

Issues, Crisis and Failure of President Olusegun Obasanjo's 2005 National Political Reforms Conference

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Abstract

Nigeria's process of constitutional engineering that would guide political reforms has been a painstaking and enduring experience. Successive military regimes and the civilian government of Obasanjo had convened constitutional/political conferences to address the issue of Nigeria as a state but the exercises have ended up fruitless. This study analyses the Obasanjo political reforms conference of March 2005, with a view to unraveling the circumstances that brought the political reforms conference to an abrupt end without achieving any desired result. Discourse, content and narrative approaches are utilized in the analysis. Two major issues led to the failure of the political reforms conference. The first was the intent by President Obasanjo to perpetuate himself in office beyond the democratically stipulated tenure and the second was the non-compromising stand by the delegates to the conference on the issue of resource control and derivation formula for the Niger-Delta region. Aside the legitimacy crisis that characterized the conference, Nigerians have again lost the opportunity to discuss meaningfully issues bothering the unity and political development of the country.

Introduction

The march towards the actualization and institutionalization of constitutional democracy in Nigeria has been a painstaking experience. From colonialism to the present, several constitutions, 1946, 1951, 1954, 1960, 1963, 1979, 1989 and 1999 have emerged without still meeting the expectations of Nigerians (Osaghae, 2003). All these constitutions were either conceptualized and or promulgated by the foreign imperialists or by their local military

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dictators (Olagunju, 2006). Nigeria has passed through criminal stages of political development from colonialism to militarism and now to civil tyranny in the guise of democracy. These experiences have compounded and complicated the problems of Nigeria as a single state. First, Nigeria as a single territory emerged from the British fusion of diverse ethnic, religious and cultural elements into a single political entity. The process of British conquest, subjugation and coercive cohesion of these diverse nations with different levels of political sophistication was never one of tranquility as it heralded the sanguineous brutality of British “maxim and gunboat diplomacy”. The amalgamation of Nigeria in 1914 was carried out with several unanswered questions which still create egregious political black holes, forcing from time to time grave consequences in the political development of the Nigerian state. Some of these unanswered questions include: What would be the effect of uniting the Fulani emirates with their comparatively static, traditionalist outlook with the thrusting, competitive, individualistic societies of the South, now?...How would societies that had been earlier rivals and often hostile states live together under one administration? Should they form a single nation? How could a single allegiance be forged amidst different interests and cultures? (Erhagbe, 1997). These questions have continued to remain pertinent years after Nigeria had gained independence from Britain.

Underlying the Nigerian tragedy was that its diverse groups were to evolve as a state under the British policy of insulating and isolating the North from the South. What is of note is the fact that Nigerians were never allowed to naturally integrate and evolve a home-grown agenda for nation or statehood. It is apposite to state that Nigeria’s path to independence had been spewed with various constitutional arrangements and conferences. Nigeria on her path to independence witnessed the introduction of three major constitutions, apart from the Clifford’s Constitution that enfranchised her citizens, namely the Richard’s 1946, Macpherson 1951 and Lyttleton in 1954. Each of the last two constitutions was aimed at rectifying the anomalies consistent with the polity. Furthermore, they were preceded by constitutional conferences in

which Nigerians participated and represented their interests, which at the long run did not override the colonial interest (Ekeh, 1989).

Nigeria's first Republican constitution of 1963 processed under civil rule came to an abrupt end with the first military coup of 1966, and between 1966 and now, Nigerians never had the opportunity to collectively evolve a constitution of their own. All the constitutions that emerged after the republican constitution were products of the military (Jinadu, 1989). Successive military governments went through the processes of constitutional conferences, usually a gathering of civilian professionals, technocrats and politicians, to help them fashion the constitutions, yet with the military deciding the final outcome of the constitutions. Apart from the 1977/78 constitutional conference, all the other ones following were miniature plans to perpetuate the stay of the incumbent rulers in office. This study, therefore, analyses the Obasanjo political reform conference (confab) of March 2005 and draws same conclusion that it was rather the interest of self perpetuation in office and the inability to accommodate the interest of minorities in the Niger-Delta that both engineered and brought the conference to an abrupt end.

Processes of Constitutional Engineering

A more consultative approach was toed by the Sir, John Macpherson in its bid to draw a receptive constitution, which saw the grouping of diverse ethnic elements to discuss the constitution. Several fora or conferences were held to discuss the constitution; one of the most prominent was the Ibadan Constitutional Conference of 1949 which clearly reflected the ethnic and regional inclinations of some of its participants (Erhagbe, 1997). Four minority reports which were presented along the main report reflected the ethnic inclinations of their producers. It is important to note that some of these unresolved issues such as the concerns of minority groups and their interests still threaten the very foundations of the Nigerian state even at present. Thus, the Macpherson Constitution of 1951 was but a fleeting solution to the amalgamated

crisis of the Nigerian state and it was later weakened by the agitations of the nationalists (Coleman, 1986; Bretton, 1962; Dudley, 1966).

In 1954, the Lyttleton Constitution replaced the Macpherson Constitution. One of the innovations of the Lyttleton's constitution was to introduce a federal system of government in Nigeria, where regional governments were given autonomy to operate on certain issues. However, regional autonomy only gave each of the three dominant ethnic-Hausa/Fulani, Yoruba and Igbo dominance in their respective regions (Dudley, 1989; Ikime, 2000; Osaghae, 2003; Mamdani, 2003; Sklar, 2004.). The Lyttleton's 'federal' constitution engendered ethnic and regional politics, which weakened and threatened national integration and social cohesion, but also engendered and facilitated majority domination of the numerous minority groups in Nigeria. The domination of the minority groups by the major dominant groups gave rise to several agitations which resulted in the London Conference of 1957, and the setting up of the Willink's Commission to look into the fears of minority groups in Nigeria (Willink's Commission, 1958; also cf. *Journal of Constitutional Development*, 2001: 57-133). However, the concerns of the minority groups were dismissed and independence was granted in 1960.

At independence, the politicians were mainly interested in dominating their regions and the government at the centre without any recourse to finding lasting solution to Nigeria's most unresolved problems, which practically revolved around the question of integration, equity, justice and fairness. The unresolved problems of unity and diversity of the Nigerian state snowballed into the 1967-70 civil war and subsequent incursion of the military in the politics of the country. The coup of January 1966 marked the emergence of the military into Nigerian politics (Erhagbe, 1997). General Aguyi Ironsi's (the first military head of state and beneficiary of the coup) response to the problems of the post-independence Nigerian state was the introduction of a unitary system of government. For instance, the economic formula of the pre-1966 era which saw the

various regions having control of their natural resources to a large extent was abolished. General Ironsi who felt that what the nation needed was a unitary government swung the pendulum from one extreme end to the other. After Ironsi, the centralization of governance became the hallmark of successive military administrations (Adamu, 2005). Nigerian political system became a federo-military type, where federalism was mixed with military dictatorship. It started with General Yakubu Gowon, who abolished the regional governments and introduced the state creation exercise. He created 12 states out of the four regions. The states increased to 19 during the Murtala/Obasanjo government; rose to 21 and 30 during the Babangida era and 36 during the Abacha government. As the states increased in number, they decreased in strength since all the states became mere appendages of the central government (Osaghae, 2003) to the extent that the states would have to look up to central government for policy, financial and administrative direction and support. Most of the responsibilities of the states were taken over by the central government (Ekeh and Osaghae, 1979; Suberu, 2003). Not only that, the constitution which is the bedrock of federal democratic culture is bound to be associated with numerous problems, and this is because it is the product of the military and not one that evolves through painstaking consensual agreement of the people of Nigeria.

The Murtala/Obasanjo Constitutional Conference

In 1975/1976, the Murtala regime which was eager to return power to a civilian administration saw the need for constitutional engineering that would evolve a constitution, which will serve as the bedrock of democratic governance. The Constitutional Drafting Committee was inaugurated in October 1975. General Murtala reminded the members of the Committee that the fear of the predominance of one of the region over another has been removed by the simple Constitutional Act of state creation. Therefore, the aim of the Constitutional Drafting Committee was to solve other problems affecting the corporate existence of the Nigerian state (Ajayi, 2005). Despite several disagreements, the Constituent

Assembly eventually produced the 1979 Constitution with its presidential system of government as well as its most controversial input from the Land use Decree of 1978, which controversially transferred the ownership of land from individuals and communities to government. The Constituent Assembly also sparked off the deep seated religious tensions in the Nigerian state. The major issue was the insistence by Muslim representatives for a Federal Shari'a Court of Appeal. Alhaji Shehu Shagari who led the Muslim representatives to stage a walkout eventually became the first elected President under the National Party of Nigeria (Kukah, 1994). The Chief of Army Staff, Supreme Headquarters, the late Major General Shehu Musa Yar'Adua had to declare the shari'a issue a 'no-go-area' to enable the Constituent Assembly proceed. This constitutional conference became the only one with a crystal intention to hand over power to the civilians.

The Babangida Constitutional Conference

In 1989, the Babangida led military administration took its own share in the search for the almighty political formula that would resolve Nigeria's unresolved questions of her extant political state. In his inaugural speech to the Constituent Assembly, Babangida created several no-go areas and advised the Assembly "*not to indulge itself in the fruitless exercise of trying to alter the agreed ingredient of Nigeria's political order...*" (Ajayi, 2005). Nigerians were not smart enough to read in-between the lines from Babangida's speech, especially regarding his personal motifs (secret agenda) other than the national and collective interest he presented to Nigerians. His actual plan was to perpetuate himself in office beyond the 1992 handing over date. As expected, his stage-managed Constitution Drafting Committee could not come up with a proposed date of his disengagement from office. An editorial described the process as "a thick pall of uncertainty about 1992" (see, *African Concord*, September 9, 1991, p. 7). The 1988/89 Constituent Assembly ended fruitless. Babangida's intention to extend his stay in office became manifest when in 1992 he banned the old brigade politicians from participating in politics with the

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excuse of giving younger and uncorrupted persons a chance. His annulment of the June 12, 1993 presidential elections won by M.K.O Abiola portrayed the climax of his political greed. The clamour for a Sovereign National Conference (SNC) got intensified after the annulment of the June 12 1993 Presidential elections in which M.K.O. Abiola was widely believed to have won. As the pressure got intensified by civil society organizations and young military officers as a result of the nation-wide protests that greeted the annulment of the election, Babangida 'stepped aside' on August 23 1993 and put in place an interim national government headed by Earnest Shonekan. Babangida disengaged all his service chiefs but left General Sani Abacha to take charge of the military. Shonekan's interim government did not last long as he was ousted by a bloodless coup by General Abacha and his junta.

The Abacha Constitutional Conference

Gauging the pulse of the nation, General Abacha who Babangida left behind as a surrogate initiated a Constitutional Conference in November 1994 instead of a Sovereign National Conference that Nigerians clamoured for. The conference had a membership of 369 persons out of which Abacha's military administration nominated about 250 persons. Nigerians boycotted the election of delegates to the conference as only about 300,000 persons voted in a country of about 30 million voters then. Delegates to the conference were divided into two factions with one insisting on January 1, 1996 as exit date for the military to disengage from government and the other canvassing for more time in office for Abacha. The former group was led by late Shehu Musa Yar'Adua, a delegate from Katsina state while the latter group was led by Phillips Akpeki, a delegate from Delta state. Yar'Adua was later implicated in a phantom coup and was arrested from the venue of the conference and was held in Enugu prison where he died mysteriously. With Yar'Adua's exit, Phillip Akpeki succeeded in making the conference to cancel the January 1, 1996 handover date for a later indefinite time (*Tell*, May 8, 1995: 10). Even Mr. Tony Anenih, the chairman of the defunct Social Democratic Party on

whose platform Abiola contested and won elections also supported the indefinite date for Abacha's handing over to civilians. Mr Anenih initially belonged to the Yar'Adua group but soft-pedalled after the latter was arrested. At the long run, Abacha's constitutional conference was rather a game plan hatched by his cohort to enable him perpetuate himself in office. An editorial summed it up by saying: "the only thing that would have been achieved from this long tiresome and expensive effort is that nothing was done, how sad" (*Tell*, May 8, 1995: 15).

The Quest for a Sovereign National Conference (SNC)

Several issues necessitated the convening of the political reforms conference. There is the longstanding issue of domination politics that first came to limelight during the Willink's Commission of 1957. During the course of its field tour, the Commission established that "*except to a limited degree in the case of the Ijaws, the representatives of the minorities who came before us saw in a separate state the remedies for the dangers that they feared. Most when questioned, replied emphatically that nothing else but a separate state would serve their purpose*" (Nnoli, 1980: 258). The lopsided nature of Nigeria's type of federalism both in terms of structure and fiscal distribution also reinforced the need for a sovereign national conference; the place of religion in Nigeria's governance process; the citizenship question in the face of indigenism which led to the death of several hundreds of people and the constitution, a product of the military itself which many Nigerians insisted must be re-examined to suit the new pattern of democracy were all pointers that must be addressed by the collective will of the people.

The quest for the convening of a Sovereign National Conference' heightened after the Babangida led military administration in connivance with some civilians annulled the June 12, 1993 presidential elections believed widely to be won by M.K.O. Abiola. The annulment was viewed by many as an attempt by the northern political elite not to allow power to shift to the

south. Not even the emergence of General Sani Abacha and his dictatorial rule could suppress the agitation by individuals and civil society organizations for a sovereign national conference.

Transition to civil rule, therefore gave Nigerians a lot of hope that the 'new democracy' especially the fact that a southerner was now 'elected' as the president of the country would correct the long-time imbalance experienced in the polity. The drive for a change not long after Obasanjo was 'elected' as the president began with a small group of elderly technocrats, professionals and politicians led by the late Rotimi Williams known as the Patriots. This group of people continued to torment the government of Obasanjo to effect constitutional changes that would allow for the smooth running of the country, given that the constitution that ushered in the 'new democracy' was a military-imposed one.

Faced with this pressure but also having its hidden agenda, the Obasanjo regime commissioned the Governor Ahmed Makarfi Committee in 2004 to kick-start the process of a political conference. The committee concluded its work on December 31, 2004 and produced a background paper for a new political reform committee (*The Guardian*, Tuesday, July 12, 2005). The Makarfi Committee had addressed such issues as the transformation of political parties into viable vehicles for deepening the content of Nigeria's democratic values and nation building as well as the process of constitutional reform among others (Ajayi, 2005).

Thus, following the recommendations of the Makarfi Committee, President Obasanjo declared open the National Political Reform Conference (NPRC, a.k.a. National Confab') in March 2005 with over 400 delegates to discuss and reach consensus on any aspect of governance arrangement for reinforcing the unity, cohesion, stability, progress, development and performance of the Nigerian foundation (Ajayi, 2005). According to Governor Tinubu of Lagos State, the fact that there was a proposal on the table for reform underscores the reality Nigerians have shared in transiting from one republic to another (Tinubu, 2005).

The Legitimacy Crisis

At the onset, the Obasanjo political reforms conference was greeted with legitimacy crisis because it lacked constitutional basis. The National Assembly had distanced itself from the conference because both chambers argued that only the National Assembly had the powers to effect changes in the constitution. The controversy bothered on the issue of sovereignty. The argument was that members of the legislature were representing their different constituent units which invariably meant that the electorate had surrendered their sovereignty to the representatives. In order to demonstrate this power transfer and power control, the National Assembly had initially refused to approve the sum of N931 million that was budgeted for the exercise (*Newswatch*, March 21, 2005, p. 32). The legislators considered the conference as usurping the functions of the legislative arm of government and a share indictment on the legislative body for not carrying out its statutory functions. According to Mr. Effiong Bob, a Senator from Akwa-Ibom, *“there was nowhere in the constitution of the country that provides for a referendum in the affairs of the nation”* (*Newswatch*, Ibid.). Likewise, Abubakar Sodangi, a Senator from Nassarawa State said: *“Not even Mr. President has the right to call for a referendum. He has to subject his actions to the approval of the National Assembly”* (Ibid.).

It could be argued constitutionally that the President did not have the right to convene a conference that would discuss the political affairs of the country. It could also be argued that deliberations at such conference were null and void since such would lack constitutional legitimacy and therefore could not be binding. Yet' some persons disagreed with the position of the National Assembly members by insisting that sovereignty rests with the public and not the legislators. Moreover, a greater number of those in the legislative arm could not be said to be representing their people as they lacked the legitimacy, since they were not elected by the people. Asari Dokubo, the leader of the Niger-Delta Volunteer Force, rebuffed the Obasanjo's political reform conference and

pitched his tent with the Pro-National Conference Organization (PRONACO) group led by the elder statesman, Anthony Enahoro. According to Dokubo, “*we must know that the (sic) sovereignty belongs to the people. It does not belong to anybody. And it is the people that will exercise this sovereignty*” (Newswatch, February 21, 2005, 19). Because of the controversy of the legitimacy of the conference, most Nigerians were of the view that outcomes of the conference should be subjected to a referendum and once the general public agreed on certain decisions, such should be automatically gazetted by government without necessarily passing through the National Assembly. However, Sule Lamido who was a delegate from Jigawa State and the present Governor of the state cautioned on the demand for a referendum after the conference. In his words: “*Talking about referendum there is no institution in place in Nigeria today, which has the legitimacy to undertake this project more than the Nigerian national assembly*” (Newswatch, March 21, 2005, p. 44).

Despite opposition from the National Assembly, President Obasanjo declared the conference open and provided the terms of reference that would guide deliberations at the conference. The terms of reference were summed under 18 point agenda which included the economy: agriculture and food, land tenure system, oil and gas, manufacturing industry, services, foreign trade, monetary policy and the protection of the national currency, debt (external and internal) and foreign exchange and national development; Human and Social security: Human rights and the rule of law; Education: Primary, secondary and tertiary; Health: Youth development: the development of the Nigerian child; pro-gender policies; Food and water security; Culture and sports; social security (Pension); National Security: the Armed Forces, the Police, the State Security Service, Prisons, Customs and Immigration, Substance abuse; Social infrastructure: Energy, railway, road transport, information and communications technology; Models and structure of government: tiers of government (federal, regional/zonal authority), state, local, federal, state and local or Federal, regional and state; and Power, exclusive list of Federal Government (without any concurrent list)

with region/state government or local sharing power, power Sharing between the central Government and other component units (Ajayi, 2005).

The “No-Go” Area

Like his predecessors, Obasanjo spelt out some no go areas, sensitive issues that must not be compromised for the sake of national interest and Nigeria’s continued existence as one indivisible country. Such “no-go” areas included the unity of the county federation, the federal system of government, the federal character principle, multi-religiosity, and the separation of powers. According to Obasanjo (*Newswatch* March 7, 2005, p. 13).

The Conference is free to strengthen, update and refine these (issues) in their (sic) recommendations, nothing should be done to undermine our national integrity and sovereignty, or weaken our national cohesion. These areas constitute the bedrock of our national unity, identity and political praxis.

With this statement, it was certain that the conference was not for any serious business but a gathering of people who would end up getting sitting allowances without any positive outcome to politically improve the country and set things on the path of political righteousness. This is because the very issues that Obasanjo declared as “no-go” areas are those that constitute the national question in Nigeria. For instance, Nigeria’s quasi federalism has been pointed out by many scholars and political analysts as being the very bane of political accommodation and social- development in Nigeria. Furthermore, the refusal to allow an alternate form of government other than presidentialism which is very expensive to run was a clear indication that Obasanjo was not willing to either decentralize or devolve power and economy that usually make the president of Nigeria very corrupt; more so that he thought the conference would provide a platform for him to actualize the extension of his stay in office beyond 2007. Femi Okurounmu, who represented *Afenifere*, the pan-Yoruba socio-political organization spoke against.

Obasanjo's "no-go". He specifically singled out the "no-go" area on the presidential system of government for criticism:

We must not give room for any "no-go" area. We should examine all things that need to be examined. There are other democratic options for Nigeria. There is parliamentary system which we had practised before. So, let us examine the pros and cons. Let us not jump at the conclusion that there is no alternative to presidentialism. We shouldn't be narrow minded. Presidentialism was imposed on us (Newswatch, March 7, 2005, p. 14).

"Fair" Religious Representation or Jihad

Religion has and will continue to play a very sensitive and influential role in Nigerian politics (Falola, 1990; Kukah, 1994; Kenny, 1996; Suberu, 2004; Ilesanmi, 2001; Kastfelt, 1994). It is so pronounced to the extent that appointments into key political and administrative positions often bear religious emblems, and the divide is between Christianity and Islam (International IDEA, 2000). Currently in Nigerian government and politics, it is so obvious that a Muslim president must have a Christian deputy and vice versa. The government of Obasanjo took it for granted in appointing Justice Niki Tobi and Reverend Father Matthew Hassan Kukah, both of them Christians as Chairman and Secretary of the National Political Reform Conference respectively. Although Niki Tobi was from southern Nigeria while Matthew Kukah was from the north, such representation did not assuage the Muslims in Nigeria especially those from the north. Muslims in the north threatened to embark on a jihad if the President did not alter the executive appointment. They questioned why both the Chairman and the Secretary of the conference would be Christians and were quick to interpret the move as a hidden agenda on the part of the President to favour Christians.

Three Islamic groups, the Jamaatil Nasril Islam (JNI), the Supreme Council for Shari'a in Nigeria (SCSN) and the Nigerian

Supreme Council for Islamic Affairs (NSCIA) alleged that the composition of the leadership and membership of the conference had revealed a glaring lopsidedness, which was tilted in favour of the Christians. They pointed to the fact that out of the 393 delegates, the Christians were 233 while the Muslims were 160. The three Muslim organizations were not happy with the President for being insensitive in the appointment of the leadership of the conference. Both the JNI and SCSN emphatically voiced out their grievance thus: *“We are inclined to view this as a disturbing sign of a premeditated agenda to sideline and even subjugate the interest of the Muslim Umma of Nigeria at such an important forum for the possible redrafting of the nation’s constitution”* (Newswatch, March 7, 2005, p. 23). The NSCIA stated that *“certain steps taken by Mr. President in relation to the conference had dampened the enthusiasm and undermined the confidence of Nigerian Muslims”*, which *“manifest a blatant religious insolence”* that is detrimental to Muslims (.Newswatch, March 14, 2005, p. 45).

This position seems to suggest intolerance on the part of Muslims because at some points in the political history of Nigeria, the Christians expressed more political maturity and accommodation. For example, General Muhammadu Buhari and his deputy General Tunde Idiagbon who ruled the country between 1983 and 1985 were both Muslims. Again, M.K.O. Abiola and Babagana Kingibe who won the June 12, 1993 presidential election that was annulled by General Ibrahim Babangida were both Muslims and the Christians never complained to that effect (Danjibo, 2008). Further religious crisis was averted during the conference when Umaru Dikko, a delegate from Kano insisted that the conference would not sit on Fridays to enable Muslims go for their prayers, since according to him, Christian delegates would not agree to sit on Sundays. *“Delegates handled the matter with a high sense of maturity as they quickly agreed to skip the Friday sittings”*.

However, some prominent Muslims took moderate stand on the issues while others condemned the religious posture of the Muslims. For example, Sule Lamido, a delegate from Jigawa opined

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thus when asked to comment on the claims of marginalization by the Muslims:

It is normal for people to read motives, more so when the actions and inactions seem to justify such motives. I think that those who are saying the representation is lopsided are right and I don't think it portrays the right political chemistry of the country in terms of religion. Whether it is an oversight, I don't know, but obviously if the action of government gives that kind of impression, I still don't think people should read motives into it. I think we should be mature enough, even where there are seemingly some errors made they should be taken with some understanding, because they are not intended to mean anything. Obviously, however, we should not in our action or conduct give people the impression to raise moods which we can't defend (Newswatch, March 21, 2005, p. 44).

Retired Colonel Abubakar Umar Dangiwa, though from the ruling Sultanate of Gwandu in Kebbi State, took a swipe on the Muslims who were calling for a jihad if the leadership of the conference did not reflect Muslim representation. He said the demand was uncalled for since there were many states in the north which have a fair number of Christians yet did not submit the names of Christians as representatives at the conference. Such states as Bauchi, Borno, Kebbi, Niger, Gombe, Yobe and Zamfara have a preponderance of Christian population, yet refused to allow Christian representation at the conference. Be that as it may, the Obasanjo government had to appoint two Muslims to be both co-Chairman and Secretary of the conference in order to douse the tension created by the demand of the Muslims.

Ethnicity, Groups and Conference Agenda Setting

For many Nigerians, the national conference provided an opportunity where Nigeria's problems would be discussed. Groups

therefore, besieged the conference with different interests and agenda, which shall be discussed and analyzed in this section. We shall categorize the discussion into ethnic groups, group identities and zonal interests.

The Hausa-Fulani/ Northern Interest

The interest of the north was usually championed by the Arewa Consultative Forum (ACF), but this time around, the forum did not show any kin interest in the national political conference for the reason that it had no business with politics and insisted it was more of a cultural than a political organization. This expression of political apathy led Abubakar Olusola Saraki to form the Northern Union Group (NUG), a politically conscious organization. According to Saraki *“Every time we ask ACF of political opinion, everyday they will say that they are not politically oriented. Yet there is nothing you do in this world without politics”* (Newswatch, February 21, 2006, p. 18). The NUG appeared not to be comfortable with the presidential system of government and preferred alternative political system (s) that would bring about equity, justice and fairness in the country. Two major issues that the union would not however compromise were those of power shift to the north come 2007 and resource control. The group insisted that the north must produce the next president and would not agree to any extra concession on resource control. According to Saraki, *“Now people talk of resource control. Honestly, when I hear this I cry within myself. I remember how Nigeria was being financed before the advent of oil. You know of groundnuts in Kano, hides and skin and agriculture. Everybody has forgotten all these now”* (Ibid.).

The interest of the NUG seemed to clash with that of other northern delegates. Muhammadu Kurfi, the leader of the delegates from Bauchi State said he and his team were supportive of the presidential system with a *“strong federal and two other tiers of government”*. He also said his team would not allow for any discussion on religion because there were feelings among Muslims that the conference was meant to quash Shari’a law in the north.

Kurfi stated that *“the general belief among Moslems was that the overwhelming majority of Christians over Moslems at the conference as well as its being headed by Christians was deliberately intended to achieve the elimination of Sharia law and practice*This position was shared and supported by several other Muslim delegates from the north. In other words, Shari’a was a “no- go” area for discussion at the conference. Despite the fact that Sharia was responsible for the death of thousands of people in Nigeria, Muslim delegates from the north were not ready to let a discussion concerning the issue. However, the tacit support for the course of Sharia by Muslim elite and clerics in northern Nigeria would turn out to be the monster that may be responsible for the destruction of the region in the future. This is because Muslim fundamentalist groups may in the future insist on Islamizing the entire region and would use every means possible, including violence to actualize the course.

The Yoruba/Southwest Interest

The six governors of the south-west states met on February 6, 2005 to discuss a common agenda for the ethnic group at the conference. The Yoruba agenda hinged on the insistence of the ethnic group to clamour for the abrogation of the presidential system of government in favour of the parliamentary system, which would eventually set Nigeria on the path of confederalism. For the South- West zone, *“the thrust of the Yoruba agenda was the restoration of the parliamentary system since many people tended to believe that the presidential system is very expensive”* {Newswatch, February 21, 2005, p. 15). The opinion of the Yoruba was that during the regional governments and the first republic, the parliamentary system brought governance closer to the people, and it was much easier for the electorate to hold elected officials to account. According to Richard Akinjide, the spokesperson of the Yoruba:

We are convinced that the course of Nigeria’s federalism will be well and truly advanced if we return to the pre-1966 evolutionary path, a balanced

federal structure which recognizes fully the legitimate claims of all ethnic groups for self-determination and where no single entity among the federating units will be strong or powerful enough to hold the others to ransom, but where each of the federating units is large enough, both in terms of size and population as well as of resources, to be viable, self-reliant and dynamic (Newswatch, February 21, 2005, p. 14).

Nigeria's best form of federal practice occurred in the pre- 1966 political arrangement, which gave autonomy to the regions, and where each region developed according to its resources and pace. This was the vision of the Yoruba group from the southwest for the conference.

The Igbo/South-east Interest

The Igbo agenda for the conference was championed by the Ohaneze Ndi'gbo, a socio-cultural and political organization renowned for promoting and defending the course of the Igbo people. Their main agenda centred on:

The return of Nigeria to true federalism, restructuring the country into six regions- each region with its own constitution, and the region shall become federating units; comprehensive reorganization of the police and the Nigerian Armed . Forces; as well as amicable solution to the ethnic cum religious violence which had frequently claimed the lives of Ndi gbo in the North. Other issues...include the implementation of the Federal Character Principle and rotational presidency (Newswatch, February 21, 2005, p. 16).

The South-south/Niger-Delta: The people of the South-south zone otherwise politically known as people of the Niger-Delta met in Calabar on the 9th of November 2004 to discuss issues concerning

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the region. The major issues that came out of the meeting were their common interest on the control of resources and the desire to produce the next president of the country. These issues formed the bedrock of their agenda setting for the conference, with moderate alteration for 50 percent demand of derivation from the federation.

The Failed Conference

Two crucial and controversial issues led to the failure of the conference. The first was the tenure elongation plan of Obasanjo and the second was the resource control controversy. President Obasanjo got intoxicated and corrupted by power that he was ready to use every crooked means possible to thwart the constitution so that he could run as President for the third term.

Tenure Elongation (Third Term Bid) Controversy

Many Nigerians believed that the plan by Obasajo to extend his stay in office was actually the remote reason why he allowed the conference to hold in the first instance. He and his political cronies and loyalists had crafted a constitutional amendment which suggested tenure elongation for Obasanjo. Two of Obasanjo's political loyalists and aids, Professor Jerry Gana and Ojo Maduekwe were hired to bring the plan to a logical conclusion, but they had difficulty in explaining the rationale of a six year term of office for the President, beginning with Obasajo (*Newswatch*, August 15, 2005, p. 14). If they had succeeded, Obasanjo would be the first beneficiary and that would enable him to spend 14 years in office, since the document would likely have been adopted after his two terms of four years in office.

There were several reactions from across the country condemning the proposed plan of tenure elongation for Obasajo. Despite the huge sums that allegedly went round to bribe the delegates to adopt the crafted constitution, it was very clear that delegates from the north were vehemently opposed to any consideration to that effect as most of them were united in the course of returning power to the north, come 2007 (Rasheed, 2006).

A sociocultural and political organization of Obasanjo's kinsmen, the Afenifere, called on Nigerians to resist any move toward the

We are calling on all the democratic forces in Nigeria and all those who resisted Abacha's agenda to get a wake-up call to know that there is need to begin to re-group forces so that Nigeria's democracy is not put in peril by those who, for selfish reasons, want to shift the goal post at half time (Newswatch, August 15, 2005, p. 13).

There was also the factor of Vice President Atiku Abubakar. The Vice President used his political influence and made sure that the proposed third term bid of his boss, Obasanjo, did not see the light of the day. The Vice President's firm resistance of the proposed tenure extension of Obasanjo. On Wednesday, July 27, 2005, President Obasanjo had cause to address a joint session of the National Assembly. The Speaker of the House of Representatives, Aminu Bello Masari who was billed to give a vote of thanks rather used that opportunity to tell Obasanjo in clear terms that the tenure elongation plan would not see the light of the day. Said he:

I am not favourably disposed to it because the provision in the constitution says a governor or a president or a chairman of a local government would do two terms and no more. The constitution is very clear on that. And for me, I know that nobody will approach me with the issue of third term because I have not seen it, I don't know where it is (Newswatch, August 15, 2005, p. 13).

By this statement, Masari sent a clear message to Obasanjo and his people that it was fruitless for them to pursue the course of the third term using the National Assembly members since he, Masari, as the

Speaker of the lower legislative chamber would not allow any form of unconstitutional discussion on the issue.

The Resource Control Controversy

Resource control has been a longstanding political economic issue, especially with the heightened Niger-Delta crisis in Nigeria. The Niger-Delta region otherwise- known as the South-south geopolitical zone had for a long time clamoured for the control of natural resources deposited in the region, in the spirit of true federalism. The resource control demand was one of the (if not the major) cardinal demands of the Niger-Delta people. The resource control issue dominated the second plenary of the conference. Before then, special allocation to the region in form of derivation rose from 3.8 percent during Babangida administration, to 11 percent and eventually to 13 percent during Abacha's government. Now, the region was insisting on having absolute control of the resources in line with genuine federal practice which grants territorial and

Delegates to the political reform conference from the region came with a mindset of insisting on total control of the region's resources because, for them:

All natural resources found in any territory belong to the owners of that territory including the continental shelf which is a natural prolongation of the coastal states as recognized by the independence Constitution of 1960, the Republican Constitution 1963 and in international law (Newswatch, July-25, 2005, p.22).

Governors from the Niger-Delta region were not left out of the struggle for a 100 percent control of resources. Femi Okuorunmu, a delegate from the south-west caused an uproar when he alleged during a plenary session that he was reliably informed that the Governors had budgeted large sums of money in order to bribe delegates from the other regions, especially the Middle Belt

and liberal northerners to support the clamour for the control of resources by the south-south. It was stated that each delegate who supported the cause would receive N5 million (*Newswatch*, May 2, 2005, p. 12).

When the delegates from the Niger-Delta region put forward their demand to have total control of resources domiciled in their region, their demand was met with stiff resistance from especially delegates from the north who saw no justification for the demand. A document signed by northern leaders clearly expressed the disapproval of the north for resource control: “*We stand by the constitutional provision that the federal government should hold in trust, control and facilitate the exploration and exploitation of all mineral resources in the country as enshrined in section 44 (1:3) of the 1999 constitution*” (*Newswatch*, June 13, 2005, p. 24). As a matter of fact, Idris Kuta, a Senator from Niger State in the north-central had canvassed for a reduction of special allocation to the Niger-Delta from the current 13 percent to 10 percent (*Newswatch*, May 2, 2005, p. 13). Realizing that they could not persuade the northern delegates, the Niger-Delta delegates settled for a 50 percent derivation formula. Again, this was resisted by delegates from the north and some delegates from the southwest. The south-south delegates further slashed their demand from 50 percent to 25 percent, but again, delegates from the other regions insisted they could only concede 17 percent. Voicing out the frustration of the delegates from the Niger-Delta, Edwin Clark, the leader of the delegates recounted thus:

We came with the mandate from our people to demand for 100 percent resource control. We conceded that demand to merely accepting 25 percent in the interim, which is being denied. Therefore, we can no longer participate in the proceedings of the conference. We are going home (*Newswatch*, July 25, 2005, pp 27 & 28).

The delegates from the south-south zone therefore decided to boycott the conference proceedings (Esajere, 2005). All efforts to make the delegates from the south-south reconsider their stance were abortive, leading to a deadlock which brought the conference to an abrupt end. For many Nigerians, the conference followed the death pattern of the preceding ones. However, the chairman of the conference, Niki Tobi and his benefactor President Obasanjo declared the conference a huge success (Oloja, Ndujihe, and Ebiri, 2005).

Conclusion

Constitutional engineering is a painstaking exercise, especially in a democracy. Successive Nigerian constitutions have not been able to ameliorate what is popularly referred to as the national question in Nigeria. Political culture and indeed political system has to change in Nigeria. Currently, Nigeria's political system is beset with all manners of irregularities, simply because Nigeria has not been able to evolve a people's centred constitution. Past opportunities at attempts to bringing about a positive impact have failed because individual interests, especially of past rulers, were placed over and above the collective interest. We have seen that demonstrated during the Babangida administration's constitutional conference of 1989; Abacha's constitutional conference of 1994 and Obasanjo's conference of 2005. The unique peculiarity of all these personalities is the fact that all of them had military background. In the case of Obasanjo, though the constitutional conference of 1977/1978 culminated in the transfer of power to the civilians in 1979, that of the 2005 failed because of his inordinate ambition to perpetuate himself in office. It is certain that what Nigerians are clamouring for is not a national conference but a sovereign national conference, where diverse ethno-cultural and religious groups would come together to discourse on their corporate existence.

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