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**Actualising a Constitutional Democracy that Works for All in Nigeria;**

***... the role of Parliamentary leadership in Nigeria.***

**By**

**Da Jonathan Sunday Akuns (Galadima Daffo)** Submitted on 15 July, 2025 at the National Summit on the Future of Nigeria's Constitutional Democracy, Organised by The Patriots in Conjunction with the Nigerian Political Summit Group (NPSG), Congress Hall, Transcorp Hilton Hotel, Abuja, Nigeria.

The objective essence of constitutional democracy in Nigeria is seeded in the 1922 constitution of Hugh Clifford that roused secular governance in Nigeria as a modern society and a nation-state. The Clifford constitution witnessed successive amendments in 1946, 1951, and 1954 that culminated into the 1960 independence constitution. Subsequently, the July 1963 “All Party” meeting of Nigeria’s ethnic groups in Lagos gave rise to an enactment of the 1963 republican constitution of the federal republic of Nigeria (CFRN) by the elected representatives of the peoples in parliament. The parliamentarians were the first Members of Nigeria’s national assembly (NASS) that emerged from the first federal elections in Nigeria in 1959.

The bottom-top process and the federalist’s tenets of the 1963 republican constitution make it a home-grown constitution of “We the Peoples” of Nigeria. This ushered constitutional self-rule governance in Nigeria from 1st October 1963. This was a significant period of “**a federal system under which each different region of the country would exercise a measure of internal autonomy”**, nay, true federalism. The 4-regionalstructure that emerged lasted for 2 years, 3 months 2 weeks to 14th January 1966, and, highlighted the poignancy of issues of cultural diversity, equity and inclusivity in governance. The governance experience with the federalist tenets of the 1963 republican constitution forms the prospect for benchmarking the relevance of a constitution in a democracy that meets the yearnings of the peoples that make up the polity in Nigeria and its future.

Inadvertently, the 1963-1966 segment of constitutional self rule was lost to a military interregnum that ushered in a unitary system of governance that had been rejected in the first question that was posed at the 1950 regional constitutional conferences for **“a fully centralized system with all legislative and executive power concentrated at the centre.”** In rejecting “a fully centralised [or Unitary] system” of governance, the premier of the then northern region argued that: “We must aim at a looser structure for Nigeria while preserving its general pattern - a structure which would give the [federating] Regions the greatest possible freedom of movement and actions; a structure which would reduce the power of the [government at the] Centre to the absolute minimum and yet retain sufficient national unity for practical and international purposes”.

To discard regionalism and pretend to construct a federal polity by the tenets of decree 24 of 1999 termed 1999 constitution is tantamount to extinguishing the rights of federating units that are generally the indigenous ethnonational entities in a multi-ethnic country like Nigeria. This has been the bane of governance in Nigeria from 1966 to date, despite the 1999 de-militarisation exercise for which the urge for re-federalisation of governance in Nigeria is the reason d’êntre of this summit, and indeed the basis of advocacy of MNR to restructure Nigeria now.

The 1966-1999 military interregnum suspended some sections of the 1963 republican constitution of “We the Peoples” and basically replaced it with decrees 104 in 1979 cum 24 in 1999 including subsidiary versions that are generally termed constitution for governance in Nigeria. As a result, governance in Nigeria became hinged on military decrees with attendant dire and debilitating consequences on the pristine tenets of federalism and the impetuous quick-fix psyche of citizens on policy issues. The military establishment is simply a manager of force and violence whose decree is a political process of exercising power expropriated from civil governance. The advocacy to restore or re-federalise governance in Nigeria to the protype of 1963-1966 framework that answers to true federalism “**such as the many linguistic [i.e. ethnic] groups which exist in Nigeria”** is the task at hand.

The task involves a legislative process that includes, amongst other federalist tenets, lifting the exacting military suspension on the 1963 republican constitution, subjecting the provenance of the existing 36 littoral entities (or states) to ethnonational referendum for boundary adjustments cum demographic and electoral dominance factor to ascertain the number of homogenous and heterogenous federating units that will emerge in Nigeria: for instance, 85 federating units under 6 categories make up the federation of Russia as a single territorial entity. In all, the legislative exercise will amount to the first amendment of the 1963 republican constitution, which, to this date, is an existing law, though seemingly made moribund by the weight of military decrees.

As a corollary, the task of lifting suspension on 1963 republican constitution entails a repudiation of all military decrees in Nigeria from Decree 1 of 1966 to Decree 24 of 1999. The repudiation exercise will **legally meld** military governance in Nigeria into civil constitutional democracy and also pave the way to reconnect the legacies of civil constitutional democracy of the first federal parliament (NASS) to its successors unto the current NASS in our constitutional evolution. The governance melding objective has enormous historical value in the annals of time.

The prospect of a constitutional democracy in Nigeria that works for all is linked to the outcome of our choice of thebasis of federalism “**such as the many linguistic [i.e. ethnic] groups which exist in Nigeria.”** This, arguably, is the core national question that remains unanswered since 9th January 1950 that it was posed at the regional constitutional conferences aforesaid, and, is the basis for the advocacy to restructure Nigeria based on the freedom and liberty of the local identity of autochthonous (**i.e. ethnic**) residents over their land and people. In this regard, the role of MNR in Nigeria’s political development is akin to that of a builder; it is a needless distraction to duel on maintenance issues of an unbuilt house.

The framework of the freedom and liberty of the local identity of autochthonous (**i.e. ethnic**) residents over their land and people emerged from the minority doctrine of the 1648 treaty of Westphalia that healed Europe of devastating wars and restored it to political stability, economic prosperity and social justice, which ennobled the relevance of the concept of diversity, equity and inclusiveness (DEI).

In Nigeria, the task at hand is to complete the formation of a solid foundation for the polity rather than the ongoing fratricidal distraction in dissipating energies on intensely internecine struggle for supremacy for political power ascendency, survival and relevance amongst ethnonational groups in Nigeria. The observed ethnonational power struggle has ratcheted the polity in an overbearing ethnic balance of power (eBoP) that has birthed pervasive gangster violence across the entire polity with dire implications for nation-building strides. Consequently, governance is generally plagued by absence of a strong consensus, debilitating and perilous question of legitimacy and rancorous recursive policy pursuits that culminate into structural stasis. We in MNR believe that to restore the 1963 CFRN and amend it with the federalist tenets including the provenance of 36 littoral entities as contemporary realities will provide a legal cum stable social context in resolving the structural problems that afflict the polity. This will restore political stability, economic prosperity and social justice in a Nigeria that works for all.

In light of the above, it is advisable to consider the hedgehog pathway than be foxy about the overt structural stasis that are capable of tipping constitutional democracy in Nigeria. So far, MNR commands the leading voice in the comity of advocates for the restructuring of Nigeria; a legislative Bill has been professionally drafted and sent to the president of Nigeria including leaders of the two chambers of NASS, 36 governors of the littoral states and minister of the FCT. In addition, speaking engagements at fora and media outreaches have kept MNR voice alive on the need to restructure Nigeria now.

The short-lived 4-regional federalism that ushered in the era of self-rule from 1963-1966 was based on incongruous territorial delineation. Despite the semblance of true federalism, the structure was considered obtuse requiring further refinement that would have been an affirmative response to the second question posed at the 1950 regional constitutional conference about “... **the many linguistic [i.e. ethnic] groups which exist in Nigeria”** that was needlessly deferred by omission or by commission.

However, as Nigeria grapples with the re-federalisation process, it is a period of cusp that could be exploited by partisan politics as well as commentaries on public affairs by vested interests that are capable of derailing Nigeria from the path of re-federalisation and likely to deepen the course on the existing path of unitary governance system. For instance, the creation of more littoral states, devolution of power to the littoral states, etc or any such actions by a legislative process does not translate to true federalism that reflects the freedom and liberty of the local identity of autochthonous (**i.e. ethnic**) residents over their land and people: rather, it’s all about the creation of composite administrative territorial entities that lacks the representational sense that expresses the intrinsic **consent** of the autochthones as a sine qua non for true federalism.

Nigeria’s federal system of governance emerged from the 1950 regional conferences on constitutional democracy. The resultant multi-ethnic structure of the federation is similar to the system that exists in Switzerland, except for the glaring absence of an ethnonational entity that commands a DEDF as in the Swiss system. The Swiss federation accommodates ethnic diversity, equity and inclusiveness (DEI) in governance by operating a rotational leadership model: a 7-man collegiate team of federal executive council constitutes and assumes the role of the head of state, rather than a single person as in Nigeria cum elsewhere. Each member of the team chairs the council on a yearly basis, which significantly mitigates the need for supremacy struggle amongst ethnonational entities that make up the federation. Interestingly, the collegiate team is elected by the bicameral federal assembly of members that emerged from universal adult suffrage process.

The Swiss federal system is a good antidote to the observed endemic struggle for supremacy amongst ethnonational entities in Nigeria for political power ascendancy, survival and relevance in the scheme of things. The associated issues of elite consensus about governance, legitimacy of tenure and recursive policy pursuits that combine to engender structural stasis in the polity will give way to political stability, economic prosperity and social justice. This will set Nigeria, as a nation-state, to a renewed pedestal of true federalism as it had seemed in the era of 1963-1966. The emergent new Nigeria will be one in which constitutional democracy works for all, irrespective of ethnonational cleavages and idiosyncrasies.

It is noteworthy that the membership of an ethnonational entity isn’t amenable to proprietary rights that could be wilfully changed: in a lifespan, such membership is inordinate and immortally unchangeable from womb to tomb. Thus, the central place of autochthony of land to peoples, cultures and societies as the basis of federating units in a polity requires an environment where people can freely enjoy meaning and wellbeing in a secure and safe atmosphere without pressure or coercion. In this regard, the legislative process of creating littoral states as the basis of federating units in a polity stifle and obfuscates the representational sense that expresses the intrinsic fullness of bliss and happiness to consent to social coherence and personal ease in prosperity, security and freedom.

Going forward, The Patriots is invited to collaborate with MNR to provide leadership for advocates of true federalism in Nigeria; and, to re-package and re-launch the aforesaid MNR legislative Bill as the next steps; this could be sustained periodically vide media outreaches, speaking engagements, and attendance at other related social events. This will provide an auspicious opportunity to comment on some vital public affairs without projecting an opposition stance. In addition, restructuring will birth a new Nigeria that benefits from the Swiss model of rotational leadership in governance for a system that works for all. We appeal to the senate of the federal republic of Nigeria to give due consideration to this imperative. May God bless the Federal Republic of Nigeria!!! Thank you.

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