions considered in this study are:

- i. To what extent does green passion affect employees' compliance on green related issues?
- ii. Is there a relationship between organisational citizenship behaviour for environment and employees' involvement in meeting green targets?

Conceptual Review

Green Motivational Strategies

These are strategies that ensure that an organisations reward system is in congruence with existing green practices; which will in turn drive and stimulate employees passion and promoting the culture of organisational behaviour for the environment among employees (Genty, 2021). These are classified as incentives and motivating tools that are tied to the achievement of environmental management goals and other green concerns (Jia, Liu, Chin & Hu, 2018).

Indicators of Green Motivational Strategies

Green Passion

Green passion is regarded as a form of positive feeling by individual employee when they voluntarily engage in practices in relation to environmental concerns. Employee green passion is a constructive positive viewpoint regarding the environment, coming from a favourable organisational circumstance and its appraisal (Jia, Liu, Chin & Hu, 2018). Full or wider employee involvement and participation in environmental practices and concerns can foster the passion to rightly preserve the environment and avoiding any form of degradation.

Organisational Citizenship Behaviour for Environment (OCBE)

This implies employees' engagement in the positive activities which helps the organisation to achieve its sustainability goals (Jackson, Renwick, Jabbour & Muller-Camen, 2018; Bishop, Daily & Govindarajulu, 2019). The concept of organisational citizenship behaviour towards the environment lucidly explains that individual voluntary behaviour in contributing to environmental sustainability is a function of the reward system available in the workplace (Boiral, 2019).

Environmental Sustainability

This is a form of accountability on the part of an organisation in the course of relating or interacting with the environment to prevent any kind of damage, deterioration and destruction; thereby creating constant, deep-rooted and durable environment. In the words of Jabbour and Santos, (2016), they opined that efforts geared toward the sustainability of the environment by organisations follows three sequential stages; the first stage requires that an organization must react to the legislation enacted to govern environmental activities as well as what is demanded of its products in giving a befitting standard to the environment.

During this inceptive stage or period, the organization thrives to adhere with environmental regulations by employing its economic and political strengths to positively impact the environment. The second stage focuses on the attention to protect the environment from harm, that is, by preventing pollution and ensuring proper disposal of wastes. The final stage is identified with energetic or proactive moves/actions which are voluntary to remodeling and assuring of continuing environmental sustainability.

Indicators of Environmental Sustainability

Employee Compliance to Green Related Issues

This is a process of actively engaging and empowering employees using the concept of "green abilities" which can be realised by attracting and selecting environmental-oriented and passionate employee, training and developing them, creating awareness via constant communication, and making environmental competency a basis for promotion etc. The above can also be achieved by granting opportunities by regularly involving employees on environmental issues (employee involvement), empowering them to stimulate their interests (empowerment), creating an organisational climate and culture that will motivate employee and gravitate them towards becoming vanguards of environmental sustainability (Siyabalapitiya, 2020).

Employee Involvement in Meeting Green Targets

Direct engagement of employees in the green scheme makes them a source of pressure which

enhances organisations to successfully address environmental concerns. This implies that employees can serve as tools for advancing environmental course if organisations channel appropriate strategy to stimulate employees' interest. This position was corroborated by the study carried out in 2012 by Berry and Rondineili in Canada, whose findings affirmed that organisations with proactive environmental commitment profile are positively linked to the action of creating, maintaining and sustaining the environment for future generations.

Green Motivational Strategies and Environmental Sustainability: A Nexus

The quest to making the environment more habitable has inspired organisations to engage in creating green initiatives to spur employees to passionately carry out the responsibilities of sustaining the environment; and this is done through the provision of adequate green reward and compensation plans in recognition of the giants strides accomplished by employees in the area of environmental enhancement and sustainability (Renwick, Redman & Maguire, 2013). Thus, to continuously motivate employees towards helping organisations meet their green goals requires the formulation and implementation of green motivational strategies which will help build and direct the focus of employees towards exhibiting pro-environmental behaviour (Atiku & Fapohunda, 2020). Transforming employees from their normal state into green-oriented employees to sustain the environment for sustainable development requires the proactiveness of the management in strategically rewarding employees' green behaviour (Arulrajah, 2019).

Theoretical Review

Ability, Motivation and Opportunity (A.M.O) Theory

The study considered this theory; because it is one of the most dominant theories in explaining green motivational strategies and their outcomes on employees and organisations. This theory states that the initiatives of human resource division that enhance employees' abilities and their motivation to carry out environmental duties always bring positive response and consequences. For instance, employees are likely to be highly environmentally conscious and focused, displaying positive behavioural outcomes in sustaining the environment when they are

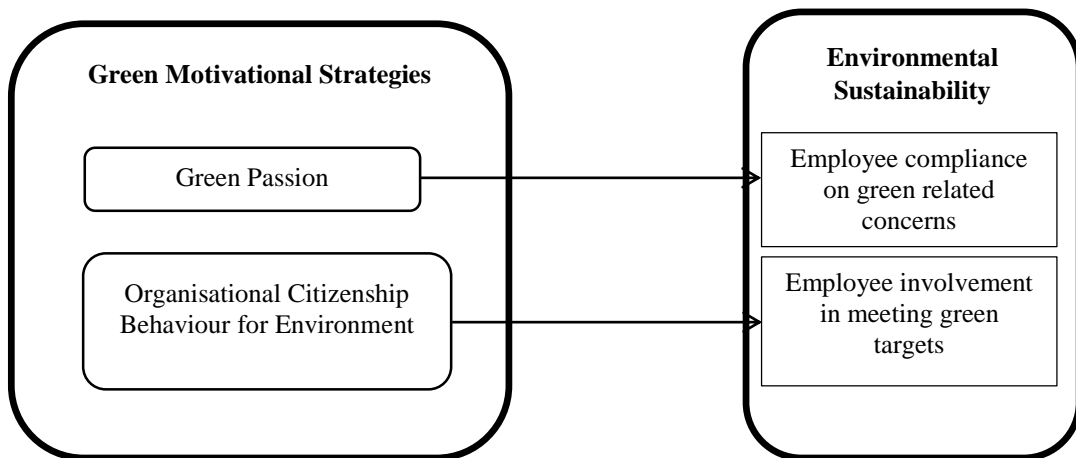
adequately trained, using skill enhancement programmes in developing their skills and knowledge on how to respond to environmental challenges. In this respect, they receive recognition and rewards as a form of motivational enhancement and/or take advantage of career opportunities as a result of their quality efforts in environmental management. In summary, the theory holds that influencing employees' discrete behaviours towards sustaining the environment requires the engagement of green motivational strategies (Shen et al., 2016).

Social Information Processing (SIP) Theory

This theory was propounded by Walther, (2011) and the tenet of this theory rests on the fact that

employees are capable of adapting to change, in as much as it is rewarding and does not put them at a disadvantaged position. In this vein, employees gather information about how adapting to the green policies will positively affect their activities; that is, weighing compliance to green rules vis-à-vis the reward associated with compliance. Once it is satisfactory, they begin to develop attitudes and behaviours to advance the green course. In a nutshell, the principle of this theory explains that green motivational strategies serve as catalysts for changing employees' behaviours towards environmental consciousness.

Conceptual Framework



Source: Authors Schematic Model (2022)

Fig 1: Conceptual Framework showing Green Motivational Strategies on Environmental Sustainability.

The above framework illustrates how manufacturing firms can utilize green motivational strategies as mechanism for enhancing environmental sustainability. The first process is to develop incentives of diverse kinds both tangible and intangible as strategies; these will spur employees to be more environmentally conscious and bear in mind that protecting the environment requires concerted efforts. Also, going by the A.M.O and S.I.P theories, employees should be empowered to enhance their ability on environmental concerns; this may be achieved through constant recognition and reward practices.

In motivating the employees, manufacturing firms should recognize and acknowledge employees who have contributed immensely in keeping the environment in shape; and on the final note, employees should be given the opportunity to express themselves in the decision making process, this can come through knowledge sharing and creating programmes for employee engagement on environmental matters; when all these are made available, it creates a kind of mutual trust between management and employees; thus, achieving environmental sustainability becomes an easy task.

Empirical Review

Empirical review is a process of systematically analysing, identifying and locating documents and information relating to a research problem under investigation (Garner, 2010). The empirical review covered studies on green compensation and reward practices and environmental sustainability.

A study by Johnson (2017) examined the effects of green passion on environmental compliance of selected municipal councils in Russia. It was observed that green rewards led to the highest degree of job satisfaction which significantly enhanced the course of environmental sustainability. The study employed a case study approach coupled with descriptive research design. Findings from the study confirmed that green compensation and rewards practices significantly impacted on employees' satisfaction for environmental friendly initiatives. Attaching rewards and recognition to environmental sustainability positively impacted on the motivation of employees to further comply on green initiatives. Descriptive research design was used for the study with a sample size of 200 employees which were randomly selected. Findings revealed that (Beta = 0.898, $p = 0.000$); the study outcome provided that green passion positively bring about employees' environmental compliance.

Another study by Foreman and Jorgensen (2018) investigated the importance of management's green passion for the environment through employees' participation in environmental sustainability programmes. The study revealed that employees' commitment to environmental management and sustainability programmes increased when compensation and rewards were attached to taking up duties in relation to environmental responsibility. Descriptive research design was adopted by the study with a target population of 500 employees of a local council in Britain. The study employed 500 employees as sample size for the study; three research objectives, questions and hypotheses were raised at 0.05 Alpha level of significance; one-way Analysis of Variance, t-test independent sample, mean and standard deviation were employed as analysis for the data and all the null hypotheses were rejected with (8.661, $p = .004$, (Beta = 0.204, $p = 0.014$) and (Beta = 0.148; $p = 0.023$), respectively; this connotes that green passion significantly and positively affects employees compliance with green goals.

Berone and Gomez-Mejia (2019) conducted a study on 469 US firms operating in high-polluting industries. The outcome of the study reflected that the firms having eco-friendly behaviour in terms of passion for the environment paid their CEOs more than non-eco-friendly firms. The study then concluded that long-term company results in accordance to pay were associated with greater pollution prevention success. Results on the efficacy of green compensation rewards were best observed in this study; and green passion played dominant role in ensuring employees compliance.

Based on the above, this study hypothesised that:

HO₁: Green passion does not significantly have an effect on employees' compliance on green related issues.

Liebowitz (2019), in his study concluded that employee compensation programmes can be modified to give bonuses based in part on the employee's appraisal ratings on the behavioural and technical competencies and in addition, employees could be awarded bonuses for their outstanding work on special projects which include environmental sustainability. The study concluded that green rewards bring about optimal employees' involvement in meeting green targets when their performance are measured vis-à-vis compensations packages; and these helped to establish greater environmental sustainability practice. Hypothesis tested in the study reflected { $F(1, 98) = 5.750, p = .018$ }, this implies that the null hypothesis was rejected as findings presented that if compensation and rewards are based on green performance appraisal and management employees would be more involvement in meeting green targets.

Prasad (2018) study focused on the characteristics of reward packages and revealed that reward on green skills should be customized and based on the acquisition and achievements of green initiatives by employees. His study stressed further that monetary-based, non-monetary based as well as recognition-based rewards can be used as a prize or reward for employees' green achievements toward sustaining the environment. He opined that monetary-based rewards for contributions in environment sustainability can be allocated in the forms of increased salary, cash incentives and bonuses while non-monetary rewards may

include sabbaticals, special leave and gifts to employees and their family members, while recognition-based awards can be in form of highlighting green contributions of employees through wide publicity and public praise and appreciation of green efforts by management.

Pillai and Sivathanu, (2019) in their study examined the nexus between green reward management and environmental effectiveness. The study employed a correlation style of research design; with a population of 300 employees on the management cadre from the Rover group car Maker in Britain and a sample size of 160 respondents was drawn. Null hypothesis presented in this study was rejected as findings delineated thus $\{F(33, 76) = 8.661, p = .004\}$, meaning that engaging the usage of workplace and lifestyle benefits on the environment, can serve as metrics for evaluating green performance management and fostering better employee involvement in meeting green targets.

Based on the above, this study hypothesised that:

HO₂: There is no significant relationship between organisational citizenship behaviour for environment and employees' involvement in meeting green targets.

Methodology

Research Design

The study employed the survey method, with a multi-stage sampling procedure. This comprised purposive, convenience, cluster and quota sampling techniques.

Population of the Study

The study comprised twenty (20) selected Paint Firms in Lagos State, Nigeria; with a total population of two thousand three hundred and fifty (2,350). Male and female employees were considered for the study. Also, the population studied consists of both junior and senior employees of the selected Firms in Lagos State; and Lagos state was selected because it is a commercial haven where many industries are situated.

Table 1: Population of Employees in the selected Paint Firms

S/N	Firms	Number of Employees by Gender		Population
1.	Paint Plus	62 (m)	47 (f)	109
2.	President Paints Nigeria Limited	111 (m)	69 (f)	180
3.	Admiral paints	71 (m)	44 (f)	115
4.	Adamson coatings and paints	58(m)	37 (f)	95
5.	African Paints Nigeria plc	58(m)	49 (f)	107
6.	Berger Paints Nigeria plc	115 (m)	83(f)	198
7.	Celiat Paints Limited	68 (m)	(49 (f)	117
8.	Billand Paints Limited	58 (m)	39 (f)	97
9.	Chemstar Paints Industries Nigeria Limited	70 (m)	57 (f)	127
10.	Chemical Allied Products (CAP Paint)	134 (m)	75 (f)	209
11.	DN Meyer Paints plc	118 (m)	79 (f)	197
12.	Eagles paints	85 (m)	50 (f)	135
13.	Graduate paints	47 (m)	28 (f)	75
14.	Heritage Paints Limited	51 (m)	51 (f)	80
15.	Kobak paints	54 (m)	35 (f)	89
16.	Lydoline Paints Limited	56 (m)	27 (f)	83
17.	Portland Paints	58 (m)	39 (f)	97
18.	New Gemini Paints	43(m)	28 (f)	71
19.	Mikalux Paints and Chemicals	45 (m)	33 (f)	78
20.	Sellar Paints Nigeria Limited	52 (m)	39 (f)	91
	Total	2,350		2,350

Source: Field Work (2022)

Sampling Size

Having calculated the above, a total number of 335 (Three Hundred and Thirty-Five) employees was arrived at as sample size from the twenty (20) selected Paint Firms. From the above calculated value, a sample size of 335 (Three Hundred and Thirty Five) was drawn at 95% confidence level and 0.05 error rate using a sample size determination table by Krejcie and Morgan, (1970).

Sample Size Determination

The sample size for the study was three hundred and thirty-five (335). Below are the numbers of questionnaire administered to each

of the Firms using probability proportional to size. Probability proportional to size (PPS) method was employed in selecting the sample size of respondents from each of the selected Firms. Probability proportional to size is a sample selection method where the probability of selection for a sampling unit is directly proportional to a size measure. This was utilized in order to have an equal sample size representation and adequacy of the respondents in each of the Firms. The formula used in achieving this representation in each Firm was:

$$\frac{\text{Number of questionnaires} \times \text{population of each Firm}}{\text{Grand Total}}$$

Table 2: Sample Size Determination for the Study using Probability Proportional to Size Measure

S/N	Firms	Number of Employees by Gender		Population	M	F	Sample Size
1.	Paint Plus	62 (m)	47 (f)	109	9	7	16
2.	President Paints Nigeria Limited	111 (m)	69 (f)	180	16	10	26
3.	Admiral paints	71 (m)	44 (f)	115	10	6	16
4.	Adamson coatings and paints	58(m)	37 (f)	95	8	6	14
5.	African Paints Nigeria plc	58(m)	49 (f)	107	8	7	15
6.	Berger Paints Nigeria plc	115 (m)	83(f)	198	16	12	28
7.	Celiat Paints Limited	68 (m)	49 (f)	117	10	7	17
8.	Billand Paints Limited	58 (m)	39 (f)	97	8	5	13
9.	Chemstar Paints Industries Nigeria Limited	70 (m)	57 (f)	127	10	8	18
10.	Chemical Allied Products (CAP Paint)	134 (m)	75 (f)	209	19	11	30
11.	DN Meyer Paints plc	118 (m)	79 (f)	197	17	11	28
12.	Eagles paints	85 (m)	50 (f)	135	12	7	19
13.	Graduate paints	47 (m)	28 (f)	75	7	4	11
14.	Heritage Paints Limited	51 (m)	29 (f)	80	7	4	11
15.	Kobak paints	54 (m)	35 (f)	89	8	5	13
16.	Lydoline Paints Limited	56 (m)	27 (f)	83	8	4	12
17.	Portland Paints	60 (m)	37 (f)	97	9	5	14
18.	New Gemini Paints	43(m)	28 (f)	71	6	4	10
19.	Mikalux Paints and Chemicals	45 (m)	33 (f)	78	6	5	11
20.	Sellar Paints Nigeria Limited	52 (m)	39 (f)	91	7	6	13
	Total	2,350		2,350	201	134	335

Source: Researcher’s Framework, (2022)

Sampling Technique

The study employed a multi stage sampling technique which involves non-probability sampling technique (purposive and convenience) and probability sampling technique (stratified and simple random sampling techniques).

This method was appropriate because it helps to obtain satisfactory representation of various subgroups within a population. The **first stage** involved non-probability sampling technique, purposive sampling technique, was employed in selecting twenty (20) painting firms across Lagos State.

The **second stage** was stratified random sampling technique which this study employed to appropriately ensure adequacy and equal representation of samples from each of the selected firms; in doing this, the population was divided into compatible and homogenous sub-groups, then at the **third stage**, a simple random sample was employed in selecting

respondents for the study. The main feature of a randomised sampling method is that every employee in the study locations has an equal chance of being selected. The simple random system was used in complimenting the stratified sampling for select samples from each level (stratum) and the number of employee selected from a particular level was directly proportional to the stratum’s share of the total population. The combination of the methods significantly assisted the researcher to amplify statistical representation; also, to ensure data adequacy for the purpose of analyses of the various sub populations or strata; and finally, it enabled the usage of different research methods and procedures for different strata. Data was collected using a structured questionnaire designed by the researcher and was validated by the supervisors of the study. The reliability of the questionnaire was determined using the analysis of a pilot study conducted among 60 respondents at Rite Foods Limited, Ososa, Ogun State and Adebola House, Lagos State respectively.

Table 3: Cronbach Alphas of the study Variables

S/N	Variables	Authors	Number of Items	Initial Cronbach Alpha	Cronbach Alpha after the pilot Study
Green Motivational Strategies					
1.	Green Passion	Robertson and Barling, (2013)	10	0.804	0.754
2.	Organisational citizenship behaviour for Environment	Boiral, & Paillé, (2012)	10	0.892	0.823
Environmental Sustainability					
1.	Employee compliance to green related issues	Berry and Rondineili, (2012)	5	0.887	0.801
2.	Employee Involvement in meetings green targets	Tang, Chen, Jiang, Paille & Jia, (2018) and Shah, (2019)	5	0.807	0.783

Source: SPSS (2022)

Method of Data Analysis

Method for analysing data in this study involved both descriptive and inferential statistics. The descriptive statistics contained the usage of frequency distribution and simple percentages to represent the data obtained; in testing the hypotheses for the study, correlation and regression analysis were employed as the statistical tools. This was done using statistical package for social sciences (SPSS) 20.0 version.

Results and Discussions

A Total of three hundred and thirty-five questionnaires were distributed but only 280 were found usable as some of the instruments were badly and incoherently filled. Therefore, results, conclusion and recommendations were based on the number of returned questionnaires.

Table 4: Result on Questionnaire Administration

Detailed response Rate	Distributed Copies	Retrieved Copies	Copies not Retrieved	Used Copies
Total	335	330	5	280

Source: Field Survey (2022)

The above table reflected that 335 copies of questionnaire were administered, 330 were retrieved and 280 were found usable; this showed a response rate of **83.5%**.

Table 5: Socio-Demographic Characteristics of Respondents

S/N	Variables	Responses	Frequency	%
1.	Sex	Male Female	173 107 280	61.8 38.2 100
2.	Age	Below 20 years 21-30 years 31-40 years 41-50 years 51 years and above	33 55 91 55 46 280	11.8 19.6 32.5 19.6 16.4 100
3.	Academic Qualification	NCE/OND HND/BS.C Post-Graduate/Masters Other Professional Qualifications	57 89 64 70 280	20.4 31.8 22.9 25.0 100
4.	Cadre of Staff	Junior Level Middle Level Senior Level Management Level	84 83 65 48 280	30.0 29.6 23.2 17.1 100
5.	Years in Service	Less than 2 years 3-5 years 6-10 years 11 years and above	112 97 44 27 280	40.0 34.6 15.7 9.6 100

Source: Field Survey, 2022

Analysis of socio demographic variable revealed that the distribution of respondents by sex showed that, 173 (61.8%) of the respondents were male while 107 (38.2%) were female, the study revealed that majority of the respondents were male with 173 (61.8%). This infers that the painting industry is a male dominated arena; thus, firms must fashion out a way to meet these crops of employees halfway to ingrain green culture into them. Analysis on the age of respondents revealed that 33 (11.8%) of the respondents were below 20 years of age, 55 (19.6%) were between 21-30 years of age, 91 (32.5%) were between 31-40 years of age, 55 (19.6%) were between 41-50 years of age and 46 (16.4%) were 51 years and above. The study revealed that majority of the respondents was between 31–40 years of age with 91 (32.5%). Findings revealed that majority of employees in this industry are youths who always want to assist organisations to achieve better landmarks, thus, management of firms can capitalize on by constantly echoing the green mantra and arming the selected set of employees with necessary information. This will make them great ambassadors of the sustainability programmes in the respective organisations.

Results on academic qualification displayed that 57 (20.4%) of the respondents were NCE/OND certificate holders, 89 (31.8%) were BSC/HND holders, 64 (22.9%) have post graduate/masters Degree and 70 (25.0%) holds other professional certificates as qualification. Findings from the study revealed that majority of the respondents were BSC/HND holders with

89 (31.8%). Majority of employees are graduates and degree holders, this will create an easy avenue for managements of painting firms to orientate these employees on the importance making their work environment more habitable. Report on cadre of staff reflected that 84 (30.0%) of the respondents were junior level staff, 83 (29.6%) of the respondents were middle level employees, 60 (23.2%) of the respondents were on the senior cadre and 48 (17.1%) of the respondents were management staff. Result revealed that majority of the respondents were still at the lower rung of the cadre, meaning that at this stage, employees are thirsty on finding ways to be better representatives of the organisations, thus at this point, making them highly passionate about their environment of work will spur them to go the extra mile to sustaining their environment.

Information on the length of service reflected that 112 (40.0%) of the respondents have spent less than two years in their respective organisations, 97 (34.6%) have spent between 3-5 years, 44 (15.7%) have spent between 6-10 years in their various organisations and 27 (9.6%) have spent above 11 years in their respective organisations. The study revealed that majority of the respondents has spent less than 2 years in their organisations with 112 (33.9%). Information obtained here reflects that majority of employees are still relatively new in the organisation; setting performance standards using the green culture will help management easily inculcate the green policy into their work culture.

Testing of Hypotheses using Correlation and Regression Analysis

Hypothesis One

H0₁: Green passion does not significantly affect employees' compliance on green related issues.

Table 6: Regression Analysis on the Effect of Green passion on employees' compliance on green related issues.

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.975 ^a	.951	.951	.256

a. Predictors: (Constant), Green passion

From the analysis displayed under table 6 above, result reflected that green passion has a huge significant effect on employees' compliance on green related issues with $R=97.5$; this implies that R square of = .951 which delineated that green passion accounts for 95.1% of variations in employees' compliance on green related issues. So, green passion has positive significant effect on employees' compliance on green related issues.

Table 7: ANOVA of Regression Analysis on the effect of Green passion on employees' compliance on green related issues.

Model		Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	415.906	1	415.906	6367.550	.000 ^b
	Residual	21.358	327	.065		
	Total	437.264	328			

a. **Dependent Variable:** employees' compliance on green related issues.

b. **Predictors:** (Constant), Green passion

Table 7 displayed that the F-value is the Mean Square Regression (415.906) divided by the Mean Square Residual (21.358), yielding $F=6367.550$. The model in this table reflected that the independent variable which is green passion is statistically significant at (Sig = .000) and positively have an effect on employees' compliance on green related issues.

Table 8: Coefficients of Regression Analysis on the effect of Green passion on level of employees' compliance on green related issues.

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	.053	.027		1.958	.051
	Green Passion	1.009	.013	.975	79.797	.000

a. **Dependent Variable:** level of employees' compliance on green related issues

The above tables on regression analysis presented the test of hypothesis investigating the effect of green passion on employees' compliance on green related issues in selected paint firms in Lagos State, Nigeria. The table revealed that there is a high level of fitness at R -value of 0.975a, R^2 of 0.975, and an F -value of 6367.550. The R^2 of 0.951 connotes that about 97.5% of the variation on the level of employee compliance and adherence on green related issues impact environmental sustainability while 2.5% remains unexplained by the regression model. Also, the R -value of 0.975a in the table implied that there exists a significant correlation between the two variables (i.e. green passion and employees' compliance

on green concerns). This also helps to authenticate the correlation results of the stated hypothesis. Therefore, since the F -sig. (p-value) of .000 is less than α (0.05), it implied that green passion impact positively on the level of employees' compliance on green related issues which is an indicator of environmental sustainability. Therefore, the null hypothesis which previously stated that green passion does not have effect on employees' compliance on green related issues was rejected, while the alternative hypothesis was accepted. Thus, the level of employees' compliance and adherence on green related issues significantly affect environmental sustainability.

Hypothesis Two

H0₂: There is no significant relationship between organisational citizenship behaviour for environment and employees’ involvement in meeting green targets.

Table 9: Correlations Analysis on the Relationship between Organisational Citizenship Behaviour for Environment and Employee Involvement in Meeting Green Target

		OCBE	Employee Involvement in Meeting Green Target
OCBE	Pearson Correlation	1	.901**
	Sig. (2-tailed)		.000
	N	280	280
Employee Involvement in Meeting Green Targets	Pearson Correlation	.901**	1
	Sig. (2-tailed)	.000	
	N	280	280

The above correlation table presented the test of hypothesis investigating the relationship between organisational citizenship behaviour for environment on employee involvement in meeting green targets which is an indicator of environmental sustainability in selected paint firms in Lagos State, Nigeria. The table revealed that there is a strong positive and significant relationship between organisational citizenship behaviour for environment and employee involvement in meeting green targets with (0.901: $p = 0.000 < 0.05$), which connotes that organisational citizenship behaviour has a significant 90.1% correlation with employees’ involvement in meeting green targets. Therefore, the null hypothesis which previously stated that there is no significant relationship between organisational citizenship behaviour for environment and employees’ involvement in meeting green targets was rejected.

Discussion of Findings

With respect to objective one of the study which was to examine the extent to which green passion have an effect on employees’ compliance on green related issues; findings revealed a positive correlation and high level of significance. Also, the R-value of 0.975a in the tested hypothesis implied that green passion significantly affect employees’ compliance on green related issues. This also helps to authenticate the regression results of the stated hypothesis.

This finding also supports the study conducted by Slovik (2017) whose findings revealed that for sustainability of the environment to be fully actualised, Human Resource Unit is in a better position to drive this course by ensuring that firms hire employees who are well experienced and passionate in handling environmental concerns; this will ensure compliance to environmental regulations. Findings from this study also aligns with that of Srivastava, (2018), Oyedokun, (2019), Atiku and Fapohunda, (2020) who averred that stimulating employees’ passion for sustaining the environment requires that green motivational tools are made available and outlined for employees to access; this will enhance their compliance level in sustaining the environment.

The second objective which sought to examine if there is a relationship between organisational citizenship behaviour for environment and employees’ involvement in meeting green targets; findings revealed that organisational citizenship behaviour for environment is a solid strategy towards employees’ involvement in meeting green targets. This finding also align with Rashid, Wahid and Saad, (2017) which posited that engagement of employees in green activities has a positive influence on their private life affairs, as well as their behaviour to characters which are exhibit pro-environmental in nature. Green motivational practices such as green compensation and rewards play a

significant role in enthusing, facilitating, and encouraging employees acquire more knowledge on how they can maintain and sustain their environment. Findings from this study is also in consonance with the position of Tariq, Jan, and Ahmad, (2018) who opined that organisational citizenship behaviour for environment helps employees become more aware, involved and committed towards meeting green targets.

Conclusion

Environmental sustainability is a core organisational mandate as enshrined under the 17 sustainable development goals. Therefore, employees' interest must be stimulated, by inspiring and empowering them to be environmentally conscious of green inventiveness as this is salient in advancing innovative environmental solutions. An active compensation and reward practice tailored towards environment enrichment can assist in placing sustainability at the heart of employees, as it has potentials to contribute immensely to employee well-being, while increasingly boosting the morale of a workforce towards environmentally conscious through green motivational strategies. Also, effectively communicating green schemes and establishing an organization-wide conversation on green related concerns among employees will ingrain

the organisational citizenship behaviour towards the environment culture into the workforce.

Recommendations

For the Nigerian Paint Firms to benefit immensely from employees' activities in ensuring environmental sustainability, the study recommended the following:

- i. Management of paint industries should establish a reward system with programmes such as environmental respect awards, employee environmental achievement, award for employee/individual's suggestion made on the revitalisation of the environment; award/reward based on acquisition of designated environmental protection skills and competencies, and knowledge-based on environmental legislations.
- ii. Management should develop strategies to capture and personalize employee reward recognition; as this will allow employees choose the type of rewards they desire from the list of reward menu, such as holidays, extra time or gift vouchers.

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**CORPORATE SOCIAL RESPONSIBILITY AND COMMUNITY DEVELOPMENT AGREEMENT:
A STUDY OF MULTIVERSE MINING COMPANY IN AWE LOCAL GOVERNMENT AREA OF
NASARAWA STATE, NIGERIA.**

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Abstract

Mining activities contribute significantly to Nigeria's gross domestic product and national income. If properly harnessed and managed, it has the capacity to contribute optimally to the economy. However, mining companies pose a lot of environmental and health challenges. Their activities also affect the social and economic wellbeing of the host communities. Corporate social responsibility (CSR) is meant to foster community development, while Community development agreement (CDA) is endorsed as an integral part of CSR between mining corporations and host communities. This study is an attempt to investigate corporate social responsibility vis-à-vis the implementation of the community development agreement reached between Multiverse Mining Company and Abuni Community in Awe local government area of Nasarawa State, Nigeria. Although the study is empirical and qualitative in nature, it relies on secondary sources of data, interview and observation. The paper uses stakeholder theory propounded by Edward Freeman as its basic theoretical underpinning. The findings reveal that community development agreements were haphazardly implemented. It is therefore recommended that government as a stakeholder should monitor the implementation of CDA to avoid sharp practices. Again, Mining Companies should involve the community at development and implementation stages of CDA for proper implementation and satisfaction of the community.

Keywords: Community Development, Community Development Agreement, Corporate Social Responsibility and Stakeholders

Introduction

Nigeria is blessed with enormous mineral resources among which are the solid mineral deposits across the country. These solid mineral deposits include tin, Iron ore, columbine, barite, coal. Over the years, mining companies both indigenous and foreign have invested in this sector which has attracted a lot of benefits to the country. Federal Ministry of Mines and Steel Development (2016) revealed that, the nation has benefited from the investment of the mining sector. These benefits include revenue generation through company taxes and royalties, employment opportunities etc.

Interestingly, the sector has contributed about 12 percent of the nation's Gross Domestic Product (Stephen, Adesina & Jummai, 2018).

Thus, despite these benefits, mining companies pose a lot of environmental and health hazards and also affect the social and economic wellbeing of the host communities where these Mining corporations operate. For instance, Abuni community as the area of this study is faced with some challenges from the activities of Multiverse mining company. Some of these challengers include, water pollution, environmental degradation and health hazards, to mention but a few. Corporate social

responsibility (CSR) in the actual sense is aimed at fostering community development. Community development agreement (CDA) on the other hand is an integral part of CSR involving strategic processes between business corporations and host communities (UNO, 2014). Nwoba and Michael (2016) stress that CSR is expected to improve the socio-economic wellbeing of the society. And that, the relationship between CSR and community development (CD) is a collaborative one that will address challenges affecting host communities and devise various means to improve the community for good. In addressing some of the challenges (environmental degradation, water and air pollution, loss of livelihood) affecting host communities, mining companies are expected to go into agreement with the host communities in order to tackle these challenges and improve the general wellbeing of the communities. This agreement is referred to as Community Development Agreement (CDA). Maimunah (2009) asserts that development projects can only be achieved through a well-defined Corporate Social Responsibility (CSR) which depicts the obligations business corporations owes its stakeholders such as the government, shareholders, employees, customers and host Communities.

Nasarawa State as one of the most endowed state in Nigeria in terms of solid Mineral deposits has attracted local and multinational mining Companies trooping to invest in commercial quantity (Yaro and Ebuga, 2013). As these mining corporations undertake their operational activities, host communities are exposed to environmental and health hazards which affect social and economic development.

In unraveling the corporate social responsibility of mining companies in the area of community development, this study is focused on the community development activities of Multiverse mining company in Awe Local Government Area of Nasarawa State, Nigeria. The company is domiciled in Abuni Community of Awe Local Government Area.

Conceptual Clarification

Corporate Social Responsibility (CSR)

The concept of corporate social responsibility (CSR) has taken a centre stage in the discourse of business environment. CSR is aimed at positioning the legal, social and economic responsibility of business corporations to its

stakeholders (the government, shareholders, employees, customers and host communities). Nikolova and Arsic (2017) reveal that corporate social responsibility as a concept tries to co-opt a balance in the relationship between business corporations and those affected by their activities. This explains why CSR as an integral component of business corporations seeks to establish a balance between corporate goal to the society and maximization of profit.

Reflecting on the historical origin of corporate social responsibility, business corporations were involved in charitable activities by contributing to host communities in the area of health, education, entrepreneurship, scholarship, infrastructural projects etc. Sulek (2010) stresses that before the 20th century, corporate social responsibility was hinged on the principle of charity, by helping those in difficulties (Rebello, Nairin and Anderson, 2018). Nikolova and Arsic (2017) further posit that as societies increasingly became enlightened about corporate social responsibility as an obligation on business corporations to serve them rather than voluntary contribution, the manifestation of this enlightenment provided stakeholders with the power to see themselves as part of business organizations. This depicts that the development of the society is not only the responsibility of government or the community, rather a collective efforts channeled towards reducing poverty in the society. Amadu (2018) explains that corporate social responsibility compels corporate organizations to device means for self-regulation in managing their relationship with various stakeholders. Thus, this will bring about fairness to various stakeholders and development in the society.

More revealing, Lok (2014) sees corporate social responsibility as "business-citizenship" relationship where business corporations must respect individual's right to life. That business corporations should be conscious of its activities and manage it relationship with the host communities. Obafemi, Oluwabunmi and Oboh (2018) elaborate the concept of corporate social responsibility as a cluster of concepts which have almost equal importance. These concepts include business ethics, corporate philanthropy, citizenship, environmental responsibility and sustainability. Abel and Markelli (2012) stress that if business corporations are aware of their responsibility to the society such as business ethics social roles (Philanthropy), respect for citizenship rights and adherence to environment

laws and sustainability, there is bound to be sustainable development and poverty reduction in the world. In sum, business corporations are expected to co-opt the principle of social inclusion making the society part of its system.

Buckner (2020), Gyamfi and Gyimah (2016) aver that CSR can only be seen as developmental, if corporate organizations collaborates with host communities in designing CDA. Accordingly, an all-inclusive CDA between corporate organizations and host communities will optimize sustainable development. In doing so, the host community is bound to witness more development.

Community Development

Community is the collection of a people bound by common aspiration. Every community seeks for a common good by identifying its problems and proffering solutions to the predicaments affecting its collective existence. In addressing developmental issues, communities are expected to have strong identity, get along with each other and share same values and interest. According to Maimunah (2009, P.324), it "refers to initiative undertaken by community with external organization...to empower individuals and groups of people by providing ...skills required by the community to feel the impact of change". The roles of CSR in community development are creating mutual ties between corporations and the community, empowering people, transfer of technology and environmental protection and sustainability. Community being one of the most important stakeholders in the business environment requires a lot of attention by corporate organizations. Dauda, Hilson and Hilson (2019, P.324) argued that "...investment-led industrial mining is understood to foster economic growth and thus contribute to poverty reduction". In fostering economic and social development, business corporations and host communities are expected to enter into written or documented agreements aimed at fostering community development of the host communities.

Community Development Agreement (CDA)

In any business environment, the interest of host communities must be respected. In fostering socio-economic development through CSR, the Federal Ministry of Mines and Steel Development (2016) stipulates that mining company should enter into agreement with host

communities in areas of education, health and human development. Maimunah (2016) avers that, community development is best captured in community development agreement as a blue print guiding Business Corporation on the implementation of developmental programmes in host communities. This simply means CDA must be signed by the company and host community. CDA according to Bruckner (2016) should be operational base on negotiated agreement between the company and the host communities.

Bruckner (2016, P.425) affirms that community development agreement should enhance a positive company community relationship aimed at minimizing conflict of interest, and foster economic development. Bruckner further clarify that community development agreement should be in phases or stages. These phases include stakeholders' identification and Mapping, participatory stakeholders' engagement, participatory capacity development and assessment, participatory determination of stakeholder representatives and council, participatory negotiation of a CDA, Monitoring and evaluation, and reporting and review. In summary, Amodu (2018) reveal that CDA will attract development to host communities when it incorporates the principles of social, financial and human inclusion and also with regards to environmental protection.

Methodology

This empirical survey of CDA and CSR of Multiverse mining company in Abuni community employed qualitative research method where materials which include relevant textbooks, journals, community development agreement, newspapers, and official documents were used as secondary data. Interview with community leaders and representative of Multiverse mining company was conducted as well as personal observation of projects. Content analysis was used and findings were presented in themes based on the research objectives.

Theoretical Framework

This study employed a stakeholder theory propounded by Edward Freeman in 1948. This theory was further expounded by scholars like Manual Castelo Branco, Lucia Rodrigues, Dugyu Turker, Jeffery Harrison, among others. According to Nwoba and Micheal (2010), the theory states that business firms owe responsibility to broad range of stakeholders

other than shareholders. These stakeholders are those parties who are affected by the activities or operations of business corporations. These stakeholders include the government, investors, employees, customer and host communities. This explains that the interest of all parties (stakeholders) must inclusively be reflected in business corporations plan. The basic assumptions of this theory according to Lantos (2001) are that business corporations should not only consider profit and shareholders interest alone but the interest of other stakeholders should also be of paramount to business corporations. Secondly, business corporations must use their vast resources for social good to the society. Thirdly, business corporations should be sensitive to potential harm of its actions on various stakeholders. This theory is been criticized by classical theorists which include Milton Freeman and Elaine Sternberg who believed that corporate social responsibility should be the discretion of corporate organizations especially on social and economic aspect of development. They further argued that to some extent, company should only be compelled to replace what it has taken from the community due to its operational activities, such as environmental assessment as a result of environmental degradation and other compensations due for the community. Finally, CSR principles in most countries of the world today compels business corporations to do things against their will even if it effects there budget negatively.

The stakeholders' theory is an all-encompassing theory that embraces the interest of all stakeholders in any business environment. Indeed, the purpose of adopting this theory for this study is that the stakeholder theory considers all stakeholders as important in the business environment. It also sees business enterprises as an interconnected web of different interests. This theory spells out the rights and obligations of business corporations in abiding by government laws base on its establishment and operation. It incorporates the need to respect agreements entered into by host communities and ensure that CSR brings development to host communities and the society at large. This theory, due to its broad nature will help to explain the CSR of Multiverse mining company to the host community as one of the stakeholders.

Review of Empirical Literature

Several empirical studies on extractive industry relating to corporate social responsibility and community development in Nigeria and around the globe have exposed several problems associated with mining activities and their impacts on host communities.

Amongst some of these empirical studies include a study conducted by Sefa and Diana (2019) which investigated the mining industry in Ghana. The main objective of the study is to find out the level of performance of mining companies in regards to corporate social responsibility. The research findings shows that mining companies in host communities perform well on infrastructural projects like roads, health facilities among others. On the contrary little was done towards improving the livelihood of host communities in terms of human capital development (empowerment).

In a similar study, Stephen, Adesina and Jummai (2018) conducted a study on the sociological impact of solid minerals mining on community development in Nasarawa State. The findings revealed that mining companies pay little or no taxes, royalties to the government. And in respect to community development, feeder roads were constructed linking state roads to the community for easy transportation of their employees and produce. In relation to the above study, Ishaya, Mamman and Abubakar (2018) on the study of Barite mining in Azara, Awe Local Government Area of Nasarawa State revealed that the mining firms in this community are expected to attract development to the area but on the contrary, it has resulted in the pollution of water sources which could lead to kidney disease and cancer. And in addition, environmental degradation is also in the increase in the area.

Nwoba and Michael (2016) conducted a study on mining firms and community development in Ebonyi State. The study revealed that community development has been lacking in most mining communities because there is unwillingness on the part of mining firms to provide developmental incentives like interest free loan for individuals of host communities to startup businesses, and other programmes like scholarship, medical facilities and employment opportunities are not taking seriously by mining companies.

Joseph (2013) investigated the reason behind the protest of Youths of Udege-Mbeki community of Nasarawa Local Government Area of Nasarawa State. The Youths staged a protest against the Kenyang Mining Limited which made the company to suspend its mining activities. The findings revealed that the Youths of the Community staged a protest as a result of the refusal of the Kenyang Mining Limited to implement CDA agreed from commencement of its operation as its corporate social responsibility.

Again, Stephen, Adesina and Jummai (2018) in their study on the sociological impact of mining activities in Awe local Government in Nasarawa State revealed that mining activities has affected the eco-system resulting in land destruction, air and water pollution. The mining firms operating in these communities only build feeder roads linking the communities and state road. For developmental projects or programmes, none was visible, as no school, nor hospital, were constructed.

Odugwu (2019) conducted an investigation on a range of Nigerian mining host communities. The study unraveled that some of the challenges community faced on CSR implementation was as a result of corruption and lack of effective monitoring of mining activities by government to ensure that mining companies implement CDA.

Obafemi, Olubunmi and Oboh (2018), in their study on CSR and financial performance of banks in Nigeria revealed that the major problem of CSR implementation on community development is that investment in CSR affects their financial performance negatively. There might be negative cost implications when CSR programmes are initiated or implementation. In summary, these empirical studies tried to expose the relationship between CSR and community development.

This paper therefore, seeks to contribute to knowledge by investigating the implementation of community development agreement and its impact, as well as the challenges associated with it in Abuni community in Awe Local Government Area.

Results and Discussion of Finding

Here the results of Key Informant Interview of the community leader, representative of Multiverse Mining Company, personal observation, CDA document as well as projects

were assessed to ascertain the proper implementation of various programmes contained in the agreement. The results /findings are presented below:

The findings reveal that, the agreement took 8years before commencement of its implementation. This shows that the CDA does not reflect a realistic development process. And some programmes due for implementation have not been giving attention while others are haphazardly implemented. This finding is in agreement with the view of Bruckner (2020). Mikah- Gyamfi and Gyimah (2016) who believed that CDA should involve a negotiation process between the company and host community to reduce conflict of interest and foster economic development. CDA should be devoid of manipulative strategies at the expense of the community.

Considering the implementation of CDA, the findings reveal that some programmes have been implemented based on the stipulated time frame while some have not gotten attention. Based on the agreement, renovation of the Chief Palace and scholarship are programmes implemented (Marafa, 2021). On the contrary, skill acquisition centres, classroom renovation, grading of land for agriculture are some of the projects yet to commence implementation (Marafa, 2021). These findings is not in agreement with the submission of Lok (2014) who sees CSR as a reflection of business-citizenship interest and depicts corporate organization's respect for individual right which makes it conscious of its activities with host communities. Maimunah (2009) stresses that, host communities are expected to feel the impact of development through the implementation of CDA.

On the part of the company, financial constraint hinders the company from implementing programmes at stipulated periods (Ibrahim, 2021). This is in line with the submission of Obafemi, Olubunmi and Oboh (2018) that financial limitations affect the performance of corporate organization in the implementation of CSR. The study also revealed that apart from the challenge or limitation of fund, there are challenges like negligence of government to monitor CSR in host communities and dubious practices in the processes of implementation. This finding is in line with the view of Amadu (2010) that, in most developing nations, government encourages dubious practices as a

result of its inaction, insincerity and corruption. The implication is that projects/programmes are haphazardly implemented and some neglected at the expense of the community.

From the observation of the researchers, the period for the implementation of CDA do not reflect development in the real sense, as developmental gap actually manifested. This is because community development programmes are expected to commence 8 years after the start of operation which is a long period for the community to wait before feeling the impact of CSR. This is in line with the submission of Bruckner (2020), that, CDA sometimes contains clauses that are not clear to host communities and programmes or projects do not reflect the will of the people. More so, the company outlined several programmes to enhance socio-economic development but neglect some vital programmes like human capital development. This shows that CSR and community development agreement in Abuni community has not yielded much positive impact. This is not in alignment with Dauda, Hilson and Hilson's (2019) views about CSR and community development as Mining Corporation is expected to foster economic growth and reduce poverty through empowerment of individuals and implementation of projects.

Conclusion

The mining sector is very important to Nigeria's economy due to the fact that it contributes 12 percent to the country's Gross Domestic Product (GDP). Despite the benefit of this sector, the sector's activities emanating from mining companies have affected host communities, negatively. In most cases, mining companies are found wanting in the implementation of CSR and improving the lives of host communities. The finding shows that CSR is defective in host communities as a result of several factors which

include manipulation of CDA, government negligence in monitoring CDA implementation and dubious practices between government institutions and mining companies. To address some of these problems, this study recommends below some vital actions that should be taken.

RECOMMENDATIONS

In order to improve on the efficacy of SCR and CDA in the study area, the following recommendations are suggested.

There should robust community participation in the development and implementation of CDA. Multiverse Mining Company should involve the community at various stages of development and implementation of CDA. This will ensure proper implementation and satisfaction from the community because the community will see and believe they own the programmes on the CDA.

Secondly, Government should monitor and evaluate CDA with transparency in order to avoid dubious or sharp practices by some government and the company's officials. Perhaps in some cases, government and company officials sometimes in collaboration with unscrupulous community leaders may mislead and siphon resources meant for CSR and CD. Thus, frequent monitoring and evaluation by both government and the multiverse mining company is very essential.

Finally, CDA should be implemented in stages at stipulated/agreed time and period so that host communities will derive its maximum benefits. What constitute the first stage should be done within that stage and the time frame, followed by programmes in the second stage etc. Monitoring and evaluation is equally necessary at each stage.

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Appendix I: Summary of the Community Development Agreement (CDA) between Abuni Community and Multiverse Mining Company in Awe Local Government Area of Nasarawa, 2012.

No	Items	Duration	Starting Date	End Date
1	Renovation of palace	12 months	April 2020	April 2021
2	Scholarship	24 months	April 2020	April 2021
3	Renovation of class rooms and technical workshop	18 months	April 2020	Jan.2022
4	Grading of land to facilitate modern Agriculture	24 months	April 2020	April 2022
5	Modern Health care	36 months	April 2020	April 2023
6	Grade and maintain community roads	36 months	April 2020	April 2023
7	Skills acquisition and vocational training centre for youths	48 months	April 2020	April 2024
	Financial support/providing Agricultural inputs for farmers	12 months	April 2020	April 2021

Adapted from Community Development Agreement Document between Multiverse Mining Company and Abuni Community. 2012.

Appendix II: Interview Schedule

The Community Leader: Isyaku Marafa (Marafan Abuni). Interviewed on 18th Dec. 2021

- Do the company involves the community in negotiation and implementation of programmes?
- Are programmes implemented as stipulated based on the agreement?
- What do you think are the challenges hindering the implementation of community development programmes or projects?
- Has the company really impacted positively on the socio-economic wellbeing of the community?

The Company's Representative: Yakubu Ibrahim (Field officer on CDA programmes) Interviewed on 9th Oct. 2021

- Is your company (Multiverse Mining Company) abiding by the CDA?
- Is the company implementing its CSR base on the CDA?
- Can you identify the challenge(s) affecting the implementation of the CDA?
- Has the company contributed to the socio-economic development of the community?