

BEING THE TEXT OF A LECTURE DELIVERED BY AYO OPADOKUN UNDER THE AUSPICES OF THE COALITION OF YORUBA SELF-DETERMINATION GROUPS (CYSDG) HELD AT THE NUJ PRESS CENTRE, IBADAN, OYO STATE, ON OCTOBER 1, 2022

"FEDERALISM VS UNITARISM: NIGERIA MUST CHOOSE ONE BEFORE 2023 ELECTIONS"

Distinguished Ladies and Gentlemen,

All protocols and courtesies (as they say) are duly observed to satisfy this diverse and eminent audience.

Let me begin by putting on record my gratitude to the colleagues and comrades who, by divine arrangement, decided to invite me to speak to this wonderful gathering of eminent and respectable offspring of the ODUDUWA race and family, as well as our close affinities who are desirous of having quality and verifiable facts on the state of the Nation and where the Yoruba Nation stands in the current seemingly confusing socio-economic and political setting.

It is in that regard that I have a duty to commend the towering efforts of my dear brother, colleague, confidant and comrade, His Excellency, Ambassador (Dr.) Yemi Farounbi, the former Nigerian Ambassador to the Republic of the Philippines and the Kingdom of Cambodia. My distinguished brother has been many other things before, inclusive of being the former Chief Executive and General Manager of the NTA in both Akure and Ibadan respectively. He is an accomplished Artist, Producer, Director, former Chairman of the Oyo State Directorate of Information. In this particular regard, he was the motivator for the establishment of BCOS under the governorship of Chief Bola Ige, of blessed memory. Ambassador Farounbi has been and most likely still chairs many public and private boards. I thank, also, Comrade Sanda and Reverend Abioye for their untiring efforts to gather all of us here today. May their kinds never dwindle in Yoruba land where we cherish our OMOLUWABI ethos and values above everything in spite of all the perversions and total disregard to our custom, tradition, culture, artefacts, folklore, mores, morals, etc. by successive military rulers and their civilian collaborators.

Their successor civilian generations have not fared better perhaps so as not to offend their benefactors. The military's civilian surrogates, loyalists, confederates and acolytes collaborated in the devaluation of our traditional heritage which places the highest value on education, respect for elders, honesty as best policy of life, commitment and consistency to ideals, etc. They treated education just as one of the social services rather than according it the pride of place. Japan, South Korea and Singapore have no significant natural resources. Even then, they are first-class nations today

because they gave education the highest priority, and their educated citizens are justifying their nations' investments in education.

Premier Obafemi Awolowo of Western Region was ready to devote 40 percent of his Regional Budget to education. In fact, in his farewell account of his stewardship, in 1959, it was found that about 60 percent of his budget was spent on education. This formed the foundation that gave the Yoruba Nation its well-deserved educational accomplishments, which unfortunately are today being regularly undermined and questionably funded; so much so that teachers are contemptuously sidelined.

Recent results from WAEC, NECO, etc. should make us troubled as to the performances of Yoruba states that hitherto occupied and dominated the top three positions, and the first 10 rankings. In the last outing, the first Yoruba state was number 22 among 36 states. There is no justification or any rationalisation for this sorry state we now occupy.

Since uncultured Military jackboots used their swagger-sticks to remove the caps of elderly Yoruba civil servants in Oyo and Kwara states, disrespect to elders and humiliation of our traditional ethos have been so bashed that the young now relish in the rule of the might-is-right. They wallow in a foreign culture and lifestyle that accords scarce regard to honour, humility, integrity and OMOLUWABI home training. We must start the process of re-orientation, re-education and re-information in all Yoruba homes for a turnaround for the good of our family and the Yoruba Nation generally.

At this stage of my address, I beg you to join me to recognise and celebrate all our distinguished, revered and outstanding forebears, who left their footprints in the sands of time. I cannot list them all by name. But I just want to use Chief Jeremiah Obafemi Awolowo, GCFR, SAN, the first Yoruba man to be collectively elected as the Leader of the Yoruba Nation in 1966, but who as the First Premier of Western Nigeria, along with his distinguished colleagues, ran the most responsible, responsive, transparent, productive and creative government that became the PACESETTER of all public services in the First Republic. I am, with your kind permission, using him as a reference to pay these heroes our debt of gratitude and appreciation for all their invaluable, credible, altruistic and respected performances that have given the Yoruba Nation an imperishable head-start.

Those of them who, as governors in the Second Republic, namely: Chief M.A. Ajasin, CON, for Ondo State, Alhaji L.K. Jakande for Lagos State, Chief Bisi Onabanjo for Ogun State, Chief Bola Ige, SAN, for Oyo State, and Professor Ambrose Alli for Bendel State, equally provided a matchless public service that positively impacted on our people's lives in the old Western Region and Bendel State. They have clearly written their names in gold. We cannot forget easily too those who were not in government but were outstanding opinion leaders of our people. They operated in education, Medicare, business, Judiciary, media, the professions, and (much more relevant for this

gathering) the political and Human Rights activists who even paid the supreme sacrifice for the little space they succeeded in creating for our current efforts to navigate our today's existential crossroads.

I beg you to rise with me to give all these heroes a standing ovation.

Again, please grant me the indulgence to request you to sing this impactful, educative and instructively mobilising Theme Song with me. The wordings were crafted and composed by the sage and genius, Chief Obafemi Awolowo. The unforgettable doyen of Nigerian Theatre Arts and Music, Chief Hubert Ogunde, wove together the lyrics and music to make the song evergreen:

IN ENGLISH

1. 'Tis a duty that we owe;
To our great dear motherland;
To enhance her, And to boost her;
In the eyes of all the world.
2. Egalitarianism
Is our national watchword;
Equality, of good fortune;
Must be to each sure reward
3. Liberty and brotherhood;
Are the goals for which we'll strive;
Plus Progress; Plus Plenty;
And all the good things of life
4. Up up Nigeria;
And take thy rightful place;
'Tis thy birthright; thy destiny;
Africa's leading light to be.

IN YORUBA

1. Ise aigbodo ma se
Fun 'le baba wa-owon
Lati ponle, Lati gbega
Loju gbogbo agbaye
2. K'iwo ni, k'emi si ni
N'ipin 'nu orile wa
Ini d'ogba, Ipin rere
Lo gbodo k'enikookan
3. Ominira at'ife
L'ere ije t'anle pa
'Tesiwaju, at'anikun
Ati gbogb'oro aye
4. Gbori s'oke Najjiria
Bo s'ipo to ye o
Eto r'eni, ipin're ni
Lati saju Afrika

LET US EXAMINE BRIEFLY THE STATE OF THE NATION.

INCONTESTABLE FACTS AND REALITY

1. Nigeria was a creation of an imperialist/colonial overlord, the United Kingdom, which created the geographic space called Nigeria for its own Political and Economic interests.
2. The Colonial Master forced several ethnic nationalities, erstwhile living on their geographic space independently for several thousands of years before the British used their superior gun power to subdue and to force the ethnic nationalities to cohabit in the place the colonial master eventually called Nigeria. So, Nigeria remains a forced union of several different peoples.

3. In recognition of the fact that Nigeria is occupied by over 350 HETEROGENEOUS nationalities, the Colonial Master and the Nationalists and Ethnic Nationalities Leaders negotiated the SUITABLE CONSTITUTION i.e. a FEDERAL CONSTITUTION, to enable the multiplicity of languages, traditions, cultures, customs, artefacts, folklores, mores and morals to thrive uninhibited by the imposed British administrative structure.
4. The Independence Constitution, upon which Nigeria secured her Independence, allocated spheres of influence to the regional and Central governments, which made the component units independent and equal, while they were coordinating at the Centre on equal basis. The Central Government was not the boss of the component units.
5. The Federal Constitution in practice enabled all governments to compete healthily as they provided services to the citizens, using the natural and human resources in their regions to improve the standard of living of their people. It's an undeniable fact that the spectacular achievements recorded under the Federal Constitutional Governance remain unmatched and unsurpassed milestones of Nigeria's identity till date. For example, the Western Region under Chief Obafemi Awolowo, recorded spectacular feats summarised in his 1959 valedictory address.
6. The politicians in military uniforms staged a violent insurrection against the elected government of Sir Abubakar Tafawa Balewa's Government on January 15, 1966.
7. The military junta suspended and abrogated the negotiated Federal Constitution, which was the only legitimate body of laws subscribed to by the HETEROGENEOUS people as the Grundnorm. In other words, the cord that bound the different peoples, specifying the *modus operandi*, rules of engagement for their cohabitation, was suspended and abrogated, while military decrees of many kinds were imposed on Nigeria.
8. Nigerians never accepted the Unitarist and Centralist Decrees, which the Military had imposed on the country since 1966. The 1979 Constitution and the 1999 Constitution s were military decrees imposed as constitutions. They were choreographed to entrench the narrow and sectional interests of the military rulers and their civilian collaborators, confederates, acolytes, loyalists and sympathisers.
9. The Unitary and Centralist Decrees had resulted in unjust, inequitable, unfair and near total disregard and contempt for the protection, defence and promotion of the rule of law in government policies. The consequence of these negative policies has equally led to political instability, national disunity and mutual mistrust. It continues to

constitute a great factor in limiting the potential growth and development of the country since the advent of the military.

10. While it can be argued that the military recorded some significant achievements during their tenure, it is necessary to situate their records within the available resources while their rule lasted. Petroleum became the highest foreign exchange earner for Nigeria during their tenure. Most of the earnings were wasted on inflated contracts and white elephant projects.
11. It is therefore important to ask this question: What if the military had not intervened in political governance, what could possibly have been the stage of development of the country now? What if when the military staged its insurrection against the elected government, the exercise did not reveal a possible sectional agenda? What if General Johnson Aguiyi-Ironsi forthrightly and dutifully applied the military rule against the coup planners rather than postponing their trial? What if there was no revenge coup and the avoidable three years civil war? I leave you to provide the answers.
12. Nigeria's GDP, Human Development Index, Infant Mortality Rate, International Assessment of Corruption perception contradict our godly human and natural endowments. However, Nigeria has refused to confront honestly the major cause of all the national inadequacies, traceable to the warped, skewed and lopsided national structure.
13. The Independence/Federal Constitution, under which Nigeria prospered and was considered the Giant of Africa, is the antidote to our stunted growth and political instability. To that Independence/Federal Constitution we must return for a reversal of our misfortune.
14. It is of universal application that human beings globally behave similarly and react in like manner under given political conditions. For example, No man is ever permanently attuned to oppression and tyranny and will, as opportunity permits, take measures to recover and assert his freedom if need be by force. Again, no one is happy that he is being deprived of his Fundamental Human Rights.
15. The nationwide, popular demand by the ethnic nationalities and popular political platforms for a return to the negotiated Federal Constitution, upon which Nigeria secured her Independence and upon which she became a member of the UNO, is therefore justified. Every effort being made to sustain this unjust unitary system by its beneficiaries is a race to the precipice.
16. The Nigerian Army has, through its illegal usurpation of power from elected government, arrested Nigeria's growth and stunted its

development till date. Nigeria needs to urgently respond to her manifest destiny to provide leadership to the Black Race as the most populous Black Country in the world, by taking the bold steps to rectify the major impediment to its growth and development, which is principally traceable to the currently warped, skewed and lopsided national structure.

17. I very much agree with the four principles or laws deduced in "Thoughts on Nigerian Constitution 1966 by Chief Obafemi Awolowo," which are set as follows:
 - a. If a country is unilingual and uni-national, the Constitution must be UNITARY.
 - b. If a country is unilingual, bilingual or multi-lingual, and also consists of communities that, over time, have developed divergent nationalities, the Constitution must be FEDERAL, and the constituent states must be organised on the dual basis of language and nationality.
 - c. If a country is bilingual or multilingual, the Constitution must be FEDERAL, and the constituent states must be organised on a linguistic basis.
 - d. Any experiment with a unitary Constitution in a bilingual, multilingual or multinational country must fail in the long run.

AND NIGERIA HAS SINCE BECOME A LIVING EXAMPLE OF CHIEF AWOLOWO'S WELL RESEARCHED POSTULATION AND SUBMISSION.

18. Professor K.C. Wheare, perhaps the leading scholar and authority on Federalism and Chief Obafemi Awolowo, the leading advocate of Federalism in Nigeria have done considerable expositions on Federalism for would be interested persons, who can easily "google" their internet platforms.
19. When Chief Awolowo wrote his well-researched book, "Thoughts on Nigerian Constitution," he established that, "There are ten principal national groups in Nigeria which constitute 80 percent of the entire population: Hausa/Fulani (13.6 million); Yoruba (13 million); Igbo (7.8 million); Efik/Ibibio (3.2 million); Kanuri (2.9 million); Tiv (1.5 million); Ijaw (0.9 million); Edo (0.9 million); Urhobo (0.6 million); Nupes (0.5 million)."
20. Military regimes have balkanised Nigeria into unviable units called states, not on the basis of any scientific rationality but to satisfy their military rulers' personal, sectional and group interests.
21. "Language is the most formidable, the most irrepressible, and the most resistant to diffusion, not to talk of fusion. It lies at the base of all human divisions and divergences. Historical evidences of an

irrefutable nature have shown firstly, that you can unite but can never succeed in unifying peoples whom language has set distinctly apart from one another; and secondly, that the more educated a linguistic group becomes, the stronger it waxes in its bid for political self-determination and autonomy, unless it happens to be the dominant group....” “Thoughts On Nigerian Constitution,” 1966, by Chief Obafemi Awolowo.

22. In the state creation exercises, the military, for sectional considerations, continued the wicked act of dividing ethnic groups into different states to minoritise some of them. The Gwaris are now in Niger State, Kaduna State and the Federal Capital Territory, The Nupes are now in Niger State and Kwara State. The Ijaws are now in Bayelsa State, Rivers State, Delta State, Edo State and Ondo State. The Igbo have Ika Igbos in Delta State.
23. Finally, on this score, the Yoruba people have been alienated from their kindred. For example. Offa is the traditional headquarters of the Ibolu Yoruba-speaking people. The Ibolu Yoruba occupy a significant part of Osun West Senatorial District and Osun Central Senatorial District of Osun State. However, Offa is today part of the North Central states. Even then, I, as an Offa indigene, cannot competently aspire to any office zoned to the North Central, I would be told that I am a Yoruba .Just in case there is an opening for any post in the South West and I indicated interest, I would be told that I am from the North Central. As Offa people, our burden, since Nigeria’s Independence has been that of permanent derogation of our rights.
24. Nigeria has had the Babangida, Abacha, Obasanjo and Jonathan conferences. All of them were evidently programmed to achieve the parochial, selfish and sectional interests of the Conveners. Each one wanted to use his conference as a camouflage to enable him transmute to civilian ruler or a Third-Term Agenda.

EXISTENTIAL ISSUES ARISING FROM THE DEATH OF QUEEN ELIZABETH II

The coincidence of the death of Queen Elizabeth II with the anniversary of the United Kingdom of Great Britain’s token concession of "so-called" Independence to Nigeria on October 1, 1960 should not be lost on discerning minds if we are not to subject our historical past and our existential situation to ridicule.

Need we remind ourselves that the tiny Island called UK once governed virtually two-thirds of the then known world of human habitations? But of all the colonies UK conquered, inclusive of the new colonies of North America, Canada, Australia, Persia, Asia, including China, India, and Africa, none has remained underdeveloped, retrogressive and retarded economically and politically, saddled with rapacious, corrupt, irresponsible

and irresponsible leaders like Africa, as symbolised by many governments in the various regions of the continent, in spite of their natural and human endowments.

Let no one, by any stretch of superficial understanding of the situation, overlook the most violent and outrageous act of British imperialism. Nigerian ethnic nationalities, which for centuries existed and owned their lands, water and other natural resources, were forcefully coupled to live with strangers of totally different cultures and lifestyles. Furthermore, the imperialists depopulated us through slavery, as we were forcefully exported to farm and build their homes, palaces and castles on the pain of death.

Also our resources were carted away to build their so-called civilisation. They administered our land from Lancaster House with their surrogates dehumanising our people. They consigned our future into infamy by subjugating our own cultures, traditions, artefacts, folklores, mores, morals to the English type.

Much more permanently corrosive was their forcing us to use the English language as the lingua franca and mode of learning and teaching in spite of the various efforts of their missionaries between 1842-1882 to persuade the colonialists to allow for the development of indigenous languages and mother tongues for teaching in schools and as lingua franca (Prof. Babs Fafunwa's memoirs) Education Ordinance of 1882 (clause 10:5).

Africa generally suffered multiple jeopardy in the process because African children were denied the fundamental opportunity of learning in their mother tongue.

Therefore, their knowledge of English remained an imposition, which had and still has no relevance to their native lifestyles and traditions. The French assimilation policy was another evil design that still makes the French colonies to remain as vassal states. Any imperialist sponsored leader, who on assumption of office discovered that his people were being ripped off by France and wanted to pursue a path to real Independence, was severally removed from office through legal and extra-legal means (Thomas Sankara of Burkina Faso).

Now that the most violent imperialist Great Britain has buried Queen Elizabeth II, it should be payback time for Africa, which was the most violated and despoiled by the colonialists. Formal apologies and reparations are imperative. Just as it was done to the Jews, Africa deserves just compensation, without any further ado. We should start the process of our just demands in the instant.

The Nigerian British experiment has proven to be an unmistakably unworkable colonial political misadventure of the 19th and 20th centuries. Arising from the historical account highlighted above and the devastation

and destructive conduct of Nigerian soldiers-of-fortune and politicians-in-military uniform since January 15, 1966, it has become necessary and compelling for Nigeria to change course. And that is the matter of our attention today.

QUO VADIS YORUBA NATION?

The Yoruba Nation, after several efforts by our leaders to persuade the politicians in uniform, who have governed Nigeria for about two-thirds of Nigeria's post-Independence existence, has been ignored, rebuffed, and treated with provocative contempt. It has become imperative for the Yoruba Nation to provide leadership again for collaboration among the majority of the ethnic nationalities to agree on how they want to be governed. Since power is concentrated in the hands of the Military Commander-in-Chief, therefore, the military foisted on the country an irresponsible, unresponsive, extremely expensive Executive Presidential System, which the Nigerian economy cannot finance in 1979 and till date. Nigeria now spends about 80 percent of its total income on recurrent expenditure with little left for developmental programmes. The drafting committee were loyalists, sympathisers, acolytes, silent supporters of the military agenda from the different strata of the society. About 20 matters that were never discussed, like the Land Use Decree, were added to the decree pretending to be the Constitution.

WHAT THEN SHOULD YORUBA NATION DO IN THE CURRENT CIRCUMSTANCES?

There are three broad divisions in Yoruba land.

THE FIRST GROUP is composed of people who believe that the imperative course to solving Nigeria's multi-faceted existential problem is to return to the Federal Constitutional Governance upon which Nigeria secured its Independence in 1960. They believe that through that path, all the crises of national restructuring would have been significantly solved or reduced to a manageable status.

This broad group believe that Nigeria has been a drawback for the Yoruba people. They refer doubters to the sophistication of the performances of the government of the First Republic under which Chief Awolowo and his colleagues in the other regions recorded spectacular feats that remain unparalleled to date.

This group consists of people who believe that there is no rational basis for any election until we have returned to Federal Constitutional Governance upon which Nigeria secured her Independence.

THE SECOND GROUP consists of those who passionately believe that election is the sure solution to the current national crises. The politicians

and their followers must recognise the right this big chunk of Yoruba people who believe strongly that the current choreographed hyping of election remains the priority and a fit-for-purpose solution to the unbridled corruption, maladministration, sectional discrimination, perversion of most public institutions, economic misery and prolonged unacceptable level of poverty.

However, those of this group who favour election must not attempt (in their know-it-all fashion) to diminish our thinking faculty by their pontificating that there is no alternative to election nor demonise those who choose the alternative trajectory.

THE THIRD GROUP comprises those who have the legitimate conviction that an ODUDUWA REPUBLIC is the only solution to the contemptuous and humiliating experience the Yoruba offspring had to contend with in a country where our forebears played prominent roles in its Independence struggle and have to be treated with respect and decency. No one should do anything to ignite avoidable crises, nor return civil commotion or strife among kindred in Yoruba land again.

No politician of any altruistic disposition will tolerate the spilling of any citizen's blood for him to assume a political office. Those who tried such negative paths in the past ended up in infamy. There have been many politicians in high political offices in the past, but they died unsung and unheralded. The Holy Book states in Psalm 62:12, *"Also, unto thee, O Lord, belongeth mercy: for thou renderest to every man according to his work."*

Without prejudice to the strongly held positions of each group, can we for once consider the implications of adopting any of the above, albeit in summary? We probably need to observe that:

- a. The most worrisome dimension now is the crisis of legitimacy associated with the race to elections, when there is a manifest and undisguised stage-managing of a sectional script that is schemed to produce a winning formula for a sectional platform at all costs. Remember the emergence of Senator Ahmed Lawan, the Senate President from Yobe State, as the choice of Mr. President for his successor, through the APC National Chairman. If in spite of the widely accepted campaign for a Southern Presidency by the Southern Governors, the APC party Leader's choice was still a Northerner, only tempered by 10 APC Northern Governors, no one should be under any impression about the unfolding agenda.
- b. Furthermore, the politicians who believe in their winning formula must be reminded that once they contest under the forged document called the 1999 Constitution, they have compellingly accepted the provisions contained therein, to which they must swear an oath of allegiance. In other words, the pro-election Yoruba section should

accept as given, the appropriation to the Centre of the key spheres of powers, endowments and allowance that belonged to the component units in the Independence Constitution. Just recently, a supposedly discarded Bill on all waters in the country has resurfaced as an Executive Bill in the National Assembly. What is that to illustrate? The fact that there are extreme poverty, unemployment, decayed infrastructure, terribly poor services thereby making most Governors to spend more time in Abuja raking out favours from central government rather than providing effective, transparent governance in their states is a compelling case for a return to Federal Constitutional Governance.

- c. The Nigerian State has failed in its primary responsibility of the providing security of life and property, to the extent that many of our native farmers have been kidnapped, killed, raped and dislodged by invading bandits and herdsmen who must occupy our forests (whether we like it or not), with no central government's effective interventions, except reactive security council homilies. As a result, today, many farming settlements can no longer go to the farms to ply their trades.

While the Yoruba people prompted their governors to establish a state outfit to give them some security respite, the Central Government has failed to give the states approvals to buy ammunitions that will empower the AMOTEKUN outfit to protect citizens. Conversely, the Nigerian State is ready to deploy Nigeria Police officers or civilian outfits (like Tompolo) with guns and ammunition to protect inanimate objects.

- d. The agitations for state police have been very loud and reasonable from the governors, ethnic nationalities and opinion-moulders; but for sectional reasons, the Nigerian State will not approve of it. If our politicians imagine that they can push their Bills through the compromised National Assembly, they should be reminded that it has been rigged against the Yoruba race already.
- e. Our politicians must study the trajectory of the old Lagos State and the old Kano State respectively. At Independence, in 1960, there were four political divisions in Lagos while Kano had two. Today, a Jigawa State has been created out of that Kano. Jigawa State now has 27 LGAs while Kano today has 44 LGAs. This means that the old Kano of 1967 has 71 LGAs. In contrast, Lagos of 1967 today still has 20 LGAs.

Remember the judicial victory of Lagos State over the creation of additional LGAs. Despite the judicial victory, the Senate maliciously refused to list the LGAs as required in the so-called Constitution. In spite of Governor Bola Tinubu's commendable efforts, President Olusegun Obasanjo refused to pay the retained Lagos LGs' fund until he left office.

- f. If there is no ulterior and sectional agenda behind all the inequity, then the powers-that-be must accept that, beyond any doubt, the unitary system being run has failed and is unsustainable. Let the Nigerian State accept the fact that under international law and convention, particularly in the protocols contained in the 1948 Fundamental Rights Charter of the UNO, and the African Charter of Peoples Rights, **self-determination is a Fundamental Human Right. No one has the right to govern anyone by force. That is the case today in Nigeria.**

Therefore, we would like to submit for the consideration of this gathering, the Yoruba Nation and other Ethnic Nationalities, the summary of the Pro-Democracy Conference Draft Constitution. At that People's Conference, presided over by our revered Nationalist, who moved the First Motion for Nigeria's Independence, **Chief Anthony Eromosele Enahoro**, where virtually all identifiable ethnic nationalities were present and their inputs as to how they want to be governed were discussed, resolved and democratically coded into a draft, which along with the Independence Constitution should be harmonised in a businesslike manner to produce a workable and acceptable constitutional document for Nigerians subject to their approval or disapproval in a REFERENDUM or PLEBISCITE. Nigeria like Germany, Argentina, Canada, Brazil, Iraq, Indian, Malaysia, Russia, Pakistan, USA, etc. must now be A FEDERATION OF REGIONS.

HIGHLIGHTS OF THE DRAFT PEOPLE'S CONSTITUTION FOR A RESTRUCTURED NIGERIA AND THE RELEVANT SECTIONS

1. 18 Nationality-Based Regions, being the Federating Units as shown overleaf (S.3, 1st Schedule)
2. Streamlined Federal Government with limited functions; Other functions devolve to Regional, State/Provincial or Local Government (S. 81, 3rd Schedule)
3. Decentralised Police Services comprising Federal, Regional, State/Provincial, Council Area/Community Police Services. (S.100 and 101)
4. Defence: National Armed Forces with autonomous Regional Regiments (S. 106-109)
5. Court structure providing for Regional Lower, High, Appeal and Supreme Courts; Federal Appeal and Supreme Courts, with well-defined jurisdictions (S. 119-145)
6. Parliamentary System of Government with Prime Minister and ceremonial President at Federal; Premier and Ceremonial Governor for the Regions (S, 79-80)

7. A first-line Charge Account from the total National Revenue to provide socio-economic services, including free education from primary to tertiary level, health-care, food subsidy, basic shelter and living allowances for the aged, unemployed and physically challenged. The balance to be shared as shown in 8 below. That Account is to be administered by a Joint Federal/Regional Commission. (S.27(1) and 153(1))
8. Fiscal arrangements of the residual balance from 7 above are applied as follows:
 - i) 50 percent to Region of derivation
 - ii) 15 percent to Federal
 - iii) 35 percent shared by all regions
 - iv) VAT Retained 85 percent by the Regions and the residue of 15 percent to go to First-Line Charge Account (S.153).
9. 30 percent minimum affirmative action for women towards all public elective and appointive offices for 10 years (S.27 (6))
10. Citizenship of Nigeria extended to foreign spouses of Nigerians, male and female (S.27(1)(v).)
11. Rights-related ratified international instruments justiciable (S.27 (7))
12. 18 years age qualification for voting and all elective offices (S.40)
13. Right of access to information on public matters (S.22 (3)).
14. Land Use Decree abrogated from date of New Constitution, while transactions under Land Use Act to remain valid (S.26 (5))
15. The indigene/settler dichotomy substantially reduced by Citizenship Residency Rights (S.27 (1) (iii)).
16. The Electoral Commission to be composed of one representative per political party, with a Chairman elected by members from among themselves; funding to be from the Consolidated Revenue Account and removal from office by respective Parliaments (45(4)).

ADOPTED RESOLUTIONS

We, delegates representing ethnic-nationalities and Civil Society Organisations, at the Peoples' Sovereign National Conference held at

Grandview Plaza, Magodo, Lagos from April 3 to May 5, 2006, hereby resolve as follows:

That we believe in the continued existence of Nigeria subject to the fulfilment of the conditions outlined by the Peoples' Sovereign National Conference, with respect to geo-political structure, fiscal arrangement, system of government, defence and security services, citizenship rights and the economy of the country.

GEO-POLITICAL STRUCTURE

- a) That the geo-political structure of the country shall consist of Regions, States, Local Councils and a Federal Government in which:-
- b) The Regions are to create their own States;
- c) The States are to create their own Local Councils;
- d) The Federal Government is a centre of equality of the regions:
- e) Ethnic nationalities that so desire, and have the resources and numerical strength to be a Region, are free to be so granted or recognised.
- f) Ethnic nationalities should be the building-blocks of true Federalism and therefore could constitute a tier of government, either at the level of Local Council or State or Region as the case may be.
- g) Two or more ethnic nationalities could form a State or Region, so long as they so desire and are contiguous.
- h) The federating units are the ethnic nationalities as Regions or a combination of ethnic nationalities as Regions.
- i) The federating units, in exercising their autonomy and right to self-determination should be at liberty to secede whenever they are no longer satisfied with the Federation (Union). This should be in line with the universally recognised procedure -plebiscite or referendum supervised by the United Nations.

FISCAL ARRANGEMENT

That:

- (a) The federating units (Regions) shall manage ail resources to be found within their respective boundaries, consideration given to such local, regional, national and internationally applicable boundary provisions, and pay taxes as shall be constitutionally prescribed;

- (b) Not more than fifteen (15) percent should be paid as taxes to the Central Government from all revenue derived from all resources from the respective regions;
- (c) Not more than thirty-five (35) percent should be designated as distributable pool revenue, managed by a mechanism prescribed by law, constituted by the Central Government and regional governments for the following purposes:
- Fulfilling the constitutional and legally binding requirement of minimum basic socio-economic rights,
 - Provision of common services on the trans-regional basis e.g. railways, waterways, trans-regional roads, information and telecommunication, etc.
 - Providing economic development and research programmes for overall regional, national and international objectives.
- (d) The Revenue distribution formula shall be as follows:
- 15 percent of total revenue to First-Line Charge Account.
 - 2 percent of total revenue as Special Rehabilitation Fund for past devastations arising from acts and omissions of the State.
- The balance to be distributed as follows:
- 50 percent derivation
 - 35 percent to the distributable pool
 - 15 percent to Federal Government
- (e) That resources provided for national and regional development should not be applied to administrative and recurrent purposes. Regions must be viable to be allowed constitutional autonomy, except for specifically vulnerable groups who should be given special status in the Constitution.
- (f) Regions should follow the path of self-determination, to structure their internal arrangement and mechanism for local lines of interests.
- (g) **There shall be a First-Line Charge Account towards the provision of:**
1. Education
 2. Health Care

3. Housing
4. Full Employment
5. Unemployment Allowances
6. Living Allowance for the Aged
7. Living Allowance for the Disabled, Physically and Mentally-Challenged
8. Network of railways, roads, airways, waterways, etc
9. Environmental Preservation

(h) Customs and Excise Revenue

There shall be sharing of revenue from Customs and Excise dues.

All revenue from the above should be subject to the sharing formula as recommended above.

(i) Value Added Tax (VAT)

The regions shall be responsible for the collection of VAT and the revenue derived from VAT shall be exclusive to the region of derivation and 15 percent be paid to the First-Line Charge account.

SYSTEMS OF GOVERNMENT

That:

- (1) The country shall run a Parliamentary System of Government with the following features:
 - (a) One Federal House of Representatives
 - (b) The Federal House to be composed of Representatives elected on the basis of proportional population representation
 - (c) A constituency representation at the House of Representatives to be based on the population of the smallest language group
 - (d) Each Region to be given autonomous power to make its own Laws
 - (e) The Region to have power to determine its own number of states and Local Government Areas and fund them

- (f) The Premier is to Head the Region as Head of Government and to be elected by general election in the Region
- (g) The Regional Governor is to be the Ceremonial Head of the Region
- (h) There should be a Federal Constitution
- (i) The President is to be the ceremonial Head of State and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria
- (j) The Regions to elect a certain number of Regional Legislators to come together and elect the President; “and the office of the President shall be rotated among the Regions”
- (k) The Prime Minister is to be the Head of Government elected into the House of Representatives and is the leader of his party
- (l) The “State Administrator/Deputy Administrator” to head each State Government; and to be elected by General election in the State

ELECTORAL COMMISSION

- (a) The Electoral Commission shall be responsible for conducting elections at every level of government.
- (b) The Electoral Commission shall be composed of representatives of all the Political parties.
- (c) That Electoral Chairperson/Commissioners shall be elected by the Electoral Commission.
- (d) The Regional Electoral Commission shall conduct elections into States; and State Electoral Commissions shall conduct, elections into Local Government offices.
- (e) The Electoral Commission shall be independently funded from the Federal Account.
- (f) That Federal/Regional Governments shall grant subventions to political parties;
- (g) That voting shall be by the voting system adopted in the 1993 elections (the “Open Secret Ballot” or "Option A4");
- (h) That the electronic voting system shall NOT be adopted;
- (i) That there shall be Automatic Loss of seat for carpet-crossing: A Member of Parliament who resigns his or her membership of, or is

expelled from the political party on which platform he or she was elected into Parliament, shall automatically lose his or her seat in Parliament.

- (j) There can be Independent Candidates.

FEDERAL LEGISLATURE

The Federal Legislature shall be independently funded from the Federation Account and shall maintain autonomy over its accounts.

JUDICIARY

- (a) Federal Structure

At the Federal level there shall be:

- (a) Court of Appeal

- (b) Supreme Court

- (b) Appointments

1. The Judiciary Commission shall recommend three (3) nominees to the Presidency,
2. The President shall select one candidate from the 3 nominees for ratification by the Parliament.
3. The Parliament shall confirm the appointee.

- (c) The composition of the Federal Judicial Commission shall be as follows:

1. The Chief Justice of Nigeria, who shall be Chairperson
2. The next most Senior Justice of the Supreme Court, who shall be Deputy Chairperson
3. The President of the Court of Appeal
4. Five retired Justices selected by the Nigerian Bar Association (NBA)
5. Chief Justices of the Supreme Courts of the federating units

6. Five members of the Nigerian Bar Association (NBA) who have been qualified to practise for a period of not less than 15 years and shall be selected by election
7. Five members not being legal practitioners who shall be selected from Civil Society groups by the Chief Justice of the Federation, and ratified by other members of the Commission

(d) **TERMINATION OF APPOINTMENT**

The National Judicial Commission shall recommend to the Executive Branch, which shall forward it to the Parliament for action.

(e) **FUNDING**

The Judiciary shall be funded from the consolidated federating accounts.

- (f) Violation of Court orders and judgements by Elected Public Officers is an impeachable offence.

TIERS OF GOVERNMENT

There shall be 4 levels of Government made up of:

- (a) Federal
- (b) Regional
- (c) State
- (d) Local Government

TENURE OF OFFICES

The tenure of office of the President, Prime Ministers, Regional Premier, Governor and State Administrator shall be for a period of 4 years, and be eligible for re-election for another one term of 4 years.

CITIZENSHIP RIGHTS AND ETHICS

That:

- (a) The Nigerian Citizenship is derived by birth.
- (b) Every Nigerian has a right to reside anywhere in the country.

- (c) Every Nigerian shall have the right to enjoy all the entitled civil and basic socio-economic rights in his or her place of residence.
- (d) A person who resides in a place for a continuous period of 10 years shall be entitled to all rights and privileges of full citizenship of that State/federating unit including the right to contest any office.
- (e) A person cannot enjoy his citizenship rights in two different States/Regions simultaneously as residency shall be the basis for enjoying such rights.
- (f) A Nigerian woman married to a man of a different place of origin shall reserve the right to choose her spouse's place of origin.
- (g) Non-Nigerians married to Nigerians (whether male or female) shall by virtue of the marriage become Nigerian citizens if they so choose.
- (h) The voting age of 18 years shall be the benchmark of political contest.

Social and Economic Rights

- (a) The Social and Economic Rights (Right to Education to the minimum level of First Degree, Food, Basic Health Care, Shelter and Employment shall be enshrined in the Constitution and made enforceable in the law courts).
- (b) In order to maintain the sanctity of the human person, the death penalty should be abrogated.
- (c) The Constitution shall guarantee the right to adequate compensation to every Nigerian whose property is destroyed as a result of religious or communal violence and natural disasters.
- (d) It shall be a justiciable duty on the government to investigate every killing of a Nigerian due to religious or ethnic conflict and to prosecute every person responsible.
- (e) Aboriginal rights shall be preserved as enshrined by this Constitution. Their indigenous social, economic and cultural interests shall be protected by federal and regional laws.

Gender Rights

- (a) The Constitution shall make provisions for the elimination of all forms of discrimination against women.

- (b) The Constitution shall make provision for a minimum of 30 percent affirmative action for women in the membership of the House of Representatives and in political appointments.

International Charters/Statutes/Conventions

Major rights contained in international Charters, Statutes and Conventions (UN Charter of Human Rights, Economic and Social Rights, African Human and People's Rights, CEDAW, Indigenous peoples' rights, etc.) ratified by the country, shall be made justiciable.

Religious Rights

- (a) Nigeria should be a Secular State in letter and in spirit.
- (b) The resources of the country shall not, in any way, be used to promote the cause of any religion.
- (c) All Nigerians shall be entitled to freedom of worship provided it does not infringe on any other laws.
- (d) The Constitution should proclaim that no State can establish a State religion or use public resources to the privilege of any religious tradition (Christian, Muslim, Judaism or otherwise nor any sects of these religions).
- (e) Sharia and customary courts should be allowed to exist strictly for private and consensual matters.
- (f) Aspects of the Sharia Law to be applied in any part of the country must not violate the letter or the spirit of any other laws of the Federation.

Rights of the Disadvantaged

- (a) The Constitution should not discriminate against any Nigerian on the grounds of sex, gender, ethnicity, race or disability.
- (b) The Constitution should not only include disability as one of the basis for non-discrimination but also guarantee the rights of people with disability.
- (c) It shall be mandatory on all tiers of government to provide adequate and appropriate facilities and resources –social, educational and health services necessary for the well-being of people with disability such as wheelchairs, Braille machines, audio-logical equipment, the teaching of sign language at all levels, optical equipment, etc.

- (d) It shall be mandatory on all tiers of government to make all public facilities and spaces, including walkways, disability-friendly and accessible by wheelchairs.

DEFENCE AND SECURITY SERVICES

That:

- (a) The powers of the Defence and security services shall be shared and federated.
- (b) A directorate of each of the Defence and security services shall be under the control and management of the Federal, Regional, State/Provincial Boards or Councils respectively.
- (c) The Federal Army Board, Air Force Board and Navy Board shall consist of representative officers from each of the regions and with the Service Chiefs being rotated among the regions periodically.
- (d) The composition of the forces shall be territorial, in which case the Armed Forces in the territory of each region shall be composed of 100 percent of the indigenes of that region.
- (e) There shall be equitable territorial dispersal of forces, officers and weaponry.
- (f) The Federation shall maintain other security services, Intelligence and police services along the same principles of territorial equity as with the Armed Forces.

Control of the Defence and Security Services

The Defence and security services shall be controlled as follows:

1. Military –Army, Navy and Air Force to be exclusively established by the Centre, subject to the provisions (in a-f) above.
2. Prison Services –Non-Exclusive, all levels of Government may own Prison/Correction Services.
3. Immigration Services –Exclusive as in (i) above
4. Customs Services –Exclusive as in (i) above
5. Central Security Services –Exclusive
6. National Intelligence Agencies –Exclusive to the central government

POLICE ADMINISTRATION

That:

- (a) The police service shall be decentralised with the Central Government, the Regions, States, Local Government and Communities having the right to set up and maintain their own police services.
- (b) Each police service shall have exclusive jurisdiction in its own territory subject to the following:
- (c) Federal police shall be responsible for crimes falling under any exclusive Federal matters.
- (d) Where there is a cross-territorial interest or conflict, the territories involved shall jointly resolve such interest or conflict, failing which the next higher level of the service shall intervene.

Economy

That:

- (A) The country shall run a mixed economy subject to the principle of fiscal Federalism.
- (B) Economic policies shall not facilitate or enable the concentration of wealth and the means of production in the hands of an individual.
- (C) The primary objective of economic policies and management shall be the continuous and sustainable increment in the quality of life and competitive capacity of Nigeria and Nigerians.

I commend this draft as a working document to the Coalition of Yoruba Ethnic Nationalities and other participants. as well as to the distinguished members of the Fourth Estate of the Realm.

We should all go from this gathering to inform, educate, conscientise and mobilise Nigerians. Let them know that an effort has been made to chart a way forward, subject to whatever amendments there might be, to take Nigeria out of its crisis of existence and bring about its possible renaissance for the greater glory and development of not just Nigeria, but THE BLACK RACE.

Long live Yoruba land and people.

May God keep us all.

Thanks for your attention.

AYO OPADOKUN -1/10/22