A CRITICAL ANALYSIS OF THE FEATURES AND STRUCTURE OF NIGERIAN FEDERALISM AND ITS APPROPRIATENESS IN RESOLVING THE POLITICAL DEVELOPMENTAL PROBLEMS OF NIGERIA

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ABSTRACT

This paper examines the concept of Nigeria's Federalism, its appropriateness, and application and the extent to which it has helped in resolving Nigeria's developmental problems. The critical analysis of the trend, usage, and application of the concept reveals that the acceptance and adaptation of the concept were not based on its suitability and appropriateness in resolving the political, social, economic and developmental problems but was based on its convenience to the parties concerned. The paper discusses the most serious issues in Nigeria's political development that were supposed to have been resolved and forgotten but have continued to feature at every stage of development and from all indications will continue to constitute Nigeria's developmental problem unless some other concrete measures are taken. The paper attempted to identify the reasons and causes of this persistence and proffered solutions and recommendations on the best ways forward for Nigeria's continuous existence as an entity. The paper adopted a descriptive and analytical approach to the various sources from text books journals, newspapers, magazines and internet materials. In conclusion, the paper provided recommendations for measures to be taken to reposition the country in the right course of development for the achievement of the benefits of federalism as the best political option for Nigeria.

Keywords: Critical Analysis, Structure, Nigerian Federalism, Political Problems.

INTRODUCTION

Federalism is a system of government in which the entities such as states, regions, provinces and other level authorities share power with the central government. This type of system of government emerged in the United States of America as a result of the writings of some federalist such as Alexander Hamilton, John Jay, James Madson between 1787 and 1788 to convince the American people of the workability of the federal system constitution. Other writers that have written extensively on the federal system of government include Marian Webster (1828), Peter Ordeshook, Oliga Slivetsova, Jean, Bodin, etc.

Some of the famous definitions include: - Federalism is a form of governmental and institutional structure deliberately designed to cope with the twin but arduous task of maintaining unity while also preserving the diversity. It is also described as a method of government that allows two or more entities to share control over the same geographical region. Other writers see it as a government in which a written constitution divided power between central government and regional or sub-divisional governments.



It could be seen from the definitions above that in a federal state, all the tiers of government act directly upon the people through their officials and laws. All the Federalist writers, therefore, seemed to accept and share the concept of federalism as it is but differs only in the way the various tiers of government operate and practice the different laws. It is mainly the variations in the practice of system that made people to view the federalism differently. But as a system of government, it is now being operated and practiced in the United States of America (USA), Australia, Canada, Switzerland, West Germany, Nigeria, India, Russia, etc. In all the federal states, the following factors seem to facilitate the establishment of the Federal structures:-

FACTORS THAT FACILITATE THE ESTABLISHMENT OF FEDERAL STATES

- 1. Historical background there seemed to be evidence of early contacts and other economic, social and political relationship between the various people in the federal states
- 2. They mostly have a common colonial experience as either a British, French or a Germany colony.
- 3. They seemed to be of common origin, religion, language and cultural similarities.
- 4. The union could be based on an anticipated economic advantage on each other.
- 5. It could be based on the fear of being dominated or subjugated.
- 6. There is geographical contiguity or proximity between the people in the federal state.
- 7. They seemed to be a belief or recognition of the relationship being a permanent one which might result in a complete assimilation of each other.

The federal system in all the states where it is being practiced seemed to be achieving the purpose it is meant to serve despite the minor problems arising from time to time. The questions often asked about the Nigerians federal system is that, is it serving its purpose. If it is serving the purpose, then to what extent is it appropriate in resolving the development of the country?

The above question seems to question not only the validity of the system in Nigeria but also its reliability. People have expressed a variety of opinions concerning not only the appropriateness of the system but if at all it is being practiced the way it should be done. Osuntokun, (2016) in his write up, of corruption and federalism, quoted the former Vice President, Atiku Abubakar as having admitted that there was the need for the restructuring the federal system, as the current structure and the practice it has encouraged have been a major impediment to the economic and political; development of the country. The majority of the views that consented to the structures are southerners who believe that they would have a landslide victory if the issue is put to the vote in a referendum. For us to appreciate the variety of views, it is pertinent that the trend of the development of the federalism in Nigeria is traced.

THE EVOLUTION OF FEDERALISM IN NIGERIA

The concept of federalism evolved as a system of government in Nigeria as a result of the difficulty the colonial overlords faced in trying to find the most appropriate political structure that could wield the country together., the amalgamation of the country in 1914 and the



introduction of indirect rule in the Northern part of the country before eventually imposing it in the Southern part of the country were all steps towards finding the most appropriate structure. The disparity in the responses and the challenges in their efforts to introduce political and economic reforms made it glaringly apparent to the colonial government that it was not going to be easy to bring the various sections of the country to the same level of development at the same time. The best way was to allow each section of the country to determine its fate by providing the necessary support in order to achieve that. The colonial government, therefore, formed the basis of the central government which would regulate, controls and redirects the efforts of the regional governments. This was exactly how the federal state of Nigeria started and continued to evolve into a fully federal system. It started with Richard's constitution of 1946 that provided the basic ground work for the takeoff of the system, since then, all the constitutions developed in Nigeria had federal structures (Adrigbe 2003 and Oyedirian 2011).

STAGES OF DEVELOPMENT OF FEDERALISM IN NIGERIA

Before 1906 all the areas under the control of the British colonial government were administered separately as colonies and protectorates but were all amalgamated and brought together as a political entity with a constitution known as Nigeria. From 1954 to 1963 three regional governments emerged Northern Region, Western Region, and Eastern Region. Each region was administered separately by its people under the leadership of the Lieutenant Governor, the representatives of the central government. Due to conflicts and other political and economic problems, the fourth region (Mid-Western Region) was created in 1963 to make them four regions up to 1967 when due to the civil war that erupted the country after independence the twelve state structures were created. From 1976, the 12 states were increased to 19, and in 1987 they were increased to 21, and from 1991 they were increased to 36 with a new Federal Capital Territory. Although the agitations for the creation of more states continued the 36 states structure was maintained up to date (2017).

THE STRUCTURE OF FEDERALISM IN NIGERIA

The federal structure in Nigeria was so elaborate with a 3 tier system of government, the federal, the state and the local government. Each tier of government has its executives, president at federal, and governor at the state and the executive chairman at the local government level. They also have their legislatures, bicameral at federal (House of Representatives and Senate), House of Assembly at the state and the local government councils at the local administration levels. The judiciary arm of government is represented by four levels of courts spread from local government (trial counts) to states (high courts and appeal courts) and a supreme court in the federal capital. All the tiers also enjoy separate civil service structures; federal, state and local government (civil service).

There also exists the legislative list, exclusive for the federal, concurrent for the state and residual for states and local governments. There is also the existence of the federal character commission in all the states of the federation to ensure the enforcement of federal character and



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quota system on all appointments in the federal and state parastatals and institutions of high learning.

CRITICAL ANALYSIS OF THE OPERATION OF THE FEDERAL SYSTEM

With the elaborate federal structure on the ground and the federal constitution that has clearly spelt out the functions of each organ of government and has stressed its supremacy of its provisions over the above other laws, individuals and groups, with an adequate arrangement of separation of power between all the organs and tiers of governments, with the supreme court as the highest court of the land, the rigidity and amendment procedures entranced in the Constitution and other provisions for the protection of the rights and liberty of the citizens, numerous problems cropped up, persisted and defined solutions, despite all the efforts. Up to date, there has never been a single formula on revenue allocation that was accepted to the entire group since 1914. The fear of domination of the minor tribes, marginalization, secession by the groups, boundary disputes, inter-ethnic and inter-religious conflicts are still prevalent with no end in sight (Odion JP. 2011).

It has been observed that the federal system in Nigeria has its peculiar problems which are quite different from the other factors and conditions in other federal states in the world. It is not surprising therefore that the factors and conditions that have helped in the formation and stabilizing of federal states in other places were not lacking in Nigeria but were overtaken by other interest and sentiment that were to be the detriment of the national interest. It is a well-known fact that the country that became known as Nigeria was made up of the people of different ethnic groups, with distinct cultures, customs, and traditions. There were up to 360 different ethnic groups of languages, but the groups had so many things in common that one may think there would never be a problem (Yaye, M. et al. 2016) but the groups have the following attributes:

- 1. Tradition of origin of the three top groups; Hausas, Yorubas, and Igbos all claimed to have come from the East. This has confirmed the fact that they all had foreign influences.
- 2. There were evidence of contacts between the tribal groups especially as regards to trading and inter marriages as revealed through similarities in cultural festivals and religious sacrifices.
- 3. The tribal groups were all unlettered as most of their accounts of tradition were through oral tradition. They only learned the art of reading and writing with the coming of Islam and Christianity.
- 4. The tribal groups were the products of great civilizations of empires and kingdoms, and each had a peculiar way of running its affairs.
- 5. The most common feature of all the tribal groups was the self rule. Each was independent and autonomous, and they fought hard to defend and protect the independences
- 6. Each tribal group was a prime maker of its history with a distinct culture and traditional setup.

- 7. There were clear evidence that the various groups were not strangers to each other before the amalgamation of 1914.
- 8. It had been established that it was the environmental factors more than any other thing that created the social, cultural, traditional, and occupational differences other than the historical and other factors.
- 9. The leadership of all the tribal groups was based on some super natural powers or some special abilities to bring fortune or to drive away the misfortunes such as control of spirits, rain fall, and other natural disasters.
- 10. The traditional religious beliefs of all the tribal groups were similar. They worshiped spirits and ancestors.
- 11. The factors for the rise and fall of the empires and kingdoms were similar and the same.

With all these similarities, relationships and contacts between the various tribal groups, the over 100 years of amalgamation did not make any reasonable impact on the attitude and relationship between the groups. In fact, the amalgamation was made possible after the conquests of the various groups by the British colonial forces (Niven, C.R.(Sir), 1970). Even at that time, the various groups/tribes could not cooperate among themselves to face the British colonial forces. They were, therefore, individually subjugated and forced into a union or an alliance which brought them together as a nation called Nigeria. Some elements of force were therefore applied. The comments and utterances in the national dailies during the 100 years anniversary of the nation confirmed this assertion especially from the Biafrans and Niger Delta groups (Odion, I. R. 2011), (the groups that are still nursing the secessionist tendency).

The colonial rule by the British from 1906 to 1954 tried several methods to use a uniform system of governing the newly created nation, Nigeria, but for obvious reasons even the indirect rule introduced succeeded only in the North but failed in the South because of various reasons; ranging from religious to other social, economic and other excuses, but the most important reason was the desire to remain independent and autonomous. Even the creation of warrant chiefs especially in the East was only seen as beneficial after it had been imposed, there would not have been a class of the royal fathers in some parts of the country if it had not been imposed.

It had been established that it was for the convenience of the colonial masters and the preference of the various groups that made the Richards Constitution of 1946 to adopt the Federation arrangement in Nigeria (Aderigbe, S. 2003, Gboyega, A. et al. 2013, Oyediran, O. et al. 2011). Although it had shaped the trend of development of Nigeria in all aspects and is reflected in all aspects of national life, it did not help in cementing and integration of the existing relationships between the groups. It had only increasingly distanced the groups from each other for fear of domination, distrust, suspicions, and rivalry among the groups. The existence of the tribal and regional based parties had continued to reflect even under the multi-party system arrangement.

Some scholars have blamed the federal settlements in Nigeria for creating the imbalance between the North and the South which empowered the North electorally and demographically and continued the domination of the Northerners in the political arena of Nigerian politics



(Oluwale Ojo et al. 2013). This they believed was what made the various efforts of individuals and groups that tried to bring about better means of integrating the people failed. For example, General Aguiyi Ironsi after toppling the First Republic wanted to introduce a unitary system of government but was resisted and resulted into a counter coup in 1966. Even efforts to restrict people to a two party system by both General Ibrahim Babangida (1985 to 1993) and General Sani Abacha (1993 to 1998) failed.

It should, however, be noted that despite the inappropriateness of the system there was also the issue of leadership. The First Republic was brought to an end because there was no strong leadership able to assert its will and control. The political crises in the Western Region that led to the imposition of State of Emergency in the Region in 1963 would have brought the Region under control if there was efficient and effective leadership willing to assert its authority. The regional leadership did not recognize the supremacy of the federal government at the center. The military is the best-organized group was able to seize the opportunity to take over power even with the disgruntled elements among them but because they used coercive force and were able to assert its authority survived the period from 1966 to 1979 and continued from 1983 to 1999. Despite all the short comings of the military regime in Nigeria they were able to achieve a tremendous success in the political development of the nation, such as; the Nigerian constitution, the local government Reforms of 1976, the creation of states, movement of federal capital from Lagos to Abuja, introduction of new currency etc. All these achievements were made possible because of their ability to assert their authority. Left to the people most of them did not even know what they want. A good example of those issues left to the people to decide where census figures, Revenue Allocation formula, creation of states and local governments; people can hardly agree on these issues because of personal interests, mistrust, suspicions, etc.

The Second Republic was brought to an end due to lack of effective leadership at the center which the military thought they could continue to provide as evidence from 1983 through to 1999. It was, in fact, the pressure not from within but without that made the military to stay clear of politics in Nigeria. They would have continued to intervene. It should be recalled that General Obasanjo succeeded both as a military leader and as a civilian leader because he was a tactical dictator, able to impose his authority. He made the appointments single handily and even cleared the way for the successors that came after him; President Umaru Musa Yaradua and Goodluck Jonathan (2007 to 2015).

It has been noted that it was a lack of effective leadership or laxity of the administration due to the corruption that contributed to the failures of most of the development plans, projects and policy implementation in Nigeria. It bred corruption, nepotism, tribalism, and all forms of social ills of the nation. It has reached a point that there was no coordination or proper control and nothing was working well in Nigeria. The problem is, therefore, not with the various policies and strategies adopted but with the people that implemented them. Federalism would have been the best option for Nigeria but the lack of willingness among the various groups, there is the need for a strong national commitment and a central control at the center that could impose its mandate without fear or favor for the achievements of the targeted developments.



It should be noted that it was the representatives of the various groups and sections that constituted the various tiers of governments. There was never a time when a particular tribe or section or region dominated all the tiers of government in Nigeria. It has been the representations of the various groups coming together to make up the government, at any level. The question of sidelining or marginalization is completely ruled out by the system. The impact of the group, therefore, depends on the effectiveness of its representatives. There could not have been a better federal system than this. The defect if there is any is therefore not with the system but with the people, conniving with each other against the groups they are representing and this is what bred the corruption, the menace the Nigerians are battling to come out of, but the war is far from being over as the beneficiaries are fighting back.

The system where the federal government provides for the central development and other tiers to provide for their immediate needs would have served a better purpose, but in a situation where people do not even pay allegiance to their respective states and local governments, one will not expect them to pay allegiance and loyalty to the federal government. It is the responsibility of the federal government to assume full control and use a formidable force to impose its authority for compliance. This is the only way of ensuring an even and integrated development that will wipe out corruption and instill discipline in the people of Nigeria.

RECOMMENDATIONS

The followings are the measures recommended to be taken to resolve the biting developmental problems of Nigeria. Some of these measures were taken but wrongly applied as a result the desired results were not achieved. Hopefully, these measures when implemented properly the desired results will be obtained:

1. A Federal Government with National Commitment

There is the need for a strong, recognized and respected a central government that could impose its authority on every section in the country. Under the present dispensation, such authority had never existed because the country had divided loyalty between the tribes, regions sections, religions, mentors, and sponsors of the various groups. There was no national commitment on the part of any body, and nobody seems to have this concern. The first task of the federal government is to ensure complete obedience, allegiance, loyalty and respect for the constituted authority by all groups, individuals, states and local governments. No sections, groups or persons should prevail above the interest of the nation.

The federal government should also ensure an adequate supervisory and monitoring role to ensure strict compliance with all its programs and policies so that there is no diversion or deviation from its course of action. No section should be left at its liberty to do what they want or to implement the policies the way they wanted. This is the way of ensuring standardization, integration and even development of the nation as a whole.

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2. Promotion of activities and programes that will instill patriotism and national consciousness in the citizens.

The political development of Nigeria as a nation did not encourage the attitude or sense of national commitment. Most of the so called national leaders were at best tribal or local champions. If the leadership of the country had at any point in time had shown this commitment, the orientation and attitude of the citizens towards national commitment and loyalty to the nation would have changed. The idea of national cake, struggles in revenue allocation, census figures, religious and ethnic conflicts was all due to lack of national commitments. If the citizens of Nigeria had put national interest above their interests, there would not have been the problems of corruption and all the social ills destabilizing Nigeria.

There is, therefore, the need for a change of strategy for instilling national consciousness, culture, identity, etc. If the leadership had been sincere most of the problems the nation is now facing would not have been problems at all. The slogans such as "one nation, one destiny" were made in good faith, but without sincerity, there was no commitment. The challenge of leadership is now to show the attributes of national commitment in themselves and use that as a yard stick to nurture, encourage, enforce and instill national awareness and consciousness among the citizens and anything contrary to this should be regarded as a betrayal or treason to the nation.

3. Mass Education and Enlightenment

A new wave of a national campaign for mass education and enlightenment should be embarked upon to educate the citizens about their duties, obligations, and responsibilities to the nation and what they should expect from the nation. Everybody should be clear about his expectations, and what is expected of him and the citizens should use this knowledge to accept or to reject what is not in line with the national standard. This will put everybody on his toes especially if appropriate measures are put in place to check and punish deviations.

4. A New Breed of Leadership With National Commitment

This is the type of leadership with a focus, vision, determination, and inspiration to achieve the national objectives, not self-centered, opportunists. The country now needs a new class of leadership with a mission, vision, focus and a good understanding of both the problems and prospects available to the country. A leadership that can deliver, achieve and that is confident, trustworthy, assertive, stable, reasonable and considerate. The sincerity of the leadership should prevail in every affair and justice, and fairness should be seen to be done. The citizens will be honest enough to help themselves.

5. A Change of Attitude

There must be a shift from the way things were being done to the doing the right thing at the right time. Just like President Muhammadu Buhari had once lamented that there is now the need of following the correct procedures in the things we do as there is a procedure for everything. This is the first step towards achieving success with the new orientation. Citizens should be



encouraged to accept the correct procedures of doing things and to reject anything that is not in conformity with the correct procedure. The implementation of this is not going to be easy as the Nigerian citizen is not used to following procedures. They believe one follows the procedure only if he does not know anybody or if one does not have the money to pay for his way. This is a very serious precedent difficult to combat, but with good leadership examples and the backing of law enforcement agencies, the change of attitude will be attained. There should be no short cuts and no hunting; any attempt should be met with a severe punishment.

6. A Reformed and Sincere Independent Judiciary

The need for a reformed Independent Judiciary is necessary for the quick dispensation of justice and enforcement of laws without fear or favor. The appointment of the judges should be based on merits and the career success of the judges should base on the number cases passed. The Judiciary commission should work hand in hand with the Ministry of Justice to achieve the purpose of their very existence. They should get all the empowerment and the independence and autonomy they required for the performance of their duties.

7. A Reformed Law Enforcement Agencies

There is a need for a reformed patriotic police force, army and civil servants to implement the various government policies and programs for the achievement of developmental objectives. They should ensure strict compliance of all the government policies, and laws and order. Their activities should not scare citizens but serve as a deterrent, and the purpose should be corrective.

8. Appointments Should Be Based on Merits And Areas of Specializations

Under the present dispensation, this factor as the basis of appointment has been neglected, and this has been the major cause of brain drain and lack of seriousness among the citizens. It has now reached an extent that efforts, initiatives, and specializations are not the major considerations in the appointments. It is mainly based on whom you know or who is outside there for you. This development has been the major cause of setback in Nigeria's development and had constrained the nation from attaining greater heights in its developmental projects.

The new leadership should put measures on the ground to identify, recognize, encourage, reward and compensate special efforts and initiatives in the selection, appointments, and promotions. The "man know man" concepts, mentoring, sponsorship and god fathers should give way to the developments of the real talents of the citizens to enable them to contribute their quota to the elaboration of the country.

9. Discontinuing the Inappropriate Policies and Decisions

It has been observed that some policy makers had made a certain policy decision to enable them to hold on to their gripe of power. Olawole Ojo (et al. 2013) had confirmed this when he observed that some policies and decision were intentionally manipulated to reflect and serve certain interest groups. The examples of this can be seen in the election laws to facilitate rigging,



budget padding and inflation of contract costs. Another way he observed was the manipulation of the state apparatus to remain in control. He was therefore of the opinion of having an honest political arrangement that will provide equal access to political power and other opportunities to all Nigerians rather than confining it to a group or a section.

Constitutional issues like incumbency factor should be reviewed to check election malpractices and curtail inappropriate use of government resources. Other good practices started but stopped because they do not favor some people should be resuscitated and continued like the 'Due Process' started during the presidency of Obasanjo, the EFCC, and the special tribunals should be overhauled and allowed to continue. Opportunities should also be given for the continuous training of the work force to facilitate the achievement of the purposes of the government.

CONCLUSION

This study has proved that the appropriateness of Nigerian federal system was based on convenience of the colonial masters and the preference of the regional leaders (Muhammad, A.A. 2014). The feature and structure of the system were not only adequate but had served the purpose at a point. But with time and due to the inability of the regional leaders to commit themselves and their people to the course of the federal system they decided to remain reluctant. This attitude was responsible for all the misfortune that befall Nigeria to the extent that some people started doubting the appropriateness of the system and some had even gone ahead to suggest changes or reforms in the system to make it, in their words, a true federal system (Odion, I.P.2011).

It has been noted that the federal system has all it takes to provide for the achievement of national goals and aspirations but the attitude and unwillingness on the part of leadership prevented the system from functioning very well. The problem is therefore not with the system in itself but with the operators. This does not mean the system is absolute but the bottle necks of the system are more attributable to the leaders, who should have given a chance to the system to operate. It was this more than any other thing that brought the country to the level of corruption it has reached. This is an unfortunate development which cannot easily be corrected. After all, there has never been a reasonable development in the country to which all the leaders had consented to, not even the independence date of the country in 1960. It seems therefore that for every reasonable development somebody or some people would have to initiate or even make a choice for the people. This is because the generality of citizens lack the knowledge or the competence to choose for themselves what is good for them. The elites in Nigeria should know by now that their decision was for their interests and not for the common man.

For Nigeria to achieve true democracy and real federalism, the elites must carry everybody along and must be ready to implement the recommendations of this paper without any reservations. This is the only way of achieving the desired changes that will wipe out corruption, mistrust, and suspicion among the various ethnic groups of people. Most of us have by now realized that Nigerians, because of their bitter experiences over the years, are now willing and



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ready to change for the better but there is the need for an honest and sincere leadership to carry them along. In the words of General Ibrahim Babangida, the military head of state from 1984 to 1993, who was compelled to confess, that "..... history will forgive us for taking wrong decisions but will not forgive us for taking no decisions at all." There are just no two ways about this fact that Nigeria is in need of leadership it can trust and confide with.

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