THE ROLE OF FEDERALISM IN MITIGATING ETHNIC CONFLICTS IN PLURAL SOCIETIES: NIGERIA AND MALAYSIA IN COMPARATIVE PERSPECTIVE

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DEPARTMENT OF INTERNATIONAL RELATIONS AND STRATEGIC STUDIES
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ABSTRACT

This study examines the challenges of ethnic conflict in Nigeria and Malaysian plural societies, in view of the demands their diverse ethnic groups impose on nation-building. This tension is largely exacerbated by factors that favour group dominance particularly on the right to resources which mostly fractures effort at achieving national cohesion. This study is important given the persistent problem of instability which has affected the development and well-being in both countries. The ethnic problem in Nigeria is centered on two polar extremes - the Government position that "Nigeria's unity is not negotiable and must not be discussed" in its lopsided nation-building posture, and some ethnic groups that see themselves as viable nations entrapped in an invented nation-state. This thesis discusses reoccurring problems that have bedeviled Nigeria as a nation since its independence in 1960 as observed in continuing ethnic conflicts, which are less mitigated due to its fledging federalism which ought to have enhanced interethnic harmony within its multi-ethnic society. The thesis highlights ethnic demands resulting in militancy over "Resource Control", "Religious Intolerance" as well as "Secessionist Movements" in the face of persistent inequality and unfairness to some ethnic groups in Nigeria. This may explain disunity in Nigeria. These are some of the contested issues that have fractured efforts at achieving smooth nation-building and national development. This is the focus of the thesis, which provides a lens to view Malaysia's achievement in its interethnic harmony, political stability and social development. However, investigation reveals how leadership role and policy implementation over decades in Malaysia have led to good wealth distribution although with inherent institutionalised preferential policies in favour of its Malay ethnic majority as a solace against tension. It explains Malaysia's ethnicised federal practice which is uncommon that largely constitutes huge ethnic tensions beneath the surface in the country as observed in its grumbling minority groups while the system has remained considerably and progressively stable. Hence this work reconciles the problem in Nigeria within the embrace of progress made by Malaysia whose similar society has lived a relatively peaceful life for over half a century. Inequality, denial and social exclusion, inept leadership as well as institutional inadequacy are found to have exacerbated ethnic conflicts in Nigeria hence the state totters in the face of tension. This study is a mirror to view construction and reconstruction in Nigeria's sociopolitical space which defines its continuity and discontinuity, while it aligns Nigeria to Malaysia's success in interethnic balance. Given this insight, the thesis argues that no multiethnic nation-state makes substantial social progress or survives outside the axis of its interethnic balance. This is Nigeria's challenge in nation-building. Significantly, the study relies on empirical evidence as well as secondary data while providing logic for comparison. Relatively, theory of federalism is adopted in this study as conflict mitigating mechanism in plural societies to clarify different issues in both countries while the thesis concludes with relevant recommendations.

ABSTRAK

Kajian ini meneliti cabaran-cabaran dalam konflik etnik dalam masyarakat plural di Nigeria dan Malaysia yang masing-masing mempunyai pelbagai tuntutan ke atas pembinaan negara. Ketegangan ini sebahagian besarnya diburukkan lagi oleh faktor-faktor yang memihak kepada dominasi kumpulan terutamanya tentang hak untuk mendapat sumber-sumber utama negara dan dominasi ini kebanyakannya boleh merosakkan perpaduan. Kajian ini penting memandangkan masalah ketidakstabilan berterusan dan membantutkan pembangunan serta kesejahteraan di kedua-dua negara. Masalah etnik di Nigeria berpusat pada dua ekstrem - kedudukan Kerajaan bahawa "perpaduan Nigeria tidak boleh dirunding dan tidak perlu dibincangkan" dan kedudukan sesetengah kumpulan etnik yang melihat diri mereka sebagai negara berdaya maju tetapi terperangkap dalam negara-bangsa yang direkakan. Tesis ini membincangkan masalah yang sering muncul yang mencengkam Negara Nigeria sejak kemerdekaan pada tahun 1960, sepertimana yang berlaku dalam meneruskan konflik etnik yang disebabkan oleh persekutuan untuk mempertingkatkan keharmonian masyarakat yang berbilang etnik. Tesis ini menonjolkan tuntutan-tuntutan etnik yang menyebabkan wujudnya tindakan militan terhadap beberapa isu penting iaitu "Kawalan Sumber Utama", "Intoleransi Agama" serta "Gerakan Pemisah" dalam keadaan tiadanya ketidaksamaan dan ketidakadilan bagi semua kumpulan di Nigeria. Demikian antara isu-isu yang didebatkan yang menghambat usaha-usaha dalam pembinaan dan pembangunan negara.Walaubagaimanapun kajian menunjukkan bahawa peranan kepimpinan dan perlaksanaan polisi di Malaysia semenjak beberapa dekad yang lalu telah menyumbang kepada pengagihan kekayaan yang saksama, sungguuhpun wujudnya polisi polisi yang memihak kepada ethnik kaum Melayu untuk mengurangkan ketegangan di kalangan kaum tersebut. Ini menunjukkan bahawa polisi ethnik yang diamalkan oleh Kerajaan Malaysia, dimana amalan tersebut jarang dipratikkan oleh negera lain, telah menyumbang kepada ketegangan dan ketidakpuasan hati di kalangan kaum minority walaupun polisi tersebut kekal stabil dan utuh. Dengan itu kajian di Malaysia ini memberi pengajaran kepada Nigeria untuk melihat kemajuan Malaysia yang ciri masyarakatnya adalah sama tetapi secara relatifnya hidup dalam keadaan aman selama lebih setengah abad. Ketidaksamaan, penafian dan penyisihan sosial, kepimpinan tidak cekap serta kelemahan institusi didapati memburukkan lagi konflik etnik di Nigeria. Kajian ini merupakan cermin untuk melihat dan menilai ruang sosiopolitik Nigeria yang mentakrifkan kesinambungan dan ketakselanjaran, dan pada masa yang sama ia menjajarkan Nigeria dengan Malaysia. Berdasarkan wawasan tersebut, tesis ini menghujahkan bahawa tidak ada negara pelbagai etnik yang dapat mencapai kemajuan sosial yang besar di luar paksi keseimbangan antara etnik itu. Inilah cabaran Nigeria dalam pembinaan negara. Secara signifikan, kajian ini bergantung kepada bukti empirikal serta data sekunder di samping menyediakan hujahan logik bagi tujuan perbandingan. Secara relatifnya, teori persekutuan yang digunakan dalam kajian ini sebagai mekanisme pengurangan konflik dalam masyarakat majmuk untuk menjelaskan isu-isu yang berbeza di kedua-dua negara dan tesis ini diakhiri dengan cadangan yang sesuai.

DEDICATION

Dedicated to the Cause of Good Governance in Nigeria

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LIST OFABREVATIONS

ACF	Arewa Consultative Forum.
AD	After the Birth of Christ.
AVS	Anambra Vigilante Service.
AEI	Asia-Europe Institute.
AG	Action Group.
APC	Arewa People's Congress.
BN	Barrisan National.
BP	British Pound.
CD	Campaign for Democracy.
CDC	Constitution Drafting Committee.
CPI	Corruption Perceptions Index.
CPM	Communist Party of Malaya.
CSR	Corporate Social Responsibility.
COREN	Council of Registered Engineers.
DEB	Dasar Ekonomis Baru.
DRC	Democratic Republic of Congo.
DNU	Directorate of National Unity.
EFCC	Economic and Financial Crimes Commission.
EPU	Economic Planning Unit.
FCC	Federal Character Commission
FCP	Federal Character Principle.
FDI	Foreign Direct Investment.
FMS	Federated Malay States.
GNP	Gross National Product.
HF	Human Factor.
ICPI	International Corruption Perception Index.
IYC	Ijaw Youths Council.
IDPs	Internally Displaced Persons.
ING	Interim National Government.
ISA	Internal Security Act.
JNAS	Joint National Assembly Session.

KSLDA	Kelantan State Land Development Authority.
KL	Kuala Lumpur
KMM	Kumpulan Mujahedin Malaysia
LGA	Local Government Area
MAS	Malaysia Administrative Service
MAMSER	Mass Mobilization for self-Reliance, Social Justice and Economic Recovery
MASSOB	Movement for the Actualization of Sovereign state of Biafra
MCA	Malayan Chinese Association
MCE	Malaysia Certificate of Examination.
MCS	Malayan Civil Service.
MEND	Movement for the Emancipation of Niger Delta.
MIC	Malayan Indian Congress.
MOSOP	Movement for the Survival of Ogoni People.
MU	Malay Union
NADECO	National Democratic Coalition.
NCCC	National Constitutional Conference Commission.
NCC	National Constitutional Conference.
NCNC	National Council for Nigeria and Cameroun
NCP	National Cultural Policy.
NDDC	Niger Delta Development Commission.
NDV	Niger Delta Vigilante.
NDPVF	Niger Delta People's Volunteer Force.
NEEDS	National Economic and Empowerment Strategy.
NEP	New Economic Policy
NEPU	Northern Element People's Union
NNA	Nigerian National Alliance
NNDP	Nigerian National Democratic Party
NJ	New Jersey
NOC	National Operations Council
NPC	Northern People's Congress
NPC	National Press Center
NPN	National Party of Nigeria
NYSC	National Youth Service Corps
NPRC	National Political Reform Conference
OSA	Official Secret Act
OIC	Organization of Islamic Conference
OPC	Oodua Peoples Congress
PAS	Parti Islam SeMalasia (PAS Pan-Malaysia Islamic Party)
PDP	People's Democratic Party
PM	Prime Minister
PTF	Petroleum Trust Fund
RMAFC	Revenue Mobilisation, Allocation and Fiscal Commission
SNC	Sovereign National Conference
SMC	Supreme Military Council

TI	Transparency International
TICPI	Transparency International Corruption Perception Index
UMBC	United Middle Belt Congress
UMNO	United Malaya National Organization
OMPADEC	Oil Mineral Producing Areas Development Commission
USA	United States of America
US	United States
UN	United Nations
UNDP	United Nations Development Programme
UFMS	Unfederated Malay States
UPGA	United Peoples Grand Alliance
WAI	War Against Indiscipline
WIEF	World Islamic Economic Forum

EXPLANATION OF TERMS

Afenifere	A cultural organization of Yoruba ethnic group in Nigeria.
Aguleri	A sub-ethnic group within the Igbo ethnic group
Aro Chukwu	God of the Aros
Angkatan Belia Islam	(ABIM) or Muslim Youth organization in Malaysia
Atyap	Mostly Christians in Kaduna, Nigeria.
Bakasi Boys	Group of youths known in Igbo Area of Nigeria for their anti-crime vigilantism usually armed with machetes and guns.
Bapa Perpeduan	Father of Solidarity.
Bini	A historical dominant minority ethnic group (Midwest), Nigeria.
Bisaya	Tribal group in Sarawak –East Malaysia
Bumipteras	Sons of the Soil (Land)
Cold War	Often dated from 1947-1991, a sustained state of political and military tension between the powers of the Western world led by the United States and the NATO allies, and the communist world led by the Soviet Union, its satellite states and allies.
Dakwah	Missionary
Dasar Ekonomi Baru	New Economic policy
Edo	Minority group in the West under the Yoruba as the Dominant group
Efik	Minority group in the East under the Igbo as the Dominant group
Egbe Omo Oduduwa	Society of the sons of Oduduwa-The Legendary Yoruba Tribal Ancestor
Egbesu Boys	An ethnic militant group in the South-west of Nigeria.
Ekoi	Minority group in the East under the Igbo as the Dominant group
FEDA	Development Agency
Foedus	Covenant
Fulani	An ethnic group predominantly situated in the North (sometime grouped together with the Hausa, Hausa-Fulani)
Goliath	Biblical recorded giant war lord of Philistine
Gwari	Minority group in the North under the Hausa/Fulani as Dominant group
Hausa	An ethnic group predominantly situated in the North (sometimes grouped with the Fulani, Hausa-Fulani)
Hudud	Limit or restriction Punishment for severe crimes
Ibibio,	Minority group in the East under the Igbo as the Dominant group
Idoma,	Minority group in the North under the Hausa/Fulani as Dominant group
Ife	landlord
Igala,	Minority group in the North under the Hausa/Fulani as Dominant group

Igbo	An ethnic group predominantly situated in the Eastern Nigeria
KESEDAR	Agency for territory development under the Ministry of Rural & Territory Development
Korporat	Malay word for 'Corporate'
Land Dyak	Tribal group in Sarawak – East Malaysia
MAGERAN	NOC National Operational Council
Marat	Tribal group in Sarawak –East Malaysia
Melanu	Tribal group in Sarawak – East Malaysia
Merdeka	Independence (Malay word)
Modakeke	Tenant/Settlers community in Nigeria
Nebuchadnezzar	Biblical recorded king of Ancient Babylon
Nupe	Minority group in the North under the Hausa/Fulani as Dominant group
Ohaneze Ndigbo	A cultural organization of Igbo ethnic group in Nigeria.
Olu	King of Warri ethnic group in Nigeria.
Pendatang	Immigrant
Pharaoh	King of Ancient Egypt (A political and religious leader of Ancient Egypt)
Predatory State	A despotic structure of power that preys on its citizens without giving much in return.
Reformasi	Reformation.
Rukunegara	National Ideology .
Sea Dyan(Iban)	Tribal group in Sarawak –East Malaysia.
Tiv	Minority group in the North under the Hausa/Fulani as Dominant group (An ethnic group (Taraba and Benue States),Nigeria.
Tun	Highest civilian Title in Malaysia given by the Agong and Federal Govt.
Ulamas	Religious (Islamic) scholars.
Umuneri	A sub-ethnic group within the Igbo ethnic group
Urhobo	Minority group in the West under the Yoruba as the Dominant group.
Wasatiya	Centrist, moderate, middle path.
Wukari	A Local Government Area in Taraba State, Nigeria.
Yang di-pertuan Agong	'King' Malay Ruler (Malaysia).
Yoruba	A dominant ethnic group situated in Western Nigeria.
Zangon-Kataf	A Local Government Area in Kaduna State, Nigeria.

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INTRODUCTION

This study examines the challenges of ethnic conflict in the context of pluralistic societies of Nigeria and Malaysia. Ethnic conflict among ethnic groups can be defined as a struggle for equality, recognition or autonomy within the framework of an existing territorial state, and sometimes a struggle for independence from such a state. It can also be called an identity conflict - a phenomenon, subsequent to the decolonisation process that occurred in the 1960s. As a new development, it resulted quickly in many former colonial territories becoming independent nations in Africa and Asia.

This study aims to address continuing ethnic tensions in Nigeria and Malaysia through a comparative analysis of the two countries through the lens of federalism as a mechanism that helps to mitigate conflict in plural societies. However, the idea is predicated on the fact that the structure and composition of societies define their form of governance and administration. Hence the formation of Nigeria and Malaysia as multi-national states directly derives from heterogeneity in culture, descent and origin. Significantly, the choice of this comparative study is premised on shared features by the two countries, such as the degree of ethnic conflict and harmony, as well as factors that have contributed to each country's level of tension. For example, both countries operate a federal system of government which accommodates their respective multi-ethnic, religious and cultural diversities. Malaysia and Nigeria share a common colonial history as former British colonies that won their independence in 1957 and 1960 respectively which began their nation-building efforts as independent federal states. Given their multiethnic and racial diversities, this thesis focuses on three main ethnic groups in contention in both countries. These are the Igbo, the Hausa/Fulani and the Yoruba ethnic groups in Nigeria, whereas in Malaysia three main ethnic groups, the Malays, the Chinese and the Indians are studied. Coser defines ethnic conflict as "a struggle over values and claims to scarce status, power and resources in which the aims of the

opponents are to neutralize, injure, or eliminate their rivals."[1] For example, in Nigeria, the aforementioned problems were largely aggravated by the policy adopted by the British colonial rule in which both the northern and southern regions of Nigeria were merged together in 1914, but were administered separately through the indirect rule policy of the British colonialists. Even when federalism became effective in 1954 by the creation of three regions which operated independently, the North had isolated the South which received its self-governing status in 1957. The North claimed that they were not mature for self-rule but, later became self-governing in 1959.[2] Independence was won in 1960 amid ethnic divisions and hatred, among the main ethnic groups in the new nation.

Notably, these main ethnic groups in Nigeria are distinct given their cultural differences and wide geographical separations. The territories of three major ethnic groups, namely the Igbo from the east, the Yoruba from the west, and the Hausa /Fulani from the north were merged to form Nigeria. As a nation with over 250 diverse ethnic groups, the first decade of independence was characterised by violence and ethnic conflicts exacerbated by sectional cleavages, disagreement and suspicion among the ruling elites of Nigeria which unfortunately made the country seemingly ungovernable.

This thesis takes into account Nigeria's early electoral and census crises of 1962 -1964, and persistent tensions leading to the military coup and counter coup of 1966, which climaxed into civil war from 1967-1970 as the country became seemingly ungovernable. For example, severe ethnic divisions within Nigeria's unbalanced federal structure had a negative outcome in the unity, political process, as well as the consolidation of democracy in the country. It strongly speaks of a North South divide, exacerbated by immediate post-civil war power control by a sectional (ethnic) army that controlled power in Nigeria for almost three decades of the country's forty years of independence to the chagrin of other sections of the country.

[1] L. A. Coser, *The Functions of Social Conflict*, Glencoe III, New York: The Free Press, 1956, p. 8.
[2] April A. Gordon, *Nigeria's Diverse Peoples: A Reference Source Book*, California: OBC-CLIO, Inc, 2003, p. 97.

The military distorted the original federal structure of Nigeria without the consent of the many ethnic groups. A series of patrimonial and clientelist tendencies by the ethnic military toward the people led to deep feelings of marginalisation, alienation, exclusion and even the denial of basic rights. For example, the dimensions of the conflict were in part exacerbated by the slashing of the revenue derivation in the country from its original 50 percent to 1.5 percent by the various military regimes. This led to serious tensions immediately after the military disengaged in 1999. Second, given this divisive ethnic posture, various military regimes in Nigeria engaged in new state creation, which started in 1970 by Gowon's administration. It was meant to neutralize ethnic dominion within the federation as observed in the Biafran war, and to protect the minority groups.

This exercise later gave rise to boundary disputes among ethnic communities across the country. No true federal arrangements were provided in most of the decisions affecting various ethnic groups under the military.[3] Ethnic divisions, suspicion and hatred which could not be mitigated by its federal structure quickly led to more brutal conflicts and impairment which Nigeria has been exposed to since the last fifty years of existence. Economic stagnation, mass poverty, endemic corruption, political instability, inept leadership, weak institutions, and ethno-religious conflicts are found elsewhere, but the Nigerian situation is considered to be especially serious for the country is regarded an unstable federation. This study stresses that the prevalent atmosphere was exacerbated by the inability of the central governing authority to equitably cater for its citizens, and was worsened by military interventions in politics that created a "coup culture" in the country. Military involvement in politics led to the militarisation of

[3] Donald Horowitz is correct in his theoretical insight that after independence among decolonized states "the context and the issues changed. No longer was the struggle against external powers paramount. No longer was colonial domination the issue. Self-determination had been implemented only to the level of preexisting colonial boundaries. Within these boundaries, the question was to whom the new states belonged. As some groups moved to succeed the power of the former colonialists, others were heard to claim that self-determination was still incomplete for they had not achieved their own independence." This explains the crux of the Biafran Civil War in Nigeria discussed in chapter 3. Donald L. Horowitz, *Ethnic Groups in conflict*, Berkeley: University of California Press, 1985, p. 4.

politics as well as politicisation of the military in Nigeria. By 1999, Nigeria had to contend with the military assumed role of corrective agents of national unity as expressed in Pita Agbese's "Nigeria and Military Disengagement theory."[4] Military rule being an aberration, national oil wealth was mismanaged through corruption and a patronage system which prevailed under the logic of maintaining national unity of impoverished masses who were suffocating under the yoke of poverty. Efforts by some past leaders at various National Conferences to resolve ethnic conflicts and separatist tendencies in Nigeria were not truly successful, though Nigeria still exists as one nation.

The most problematic is the government's position that "Nigeria's unity is not negotiable and must not be discussed" amid Nigeria's flawed administration in spite of its federalism as a conflict mitigating mechanism. Hence some ethnic groups in Nigeria see themselves as viable nations territorially entrapped in an invented nation-state of colonial construction. Ethnic conflicts in Nigeria and Malaysia led Horowitz to incorporate both countries among others in the analysis of his theory on ethnic conflict. For Horowitz, "Ethnicity is at the center of politics in country after country, a potent source of challenges to the cohesion of states and of international tension."[5]

However, Malaysia as a multiethnic nation-state which also operates a federal system of government is compared with Nigeria to understand its level of ethnic cohesion to ascertain whether positive values found can be applied to Nigeria. Given the aforementioned features, it is certain that Malaysia as a nation has experienced conflicts in the past, yet has been able to manage such contestations and cleavages to date. Similar to the Nigerian civil war, Malaysia's early beginning was disrupted by the 13th May

[4] In this theory, there is observable attitude of the military officers whose penchant inclination to coups took things for granted in their stage-managed transition programmes. Politicians make less contribution to military disengagement. There is an exercise of trust by the civilian politicians on the military time table and other imposed conditions by a rigid military rule. The theory explains that the military abandons politics whenever it feels it has corrected the ills, the military now retreats to barracks, and allows civilian politicians who are chastised to govern, with the military desire to intervene again but no desire to hold on to power indefinitely.This features in chapter 3. See, Pita Ogaba Agbese, 'Military Disengagement From Politics in Nigeria' in "Military Rule and Sociopolitical Crisis in Nigeria" in Ida Rousseau Mukenge and George Klay Keith (eds.),*Zones of Conflict in Africa: Theories and Cases*, Praeger Publishers, 2002,p. 101.
[5] Horowitz, *Ethnic Groups in conflict*, p. xi.

1969 race riots which claimed many lives. This was casused by the economic disparity that existed between the indigenous mainly poor Malay majority and the largely wealthier Chinese ethnic group that dominated the economy at the time. The government rose to tackle the problem through the National Economic Policy (NEP) - an affirmative action plan put in place to rectify the economic and social imbalances that existed among various communities and to enhance the well-being of all citizens in the country.

However, given its successful affirmative action policies, Malaysia's ethnicised federal structure has over the years used preferential policies in favour of its Malay majority to avoid tensions while non-Malay ethnic groups continue to grumble resulting in some ethnic tension brewing below the surface, despite an appearance of normalcy. In spite of this, Malaysia has, from 1970s onwards, achieved rapid progress in many fields, such as education, affordable healthcare, communication, a large manufacturing base, and a reduction in the poverty to 5 per cent. Malaysia has achieved considerable political stability while it hopes to join the league of developed countries by year 2020.

Malaysian macroeconomic management has remained a balancing act, with prioritised goals in achieving redistribution of income and also allowing for economic stabilization in the system.[6] The thesis compares and contrasts ethnic conflicts in both countries through the framework of federalism as a benchmark to determine how the levels of ethnic conflict affect national stability, development and wellbeing of their peoples. This is the focus of the thesis, which traces historical and contemporary factors in line with Car's view that, "To learn about the present in the light of the past means also to learn about the past in the light of the present. The function of history is to promote a profounder understanding of both past and present through the interrelation between them".[7]

[6]See, Jayant Menon, "Macroeconomic Management amid Ethnic Diversity: Fifty Years of Malaysia Experience," *Journal of Asian Economics*, Volume 20, Issue 1 (2009): 25-33, here p. 25.
[7] E. H. Carr, *What Is History?* with a New Introduction by Richard J. Evans, Palgrave, 2001.

Statement of the Problem

This study stresses that Nigeria is a complex society with over 250 ethnic groups, mostly described by scholars as a deeply divided society.[8] Its ethnic tensions stem from its federal structure which has not been able to mitigate overarching ethnic cleavages and misrule as the root of continued ethno-religious and political tensions since its birth as a nation in 1960. The earlier mentioned major ethnic groups in Nigeria which maintain different cultures and traditions were brought together as a nation in 1914. Given the ethnic disunity that characterised the colonial era, there was little or no compromise among the ruling elites who took over power from the colonialists. This internal strife caused a stalemate in the business of governance which subsequently led to the first military coup, counter coups and civil war in Nigeria which lasted for nearly three years.

The prolonged misrule of the military distorted ethnic cohesion and aggravated grievances among ethnic groups and communities over perceived neglect of some sections of the society as national resources were mismanaged to the detriment of the nation's development. Due to the discovery of oil, the military in 1970s unilaterally reduced the derivation meant to be paid to oil producing regions unlike the pre-civil war derivation on agriculture to the three main regions. The military hardly consulted the federating units in their unilateral policy decisions. The twelve year old (since 1999) Niger Delta crisis is a reaction to the long suppression by the military, and what they call denial of their rightful share from oil located in their region. The ongoing destruction of oil pipelines as well as the Nigerian armed forces regular skirmishes with armed ethnic militia in the oil-rich region has constrained effort at peaceful nation-building.

[8] Nigeria is complex in terms of its ethnic composition.This has been commented by Diamond in an effort to showcase its averse to unity and not amenable to cohere for social progress. Larry Diamond describes Nigeria as "struggling with massive problem of governance and could swing either toward democracy or dictatorship in the coming years". According to him, "no country in the world has had a more turbulent and tragic democratic experience than Nigeria." See, Larry Diamond, "Foreword" in Rotimi T. Suberu, *Federalism and Ethnic Conflict in Nigeria*, Washington D.C: United States Institute of Peace, 2001, pp. xi-xii.

The creation of new states and re-creation of states by the military to accommodate the demands of certain ethnic groups still caused other groups to demand their own states within the Nigeran Federation. This caused many teething problems, such as unequal revenue allocation, boundary disputes, communal clashes, political tussle for official posts, disputes over the location of new state capitals and local government headquarters. These tensions have seriously affected interethnic relationship and the smooth governance of Nigeria, which Agbese describes as "one of the most pernicious legacies of the military rule is the culture of violence that it has created in the country."[9]

Political instability is also largely induced by certain sections of the country that tend to disallow power shift to other areas in the Nigerian federal structure. This is resisted through electoral fraud, assassination, arson etc when compromise is lacking. For instance, the Igbo have been marginalized since the civil war ended in 1970 and it brought about the reemergence of the "Movement for the Actualisation of the Sovereign State of Biafra" (MASSOB) which is Igbo separatist group in the East. Similarly, it is important to note that the "Movement for the Emancipation of the Niger Delta" (MEND) is another separatist group in the South-south region fighting for self-autonomy.

The idea to institutionalise Sharia Law in Northern Nigeria since early 2000 has been resisted by the Nigerian Government based on the country's secular status. Apart from years of religious conflict especially in the North, the ongoing killings by the Boko Haram tend to worsen religious tension in Nigeria. This ethno-religious bloodbath took a new dimension between 1999 and 2007. For example, over 11,000 Nigerians died through politically motivated violence and ethno-religious conflicts between 1999 - the

[9] Pita Ogaba Agbese, "Military and Sociopolitical Crisis in Nigeria" in George Klay Kieh Jr., and Ida Rousseau Mukenge (eds.), *Zones of Conflict in Africa: Theories and Cases*, Westport: Greenwood Publishing Group, 2002, p. 100.

beginning of Obasanjo's democratic dispensation and the end of 2007.[10] However, more than 3 million people in Nigeria were displaced by strife which has been ongoing.[11]

While ethnic and religious tensions undermine the stability and growth of Nigeria, the nation is also steeped in corruption having lost over US$380 billion since its independence in 1960. These have led to retarded growth and progress in which many Nigerians suffer extreme poverty. This misguided rule has contributed to economic frustration among groups which are engaged in ethno-religious blood baths, communal clashes, exclusion and marginalization. Years of neglect of economic development, unfocused policy directions and marginalisation by the Nigerian state has intensified calls for self-determination by ethnic groups who increasingly view themselves as trapped in a country seen as an unworkable legacy left behind by the British.

Many ethnic nationalities were arbitrarily lumped together into a territorial unit that formed the geographical entity called the state of Nigeria. To many, of these "new" states, there was no identification among sub-national groups/communities with the state as a symbol of collective identity, and no political community.[12] These problems have led in the past to calls for a National Conferences to discuss Nigeria's future, but to no avail. For example, the agenda at the recent conference under Obasanjo included fiscal policies, revenue allocation, federalism, and 'no-go-area' for discussion was on the unity of Nigeria's ethnic groups, which the government says 'unity' is not negotiable.

Similarly, one of the ex-military officers in the Nigerian army, General Alani Akinrinade (rtd) cautioned the government that "No-go-areas do not exist in democracy. True democracy is a process that operates in an open system".[13] Rhetorically, Osaghae also asked, "What is really the trouble with Nigeria? It is arguably one of the most complex countries in the world and belongs to the genre of the most troubled complex

[10]Peter Lewis and Chris Albin-Lackey, "Democracy and Violence in Nigeria" (working title); forthcoming.
[11] Violence Left 3 Million Bereft in Past 7 Years, Nigeria Reports," Reuters, March 14, 2006.
[12] Henry E. Alapiki, "State Creation in Nigeria: Failed Approaches to National Integration and Local Autonomy," *African Studies Review*, Vol. 48, Issue 3, (2005):49-65, here p. 49.
[13] This comment is fully treated in chapter three under President Olusegun Obasanjo's administration.

societies called deeply divided societies".[14]He also argues that, "Nigeria is a crippled state. It was crippled from the beginning by the nature of its colonial creation and integration into the global economy, and has remained crippled by corrupt and authoritarian regimes, the inability to overcome its divisions, and the inability to determine its manifest destiny in the face of a hegemonic world order."[15]

Indeed, resource control, militancy and secession, ethno-religious tension, electoral fraud, arson and assassination, legitimacy crisis are largely centered on ethnic cleavages that overwhelm the Nigerian government and hence the state totters to systemic failure. This study emphasises that the Nigerian polity is unstable due to fierce ethnic competition and a lack of compromise among sectional leaders in most of their national engagements. This thesis stresses that years of misrule outside Nigeria's federal institutional framework has aggravated tension along ethnic and regional lines. It has constrained development, which is usually empowered by institutional competence. This has negatively affected the social and welfare needs that enhance interethnic well-being and harmony, which is the hallmark of federalism as conflict regulatory mechanism. Given these contrasting scenarios in Nigeria's federal structure, this thesis opines that no multiethnic nation-state makes substantial social progress or survives outside the axis of its interethnic balance. This is Nigeria's challenge in nation-building.

Comparatively, Malaysia is considered as maintaining considerable political stability due largely to its level of ethnic harmony. However, no conclusions can be made yet, because within its federal setting and constitutional arrangement, various governments in the country have for decades used certain constitutional acts and limitless preferential policies to favour a particular group. This is part of a Malay-ethnic dominance expressed in UMNO's seemingly authoritarian rule since 1957. Malaysia's known religious moderation is fast drifting towards a uni-polar primacy of Islam - in the

[14] Eghosa E. Osaghae, *Crippled Giant: Nigeria Since Independence*, London: C. Hurst & Co. Publishers Ltd., 1998, p. ix.
[15] Osaghae, *Crippled Giant*, p. x.

making of an Islamic state, while its original secular constitution is contested by other stakeholders.[16]This is not helpful because religion is almost drawn along ethnic lines too.

Given the aforementioned issues and many more, this thesis points out to reasons advanced by Shamsul – a top Malaysian scholar that "Malaysia had since been in a state of stable tension, which means that we have been living in a society dominated by many contradictions but we have managed to solve most of them through a continuous process of consensus-seeking negotiations, sometimes the process itself became a solution".[17] The study investigates these and more, and the level of ethnic cohesion in Malaysia being compared with Nigeria. This is especially to find ways Malaysia's considerable ethnic harmony could provide insights into efforts in mitigating ethnic conflict within Nigeria's federal structure. In view of the foregoing, the study argues that post-colonial plural societies require the right social architecture to manage cultural diversity. Without a push for interethnic balance, social progress and the well-being of citizens will always elude plural societies of recently decolonized countries in Asia and Africa.

The Objectives of the study

1. To explore the challenges of ethnic conflict in Nigeria and Malaysia.
2. To demonstrate federalism as an institutional mechanism for accommodating plural society.
3. To provide a comparative overview of contested issues in Nigeria and Malaysia with federalism as a mechanism in dealing with ethnic conflict.

Research Questions

a) What are the challenges to ethnic conflict in Nigeria and Malaysia?
b) How does the federal system contribute to resolving ethnic conflict in both countries?
c) What are the obstacles to overcoming ethnic conflicts in Nigeria and Malaysia's federal systems?
d) Why is the federalism in Malaysia more successful in dealing with ethnic conflict compared to Nigeria?

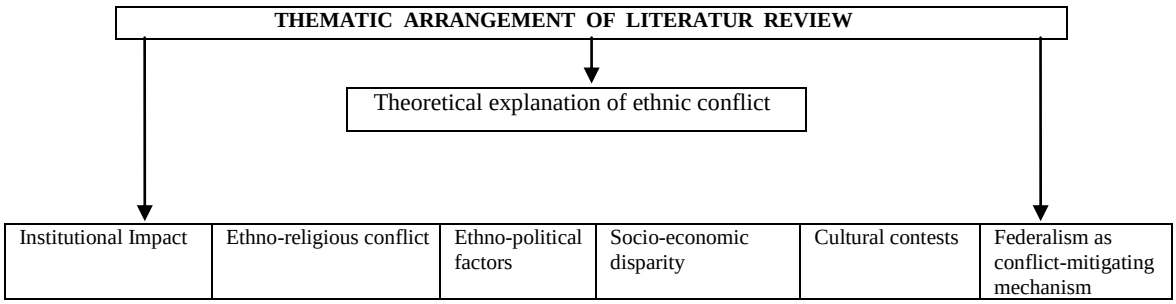
[16]For example, Ambiga Steenevasan, former Malaysian Bar Council president, and one of the patrons of Negara-Ku – a Movement, is set to challenge, and cautioned that, "Right-wing extremists have become bolder and their voice has grown louder with more racial and religious slurs." See Rita Jong, "Championing a Cause for My Country" *The Heat newsweekly*, July 26-August 1, 2014, pp. 1, 13 &16.

[17] Shamsul Amis Bahuruddin, *Many Etninicities, Many Cultures, One Nation: The Malaysian Experience*, UKM Ethnic Studies Paper Series, Institute of Ethnic Studies KITA Bangi, 2008, p. 10; Also, this view and more were part of the emphasis during the researcher's field interview with Shamsul A. B., Senior lecturer of Malay ethnic extraction, and Malaysia's Distinguished Professor, interviewed in his UKM office, March 23rd, 2012.

Literature Review

Ethnic conflicts in Malaysia and Nigerian plural societies are rooted in historical and contemporary events shaping years of stable tensions and brutal conflicts in the two countries respectively. For a clearer understanding of the phenomenon, the literature review is arranged thematically and observed at a glance as demonstrated in figure 1.

Figure 1. Explanatory Diagram



The practice of federalism in managing ethnic conflicts in plural societies is a complex challenge that confronts most decolonised and developing countries in Africa and Asia. Although ethnic conflict is common, the practice of federalism in mitigating such conflicts varies among countries. As earlier highlighted, this literature review is arranged thematically under seven perspectives that provide insight into ethnic challenges and notably ways Malaysia has recorded more success than Nigeria in the overall context.

The thesis starts by providing theoretical explanations of ethnic conflict as a phenomenon. It discusses institutional impact in the second part and thirdly followed by hints on religious issues. The fourth part looks at the practice of identity politics which increases the odds of political violence in Nigeria and Malaysia but Malay-led UMNO dominance has been effective in reducing tension in Malaysia. Fifthly, the thesis discusses socio-economic challenges in both countries and how early resolution of socio-economic disparities among groups in Malaysia paid off through affirmative action. The

sixth part of the review is on ethno-cultural cleavages whereas the seventh part discusses the extent federalism has helped mitigate conflict in both Nigeria and Malaysia.

First, the theory of federalism is primarily adopted in this study as a mechanism that regulates conflicts in plural societies mainly in countries under a federal arrangement as seen in Nigeria and Malaysia.[18] Donald Horowitz theory of *Ethnic Groups in Conflict* is also significant in this study. He argues that "ethnic conflict arises from the common evaluative significance accorded by the groups to the acknowledged group differences and then played out in rituals of affirmation and contradiction".[19] Horowitz theory provides insight into ethnic affinity, and intergroup relations which is alert to any threat of dominion. As a work of detailed insight, it is seen as "an original and powerfully argued comparative analysis of one of the most important forces in the contemporary world". He incorporates Nigeria and Malaysian plural societies in his analysis of conflict-ridden societies which significantly clarifies issues in this study.[20]

Similarly, Gurr's *Theories of Communal Conflict* is significantly important in this field in view of its explanatory insights into the theories of political violence as well as rebellion in developing countries. He suggests that "the conflicts that develop around communal loyalties pose a different set of problems than revolutionary conflict".[21] The problem of managing plural societies is rooted in earlier studies by Furnivall, and Durkheim. In Furnivall's view, numerous people with crises of governing their diverse groups are earlier multiethnic dependencies.[22] For Durkheim, these ethnic communities meet at a market place that lacks the characteristics and the "concept of organic solidarity. It lacks the shared values which organic solidarity requires and involves brutal

[18] K. C. Wheare, *Federal Government*, New York: Oxford University Press, 1963, p. 10.
[19] Horowitz, *Ethnic Groups in conflict*, p. 227.
[20] Horowitz, *Ethnic Groups in Conflict*, p. xi.
[21] Ted Robert Gurr, "Theories of Political Violence and Revolution in the Third World," in Francis Mading Den, and I. William Zartman (eds.), *Conflict Resolution in Africa*, Washington D.C, The Brookings Institution Press, 1991: 152-189, here p. 181.
[22] J. S. Furnivall, *Colonial Policy and practice*, London: Cambridge University Press, 1948, pp. 303-312.

conflict and exploitation".[23] According to Stavenhagen, ethnicity is perceived as the unavoidable result of "modernization, economic development and political development, especially in Africa". Ethnic group maintains its membership by people with shared interest and fate, who advocate ethnic symbolism that expresses their oneness.[24]

Second, it is apt to demonstrate that ethnic conflict is also exacerbated by institutional inadequacy, or managed by institutional architecture. Institutional inadequacy contributes directly or indirectly to ethnic conflict. Many studies reveal that it accounts for pervasive ethnic disunity and conflict during Nigeria's formative years. These studies are historically as old as the nation itself whereas new researches continue to emerge. Some writers dwell on institutional inadequacy as the unmitigated problem of the nation's unity whose ethnic groups needed a more competent and focused administrative rule in its formative years. For example, Isaac Albert stresses on the early divisiveness that characterised the society throughout imperial rule in Nigeria. He discusses the role of the Southern Nigerian elites, and their inclination to abuses especially through the mass media in their control and its impact in the North and South relation during the colonial era. This feeling of hurt is contained in an editorial piece written in february 11, 1950 by Alhaji Na-Alhaji, editor of "Gaskiya Ta Fi Kwabo" (the truth is worth more than a penny), a Northern Nigerian newspaper based in Kano. He explains that "the thing which surprised me the most is that all the newspapers which are owned by the southerners say the same thing. They contain nothing but abuse for the northern representatives…What cannot but done peacefully cannot be done by abuse…"[25]

[23] E. Durkheim, *The Division of Labour in Society*, New York: MacMillan, 1933.
[24] For example see, Stavenhagen, Ethnic Consciousness in Developing Africa, Ibadan: Spectrum Books, 1977.
[25] Isaac O. Albert, "The Role of Communication in the Escalation of Ethnic and Religious Conflict," in Ernest E. Uwazie, Isaac O. Albert and Godfrey W. Uzoigwe (eds.), *Inter-Ethnic and Religious Conflict Resolution in Nigeria*, Maryland: Lexington Books, 1999, pp. 19-36.

According Caroline Ifeka, Nigeria is a complex society and its centre-periphery conflict, has impacted on the country since its birth as a nation. She discusses about the people, oppression, marginalisation, insecurity and poverty as the country's contradictions.[26] Problems tend to fracture national cohesion with the kind of government in place, with roles played by the political leadership and state institutions that give the notion that Nigeria manifests features of a typical predatory state.[27]

The foregoing collaborates with Falola's view that the challenge before Nigeria is the need to construct governmental systems that will accommodate and satisfy the desire of the constituent Nigeria's fragmented ethnic groups to exercise authority and control over their own affairs and wellbeing while also meeting the desire for national cohesion. However, a crucial question of what should be done to make ethnic nationalities in Nigeria live together in harmony is of great concern to Falola.[28] Suberu observes certain social issues in Nigeria and the need to see the psyche of Nigerians real distrust for government. His concern is that there seems to be a lost dream of a responsive and popular government in Nigeria that can act for the public good.[29]

On the other hand, certain social conditions have helped considerably in the management of ethnic conflict in Malaysia. While Horowitz emphasizes that no single factor accounts for ethnic conflict, so also this study stresses that effort at achieving interethnic harmony is also attributed to a number of factors which a society is required to pursue. This study takes a look at institutional architecture as the beacon upon which Malaysia has managed to achieve a considerable feat in ethnic relations. In contrast to

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[26]Caroline Ifeka, "Conflict, "Complicity and Confusion: Unraveling Empowerment Struggles in Nigeria After the Return to Democracy," *Review of African Political Economy*, No. 83, (2000): 115-123, here p. 121.

[27] For example see, Roy Godson, ed., *Menace to Society, Political Criminal Collaboration around the World*, New Jersey: Natioanl Strategy Information Center, 2004, p. 138.

[28]Toyin Falola, (ed.), *Nigerian History, Politics and Affairs: The collected Essays of Adiele Afigbo*, Trenton NJ: Africa World Press, Inc., 2005, p. 59.

[29] Rotimi T. Suberu, "Constraints on the Process of Mobilization in Nigeria," in Democratic Mobilization in Nigeria," in S. G. Tyoden (ed.), *Democratic Mobilisation in Nigeria, Proceedings of the 15th Annual Conference of the National Association of Political Science (NPSA)* held at the University of Ibadan June 26-July 1, Ibadan Nigeria, 1988, p. 1180.

earlier views on Nigeria, institutional architecture against conflict plays a significant role in the management of ethnic conflict in a plural society. According to Montesino, institutional architecture is the beacon upon which Malaysia has managed to achieve a considerable feat in ethnic relations. Malaysia accomodates over 60 ethnic groups and requires social architecture to manage the affairs of its racial diversity. He discusses Malaysia's socioeconomic disparities as well as the 1969 racial riots, initiating and implementing policies to disallow or lessen ethnic conflicts and providing support for the majority Bumiputras. Montesino stresses the earlier reluctance of the minority immigrant communities to accept such policies, which however describes the change in Malaysia's pre-independence ethnic disparities. He identifies various cross-cultural conflicts that confront Malaysia after forty years of affirmative action. These include segregation in Malaysia's educational system without much prospect for intercultural interactions, hidden interethnic tension beneath the surface, complaints of cultural and economic hegemony among the Malays and Chinese respectively, alleged discrimination and marginalization, in political and religious issues but it is important to not that the state has addressed most of the problems by promoting national unity.[30]

In concert with Montesino, Haque's study also demonstrates that the Malaysian government plays a positive role in managing ethnic conflicts as well as reconciling different ethnic interests by adopting appropriate policies and programmes in meeting such demands. In other words, "Malaysia is a classic case where there is a coexistence of some major ethnic groups with distinct identities and where the state has used wide-ranging preferential policies to manage ethnic problems." Hence Malaysia can be described as founded on "ethnocratic state" or "ethnic democracy."[31] However, Voon Keong is one of such scholars whose studies capture the underlying peaceful co-

[30] Max U. Montesino, "Cross-cultural Conflict and Affirmative Action: Inter- and Intra-ethnic Dilemmas of Malaysia's Heterogeneous Workplace," *International Journal of Cross Cultural Management,* Vol. 12, No.1, (2012):115-132.
[31] M. Shamsul Haque, "The Role of the State in Managing Ethnic Tension in Malaysia," *American Behavioral Scientist,* Vol. 47 No. 3 (2003): 240-266.

existence within the plural Malaysian society. He discusses Malaysia's plural society while emphasising that the main focus of the nation centres on fostering shared values that promote national unity. He looks at the cooperation and understanding exhibited by the three main ethnic groups in their joint negotiations for independence from Britain as a symbol of hope for "multi-ethnic co-operation and compromise." Their joint effort in pursuit of a common aspiration of larger benefit for all is significantly historic.[32]

Significantly, Ebong collaborates with the views of Montesino, Haque and Keong on social architecture that surrounds Malaysian development and social progress. His discussion centres on the institutional apparatuses that form the government that governs the society. The state is ruled by the elite in power which claims to be acting in the interest of the society, although may often be unfair to certain groups in the society. The state is an arena where state elite divisions contest and how their interests often collide.[33] The state functions through development ideology in view of its effort to develop the society as a benchmark for its legitimacy. He discusses the framework that serves as the standard for analysing the developmentalist state in Malaysia while emphasising that Malaysia's experience within East Asian countries provides a detailed history of how its economy was transformed under the Tun Razak-led affirmative action with NEP. As a social architecture under which Malaysian economy is founded, it covers growth and distribution and Razak's emphasis on NEP. He he insisted, "The Plan must succeed as it is vital to our survival as a progressive, happy and united nation".[34]

However, the third factor in this literature survey looks at ethno-religious tension in both Nigeria and Malaysia. Undoubtedly, certain ethnic groups and religions seem to be intertwined thus exacerbating rivalries in both the Nigerian and Malaysian societies.

[32]Voon Phin Keong, ed., *Malaysian Chinese and Nation-Building: Before Merdeka and Fifty Years After, Volume 1, Historical Background and Economic Perspective,* Kuala Lumpur: Centre for Malaysian Chinese Studies, 2007, p. 22.

[33] Abdul Rahman Ebong, "Developmentalist State in Malaysia: Its Origins, Nature and Contemporary Transformation" in Joan M. Nelson, Jacob Meerman and Abdul Rahman Embong (eds.), *Globalization and National Autonomy: The Experience of Malaysia,* Singapore: Institute of Southeast Asian Studies (ISEAS), 2008, pp. 27-58, here pp. 27-33.

[34] Ebong, "Developmentalist State in Malaysia," p. 40.

For instance, the complex ethno-religious nature and rivalries in Nigeria is partly shown in Falola's study. He sheds light on power transfer from the military to civilians and the writing of a new constitution which provides opportunity for groups to settle old scores and create hegemonies for their ethnic and religious groups. Falola stresses on the adoption of the constitution in 1978, the generated tension in the 1978 election and political campaign and the manipulation of religious symbols and values by politicians. He discusses the1980 Maitatsine religious crisis in the North and its impacts. His study provides documented cases and insight into complex religious issues in Nigeria.[35]

Similarly, Agbaje seems to be concerned with the need for national cohesion while pointing at religion as the explanatory variable given the religious composition, characteristics and the challenges of Nigeria and the legitimacy of government. Given the precarious nature of religious issues in 1999, he suggests the need for the civilian administration to maintain stability with astuteness as well as justice by political leaders to manage scarcity, as inter-groups as well as intra-groups struggle for public good through state institutions.[36] Some other scholars see religion and its challenges to the state from different perspectives. For example, Edmund Ezegbobelu stresses the need to close the gap that exists in interethnic relations in Nigeria, the mistrust between the two main religious groups in the country and the challenge of true dialogue. He argues that interreligious dialogue cannot be analyzed in isolation of other societal variables as some scholars have done in the past. He contends that religion and theological studies must be rooted in interdisciplinary approach while paying attention to contexts. He presents these contexts as societal variables including geo-historical, cultural, religious, local, national, artistic and global factors which play an indispensable role and provide the background

[35]Falola, *Violence in Nigeria*, p. 3; J. I. Elaigwu, *The Politics of Federalism in Nigeria*, London: Adonis & Abbey, 2007, pp. 178-183.

[36] A. Agbaje, "Travails of the Secular state: Religion, Politics and the Outlook on Nigeria's Third Republic," *Journal of Commonwealth and Comparative Politics*, Vol. 28, no.3 (1990): 288-308, here p. 291.

for understanding, interpreting and evaluating human religious expressions.[37] Most problem generating issues vary overtime because things ethnic groups contest for are material objects such as "money, employment" and many more, whereas others are "non-material" issues in which "culture, religion and language" are contested too.[38]

Lately, religious issues in Nigeria have tended to challenge the country's secular status especially from Muslim scholars. Felix Agbara notes that "In Nigeria, the secularist question has endured, affecting inter-ethnic and inter-religious relationships. In many instances it has threatened the unity of the nation".[39]Agbara also reflects on Sanusi Lamido Sanusi's view, a popular Islamic scholar who supports the full implementation of *Sharia* law, which he believes is consistent with the Nigerian constitutional arrangement, and non-secular but retains a multi-religious character.[40] However, despite all the challenges in Nigeria, the nation has been steadfast with its commitment to secularism as enshrined in the constitution. For example, it is found that Nigeria's secular state status was meant for building a liberal state that disallows bias by government officials towards religion or ethnicity to maintain peace and unity in the country. Nigeria's numerous religious challenges are also discussed by April Gordon who persuasively explains that "Since independence, the Nigerian state has managed religious diversity through the constitutional stipulation that Nigeria is a secular state that guarantees freedom of religion and equality of all citizens."[41]

Conversely, religious issues profoundly shape the state apparatuses in Malaysia, as well as the people's perceptions. Writing on what they describe as sacred tensions,

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[37] Edmund Emeka Ezegbobelu, *Challenges of Interreligious Dialogue: Between the Christian and Muslim Communities in Nigeria*, Frankfurt: Peter Lang GmbH, 2009, p. 167.
[38] E. E. Osaghae, "Ethnic Mapping Project: a Brief Concept," in Osaghae E. E. et al, eds., *Ethnic Group and Conflict in Nigeria*, Ibadan: PEFS, Vol.1, 2001.
[39] Felix Ikeagwuchi Agbara, *The Possibility of Convivence in Nigeria: Towards Intellectual Hermenneutic and Religion in Dialogue*, Frankfurt: Lit Verlag GmbH & Co. KG Wien, 2010, p.91.
[40] Agbara, *The Possibility of Convivence in Nigeria*, p. 92; Sanusi Lamido Sanusi, "Muslim Communities in Multi-Religious Milieus: Some Reflections on the Madinan Constitution, in J. E. Whyte and J.I. Pels (ds.), Conflict *What Has Religion Got Do with It?* Accra, 2004.
[41] April A. Gordon, *Nigeria's Diverse Peoples: A Reference Source Book*, California: ABC-CLIO, Inc., 2003, p. 214.

Lee and Ackermann discuss religious differences which exist among the Malays, the Chinese and the Indians. There are obvious tensions but such do not escalate into major conflict in the country. They noted that the Malaysian Consultative Council of Buddhism, Christianity, Hinduism and Sikhism formed by the Chinese and Indians in 1983 was meant to maintain dialogue on religious matters. The Institute of Islamic Understanding was formed by the government in 1990 to promote religious tolerance in the country. All these bodies help to maintain religious harmony in Malaysia.[42]

Schottmann's study demonstrates the import of religion into governance in Malaysia. His study examines the management of religious, cultural and ethnic diversity in Southeast Asia with his focus on "intra-communal debate about the proper relationship between the state and its official religion among Malaysian Muslims." He stresses on Mahathir government's (1981-2003) projection of Islam in the public sphere and describes the role the state plays as crucial but hitherto under-recognised enabler of what has been described elsewhere as "post-Islam or parallels with Europe's post-war Christian Democrats intended, as Muslim Democracy".[43] Schottmann looks at the influence of former PM. Mahathir Mohamad and argues that Islam can rise to the level of being a cultural pillar for democracy in Malaysia which can lay hold to the notions of rule of law, good governance and social justice in what he calls 'Muslim majority country'. He applauded the premier's role in making this possible as he notes, "even if this outcome was in part the unintended consequence of his government's individualising and individually empowering religious discourse or the result of having forced PAS to scuttle its call for the authoritarian theocracy…" Schottmann believes in the primacy of Islam in Malaysia given his view on Mahathir's personal move to have the influence of Islam on Malaysian state, and the more privileged position Islam

[42] Raymond L. M. Lee and Susan E. Ackermann, *Sacred Tensions: Modernity and religious Transformation in Malaysia*, Columbia: University of South Carolina, 1997, pp. 15-16.
[43] For instance see, Anwar Ibraham Anwar, "Universal Values and Muslim Democracy," *Journal of Democracy*, vol. 17, No.3 (2006): 5-12.

receives from the government as the official religion. Yet, he seems to contradict issues and fails to reconcile 'Islamisation' and 'equal citizenship' in the same Malaysia. His sentiment seems to address two polar extremes, may be unknowingly. For example, he posits, "Islamization, whether at the personal level, where it is manifested through growing public displays of piety, or at the level of state and the market, does not in and of itself undermine calls for equal citizenship and inclusive notions of national identity…" There appears a seemingly confusing situation in Schottmann trying to discuss inclusiveness of all cultural diverse Malaysian ethnic groups – a notion of national identity under a state-focused Islamisation in Malaysia which he affirms to. This sounds incongruous. Yet, he denounces the growing tension, especially "the recent spate of arson and attacks on churches and desecrations of Hindu temples and bitter controversies over the competencies of civil and *syariah* courts, readily demonstrate, that there are some very uncivil sides to Islam in Malaysia."[44] One wonders if this immediate comment against Islam which his earlier comments seem to promote now seeks to resolve the current problem under the secular status of the Malaysian state rather than the state Islamisation process. He seems to fit-in two opposing issues into one.

In a collaborative manner, Hoffstaedter also looks at the prevailing religious controversies in Malaysia. He discusses historical trends and the efforts of the government to reinvent the state continually, while stressing on the government-led modernization, industrialization and what he describes as 'Islamisation' process and their mark on the nation of Malaysia. He discusses elites and politics as well as power sharing among racially based parties under Barsan Nasional (National front) as well as impediments to true inter-religious dialogues. He stresses that the backlash against interfaith organisations in 2006 and the attacks on places of worship since 2008 provide a conflicting scene. The Internal Security Act (ISA) which provides for detention

[44]Sven Schottmann, "Paving the ground? Malaysia's democratic prospects and the Mahathir government's Islamic discourse," in Joseph Camilleri and Sven Schottmann (eds.), *Culture, Religion and Conflict in Muslim Southeast Asia*, New York: Routledge, 2013, pp. 52-69.

without trial is regularly used by the government to address extremism in race and religion to maintain order in the country. Hoffstaedter advocates for open debate which he says is necessary to test the nation's opinions on religious matters and the need for regular dialogue on new developments on the ongoing controversy about the word 'Allah' as a stable tension that has attracted two different court decisions on the matter. The current episode is a continuation of contestation over public image of Islam in Malaysia as a moderate form of Islam. The Government of Malaysia continues to 'protect Islam and the sanctity of Islam' with hopes that UMNO can shore up support in the Malay electorate. The government knows that religious issues give Islam a bad name as dominating and exclusivist.[45]

Fourth, ethno-political challenges could be seen as another dimension of ethnic conflict in both countries. Many scholars affirm to the fact that ethno-political conflict is one of the challenges confronting many severely divided societies. The study carried out by Dauda Abubakar discusses identity politics and the ruling elites in post-independence Nigeria whom he describes as ethnic minded in democracy. He emphasises the need for social cohesion and integration in nation-building.[46] Abubakar's view collaborates with Jega's study on various ethnic affiliations in which he suggests that shared identities as rallying points for collective action in post-colonial severely divided states in Africa.[47]

Similarly, Mwakikagile in his recent study stresses on ethnic conflict and political stability in Nigeria and other African states. He discusses historical north-south divide and the Nigerian Nationalists regional interests and what seems to be explosive politics at the centre. He captures the assertion made by one of the early nationalists Chief

[45] Gerhard Hoffstaedter, "Religious Pluralism in Malaysia: Can there be dialogue?" in Joseph Camilleri and Sven Schottmann (eds.), *Culture, Religion and Conflict in Muslim Southeast Asia*, New York: Routledge, 2013, pp. 41-51, here p. 41-44.

[46] Dauda Abubakar, "Ethnic Identity, Democratization, and the Future of African State: Lessions From Nigeria," *Journal Information For African Issues*, Vol. 29, No. ½, N.J.: African Studies Association, (2001): 31-36.

[47] Attahiru Jega,"The State and Identity Transformation Under Structural Adjustment in Nigeria," in Attahiru Jega (ed.), *Identity Transformation and Identity Politics Under Structural Adjustment in Nigeria*, Nordic Africa Institute and Centre for Research and Documentation, Stockholm, 2000, pp. 24-40, here p. 24.

Anthony Enahoro who noted that "Nigeria was plagued with a deep-seated imbalance in its political structure, stemming from the inequality of its component units which placed one of the regions (the North) in a dominant position in the Federation…"[48] New researches in this area of study especially Imobighe's recent work attempts to develop new strategies to manage ethnic conflicts in Nigeria for democratic consolidation. He discusses the socio-economic and political dynamics that fuel ethnic conflicts; highlights the limitations to their management; and civil society approaches.[49]

Bah's study on *Breakdown and Reconstitution* makes captivating reading of political issues in Nigeria while dealing with the synergy of democratisation, nation-building and ethnicity in the country. His study covers the role of ethnicity in the breakdown and reconstitution of democracy, the Nigerian nation-state and its leadership problem as well as the challenges of institutional design in such a multiethnic nation. It gives emphasis on the circle of breakdown and reconstruction in the political life of Nigeria.[50] In his *Ethnic Politics in Nigeria*, Nnoli demonstrates a bold attempt to analyze Nigeria's perennial problems. The result is a broad study as well as a distinguished contribution tailored to adding to the literature of the politics of development, political sociology and national integration in addressing nation-building efforts. While credit is given for his theoretical insight, Nnoli discusses the social dynamics which are related to ethnicity in Nigeria and its pervasive mode as a phenomenon. He explains plainly the difference that separates ethnic conflict from class type, but stresses that Africa demonstrates in some cases where 'ethnic and class conflict coincide.' [51] He offers recommendations for solving ethnic challenges in Nigeria, but suggests that it requires a

[48] Anthony Enahoro, "Chief Enahoro's statement," Addis Ababa, August 1968, in Colin Legum and John Drysdale, *Africa contemporary Record: Annual Survey and Documents 1968-1969*, London: Africa Research Ltd., 1969, pp. 673-674; see also, Godfrey Mwakikagile, *Ethnic Politics in Kenya and Nigeria*, New York: Nova Science Publishers, Inc. 2001, pp. 2-8.
[49] Thomas A. Imobighe (ed.), Civil *Society and Ethnic Conflict Management in Nigeria*, African Strategic and Peace Research Group, 2003.
[50] Abu Bakarr Bah, *Breakdown and Reconstitution: Democracy, the Nation-State, and Ethnicity in Nigeria*, Maryland: Lexington Books, 2005, p. ix.
[51], Okwudiba Nnoli, *Ethnic Politics in Nigeria*, Enugu: Fourth dimension Press, 1978, p.12.

revolution to change the status quo in the country especially the 'comprador bourgeois' who manipulate ethnic sentiment for their political mileage.[52]

Ethnic politics provides a lens to view how the selection of responsible and more reliable national leadership is undermined, given such persistent politicisation of ethnicity in the country. The election of national leaders is largely based on ethnicity, religious and regional considerations. A leader's experience, character, leadership ability and knowledge are usually not considered as vital assets when selecting candidate to lead the country and this negatively affects national transformation. Ethnicity has engendered episodic outbursts of hostility among diverse ethnic groups in Nigeria. Analysis shows how census enumeration for the nation's economic planning as well as electoral representation generate tension and internal strife in Nigeria's ethnic politics. This is because each ethnic group as well as regions put up a defense of their inflated population figures for the purposes of securing bigger government financial support, in addition to having more representatives at the federal level. Ethnic politics largely serve as a determinant factor in the location of industries and development project, which tend to disregard genuine feasibility studies which consider how viable the area should be. The above is an example of how ethnic politics negatively affects the cohesiveness as well as socio-economic good of Nigeria.[53]

Observably ethnic and political activities shape rivalries and competition in Malaysian plural society too. Malaysia is relatively peaceful with unity as a factor underlying its existence since it gained independence. It is a historical development which partly describes its early good race relations, given the British emphasis on unity as a prerequisite for independence. Hence Malaysia is commended for being a successful country among newly independent nations in managing ethnic relations. However, Bumiputras invoking indigenous or native rights is currently discriminatory, thus

[52] Nnoli *Ethnic Politics in Nigeria*, p. 12.
[53] Joseph C. Ebegbulem, "Ethnic Politics and Conflicts in Nigeria: Theoretical perspective" *Khazar Journal of Humanities and Social Sciences* Volume 14, No. 3, (2011): 76-90.

providing a sense of deprivation, favoritism as well as resentment felt among non-Bumiputras in the country. "The lack of interethnic violence in Malaysia is engendering inaccurate perception of success with regard to ethnic relations".[54]

Politics and political maneuverings in Malaysia seem to be in constant shifts. For Anuar, Malaysia's cultural diversity demonstrates ample evidence of the nation's cultural richness which its diverse people celebrate. But Anuar rejects this notion partially, and argues that the same diversity remains a cause for social tension and conflict in a number of issues in the country. The worst is that Malaysia's cultural differences are exploited for political mileage. Politics of ethnicity is at the centre stage of its politics, it permeates various levels of the society. Malaysia operates racially based political parties, which is complicated by ethnicity and religion. Given article 160 of the Federal Constitution which defines Malays as Muslim, any form of criticism against the Malays is quickly regarded as affront against Islam too. "Worse, ideological assault can also be read by some Malays as contesting the very notion of *Ketuanan Malay*, or 'Malay Supremacy' in Malaysian society and politics, that is promoted by certain quarters in UMNO and elsewhere in Malaysia's political landscape".[55] ISA was used to check excessive behavioural practices and tension exhibited by public protests and party rivalries. The ruling group deliberately attempts to preserve as well as promote its ideology through religious institutions and mass media in its quest to maintain a hegemonic position.[56] His work and those of other scholars provide insights into conflict provoking factors in which various ethnic perceptions and motivations are appraised.

Fifth, there is a form of growing pervasiveness of socioeconomic imbalances that induce ethnic conflict. Cleavages over the appropriation and exploitation of economic

[54] Vijayan P. Munusamy, "Ethnic Relations in Malaysia: The Need for Constant Repair in the Spirit of Muhibbah," in Dan Landis and Rosita D. Albert, eds., *Handbook of Ethnic Conflict*, New York: Springer Science & Business Media, 2012, pp. 119-136, here pp. 128-132.
[55] Mustafa K. Anuar, "Seeking democracy in Malaysia: New media, traditional media and the state," in Andrew T. Kenyon, Tim Marjoribanks and Amanda Whiting (eds.), *Democracy, Media and Law in Malaysia and Singapore: A Space for speech*, NewYork: Routledge, 2014, pp. 83-104, here p. 85.
[56] Anuar, "Seeking democracy in Malaysia," pp. 87-97

wealth within nations especially in decolonized countries in Africa and Asia contribute largely to national crises. For instance, Ikpeze discusses decades of military misrule and neglect of the oil producing areas in Nigeria amid huge oil revenue return to Nigeria. It prompted ethnic insurrection and insistence on the control of mineral resources in their region. As will be fully explored in subsequent chapters ahead, the struggle for 'resources control' in Nigeria is anchored on both the Philipson "Commission report (1946) and the Dina Committee Report (1968)" which provided Nigeria with "the principle of derivation" and was generally accepted for revenue allocation in Nigeria. It then benefited the North and West through their agricultural produce. The Nigerian military changed the rules immediately after oil was discovered in Eastern Nigeria-largely in the Niger Delta. The derivation principle was amended by Decree 3 of 1970 which gave recognition to equal weighted principles, population and equality of states.[57] This is the root of the crisis witnessed in the oil-rich region of Niger Delta in Nigeria.

To substantiate the above claim on Niger Delta crisis, Ogbodo looks at resource control in the Niger Delta region, the intensification of other crises as the legitimacy of the Nigerian state is challenged. He discusses the intense ethnic identity politics in the area referred to as the Nigeria Delta, the discovery and exploitation of oil and gas resources from the area. He also addresses the prolonged military rule and its "implications for identity formation and transformations of groups that inhabit this oil-laden region". A revisit of military economic mismanagement in Nigeria in the late 20th century and its consequences to the reconfiguration of the Niger Delta identity and intense conflict are discussed in his work.[58]

More insight is provided through Najibo and Umukoro's study which covers a wide range of issues, from corruption to Niger Delta ethnic militia, youth

[57] Ikpeze, "Post Biafran Marginalization of the Igbo in Nigeria," p. 97.
[58] Chris B. N. Ogbogbo, "Identity Politics and Resource Control Conflict in the Niger Delta," in Bahru Zewde (ed.), *Society, State and Identity in African History,* Addis Ababa: Forum for Social Studies, 2008, pp. 257-273, here pp. 257-8.

unemployment, the denial and deprivation and the ready support from local and state officials to paramilitary groups they believe have the strength to enforce their regional agenda in Nigeria.[59] Similarly, other scholars also discuss economic issues side by side with communal cleavages in Nigeria. For example, Naanem and Nyiaana stress on what they describe as abysmal development in the midst of plenty, and the struggle for control of the resources. This is their estimation of the issues that define social constraint of the Niger Delta since the 1990s. They provide historical data that covers decades of mismanagement, marginalisation and intense confrontation that describe the event.[60]

Undeniably, full dependence on oil has seemingly turned the nation into a rentier state which has made the nation vulnerable to crisis.[61] Nigeria's Petroleum industry has transformed the nation since 1970 from an agrarian economy to an oil-based economy. It rose in economic performance from 12 per cent in 1970, 33 per cent in 1974 and to 98 per cent by 1997.[62] Ironically, Nigeria's oil wealth has barely benefitted the people of Nigeria in terms of development or improved their welfair. Many scholars describe the oil wealth as the "oil curse" to Nigeria.[63] Given the fact that economic issues exacerbate major forms of cleavages, Sam Moyo stresses the fact that many African states that manage and allocate mineral resources and other rents as well as services, maintain strategies they use in mobilising socio-economic and political dominance which shows a key source of ethno-regional wealth differentials and struggles over resource control. African countries affected in this ethnic struggle include: Nigeria, Cameroon, Angola,

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[59] N. D. Danjibo & Nathaniel Umukoro, "Corruption and Militant Groups in Delta State Nigeria: Implications for the Nigerian State," in Victor Ojakorotu (ed.), Fresh *Dimensions on the Niger Delta Crisis of Nigeria*, Florida: JAPSS Press, Inc., 2009, pp. 22-54.

[60] Ben Naanen and Kialee Nyiaaana, "State Failure and Niger Delta Conflict," in Mojubaolu Olufunke Okome (ed.), State *Fragility, State formation, and Human Security in Nigeria*, New York: Palgrave Macmillan, 2013, pp. 111-145.

[61] Gavin Williams, *The Nigerian State: Political Economy, State. Class and Political System in the Post-Colonial Era*, London: James Curry, 1988; The oil in Nigeria, the struggle for power, and the overthrow of Gowon, see Terisa Turner, B. Pade, "Oil and Instability: Class Contradictions and the 1983 Coup in Nigeria," *Journal of African Marxists*, 7, (1985): 4-34.

[62] Olumuyiwa S. Adedeji, (IMF*), The Size of Sustainability of Nigerian Current Account Deficits Issues 2001 – 2087*, IMF Institute, IMF working Paper, 2001, p. 4.

[63] Michael L Ross, *The Oil Curse: How Petroleum Wealth Shapes the Development of Nations,* Princeton, New Jersey: Princeton University Press, 2012, pp. 171-188.

Sudan, Democratic Republic of Congo (DRC), Sierra Leone and South Africa. Economic issues and quest for survival intensify illegal exploitation and such inclination for control exacerbates wider conflicts involving many actors in what is known as zone of conflict. Major discourse revolves around socio-economic dominance arising from a wider economic process whereby ethnicity is co-opted or institutionalized.[64]

In the case of Malaysia, apart from political rivalries in a plural Malaysian society, pervasive socio-economic imbalances induce ethnic conflict in which wealth distribution is a factor that cannot be isolated from the analysis of ethnic conflict and management in the country. In *Malay Dilemma*, former PM. Mahathir Mohamad discusses the Malays, their condition and racial harmony in Malaysia. First published in 1970, the book explains factors that led to the 13 May 1969 racial riots in Kuala Lumpur. Mahathir emphasises that independence ushered into the new nation economic disparities of a structural imbalance that existed between the majority indigenous Malays and other groups. The National Economic Policy (NEP) was introduced as an affirmative action plan to redress the situation. He observes "Malays seem to be teetering between the desire to assert their rights and arrogate to themselves what they consider to be theirs and the overwhelming desire to be polite, courteous and thoughtful of the rights and demands of others…that slowly but surely they are becoming the dispossessed in their own land. This is the Malay dilemma". [65] His book gives insight into 'how' and 'why' about Malays special rights, which explains considerable calmness in Malaysia today.

However, Hadi Soesastro's study focuses on the relationship between the state and the federal government of Malaysia on revenue sharing and their cordial relationship. The challenge only centres on oil producing areas, oil revenue and the management of

[64] Sam Moyo, "Environmental Security in Sub-Saharan Africa: Global and Regional Environment Security Concepts and Debates Revisited," in Hans Gunter Brauch, Ursula Oswald Spring, John Grin, Czeslaw Mesjasz, Patricia Kameri-Mbote, Navnita Chadha Behera, Bechir Chourou and Heinz Krummenacher (eds.), *Facing Global Environmental Challenge: Environmental, Human, Energy, Food, health and Water Security Concepts*, Berlin: Springer-vertag Berlin Heideberg, 2009, pp. 895-914, here pp.905-908.

[65] Mahathir, Mohamed *The Malay Dilemma*, Singapore: Times Book International, 1970, p. 3.

oil revenue between the federal government and the states where oil is produced. But while Malaysia tackles challenges to woo foreign investments into the country, "Malaysia faces recurring problems of federal/state disputes over the division of revenue and who will pay for development projects." He discusses the federalisation of oil since the formation of PETRONAS and 5per cent received by the states as revenue.[66] Malaysia gradually adopted changes that would be more equitable to the government as well as the oil producing areas. For example, legislation covering the management of the petroleum industry in Malaysia has witnessed changes more than three times. First, a concessionary system operated in Sabah and Sarawak in East Malaysia, and states of the peninsular up to 1965. The second was petroleum mining Rules of 1966 which changed the concessionary system to one of equal profit sharing between companies and the government. This was followed by government control over petroleum with the replacement of the profit-sharing system by a producing sharing system of 1974 under the Petroleum Development Act that also established PETRONAS.[67]Unlike conflict in Nigeria, the management of crude oil resources in Malaysia has generated little tension.

Sixth, ethnic groups in Nigeria maintain their cultures and traditional values uncontested. Apart from certain religious and cultural practices which occasionally spark tension, Nigeria maintains colourful cultural diversity. However, ethnic challenges in Malaysia could be analysed under ethno-cultural context. In Malaysia's ethnic and cultural context, Gomes sheds light on Malaysia's relative peace and harmony despite its fractious cultural diversity, and inter-ethnic and inter-religious differences. There could be occasional sparks of political and social tensions but these have not affected the

[66] Hadi Soesastro, "Development of ASEAN Petroleum Industry and implications for ASEAN –China Economic Relations," in Chia Siow Yue and Cheng Bifan (eds.), *ASEAN-China Economic Relations: Development in ASEAN and China*, Singapore: Institute of Southeast Asian Studies, 1989, p. 93.
[67] Soesastro, "Development of ASEAN Petroleum," p. 93.

nation's unity and harmony. He stresses on the trend of events in Malaysia within the past 40 years as characterized by communal tension and relative peace.[68]

In collaborating with Gomes view, Yeoh presents his *21st Century Malaysia: Challenges and Strategies,* and Malaysia's good image and international perception of its plural society and practices as unique. The post-colonial state since 1957 independence has shown commitment in nation-building which measures greatly within the global community. However, Malaysia is not excluded from challenges that confront many countries, rather it has transformed from its early uncertainty to a fast "industrializing nation that thrives on national unity, racial harmony, economic aspirations, political maturity, and social prosperity." Malaysia maintains social progress and projects a good image in international perception in the 21st century world.[69]

Similarly, Stigitz discusses the reputable position Malaysia occupies among its peers in the developing countries, the current perception of the advanced countries especially the U.S as practicing 'moderate Islam' in contrast to violence as well as extremism in the Middle Eastern countries. In addition to its religious moderation, Malaysia is generally hailed for its 'successful story' of modernisation when compared to many countries of the South that are underdeveloped. Its breakthrough describes its success in combining economic growth and political stability. It played a major role in refocusing the 57-member Organization of Islamic Conference (OIC), i.e. shifting its focus "from a highly political to a more socio-economic body". [70]

Seventh, in early 21st century, federalism was seen as an important system of government. For instance, Rothchild argues that even if a good number of federated states failed in their early years, the role of federalism in balancing the competing

[68] Alberto G. Gomes, "Managing cultural diversity and conflict: the Malaysian experience," in Joseph Camilleri and Sven Schottmann (eds.), *Culture, Religion and Conflict in Muslim Southeast Asia: Negotiating tense Pluralism*, New York: Routledge, 2013, pp. 91-109, here p. 91.
[69]Michael Yeoh, ed., *21st Century Malaysia: Challenges and Strategies in Attaining Vision 2020*, London: ASEAN Academic Press, 2002, p. 3.
[70] Joseph Stigitz, *Globalisation and its Discontents*, London: Pengiuin, 2002, p. 120; see also, Shamsul Amri Baharuddin, *Culture and Governance in Malaysia's Suurvival as a Nation*, UKM Ethnic Studies Paper Series, Institute of Ethnic Studies (KITTA), Bangi, 2009, pp. 11-12.

struggles for autonomy as well as unity in countries such as India, Malaysia and Nigeria have never been in doubt.[71] Federalism emerged as a unique mechanism of nation/state building after European colonial empires collapsed in the post Second World War era.[72]

In effect, the Nigerian federation was created in 1954 with unbalanced regions of internal boundaries constructed in a manner that favoured the North's hegemony over the principal ethnic groups, while denying the minority their own constituent, served not to moderate but to escalate ethnic and regional conflict.[73] Young, in his study looks at Nigeria and conflicts, and what he describes as an historical necessity compelling citizens of Nigeria to accept a single nationhood.[74] Nigeria's diversity has necessitated the adoption of federalism for its ethnic pluralism for the country's diverse groups to be accommodated peacefully.[75] But Nwolise discusses the Nigerian state, the challenges that seem to overwhelm its system as seen in a series of violence which occurred during the exit of the military from power in 1999. This is a federation he describes as unstable and may become a failed state.[76] Ironically, Nigeria is known to be consistent in its federal polity,[77] yet, the same Nigerian federal system has been described in many ways as 'peculiar', 'bizarre', 'Irregular, 'misleading', 'purely distributive' or 'failed', and as representing a 'hollow federation' or 'a unitary state in federal guise.'[78]

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[71] Donald Rothchild, "The Limits of Federalism: An Examination of Political Institutional Transfer in Africa," *The Journal of Modern African Studies*, Vol. 4, No. 3 (1996): 275-93.

[72] Roland Watts, "Contemporary Views on Federalism," in B. D. Villiers (ed.), *Evaluating Federal Systems*, Cape Town: Juta & Co. Ltd., 1994a, p. 2.

[73] Diamond, *Class, Ethnicity,*

[74] Crawford Young, "The Impossible Necessity of Nigeria: A Struggle for Nationhood," *Foreign Affairs – "*A Review of The Running Sore of a Continent, A Personal Narrative of the Nigerian Crisis by Wole Soyinka," Oxford University Press 1996, http://www.foreignaffairs.org/19961101fareviewessay4242/crawford-young/the-impossible-necessity-of-nigeria-a-struggle-for-nationhood.html (accessed January 22, 2015).

[75] Osita Agbu, "Re-inventing Federalism in Post-Transition Nigeria: Problems and Prospects," *Africa Development*, Vol. xxix, No. 2, (2004), 27.

[76] O.B.C. Nwolise, 2005:116(cited) in Gbdamosi Tajudeen Adeola, "Military Legacies and the Challenges of Managing Diversities in Nigeria's Federation," Oyo: Peace and Conflict Studies Programme, Institute of African Studies, University of Ibadan, Nigeria, Presented to the 20th Summer University Programme of the Institute of Federalism, Fribourg, Switzerland, 2008, p. 9.

[77] Ladipo Adamolekun and John Kincaid, "The Federal Solution: Assessment and Prognosis for Nigeria and Africa," *Publius The Journal of Federalism*, Vol. 21, No. 4 (1991):173-188.

[78] Wole Soyinka, "The Federal Quest," *Daily Champion*, March 22, 1999, p. 27; Larry Diamond, *Class, Ethnicity and Democracy in Nigeria: The Failure of the First Republic*, London: Macmillan, 1988, p. 155.

Howver, Federalism was accorded a pleace in Malaysian history in 1895 in order to achieve smooth governance while realising economic goals. The British brought the federal system which led to the amalgamation of four Malay States in the Malaya Peninsular.[79] The amalgamated states which was called the Federated Malay States for the purpose of smooth administration involving legal and financial needs. British attempt to introduce a unitary form of government in Malaya after the Second World War was opposed. A federation was then established, thus preserving the nine Malay Rulers.[80]

Simandjuntak one of the earliest scholars who studied the Malayan federation also gives a deeper insight on the political structure in Malaya before independence. He observes that "The 1948 Federation of Malaya Agreement established a federation with a strong centripetal bias. "He stresses on the division of the country, and observes that power was constitutionally subjective in favour of the Federal government. The new framework retained the High Commissioner as well as the British Advisers, while the Rulers were to follow their advice. "But in practice the attitude of the British Advisers continued to be coloured by a romantic-chivalrous determination to preserve the time-honoured Malay feudal privileges and institutions."[81]

Finally, the literature review has touched on numerous conflict-generating factors in Nigeria and Malaysia. Two other scholars have also carried out studies on Nigeria and Malaysia. For example, Joseph Russell Rudolph, Jr's Ph.D thesis (1971) compares federalism in India, Pakistan, Malaysia and Nigeria. Rudolph focuses on state formation under federalism and discusses how federalism was partly manipulated to fit into these decolonised plural societies.[82] Similarly, Samuel Inua Zalanga's doctoral thesis on "The Post-colonial State and Development Agenda …" a comparative study of Nigeria and

[79] Chai Ho-Chan, *The Development of British Malaya 1896-1909,* Kuala Lumpur: Oxford University Press, 1964, pp. 3, 28, 29, and 37.
[80] Mohd Salleh Abas & Salleh Buang, Prinsip *Perlembegaan & di Malaysia,* Kuala Lumpur: Dewan Bahasa & Pusaka, 2007, pp. 16-17.
[81] B. Simandjuntak, *Malayan Fedralism 1945-1963, A Study of Federal Problems in a Plural Society*, Kuala Lumpur, Singapore: Oxford University Press, 1969, p. 83..
[82] Joseph Russell Rudolf, Jr., Federalism and Nation-Building: India, Pakistan, Malaysia and Nigeria, Ph.D Thesis, University of Virginia, 1971.

Malaysia focuses on the role of the ruling elites in development policy formulation in Nigeria and Malaysia. He highlights elite role and their ethnic inclination.[83] None of the two theses focused on federalism and ethnicity in Nigeria and Malaysia. No other study or studies have dealt with federalism and ethnic conflict in Nigeria and Malaysia as comprehensively, comparatively and in greater depth and scope than this research. This is the gap this current study fills in the literature of ethnic conflict in plural societies. Remarkably, amplification of Islamic law or Islamisation is another research area of fresh tensions in both countries.

Theoretical Framework of the Study

In an effort to regulate the problem of ethnic conflict in both countries, federalism is primarily adopted as the framework of this study. Effective comparative and in-depth study of ethnic conflicts in both countries are explored through the lens of federalism for interpretative and explanatory goal on federal practices is explored in chapter one, and afterwards applied in the analysis of the study. The structure and composition of societies largely define their governance as well as administration. Hence multi-national states are mainly formed on the basis of heterogeneity in culture, descent and origin as seen in older countries in Europe and America where federalism has flourished.

While 'federalism' serves as the framework of this study, *Ethnic Groups in Conflict* as rendered by Donald Horowitz compliments federalism in order to unpack some conceptual underpinnings in ethnic conflict in this study. This is important given the fact that Horowitz incorporated ethnic conflicts in both Nigerian and Malaysian plural societies in this theory, hence it contributes enormously to the current need for synthesis.

[83] Samuel Inuwa Zalanga, The postcolonial state and the development agenda: a comparative study of the role of ruling elites in development policy formulation and implementation in Malaysia and Nigeria, Ph.D Thesis, University of Minnesota, 2000.

Method of Data Collection

This study is enriched with primary and secondary data collected from both countries. They consist of documents on their constitutions and other archival materials that cover areas of analysis. The instruments used during the fieldwork were valid and reliable which include research questions, interview, and observation and email. The primary data collected during the field study focused on 25 selected respondents largely drawn from the three main ethnic groups in each country i.e the Hausa/Fulani, the Yoruba and Igbo in Nigeria and the Malays, the Chinese and the Indian ethnic communities in Malaysia. The 50 respondents were considered appropriate to shed light on contested issues in both countries. It is reasoned that unlike in quantitative method that relies on numbers or numerical data, this study is focused on qualitative data collection or qualities that cannot be measured. Hence 25 respondents from each country are deemed enough to give useful information on the subject being studied while room is also provided for the analysis of their contributions in the entire context.

Respondents' age variations of 45 to 80, their ethnic group and location were considered important to cover historical and contemporary facts about contentious issues being explored. Simialarly, respondents' educational attainments, and their official positions in government as well as civil society matters were considered essential, among variables the researcher considered in the interview process in line with what Charles Stangor describes as important variables in this context.[84] Eight elite were selected from each of the three main ethnic groups in Nigeria and Malaysia while one was selected from the minority group in each country. While it ensures equal balance, the basis of the choice of the number interviewed across ethnic and regional/state boundaries as territorial units of each federation, was also taken into account to accommodate different views and perceptions on ethnic, religious and

[84] Charles Stangor, *Research Methoths for the Behavioural Sciences,* Independence, KY: Cengage Learning, 2014, p. 182.

political cleavages in both countries. Appendix K. Table 6.1 and Appendix L. Table 6.2 contain lists of personalities interviewed in Nigeria and Malaysia respectively. The research was conducted in Nigeria between 7th of June to 1st of August 2010. Similarly, in Malaysia it was conducted between 1st September and 15th of October 2010. These field studies in both countries were concluded between January and May 2012. This was made possible through official request letters sent to all the personalities. The sample letter is found in Appendix P.

The adopted approach in this study is social and anthropological. While this study investigates complex societal problems involving people's beliefs and actions, such a method that combines experiences of a targeted audience takes cognizance of their language, their reasoning as well as their broad perceptions as major areas of focus. Hence during the interviews, the researcher was engaged in participant observation with key information generated from open-ended questions in line with Granato's work.[85] In-depth one on one interviews were combined with participant observation in order to counter the latter's disadvantages regarding the subjectivity, ethical considerations and the fact that observations are not data.[86]

Sometimes during the interview process, it was observed that certain explanations attracted shouting, gesticulations and bad facial expressions at one interview or the other in both countries. The in-depth interviews were designed to gain informed knowledge of issues being studied. The method chosen is consistent with qualitative fieldwork studies demonstrated in the works of Glazer and Strauss. The choice of this method is premised on the fact that it is free to combine a variety of data gathering methods that also allow for the generalization of analysis grounded in recorded data concerning the development

[85] Len Granato, *Newspaper feature writing*, Sydney: University of New South Wales press, 2002, pp. 17-20; Garry Spenser, "Methodological issues in the study of bureaucratic elites: A case study of West Point," in R. Burgess (ed.), *Field Research: A SourceBook and Field Manual*, London: George Allen & Unwin, 1982, pp. 23-30.
[86] K. M. Dewalt, B. R. Dewalt, "Participant Observation," in R. H. Bernard (ed.), *Handbook of Methods in Cultural Anthropology*, California: Altamira Press, 1998, pp. 251-292, here p. 271.

of crisis.[87] The research questions were meant to examine their thoughts as to why, how, and to what extent ethnic conflicts affected them and whether the mechanism of federalism can mitigate conflicts in both federations. Two separate fieldwork interviews for Nigeria and Malaysia were carried out.These involved pre-interview communication-processes involving telephone calls and email enquiries as well as interview appointments. It truly exposed the author to a number of issues during the fieldwork work.[88] Second, this study is also enriched with secondary data from books and journals. Others were Nigerian newspapers such as *Daily Times*; *The Guardian; Vanguard; Punch* etc. and Malaysian newspapers such as *New Straits Times*, and *The Star*.

Significance of the Study

The study serves as a mirror to view ethnic conflict in both Nigeria and Malaysia and how Malaysia has achieved considerable ethnic harmony. The significance of the study lies in its effort to resolve ethnic conflict in Nigeria as seen in Malaysia. In other words, the study offers Nigeria a significant insight into measures taken by Malaysia to manage its ethnic relations amid other socio-political and developmental challenges. It offers a road map towards unresolved talks at various National Conferences by past regimes in Nigeria. It shows how misrule of a nation can degenerate into tension, secession and retarded national growth and development.

[87] See, B. Glaser and A. Strauss, *The Discovery of Grounded Theory: Strategic for Qualitative Research*, Chicago: Aldine press, 1967.

[88] I tried to socialise with many people through conversation with my keen interest to have discussion about socio-political issues that bear on ethnic politics, ethno-religious tensions and what the governments at states and federal levels were doing to address the problems. I had such engaging observations with some elites in Southern Nigeria more specifically in Ehime-Mbano Local Government Area, Owerri, Anambra, Enugu and Abia, Delta, and Rivers States, and in the west –Lagos. I was at the same time booking interview appointments with selected personalities both within and outside these states. Similarly, I had similar relaxed interactions in Kaduna in Northern Nigeria, Jos in the Midle-belt and Abuja which is Nigeria's capital city. The idea of engaging in participant observation at this time was to gain firsthand information and to evaluate their emotions in order to gain understanding of their current mood about events raised about the subject. I visited some of the key personalities I had contacted to inform them that I was already in the country ahead of June scheduled interviews. The same experience was repeated in Ipoh, Malaca, and other areas covered during the interview process in Malaysia.

With Malaysia, the study offers a break from Nigeria's social circle of disharmony and unrest and advocates for true federalism for accommodation, social change and development in Nigeria. Issues resolved on Nigeria and Malaysia, especially those learnt about Malaysia could be relevant to other troubled societies and can generate enquiries for further studies on ethnic conflict. There is "system failure" in core findings arising from ineffective federalism in managing ethnic conflict in Nigeria

This study is deemed unique because it differs significantly from previous works as this is the only comprehensive and comparative study on ethnic conflict between Nigeria and Malaysian plural societies that covers five decades of their nationhood. In its contribution to academic knowledge, the study fills knowledge-gaps covering studies on multi-ethnic countries across Africa and Asia. It opines that no multiethnic nation-state can make substantial social progress or survive outside the axis of its interethnic balance.

Scope of the Study and Areas of Analysis

The scope of the study covers a period of 51 and 47 years of nationhood in Malaysia and Nigeria respectively. This study touches on Malaysia and Nigeria's core historical origins in terms of their pre-colonial and colonial rule periods as a benchmark to determine their being as political entities. Their political independence in 1957 and 1960 for Malaysia and Nigeria respectively provide starting points of analysing their respective post-colonial nation building and ethnic conflict. The researcher limits the period of this study to 2009 when Prime Minister Ahmad A. Badawi was in power Malaysia on one hand, and 2007 of President Olusegun Obasanjo's regime in Nigeria.

Limitations of the Study

Research of this type demands adequate financial resources, and poor finance can be a setback to the project, but the researcher utilized prioritised funds at targeted result areas without much constraints. Secondly, effort was made to reach out to a wider

spectrum of the Nigerian and Malaysian societies which posed some difficulties. In other words, problems associated with getting linked up with targeted personalities for interviews, were largely overcome through some personalities who were interviewed earlier in the interview process. They kindly provided some links to other top personalities in government and retirees for further interviews. For example, in Malaysia, Dato M. A. Jaafar who is former Malaysian Ambassador/High Commissioner to many countries and Dr Benjamin Gorge rendered tremendous help to the researcher. In Nigeria, similar help was gratefully received from A. H. Yusuf (Deputy D.G) Ministry of Justice Abuja and Sir Julus Onuoha (Catholic Knight).

Similarly, it was difficult to get to certain areas in Northern Nigeria due to the ongoing Boko Haram insurgency, but it was a friend, Nuredden that linked me up and directed me to important areas I covered and email links. Access to certain information on both countries posed a challenge in view of government's Official Secret Act (OSA) limiting the release of certain information. As such this report relies heavily on information that was rendered by benevolent informants and information made available at the public domain.

Definitions of Concepts used in the Study

Plural Society

J.S. Furnivall was the first scholar to coin the concept of plural societies which is appears in his 1910 Journal publication as well as his book "*Colonial Policy and Practices: A Comparative Study of Burma and Netherlands India,"* of 1948. He stresses on the unrestricted economic forces in tropical countries under colonial subjugation, which had led to diverse cultures and traditions being trampled for economic reasons in the Dutch and British colonies of South-East Asia. He saw plural societies as being composed of groups who were different in their social and cultural settings, but were integrated largely for economic reasons or joint interdependence induced by colonial

powers with scant regard for their different languages, religions and customs. They met only at market place, in a society held together by imperial powers. [89]

Another early scholar in this field was M.G. Smith, a social anthropologist of very considerable repute who was born in Jamaica in 1921. He was convinced from the onset that the central sociological theory which emphasised harmony as well as shared values was not the case with the "former slave societies of the Caribbean". He claimed that these societies were severely divided. He also discarded the Marxist study attributing this division as generated by class consciousness as well as the ensuing class conflict. Smith stressed that plural societies were divided along ethnic and cultural lines, thus making the society largely unstable due to continual conflict.[90] The concept 'plural society' as used in this study is a taxonomy that attempts to map different cultural groups of a nation, its people and their origins which explains the complexity of ethnic identities that emerged at the end of 20th century colonial rule.

Ethnic groups

Conflicts largely define ethnic lines or differentiated groups in most societies. The term "ethnic groups" may be tempting to be regarded as fixed and enduring. Ethnicity may be described as a process that combines two mutually reinforcing forms of identification. First, an ethnic group refers to a given population of a group of people who are bound by common origins, shared experience and culture, a distinct language and religious practice. Second, the notion of self-identification takes cognisance of some other groups with whom the ethnic population shares area or interacts. The place for ethnic interaction is "a society, an orbit of patterned social relations typically framed by

[89] J. S. Furnivall, *Colonial Policy and practice*, Cambridge: Cambridge University Press, 1948.
[90] M. G. Smith, *The Plural Society in the British West Indies*, Berkeley and Los Angeles: University of California Press, 1965, p. 359; See also, Sami Denker, "The Plural Society and Consociational Democracy Theory: Malaysia's Case," citing (Steiner, 1982:340); Arend Lijphart, "Consociational Theory, Problems and Prospects: A rep," *Comparative Politics*, April 1981

the political boundaries of kingdoms, nation-states, or empire."[91] This study stresses that ethnic groups such as the Igbo and Yoruba in Nigeria or Malay and Chinese in Malaysia, can be seen in the context of primordial ties, which accentuates strong identities within the territory of the group. Ethnic conflict defines ethnic boundary maintenance which eventually defines ethnic groups.

The Structure of the Thesis

This study is structured under seven chapters. While the 'Introduction' provides a general overview and the focus of the thesis, chapter one covers the theoretical framework underpinning the study. However, chapter two examines the origins of the ethnic groups in Nigeria and Malaysia which provides the background of the ethnic groups being studied. Chapter three explores the role of federal design in managing pluralism. Chapter four investigates ethnic conflict and federalism by assessing elite behaviour and policy roles, whereas chapter five examines the effectiveness of federalism in both countries. Chapter six covers a comparative overview of the domains of conflict at which point the study concludes with recommendations. Next is the theoretical framework.

[91] Jerffery E. Cole (ed.), *Ethnic Groups of Europe: An Encyclopedia*, California: ABC-CLIO, LLC, 2011, pp. vii-viii.

CHAPTER 1

Federalism: Concepts and Theories, and Ethnic Conflict

1.1 **Introduction**

The introductory section provided the background of the study especially the statement of the problem as well as the focus of the thesis. As a comparative study of ethnic conflict in two federal states, federalism is adopted as the framework. This chapter demonstrates the workings of federalism especially how the concept helps to regulate plural societies while it serves as the analytical framework of this study. The chapter gives insights into federalism and explains other related concepts and theories.

First, it provides the definition and explanation of federalism as a concept. Second, this chapter gives insight into the origin of federalism while it reflects on Nigeria and Malaysian federal formations. The fourth section touches on theories, and goes further in section five and six to discuss Riker's political theory of federal formation and socioeconomic theory respectively. The seventh section covers the fundamental principles of federalism; ethnicity and ethnic conflict are also explored in the eighth section while the chapter concludes.

1.2 **Federalism and Federation: Conceptualisations**

Federalism is such a fascinating concept that attracts the attention of numerous scholars. It implies the existence of a primary centre in a political system while there are units which are clearly subordinated to this centre. Thus this primary centre which is the central government alone possesses inherent authority, but it devolves some powers on the units as a means of facilitating the administration of the country.[92] The study extends this definition to an earlier one rendered by Elazar which says "the mode of political

[92] Eme O. Awa, *Issues in Federalism,* Benin City: Ethiope Publishing Corporation, 1976; See also, C.C. Okam "Democracy and Federalism," in *Nigerian Journal of Social Studies* Vol. 8, No. 1, (2005), p. 15.

organisation that unites separate polities within an overarching political system by distributing power among general and constituent governments in a manner designed to protect the existence and authority of both."[93] Federalism essentially represents a political system which calls for putting in-place institutional arrangements designed at displaying and affording an appreciable degree of integration amongst the units, states or regions which constitute the system.[94] Federalism is not just power sharing between governments, rather it is a process structured within certain institutional distribution and redistribution of authority. Its origin could be traced back to the Latin word 'Foedus', or covenant. According to Rodden, it makes no sense if the central government can get whatever it wants from the sub-units by applying administrative fiat, rather federalism provides for the consent of the subordinate units in certain central decisions.[95]

Similarly, as Moten explains, "The Federal system of government is particularly well suited to states embracing wide geographic areas, and to states with diversities that result from unequal socioeconomic conditions and culture cleavage."[96] In line with Moten's view, federalism is also conceptualised and articulated in "federal principles which is the method of dividing powers so that the general and regional governments are each, within a sphere, coordinate and independent."[97] Formal institutional requirements such as constitutional delimitation of powers, bi-cameral legislature, independent electoral system for both levels of government, multi-party - preferably a two-party system, and a supreme court are vital. It is important to underline the fact that federalism is "a political agreement that explicitly admits the existence of conflicting interests among the component territorial communities and commits them to seek accommodation

[93]Elazar, "The Meaning of American Federalism," p. 26.
[94] C. C. Okam, "Democracy and Federalism," A lead Paper presented at the 19th National Social Studies Conference Organized by the Social Studies Association of Nigeria (SOSAN) in Collaboration with the Faculty of Education, Benue State University Makurdi, Nigeria, 9th - 13th August 2004, *Nigerian Journal of Social Studies*, Vol. 8, No. 1, (2005), p. 15.
[95]Jonathan Rodden, "Comparative Federalism and Decentralization: On Meaning and Measurement," in *Comparative Politics*, Ph.D Program in Political Science of the City University of New York , Vol. 36, No. 4, July 2004, p. 489.
[96] Moten, *Introduction to Political Science*, p.103
[97] Kenneth Clinton. Wheare, *Federal Government*, Oxford: Oxford University Press, 1963, p. 10.

without outvoting the minority and without the use of force. Federalism is not fixed; it is a process that is in perpetual negotiation: some issues are not currently recognised, some are soluble, and some are currently insoluble".[98] It is the mode of political alliance as well as association that joins separate polities within a larger political system in a manner that allows each unit to exercise its own basic political integrity.[99]

Rodden has also advised that in federalism are the institutions that underlie its contracts, providing for both the definition and the workings of the system which are embedded in the historical conditions that led to the original contracts.[100] Federalism had its origin in a bargain aimed at providing a common military defense against a perceived enemy.[101] Broadly speaking, federalism connotes two main ideas. One is the notion of unity in diversity and the second idea is a decentralised constitutional system of government. As Michael Burgess observes, federation can be understood as a constitutional arrangement that showcases a sovereign state based on federalism.[102]

Conversely, a federation explains "an institutional arrangement, taking the form of a sovereign state, and distinguished from other states (e.g. unitary states) solely by the fact that its central government incorporates regional units into its decision making procedure on some constitutionally entrenched basis".[103] McGarry and O'Leary assert that "In a genuine democratic federation there is a compound sovereign state, in which at least two government units, the federal and the regional, enjoy constitutionally separate competencies-although they may also have concurrent powers." However, given their mutual responsibilities, both central and provincial governments are empowered to take

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[98]Julian Schofield, *Conflict Resolution in An Emerging Multi Lateral World: Federalism and Confederalism,* Concordia University, 2003 (cited) in Tamilnation.org/truth is a Pathless Land, www.tamilnation.org/conflictresolution/federalism.htm

[99] Daniel J. Elazar, *Federalism:An Overview* Pretoria: HSRC Publishers, 1995, p.2.

[100]Rodden, "Comparative Federalism," P. 489.

[101] Riker, *Federalism: Origin, Operation;* See also Rudden, "Comparative Federalism and decentralization," p.489.

[102] Michael Burgess, "Federalism and Federation: A Reappraisal," in Michael Burgess and Alain-G. Gagnon (eds.), *Comparative Federalism and Federation*: *Competing Traditions and Future Direction*, Hertfordshire: Harverster Wheatsheaf, 1993, pp. 3-12, here p. 3.

[103] Preston King, *Federalism and Federation*, Baltimore: Johns Hopkins University Press, 1982, p.77.

care of their citizens and to produce elected leaders from both components. Also, federal government, as a rule cannot independently change the horizontal division of powers: amendment of the constitution which affects component units requires the agreement of both levels of government. To this end, federation by design implies codified as well as written constitution, usually linked at the federal level with a supreme court put in place for checks and balances among the different tiers of government while maintaining a bicameral legislature in view of federal and regional representations.[104] Significantly, "more than one nationality may be explicitly recognised as co-founders and co-owners of the federation". The first is shown in that of Switzerland which was established in 1848 while the second is shown in the case of Canada also established in 1867. The Indian subcontinent was later divided into two in its post-colonial period to establish two multi-ethnic federations of India and Pakistan. However, Nigeria and Ethiopia are federations in Africa. According to McGarry and O'Leary, federations are differentiated by levels of democracy whereby Canada, the US and Belgium are considered maturely democratic, whereas Nigeria and Malaysia as partially democratic.[105] The origin of federalism is explored in the next segment to deepen its understanding and utility.

1.3 **The Origin of Federalism**

The history of federalism is important to scholars especially in the application of the concept in the governance of modern states as shown in this study. Although modern federation traces its origin to1787 in the United State of America which is often seen as the first federal system, but federalism is rooted in ancient history. The first documented federal system was that of ancient Israelite tribes which emerged in 13th century prior to the Common Era or over 3200 years ago. It is unclear if it was a federation or confederation but it is described in the Bible as having common constitution(the Torah

[104] John McGarry and Brendan O'Leary, Federation as a Method of Ethnic Conflict Regulation, Forum of Federations publication, 2005, www.forumfed.org (accessed September 14, 2014).
[105] McGarry and O'Leary, Federation as a Method, pp. 2 & 4.

of Moses) binding many tribes with governing powers. It lasted nearly seven hundred years with kingship and the division of the kingdom into polities.[106]

The next stage was the medieval federal arrangement which occurred in medieval Europe, and was associated with democratic republicanism. The correlation this had with the Israelite Federalism is that self-governing cities emerged in northern Italy or Germany as loosed confederations. Rural areas in the continent consisting of mountains and on the European periphery, small republics confined to a particular mountain valley or a coastal swamp which came together first in confederation and transformed into federal arrangements. The Helvetic Confederation (Coniuratio) of 1291was transformed to become the present Swiss federation in1848 which celebrated the 700th anniversary of its founding in 1991, and continues to remain as a federal system.[107]

However, this was followed by the sixteenth century political federalism reformation which secured the survival of Helvetic Confederation that ushered in the current Switzerland and the formation of the Netherlands confederation. This brought about the first burst of explicitly federal theory, although the Bible provided the elements of federal theory in view of its moral education, and not political teaching. It is of interest to add in this study that to the Greek political philosophers theoretical models were not federal, instead they were preoccupied with "the principles of organic society resting on the centre-periphery model and rather rejected federalism, which to them was a deformity". However, there were early developments of federal theory in connection with the medieval experimentation which became prominent in the Catholic Church and not too long ago in the European Union. It is observed that the political thought of Reformed Protestantism was based on the principles of covenant that were found in the Bible which animated the federalism of ancient Israel. While building covenant ideas,

[106] Elazar, *Federalism: An Overview*, p. 19.
[107] Daniel J. Elazar, *Covenant and Commonwealth: The Covenantal Tradition from Christian Separation through the Protestant Reformation*, New Brunswick, NJ: Transaction Press, 1995; Elazar, *Federalism: An Overview*, pp.20-21.

Reformed Protestantism developed a federal theology which explains the relationship between God and man in this context in which Elazar succinctly put it thus,

> Their theologians and political philosophers applied that theology to the relationship between humans and rulers and the ruled, to denounce tyranny as a violation of God's ordinances, and to authorise the people under their legitimate leaders to take decicive action to remove tyrants. In the process of doing both, the Reformed theologians had to begin to articulate a political theory of federalism which was developed in full-blown fashion by Johannes Althusius in his *Politica Methodice Digest*.[108]

In a nutshell, this study also looks at the fourth stage in the evolution of federalism in which the world shifted away from federalism toward modern statism. The 17th century saw federal theories replaced by German theorists for a restored modernized Holy Roman Empire and English theorists who desired to develop interstate comity in the area of international relations. The most significant development at this time was also the founding of the British settlements in North America, particularly in New England, which was largely based of federal arrangements in its growth out of Reformed Protestantism. These were the first successful models of modern federalism.[109]

As Elazar observes, the federalist's theory of federalism emerged as the fifth phase in the development of federalism. This period covers works on federal theory and that of confederation by Montestquieu and Rousseau that led to the modern confederation and federation by the founders of the United States of America. This explains the principal work of *The Federalist,* a collection of essays that expound on the adoption of the Constitution of 1787.[110] The sixth stage in the development of federalism ushered in modern European theory in the 19th century.[111]The foregoing leads the thesis to examine the origins and adoption of federalism in Nigeria and Malaysian plural societies.

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[108] It was "the first comprehensive published theory of federalism. This political theory emphasized the self-organisation and self-government of normatively homogeneous commonwealth". Elazar, *Federalism: An Overview*, pp. 23-24.

[109] Henry M. Ward, *The United Colonies of New England, 1643-90,* New York: Vintage Press, 1995; Elazar, *Federalism: An Overview*, pp. 22-23.

[110] Alexander Hamilton, James Madison, and John Jay, *The Federalist*, Cambridge, Mass: Belknap Press, 1961.

[111] Elazar, *Federalism: An Overview*, p. 25.

1.4 **The Origin of Federalism in Nigeria and Malaysia**

The evolution of federalism in Nigeria and Malaysia should be seen within the context of their political and socio-economic foundations. It is important to note that among other things, factors responsible for the development of federalism in the world have varied between nations and time. Nigeria and Malaysia demonstrate those factors which are important in explaining federalism and distinguishing these federations from older federal forbearers. The point being made is that pre-colonial Nigeria harboured tribal identities and was highly fragmented.[112]

The evolution of federalism in Nigeria can be traced to European conquest, and colonialism, which perhaps gave rise to comments in the scholarly circles that Nigeria is an artificial creation, an entity established without regard to boundaries. African partition into artificial states intensified following the Berlin West Africa conference of 1885. This was done by the European nations without the consent of various ethnic groups as to whether they agreed to an independent state being established.[113] In the beginning, there was no Nigeria. There were Ijaws, Igbos, Urhobos, Itsekiris, Yorubas, Hausa, Fulanis, Nupes, Kanuris, Ogonis, Gwaris, Katafs, Jukars, Edos, Ibibios, Efiks, Idomas, Tivs, Jukuns, Biroms, Agnas, Ogijas and so on. In like manner, there were Kingdoms such as Oyo, Lagos, Calabar, Brass, Itsekiri, Benin, Borno, Sokoto Caliphate etc. These were independent nations and kingdoms prior to the British conquest.[114] Historically, the structure of the Nigerian federalism is traced back to 1914 when both Northern and Southern Protectorates were amalgamated to form one administration of a unitary type. The recognition of the two autonomous parts of Northern and Southern provinces for a

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[112]Chizoba Z.Madueke, *A State of Anarchy: Regressive Leadership and Governance*, US:Xlibris, 2010,p. 12.

[113] W. J. M. Mackenzie, *Five Elections in Africa*, London: Clarendon Press, 1960, p. 6.

[114] Itse Sagay, "Nigeria: Federalism, the Constitution and Resource Control" Text of speech delivered by Professor Sagay (SAN), former Head of Law Department of University of Benin, at the fourth sensitization programme organised by the Ibori Vanguard at the Lagoon Restaurant, Lagos, www.waado.org/nigerdelta/essays/resourcecontrol/sagay.html (accessed July 18, 2015).

better administrative system of Nigeria was placed under the charge of a lieutenant-governor in Kano and Lagos while reporting to the Governor-General.[115]

In 1939 the East and West were separated due to differences that existed among them. The transformation of Nigeria into a full federation and various constitutional changes which included the recognition of regional assemblies under the provinces, later called regions, was established under Arthur Rischard in 1946. The Constitution of 1951 assigned huge power to the central government while the regions were given a limited range of powers over matters contained in the constitution.[116] Briefly, as Nwabueze observes, "The federal system in 1954 was built on the pre-existing division of the country into three regions –North, West and East –which, as earlier indicated, goes back to 1914 (with regard to the division of the South into East and West)1939."[117]

The thesis argues that varied assortments of politically, economically, socially and linguistically diverse groups within this area named Nigeria had never been put under a single authority or power prior to British pacification and consolidation of the region. At the close of the Second World War, the country later called Nigeria could not be described as a nation rather a collection of self-contained, influential communities.[118] There are at least 40 principal tribes and hundreds of minor ones,[119] and 200 in the northern region of Nigeria.[120] The tribal Hausa and Hausa-speaking Fulani accounted for about 8.5 million of the Northern Region population of 16,832,582 people as at 1951.[121] In the same manner, the South is divided naturally and as at 1939 this division was made clearly possible by the Niger River separating the East and the West. These three regions are shown in Appendix A. Map 1.1. At this time the Ibo tribe of the Eastern Region

[115] Lugard, *Amalgamation Report, 1912-1918*, para, 13
[116] See B. O. Nwabueze, *Constituional History of Nigeria*, London: C. Hurst & Co. Publishers, Ltd, 1982, pp. 7.8.
[117] Nwabueze, *Constitutional History*, p. 134.
[118] F. Pilkington, "Nigeria Medley," *Contemporary Review*, V. 168, August 1945, p. 97.
[119] D. Rothchild, *Toward Unity in Africa: A Study of Federalism in British Africa*, Washington: Public Affairs Press, 1960.
[120] "Nigerian Background: The Approach of Independence" Round Table, v. 47, September, 1957, p. 364.
[121] Rudolph, Federalism and Nation-Building, p. 100.

constituted about 70 percent of the population with 7,215,251 people while the Yoruba tribe of the West accounted for two-thirds of the area's population as listed in 1951 showing a population figure of 6,085,065,61. Nigeria suffers tension and cleavages emanating from these three key tribes of the country.[122] Nigeria's early population, principal tribes and religion as at 1953 are shown in Appendix B. Table 1.1 with an area size of 373,250 square miles. All these features reinforced the need for Nigeria's diverse peoples and ethnic groups to be accommodated under a federal system.

Similar to diverse groups discussed in Nigeria, it is significant to note also that several indigenous tribes were living in large parts of the Malay Archipelago before the colonial era. Their numbers have dwindled over the years and they are not a source of tension in present day Malaysia compared to tribes in Nigeria where dissatisfaction with the government is great. However, Malaysia's pre-independence and earliest form of federalism was credited to the Negeri Sembilan's loose arrangements of nine different localities under the Yamtuan Besar. While the office of the Yamtuan served as a unifying symbol, it was an arrangement that did not merit being called a federal system when compared to the contemporary definition of federalism. As a matter of fact, it could be said that the federation of Malaysia began unofficially with the traditional federation of Negri Sembilan.[123] However, the British introduced the system in 1895 under the Federated Malay States (FMS), which united Perak, Selangor, Negri Sembilan and Pahang and discarded the resident system.[124] It was also not a federation in the true sense; rather it served as a device which enabled the British to implement their policy in the states through the state councils chaired by the respective sultans.[125]

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[122] Rudolph, Federalism and Nation-building, p. 101.
[123] Wu Min Aun, *Public law in contemporary Malaysia*, Malaysia: Longman, 1999; See also, Raja Nur Alani Bt Raja Omar, "A Historical Perspective of Federalism in Malaysia and its Effects on the Current System of Federalsim," *International Journal of Business, Economics and Law*, Vol. 1 No. (2012), p. 125.
[124] Jayum Anak Jawan, Malaysian *politics and government*, 5th edn., Malaysia: Karisma Publication, 2008.
[125] Mohamed Noordin Sopiee, *From Malayan Union to Singapore separation, political unification in the Malaysia region 1945 – 65*, 2nd edn., Kuala Lumpur: University of Malaya Press, 2005.

Federal system at this time focused on a strong central government with sovereign authority over neighboring units. It was this reason that discouraged the Unfederated Malay States (UFMS) from joining this federation.[126] While the Malayan Union (MU) came into being in 1946, it did not employ the idea of federalism within its influence in running the system in Malaysia.[127] MU was an attempt by the British to introduce the unitary system.[128] This time is described by B. Simandjuntak as post-war federalism in Malaya after the Japanese conquest of Malaya failed in disgrace. The fatally wounded British came back to Malaya with the idea of a centetralised administration. The idea was opposed by the Malay Rulers as well as the majority of the Malay community.[129] However, some features in the current federation are rooted in MU format. It includes the provision which allows the federal government control over the states which shows that most of the power lies with the central government. [130]

The rejection of UM led the British to introduce a new political setup which was called the Federation of Malaya in 1948 under the Federation of Malaya Agreement. It was a pre-self-rule federation designed to create a strong central government and to accommodate states mainly with regard to the sovereignty of the Malay rulers.[131] The federation is seen as a major achievement that led to independence in 1957, with powers shared between the central and state governments.[132] This earlier federation was intact until 1963 when it assumed a dominant position of a larger Malaysian political entity with the inclusion of Saba, Sarawak and Singapore. The central government has strongly opposed threat to the territorial integrity of the federation. Under the Federal

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[126]Muhammad Kamil Awang, *The Sultan and the constitution,* Malaysia: Dewan Bahasadan Pustaka,1998.
[127] R. H Hickling, *An Introduction to the Federal Constitution,* Kuala Lumpur, 1960.
[128] Wu Min Aun, *The Malaysian legal system,* Malaysia: Longman, 1997.
[129] Simandjuntak, *Malayan Fedralism 1945-1963,* p. 14.
[130] K. V Padmanabha Rau, *Federal Constitution of Malaysia: A commentary*, Malaysia: Malaysian Current Law Journal, 1986.
[131]Mohd Amin Hassan, *Dalam*Malaysia WarisandanPerkembangan, Dewan Bahasadan Pustaka. Malaysia, Hlm.200, 1992.
[132] Shaikh Mohd Noor Alambin S.M Hussain, *Federalism di Malaysia,* Malaysia: Dewan Bahasadan Pustaka, 1988.

Constitution 1963, Sabah, Sarawak and Singapore were given more autonomy than was allowed states in the Peninsular in 1957.[133] The indigenous peoples of these areas were united by a common race, culture, religion and language and unification that were effected in 1963 to form Malaysia. The various racial groups and their population figures that formed the federation of Malaysia are shown in Appendix 1table 2.2. Given the history of its federal formation, Malaysia truly has a pre-colonial pattern of social pluralism which is prevalent in similar countries like Nigeria, Pakistan and India.[134]

1.5 **Theoretical Framework of Federalism**

This study values federalism as an analytic structure which is designed to explain a set of observations in a given situation. It is important to note that a theory functions by explaining issues being scientifically investigated, e.g., a particular event and its case study, the account of a specific organization, and further describing a certain nation, a particular rule and its evaluation. It has become "imperative for the development of political science that it be provided with testable and tested generalisation, even if their meaning is not the most exciting revelation about nature".[135] While this study unveils ethnic challenges in Nigeria and Malaysian plural societies, it goes beyond the conveyance of this exploration to reflect Elazar's own words that "federalism offers a way to approach political phenomena in its own rights and is not to be subsumed within

[133] Kevin YL Tan and Thio Li-Ann, *Constitutional law in Malaysia and Singapore*, 3rd edn, Malaysia: Lexis Nexis, 2010.

[134] Malaysia unlike Malay Archipelago is used in a more restricted sense to cover geographically designated area acquired by 1963 which denotes areas formerly administered or controlled by Great Britain or her subjects which joined the Federation of Malaysia. A number of units formed the federation of Malaysia. These units are as follows: (a) the Malay Peninsula, which was composed of seven Malay Sultanates and the former Strait Settlements of Penang and Malacca (all these units merged together in 1957 to secure independence under the federation of Malaysia; (b) However, Singapore, the third Strait Settlement and joined to the Peninsula by a causeway(this was under – local self-rule but still under British jurisdiction in Foreign Affairs between 1958-1963; (c)Sabah which is located at North Borneo was still completely under the British rule by the year 1963; (e) Sarawak was also under the British control as at 1963. See Rudolph, Federalism and Nation-building, p. 105.

[135] William H. Riker, *Federalism: Origin, Operation, Significance*, Boston: Little, Brown & Co, 1964, p. xi.

other models of political inquiry".[136] In view of the factors highlighted earlier in this chapter that led to the evolution of federalism in Nigeria and Malaysia, the factors vary, yet the two federations share certain aspects in their federal formations. Hicks observes that the historic origin of federations influences "their Constitutions and the working thereof."[137] However, there is no uniform analysis of theory of federalism in view of varied perceptions of the subject. Michael Burgess observes that federalism is extensively fraught with complexities that reflect in its theory and practice. He believes that the term 'federalism' has both an empirical and a theoretical resonance. He notes,

> I shall argue that while such a thing as federal theory does exists, there is, as yet, no fully fledged theory of federalism. At best there is a partial theory based upon rigorous conceptual analysis and the pursuit of terminological precision. At worst, there is crass empiricism rooted in the failure to develop concepts and define the key terms. Without this fundamental preparation it is not possible to engage in genuine comparative analysis that has theoretical implications.[138]

Given the foregoing insight, the focus of this theoretical analysis is to shed light on the differences and implications of federal practices in the two countries. In the same manner Stepan has advised that clear distinction should be made between federations whose intention is to "come together" and those whose idea only seeks to "hold together".[139] This is the dividing line as observed in scholarly arguments that surround both the centripetal and centrifugal forces that lead to federal formations. Elaigwu has rhetorically asked: What is federalism? Why did Nigeria adopt federalism as a technique of managing conflicts? To what extent does governance (especially democratic governance) provide for the achievement of the goals of the state? What are the basic challenges of governance? If we isolate the issue of security from other challenges of governance, to what extent is the security a major challenge of state-building in Nigeria?[140] He provided the following as answers to the questions:

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[136] Daniel J. Elazar, *Exploring Federalism*, Tuscaloosa, AL: The University of Alabama Press, 1987, p. xi.
[137] U. K. Hicks, *Federalism: Failure and Success, A Comparative Study*, London and Basingstoke: The Macmillan Press Ltd., 1978, p. 5.
[138] Michael Burgess, *Comparative Federalism: Theory and Practice*, New York: Routledge, 2006, p. 1.
[139] A Stepan, *Arguing Comparative Politics*, Oxford: Oxford University Press, 2001, p. 320.
[140] J. Isawa Elaigwu, "Federalism, Governance and Security in Nigeria" Nigeria: Too Rich for Dignity and the Law? Perspectives after the 2007 Election, International Conference, Evangelische Akademie Loccum

1. Internal and external factors goaded Nigeria to the adoption of federalism as a technique for managing inter-ethnic conflicts;
2. Federalism is, and shall remain for a long time, a relevant and conducive grid for managing conflicts among Nigerians;
3. The challenges of democratic governance are enormous, and the federal grid provides a conducive medium for dealing with these;
4. Security, as a prime objective of any state, is important in the establishment of peace for democratic governance.[141]

The aforementioned issues raised by Elaigwu will no doubt help to stimulate discussion on political theory and socio-economic theory of federal formation by Riker.

1.5.1 **Riker's Political Theory of Federal Formations**

William Riker's political theory of federal formations is derived from his ground breaking study on the origin of federations, and the operations and significance of federalism. It was geared toward developing a new political science that is capable of providing "testable and tested generalisations". His theory particularly addresses factors behind federal formation in Malaysia and other countries but with more emphasis on the federal formation in Nigeria. Given this focus, he defined federalism as "a bargain between prospective national leaders and officials of constituent governments for the purpose of aggregating territory, the better to pay taxes and raise armies".[142] Riker also raised certain issues in his prefatory remarks on his federalism theory:

> The politicians who offer the bargain desire to expand their territorial control, usually either to meet an external military or diplomatic threat or prepare for military or diplomatic aggression and aggrandisement. The politicians, who accept the bargain, giving up some independence for the sake of union, are willing to do so because of some external military-diplomatic threat or opportunity. Either they desire protection from external threat or they desire to participate in the potential aggression of the federation.[143]

Issues in Nigeria and Malaysia are captured in Riker's theory which is based on the supposition that federalism is institutionalised through political bargaining among rational politicians, supported by a two-fold hypothesis: the expansion condition, and the

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15-17 June, 2007. In co-operation with Bonn International Center for Conversion (BICC), Church Development Service (EED), German Technical Cooperation (GTZ) Nigeria, Heinrich Boell Foundation, Konrad Adenauer Foundation, sponsored by Federal Ministry for Economic Cooperation and Development (BMZ), Berlin; It is important to point out that Elaigwu's note on federalisim in Nigeria is consistent with the emphasis this study lays on federalism as crucial in the governance of Nigeria's multiethnicity.

[141] Elaigwu, "Federalism, Governance and Security in Nigeria",

[142] William Riker, *Fedralsim: Origin, Operation, Significan,* Boston: Little, Brown and Company, 1964, p.11.

[143] Riker, *Federalism: Origin, Operation,* p. 13.

military condition which are essential for the formation of a federation. While Riker's intention or attention was to analyse a common trend in the formation of federations, he felt he could justify the validity of his data and to demonstrate his theory as scientific given his examination of federalism which has lasted since 1786 in the United States. He concluded that both the military as well as expansion factors are essential to the formation or occurrence of federalism.[144]

Riker's analysis shows that military-diplomatic and security concerns led founding fathers of some countries to decide on federation.[145] Riker was authoritatively of the view that the formation of the Malaysian federation conforms to his hypothesis. He argued that military condition was present as shown in "the existence of communist guerrillas, supported from China" and that the expansion condition was present amid uniting earlier federated states.[146] Riker insisted that, "the clearly discernible motive for this federalism was, therefore, a fear of Indonesian imperialism and reluctance on the part of Singapore, Borneo, and others to accept Malayan domination".[147]

Similarly, Cheah Boon Kheng asserts that several reasons account for the formation of Malaysia, but the most important reason given by Tunku's administration was the ethnic factor. The earlier assertion on domination by Riker, as this thesis evaluates events, is validated by Kheng who also observed Tunku's apprehension. The reason was that the racial balance as at 1957 Malaya was almost "equal between the Malays and "non-Malays", but in the enlarged fedaration of Malaysia, the Malays and "natives" of Malaya, Sarawak and Sabah would outnumber the Chinese, Indians and

[144] Riker, *Federalism: Origin, Operation*, p. 13
[145] Among these countries in Riker's calculation is Australia whose federation was precioitated by the fear of Japanese imperialism in the Esat Asia. Others are India and Pakistan. See Dele Babalola, The Origins of Nigerian Federalism: The Rikkerian Theory and Beyond, *Federal Governance*, Vol. 8 no.3(2013): 43-54.
[146] Riker, *Federalism: Origin, Operation*, p. 31.
[147] Riker, *Federalism: Origin, Operation*, p. 31.

other "non-natives" and "non-Malays".[148] Obviously, Kheng's study on *Malaysia: The Making of a Nation* clarifies Riker's hypothesis on the role of politicians in Malaya.

Riker's claim about the role of politicians in the formation of a federation is substantiated, as could be seen in the actions of Tunku and his team, as this thesis unveils, in their protectionist struggle for the emergence of a federation that favoured the 'Malays' and indigenous groups. For instance, Tunku expressed negative perception when he observed that in Malaya-Singapore Merger, the Malays "might without the protection of the Constitution, find themselves at a total loss in the only homeland they had. This might eventually mean trouble as an outcome. And who wanted that?…Singapore vis-à-vis Malaya was not as simple as idealists might think".[149] This thesis asserts that the internal fear about the political condition of the Malays and the indigenous people in Malaya in view of the populations of the Chinese and Indians was worrying Malay politicians as shown in Riker's theory. External threats and the need to control the emerging federation were profound on the side of Malaysia which eventually discouraged Brunei from joining the federation. However, the expulsion of Singapore truly explains the push for Malay dominance.

Riker's position on Nigeria was that external threat led to the formation of the country due to the expansionist ambition of Ghana. Some scholars have criticized Riker on the issue of Ghana, and external threat as the main underlying factor in federal formation but such threat has always constituted the need for a federation.[150] Akin to Riker's view is King's postulation that every state tends to be exposed to the risk of external attack and domestic rebellion, the source of danger is three-fold: threat to a particular state from within the state; threat to one state from another state; and threat to

[148] Cheah Boon Kheng, *Malaysia: The Making of a Nation*, Singapore: Institute of Southeast Asian Studies, 2002, p. 93.
[149] Tunku Abudul Rahman Putra, *Looking Back*, p. 79; Kheng, *Malaysia: The Making of a Nation*, p. 94.
[150] R. D. Dikshit, "Military Interpretation of Federal Constitutions: A Critique", *The Journal of Politics*, 33(1971): 180-189; S.R. Davis , *The Federal Principle: A Journey Through Time in Quest of Meaning*, Berkeley, Los Angeles, London: University of California Press, 1978, p. 133.

allied states from one another state. Internal threat may compel a state to form a union, and threat to one state against another may lead to the formation of a federation as seen in the federations of the United States, Switzerland and Nigeria because fear must provide grounds for a federal union. For the sake of clarity, both Nigeria and Malaysia expressed internal fear. Earlier analysis has shown the way Malaysian leaders tried to protect the Malay/indigenous people's interest. King has also emphasised that the possible threat among Nigeria's three main regions was that two could combine against it.[151] For Elaigwu, regular fear and suspicions of domination among Nigeria's ethnic groups reinforced the colonial authority's idea to adopt federalism in Nigeria.[152]

Security issues are profound in most federal formations, and scholars especially Stephen who decided to examine modes of federal creation instead of the factors leading to federations is shown in his three main typologies of federal formations: coming together; holding together; and putting together. However, the American, Swiss and Australian federations are categorised as "coming together" federations that show how formerly sovereign units decided to unite with their sovereignties while retaining their respective identities. Also, a "holding together" federation is observed when a unitary state, in its "historical and political logic" chose to federalise. A "putting together federation describes the use of force to bring together earlier independent states. [153]

Remarkably, Stepan's typology shows that Nigeria and India typify holding together federations because their constituent units that amalgamated to form both federations were not sovereign in comparison with American states. However, the former Soviet Union exemplifies a putting together federation. Obviously, Malaysia falls

[151] King, *Federalism and Federation*, p. 35-36.
[152] J. Isawa Elaigwu, "The Federal Republic of Nigeria" in Majeed A., Watts A.R and Brown D.M, eds. A *Global Dialogue of Federalism*, Vol. ll, Montreal & Kingston: McGill-Queens University Press, 2006, p. 211.
[153] Alfred Stepan, "Federalism and Democracy: Beyond the US Model" in Karmis, D and Noman, W. eds, *Theories of Federalism: A Reader*, New York and Basingstoke: Palgrave Macmillan, 2005, pp. 257-258; Babalola, "The Origin of Nigerian Federalism, p.46.

within this group since Sabah, Sarawak and all the previously existing Malay Sultanates (states) retained their autonomy in an enlarged federation of Malaysia.

1.5.2 **The Socio-economic Theory: Formation of Nigeria and Malaysian Federations**

The earlier discussion in this segment demonstrated that, to federalise is to bring together or unify constituent parts while retaining their identities and a certain degree of autonomy of each of the composing units. It is of interest to add that socio-economic theory of federalism may find expression within the context of building a healthy society that enriches lives. The "socio-economic" context of federalism may allow individuals or observers to perceive fundamental benefits of a union, its sustenance and continuity.

The thoughts of socio-economic theory or such related ideas such as virtue inherent in federalism could directly or indirectly call to mind Michael Burgress words that, "Federalism deals with fundamental moral questions as well as with amoral matter-of-fact issues". He extends his thesis by suggesting that "the moral basis of federalism derives from certain inherent virtues, such as respect, tolerance, dignity, and mutual recognition which lead to a particular form of human association, namely the federal state and federation".[154] This may give meaning to federal formations in Nigeria and Malaysia as based on socio-economic benefits and advantages favourable to the unions.

Deutsch, cited by Riker, explains that social as well as economic conditions lead to federation which he articulated in nine points, namely: "(1) Mutual compatibility of main value; (2) a distinctive way of life; (3) expectations of stronger economic ties or gains; (4) marked increase in political and administrative capabilities of at least some participating units; (5) superior economic growth on the part of at least some participating units; (6) unbroken links of social communication, both geographically between territories and sociologically between different social strata; (7) a broadening of

[154] Burgess, *Comparative Federalism*, p. 1.

the political elite; (8) mobility of persons at least among the politically relevant strata; and (9)a multiplicity of ranges of communications and transactions". [155]

In the same reasoning, Birch has confirmed that four out of nine conditions postulated by Deutsch were considerations for the creation of Nigeria's federal system, namely: expectations of stronger economic ties or gains; marked increase in political and administrative capabilities of at least some participating units; superior economic growth on the part of at least some participating units; and a multiplicity of range of communications and transactions".[156] Malaysia's early fragmentation also explains these conditions for its federal formation given the fact that both countries share similar problems; and the same Colonial Authority in Nigeria was also at work in Malaysia at the same time. Kheng describes Malaysia as a fragmented nation-state. "Not only is it fragmented geographically, but the multi-ethnic diversity of its population has presented problems of economic, social and political integration for the Federal government".[157]

In all contexts, Kheng's assertion on economic, social and political need for the integration of ethnic groups in Malaysia also draws from Wheare's argument that some political, social and economic factors jointly contribute to the formation of federations such as the United States, Switzerland, Canada and Australia. Others among these political and socio-economic factors for federal formation include: (1)A sense of military insecurity and of the consequent need for common defence; (2) A desire to be independent of foreign powers, and a realisation that only through union could independence be secured; (3) A hope of economic advantage from union; (4) Some political association of the communities concerned prior to their federal union either in a loose confederation,…or as parts of the same Empire,…(5) Geographical neighbourhood; and (6) similarity of political institutions.[158]

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[155] See Riker, *Federalism: Origin, Operation*, p. 15; Babalola, "The Origin of Nigerian Federalism", p.47.
[156] A. H. Birch, "Approaches to the Study of Federalism" *Political Studies*, 14 (1966): 15-33.
[157] Kheng, *Malaysia: The Making of a Nation*, p. 93.
[158] Kenneth C. Wheare, *Federal Government*, 4th ed. London: Oxford University Press, 1963, p. 37.

Wheare has warned that "it is not possible to pick on any one of them or any one a combination of them and say that unless this or these are present, the desire for federal union will not arise; that desire may be produced by any one of them".[159] This study looks at the foregonging factors as a panacea or conditions that favour larger federated units, yet, Nigeria and Malaysia are implicated in numerous ethnic cleavages and demands within their federal politics and at times abuse of constitutional order. The implication and inability to address political and socio-economic needs of society is adequately explained by Ifidon. He laments that while recognising the legitimised constitutional provisions, the ruling elite have entrenched discriminatory practices that negatively affect the economic and political governance of Nigeria, whereby the central government limited capacity to meet the people's need. This has led to increased withdrawal into primordial/primary levels of identity. "The level at which citizenship is truly realised is not the mega state but the home or primary group level, where the Nigerian is a subject. Beyond this a Nigerian is an alien in another state, enduring self-imposed social passivity as strategy of survival. While a Nigerian nationality is non-existent, properly speaking citizenship is operative at the homeland."[160]

Similarly, the literature review and chapter three of this study demonstrated how ethnicised federal structure in Malaysia maintains Malay preeminence. Watts, a top scholar of federalism observes that ideas for a federal union in new federations are more complex than what was witnessed in the past. Given the current complexity in federations, he offers a broad list of socio-economic conditions that led to the formation of "new Federations". Countries among his list of 'new federations' are India, Pakistan, Malaysia, Nigeria, Rhodesia and the West Indies, whereas the "old Federations" are the

[159] Wheare, *Federal Government*, p. 42.
[160] E. A. Ifidon, "Citizenship, Statehood and the Problem of Democratisation in Nigeria" *Africa Development* Vol. xxI No. 4, 1995. 103.

United States, Switzerland, Canada, and Australia.[161] In addition to Riker's political and socio-economic theories of the formation of federalism in Nigeria and Malaysia, other fundamental principles of federalism are now discussed for more insight on its workings.

1.6 **Fundamental Principles of Federalism**

Discussion on federalism, practice and emerging events continue to shape federalism in its complex posture. Attention is paid to the underlying basic principles of federalism to harmonise earlier insights into its definition and operations.

1.6.1 **Federal Democracy**

Federalism has a strong disposition toward democracy with the general belief that to be truly federal a system must be democratic which invariably involves public and constitutional choice in all aspects. Democracy in this respect is built on different set of premises rather than other two models of the polity. Westminster democracy describes how the parliament is supreme with support given to government in exercise of power by a majority in the parliament.Consociational democracy is another form of democratic government that requires to be understood in the way it is practiced. "In those other two models, democracy stands in tension with political reality while in the federal model, while it can be perverted, it stands in basic harmony with the model itsel".[162]

1.6.2 **Checks and Balances**

A federal system is generally democratic, which requires the polity to maintain appropriate checks and balances, "so that every institution is checked and balanced by other institutions which are constitutionally authoritative and practically sufficiently

[161] R. L. Watts, *New Federations: Experiments in the Commonwealth*, Oxford: The Clarendon Press, 1966.
[162] Elazar, *Federalism: An Overview,* p. 13

autonomous to sustain themselves politically and socially; in the words of *Federalist 51*,"ambition must be made to counteract ambition." [163]

1.6.3 **Open Bargaining**

Open bargaining is one of the fundamental principles of federalism. It is required to take place among institutions and their representatives, but this has to be done in the open to comform with the legitimacy of the federal political process. While bargaining is witnessed in more centralized systems, Elazar observes that "Federalism, however, is the only system, subject only to the requirement that it be generally open and accessible." [164]

1.6.4 **Unity in Diversity**

A federation which derives its system from the framework of federalism is usually established by the association of a number of independent states.[165] If there is no need for the associating states to retain their separate existence and identity, then a unitary state is envisaged.[166] One of the major aims of federalism is to achieve unity as well as safeguard the uniqueness of the constituents of the members that form the federation. In federalism, unity and diversity feature in the federal principle because federalism provides as well as channels two different or conflicting social forces such as the forces for unification (centripetal forces) and the forces for preserving differences (centrifugal forces). Unity is the underlying principle of federalism. According to Livingston, federalism 'embraces diversities that are territorially grouped by recognising that rights

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[163] Elazar, *Federalism: An Overview*, pp. 13-14.
[164] Elazar, *Federalism: An Overview*, pp. 15.
[165]Khairil Azmin Mokhtar, Federalism in Malaysia: A Constitutional Study of the Federal Institutions Established by the Federal Constitution of Malaysia and Their Relationships with the Traditional Institutions in the Constitution (With Special Reference to the Islamic Religious Power and Bureaucracy in the States), Ph.D Thesis, The University of Wales Aberystwyth, 2002, p. 7.
[166] This calls for clarification given the fact that a unitary system is a contrast or a direct opposite of what federalism stands for. A unitary state is a single state which its government at the centre has the ultimate power over all matters. However there are other smaller units of government such as states or provinces which do not have the authority to make decisions because they are merely its subdivisions. See, Gabrial Almond, G. Bingham Powell, Jr., and Robert Mundt, *Comparative Politics*, New York: Harper Collins College Publishers, 1993, pp. 133-137.

of the territorial units to exist as components of the federal system'.[167] William also describes federalism as a political as well as constitutional arrangement of diverse groups into a single polity so that the autonomy of components parts is preserved while maintaining each as separate political unit.[168] The theory of federalism is premised on thoughts about the nature of conflict that characterise society, consensus as well as resources of federalism. In order to realize unity in diversity, as well as to enhance checks and balances against sectional domination, and interference into the affairs of other federating units, each level of government is implicitly distinct, independent or autonomous in matters of resources, claims or control of institutions. The main thrust of the theory is shown in governments with defined authorities, nevertheless coordinated as well as lawful prominence, autonomous mechanisms of government, economic independence, a balance delimitation of actions without overlap.[169]

According to F. G. Carnell, federalism expresses a constitutional government of imperfect unity or multinationalism. Federalism 'is the result of a balance between two competing forces, namely nationalism and sub-nationalism." Nationalism describes the force focused on building large political structures whereas sub-nationalism represents a counter force that encourages political balkanization.[170] According to K. W. Robinson "federation does not create unity out of diversity; rather, it enables the two to coexist."[171] For Dicey, federalism is 'a political contrivance intended to reconcile national unity and power with the maintenance of "state rights."[172]

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[167] Wililiam S. Livingston, "A Note On The Nature of Federalism" *Political Science Quarterly*, vol. 37(1952), pp. 81 & 86.
[168] William S. Livingston, *Federalism and Constitutional Change*, Oxford: Clarendon press, 1956, p. 9.
[169] Okpaga, "Inter-Governmental Relations" p. 184.
[170] F, G, Carnell, pp. 16-21 cited in Khariril Azmin Mokhtar, Federalism in Malaysia: A Constitutional Study of the Federal Institutions Established by the Federal Constitution of Malaysia and their Relationships with the Traditional Institution as in the Constitution with Special reference to the Islamic Religious Power and Bureaucracy in the States, Doctoral thesis, The University of Wales Aberystwyth, 2002, p. 8.
[171]See, K. W. Robinson cited in Moten, *Introduction to Political Science*, p. 103.
[172] A. V. Dicey, *Introduction to the Study of the Law of the Constitution*, 10th edn., London: Macmillan Education Ltd., 1985, p. 143.

1.6.5 **Decentralised Constitutional System of Government**

Another underlying principle of federalism is decentralization which describes a constitutional framework whereby the power of the federation is decentralised and distributed among a number of power-centers or governments. The sharing of power which is stipulated in the federal constitution is premised on the territorial basis between the central (federal) government and the state governments. The distribution of power in this respect guarantees federal and state governments' independence within their jurisdictions. This study demonstrates that federalism is an institutional arrangement which provides room for division of powers among the central government and the constituents. It is basically a constitutional separation of power between two levels of government whereby each level acts independently within its assigned powers.

Given this scenario, citizens perform dual political responsibilities to the constituents and the federal centre.[173] While the centre is saddled with defense and foreign policy roles, the federating units engage in international roles, as well as taking part in central decision-making in the polity. Thus, federalism makes room for stability as well as creates trust among all citizens in the federation.[174] Given the goal of the thesis, a theory is a system of ideas designed to explain something, mainly that which is based on general principles and solely independent of the thing it tends to explain.[175] It extends to Wheare's emphasis on the separation of powers between the centre and the federating units, each acting within its jurisdiction which shows how a federal system works.[176] A federal system comes into being through a certain amount of union and no more. Federalism in this sense is secure so far the federal tie remains the same and nothing tighter or looser is attached to those states. It shows federalism as an

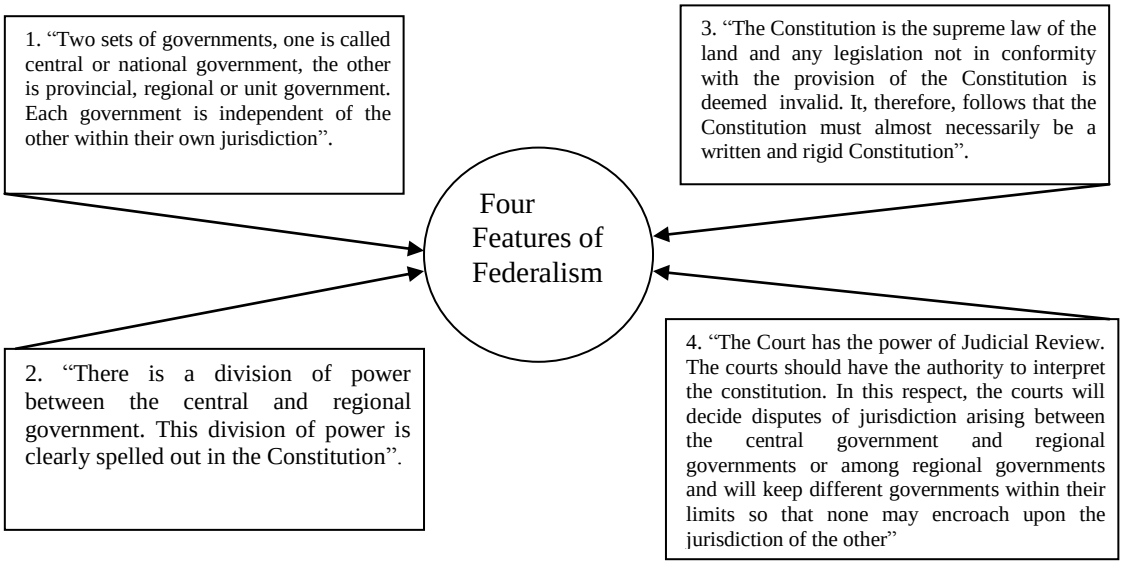
[173] *Stanford Encyclopedia of Philosophy* 2003 – http://plato.stanford.edu/entries/federalism
[174] *Stanford Encyclopedia*.
[175] Compact Oxford English Dictionary Online http://www.askoxford.com/comcise_oed.theory?view=uk (accessed May 20, 2012).
[176] Wheare, *Federal Government*, p. 10.

intermediate between two extremes, balkanization and a large singe state.[177] William Maddox describes it is a perfect balance or compromise between two extremes.[178]

1.6.6 **Institutions of a Federal System**

It is imperative to note that no one in the world can find two identical constitutions; rather federal arrangements in countries that are described as federations vary profoundly. On the other hand, there are certain institutions and features that are common to almost all federations in the world. In his scholarly insight, Rashid Moten provides vivid descriptive features of a federal state which he says "It implies an alliance of various units and people of a state. A federal state is one in which there exists at least two sets of governments, and there is a division of governmental powers between the national government and constituent units (states, provinces, republics, regions, or cantons)."[179] Moten summarises four features of federalism as shown in figure 1.1.

Figure 1.1 **Features of Federalism**



Source: This is fully discussed by Wheare, see Kenneth C. Wheare, Federal Government, London: Oxford University Press, 1963, pp. 53-74; See also Abdul Rashid Moten, *Introduction to Political Science*, Second Edition, Singapore: Gengage Learning Asia Pte ltd., 2009, p.100.

[177] E. A. Freeman, *History of Federal Government in Greese and Italy*, 2nd edn., London: Macmillan and Co., 1893, pp. 84-5.
[178] William P. Maddox, "The Political Basis of Federation," American *Political Science Review* Vol. 35 no. 6 (1941): 1120-27.
[179] Moten, *Introduction* to Political Science, p.100.

Any country that has the listed institutions can claim to be a federation. However, there may be other forms of institutions in a federal system or distinctive federal institutions. In other words, distinctive federal institution adopted by a country to demonstrate its unique qualities. This is premised on the proposition that federalism recognises different qualities of each community which derive from social, political, legal or any other factors, but they have significant role in each federal system.[180]

1.6.6.1 **The Doctrine of Constitutional Supremacy and Constitutionalism**

The constitutional division of power between the federal and state governments is largely premised on a written constitution. The necessity of a written constitution is meant to express the division of power in clear terms. This demonstrates that a federal constitution must be the supreme law of the land, and its provisions must be observed by any legislative, executive and judicial body and by any organ of the federal and state governments. In other words, the doctrine of constitutional supremacy is entrenched in federalism; hence what is supreme in a federation is the federal constitution.[181] It is the federal constitution that establishes organs of government and delegates power to them. The federating units or states derive their existence from the federal constitution which makes powers exercised by the executive, legislative or judiciary at national or state level subordinate to the constitution.[182] All levels of government in a federal system are required to observe restraint and their limits as set by the federal constitution. The distribution of power to all levels of government is established with mechanisms that prevent possible violation of the rights of any of the levels of government.[183] Federal arrangements allow the federal and state governments to co-ordinate and remain independent within their respective spheres. The federal constitution is seen as a 'living'

[180] Mokhtar, Federalism in Malaysia, p. 11.
[181] See Mokhtar, Federalism in Malaysia, p. 14.
[182] Dicey, *Introduction*, p. 144.
[183] Ursula K. Hicks, *Federalism: Failure and Success*, p. 175 cited in Mokhtar, Federalism in Malaysia, p. 15.

document which is ideally able to accommodate changing needs, social forces as well as aspirations of its constituents. As partners, any processing leading to the amendment of the constitution must receive their consent. [184] The Federal constitution is a legal framework for Pluralism. The preamble of 1999 Nigerian Constitution reads:

> We the people of the Federal Republic of Nigeria: Having firmly and solemnly resolved: To live in unity and harmony as one indivisible and indissoluble Sovereign Nation under God dedicated to promotion of inter-African solidarity, world peace, international co-operation and understanding: And to provide for a Constitution for the purpose of promoting the good government and welfare of all in our country on the principles of freedom, Equity and Justice, and for the purpose of consolidating the Unity of our people: Do hereby make, enact and give to ourselves the Constitution:[185]

Similarly, the constitution of Malaysia has the title: *Laws of Malaysia, Federal Constitution* whereby Part 1 "The State, Religion and Law of the Federations" states the following: "Article (1), Name, State and Territories of the Federation, (2), Admission of New territories into the Federation, (3), Religion of the Federation, (4), Supreme Law of the Federation". The Federal Constitutions of Nigeria and Malaysia were founded on the strength of federalism. This is well explored in chapter 3 of this thesis.

1.6.6.2 **The Doctrine of Separation of Powers and an Independent Supreme Court**

In federalism, the power of judicial review is a very crucial characteristic of the doctrine of separation of powers which is also enshrined in a federal constitution. The doctrine ensures that organs of government operate within the limits set by the constitution which helps to sustain democratic rule. The doctrine of separation of power is important in democracy in which the federal constitution protects human rights and those of states and the government at the centre. Federalism is about the sharing of "the force of the state" among component units each level operating within a system that is regulated by its constitution.[186] However, powers allotted to the states and the federal authorities require an independent body to exercise judicial power against arbitrary use

[184] Mokhtar, Federalism in Malaysia, p. 15.
[185] The Constitution of the Federal Republic of Nigeria 1999, Lagos: Federal Government Press, 1999.
[186] Dicey, *Introduction*, p. 157.

of power by any of the levels. In this regard, the court or tribunal plays an important role by interpreting the constitution and by ensuring that disputes are settled between the centre and the constituents not by force but rather by due process of law.

1.6.6.3 **Principle of Equality**

The principle of equality in a federal system explains the equal status of all governments in a federation. Each level of government is endowed with powers within its jurisdiction. The federal constitution grants the state, powers to establish their own legislative body to make laws, its executive engages in policy formulation while the state judiciary settles disputes that fall within its jurisdiction. They should have their administrative bodies for policy implementation.[187] While each of the two governments has its legislative and executive organs with their authority exercised independently, any action or law executed outside its sphere of authority will be declared by the independent supreme court of the federation as *ultra vires*. The two levels of government should be financially capable to run their affairs. According to Wheare, threat and political coercion' are not allowed in a federal system.[188] The worst threat and coercion a federal government can carry out is the expulsion of a member state, whereas the worst threat by a member state is secession. But Wheare also argues that the "unilateral right to secede or to expel makes for bad federal government".[189]

1.7 **Ethnicity and Ethnic Conflict**

Major struggles and challenges in politics among contemporary multiethnic countries are discourses on ethnicity and ethnic conflicts which describe deep divisions in the polity. To understand 'ethnicity' is to view what Hutchison and Smith regard as a recent analytical construction with certain elements like culture, language and kinship as

[187] Wheare, *Federal Government*, p. 4
[188] Wheare, *Federal Government*, pp. 86-7.
[189] Wheare, *Federal Government*, p. 87.

old concepts.[190] Ethnicity can be interpreted as 'the essence of an ethnic group' or 'the quality of belonging to an ethnic community or group'.[191]Largely many scholars have found ways to differentiate one ethnic group from another. Ethnic community is defined by A.D. Smith as "a named human population with myths of common ancestry, shared historical memories, one or more elements of a common culture, a link with a homeland and a sense of solidarity among at least some of its members".[192]

On the other hand, ethnic tensions generated through intense competition and cleavages over power and, or economic resources in a given polity where the interests of ethnic groups collide can lead to armed conflict. Numerous but stable ethnic tensions in Malaysia include its early May 1969 racial riots as a typical case. The case of ethnic conflict in Nigeria in 1966 developed into a full blown civil war that only ended in 1970. In his recent work on federal countries, a renowned federalism scholar John Kincaid discusses federalism in Africa and describes federalism in Nigeria as challenged by civil war, corruption and military incursion into power. But Nigeria has started to realise democratic governance. He also describes Malaysia as one of the few federations to expel a member (i.e, Singapore in 1965), but remains highly centralised as well as troubled by ethnic conflict.[193]

For a clearer understanding, ethnic conflicts in Nigeria and Malaysia are illustrated in the theory of *Ethnic Groups in Conflict* by Donald Horowitz. He is a political scientist of great stature as well as a lawyer whose book on the role of judicial interpretation and intervention in shaping American social policy in recent years was well received in the United States of America.[194] Many studies have been carried out with reference to psychological, political as well as economic factors, and their linkages

[190] John Hutchison and Anthony D Smith, "Introduction" in J. Hutchison and A. D. Smith Eds., *Ethnicity*, Oxford, New York: Oxford University Press, 1996, p. 3.
[191] Hutchison and Smith, *Ethnicity*, p. 3.
[192]Anthony D. Smith,*Nations and Nationalism in a Global Era*, Cambridge: Polity Press,1995a, pp.56-57.
[193] John Kincaid, 'Introduction' in Ann L. Griffiths ed., *Handbook of Federal Countries*, Quebec: Forum of Federations, 2005, pp.3-14.
[194] Professor of Education and Sociology, Harvard University;See also D. Horowitz, *The Court and Social Policy*, 1977.

especially among ethnic, class and religious identities. Such studies also unveil the role of the state, the significance of elites, and the need and possibility of reducing conflicts which overwhelm nations. Horowitz theoretical explanation gives detailed insights into motives and effects of ethnic conflict. His fresh insight into this field of study not only reflects on other studies but delves into interethnic relations and conflict in more profound ways. By calculation, over 10 million people have been killed through ethnic conflict since World War II.[195] The spread of ethnic conflict shows that "Ethnicity is at the centre of politics in country after country, a potent source of challenges to the cohesion of states and of international tension. Connections among Biafra, Bangladesh, Burundi, Beirut, Brussels, and Belfast were at first hesitantly made –isn't one "tribal", one "linguistic," another "religious"? –but that is true no longer. Ethnicity has fought and bled and burned its way into public and scholarly consciousness."[196]

In an effort to bring to the fore the potency of ethnic conflict in contemporary societies, Horowitz captures earlier theoretical insight rendered by Karl W. Deutsch who had advanced a proposition that really aroused political consciousness, which could help to consolidate unity of states with homogeneous population and "strain or destroy" the cohesion of state with diverse population.[197]

It has become clearly evident that only a number of states are homogeneous while numerous states are deeply divided, which provides a strong argument to view ethnic conflict as a global phenomenon. The dimensions of ethnic conflict are quite profound as evidenced in the regular hostilities in countries such as Northern Ireland, Chad, and Lebanon; secessionist warfare in Burma, Bangladesh, the Sudan, Nigeria, Iraq, and the Philippines; the Somali invasion of Ethiopia and Turkish invasion of Cyprus; the army killings in Uganda … and many more on ethnic riot in India, Sri

[195] Horowitz reflects on another scholar, see Harold R. Isaacs, *Idols of the Tribe: Groups Identity and Political Change*, New York: Harper & Row, 1975, p. 3; see, Horowitz, *Ethnic Groups in conflict*, p. xi.
[196] Horowitz, *Ethnic Groups in Conflict*, p. xi.
[197] Karl W. Deutsch, "Social Mobilisation and Political Development" *American Political Science Review* 55 (Sept. 1961): 495-514, p.501; Horowitz, *Ethnic Groups in Conflict*, p.3

Lanka, Malaysia, Zaire, and a score of other countries. These consist of simply a major brutal proof of ethnic antagonism.[198] Ethnic conflict is a recurring event in view of its shifting context in a situation where the complexities of international relations and changing environments contribute to its emergence as well as remission. The first and second World Wars taught no less a lesson than the revival of ethnic sentiments which has often been supported by the common doctrine of "national self-determination."[199] After World War II, the colonial rule in Africa and Asia ended. Decolonisation was followed by a chain reaction despite the fact that ethnic differences were seen to be muted until they achieved independence. He further observes:

> Following independence, however, the context and the issues changed. No longer was the struggle against external powers paramount. No longer was colonial domination the issue. Self-determination had been implemented only to the level of preexisting colonial boundaries. Within these boundaries, the question was to whom the new states belonged. As some groups moved to succeed the power of the former colonialists, others were heard to claim that self-determination was still incomplete, for they had not achieved their own independence.[200]

Ethnic conflict is a recurring incident in view of its shifting context in a situation the international environment contributes to its emergence as well as remission. The first and second World Wars taught no less a lesson than the revival of ethnic sentiments which has often been supported by the common doctrine of "national self-determination."[201] While the independence of Asia and Africa echoed in both Europe and America, such sovereignty granted to Belgian territories in Africa such as Zaire, Rwanda, and Burundi helped to stimulate and intensify the desire for similar autonomy by the Flemings in the same Belgium. They argued, "if, they said, tiny Burundi can have an autonomous political life, why should the more numerous Flemish population be deprived of the same privilege"?[202]

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[198] It is significant to note that ethnic conflicts in Nigeria and Malaysia form part of Horowitz's analysis of ethnic conflict in plural societies due to their degree. See, Horowitz, *Ethnic Group in Conflict,* p. 3.
[199] Horowitz, citing earlier work by Walker Corner, "Self-Determination: The New Phase," *World Politics,* 20 (1967): 30-53.
[200] Horowitz, *Ethnic Groups in Conflict,* p. 4. This expresses the experience of Igbo in Biafra Civil War.
[201] Horowitz, citing earlier work by Walker Connor, "Self-Determination: The New Phase," *World Politics,* 20 (1967): 30-53.
[202] Horowitz, *Ethnic Groups in Conflict,* p. 5.

To be sure, Horowitz insists that certain worldwide ideological and institutional current developments have led to the growth of ethnic conflict. The spread of knowledge on such things as norms of equity in a society tend to make ethnic groups around the world more conscious of their rights and compare their status and wellbeing against that of other groups nearby. This idea may be of merit or unwarranted in the case of some groups. He argues that "the state system that first grew out of European feudalism and now in the post-colonial period covers virtually the entire earth provides the framework in which ethnic conflict occurs." For instance, Horowitz further posits, "Control of state, control of *a* state, and exemption from control by others are among the main goals of ethnic conflict." [203]

Economic interest plays a role in ethnic conflict, and it is within the context of economic underpinning of ethnic hostility that is persistently captured in contemporary ethnic conflict literature.[204] This problem is orchestrated by the elites who manipulate as well as divert the interest of the working class. First, "Ethnic conflict amounts to "challenging nonexistent or barely dangerous enemies" and avoiding "the real issue" and the real enemies, namely, "the ruling class." However, a second notion of materialist theory emphasises, not irrational mass submission to elite manipulation, but rational working class competition. There could be manipulation and competitive interests too. Also, a third economically based ethnic conflict relates to tensions between "middleman minorities" and "host societies".[205] Horowitz posits "The business rivalries envisioned by theories that predicate ethnic conflict on economic completion among members of opposing ethnic groups are fewer than imagined." When occupation is divided along ethnic lines, it makes it "natural" for established trade, but "unnatural" when its breaks into entirely a new one. In ethnic conflict, ethnic division of labour serves as a shield

[203] Horowitz, *Ethnic Groups in Conflict,* p. 5.
[204] Horowitz, *Ethnic Groups in Conflict*, p. 106.
[205] See M. S. Prabhakar, "The 'Bongal' Bogey," *Economic and Political Weekly*. Bombay: October, 21, 1971; Horowitz, *Ethnic Groups in Conflict,* p. 106.

against conflict.[206] Given the ethnically differentiation, the Northern Nigerian traders, merchants, and contractors between 1950 and 1960 gave their support for the regional government's policy of "Northernisation". The programme was intended to free the North from depending on the Southern Nigerian civil servant and business by giving preferences in employment, contract, scholarships, land, and loans to Northerners. This was as a result of apprehensions in Nigeria against the Southern domination of the Northern life.[207] In Malaysia, the Malay envy of the Chinese. Peter J. Wilson writes:

> … the Malays of Jendram Hilir readily admit the superiority of Chinese in economic affairs and, on the whole, they do not begrudge or envy the Chinese his paramount position. That many Chinese are wealthy whereas most Malays are poor is indeed a topic of concern and self-pity for Malays, but the skill of Chinese businessmen and their ability to meet all the demands placed on them is often the subject of admiration on the part of village Malays. In the same way, the evident ability of the Chinese to work harder than the Malays is admitted and admired.[208]

Furthermore, ethnic conflict is sometimes linked to ancient enmities between groups, and often times it has been dismissed as artificial or ephemeral in places where such long standing antagonism could be seen.[209] There are such wars in Africa and Asia that are linked to longstanding enmity between Sinhalese and Tamil kingdoms fought recurrently in ancient Sri Lanka (Ceylon), Menda and Temne in pre-colonial Sierra Leone and Maronites and Druze in the present Lebanon etc.[210] Such long-existing hatred is shown in the case of the Achioli and Lang that fought regularly in pre-colonial Uganda[211] whereas the Assamese king, Chakradhvaj Singha, "fought for independence with the war cry, 'Better death than submit to the Bengalis."[212]

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[206] Horowitz, *Ethnic Groups in Conflict*, p. 113.
[207] Horowitz, *Ethnic Groups in Conflict*, p. 116.
[208] See, *A Malay Village and Malaysia: Social Values and Rural development*, New haven: HRAF Press, 1967, p. 26; Horowitz, *Ethnic Groups in Conflict*, p. 118.
[209] For Horowitz, this experience had been acknowledged by another scholar. See also, Robert I. Rothberg, "Tribalism and Politics in Zambia," *African Report*, Dec. 1967, pp. 29-35.
[210] Horowitz, *Ethnic Groups in Conflict*, p. 98.
[211] Nelson Kasfir, "Cultural Sub-Nationalism in Uganda," in Victor A Olorunsola, ed., *The Politics of Cultural Sub-Nationalism in Africa*, Garden City, New York: Anchor Books, 1972, p.70: Horowitz, *Ethnic Groups in Conflict*, p.98.
[212] Hugh Tinker, *India and Pakistan: A political Analysis*, rev.ed. New York: Praegar 1968, p. 15; Horowitz, *Ethnic Groups in Conflicts*, p. 98.

1.8 **Conclusion**

This chapter conveys ideas and specific factors and concepts that are considered important in this study. The theory of federalism explains reasons and workings of a federal system, especially as to why certain things occur, reasons behind such occurrence as well as a predictable future. In other words, federalism and all it stands for, underpins politics and governance of federal states with a written constitution which divides power between the central government and the regional or states governments.

The origin of federalism in the world explored, and its adoption in both Nigeria and Malaysia provide a rich content of its importance in modern human society as a unique concept to manage and mitigate conflicts in plural societies. It provides focus and analytical tool to view ethnic hostilities in the two countries more broadly. One obvious fact in this framework is that both countries share similar interests in adopting a federal system of government. But the intensity of fear for ethnic groups to surrender or unite under a federal system controlled by them or other ethnic group/s was highly contested. This was due to their multicultural nature in which the colonising powers arbitrarily changed the legal status of their possessions without their consent and established plans for self-rule under federalism. This explains Riker's emphasis on 'bargain, military contests and all forms of intensification of ethnic self-interest that featured in both federal formations and in Horowitz's analysis. Socio-economic conditions have helped to shape their formations although ethnic conflict is rooted in primordial affinities. This links to concepts of personal attachment, moral obligation, pride and ambition within a particular ethnic group bringing such into a larger civil collectivity such as a nation-state for which federalism is required to address. The next chapter explores the backgrounds of Nigeria and Malaysia involving their respective ethnic groups and how both federations came into being in the wake of their colonial encounter.

CHAPTER 2

Background History of Nigeria and Malaysia

2.1 **Introduction**

The previous chapter explored the concept of federalism which is a mechanism that helps in managing diversity. As a legal framework in governance, its features define how a plural society is organised and administered as this study demonstrates. However, this current chapter provides a clear insight of the origins and the development process of diverse ethnic groups that now occupy both Nigeria and Malaysia. It is significant to note that this chapter is in two sections. First, this section traces the pre-colonial origins of the main ethnic groups in Nigeria and how European contact brought about immediate dismantling and pulling diverse ethnic groups together for the establishment of the entity called Nigeria accommodating ethnic diversity. Second, the thesis shows similar trends on how Malaysia came into being. This background study provides a better understanding of the origins of the main ethnic groups in both countries.

The thesis demonstrates that prior to the incursion of the British explorers and merchants, the geographical area now known as Nigeria was inhabited by various ethnic nationalities of remote origins and different cultures and beliefs. These diverse groups interacted among themselves especially in commerce. Given their diversity and different orientations, they were organized as well as governed through the rule of kingship, family, as well as age grade, from where some of these early societies developed in other directions. While few ethnic groups were developing through democratic communal patterns, others incidentally resulted in being kingdoms, emirates and empires.[213] For example, among the traditional institutions of governance at this time were the kingdoms of Opopos; the Jukuns; the Sokoto caliphate which comprised of some emirates as well as empires of Kanem Bonu, Oyo, Benin, and Kwara. The Igbo in the Eastern section of

[213] Directorate for Social Mobilization ("MAMSER"): Political Education Manual, Abuja 3-4, 1989; see also, Ema I. Orji, "Issues on Ethnicity and Governance in Nigeria: A Universal Human Rights Perspective," *Fordham International Law Journal*, Vol. 25, Issue 2, (2001): 431-482.

the territory had their main political authority rested with the age grade in the society or family.[214] A brief historical background is provided in this study to enhance readers understanding of their remote origins, cohesiveness and their level of civilization prior to British incursion and subsequent subjugation and integrating these diverse groups together as a nation called Nigeria. This underlines the utility of federalism as an ideal system of managing plural societies as this thesis demonstrates. This is seen in Elazar's definition as the "mode of political organization that unites separate polities within an overarching political system by distributing power among general and constituent governments in a manner designed to protect the existence and authority of both."[215]

2.2 **Salient Features of Nigeria's Early Societies**

The focus of the thesis in this section is to highlight relevant issues that touch on Nigeria's early features and a concise overview of its general characteristics. This is in terms of the number of its segregated ethnic groups, geography, the size and population of Nigeria. This helps to enhance understanding of the diversity and complexity of the new nation that required a federal structure that accommodates pluralism. For example, the people who inhabited the region now known as Nigeria had always lived in separate and often contentious societies. The frontiers of these societies were constantly shifting, but they all range across outside those enclosed by the British in Nigeria.[216]

Some of the aforementioned features could be seen in the light of Geographers that distinguish three principal zones of vegetation namely: the swamp forests of the coast-belt, the high forests of the humid south and the savannas of the sub humid Middle Belt and north.[217] Nigeria accommodates over 250 ethnic groups. The three main groups in

[214] See G.C. *Ifemesia, Traditional Humane Living among the Igbo*, 1979; Chinua Achebe, *Thing Fall Apart*, 1958.
[215]D. Elazar, "The Meaning of American Federalism," Public Education, Paper No. 7, Centre for the Study of Federalism. Philadelphia: Temple University, 1977. 26.
[216] John Hatch, *Nigeria: A History*, London: Heinemann Educational Books, 1971, p.13.
[217] K. M. Buchanan and J. C. Pugh, *Land and People in Nigeria*, London: University of London Press, 1955, pp. 33-34.

respect of size are the Hausa/Fulani, Yoruba and Igbo. The political division of the country until independence into Northern, Western, and Eastern regions corresponded roughly to the areas occupied mainly by these three ethnic groups. It was the interaction of the politics of these three regions and their peoples, and their combined effort to drive out their British rulers that constitute the story of Nigerian politics in the colonial era.[218]

Nigeria is situated at the eastern end of the Gulf of Guinea between the 4th and 14th parallels (North). Its total area is approximately 356,000 square miles slightly more than the combined area of France and both East and West Germany. Its name is derived from its inland waterway, the River Niger, which flows from some 2,600 miles from the hills of Sierra Leone into the enormous fluvial complex of the Niger Delta.[219] The population of Nigeria was estimated to be about 35 million in 1959, (140 Million -2009), exceeding the combined population of states in the West African sub-region, South of Sahara.[220]

This study emphasises that the degree of ethnic heterogeneity in Southern Nigeria can be ascertained from the census figure for 1911(See, Appendix C: Table 2.1). The population of the early ethnic nationalities indicate that the Igbo were three million, while Yorubas recorded two million as they formed the major ethnic groups out of seven and three quarter million inhabitants in Southern Nigeria.[221] The present entity called Nigeria had been in existence prior to British incursion, but harbouring unfriendly national states differentiated by languages and other cultural traits until 1900. Sir Hugh Clifford "the Governor General of Nigeria between 1920 -1931", described Nigeria as "a collection of independent native states, separated from one another by great distances, by differences of history and traditions and by ethnological, racial, tribal, political, social

[218] G. O. Olusanya, *The Second World War and Politics in Nigeria 1939-1953*, Ibadan: University of Lagos, Evans Brothers, Nigerian Publishers Ltd, 1973, p.1; See also, Ajayi and Espie *A Thousand Years of West African History*, Ibadan: Ibadan University Press, Middlesex, Nelson, 1965, p. 90; For further details, see S. J. Hogben and A. H. M. Kirk-Greene, *The Emirates of Northern Nigeria*, London: Oxford University Press, 1966.
[219] Richard L. Sklar, *Nigerian Political Parties; Power in an Emergent African Nation*, New Jersey: Africa World Press, 2004, p.3.
[220] Sklar, *Nigerian Political Parties*, p.3.
[221] T. N. Tamuno, *The Evolution of the Nigerian State , The Southern Phase, 1898 - 1914,* London: Longman group Ltd, 197, p. 222.

and religious barriers."[222] Hugh Clifford captured major cultural and traditional factors, as discussed in this study, which show underlying differences among the early and the contemporary warring ethnic groups in Nigeria. Given the foregoing insight, this study provides a brief history of the three main ethnic groups in Nigeria. This is intended to shape readers understanding of historical evolution and patterns of convergence of ethnic groups in Nigeria as well as Malaysia as discussed in further chapters in the thesis.

2.2.1 **Peoples of the Northern Region**

In this section, this study will provide historical facts to show that Hausa/Fulani ethnic groups in Nigeria are distinctively separate from other ethnic groups in Nigeria. The study will show that cultural distinctiveness, population and civilisation makes a federal structure necessary to accommodate this group with others. In view of the foregoing, this thesis demonstrates that the areas now comprising Nigeria is broadly divided between north and south. Most northern societies developed in the Savannah, with diffused ruling families and comparatively individualised commerce. The origins of the Hausa people, like those of their neighbours, remain obscure. Legend has it that their ancestors came from the Middle East. These records from both Kano and Katsina date back to early twelfth century.[223] Given the wide spread of the entity called Nigeria, the Hausa inhabit the north-west and north-central parts to the edges of the Sahara desert. The origin of the Hausa states is a matter of controversy as the legend of their origin relates to an unspecified date in the remote times.[224]

One Bayajidda fled from Baghdad to Kanem-Bornu which was already an important state in the Chad basin. The early history of the Hausaland is covered by

[222] Nigeria Council Debate, Lagos, 1920.
[223] Hatch, *Nigeria, A History*, p. 43,
[224] Ajayi and Espie, *A Thousand Years,* p. 90, See also, Samuel Johnson, *History of the Yorubas*, Lagos: CMS 1950, pp.143-176.

scholars.[225] The Habe states appear to have been established in the territory of modern Hausaland about the tenth century. From the twelfth to thirteenth centuries, they were partially within the sphere of influence of the Islamic kingdom of Kanem-Bornu, unquestionably the dominant state in central Sudan.[226]

For more understanding of Northern Nigeria in tribal groupings, this study provides an estimated figure of more than two-thirds of the seventeen million Northern people in 1953 that belonged to the six largest nationality groups, as follows: 5.6 million Hausa, 3.1 million Fulani, 1.3 million Kanuri, 800,000 TV, 500,000 Yoruba, and 350,000 Nupe. The remaining five million people include about 220 linguistic groups, most of whom inhabit the southern half of the Northern Region where Hausa culture does not predominate.[227]The Hausa nationality includes a number of tribes that are related by the Hausa language, the Islamic faith and roughly similar physiognomic traits. Smith defines Hausa to mean "the entire settled Moslem, Hausa-speaking population."[228]

Given the vastness of the entity called Nigeria, the Hausa inhabit the north-west and north-central parts to the edges of the Sahara desert. The origin of the Hausa states is a matter of controversy as the legend of their origin relates to an unspecified date in the remote times.[229] This thesis demonstrates that two principal subdivisions need to be distinguished: the indigenous Habe and the "settled" Fulani, who have intermarried extensively with the Habe, assimilating their language and customs. Apart from the

[225] A chronological outline and survey of historical sources are presented here: see Thomas Hodgkin, *Nigerian Perspectives*, London: Oxford University Press, 1960, p. 1; Another nice work on Nigerian early history is by Michael Crowder, *A Short History of Nigeria*, New York: Praeger, 1962; see also Sir Alan Burns, *History of Nigeria,* London: Allen and Unwin, 1955); J. D. Fage, *An Introduction to the History of West Africa*, 2th edition, Cambridge: Cambridge University Press, 1959.
[226] T. Hodgkin, *Nigerian Perspectives*: *An Historical Anthology*, London: Oxford University Press, 1960, pp. 4-23.
[227] Sklar, *Nigerian Political Parties,* p. 6.
[228] M. G. Smith, *The Economy of Hausa communities of Zaria*, London: H.M.O., 1955, p. 3.
[229] Ajayi and Espie, *A Thousand Years,* p. 90, See also, P. A. Talbot in his "People of Southern Nigeria," London: vol. 1, 1926, pp. 276-78; See, Johnson, *History of the Yorubas*, pp.143-176.

"settled" Fulani, there are two other Fulani groups: pastoral nomads, called Bush or Cattle Fulani, and an intermediate group that is semi-pastoral and semi-agricultural.[230]

Each of the remaining nationality groups of the Northern Region is identified with a particular territorial subdivision, thus the Kanuri of Bornu province, the Nupe of southern Niger and eastern Ilorin, the Tiv of Benue Province and the Yoruba of southern Ilorin and western Kabba.[231] The Habe states appear to have been established in the territory of modern Hausaland about the tenth century. From twelfth to thirteenth centuries, they were partially within the sphere of influence of the Islamicised kingdom of Kanem-Bornu, unquestionably the dominant state in central Sudan.[232]

In 1804, a learned Fulani clan head, Shehu (Sheikh) Usuman dan Fodio rebelled against the persecution of Muslims by his pagan overlord, the king of Gobir. While each of the leading emirates in Hausa land and its periphery developed its own distinctive political system, certain principles of emirate rule are general. First, emirate rule is theocratic, involving the fusion of political and religious authority. Secondly, it is dynastic; normally, emirates are chosen by traditional electors subject to conditions that are peculiar to states, e.g., the presumptive heir of a single royal dynasty (Kano), from a number of royal dynasties in rotation (Bida), from alternative dynasties subject to the approval of an overlord (Zaria). Thirdly, emirs rule through aristocracies of birth and rank. Smith observes that "status is conferred by birth and is a prerequisite of eligibility for rank, but rank and office, as the Hausa say, is the gift of Allah.[233] During the colonial period, many new offices, were created for the conduct of administrative functions, e.g.,

[230] It is significant to highlight the fact that the assimilation of Fulani tribal group into Habe (Hausa ethnic groups) is akin to the Indonesian migrants into Malaya in the early years that form the bulk population of the Malays in Malaysia discussed ahead.
[231] Sklar, *Nigerian Political Parties*, p. 6.
[232] Hodgkin, *Nigerian Perspective*, pp. 4-23.
[233] Smith, *The Economy of Hausa Communities of Zaria*, p. 93.

education, agriculture, forestry, etc."[234] Relatively, the modern Hausa has developed from the context of traditional power and value.[235]

2.2.2 **Peoples of the Western Region**

This study also attempts to show as earlier demonstrated on Hausa/Fulani historical development that the Yoruba ethnic group is distinctively a different culture and geographically separated from other ethnic groups in Nigeria. For example, Yoruba are located in Western Nigeria. According to Yoruba legends, they originally came from the East. Sometimes, these folklores seem to affirm the similarities between the region, arts and burial customs of the Yoruba and the people of the Nile. The legends vary–the ancestors came from Egypt, Kush or Arabia and that the Yoruba migrated southward into the verges of the forest around A. D. 1000. They certainly found many people already inhabiting the land as the forest lands were populated long before the birth of Christ.[236] Further reflection on the background of Nigeria's history shows that over 70 percent of the 6.1 million people of the Western Region (1953) belong to the Yoruba nationality. Nine tribal or territorial sections have been distinguished, eight in the Western Region and the Federal Territory of Lagos, the ninth in neighbouring areas of the Northern Regions.[237] Non-Yoruba peoples inhabit the two south-eastern provinces of the Region, termed the Mid-West. The greater numbers are the Edo-speaking people; these include the Edo of Benin Province and the Urhobo of Delta Province. The Igbo-

[234] Smith, *The Economy of Hausa Communities of Zaria*, pp. 107-108.
[235] Skalar, *Nigerian Political Parties*, p. 8; Further issues articulated in Skalar's work reveal that elsewhere in the Northern Region, traditional forms of government vary widely, Kanuri and Nupe institutions resemble those of Hausa-land. In the lower North, indigenous systems of authority vary from the divine kingships of the Igala and the Jukun to the egalitarian if not anarchist polity of the Tiv. Nearly all of the 4.3 million animists and 550,000 Christians of Northern origin live in this southerly zone, called the middle belt. See Skalar, *Nigerian Political Parties*, p. 8.
[236] Hatch, *Nigeria, A History*, pp. 51-2.
[237] Daryll Forde, *The Yoruba-Speaking Peoples of South-Western Nigeria*, London: International African Institute, 1951, pp. 2-3.

speaking peoples inhabit easterly areas bordering on the Niger River; the Ijaw and the Itsekeri live mainly in the creek areas of the Delta Province.[238]

This thesis emphasises that the Yoruba have a unique origin. The Yoruba are believed to have migrated from northern Africa into their present homeland about a thousand years ago. Ill-lfe is the "cradle of Yoruba culture; but political pre-eminence was acquired by the city-state of Oyo which, by the late fifteenth century, had become the capital of a Yoruba empire. To the south, Oyo power was checked by the extensive but centralised kingdom of Benin.[239] However, tribal fable attributes the origin of the Yoruba to a deity, Oduduwa, who legend claimed to have reigned at Ife where he created the earth as well as its people that inhabit it.[240] The important royal dynasties of the main tribal parts are purported to have been established by the deified grandsons of Oduduwa. Minor royal lineages are ramified from Oduduwan branches and there are numerous kings, great and petty, in Yorubaland. The pre-eminent spiritual Oba[241] is the Oni of Ife.

This study looks at the fast-evolving civilisation of the Yoruba. It is indicative of the vigor of tradition in the modern western region that in 1960 the incumbent Oni was designated as the first African constitutional Governor. Certain features of political organisation are typical of the traditional Yoruba states. The basic element of the Yoruba political system is the patrilineage, an exogamous descent group whose members venerate a founding ancestor.[242] The classic illustration of Yoruba government is the kingdom of Oyo.[243] All decisions of the Alafin (king) of Oyo required the approval of his council of chiefs. Remarkably, in former times, a gift of parrot's eggs from the leader

[238] These groups form part of the large and numerous (over 250) ethnic groups being integrated into state-building effort in Nigeria.
[239] Sklar, *Nigerian Political Parties*, p. 10.
[240] J. O. Lucas, Oduduwa: A Lecture, Lagos: 1949; S. O. Biobaku, *The Origin of the Yorubas*, Lagos: 1955, p.15.
[241] Oba is 'king' in Yoruba traditional governance that was in place before the European incursion.
[242] For more information on the Yoruba lineage and related political institutions, see P.C. Lloyd, The Yoruba Lineage," *Africa*, XXV, July (1955):235-251; "The Traditional system Political System of the Yoruba," *South-Western Journal of Anthropology*, 10, No. 4, Winter (1954): 366.384; William B. Schwab, kingship and Lineage among the Yoruba" *Africa*, XXV No. 4 (1955): 352-374.
[243] The authoritative description of Oyo political institutions is found in, Johnson, *The History of the Yorubas*, pp. 40-78.

of the council was a sign to the Alafin that his death was desired by the chiefs and the people. The Alafin complied by taking poison, so that threat of a dreaded gift was a safeguard against tyrannical rule. The proscription of this custom by the British "dislocated the checks and balances of the old constitution."[244]

However, in theory and in practice, the powers of the Yoruba kings were regulated by customs and limited institutionally by countervailing organs of the state.[245] In 1953, 37 per cent of the population in the Western Region professed Christianity, 33 per cent espoused Islam, and 30 per cent followed indigenous animistic creeds. Over 96 per cent of the Muslims and 84 per cent of the Christians were located in Yoruba where the two faiths coexisted in amicable rivalry. Such interfaith tension as exists is largely a consequence of the superior educational and political opportunities which have been enjoyed by Christian elements in the past.[246]

2.2.3 **Peoples of the Eastern Region**

The Igbos showcase historical origin and cultural developments as a distinct group in Nigeria. For scholars, very little is known about the origin and the early history of the Igbo. In the first place, the Igbo like the Yoruba and the Bini were a non- literate people with no written record of their own. It is argued that the theory of Igbo origin is not all-embracing, is evident from the existence of groups with traditions of independent origin.[247] They had neither states nor empires, never developed centralised government but used totally different institutions.[248] Among the 7.2 million people of the Eastern Region in 1953, about five million or 61 per cent belonged to the Ibo nationality which comprises some 30 territorial sections. Non-Ibo peoples inhabit the southern and eastern sectors of the region. The largest groups are the Ibibio and the Annang who jointly total

[244] Margery Perham, *Native Administration in Nigeria*, London: Oxford University Press, 1937, p. 172.
[245] Sklar, *Nigerian Political Parties*, p. 11.
[246] Sklar, *Nigerian Political Patties*, p. 15.
[247] Ajayi and Espie, *A Thousand Years*, p. 196; G. I. Jones, *The Trading States of the Oil River*, O. U. P. 1963, pp. 30-31, contains a good account of the known Igbo traditions of origin.
[248] Hatch, *Nigeria, A History*, p. 62.

some 15 per cent of the regional population. The 75, 000 Efik people of Calabar in the Cross River Estuary have given their name to the language of the Ibibio-Annang who are classed with peoples of the Cross River Basin as Efik-speaking.[249]

Ijaw people, numbering about 265,000, inhabit the coastal creeks of the Niger Delta while the easterly Ogoja Province presents a linguistic medley which is yet undocumented in its entirety. Most of the region is thickly forested and densely populated – 269 persons per square mile is the average density as compared with 148 in the West and 67 in the North. In the Igbo heartland, population densities average 450 to the square mile. Population pressures led to many of them migrating to urban cities. The Igbo are unique in their administration. As Skilar observes, as a rule, traditional systems of authority and land tenure among the Igbo are patrilineal kin group.[250] The Igbo village chief is the head of a specified lineage; the chief of a senior village in a group may "preside" at meetings of the village-group. Sometimes village-group heads enjoy great prestige, but their authority never extends beyond the village-group. Chieftaincy is virtually unknown in some parts of Igboland and "tribal government is the collective rule of the senior age grade.[251] The dispersed power system of the Igbo is characterised by a high level of public democratic opinion expressed in decisions.[252]

In the context of cultural values, Igbo culture magnifies the value of individual achievement; yet the Igbo are known for their cooperative propensities as well, exemplified both by their enthusiasm for community development and by the multitude of voluntary improvement associations, e.g., town unions, clan unions, divisional unions etc that provide loans to businessmen, scholarships to youths, electoral support to politicians and other forms of communal development.[253] Ottenberg's account in this

[249] Sklar, *Nigerian Political Parties*, p. 18.
[250] Sklar, *Nigerian Political Parties*, p. 13.
[251] G. I. Jones, *Report of the Position, Status, and Influence of Chiefs and Natural Rulers in the Eastern Region of Nigeria*, Enugu: 1957, p. 44.
[252] See Jones, *Report of the position*, pp. 10-11.
[253] I. C. Jackson, *Advance in Afric*a, London: Oxford University Press, 1956, pp. 20-21.

historical narrative indicates that the Igbo are famous for their exceptional "receptivity to change".[254] This study deems it vital that there are two marginal Igbo groups that merit special mention in this account for the extraordinary influence on recent Igbo history.

First the Onitsha indigenes, numbering about 10,000 people are those who live mainly in the traditional sector of that great River Niger metropolis. The Onitshas are thought to have migrated from Benin in the 17th century; their traditional ruler, the Obi of Onitsha, is the sacred chief whose traditional political status in the eyes of his people is probably unmatched in Igboland. Indeed, twentieth century Onitsha which was the leading market on the Niger flourished in business. Diocesan headquarters were established by both the Anglican and the Roman Catholic missions; schools flourished, and education became order of the day.[255] Another group, the Aros are thought to have migrated from the North to their homeland in Enyong Division adjacent to the Igbo and Ibibio. Some Aro people affirm to their Igbo nationality while others deny it. Aro power emerged during the period of the slave trade which they dominated by establishing colonies along trade routes and procuring hapless Igbo people for sale as slaves to the chiefs at the coastal city-states, who sold them in turn to the European traders.[256] The Aro was an organised society system based on an oracle known as Aro Chukwu (God of the Aros) that was feared and respected throughout Igboland.[257] Basically, the foregoing facts underline the assertion that the three main ethnic groups in Nigeria are distinct. They were ruled by the British simultaneously with ethnic groups in Malaysia while the colonial rule lasted. This is the starting point of analyzing Nigerian plural society and numerous ethnic contestations which this study addresses.

[254]Simon Othenberg, "Ibo Receptivity to Change,"pp.130-143 cited in Sklar, *Nigerian Political Parties*, p. 15.
[255] Sklar, *Nigerian Political Parties*, p. 15.
[256] K.Onwuka Dike, *Trade and Politics in the Niger Delta, 1830-1885,* Oxford: The Clarendon Press, 1956:37-41, here p.45.
[257] Dike, *Trade and Politics in the Niger Delta*, p. 40.

2.3 **Assessing British Incursion, Colonial Rule and Nigerian Independence**

The focus of the study in this section is to establish the core origin of Nigeria as a nation, given the fact that its indigenous ethnic groups have earlier been identified. This is intended to provide information that enriches the historical development of country as an entity to enable the reader grasp salient features that surround its evolution and being. The important issues this study intends to uncover here are dates, the level of civilisation of the indigenous people, the activities of European firms as well as the amalgamation of northern and southern protectorates to form Nigeria with independence gained in 1960. While keeping the aforementioned goals of this section in mind, this study emphasises that the coming as well as the European activities in 1800 in West Africa transformed into the establishment of colonial rule in Nigeria which started with European annexation of Lagos in 1861. Similarly, such commercial intent, domination and colonial rule by the British in Malaysia will be discussed to establish the fact that both societies had similar experience in their early beginnings as former British colonies.

This study tends to show that the most significant single factor which influenced the economic history of Nigeria was the political and economic rivalry among the European nations in Europe as well as in Africa which led to British influence in Nigeria and subsequent domination. The British Government's influence in Nigeria started in 1851 when the British attacked Lagos in an attempt to force King Kosoko of Lagos to abandon slave trade. Lagos was taken over by the British powers in 1861 due to Kosoko's refusal to stop slave trade, and British administration was established.[258]

This study points out that as late as 1860 the great expanse of West Africa watered by the Niger River along its twenty-six hundred mile course was still largely *terra incognita* to most Europeans. It is learnt that between 1788 and 1830 a number of

[258]Olufemi R Ekundare, *An Economic History of Nigeria 1860-1960*, London: Methuen and Co.Ltd., 1973, p. 60. The capture and annexation of Lagos is also given by W. N. M. Geary in *Nigeria under British Rule*; F. J. Ajayi, "The British occupation of Lagos 1851- 61," pp. 96-105; Simon Ottenberg, "Improvement Association Among the Afikpo Ibo," *Africa*, XXV, No.1 (1955): 1-28.

intrepid travelers including Mongo Park, Hugh Clapperton and the Lander brothers had explored a scattered portion of Western Sudan. In 1851, the epic journey of Heinrich Barth had aroused considerable interest in the Muslim empire of Sokoto and Fulani Emirates of which it was composed.[259] The publication of Barth's five volumes on the history, manners and traditions of the Sudanese in the interior of Africa caught the attention of many. The Sokoto Emirate, despite the flurry of interest occasioned by Barth's journey remained largely unknown to Europeans. The Europeans eventually made their way to Borgu south of Sokoto, and in 1861 British mercantile interests within the Niger Delta had become strong enough to warrant annexation of the port of Lagos. They were aided by the proximity of the Royal Navy patrolling the offshore waters for slavers, but willing to dispatch a gunboat or two to the oil Rivers should the need arise as they were watchful of events taking place along the coast.[260]

Almost all trading and other activities until 1879 were carried out solely by European firms. This eventually brought about all sorts of rivalries between France, Germany and Britain. There were serious disagreements between France and Britain concerning the right to trade in the rich vast area of what is now Nigeria. Britain claimed dominion in the north by virtue of the Thomson treaties and subsequent agreements negotiated with Fulani rulers in 1890 and 1894. The rights conferred by the treaty were thus to bolster the British claims. The Berlin Conference had specifically forbidden the establishment of 'paper' protectorates and its General Act had established the criterion of effective occupation.[261] The Berlin conference had to deal with pacification so that each nation's interest was protected.[262]

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[259]Claire Hirshfield, *The Diplomacy of Partition, Britain, France and The Creation of Nigeria 1890-1898*, The Hague: Martinus Nijhoff, 1979, p. 3.
[260]Hirshfield, *The Diplomacy*, p.6; Okoi Arikpo, *The Development of modern Nigeria*, Baltimore: 1967, pp. 26-63.
[261] Hirshfied, The Diplomacy, pp. 6-22. See, Robert I. Rotberg, *Joseph Thomson and the Exploration of Africa*, New York: 1971, pp. 204 -07.
[262]See, Njoku, Legacy of Colonialism in Nation-Building, p.100; Hirshfield, *The Diplomacy of partition*, pp. 6-22.

Relatively, the exact date of the beginning of British colonial rule in Nigeria is not clear. However, it is argued that the British colonial rule in Nigeria started in 1914, because it was the year the "protectorate of Northern Nigeria and the colony and protectorate of Southern Nigeria were amalgamated into a single administrative unit styled the colony and protectorate of Nigeria".[263] This contention is supported by the fact that there was no such entity as Nigeria before 1900. British adventure in Nigeria started in 1861 when Lagos was proclaimed a crown colony. This assertion supports the fact that Lagos, which later became the capital of Nigeria, had been a significant part of the territories known today as Nigeria.[264]

In 1900, protectorates were proclaimed for Northern and Southern Nigeria, and in 1906 the Colony of Lagos was joined to the Protectorate of Southern Nigeria. From 1900 to 1906, Sir Frederick Lugard, a former army officer and agent of the British Royal Niger Company was "High Commissioner of the Protectorate of Northern Nigeria".[265] It is important to note that up to 1906 and indeed from 1900 to the time of amalgamation in 1914, both the Northern and Southern Nigeria were under separate administrations controlled by a British High Commissioner and a British Governor respectively.[266]

Nigeria became an entity in 1914 following amalgamation of the protectorates of northern and southern Nigeria by Sir Fredrick Lugard. As Kirk-Greene observes "sixteen years earlier, Flora Shaw, who later married Lugard, first suggested in an article in the *Times* that the British Protectorates on the Niger be known collectively as Nigeria".[267] However, before 1914 when the amalgamation took place, no geographical place was

[263]Pius Eze, "Political Integration and Social Instability, The Case of Nigeria, PhD. Thesis, University of Oregun, 1971, p. 35.
[264]Eze, "Political Integration and Social Instability, p. 35.
[265] Margery Perham, *Lugard: The Years of Authority, 1898 – 1945*, London: Collins, 1960.
[266] Eze, "Political Integration," pp. 37-38; F. D. Lugard, *Report on the Amalgamation of Northern and Southern Nigeria and Administration*, London: 1920; Sir Alan Burns – *History of Nigeria*, Ruskin House London: 1929 pp. 214-6; K. O. Dike *100 years of British rule in Nigeria*, Lagos: 1956, pp. 5 -32.
[267] Kirk-Greene, A.H.M., Who Coined the Name Nigeria? *West Africa*, 22 December 1956, (cited) in Philomena N. Njoku, The Nigerian Nation: Its Futuristic Perspective from Social Studies Point of View, in Nigeria Journal of Social Studsies, *A Journal of Social Studies Association of Nigeria*, Vol. 8 Number 1, 2005, p. 178.

defined as the present Nigeria. The various societies were conterminous with the existing ethnic boundaries. All these were altered during the colonial rule.[268]

There he established the practice of administration through emirs and chiefs that became known as the indirect rule or Native Authority System.[269] In 1939, Southern Nigeria was reorganised for administrative purposes into two groups of provinces – the Eastern and the Western.[270] The Second World War ushered in a new era of nationalists' movement for racial equality as well as for freedom. This led to agitation for political reform by the nationalists and three constitutions were ratified in the eight-year span of 1946-1954.[271] As earlier highlighted, Appendix B. table 1.1 shows the Nigerian population and area as at 1953. The foregoing demonstrates the active role of ethnic groups in Nigeria represented by their nationalists in the struggle for independence then.

This thesis demonstrates this, for example, the Constitution of 1946 was promulgated by the Colonial Government without consultation and was deeply resented by nationalists. The Colonial Government converted the Northern, Eastern and Western Provinces into governmental regions and provided for the creation of three non-elective regional legislatures. It was the first time an all-Nigerian Legislative Council was formed comprising a majority of unofficial members chosen mainly by regional legislatures. The nationalists who did not accept this constitution instead demanded for the introduction of a democratically elected responsible government. In 1947, the 'National Council of Nigeria and the Cameroons' (N.C.N.C) sent a protest delegation to London under the leadership of Dr. Nnamdi Azikiwe which was followed by a review of

[268] A. J. Ike, *Political Discourse in Social Societies: An Analysis*, Onitcha: Desvic Printing and Publishing Company, 2000, p. 2.
[269] The classic work on indirect rule is founf in Lord Lugard's, *The Dual Mandate in British Tropical Africa,* Fourth edition, London: William Blackwood, 1929.
[270] Sklar, *Nigerian Political Parties*, p. 18.
[271] Kalu Ezera, *Constitutional Developments in Nigeria,* Cambridge: Cambridge University Press, 1960; Sklar, *Nigerian Political Parties*, p. 18.

the constitution that led to it being replaced in 1951. This new constitution provided for the appointment of African ministers in both regional and central governments.[272]

It is important to point out that in spite of opposition to British arrangement by the ethnic groups, it did not take long when such an artificial and unworkable union started to show problems even before independence in 1960.[273] In view of the argument being advanced in this thesis, it is fair to admit that the pioneering elites in Nigeria owe greatly to the countries infirmities given their often distanced posture on Nigeria as a collective project. The negative perception of one of the Founding Fathers of the nation demonstrates this when he noted:

> "God did not create Nigeria, the British did."
> - Sir Ahmadu Bello, (The late Saduana of Sokoto).[274]

Bello's utterance signifies the artificiality of the entity which is not bound to endure. It coincides with Chief Awolowo's assertion below that Nigeria is an artificial creation and a mere geographical expression. This marks the starting point of assessing the abandonment of Nigeria as a collective project by the pioneering elites of the nation.

2.3.1 **Emergence of Ethnic Political Parties**

This section deals with political parties which is intended to demonstrate the ethnic divisions that brought about political parties which were formed along ethnic and regional lines. However, it is important to point out two features common to both countries at this point: (a), Political parties formed along ethnic lines at this time was not associated with Nigeria alone, rather such was also the case with Malaysia. (b) The British rulers introduced unitary system of government in both countries from the onset.

For example, the system of government itself remained essentially unitary until 1954, when a new constitution (framed by two all-party conferences) provided for a

[272] Sklar, *Nigerian Political Parties*, p. 19.
[273] Orji, "Issues on Ethnicity and Governance in Nigeria" , p. 436.
[274] See, Orji, "Issues on Ethnicity and Governance in Nigeria", p. 436.

genuinely federal form of government. Consequently, the leaders of the three political parties became the premiers of the regions. Alhaji Ahmadu (later Alhaji Sir, Ahmadu Bello) the Sarduana of Sokoto,[275] became the leader of the Northern People's Congress (NPC) Premier of the North. Chief Obafemi Awolowo of the Action Group (AG), became the Premier of the West; Dr. Nnamdi Azikiwe, leader of the National Council of Nigeria and the Cameroons (NCNC), became the Premier of the East. Simultaneously, the United Nations Trust Territory of the Southern Cameroons, which had been administered as part of Eastern Region was granted a separate government as Cameroons demanded, and constituted as a quasi-federal territory.[276] These political parties fought at realizing the independence of Nigeria.

2.3.2 **Independence**

While focus is on independence and ethnic unity, this study stresses that the same electoral process that produced pioneering leaders in Malaysia was also the case with Nigeria. For instance, and as this study will also discuss Malaysia later, the office of the Prime Minister in Nigeria was created, and in September 1957 Alhaji Sir Abubakar Tafawa Balewa, Vice President of the Northern People's Congress and the leader of his party in the Federal House of Representatives was designated Prime Minister. He formed a national government, including all major parties, which lasted until the federal election of December 1959. At a Resumed Constitutional Conference in 1958, the Secretary of State for the Colonies announced that if the next Federal Parliament passed a resolution for independence, the British Government "would introduce a Bill in Parliament to enable Nigeria to become a fully independent country on the 1st of October, 1960". In the federal election of 1959 the Northern People's Congress and

[275] A lineal descendant of the founder of the Fulani empire.
[276] Sklar, *Nigerian Political Parties*, p. 19; The earlier unitary system of government introduced by the British in Nigeria was an error in itself as shown in Awolowo's view ahead. The original idea in this sense may have been to unify Nigeria's diverse ethnic groups which were averse to cohere as an entity.

independent candidates supporting that party obtained 142 of the 312 seats in the House of Representatives, followed by the NCNC with 89 and the Action Group with 73. The NPC-NCNC coalition government was formed by Prime Minister Abubakar Tafawa Balewa. Dr. Azikiwe assumed the office of the President of the Nigeria Federal Senate. Alhaji Sir Ahmadu Bello, the Sarduana of Sokoto, remained as the Premier of the North, and Chief Obafemi Awolowo became the Leader of the Opposition in the Federal House of Representatives. At Nigeria's independence, the Cameroons Trust Territory was separated from it pending the outcome of a plebiscite under United Nations supervision. In 1961 the Northern Cameroons voted to rejoin the Northern Region of Nigeria, while the Southern Cameroons chose to be part of the Cameroon Republic.[277]

The thesis will also show similar scenarios in Malaysia in the case of Sabah and Sarawak that joined Malaysia in 1963 while Singapore was expelled from the federation in 1965. As earlier highlighted, the formation of the Nigerian nation-state led to the creation of its three main regions as shown in (Apendix A. Map 1.1). This has transformed into thirty-six states with the main ethnic groups shown in (Appendix D. Map 2.1).

2.3.3 **Ethnic Mindset at Independence and Views of Nigeria's Founding Fathers**

Negative views about Nigeria by its pioneering leaders impacted on the country's future generations. In effect, while the thesis addresses continuing ethnic conflict in Nigeria, the story remains real in both the past and present with continual calls for the unity of the country. For example, as gathered from Lord Hailey Report on Nigeria, between 1940 and 1941, Lord Hailey made an official visit to Nigeria and concluded in his remarks that Nigeria's future 'must be in political unity."[278] The Governor of Nigeria at this time, Benard Bourdillion (1935-43), agreed with Hailey by maintaining that no encouragement should be given to the manifestation of separatist tendencies in any part

[277] Sklar, *Nigerian Political Parties*, p. 20.
[278]Lord Hailey, *Report on Nigeria, 1940 -41,* London: 1942, pp. 19-20.

of the territory.[279] Sir Arthur Richards, at the time the Governor-General of Nigeria who after his political bloomers in Nigeria became Lord Milverton, in 1948 informed the Royal Empire Society in London that, "It is only the accident of British suzerainty, which has made Nigeria one country. It is still far from being one country or one nation socially or even economically ... Socially and politically there are deep differences between the major tribal groups. They do not speak the same language and they have divergent customs and ways of life and they represent different stages of culture".[280]

Since 1954, the three principal leaders of Nigeria, Azikiwe, Awolowo and Bello had combined certain common with no less important desire to be separate and autonomous in other matters in the Nigerian constitution. They pressed to obtain regional structure which conferred immense power on the political leaders of each region while leaving the centre weak. In 1960, each of the three major party leaders opted to remain in his region and each became a premier of his region while recommending no premiership at the centre until 1957. Certain reasons were advanced for this, thus it would lead to each region producing strong political leadership and create a vibrant middle class to help free the country from foreign control. This is evident in Azikiwe's establishment of the African Continental Bank- the official bank for the Eastern regional government, whereas the National Bank which was founded by Action Group members became the official bank for the Western Region. Ethnic intransigence led to the crisis of 1953 that ended the 1951 constitution which had provided for a strong centre and weak regions.[281]

In 1953-54, the constitution reversed the power of the regional governments and weakened the central government thereby complicating the task of central leadership. The regions had already affected governance in the regions that reflected a distinct national outlook. It is important to poit out that the major constitutional changes that

[279] Tammuno, *The Evolution of the Nigerian State,* pp. 566-567.
[280] Zalanga, "The Postcolonial State" p. 240. (cited) as –Quoted in Jide Osuntokun,
[281] Eze, "Political Integration," pp. 154 -155.

took place from post-World War II to the present have all had the effect of whittling down the powers of the central administration in favour of the regions.[282]

Given the foregoing political and ethnic forces in Nigeria's early fledging federalism, it is crucial for this thesis to point out that ethnic mindset of the nation's leaders distorted and fragmented the entire Nigerian society to being opposed to each other. The idea of allowing powerful regions paid off given numerous achievements that were recorded while each region moved at its own pace. In other words, there was a healthy competition among the three regions in Nigeria at this time. Ironically, before the effect of a weak centre was fully understood, the regions had become three extreme polar centres of power controlled by the three main ethnic groups in Nigeria. However, there was a considerable consistency in Malaysia's constitutional development. Later changes made to the Nigerian Constitution allowing for a strong center did not erase the ethnic mindset and the earlier cherished regional autonomy. This should be kept in mind by the reader in view of post-independence struggle for power and the devolution of the regions into twelve states discussed ahead.

All the negative perceptions by some of the pioneering leaders confirm such ethnic mindset that never projected the Nigerian nation in good light. For example, it is imperative to call to mind the position maintained by Awolowo who argued that "Nigeria is not a nation it is a mere geographical expression. The word 'Nigeria' is an administrative appellation to distinguish those who live within the boundaries of Nigeria from those who do not."[283] It has been observed that since Awolowo wrote his view about the nation-state of Nigeria as an artificial creation, events in the country have vindicated him as Nigeria has shown through its leaders that they are not a nation but a multi-national state.[284] While such negative views were not common with Malaysia's pioneering leaders, this thesis argues that there was real or imagined doubts on the

[282]B. J. Dudley, *Parties and Politics in Northern Nigeria*, London: Frank Cass and Co., 1968, p.268.
[283]Awolowo, *Path to Nigerian Freedom*, London: Faber, 1947, pp. 47- 48.
[284] Eze, "Political Integration," p. 177.

genuineness of the entity called Nigeria in the mind of its leaders. Abubakar Tafawa Balewa who later became the Prime Minister of Nigeria noted thus "Since 1914 the British government has been trying to make Nigeria into one country, but the Nigerian people themselves are historically different in their backgrounds, in their religious beliefs and customs and do not show themselves any sign of to unite … Nigerian unity is only a British intention for the country".[285]

Oftentimes, problems generate grumbling about inequality and uneven playing fields lead to conclusions and opinions which negate the base of emergent polity indicate dissatisfaction. Similar views were expressed in 1947 by Abubakar Tafawa Balewa, later the first prime minister of Nigeria who told the Nigeria Legislative Council that "Since the amalgamation of Southern and Northern provinces in 1914, Nigeria has existed as one country on paper; it is still far from being united, Nigerian unity is only a British intention for the country."[286] Given these negative views of the pioneering elites of the nation, this study stresses that it was the same problem of unity that led to the adoption of unitary system which was rejected later. For instance, Richard's constitution which did not aim at dividing the country, tried to heal the disunity by establishing a Constitution (Unitary) which was meant to provide unity in diversity.[287]

It is understood that Sir Arthur Richards as a practical administrator, took into consideration the disunity in the country in drafting his constitution. He had earlier noted that, "I do not think that Nigeria is after a sufficiently coherent whole, whether in the political, social or economic sphere to be capable of immediate and full self-government."[288] The new constitution is designed to bring the sense of unified interest beyond the realm of tribal jealousies, and to provide the training for ever swift advance

[285] James S. Coleman, *Nigeria*: *Background to Nationalism*, Berkeley and Los Angeles: University of California Press, 1963, p. 320.
[286] Zalanga, "The Postcolonial State" p. 240 (cited) as – Quoted in Jide Osutokun, "*The Historical Background.*
[287] Olusanya, *The Second World War,* p. 83.
[288] *Nigerian Legislative Council Debate*, 20 March 1944, pp. 6-8.

towards self-government. It is essential to understand the diversities in Nigerian- state in order to comprehend the history of Nigeria's complex governmental structure and her existing and frequently chaotic political past.[289]

However, it is of interest to reflect on the study carried out by A. V. Dicey, who argues that federalism connotes a constitutional arrangement that shares the power of the state among various component units each having its sphere of control as given by the constitution. In a multinational and multilingual state such as Nigeria, the federal system tends to be preferred. It has certain virtues such as decentralisation of activities, checks and balances and better representation. To lay the foundation of constitutional root of Nigeria, a large country in a unitary set up is unconceivable.[290] For Awolowo "Since the amalgamation (of Northern and Southern Protectorates of Nigeria) all the efforts of the British Government have been devoted to developing the country into a unitary State. This is patently impossible; and it is astonishing that a nation with wide political experience like Great Britain fell into such a palpable error."[291]

Awolowo who was inspired by Indian leaders' pronouncement relating to revision of provincial boundaries along linguistic lines also argued that Nigerian political boundaries were arbitrarily drawn. He queried, "Why should there be Yorubas and other non-Hausas in the Protectorate of Northern Nigeria? Why were Ibos and other non-Yorubas grouped together with the Yorubas in the protectorate of Southern Nigeria? I know the answers. At the Berlin Conference in 1885, the imperialist powers had paid no regard to linguistic or ethnic affinities nor to geographical features or boundaries in their final share-out of the territories of Africa."[292] If the idea of a federal constitution is accepted and if it is sincerely desired by the British government to create a platform in which all the ethnic groups in Nigeria could progress unhindered at various pace towards

[289] Ostheimer, *Nigerian Politics*, p. 6.
[290] A.V. Dicey, *Introduction to the study of the law of the Constitution*, 9th edn, London: 1952, p. 157.
[291] Awolowo, *Awo, The Autobiography*, p. 173.
[292] Awolowo, *Awo The Autobiography*, p. 161.

national integration and unity while retaining their peculiar ways of life, the existing administrative boundaries within the country must be redrawn, because three regions were constituted without regard to ethnological factors.[293] Crowder noted,

> Any country is, in a sense, an artificial creation. In the case of Nigeria, however, the union was so sudden, and included such widely differing groups of peoples that not only the British, who created it, but the inhabitants themselves have often doubted whether it could survive as a political entity. On 1st October 1960, despite many difficulties, focusing mainly on the differences among its various component groups, Nigeria became a sovereign federation.[294]

The quest for a solution became desirable as Nigeria's credo was expressed in the words of its African Governor General Azikiwe at the time of independence, "Let us bind our nation's wounds and let us heal the breaches of the past so that in forging our nation there shall emerge on this continent a hate-free, fear-free and greed-free people who shall be in the vanguard of a world task for whose assignment is not only to revive the stature of man in Africa but to restore the dignity of man in the world".[295]

The foregoing analogy shows that Nigeria's ethnic challenges, fledging federal formation and the overall foundational problem could be summed up in a historical context. This is because the British left weak institutional structures that could not provide the needed ethnic cohesion. "The British slowly but surely ceded power to a variety of indigenous forces that were divided along ethnic and tribal lines." This however led to what is commonly seen as north and south geographical divisions with less attention to national project and economic development.[296] The thesis also argues that the negative perceptions about the new nation by its founding fathers simply signaled danger ahead. There was disunity and hatred orchestrated by what Horowitz

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[293] Awolowo, *Awo The Autobiography*, p. 174; Obaro Ikime *Groundwork of Nigerian History*, Ibadan: Heinemann Educational Books (Nig), Ltd., 1980, p. 395.
[294] Crowder, "*The Story of Nigeria*," p. 23.
[295] James W. Ivy, *The Crisis (Fowled 1910 Reg. U.S. PAT OFF) A Record of the Darker Races*, Vol. 67, No. 10, 1960, p. 659; Elisa Daggs, *All Africa: All its Political Entities of Independent or Other Status*, New York: Hasting House Publishers 1970, p. 56.
[296] Atul Kohli, *State-Directed Development*, Cambridge: Cambridge University Press, 2004, pp. 291-292; James M. Cypher and James L. Dietz, *The Process of Economic Development*, Third edition, New York: Routledge 2004, p. 222.

describes as severely divided society.[297] Similarly, this study explores Malaysia's early beginning that provides certain similarities and contrasts to events observed in Nigeria.

2.4 **Malaysia: Introduction**

In this section, attempt is made to highlight in a precise manner the core origin of the main ethnic groups in Malaysia. The study approaches the genesis of the entity called Malaysia through recorded events by taking cognisance of critical issues in order to bring to the fore the differences and similarities in its early beginnings as observed on Nigeria in view of their acquired nationhood under the colonial tutelage. In this section, the main focus is on Malaysia's early features and a brief overview of its general characteristics. These relate to the country's diversity in terms of its segregated ethnic composition and environment. While Malaysia is viewed from its early history the study intends to describe the essential characteristics of its component parts and the experiences which have produced its present geographical shape and location.

2.4.1 **Salient Facts about the Origin of Malaysian Plural Society**

The focus of this section of the study is to trace the origin of Malaya through a brief historical but relevant dates as well as events that shaped its plural formation leading to the emergence of Malaysia as a modern nation in its current federal setting. It is important to note that until the beginning of 15th Century AD, it was difficult to reconstruct Malaysia's past with certainty. Lack of information prompted some historians to view the popular entreport of Melaka as the identifiable period to anchor the beginning of the past history of Malaysia.[298] Malaysia as a federation was fashioned without rebellion and, its territory which is partly bordered by the South China Sea and organised under its present 13 states and its federal territories has endured and has been

[297] Horowitz, *Ethnic Groups in Conflict*, p. 3.
[298] Barbara Watson Andaya and Leonard Y. Andaya, *A History of Malaysia*, London: MacMillan Press Ltd. 1982, p.7.

intact as one nation till today. It has also overcome the economic disruptions of the late 20th century better than a number of its neighbours. Achievement was made in the creation of a national history developed by consecutive governments to impart in Malaysia citizens and others of the development of the modern nation state.[299] These facts about Malaysia are consistent with events in Nigeria prior to British incursion.

2.4.2 **Colonialism and the Genesis of a Plural Society**

The point this study intends to highlight in this section is to underline certain events and recorded dates in connection with the incursion of the British and their commercial activities that changed the landscape of Malaya into becoming a multiracial society instigated by migration patterns. For example, Malaysia as a nation traces its origin back to the spread of British control in the incremental consolidation of territories starting from the founding of Penang in 1786 to the merger between Malaya and the British Borneo territories in 1963.[300] Over this period of 177 years, a series of political developments took place that propelled these territories into a single polity. Politically, the overarching factor that imprinted a large degree of commonality on the territories was the legacy of British laws and administration.[301]

British control began in the coastal enclaves of Penang, Singapore and Melaka but it took 80 years before they were consolidated, initially as a Presidency of British India and later as a single Crown colony. Similarly, political events that unfolded in the Malay States and Borneo territories in the nineteenth century witnessed the centripetal encroachment of British influence. The Residency system introduced in 1874 initiated the formative phase of modern political development and amalgamation of Perak,

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[299] Virginia Matteson Hooker, *A Short History of Malaysia, Linking East and West*, Australia: Allen & Unwin, 2003, p. x.

[300] Similar dates in 1800 have been highlighted on Nigeria. This study provides historical trends that are almost common to the two countries being compared. Similarities in thier historical epoch enrich this study too.

[301] Keong, (ed.), *Malaysian Chinese and Nation-Building,* p. 10.

Selangor, Negeri Sembilan and Pahang into the Federated Malay States (FMS) in 1895. This was an event that marked "the beginning of a political revolution" which brought about a major change in the government and function of the state.[302]

Subsequent British expansion led to the embrace of the northern States and Johore into the arms of its empire. In Borneo, British adventurers and commercial interests extended into an area that was larger than the Malay Peninsula. It was a unifying imperial hegemony over the separate territories that had justified their merger into the modern state of Malaysia.[303] From 1877 to 1895 and under the Residential system, the State Council was the instrument of government of the FMS and provided the constitutional basis of government of the individual protected state.[304]

Briefly, the thesis stresses that the influence of European and oriental empires in its heyday are too many to mention, however trade was the main cause of British interest in Malaya before the outbreak of the Napoleonic wars. For this reason the Island of Penang was rented on perpetual lease in 1786, after a long off-and-on series of overtures from the sultan of Kedah.[305] In a nutshell, Malaya has a multi-racial population which includes Malays[306], Chinese, Indians, Eurasians, Sinhalese, Arabs, Thais, and aborigines. The first three communities formed the dominant groups, about 97 per cent of the total population.[307] The population is essentially alien in character; it is composed predominantly of Malay, Chinese and Indian immigrants of descendants of such

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[302] J. Kennedy, *A History of Malaya*, 3rd ed., Kuala Lumpur: Abdul Majeed & Co., 1993, p. 188; Voon Phin Keong, ed., *Malaysian Chinese and Nation-Building*, p. 10.
[303] Keong, *Malaysian Chinese Nation –Building*, p.11.
[304] Emily Sadka, "The State Councils in Perak and Selangor, 1877-1895," in K. G. Tregonning (ed), *Papers on Malayan History*, Singapore: University of Singapore, 1962, pp. 89-119.
[305] Ngah, "Malay nationalism" p. 4.
[306] Malaya is a member of a larger race of whom about 3,000,000 live in Malaya and more than 70,000,000 in Java, Sumatra and the other Islands of Indonesia. Nobody is quite sure where the Malays came from originally, although many of them claim to have descended from Alexander the Great, – See Vernon Bartlett, *Report from Malaya*, London: Derek Verschoyle, 1954. Their Language is related to Sanskrit. Dr. Victor Purcell writes that their origin is as much disputed as that of gypsies. Some seven thousand years ago the first men are believed to have come down the Peninsula and to have crossed the Straits to the Indonesian Island, (for Victor Purcell –see, *Malaya: Outline of a Colony* (Nelson), cited in Bartlett, Report from Malaya, p. 23.
[307] Yusof bin Ngah, Malay Nationalism 1945-1957 MA Thesis, University of Otago, Dunedin New Zealand, 1967. P. 2; The Term "Malaya" is used in the thesis to include both the Malay Peninsula and the State of Singapore until 1948, after which the term denotes only the Federation of Malaya.

immigrants in Malaya before its opening up during the last century. The Malays have been settled in the country since before the beginning of the Christian era, but the majority of the present Malay population of the country descended from immigrants entering the country during the medieval and modern times.[308] They have been habitually, constitutionally and politically regarded as the "natives of the country and owners of the soil", in spite of being immigrants of longer standing than the Indians or the Chinese. Nicholas has pointed out that before 1960, the Orang Asli as an ethnic category did not exist. The numerous aboriginal communities in Peninsular Malaysia never saw "themselves as a homogenous group, nor did they consciously adopt common ethnic markers for self-identity".[309]

The greatest influx of the Malay people came in the 20th century from the Islands in what is known as the Malay Archipelago, the present republic of Indonesia.[310] The movement of population from Indonesia to mainland Malaya prior to 1874, was minimal showed poor figures, but it was obvious that Menangkabau, Batak, Rawa, Korinchi and Kandiling people from Sumatra, and Bugis from the Celebes settled in Negri Sembilan and Selangor. [311] In 1911, a total of 117,800 Indonesians were enumerated in the Straits Settlements, federated and unfederated Malay States.[312] The census of 1957 showed a total population of 342600 from Indonesia who were enumerated in Malaya and Singapore.[313] The Indians who migrated to Malaya at the close of 15th Century as well as the first four decades of the 20th Century were, like the Chinese, mainly illiterate labourers from South India. Out of a total of 2,725,917 Indian arrivals in Malaysia up to

[308] Ngah,"Malay Nationalism" p. 2.
[309] Colin Nicholas, the Orang Asli in the Malaysian Nation-State: The Politics and Development of a Marginal Indigenous Community, Kuala Lumpur: Doctoral Thesis, 1999, p. 7.
[310] Ngah, "Malay Nationalism" p. 3.
[311] Steven Hong-Chye Chee, Socio-cultural Pluralism and Political Change: The Dilemmas of the Bimodal Society in Malaya, Pittsburg: Doctoral Thesis, University of Pittsburg, 1971, p. 48.
[312] Chee, "Socio-cultural Pluralism and Political Change," p. 49; the focus here is to provide similar historical facts and population of these evolving ethnic groups in relation to events treated on Nigeria.
[313] Tunku shamsul Bahrin, *The Growth and Distribution of the Indonesian Population in Malaya*, Bidragen, 1967, pp. 267-286; A. B. Ramsay, "Indonesia in Malaya," *Journal of the Malayan Branch of the Royal Asiatic Society*, Volume 29, pt. 1. (1956):119 -124.

1941, about forty-four per cent were recruited under the kankany system.[314] The early populations of ethnic groups in Malaysia are shown in Appendix E. Table 2.2. Appendix F. Map 2.2 and G. Map 2.3 show states in West and East Malaysia respectively.

This study stresses that in Malaya which later became Malaysia, the British adventure and its colonial rule influenced the indigenous Malays. The presence of the British rulers and their economic and commercial exploitation intensified the need to absorb many Chinese and Indian migrants into Malaya. However, earlier immigrants from Indonesia sharing common culture, i.e. language, as well as religion practiced by the indigenous Malays assimilated easily and boosted the Malay population. It was a different case with the Indians the British were bringing into Malaya between 1900 and 1929, from Tamil-speaking areas of south India. Similarly as at 1405 the Chinese had started minimal migration to Malaya although in small numbers until the period of colonial rule that opened up economic opportunities.[315]

As earlier observed on Nigeria, the British were responsible for creating this community of foreigners who had little in common with the Malays. They exhibit differences in languages, race, religious practices and philosophy which define their cultural life separating the Malays, Chinese and Indians from one another.[316] Similarly, this is the starting point of analysing Malaysia's diverse ethnic groups in this study.

2.5 **Assessing Interethnic Co-operation towards Malaysian Independence**

The focus of the thesis in this section is first to assess measures that encouraged interethnic collaboration that transcended independence and victory by the nationalists. Significantly, the three main ethnic groups in Malaysia were seen as a community of strangers, but the unity and process that yielded their political stability and far-reaching

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314 Karnel Sing Sandhu, *Indians in Malaya*, Cambridge: Cambridge University Press, 1969, p. 97.
315S. Mackay, The Fragile Federation: Commercialism in Malaysia, Charlottesville: University of Virginia Master's Thesis, 1966, pp. 8 & 17.
316 T. Daniels, *Building Cultural Nationalism in Malaysia: Identity, Representation and Citizenship*, New York: Routledge 2005, p.188.

success is of interest to this study. This will give the reader some understanding on how independence was won under a federal structure and strengthened by consociationalism. However, in Malaysian plural society, the rise of nationalism among one segment activated a reactive nationalism among other-ethnic categories.[317]

It could be said that both Chinese and Indian nationalistic feelings gradually paved the way for the emerging Malay nationalism with the "domestication" of the various movements by the postwar colonial constitutional reforms with the institution of the Federation of Malaya agreement in 1948.[318] To understand this collective action, this study revisits Isabella's own words about the Malays thus, "The Malays undoubtedly must be remembered among civilized people…They have possessed for centuries systems of government and code of land and maritime law, which in theory at least show a considerable degree of enlightenment".[319] British dominance was rudely ended by the Japanese conquest in early 1942 that inflicted hardship on all the communities and many Chinese were massacred.[320] This study establishes the fact that Japanese aggression galvanized the Chinese into vigorous defense of the country. Many humble Chinese folks braved the perils, and suffered torture and death, to volunteer assistance to British soldiers, prisoners of war and civilian internees.[321]

One of the most "nationalistic" reactions among the people was the general unity for the purpose of resistance against foreign invasion. It raised people's awareness of the notion of the "state" and fostered a real sense of patriotism. The anti-Japanese resistance brought home to the people the importance of defending the land where they had settled

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[317] Chee, "Socio-cultural Pluralism and Social Change," p. 144.
[318] Chee, "Socio-cultural Pluralism and Social Change," p. 144.
[319] Miss Isabella Bird, in The Goden Chersenese, 1879 (cited) in Yusof bin Ngah, Malay Nationalism 1945-1957 MA Thesis University of Otago, Dunedin New Zealand, 1967, p. 1.
[320] Kee Onn Chin, *Malaya Upside Down*, Singapore: Jitts & Co.1946; Lawrence Siaw, *Chinese Society in Rural Malaysia: A Local History of the Chinese in Titi, Jelebu*, Kuala Lumpur: Oxford University Press, 1983.
[321] Cheng Lock Tan, Chinese are Not Enemies but Citizens of Malaya, A Speech Delivered at the Chinese Chamber of Commerce, Singapore, 7th June, Reproduced in a collection of selected Speeches and Press Articles by Tan Chen Lock from 1932 to 1952 under the title of *Why the Chinese Perturbed: Present Policy in Malaya*: 1952, pp.15-18.

down and "to make a commitment to Malaya to lay down their lives in defense of their families, properties and rights, something they had not been asked to do before the war."[322] Pre-war Malaya was a conglomeration of states with little overriding interest to unite for political freedom.[323] The return of the British in the immediate post-war years saw a contest in the plan for a future Malayan nation. In 1946, the Colonial Administration proposed a union of the Malay States, Penang and Melaka under a central government but in which sovereignty of the Sultans would be transferred to the British Crown and equal citizenship rights granted to Malays and non-Malays. This British plan for Malayan Union was quickly and forcefully rejected by the Malays.[324]

The proposed union was replaced by a federation of Malaya Agreement 1948 which was a "formal federal constitution" for Malay States and the Settlements of Penang and Melaka.[325] Malaya also emerged from years of colonial rule and the brief Japanese occupation into a world divided by a bitter ideological Cold War.[326] Given the complex multi-ethnic situation of colonial Malaya, the construction of the independent nation saw a bargain for rights and protection among the ethnic groups. Post-war realities reinforced the already changing Chinese attitudes on matters of domicile. According to Lim, "As the nation-building process could begin only with the possession of sovereignty by the people, the struggle for this status took the combined efforts of the Malays, Chinese and Indians …Merdeka in 1957. The three ethnic groups successfully forged a united front in the form of a political alliance to seek independence from Britain. A show of such unity was also a condition for the transfer of sovereignty".[327]

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[322] Boon Kheng Cheah, "Memory as history and moral Judgment: Oral and Written accounts of Japanese occupation in Malaya," in P. Lim Pui Ling and Diana Wong (eds.), *War and Memory in Malaysia and Singapore*, Singapore: Institute of Southeast Asian Studies, 2000: 23-41, here p. 28.
[323] Ngah, "Malay Nationalism," pp. 1-2.
[324] R. S. Milne and Diane K. Mauzy, *Politics and Government in Malaysia*, Singapore: Federal Publications, 1978; Keong, *Malaysian Chinese and Nation-Building*, p. 15.
[325] R. H. Hickling, *Essays in Malaysian Law*, Petaling Jaya: Pelanduk, 1991, p. 89.
[326] Keong, *Malaysian Chinese and Nation-Building*, p. 15.
[327] P. G. Lim, Towards national Integration: of the Constitution, governance and Ethnicity, INSAF, *The Journal of the Malaysian Bar*, XXXlI, No.1, (2003):1-24.

2.5.1 **Constitutional Foundation under a Federal System**

For the emerging Malaya nation, "a constitutional conference" took place in London in 1956 remarkably involving the British and the newly-formed Alliance government of, "United Malay National Organisation (UMNO), Malayan Chinese Association (MCA) and Malayan Indian Congress (MIC)", and the rulers agreed on independence for Malaya by August 1957.[328] A Commission headed by Lord Reid was appointed to draft a constitution.[329] However, a federal form of constitution of self-governing within the commonwealth under a parliamentary democracy with a bicameral legislature were terms of reference to Lord Reid Commission, which also include,

> (i) the establishment of a strong central government with the states and settlement enjoying a measure of autonomy and with machinery for consultation between the central Government and the states and settlements on certain financial matters to be specified in the Constitution, (ii) the safeguarding of the position and prestige of Their Highnesses as constitutional Rulers of their respective States, (iii), a constitutional head (Yang di-pertuan Agong) for the Federation to be chosen among their Highnesses the Rulers, (iv), a common nationality for the whole federation, (v), the safeguard of the special position of the Malays and the legitimate interests of the communities.[330]

The Reid Commission report was studied by a working party which resulted in a White paper entitled *Constitutional proposal for the federation of Malaya* (Colonial Office 1957). Among the difficult tasks of winning independence were tough inter-ethnic negotiations in what is now known as the Merdeka Compact or "Bargain of 1957" to agree to the demands and sensitivities of each community.[331] The alliance accepted a constitution that would specify, among other things, the special position of the Malays and the sultans and constitutional monarchs, Malay as the national language, and Islam as "the religion of the Federation." On the sensitive issue of citizenship, it was provided

[328] Keong, *Malaysian Chinese and Nation-Building*, p. 17.
[329] Bari Aziz Abdul, *Malaysian Constitution: A Critical Introduction*, Kuala Lumpur: The Other Press, 2003, pp. 26-27.
[330] Abdul, *Malaysian Constitution*, p. 26-27.
[331] Donald R. Snograss, Inequality and Economic Development in Malaysia: *A Study Sponsored by the Harvard Institute for International Development*, Kuala Lumpur: Oxford university press, 1980; Pek Koon Heng, *Chinese Politics in Malaysia: A History of the Malaysian Chinese Association*, Kuala Lumpur: Oxford University press, 1988; Keong, *Malaysian Constitution*, p. 17.

that "every person born within the Federation on and after Merdeka day" shall be citizens by operation of law (*Constitution of the Federation of Malaya, article 14 (1)(b*)).

This principle of jus soli was applied by the Federation for the first time.[332] The bargain was made in the context for the Malays to hold political power to balance Chinese economic power. The Constitution adopted thus has an indigenous character in possessing elements that are unique to Malaysia, namely "the sultanates, the position of Islam, the position of the Malay language and the special privileges of the Malays".[333] While the British colonial rule was coming to an end, the British officials made it mandatory that the three main ethnic groups must unite and work together in order to achieve ethnic harmony in Malaya. This called for a formula for enhanced inter-racial cooperation. The three main ethnic groups negotiated between 1955 and 1956 and achieved a 'Social Contract' along the process which metamorphosed into UMNO-MCA-MIC Coalition that won the first general election in 1955. Two years later, after independence talks had been concluded, the British Government handed over power to the UMNO-MCA-MIC coalition government.[334] Given the mutual constitutional development in Malaysia, this thesis argues that the spirit of joint effort in providing a lasting constitution in Malaysia by its ethnic groups deferred markedly from such contested constitutional arrangement in Nigeria. For example, as observed above, the constitution of 1946 was promulgated in Nigeria by the Colonial Government without consultation and was deeply resented by her nationalists. This prompted the 1947 protest to London. No doubt this may have led to the premonition by one of the Nigerian elites that "God did not create Nigeria, the British did," and such other derogatory remarks on Nigeria as an artificial creation. All these and more account for

[332] Visu Sinnadurai, "The citizens Laws of Malaysia", in Tun Mohamed Suffian, P. Lee and F. A. Trindade (eds), *The constitution of Malaysia, Its development: 1957-1977,* Kuala Lumpur: Oxford University press, 1978, 69-100, here p. 76.
[333] Abdul, *Malaysian Constitution,* p. 43.
[334] Kheng, *Malaysia: The Making of a Nation,* pp. 2-3.

variations in the early formation of Nigeria and Malaysia which fit into the analysis of how their past histories have helped to shape their respective contemporary situations.

2.5.2 **Extending Citizenship Terms to Non-Malays for Interethnic Harmony**

This section of the thesis provides insight into how the British genuinely made sure that Malaysia was truly united. It also provides a contrast to view Nigeria where all its main ethnic groups are not- migrants. However, the perception in Malaysia is seen in the light of 'natives' and 'foreigners' and the British desire to lift Malaya above ethnic and racial collision. For instance, in 1952, given the good work of the communities Liaison Committee, and Onn's strong support, the British authorities in Malaya succeeded in convincing the Malay Rulers to give their assent to the modified citizenship provisions for non-Malays in the federal constitution. A new Federal citizenship ordinance and nine State nationality Enactments were introduced in 1952.[335]

Under these laws, if a Chinese was born in a Malay state he becomes automatically a subject of a sultan and was qualified to become a Federal citizen; similarly, if one of his parents had been born anywhere in the Federation, he was also qualified to be a citizen. It brought in large numbers of second-generation Chinese.[336] It also enabled several categories of citizens of the United Kingdom and Colonies to become Federal Citizens. However, an alien who became a citizen by naturalization or registration was required to renounce his foreign nationality. The MCA, however, demanded that citizenship should be based on *jus soli,* but this was not acceded to. As Mills observes, "The only answer which could be made was that the law of 1952 was as

[335] K. J. Ratnam, *Communism and the Political Process in Malaya*, Kuala Lumpur: University of Malaya Press, 1965, p. 86; Kheng, *Malaysia: The Making of a Nation*, p. 29.
[336] Lennox A. Mills, *Malaya: A Political and Economic Appraisal*, Westport, Conn: Greenwood Press, 1973, pp. 81-82.

much as the Malays could be persuaded to concede after two and half years of negotiation, and that Britain was not prepared to compel them to go further".[337]

This study discovers that by May 1952, about 346,935 aliens had been naturalized, of whom about 300,000 were Chinese. Expressed in total number, Malaya's citizens were distributed as follows: about 2,650,000 Malays and Malaysians, 1,100,000 Chinese and 180,000 Indians. The British authorities agreed in December 1952 that non-Malay Federal citizens would be admitted to the service in the ratio of one to every four Malays appointed, but "this was as large a concession as the British officials could persuade the Malays".[338] Malay special rights' being discriminatory in nature is not observed in Nigeria, as hatred and suspicion among ethnic groups tend to create serious divisions in Nigeria. All such compromises in Malaysia which helped to unify its ethnic groups were almost lacking in Nigeria in what can be described as a zero sum game.

2.5.3 **Unified Interest: Alliance won Independence**

This study intends to underline the fact that political parties in Malaysia were formed along ethnic lines as seen in Nigeria. However, the only marked difference was the sustained alliance between UMNO and MCA in their faith and focus on Malaysia's future unlike the NPC and NCNC in Nigeria that did not last because there was lack of compromise. This thesis substantiates this assertion, for instance, in 1952, Tunku Abdul Rahman, with the support of UMNO, demanded that Malaya be given independence within three years in response to the IMP's demand within seven years. In March 1953 the leaders of UMNO and MCA announced they had reached agreement on the principle of general elections for the federal legislative council. Attempts were made to reconcile differences between Datuk Onn and Tunku Abdul Rahman, but their meeting proved unsuccessful. According to one source, the former insisted that "the Tunku would have

[337] Mills, *Malaya: A Political and Economic Appraisal*, p. 83.
[338] Mills, *Malaya: A Political and Economic Appraisal*, p. 84.

to dissolve the Alliance and join his IMP"[339] Soon after this, the UMNO-MCA Alliance demanded the establishment of an Independent Constitution Commission to inquire into constitutional reforms, aimed apparently at reviewing the 1948 Agreement. Its members were to be composed of eminent jurists from outside Malaya. In February 1954, Onn launched his Party Negara. After the various political parties had aired their proposals at the general elections, the new High Commissioner, General Templer, announced, with the consent of the sultans, that the new Federal Legislative Council would consist of 52 elected and 46 nominated members. Elections would be held in early 1955. The UMNO-MCA Alliance was dissatisfied with an elected majority of only six, and threatened to boycott the elections. It withdrew the threat after the next High Commissioner MacGillivray assured Tunku Abdul Rahman of meeting with the majority elected party to appoint some of five or seven nominated members"[340] The Alliance under the Tunku's leadership swept into a landslide victory in Malaya first-ever general elections on 17 July 1955, winning 51 of the 52 seats. The way Tunku had changed from an exclusionary Malay nationalist, was how he had persuaded his UMNO party to make compromises and accept the Alliance's concept of inter-racial unity. [341] It was agreed that the country's independence should be in August 31st, 1957.[342]

Finally, constitutional developments towards independence status in Nigeria and Malaysia which were former British colonies show three similarities: First is that the British adopted a federal constitution to lay democratic foundations in both federations. Second, coalition between ethnic political parties was encouraged to unify the ethnic groups as observed in NPC-NCNC and UMNO-MCA coalitions in Nigeria and Malaysia respectively. Third, the continuing misgivings in Nigeria at independence prompted Azikiwe to caution: "Let us bind our nation's wounds and let us heal the breaches of the

[339] T. H. Tan, *The Prince and I*, Singapore: Mini Media, 1979, p. 28.
[340] Tan, *The Prince and I*, pp. 97-98.
[341]Diane K. Mauzy, *Barisan Nasional: Coalition Government in Malaysia*, Kuala Lumpur: Marican & Sons, 1983, p.26.
[342] Kennedy, *A History of Malaya*, p. 291.

past …" as quoted above. Similarly, Tunku had persuaded his UMNO party to make compromise and accept the Alliance's concept of inter-racial unity. Two different scenarios emerged: Alliance co-operation was sustained while independence was won in Malaysia whereas divisions among ethno-political parties in Nigeria as Azikiwe had warned led to early electoral and census debacle in Nigeria as shown in chapter six of this study. This explains the social environment and ethnic conflict in both federal states.

2.6 **Logic of Case Selection, and the Assessment of Ethnic Groups' Environment**

2.6.1 **Introduction**

In this last section of the chapter, the thesis first sheds light on the logic of comparing the two countries. Second, it gives insight into the environment that harbours the ethnic groups in the two countries. It explains the location of the ethnic groups given their patterns of either geographical locations, or clustering. This is explored to shape readers understanding about ethnic behaviours, cohesion, or propensity towards conflict.

2.6.2 **Logic of Case Selection in Comparing Nigeria and Malaysia**

This study employs McMichael's incorporated method of comparative study on a world scale.[343] The logic of this comparison is premised on the following shared factors: First, both Nigeria and Malaysia belong to the world history of post-colonial state formation which began immediately after the World War II involving countries in Asia and Africa. Second, both countries are former British colonies. Third, both are multi-ethnic countries with politically dominant ethnic groups that were economically weak at the threshold of their independence and the economically dominant ethnic groups that were politically less powerful. This describes the Igbo and the Yoruba in the South, who were dominant economically, educationally and professionally while the North-based

[343] Philip McMichael, "Incorporating Comparison within a World-Historical Perspective: An Alternative Comparative Method," *American Sociological Review* 55, no. 3 (1990):385-397.

Hausa/Fulani dominated the political arena.[344] In Malaysia the Chinese are powerfully dominant in the economic arenas, educationally and professionally whereas the Malays are more powerful politically.[345] Fourth, the two are multi-religious countries. Fifth, Nigeria's 1967-1970 Civil War, and Malaysia's racial riots of May 13, 1969 define early contestations and brutal conflicts in both countries. Sixth, both countries are among plural societies included in Horowitz Theory of *Ethnic Groups in Conflict* which makes ethnic conflicts in both countries uniquely explored and interpreted in this study.[346]

2.6.3 **Living in Clusters and Geo-ethnicity Exhibiting Levels of Conflict**

In spite of certain shared factors, it is crystal clear that the nature of the ethnic groups in both countries varies considerably in some other ways. Their environment is vital in the analysis of their cleavages and conflicts. While ethnic groups in Malaysia are known for living side by side, it simply describes the accident of history for numerous Chinese and Indians to live in clusters with the indigenous Malays they met on their arrival into Malaya. However, this pattern of living side by side without intermingling is emphasized by Nordin Razak who posits that the uniqueness of Malaysia is the characteristic of its society where ethnic groups live together, yet they preserve and maintain their various (a) identities, ((b) cultural languages (c) codes of dress, customs, culture; behavioural patterns, architectural background and tradition thus living side by side while maintaining separate cutures.[347] In spite of ethnic groups in Malaysia being divided by

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[344] Joseph Richard, *Democracy and Prebendal Politics in Nigeria,* New York: Cambridge University Press, 1987.

[345]James V. Jesudason, *Ethnicity and the Economy: The State, Chinese Business, and Multinationals in Malaysia,* Singapore: Oxford University Press, 1989, p. 1.

[346] Horowitz, *Ethnic Groups in conflict,* p.3.

[347] Nordin Abd Razak, I. Gusti Ngurah Darmawan and John P. Keeves, "Cross-cultural Views of Teacher Commitment in Malaysia," in Oon Seng Tan, Dennis M. McInerney, Arief D. Liem and Ai-girl Tan (eds.), *What the West Can Learn from the East: Asian Perspectives on the Psychology of Learning and Motivation,* Charlotte, NC: IAP-Information Age Publishing, Inc., 2008, 101-136, p.105; Valerre Clifford, "The Internationalised Curriculum (Dis) locating Students" in Elspeth Jones (ed.), *Internationalisation and the Student Voice: higher Education Perspective,* New York: Routledge, 2010, p. 171.

race, language, religion, custom and places of abode, they still intermingle in opposing sides on virtually every politically relevant issue.[348]

Conversely, Nigeria's Igbo, Hausa/Fulani and Yoruba main ethnic groups are all natives, although some may have migrated into their present location centuries ago. These ethnic groups in Nigeria are located at different concentrations and different geographical locations which sometimes show differences in climate as well as activities, of the different ethnic groups which settled in different locations. The differences in climate among some of the ethnic groups, lead to differences in the ways they carry out the business of their lives especially in agriculture. Salami also observes that "Nigeria is no doubt a conglomeration of different ethnic nationalities. This has serious impacts on national identity. It is possible to argue that national identity is a myth within the structure of the Nigerian nation-state."[349] For Okehie-Offoha, the definitions of ethnic group vary because of assumptions peculiar to time and location. Specific to Nigeria, "I define ethnic group as a collection of people who share a similar language, live in a given geographical location, and are conscious of their common bond." [350] All these explain the geographical locations of ethnic groups in Nigeria which collaborates with Cobbah's view on Africa's geoethnicity which is reinforced by what he calls its 'standing place':

> In Africa, this ethnic identity is above all other things a territorial identity. Nothing defines the ethnic group better than its 'standing place'. The term geoethnicity has been used to describe African ethnic phenomenon. Geoethnicity as opposed to non-territorial ethnic identification involves the historic identification of an ethnic group with a given territory, an attachment to a particular place, a sense of place as a symbol of being and identity.[351]

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[348] Diane Mauzy, "Malay political hegemony and coercive consociationalism" in John McGarry and Brendan O'Leary (eds.), *The Politics of Ethnic Conflict Regulation*, New York: Routledge, 2013, 106-127, here p.107

[349] Yunusa Kehindea Salami, "Ethnic Pluralism and National Identity in Nigeria," in Rodney D. Coates (ed.), *Race and Ethnicity Across Time, Space and Discipline*, Netherlands: Koninklijke Brill NV, Leiden, 2004, 397-406.

[350] Marcellina U. Okehie-Offoha, "Introduction" in Marcellina U. Okehie-Offoha and Matthew N. O. Sadiku (eds.), *Ethnic & Cultural Diversity in Nigeria*, Trenton, NJ: Africa World Press, Inc., 1996:1-8, pp. 5-6.

[351] J.A. M. Cobbah, "Toward a geography of place in Africa: Redefining sub-state sel-determination Rights" in R. J. Johnston, David B. Knight and Eleonore Kofman (eds.), *Nationalism, Self-determination and Political Geography,* London: Croom Helm, 1988:70-86, p. 73.

Given Cobbach's point of view on African setting, this study stresses that ethnic groups in Nigeria have their ethnic homelands or their 'standing place' as observed in their geographical separations. For example, the Igbo ethnic group and others often withdraw in their large numbers to their homelands whenever and wherever serious violence threatens their lives in other parts of Nigeria. Such happened during the 1966 military coup and subsequent massacre of the Igbo in Northern Nigeria prompting their exodus to Eastern Nigeria. In fact, the returnees are often given heralded welcome by their kin as survivors. This is explained in Colin Legun's analogy that "…the scene in the Eastern Region continues to be reminiscent of the in-gathering of the exiles into Israel after end of the last war."[352] For Nnamdi Ijeaku, "The return to East was a home-coming, the place of last resort, the line of last defence!! Biafra was all the above to the returnee Easterners during the period!!![353] Apart from sporadic occurrences, such partial withdrawals were witnessed during Babangida and Abacha years of intense ethno-political upheavals in Nigeria in the 1990s. Iloegbunam remarks: "The Igbo man in the country is always on the run –"*Ogba Oso*" due to their past bitter experience in Nigeria.[354] Worst still, certain killings of the Igbos or Yoruba in the North raises reprisal attacks on northerners residing in the Southeast and Southwest and triggers mass exodus of Hausa/Fulani back to the North. This is in part the hostility in Nigeria's geoethnicity in contrast to Malaysia's ethnic groups living in clusters. As a force, they are sensitive to threats against their members, and undeterred in their retaliatory posture hence such separate geographical locations makes them think they are truly different nations as seen in Igbo secession bid. Given this scenario, this study argues that it is partly a combination of other factors in the Igbo undying commitment to secede from Nigeria.

[352] Colin Legun cited in Nnamdi J. O. Ijeaku, *The Igbo and Their Niger delta Neighbors: We are No Second Fools*, Bloomington: Xlibris Corporation, 2009.
[353] Ijeaku, *The Igbo and Their Niger delta Neighbors,*
[354] C. Iloegbunam, *Journey to the Throne: A Story of Eze Professor Green Nwankwo*, Lagos: Press Alliance Network Limited, 2005; Chris C. Ojukwu, "Igbo nation, modern statecraft and the geopolitics of national survival in a multiethnic Nigeria," *African Journal of Political Science and International Relations* Vol. 3, no.5 (2009):182-190, here p. 188.

While this is left for debate, there are similar ethnic groups elsewhere in the world that have endured with a host of other groups. But the problem of ethnic divisions, cleavages and geoethnic patterns in Nigeria is unarguably reinforced by what Horowitz calls cultural differences. He opines that when cultures differ, it creates dichotomy. Cultural differences divide ethnic groups and such divergence obstructs smooth interethnic relations hence it fosters ethnic conflict. [355]

2.7 **Conclusion**

This chapter has explored historical facts of the past that clarify most of the events that shape the present. A grasp of the early stages of these societies is meant to shape readers understanding as to how the European incursion disrupted natural evolution of these societies that later became Nigeria and Malaysia. The study has traced the historical origins, locations and of the evolutionary stages of the main ethnic groups in Nigeria and Malaysia before the British incursion. No thorough work on these plural societies could be well grasped without knowing their roots. It serves as a benchmark to evaluate their current sense of primordial affiliations for proper assessment of such inclinations to identity the cause of conflict in both countries. This chapter has established a number of facts under which some events in later chapters are rooted.

First, the study has shown through this chapter that ethnic groups in Nigeria are diverse and distinct in their origins. Second, the event of the1914 Amalgamation owes a lot to the existing dichotomy between the Northern and the Southern Nigeria. Third, the thesis traced Nigerian ruling elites as early champions of nationalist movements in Africa, but hatred and uncompromising attitudes shaped their interactions while the colonial rule lasted. In a nutshell, the negative views of Nigeria's 'Founding Fathers'

[355] Horowitz, *Ethnic Groups in Conflict*, p. 135.

reconfirm exacerbated shift of interests to their respective regions at the expense of the centre which became weak and has remained weak to its current troubles.

In other words, this fact had considerable significance for the way in which the colonial empires were run and for the successor states. This study argues that the diversity of these societies meant that a colony did not have a single united consciousness, at least until one was created, often only momentarily, in the course of the struggle for independence. Until then the imperial power could deal with localities rather than a country. It shows how it ruled by division without having to divide. Conversely, after the end of empire this diversity meant that, when the new states were given back their 'mind' they were, in most cases, given something they never had before in that form and which they found it very difficult to use. That is, they had never before had, or been able to think collectively as a single nation or state. This was the situation in Nigeria at its independence and immediate post-independence period. This explains Horowitz's emphasis on hostilities and other negative ideas that intensified in the early years of many decolonised societies which he featured Nigeria due to interethnic juxtaposition which strictly does not allow political leaders to transcend other ideas.[356]

Similarly, the study has demonstrated how Britain came in contact with three racial groups in Malaysia that were migrants from China and India joining the Malays (largely natives, with earlier migrants from Indonesia) who had already settled in Malaya. There was much struggle, competition and hatred among the Malays, Chinese and Indians who were the main racial groups in Malaya. The study has shown that ethnic groups in Malaysia had their differences during the colonial rule, but they united to gain independence. A number of issues are uniquely vital in shaping our views on Malaysia.

First, this chapter has shown that ethnic groups in Malaysia are truly of distinct origins. Second, Malaysia had racial problems during its British colonial rule as seen in

[356] Donald L. Horowitz, Structure and Strategy in Ethnic Conflict, Paper prepared for the Annual World Bank Conference on Development Economics, Washington D.C., April 20-21, 1998, p. 9.

Nigeria. Third, the study has demonstrated how maturity, co-operation and accommodation within the Malaysian elites stimulated ethnic unity leading to their independence. The fact is that from the onset both countries had ethnic problems but Malaysian elites were able to achieve considerable compromise. However, Nigerian elites could not transcend above ethnic and regional differences which provoked a diminished sense about Nigeria as a collective choice. This conflict is more explored in chapter four ahead. Federal designs in both Nigeria and Malaysia which are explored next truly explain their constitutional arrangements to manage their ethnic diversities.

CHAPTER 3

Federal Design in Accommodating Pluralism in Nigeria and Malaysia

3.1 **Introduction**

The preceding chapter of this thesis provided insights into the origins and the early history of Nigeria and Malaysia. Ethnic conflict as a social phenomenon largely occurs between ethnic groups observed in disputes, cleavages and sometimes clashes across ethnic regions.The functions of the federal government and its federating units are enshrined in the Federal Constitution with their defined boundaries. This chapter fulfills two main goals in the entire discourse on ethnic pluralism, conflict and comparative analysis of Nigeria and Malaysia. (i) It serves as a lens to view in brief the constitutional design of Nigeria and Malaysia as a social architecture to manage ethnic diversity. (ii) This chapter is also designed to serve as a lens to view ethnic compositions, wealth gap and conflicts in both countries about which federalism was desired to mitigate.

3.2 **The Federal Constitution of Nigeria and Malaysia Compared**

Nigeria and Malaysia are two multiethnic and cultural diverse countries. The formation of the two countries as captured in the earlier chapter was a product of the British adventure in Africa and Asia. In other words, both countries were constructed by foreign conquest given the fact that colonial form of authoritarianism underlying "indirect rule" did not create a legitimate social contract especially among constituent groups in Nigeria. As this study argues, the idea of pulling diverse peoples together to form a federal polity and effort at sustaining their social co-existence are two extreme poles in the analysis of fragile and often conflict-ridden plural societies. Given the fact that ethnicity is self-seeking for group maintenance and benefits, this study explains that scarcity of resources and often absence of mediating agent or ameliorating conditions makes ethnic conflict more severe in most recently decolonised and divided societies.

Given this focus, this study contends that creating a federal state is not an end in itself, because plural societies of the developing world are confronted by a dual challenge of achieving sustainable economic development amid the task of managing volatile inter-ethnic relations.[357] Hence federal constitution as a social architecture that deals with problems in multicultural societies is vital. Yet, differences exist between the federal constitution of Nigeria and that of Malaysia. For example, in Nigeria, the constitution does not mention ethnicity in the framers calculations as seen in the case of Malaysia, rather the constitution stipulates states and regions for obvious ethnic problem. For instance, Part 1 under Chapter 1 of General Provisions states,

> 1.-(1) This Constitution is supreme and its provisions shall have binding force on all authorities and persons throughout the Federal Republic of Nigeria. (2) The Federal Republic of Nigeria shall not be governed, nor shall any person or group of persons take control of the Government of Nigeria or any part thereof, except in accordance with the provisions of this Constitution. (3) If any other law is inconsistent with the provisions of this Constitution, this Constitution shall prevail, and that other law shall to the extent of the inconsistency be void. 2-(1) Nigeria is one indivisible and indissoluble Sovereign State to be known by the name of the Federal Republic of Nigeria. (2) Nigeria shall be a Federation consisting of States and a Federal Capital Territory. 3-(1) There shall be thirty-six States in Nigeria.[358]

The Nigerian Constitution provides for a bicameral legislature at its National Assembly, for instance "4-(1) The legislative powers of the federal Republic of Nigeria shall be vested in the National Assembly for the Federation which shall consist of a Senate and a House of Representatives; 4-(6) The legislative powers of the State of the Federation shall be vested in the House of Assembly of the State; 6-(1) The judicial powers of the Federation shall be vested in the courts to which this section relates, being courts established for the Federation". For all intents and purposes, the constitution of Nigeria is purely federal in its outlook and is a written constitution that shows in its distinctiveness the separation of powers between the federal government and the

[357] Dhananjayan Sriskandarajah, "Development, Inequality and Ethnic Accommodation: Clues from Malaysia, Mauritius and Trinidad and Tobago," *Oxford Development Studies*, Vol.33, No.1, (2005): 63-79, here p. 63

[358] *Constitution of the Federal Republic of Nigeria*, Lagos: Federal Government Press, 1999, p. 1.

federating units.[359] Nigeria runs a bicameral legislature as seen in its Upper and Lower Houses of Assembly- Senate and House of Representatives which make laws that are rigid to amendments. Nigeria's rigid constitution is a strong feature in the covenant that holds a federation together.[360] The guiding principle for a fair federal practice in Nigeria is enshrined in the Federal Character Commission Act (FCC) 1979. Section 14, Sub-section 3, of the 1979 Constitution stated, "The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command national loyalty thereby ensuring that there shall be no predominance of persons from a few States or from a few ethnic or other sectional groups in that government or in any of its agencies.[361]In federal terms, this shows that the Nigerian Constitution adequately fulfills a true federal constitutional arrangement. It demonstrates the principle of equity which significantly enhances federal democracy.

On the other hand, Malaysian constitution is highly traditional, and culturally influenced by its institution of monarchy, ethnic preference and religion. For instance, in the beginning, federalism was not seen as a necessary issue to tackle ethnic challenges in dealing with the accommodation of diverse and geographically separated ethnic regions which has always been a major criterion for federalism in plural societies. Ethnicity was profound in the overall consideration for the establishment of both 1957 and 1963 federations in Malaysia. In this context, ethnicity was entrenched in both federal designs-in the former and, by protecting symbols of Malay supremacy and legitimacy as well as in the latter, by making sure that Malay or indigenous demographic

[359] This collaborates with Wheare's emphasis on the division of powers between the central as well as provincial governing authorities, that each level act independently within its domain of authority which shows how a federal system works as captured in chapter 2. Wheare, *Federal Government*, p. 10.

[360]See chapter 2 of this thesis about Wheare's note on covenant cited by McGarry and O'Leary, Federation as a Method, p. 1.

[361] Section 14(3), 1979 Constitution; see also, Abdul Raufu Mustapha, "Institutionalising ethnic representation: How effective is the Federal Character Commission in Nigeria?" Centre for Research on Inequality, Human Security and Ethnicity, *CRISE Working Paper No. 43*, Department of International Development, University of Oxford, June 2007, pp. 9-10.

dominance.[362] This thesis provides supporting facts to show that the Federation of Malayasia was wholly founded on Malay ethnic consideration, in spite of other immigrants. For example, the difficulty to accommodate Singapure in one federation was expressed by Tunku who observed that "the majority of people in the Federation had accepted the kingship and the sultanate as the embodiment of their loyalty, Malay language, and Islam as the official religion of the nation". But Singapure is seventy per-cent Chinese who profess different religions instead of Islam, and these are foreign concepts. Tunku felt that the merger of these two territories of different views would clash violently and may result to problems that might be quite difficult to resolve.[363]

There is no doubt that these factors and more formed the core foundation and articulation of Malaysia's ethnicised federal constitution. According to "Article 1(1), The Federation shall be known, in Malay and in English, by the name Malaysia, (2) The States of the Federation…"[364] The Constitution also provides that "Article 3(1) Islam is the religion of the Federation; but other religions may be practiced in peace and harmony in any part of the federation". The Constitution further states,

> Article 3 (2) In every state other than states not having a Ruler the position of the Ruler as the Head of the religion of Islam in his State in the manner and to the extent acknowledged and declared by the Constitution of that State, and, subject to that Constitution, all rights, privileges, prerogatives and powers enjoyed by him as Head of that religion, are unaffected and unimpaired; but in any acts, observances of ceremonies with respect to which the Conference of Rulers has agreed that they should extend to the Federation as a whole each of the other Rulers shall in his capacity of Head of the religion of Islam authorize the Yang di-pertuan Agong to represent him.[365]

While the Federal Constitution of Malaysia is explored, it is important to see these constitutional provisions or the contextual analysis of Malaysia's Federal Constitution, and arguments against it as truly federal. In other words, the basis of argument for or

[362] B. H. Shafruddin, "Malaysia centre-state relations by design and process," B. H. Shafruddin & Iftikhar AMZ Fadzli (eds.), *Between Centre and State: Federalism in Perspective*, Kualal Lumpur: Institue of Strategic and International Studies, 1998, p. 7; Nurhafilah Musa, Federalism, Constitutionalism and Democratic Soceity in Multicultural Societies –A Case Study of Malaysia, Paper Week 2, IFF Summer University 2008, p. 1.
[363] Simandjuntak, *Malay afederalism*, p. 104.
[364] Federating states in Malaysia are listed, Laws of Malaysia, Federal Constitution, Part 1.
[365] Laws of Malaysia, Federal Constitution, Part 1

against how anyone perceives Malaysia as a true federation or a quasi type revolves around its constitutional provisions and practice will be shown in chapter six.

The uniqueness of its federalism is reinforced by specific provisions in the constituion such as the "Supreme Head of the Federation and his Consort -Article 32. (1) There shall be a Supreme Head of the Federation, to be called the *Yang di-pertuan Agong,* who shall take precedence over all persons in the Federation and shall not be liable to any proceedings whatsoever in any court except in the Special Court established under Part XV. Chapter 4 –Federal Legislature -Article 45, Composition of Senate; Article 46, Composition of House of Representatives; Article 73, Extent of federal and state laws".[366] This section underlines differences with Nigeria's federal system given the fact that the Constitution of Malaysia which follows a parliamentary system yet stipulates a wide range of special rights to both its rulers and the indigenous people. The Government, traditional and religious institutions are more focused to protecting and maintaining these special rights in nation-building process. This is the ethnicised structure of the constitution of Malaysia with less emphasis on the principle of equity in consideration of other ethnic groups in seemingly fused powers. Hence its federalism is largely seen in name rather than in practice.[367]

For a better understanding of federalism in Malaysia, its constituents operate as federal units but the overriding federal government powers make it more typical of a unitary system or what Wheare describes as a quasi-federation.[368] The effort of Malaysian leaders manifested in the Alliance bargain on ethnic rights and compromise which ushered Malaysia into its consociational democracy. As earlier cited, Elazar describes consociational decmocracy as a kind of democratic government which needs to be well understood in the manner it operates. However, internal diversity has varied between Malaysia and Nigeria and has shaped the two federal constitutions.

[366] Laws of Malaysia, Federal Constitution, Chapter 4.
[367] Musa, Federalism, Constitutionalism, p. 2.
[368] See Wheare, *Federal Government*, p. 19.

3.3 Ethnic Composition, Inclination to Conflict in Pre-affirmative Action in Malaysia

In this section, effort is made to underline problem areas in Malaysia's immediate post-independence era. This study explores post-independence challenges in Malaysia arising from different ethnic groups and their pressure towards meeting the aspirations of their people and the resulting tensions. For instance, most of the posts in the service had been Malayanised (occupied) in 1960 by mostly non-Malays because they were filled initially by non-Malays.[369] This study demonstrates the Malay sense of frustration at their disadvantaged position which posed a threat to unity, vis-à-vis the "non-Malays" in terms of equal employment opportunities in the government services.[370]

As at 1970 detailed comparative statistical study has shown, the Chinese, for instance, occupied superior positions in administrative, managerial, professional and technical areas in the country's government services.[371] Also, overall, the professional services were dominated by non-Malays – 90 per cent in medicine, 84 per cent in public works (engineering), 67 per cent in agriculture, 68 per cent in education etc.[372] However, Chinese and Indians were over represented in labour, Income Tax and Immigration. In the private labour force, the Chinese dominated construction, commerce, mining and manufacturing sectors, including clerical grades of white collar employment, the Chinese and Indian were of a preponderant percentage with secondary education in English, a privilege which very few Malays enjoyed.[373]

According to Young, "Equity is a complex idea that resists simple formulations. It is strongly shaped by cultural values, by precedent, and by specific types of goods and burdens being distributed. To understand what equity means in a given situation we

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[369] Kheng, *Malaysia: The Making of a Nation*, p. 85.
[370] J. E. Jayasuriya, *Dynamics of Nation Building in Malaysia*, Colombo: Associated Educational Publishers, 1983, pp. 75- 88.
[371] *General Report, Population Census of Malaysia*, 1970, vol. 1, Kuala Lumpur, 1977, Adapted from Table 7.15a, in Jayasuriya, ibid, pp. 81-82.
[372] Milton J. Esman, *Administration and Development in Malaysia*, Ithaca: Cornell University Press, 1972
[373] Kheng, *Malaysia: The Making of a Nation*, p. 85.

must look at the contextual details."[374] Equity in this sense explains the fact that this could not go on indefinitely. The British realised this as early as in 1952 and had introduced a quota system for both Malays and the non-Malays. To correct the imbalance, the ratio of non-Malay Federal citizens who were employed in MCS was reduced to "one for every four Malay". The quota system was introduced to ensure that "the special position of the Malays" would be retained in the Civil Service.[375]This thesis argues that quota system at this time was meant to ensure equity as a federal principle. However, it began a new era when the Malaysian authorities started to marginalise other races through its post-independence preferential policies and segregation as commented by Montesino and Haque in the literature review of this study.

This is in contrast to Nigeria where ethnic 'rights' is not pursued. Given the need for adjustment, a concomitant of social mobilization has been the increase in Malay economic aspiration. Far from being contented with the British stereotype of them as hewers of wood and drawers of waters", Malays have great expectations that political independence would bring economic benefits.[376] The sense of economic deprivation has been sharpened by the widening disproportion in earnings between the Malays and non-Malays. This study provides statistical figures to show income disparities among ethnic groups. One estimate was based on a very small national sample survey of West Malaysia from 1957 – 1958, showed that 64 per cent of the rural household earned less than M$125 (approximately US$40) per month while only 23 per cent urban households fell within this group. This comparison is without regard to ethnic group, but since Malays comprised the majority of the rural population the implication is clear. Based on

[374] H. Peyton Young, *Equity: In theory and Practice*, Princeton, New Jersey: Princeton University Press, 1994, p. xii.
[375] Mavis Puthucheary, *The Politics of Administration: The Malaysian Experience*, Kuala Lumpur: Oxford University Press, 1978, p. 53; The Quota system was introduced by General Gerald Templer, the British High Commissioner at the time, - Cheah Boon Kheng, *Malaysia: The Making of a Nation*, p. 114.
[376] Chee, "Socio-Cultural Pluralism and Political Change" p. 311.

this survey, T. H. Silcock calculated, roughly, the ethnic distribution of income for 1957, (See Table 3.1).

Table 3.1 West Malaysia: Income Distribution by Ethnic Group, 1957

	Malays	Chinese	Indian	Total
Aggregate Individual Income (M$m)	1150	1950	475	3,575
Percentage of total	32	55	13	100
Population (million)	3.13	2.33	0.71	6.28
Average annual income per head (M$)	367	837	669	585

Source: Household Budget Survey Report of Inland Revenue Department 1958; Census of Malaya, 1957[377]

These were, of course, average ethnic incomes and did not reveal intracommunal differences. Still, the Malay income per head was nearly two times below the Indian figure and more than twice below that of the Chinese income (Table3.1). In 1970, it was found that in terms of the ownership of the national wealth, foreign interests owned the largest portion of the share capital - 60.7 per cent. The Chinese came next with 22.5per cent, and Malays and Indians had holding of 1.9 per cent and 1.0 per cent respectively.[378]

Table 3.2 Malaysia: Personal Income Tax Statistics, 1964.

Individual taxpayers by Residence and race	Number of taxpayers		Assessed income		Assessed tax		Assessed income per head	Assessed tax per head
	No.	%	$m	%	$m	%	&	&
Residents	111,404	97.4	984.3	98.6	65.3	92.1	8,835.4	586.2
Chinese	67,574	59.1	575.2	57.6	36.6	51.6	8,512.1	541.6
Malay	19,188	16.8	132.2	13.2	4.5	6.4	6,889.7	234.5
India & other	19,285	16.8	158.3	15.9	7.8	11.0	8,208.5	404.5
Non-Asian	5,357	4.7	118.6	11.9	16.4	23.1	22,139.3	3,061.4
Non-Residents	2,980	2.6	14.0	1.4	5.6	7.9	4,698.0	1,879.2
Total	114,384	100.6	998.3	100.0	70.9	100.0	8,727.6	619.8

Source: States of Malaya 1950-68: Abstract B, (cited) in Clive Thomas Edwards, *Public Finance in Malaya and Singapore*, Canberra: Australian National University Press, 1970, p. 78.

This study's findings are similar to the situation in Northern Nigeria, that imbalances in both the civil service and the private sector may be attributed to Malays' low level of education. No useful comparison can be made of the two tables. Table 3.2 does exhibit some interesting comparisons: 59 percent of taxpayers_were Chinese,

[377] T. H. Silcock and E. K. Fisk, *The Political Economy of Independent Malaya*, Berkeley: Univeristy of California Press, 1963, Table A.5, p. 279. (There is a shortfall of 0.11 on population(million) discovered during this study which is believed to be part of Indian figure of 0.82 instead of 0.71 as rendered by Silcock and Fisk).

[378] Based on Mid-Term Review of the Second Malaysia Plan, 1971 – 1975, Kuala Lumpur: 1973; Kheng, *Malaysia: The Making of a Nation*, p. 87.

responsible for 52 per cent of assessed tax; 17 per cent were Malays, paying 6 per cent of total tax, and 17 per cent were Indians, other taxpayers delivered 11 per cent and average assessed income of Europeans was over M$22,000 per annum. In this inter-ethnic comparison, this last category is seldom salient. When Malays talk of poverty, they are using the non-Malays, particularly the Chinese as a reference group.[379]

One basic fact this section addresses is that Malaysia is a fragmented multi-ethnic "nation-state". Not only is it fragmented geographically, but the multi-ethnic diversity of its population has presented problems of economic, social and political integration for the Federal Government. There were several reasons as to why Malaysia was formed. The most significant from the viewpoint of the Tunku's administration was the ethnic factor.[380] The Malays in the Peninsula, where historical processes beyond their control had already created a plural society, had always greatly feared such an eventuality and therefore naturally dreaded the political inclusion of Singapore in their country.[381]

Table 3.3: Racial Composition of Malaya and Singapore

Malays and Other Indigenous Groups		Chinese	Indians	Others	Total
Malaya	3,125,474	2, 333,756	696,186	123, 342	6,278,758
(1957 Census)	(49.8%)	(37.1%)	(11.1%)	(2.0%)	
Singapore	197,060	1,090,595	124,084	34,190	1, 445, 929
(1957 Census)	(13.6%)	(75.1%)	(8.6%)	(2.7%)	
Total	3,322,534	3,424,351	820, 270	157,532	7,724,687
	(43.0%)	(44.3%)	(10.6%)	(2.1%)	(100%)

Sources: 1. Federation of Malaya, Official Year Book 1961, Kuala Lumpur, 1961, p. 36; G. P. Means, "Malaysia – A New Federation in Southeast Asia," Pacific Affairs, 36 (2), 1963, p. 140.
2. Colony of Singapore, Annual Report 1958, Singapore, 1959, pp. 27-8.

The Tunku had dropped his earlier opposition to merge with predominantly Chinese-Singapore and accepted it with Malaysia because the overall ethnic "indigenous" factor was now in the Malay's favour. He said in his memoirs that, in the Malaya-Singapore merger, the Malays might, without the protection of the Constitution, find themselves at

[379] Chee, "Socio-Cultural Pluralism and Political Change" p. 311.
[380] Kheng, *Malaysia: The Making of a Nation*, p. 93.
[381] Morrison, "Aspects of Racial Problem in Malaya, pp. 239-53; F. G. Carnell, "Communalism and Communism in Malaya", *Pacific Affairs*, 26, No. 2, (1953):99-117. In retrospect, it was as well for the Malays that Britain excluded Singapore from the Malayan Union in 1946 and the Federation of Malaya in 1948.

a total loss in the only homeland they had. This might eventually mean trouble as simple as idealists might think.[382] Table 3.3 demonstrates the problem posed by the racial composition. The figures clearly meant that in a direct Malaya-Singapore merger, the numerical superiority of the Malays in the Peninsula would be lost to the Chinese. [383]

Having given the racial composition of Malaysia from its formative years, this study notes that the full implementation of affirmative action was inevitably triggered by the May 13 1969 racial riots in Kuala Lumpur. It was a watershed in the history of Malaysia, whereby the implementation National Economic Policy (NEP) was put in place which helped to resolve much of Malaysia's racial tension. It is vital to note that since 1970s the implementation of the affirmative action has been ongoing. This study discovers that the Malaysian democratic system less adopts open bagaining as a principle of federalism in view of its majority rule and major focus on Bumiputra interest over the years. This is shown in the next segment although the period is beyond the scope of this study, but arguably, it provides a useful insight on how Malaysia has maintained ethnic harmony.

3.4 **Bumiputra Interest: A Historical Necessity for Ethnic Harmony in Malaysia**

The controversy surrounding wealth gap in Malaysia is embedded in the history of the country. Current Bumiputra policy calls to mind roles played by the country's past and present leaders in addressing the plight of the Malays and other natives in Malaysia. This thesis situates the issue of "special rights" in Malaysia more accurately by reflecting on the rights of the Malays, as well elevated in governance from 1970s up till 2015 of this study and probably beyond. For example, in line with earlier prime ministers views on the welfare of the Malays, Mahathir had argued that "Malaysia's NEP was a form of affirmative action, a form which stressed the results. Here was an instance where the ends justify the means. Having admitted that the distribution of

[382] Tunku Abdul Rahman, Looking *Back*, p. 79.
[383] Ongkili, *Nation-building in Malaysia*, p. 152.

wealth between the races in the country was unfair, we were willing to be unfair, in order to achieve fair results and the equitable distribution of wealth".[384] Currently, Prime Minister Najib Tun Razak's administration has embarked on Bumiputra programmes, in line with the nation's past history. In his Bumiputra economic empowerment programmes launched on 14th September 2013, the premier noted, "Appreciating the interest and struggles of Bumiputras, I wish to quote seven wills by the Nine Malay Rulers when consenting to the independence agreement to set up a federation". Truly: "We declare and we keep for you and we allow you to declare and keep for your children and grandchildren, other than the mountains, lakes and forest reserves, Malay Reserve land up to a ratio of 50%, the rest you, together with the other communities, may grab". Najib also noted, "This will is very clear. It has stated the equity and the ownership of the Malays and later expanded to Bumiputra, through the unification of Sabah and Sarawak when Malaysia was set up 50 years ago". [385]

All the Malay and Bumiputra plannings and economic policies by the Government had been enacted since independence based on the composition of the plural communities. Naji explained that in principle, this had been adopted as a social contract since a long time ago by the people of Malaysia, as agreed to by the nation's founding fathers of , protected and articulated in the Federal Constitution through Article 153, Article 160 (2), Article 161A (6)(a). Also Article 161A (6)(b). He also noted:

> It is important that this must be thoroughly understood by all quarters that we must always be aware and be careful about the Bumiputra Agenda being the National Agenda. This is because if the majority Bumiputra group is not looked after or felt themselves threatened and sidelined, the country may not achieve peace, stability, and we may not achieve our dream of becoming a developed nation which is peaceful and prosperous as aspired in 2020… the New Economic Policy, namely, NEP had been introduced in 1971 by the late Tun Abdul Razak, my father, to tackle the issue of inter-ethnic socio-economic imbalances and poverty eradication following the May 13, 1969 tragedy.[386]

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[384] Mahathir Mohamad, *The Way Forward*, London: Weidenfeld and Nicolson, 1998, p. 85.

[385] Najib Tun Razak Announced New Bumiputrera Economic Empowerment Programmes, Universiti Teknologi Mara, Saturday, September 14, 2013. (See speech serialized no: 68 and 69).Available at http://www.thestar.com.my/News/Nation/2013/09/14/full-text-najib-bumi-speech.aspx (accessed December 10, 2013).

[386] Najib, Naji Annouced New Bumiputra,

While appealing to minority ethnic groups in Malaysia, Najib explained that the 10th Malaysia Plan, starting from 2011 to 2015, is aimed at providing fair opportunities to all Malaysians, not considering ethnic groups or geographical position, to be together involved in all economic activities. This he said is based on the principle of friendly market, based on need, transparency and merit. One significant thing the government has achieved is a stable economy with a gradual but incremental rate in the income of the Bumiputras and the rest of other communities in the country.

Najib emphasised that the standard of living of Bumiputras has gone up as planned. Currently, statistical figures show that Bumiputra monthly average household income had gone up from RM172 in the 1970s to RM4, 457 in 2012 or almost 2,500% in forty-two years. The Bumiputra poverty rate had been reduced significantly from 64.8% in the 1970s to 2.2% in 2012. Similarly, the Bumiputra corporate company equity rate had reasonable growth from as little as 2.4% in the 1970s to 23.5% in 2011. Apart from several specific employment sectors, the number of Bumiputra employed in the professional category, mainly those qualified as medical doctors, engineers and lawyers had approached the percentages of the racial composition. This had really shown that the New Economic Policy, as a preliminary measure had recorded success in tackling the gap between the communities in the effort to develop the socio-economy of the Bumiputra community. For the period of the last four decades, the Bumiputra community had entered the first phase of the transformation. [387]

Najib also emphasised on how the government has been looking at the income disparity which still exist between the ethnic groups. For example, in 2011, the average monthly income of the Chinese was higher than Bumiputra by a ratio of 1:43. The government has been able to meet part of the interests of the Bumiputra, yet in the corporate company equity ownership, the target of at least 30% is yet to be achieved,

[387] Najib, Najib Announced New Bumiputra,

rather only 10 per cent has been achieved. The premier unequivocally appealed to other ethnic groups: "Nevertheless, on behalf of the Government and from the bottom of my heart, I would like to urge all quarters, not to misconstrue the Bumiputera economic empowerment measures. We will implement all these initiatives and strategies without trampling on the interests of other groups or deny their rights…."[388]

This study demonstrates that Malaysia maintains ethnic harmony with contradictions under its preferential policies. As H. Singh has argued that "Rather, the more pertinent question that arises at this juncture is: why did the Malaysian political system come to be structured on a differential, rather than on an *equivalent*, or even *universalistic*, mode of incorporation?" Equivalent incorporation is about social justice which is expressed in equal rights to citizens with regard to affiliation. His "universalistic incorporation" explains the need for equal political rights to all individuals in Malaysia.[389] This thesis stresses that here is every reason to accede to the fact that these contradictions in Malaysia are perculiar to the country. What is observed as unity in Malaysia is rather regular compromise by the minority ethnic groups. It is not true unity federalism demands. Horowitz persuasively argues that, "in divided societies, ethnic affiliations are powerful, permeative, passionate, and pervasive".[390]

3.5 **Ethnic Composition, Tendency towards Conflict and Affirmative Action in Nigeria**

Naturally, groups pursue different interests and goals in the society which involves contests to capture available official positions. Politicians perceive fresh resources associated with earmarked development projects in the society, usually form

[388] Najib, Najib Announced New Bumiputra,
[389] H. Singh, Ethnic conflict in Malaysia Revisited. *Commonwealth and Comparative Politics*, vol. 39 no.1(2001): 42-65.
[390] Horowitz, *Ethnic Groups in Conflict*, p. 12.

areas of conflict involving persons as well as groups who struggle to benefit from it.[391] In Nigeria, ethnic cleavages and contestations existed in its pre-independence era, whereas the post-colonial administration has witnessed frequent conflicts over resources accruing from the state. As observed on Malaysia's NEP in 1970s, Nigerian Federal Character Commission which was established in 1979 was meant to redress socio-economic inequalities. For example, the population of Nigeria is estimated at 140 million.[392] Approximately between 250 and 400 ethnic groups inhabit Nigeria. This study streses that the three main ethnic groups in Nigeria, namely, the Hausa-Fulani, the Yoruba and the Igbo represented 57 per cent of the national population in the 1963 census.[393] This census showed the population of the Hausa "excluding the Fulani at 11,653,000 (20.9 per cent), the Yoruba at 11,321,000 (20.3 per cent) and the Igbo at 9,246,000 (16.6 per cent)".[394] To understand the power of the majority ethnic groups in Nigeria, eleven among its staggering minority groups represented 27.9 per cent of the population in the early 1963 census conducted in the country.[395]

Undeniably, as observed in Malaysia, Nigeria's tripodal ethnic structure shows how each of the main ethnic groups represents a pole in the competition for political and economic resources available in the country. To this end, minority ethnic groups are compelled to remain in alliances with each of the three principal ethnic groups. Given Nigeria's situation, it has been argued that tripodal ethnic structures are intrinsically unstable as seen in the ethnically fragmented structure in Tanzania where no ethnic

[391]Onigu Otite, "On Conflicts, Their Resolution, Transformation, and Management," in Onigu Otite and Isaac Olawale Albert (eds.), *Community Conflicts in Nigeria: Management, Resolution and Transformation*, Ibadan: Spectrum Books Limited, 1999:1-33, p. 1.
[392] This was provisional figure for the 2005 census in Nigeria.
[393] Ethnicity as well as religion -not shown in 2005 census; See, Mustapha, Institutionalising ethnic representation, p. 3.
[394] Munzali Jibril, "Minority Languages and Lingua Franca in Nigerian Education," in E. N. Emenanjo (ed.), *Multilingualism, Minority languages and Language Policy in Nigeria*, Agbor: Central Books, 1991.
[395] A. A. Afolayan "Population" in J.S. Oguntoyinbo, O. O. Areola, & M. Filani, *A Geography of Nigerian Development*, Ibadan: Heinemann, 1983.

group's population exceeds 12 per cent.[396] However, co-operation between the minorities and the main groups strategically located in ethnic politics in tripodal Nigeria is frequently conflictual. Each of these dominant ethnic groups is inclined to building support to ensure its predominance in government or to avoid being maginalised by other rival groups.[397] It gives understanding of the interplay between the tripodal ethnic structures in Nigeria on the one hand, and administrative divisions and communal identities on the other hand leading to eight major cleavages in Nigerian politics.[398]

The most disturbing are cleavages and contests among the three majority ethnic groups and 350 minority ethnic groups; cleavage between the north and south; between the 36 states that make up the federation and the six zones whereby three are located in the north while another three are found in the south; and cleavages between religious affiliation in the country. But one obvious fact in this complex web of cleavages is that some of them overlap each other. For instance, the southeast zone overlaps with Igbo ethnic group who are predominantly Christians. Similarly, the north central overlaps with northern ethnic minorities. All these sectional cleavages of ethnic, regional and religious types have transformed into systemic problems with induced overlapping patterns of disparities in the Nigerian society. Hence many factors that range from Nigeria's colonial past, history, geoethnic patterns, cultural differences, religious affiliation, different natural resource endowments and government policies have contributed to this complex web of social inequalities in the country.[399] Mustapha also observes that "From the first coup in 1966, reform became an imperative within the Nigerian political system. The Federal Character Commission (FCC) is the final outcomes of one standard of these reforms; the introduction of a quota and the

[396] Julius E. Nyang'oro, "Ethnic Structure, Inequality and Governance of the Public Sector in Tanzania," in Yusuf Bangura (ed.), *Ethnic Inequalities and Public Sector Governance*, Basingstoke: Palgrave Macmillan, 2006; Mustapha, Institutionalising ethnic representation, p.3.
[397] Mustapha, Institutionalising ethnic representation, p.3
[398] Abdul Raufu Mustapha, "The National Question and Radical Politics in Nigeria," *Review of African Political Economy*, Vol. 13, no. 37, Sheffield, (1986): 81-96.
[399] Mustpha, Institutionalising ethnic representation, pp. 3-4.

subsequent constitutional entrenchment of affirmative action."[400] All these pressing issues on representation as well as power-sharing in Nigeria were backed by the 1979 constitution under the Federal Character principle (FCP) enshrined in Section 14, Sub-section 3 of the 1979 Constitution earlier highlighted in this chapter.

3.6 **Conclusion**

This chapter is significant in the general discussion of ethnic conflicts in Nigeria and Malaysia. The idea of a federal design which accommodates pluralism is carefully chosen to show differences in the constitutional features of federalism in both countries. Essentially, this gives insight into the practice of federalism as well as ethnic conflict in the two countries. Some salient facts which emerged from this chapter enrich the thesis:

First, the chapter has shown that the two countries run federal constitution with marked differences. While the federal constitution of Nigeria is state and regionally focused, Malaysia's federal constitutional arrangement is designed to preserve symbols of Malay dominance and legitimacy. The position of Islam as the official religion of the state, Malay Rulers as well as the special rights for the Malays are features that make federal practice in Malaysia different from all known federations in the world. Second, this chapter also provided insight into the composition of ethnic groups in Nigeria and Malaysia, economic disparity among ethnic groups and their proclivity to tension.

The interests of the Bumiputras in Malaysia are strongly advocated by the current government of Najib. But, in spite of the Federal Character principles, ethnic tension in Nigeria remains obvious. Malays has shown its own inadequacies but managed without adhering to the federal principle of equity. The next chapter serves as a benchmark to evaluate ethnic conflict and federalism in the context of elite behaviour on policy role and the assessment of levels of political stability in both Nigeria and Malaysia.

[400] Mustpha, Institutionalising ethnic representation, p. 8.

CHAPTER 4

Ethnic Conflict and Federalism: Assessing Leadership Behaviour and Policy Role

4.1 **Introduction**

The previous chapter explored constitutional design in both federations to accommodate their ethnic diverse groups. This chapter examines the behaviour of political leaders in plural society and how their constitutional role limits or causes ethnic tension. Given this focus, three issues are also analysed in this chapter. (a) To assess the independent jurisdictions of two sets of governments namely, central or national government and the provincial, regional government, (b) To evaluate the division of power between the central and regional government as spelt out in the Constitution. First, the thesis discusses 'a' by assessing political leadership and behaviour, especially where their actions exceed their constitutional roles. As one would expect, this could cause disharmony among diverse interests in Nigeria and Malaysia respectively.

The second part of this chapter examines policy choice and implementation in Malaysia's post 1969 racial riots, and Nigeria's post-civil war policies. This is to demonstrate Nigeria's missing link from Malaysia's treaded path on affirmative action, to discuss 'b'. Two arguments emerge: (in the case of 'b', unlike in Malaysia, institutional framework of federalism was completely distorted by the military rule in Nigeria which convoluted in military suppression of the federating units. The constitution was also suspended by all the military regimes that ruled by decree in Nigeria. Violations of boundaries of jurisdictions under democracy will be discussed. The third part of the chapter shows the adoption of brute force on defenseless ethnic communities in Nigeria while dislodging ethnic tension under Obasanjo–led democratic rule. The thesis argues that Nigeria has not performed creditably in policy choice and

implementation when compared to events that have spurred economic development as well as considerable ethnic harmony in Malaysia.

4.2 **Assessing Leadership Behaviour and Constitutional Role, and Conflicts in Nigeria and Malaysia**

Ethnic conflict defines major problems of plural societies. As this study explains, such conflict is largely resolved or even prevented within the balancing mechanism of federalism which unites federating units while retaining a level of their autonomy. Federalism has been described in various forms in chapter one of this thesis as a necessary system of government that helps in managing cultural diversity in a polity. Yet this thesis argues that federal constitutional framework is not an end to itself given the fact that its provisions need to be well adhered to strictly for federalism to have impact and give meaning in a given society. Given the desired role federalism plays in plural societies, the role of political leaders, and their behaviour are vital in their constitutional role for a federal framework to function and thrive. This study argues that Nigeria has failed to approximate to rational-legal mode of operation. As Imutinyanu Ugiagbe has argued, "One level in which this is obvious or evident is the formal constitution of the country, which should in principle, provides the ultimate legal framework through which the rational behaviour is defined. The charismatic illegal government of Abacha and Babangida breeds nothing but suffering and corrupt practices for the country, a legacy which is continuing today."[401]

[401] Imuetinyan Ugiagbe, "Nigeria in Crisis: State Creation Not the Answer," Weekend Observer at nigeriaobserver.new.com/23082014features/feature4-htm#.vH29faytaqw (accessed December 4, 2014); This study underlines the fact that corruption is behind the inability of many new nations to rise above the quandary that confronts nation-building effort as well as a challenge to some older nations to excel. This is where Malaysia has also improved more than Nigeria. When a government is immersed in corruption, development and social welfare are less prioritized. Most contested issues in the two countries have economic and financial implication, hence Horowitz notes that no single factor accounts for ethnic conflict in plural societies. As recently reported, "Corruption is one of the most damaging consequences of poor governance. It undermines investment and economic growth, decreases the resources available for human development goals, deepens the extent of poverty, subverts the judicial system, and undermines the legitimacy of the state. In fact, when corruption becomes entrenched, it can devastate the entire economic, political, and social fabric of a country…corruption breeds corruption – and a failure to combat it effectively can lead to an era of entrenched corruption." See Report of Human Development in South Asia, 1999, p. 96. For example, Malaysia recorded 5.1 score in the "Transparency International

This study has established that there exist independent jurisdictions of two sets of governments as provided in the federal constitutions of Nigeria and Malaysia as shown in chapter two of this thesis. But this study contends that there are some instances the jurisdictions of both the federal and regional governments are violated in the exercise of governmental function which does not promote good intergovernmental relationship. For the sake of clarity, at Malaysian independence, the Constitution retained the federal nature *Tanah Melayu* but there was no bargaining between the federal government and states with regard to sharing of powers as well as revenues because the communist's insurgency had weakened the positions of the states at this time. This prompted the setting up of the Reid Commission which recommended that a strong central government be established with the states and settlements accorded their due autonomy while consultation of the two levels of governments should be maintained.[402]

In view of the foregoing, this study briefly demonstrates how post-independence Malaysian and Nigerian leaders either violated or acted within the confines of their constitutional role in governance. For example, although Tunku Abdul Rahman's administration was adjudged as smooth, a lot of complaints came up from the states of Kelantan, Singapore, Sabah and Sarawak for certain reasons due to the fact that almost all the states were under the party that was in power at the center. Cooperation between the State of Kelantan and the federal government failed after the 1959 General Elections. The federal government failed to release federal funds to states controlled by the

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Corruption Perceptions Index" (TICPI), 2005. Corruption is prevalent among the nation's political and business elites. See Transparency International, *Corruption Perceptions Index 2005,* http://www.demcoalition.org/pdf/22_Malaysia.pdf (accessed December 15, 2010). In the 2011 Transparency Index Report, Malaysia occupies No. 60 in the world with 2011CPI score 4.3. 2010 CPI score 4.4, 2009 CPI score 4.5, 2008 CPI score 5.1. This is contrasted with the 2011No.1 country and the least corrupt in the world – New Zealand with 2011 CPI score 9.5, 2010 CPI score 9.3, 2009 CPI score 9.4, and 2008 CPI score 9.3. While Malaysia makes substantial progress, Nigeria recorded as No. 143 in 2011 Transparency Index with 2011 CPI score 2.4, 2010 CPI score 2.4, 2009 CPI score 2.5 and 2008 CPI score 2.7.Malaysia' position is remarkably better, "Corruption Index 2011 from Transparency International,http://www.guardian.co.uk/news/datablog/2011de01/corruption-index-2011-transparency-international," (accessed Federuary 23, 2012).

[402] Aris Hj Osman. Mohd, *Perkembanganperlembagaan Malaysia*, Petaling Jaya: Fajar Bakti Sdn. Bhd, 1983; see also, Raja Nur Alaini Bt Raja Omar, "A Historical Perspective of Federalism in Malaysia and Its Effects on the Current System of Federalsim," *International Journal of Business, Economics and Law*, Vol.1, 2012.

opposition. In like manner, the opposition states refused to cooperate with the federal government for fear of the political game plan of the government at the centre. Due to this crisis, the federal government failed to launch new land schemes in Kelantan even though the state was willing to bear the cost. This led the state to introduce its own land scheme known as Kelantan State Land Development Authority (KSLDA) in January 1960. Similar crisis was witnessed in the construction of Sultan Yahya Petra Bridge.[403]

While the federal government of Malaysia failed to release federal fund meant for Kelantan as well as refused to launch the new land scheme, it shows anti-federal elements in governance. It shows disunity, no open bargaining to ensure equity and in a situation that seemingly lacks checks and balances as principles of federalism.

Similarly, such high-handedness has also been observed in Nigeria. Crises involving federal and state in Nigeria often lead the federal government to reinforce its intimidation by deploying the military and regular police forces to the state capitals and sealing off state government's houses with armored tanks.[404] Similarly, this study looks at the federal might against the opposition state of Kelantan. This was observed when the Kelantan government opposed the idea of Sabah, Sarawak and Singapore joining Malaysia in a lawsuit.[405] While the ruling by the court favoured the federal government, the Kelantan Government argued that the Malaysia Agreement and the Malaysian Act enacted pursuant thereto were void. The said agreement abolished the Federation of Malaya. The Kelantan government had argued that the consent of all the constituent states and Kelantan ought to be sought in the process of new entities joining Malaysia.

[403] Mohammad Agus Yusoff, *Malaysian federalism, conflict or consensus*, Malaysia: UKM, Bangi, 2006.
[404] Etim, 2005; Lawal 2006. cited in A. Sat Obiyan, The Federal State in Obasanjo's Nigeria: Coordinate, Relationship, or Imperial Order? in A. Sat and Kunle Amuwo (eds.), *Nigeria's democratic Experiment in the Fourth Republic Since 1999: Policies and Politics*, Maryland: University Press of America, 2013,p. 101.
[405] See law suit on "*Government of the State of Kelantan v The Government of the Federation of Malaya and Tunku Abdul Rahman Putra Al-Haj [1963] MLJ 355"* cited in Yusoff, *Malaysian Federalism*,

But it was decided that the consent of the state was not required before the three states could join as part of Malaysia.[406]

This thesis argues that this action at this point in Malaysia is contrary to the principle of open bargaining in federalism because it is the federating units that established the federal government(at the centre) which requires isssues to be debated before adoption. This scenario in Malaysia can be related to similar federal power against some states in addition to earlier cited cases on Nigeria. For instance, concerned by the developments in the impeachment processes in the states, the Senate of the Federal Republic of Nigeria, while unwillingly backing President Obasanjo's declaration of a state of emergency in Ekiti State on October 26, 2007, the Senate "bound him and other institutions of state to comply with the rule of law in the on-going crises in plateau and Anambra States."[407] There seems to be a common trend but a little variation on contested issues between the states and the federal governments of both countries. For example, similar threats of applying emergency rule in certain states by the Nigerian Federal Government can also be viewed in the light of the conflict between the Federal Government of Malaysia and the State of Kelantan which was resolved under Tun Abdul Razak when the Mentri Besar of Kelantan started to cooperate with the federal government. But it is also observed that another problem occurred when PAS opposed the appointment of Dato' Mohamed Nasir as Kelantan's new Mentri Besar.[408]

The same argument concerning the appointment of Nasir led Prime Minister Tun Hussein Onn's administration to declare a state of emergency in Kelantan in 1977 after which PAS was removed from UMNO.[409] The expiration of the emergency rule on 12 February 1978 led to the dissolution of the Kelantan State Assembly whereby election

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[406] Yusoff, *Malaysian Federalism*,
[407] Aziken, et al 2006 cited in Obiyan, The Federal State in Obasanjo's Nigeria, p. 101
[408] James Chin, "Unequal Contest: Federal-state Relations under the Mahathir's Administration*," in* Khai Leong Ho and James Chin (eds.), *Mahathir's Administration Performance and Crisis in Governance*, Singapore: Times Books International, 2001, 28-61.
[409]Ahmad Atory Hussein, *Dimensi Politik Melayu 1980 – 1990, Antara Kepentingandan Wawasan Bangsa,* 2nd.reprint, Malaysia: Dewan Bahasadan Pustaka, 1997.

conducted on March 11, 1978 was won by UMNO. It restored good relationship between both levels of government and development projects such as Empangan Kemubu Project, FEDA and KESEDAR were brought back to the state.[410]

It is vital to point out in this study that by declaring a state of emergency, the ruling party is known to have used its big stick on the state of Kelantan. It could sound as a constitutional role, yet it could also be used to intimidate a state thereby exposing the federal government to abuse of power. This study argues that the action of the Malaysian Federal Government in the foregoing discussion can be seen on a neutral ground of its role but it could be targeted at the party in power in the State of Kelantan. While this is outside ethnic chauvinism, but rather on federal matters, a similar situation occurred in Nigeria when the conduct of the federal government in a number of issues was seen as unconstitutional especially in interfering in the affairs of Bayelsa State. While the editorial column of the Guardian newspaper described the federal government's action as at variance with the principle of federalism, the paper further took a sweep at the deployment of the "Economic and Financial Crimes Commission" (EFCC) to facilitate the state governor's impeachment. While the role played by the EFCC was outside the powers establishing it, the federal government was literally browbeating the Bayelsa state lawmakers into doing what they should have done well without external intervention.[411] It shows a violation of the independent role of Bayelsa State Assembly on matters concerning the removal of its governor. Hence Nwabueze, a constitutional lawyer regretted the action of EFCC as a violation of federalism, and that the Federal Government being well informed of constitutional limits of powers is not expected to exercise them in a manner whereby its "practical effect, impedes, frustrates, stultifies or unduly interferes with state management of its affairs."[412]

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[410] Yusoff, *Malaysian federalism; KESDAR* is Agency for territory development under the Ministry of Rural & Territory Development. Both FEDA and KESEDAR are agencies for development.
[411] *Guardian*, 2005, cited in Obiyan, The Federal State in Obasanjo's Nigeria, p. 101.
[412] See Nwabueze cited in Obiyan, The Federal State in Obasanjo's Nigeria, p. 102.

This study also looks at post 1990 General Election under Prime Minister Mahathir Mohamed when UMNO lost all its seats in Kelantan to Angkatan Perpaduan Ummah (APU). It led the federal government to put Kelantan under pressure by preventing private firms from investing in the state. Given this wrangling, the federal government refused to invite Kelantan Menteri Besar and Chief Minister of Sabah to Menteri Besar and Chief Ministers meeting in November 1990 about Malaysian Development Plan.[413] In another incident, the *hudud* law passed by the Kelantan Government was rejected by the federal government because it violated Article 75 of the Federal Constitution.[414] Given the continuing faceoff PAS won the state of Terengganu which prompted the state to ask the federal government to review its oil royalty, but Prime Minister Mahathir refused on the ground that no state will be given more autonomy than others. Yet PAS's move to set up Islamic State was rejected by the federal government as anti-federal and would weaken efforts made by the government to integrate Malaysians.[415]

This provides a ground to see violations on the part of a state against its stipulated boundary in the constitution. Yet, the character and behaviour of a leader counts in calming down or in the escalation of conflict. In some situations in Nigeria, it makes ethnic conflict more prolonged. For instance, the personal behaviour and actions of President Obasanjo in drafting the military against Odi town and to Benue state in Nigeria that almost annihilated the entire Odi and hundreds of people killed by soldiers in Benue were inconceivable in democracy. This study stresses that given the rule of law, equity and fairness as characteristics of a true federal state, must also balance forces that tend to create disharmony or to the extent of destroying the federating units or the ethnic minorities' federalism was originally designed to protect and prosper.[416] This thesis discovers that there is no unity in the country given the spate of killings and

[413] Yusoff, *Malaysian Federalism*,
[414] Page 59 of Malaysian Constitution, Article 75.
[415] Mohammad Agus Yusoff, *Pencapaian PAS dan UMNO dalampolitik UMNO, 1959 -1990 dalam Perkembangandan perubahansosio - politik Kelantan, 1955 – 1995*, Malaysia, UKM, Bangi, 1995.
[416] See the destruction of Odi and killings in Benue as documented in chapter six of this study.

destruction. The whole scenario does not portray Nigeria as a true federal state under a federal democracy- a cardinal feature of federalism which does not exhibit coercion.

Further evaluation of the distribution of power between the central and regional governments as spelled out in the Constitution can be seen in the Constitution of Nigeria 1999, which says in Part II, 4-(3) "The power of the National Assembly to make laws for the peace, order and good government of the Federation with respect to any matter included in the Exclusive Legislative List shall, save as otherwise provided in this Constitution, be to the exclusion of the Houses of Assembly of State." But there are certain ethnic issues that frustrate the Federal Government of Nigeria on its role. For example, the recent need for a constitutional reform in Nigeria led to institutionalising a National Political Reform Conference (NPRC) during President Olusegun Obasanjo's tenure in office. The conference comprised of 400 nominees and 36 governors which converged at Nigeria's capital city Abuja. The NPRC was to create a common understanding with regard to a fresh constitutional design to bring about national unity, social cohesion and the progress of the Nigerian federation.[417]

However the conference generated controversies between the northern and southern Nigeria in a fresh constitutional change in the country's deeply divided society. This was observed in the increasing polarisation of the Conference along a broad geo-political fault-line that shows supposed southern Nigerian constitutional reformers against more pragmatic northern conservatives.[418]The continuing regional disagreement often frustrates the effort of the Federal Government of Nigeria on unity and social progress which derives from ethnic sentiment that divides elites in their geoethnic and geopolitical settings in Nigeria.

[417] Olusegun Obasanjo, "Dialogue Not To Dismember Nigeria," *This Day*, Lagos February 23, 2005.
[418] Rotimi T. Suberu, "Renovating the Archtecture of Federalism in Nigeria: The Option of Non-Constitutional Renewal" Solomon Asch Center, University of Pennsylvania/ Department of Political Science, University of Ibadan.

This thesis strongly demonstrates that political behaviours and utterances of Nigerian politicians and leaders often generate controversies in Nigeria. These have been a clog in the country's quest to fully unify its federating ethnic communities. For instance, while attempting to justify Northern hegemony, Sani Kotangora – a northern politician reacted that the south was unsatisfied in monopolising economic power as well as control of federal civil service, but the region has been fighting to grab the "choicest slice" of Nigeria's politics- the presidency.[419] He maintained the same claim during an interview with Newslink Magazine tagged "Nigeria's Presidency, Not for the South", that democracy is a game of numbers. The South, he stressed could kill the people in the North to reduce their population to cling power. He envisioned political power to remain with the North forever.[420] Many politicians in Nigeria have contributed to heating the polity with their sectional remarks which frustrate effort at unity and a federal balance.

According to Suberu, another Northerner has remarked that it will be "morally and politically unfair not to allow the majority to decide who shall be president when a grave North-South imbalance persists in education and bureaucracy."[421] To buttress the aforementioned facts, Northern hegemony is a deliberate ploy as seen in the words of another prominent Northern politician - Alhaji Maitama Sule who noted that: "...everyone has a gift from God. The Northerners are endowed by God with leadership qualities. The Yoruba man knows how to earn a living and has diplomatic qualities. The Igbo is gifted in commerce, trade and technological innovation. God so created us individually for a purpose and with different gifts."[422]

This may have formed Horowitz's view that politics in divided societies is characterised by ethnic conflict which makes national cohesion difficult. Horowitz

[419] *Newslink*, May 15, 1990, p. 6.
[420] Emmanuel O. Ojo, "Federalism and the Search for national Integration in Nigeria," *African Journal of Political Science and International Relations* Vol. 3, No. 9 (2009):384-395, here pp. 391-2.
[421] Rotimi T. Suberu, "Federalism and Political Stability in Nigeria," *Plural Soc.* Vol. 19, No. 23 (1990), p. 433.
[422] *The News*, April 8, 1996, p. 15.

persuasively explains these divisive tendencies when he observes, "Ethnic conflict strains the bonds that sustain civility and is often at the root of violence that results in looting, death, homelessness, and the flight of large numbers of people. In divided societies, ethnic affiliations are powerful, permeative, passionate, and pervasive."[423]

Although the East Malaysian States of Sabah and Sarawak are located at a far distance from West Malaysia similar to geographical separations in Nigeria, this has caused no tension to the Federal Government of Malaysia on policies of ethnic balance.

4.3 **Ethnic Conflict and Federalism: Assessing Policy Choice and Implementation in Nigeria and Malaysia**

This study contends that policy and institutional quality are largely endogenous. A grasp of this correlation is vital because "poor institutional quality" and "failure to implement better policies" are among causes of growth collapses, poverty, and civil conflict. "Such explanations are logically (and properly) followed by calls to improve institutions and policies, but an implicit assumption in such calls is that realizing them is simply a matter of choice, technocratic skill, and/or sheer political will."[424] The problem this study explains is premised on the fact that many conflicts that presently characterise many countries in the world largely have deep-rooted structural causes due to diminished or diminishing resources which instigate intergroup agitation or dominance largely sheltered under religion or ethnicity.[425] This in part unveils reasons for various contestations treated in chapter five ahead. For Horowitz huge dissimilarity over time and space exists in what he describes as "bite-sized pieces into which ethnic conflict can be sliced." In all, there is no ground to analyse it in one single term.[426]

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[423] Horowitz, *Ethnic Groups in Conflict*, p. 12.
[424] William Easterly, Social Cohesion, Institutions, and Growth, Center for Global Development, Working Paper Number 94, August 2006, p. 1. Available at www.cgdev.org (accessed June 10, 20 12)
[425] Chukwnenye Clifford Njoku, and Hamidin Abd. Hamid, "Religion in a Secular State and State Religion in Practice: Assessing Religious Influence, Tolerance and National Stability in Nigeria and Malaysia," *Journal for the Study of Religions and Ideologies*, Vol. 13, Issue 39 (Winter 2014):203-235, here p. 211.
[426] Horowitz, Structure and Strategy in Ethnic Conflict, p. 4.

Hence, on policy choice, implementation and practice, this thesis demonstrates that both the May 13 1969 racial riot in Malaysia and the Biafran Civil War (1967-1970) in Nigeria marked specific watersheds in their respective political histories. The two countries began fresh moves in the 1970s with new policies to address their respective socioeconomic and political problems through new policy agendas. The two countries differed significantly in the debate that took place among policy makers in both countries. The nature of the debates helps to enhance understanding of the vision and developmental focus of their elites in power respectively, to deal with poverty and socio-economic disparities as well as reduce or even eradicate ethnic conflict.

This study demonstrates the vision of the elites in Malaysia by organizing a debate on the way forward for the country after the May 13 1969 racial riots. For example, the ideas of the New Economic Policy (NEP) were first outlined in a paper, dated 18 March 1970, which was prepared by the Department of National Unity (DNU). It identified the economic priorities as follows: "(i) the promotion of national unity and integration; (ii) the creation of employment opportunities; and (iii) the promotion of overall economic growth". Accelerated growth is desirable, but sometimes may be subordinated to a redistribution of income if extreme poverty threatens political stability or forestalls the mobilization of human resources.[427]

It is of interest to demonstrate in this comparative study that in Malaysia, the Economic Planning Unit (EPU) and DNU were asked to Debate on the choice of development strategy in post 1969 Malaysia. In the debate, EPU emphasised economic growth with less regard to other concerns in the national economy and society. EPU in its approach however maintained that attaining a higher standard of living in the country could only be possible with higher economic growth and GNP rates. They did not see anything wrong with earlier development strategy started right from 1960s. They

[427] Malcolm Gillis, et al, *Economics of Development*, New York: Norton & Company, 1996, p. 15.

advocated for effective implementation of the existing development policy rather than a change in order to achieve a higher income growth rate for the country. EPU approach implied that redistribution would take care of itself through the price mechanism if growth was pursued. However, if by accident redistribution did not take place through the proposed price mechanism, then the government could specially supplement the poor who were predominantly Malays with some targeted budgetary spending. In its submission, DNU School emphasised that the May 13 1969 racial riots could not be ignored or swept under the carpet as a mere tragic accident in Malaysia in the 1960s as EPU may have desired it. This school of thought argued that the race riots of May 1969 were manifestations of a distortion in the 1960s Malaysia's development strategy.[428]

They accepted the truth that the Malaysia economy expanded as reflected in the growth rate statistics, but they also argued that the Malays did not commensurately share in the growth of the prosperity of the 1960s. They also argued that there was no grounds to believe that continued pursuit of economic growth in the country's future without special policies put in place to redress the inequality and lopsided nature of the distribution would give immediate solution to the problem. On the other hand, DNU desired to complement the EPU method instead of discarding it entirely. With a combined approach, they began to identify major institutional and social problems in the Malaysian economy and society and began to integrate the problem into the country's development strategies and policies with the aim of addressing the problem directly rather than allowing them to be determined by anonymous market forces.[429] In spite of EPU and DNU differences, they agreed on two fundamental issues involved in moving Malaysia forward after the dark spot of 1969 as premised on the following:

(a) "Growth had to be an indispensable element in a policy of economic development".
(b) "The implementation machinery should be improved".

[428] Faaland et al , *Growth and Ethnic Inequality*, pp. 31-33.
[429] Faaland et al , *Growth and Ethnic Inequality*, pp. 31-33.

In many cases, development policies not qualified with social and political considerations have resulted in increased inequalities in wealth, income, and opportunities between social, ethnic and religious, or geographical groups. The inequalities then spiraled into social tensions, instability, riots and even civil wars.

This study emphasises that the *Rukunegara* (National Principles) not only expresses a bargain by Malaysia's multiethnic groups but also has become a national covenant that holds the nation together. Rukunnegara was designed to instill among Malaysian citizens certain articulated fundamental values for common sharing. The National Operations Council (NOC) introduction of new constitutional reforms and the purpose of constitutional amendment were to restrict and discourage issues that could be discussed publicly or questioned by politicians in the country's parliament. This helped to checkmate laissez-faire public attitude that existed before the May 13th riot in 1969. The themes of the constitutional reforms are neatly summarised by Means thus:

> The new constitutional amendments proposed in the White paper were to prohibit any public questioning or criticism of the Rukunegara and certain topics identified as 'sensitive issues', including: the power and status of Malay Rulers: citizenship rights of non-Malays; Malay special rights and privileges; the status of Islam as the official religion; and the status of Malay as the sole National language. The proposed amendments would also 'enrich' these matters in the Constitution by requiring the consent of the Conference of Rulers ….By giving the Malay Rulers the powers to protect 'entrenched' constitutional provisions, they were thus to be made the perpetual guarantors of The Racial Bargain which had now been defined largely as a package of inalienable indigenous rights.[430]

The debate and joint approaches worked for Malaysia in two main ways: First, ethnic harmony was immediately achieved and has lasted for over four decades of peaceful coexistence. Second, Malaysia has witnessed economic growth and development and hopes to join the league of developed countries of the world by year 2020. By this policy choice and implementation, the Federal Government of Malaysia acted consistently with Part VI, chapter 5 National Development Plan in Article 92 (1) If, after a recommendation from an expert committee and after consultation with the National

[430] Means, *Malaysian Politics*, p. 14.

Finance Council…"[431] Conversely, in the light of the foregoing debates, Nigeria's post-civil war Second National Development Plan (SNDP) of 1970-1975 can be compared to that of Malaysia (1970-1974) of post-1969 development. There were similarities between the two countries national policies. Nigeria's Second National Development Plan directed at achieving the following: "(a) a united, strong and self-reliant nation; (b) a great and dynamic economy; (c) a just and egalitarian society; (d) a land of bright and full opportunities for all citizens; (e) a free and democratic society".[432]

Similar to Malaysia, this study explains that the objective of planning in Nigeria is not limited to providing the needed accelerated rate of economic growth, and the idea of raising the level of the population; it also involves giving the country increased measure over the control of its destiny.[433] This study stresses the fact that Nigeria's post-civil war policy was rationally articulated to address "reconstruction of war damaged areas, eradication of corruption; establishment of more states; adoption of a new constitution; new formula for allocating revenue; completion of a national census; organization of national political parties; and elections" but its implementation is said to be a failure.[434]

The Nigerian development plan established an unambiguous connection between national unity and social integration of the country on the other hand, with distributive equality of the fruits of economic development. As observed in Malaysia's National Plan, the plan document also stated that if a just and egalitarian society was going to be established in Nigeria, it then means that there must be a reduction of inequalities in interpersonal incomes as well as among various communities in different geographical areas in Nigeria. The planners had in mind that Nigerian institutions must be formally restructured articulated to function in a manner that no individual or group was

[431] Chapter 5 on National Development Plan, at page 70 of the Constitution.
[432] Satish C. Mehta, *Development Planning in African Economy: The Experience of Nigeria*, Vol. 1, 1950-1980, Delhi-Kalinga Publications, 1990, p. 84.
[433] *National Development Plan* 1962 – 8, Federal Ministry of Economic Development, Lagos, p. 3.
[434] The Gowon regime, http://www.countrystudies.us/nigeria/25.htm (accessed March 2, 2010.

oppressed on the basis of class, ethnic group, state or social status.[435] While evaluating the Nigerian economy in mid-1975, Professor Sam Aluko, a Nigerian economist noted, "the tendency is for the rich to grow richer and for the poor to grow poorer. The growing pattern of income and wealth distribution between the high and the low, between the urban and the rural areas, between the employed and the unemployed, between the military and the civilian population and even between the Federal Government and the State Governments is anything but just or egalitarian. The economically strong have been growing stronger and the economically weak growing weaker, buttressed by the increased abundance of the resources available to the governments".[436]

The said failed Second National Policy was managed by the military's rigid rules. For instance General Gowon ascended the throne as head of state of Nigeria after the second coup mid-1960s, and public policy became exclusively his, and some of his top civil servants and members of the Supreme Military Council (SMC).[437] Given that military rule was not accountable to the general public, national policies were not debated rationally in the SMC, hence public policy issues became immune from public scrutiny.[438] Similarly, it was also true under the regimes of Murtala Mohammed and General Obasanjo as the military maintains a command structure.[439]

The emphasis here is that in public scrutiny, public debates highlight the strength, lapses, corruption and loopholes in a public policy while mobilising public interest and support for the programme. Public scrutiny and debates are important because even if the technocrats who conceptualise and implement the programme are competent, without scrutiny they can fumble even with the best of intentions, without which they

[435] Mehta, *Development Planning in African Economy*, p. 85.
[436] *Daily Times*, April 21, 1975
[437] Augustine Adebayo, *Principles of Public Administration in Nigeria, New* York: John Wiley and Sons, 1981; Ladipo Ademolekun, *Politics and Administration in Nigeria*, Ibadan, Nigeria: Spectrum Books Limited, 1986.
[438] Turner, "Multinational Corporation and the Instability",
[439] Adebayo, *Principles of Public Administration;* see also Ademolekun, *Politics and Administration in Nigeria,*

may abuse their office.[440] The foregoing discussion on Nigeria describes problems associated with policy implementation in Africa and elsewhere in the developing world which describes the challenges brought about by a widening gap between intensions and results in programme execution. A defective execution of a policy programme voids the expected results.[441] Manyong et al reflect on poor policy implementation in Nigeria and observe that the formulation of policies is seen as ends in themselves instead of a road map to desired goals. Given this, less attention was paid to better execution of policies. Bureaucrats as well as those in charge of implementation of policies often lose sight of the basic objectives of policies; rather they continued to focus of superficial issues. A lot of illicit activities involving poor managerial skills, redtape, corruption as well as high rate of policy turnover often set hurdles to policy implementation.[442]

Given instances of failure by the Nigerian leaders in the post-civil war Nigeria, the thesis argues that Nigeria suffered economic strains under President Shagari due to poor management amid the initial oil boom. For example, under the democratic regimes in Nigeria, with their oversight function, the House of Representative and the Senate during Shagari regime was a house of the ruling elite–coalition characterised by predatory, destructive and corrupt practices and did not commit enough to shape public policy. The executive arm of the government used its power to crush any form of serious scrutiny thus making themselves unaccountable like the military regimes.[443]

It is important to note in this study that there is a need for strong ethical values that help to mould a society. Good moral behaviour is strongly emphasized in Nigerian and Malaysian Constitutions with the aim of raising ethical citizenry. For example, Buhari overthrew Shagari because he claimed that the economy had been ruined by

[440] James C. Scott, *Seeing like a State: How Certain Schemes to Improve the Human Condition Have Failed*, New Haven, CT: Yale University Press, 1998.
[441] Njoku, "Educational Integrity in Policy Implementation and Practice," p. 102.
[442] V. M. Manyong, A. Ikpi, J. K. Olayemi, *Agriculture in Nigeria: Identifying Opportunities for Increased Commercialization and Investment*, Ibadan: International Institute of Tropical Agriculture (IITA), 2005, p. 56.
[443] Tom Forest, *Politics and Economic Development in Nigeria*; Joseph, *Democracy and Prebendal Politics in Nigeria*,

corruption and moral decadence. Major General Mohammadu Buhari's Adminstration articulated an idea on War Against Indiscipline (WAI) to address moral decadence and impatience by Nigerians as a missing link in achieving orderly society. While Nigerians had started to respond to WAI rules, it was suddenly obstructed by Babangida's coup, which eventually removed Buhari from office and later renamed the programme Mass Mobilisation for Self Reliance, Social Justice, and Economic Recovery (MAMSER) in his administration. For Ekwonwa "major social changes come slowly and depend on large scale of shift in attitude and belief".[444]Yet, General Ibrahim Babangida could not handle such moral issues of the nation effectively with his MAMSER etc. His regime witnessed the emergence of high-profile fraud code-named '419' and other antisocial activities. While Malaysians were largely influenced by their cultural values which the traditional and religious rulers strongly emphasized on, Nigeria was as well rich in maintaining ethical values. Sadly, decades of military coercion, brutality and commandist rule left many Nigerians including political leaders with a militarised psyche. Ethnic violence is within this calculation as part of military legacy in the country. This is part of years of military failures in most initiated policies implementation difficulties in Nigeria's continuity and discontinuity.[445] It was part of what President Olusegun Obasanjo inherited. This is attested in his first inaugural address to the Joint National Assembly Session (JNAS) on June 4, 1999, when Obasanjo decried the spate of moral decadence in Nigerian society in his note:

> This is an issue that continued to recur in most observations about the way our society functions. Lack of discipline is a major factor behind many of our problems, such as attitude towards work, inefficiency, and low productivity in our economic life and social organizations. Indiscipline has even got a popular reference called the Nigerian Way of Life or the Nigerian Factor which, everyone knows, means how to get by without regard for, or behaving unreasonably and not abiding by the norms, rules and regulations. We owe it to ourselves to clean up this image of Nigeria and Nigerians.[446]

[444] Ekwonwa, *Nigeria Socio-Polical Institutions*, p. 170
[445] This is well documented in chapter three on governance of Nigeria.
[446] President Olusegun Obasanjo, "The Full Text of His Excellency President Olusegun Obasanjo's First Inaugural Address to the Joint National Assembly Session, p. 156.

The National Economic Empowerment and Development Strategy (NEEDS), a top policy programme of Obasanjo's administration was put in place in 2003 as a medium term development goal to redress socio-economic disparities in Nigeria. It is akin to earlier NEP in Malaysia and was described as a huge failure in the nation's bid to rise from its fledging past.[447] "NEEDS" is a homegrown "poverty reduction strategy process" (PRSP). It builds on the government's efforts and "progress made during the transitional phase of new democratic dispensation from 1999-2003".[448] 'It is designed to prosper the nation as "a four-year medium term plan for the period 2003-2007".[449] For instance, "NEEDS wishes to significantly eradicate poverty in Nigeria. It aims to create a Nigeria that Nigerians can be proud of and have a sense of belonging and identity, a Nigeria that promotes self-reliance, entrepreneurship, innovation, rewards hard work, protects its people and their property, and offers its children better prospects than those may be tempted to seek in Europe or the United States".[450]

However, NEEDS was established to resolve issues on people's "welfare, their health, education, employment, poverty-reduction, empowerment, security and participation."[451] But this thesis looks at poor execution of programmes in Nigeria in which NEEDS was poised to make a difference. The coordination and implementation of NEEDS was headed by President Obasanjo for supervision as well as evaluation. Implementation was carried out in all the three tiers of government in Nigeria.[452] Yet, NEEDS was not a success story for the country. Sadly, Nigeria lost decades of opportunities for its advancement because of "negative-to-slow growth and has been one

[447] The NEEDS is known for strategic and bold approach towards the realisation of its goals. This policy is akin to Malaysia's New Economic Policy (NEP) of 1970. But it was not implemented effectively.
[448] Nigeria: *National Economic Empowerment and Development Strategy (NEEDS)*, NEEDS Secretariat, National Planning Commission, Federal Secretariat, Abuja, 2005, pp. 5-7.
[449] Ikeanyibe Okey Marcellus, "Development Planning in Nigeria: Reflections on the National Economic Empowerment and Development Strategy (NEEDS) 2003-2007," *Journal of Social Science*, 20, no.3 (2009), 197-210, here p. 203.
[450] "National Planning Commission, *National Economic Empowerment and Development Strategy*," *(NEEDS)* Abuja, NPC, Reproduced by CBN, 2005.
[451] Nigeria: *NEEDS*, p. 7.
[452] Nigeria: *NEEDS*, p.9

of the weakest growing economies in the world on a per capita basis especially for the period 1981-2000."[453] Yet, it took Malaysian leaders only a single strategy with focused deliberation to put things right in the post -1969 ethnic riots in Malaysia.

Finally, according to NEEDs report, Nigeria's past policy failures are legacies of years of poor governance by various military regimes that ruled the country. Due to government assumed dominant role of being the producer and controller of the Nigerian economy, it brought about perverse incentives, inefficiency and waste. The control of oil revenue by the central government led to rent-seeking culture. The government turned out to be an instrument for acquiring easy wealth which seemingly discouraged incentives and dedication to duty. While the government became a source of patronage and rent-seeking, there were also intense struggle for official positions. All these neither rewarded private enterprise, nor encouraged transparency and accountability. As articulated in 'NEEDS' "Frequent regime changes in governance and frequent changes in policy were defining features of the past".[454]

Apart from these defining features of the past, the military despotism weakened institutions of governance. 'NEEDS' addresses, "Inappropriate development frameworks, poor and frequently changing policies and programmes, lack of clear development vision and commitment to the Nigerian project (as well as a population that acquiesced to the patronage culture) were the major causes of Nigeria's failed past".[455] Unfortunately, this was a missing link from success recorded under NEP in Malaysia, yet the wealth of Nigeria grew due to favourable price of oil at the world markets along with substantial debt relief which the Paris Club granted the country. No one could say if the average Nigerian actually benefitted from this huge accrued wealth to the country. The annual budget of Nigeria crossed the threshold of billions into trillions of Naira during NEEDS period 2003-2007 without making any difference in the per capita

[453] Nigeria: *NEEDS*, p. 19.
[454] Nigeria: *NEEDS*, p. 22.
[455] Nigeria: *NEEDS*, p. 22.

income of Nigerians still living on one dollar per individual that characterizes Nigeria as one of the poorest countries in the world.[456] Ethnic conflict is also poverty-induced.

4.4 **Assessing Leadership Role on Massacre in Odi and Benue Ethnic Communities, and Bloody Conflict in Jos, Nigeria**

This section of the study stresses on violence among ethnic groups in Nigeria, and the use of physical force by the Nigerian federal armed troops to destroy lives in the guise of calming down ethnic hostility. They unleashed destruction on a quiet Odu Community in Bayelsa State. Similar military force was drafted to contain some communal clashes in Benue State as well as ethnic conflict in Jos among the list of communal uprisings in the wake of the restoration of democracy in Nigeria in 1999. But tragic conflicts involving lives is uncommon in Malaysia. The alleged killing of some police officers in Odi and Benue was advanced as the reason the government felt compelled to re-engage already disengaged military forces on the erring communities. As. Carnell says, Federalism 'is the result of a balance between two competing forces.[457]

But this study argues as to whether such reasons are acceptable to destroy Odi town while mass killings were recorded in Benue. Three issues are learned in this section. (a) There is abuse of power from the federal centre on the component units on some issues that required a peaciful approach, and not brutal force. (b) The spate of killings and abuse of human rights by the military rulers was not contained by the civilian regime that inherited power due to poor enforcement of law. (c) It is also found that the society is severely divided because conflict among ethnic groups is often brutal in its least form.

First, since 1999 the widespread of inter-communal conflicts across Nigeria have led to the displacement of more than 3 million people, as well as the death of over

[456] Ikeanyibe, "Development Planning in Nigeria", p. 206.
[457] Carnell, pp. 16-21, cited in Khariril Azmin Mokhtar,

14,000 of its citizens.[458] On November 20, 1999, a military attack was launched against the main Ijaw town of Odi in Bayelsa State due to growing conflict in the Niger Delta over the right of the natives to oil resources in their land. The Nigerian army destroyed Odi town in Bayelsa State, allegedly in response to 12 police men killed by local youths. Reports gathered by many human rights groups support allegations that hundreds of civilians, most of them unarmed were killed in an organised attack by the Nigerian security forces.[459] In contrast to relative ethnic harmony in Malaysian democratic rule, Nigeria was engulfed in ethnic conflict in 1999. Obasanjos's victory in the 1999 election after forty years of mainly post-independence military rule, Nigeria was expected to show promises. He inherited an economy in shambles in a massively corrupt state apparatus of a federation that was characterised by years of ethnic hostility. His inauguration was greeted by militant ethnic groups expressing their desire in the "language of self-determination, local autonomy and resource control".[460] The Port Harcourt Environmental Rights action report in 2002 indicated that 2,483 people died in the Odi massacre.[461] Such attacks by the military that destroyed many lives and caused massive property damage attracted a visit by Nigerian Senator Chuba Okadigbo, the then President of the Senate a week after the massacre, where he stated: "the facts speak for themselves…there is no need for speech because there is no body to speak to."[462]

Obasanjo-authorised army nearly annihilated an entire village of Odi – an outrage that prompted the National Assembly to raise impeachment charges against the president who claimed that "The deployment of soldiers to Odi … was done within my constitutional powers and in absolute good faith with the aim of containing the worsening situation in the areas in the interest of security and to maintain law and order

[458] "Violence left 3 million bereft in past 7 years, Nigeria reports." Reuters, March 13, 2006 as earlier cited in this study demonstrates the intencity of tragic events involving human lives in Nigeria.
[459]Rothberg, ed., *Crafting the New Nigeria,* p. 191.
[460]Douglas Oronto, Von Kemedi, Ike Okonta, Michael Watts, "Oil and Militancy in the Niger Delta: Economies of Violence," *Working paper* No. 4, Institute of International Studies, Washington D.C: University of California, The United States Institute of Peace, 2004.
[461]Rothberg (ed.), Crafting *the New Nigeria*, p.191.
[462]Karl Maier, *This House Has Fallen: Nigeria in Crisis,* Harmondsworth: Penguin, 2006, p. 142.

and save lives and property."[463] The problem started in 1993 with the suppression of the "Movement for the Survival of the Ogoni People" (MOSOP). In a single episode of the government's order of military oppression, 20000 from the Ijaw ethnic minority were killed, with many more missing. Thousands were forced to flee and virtually no house was left standing in Odi".[464]These show a lack of true federal democracy at work, a clear sign of disunity due largely to problem of inequity invoking ractions among groups.

Second, another related tragic incident occurred between 22 and 24 October 2001 when hundreds of the Nigerian soldiers slaughtered over 200 unarmed civilians, demolished homes and properties covering over seven towns and villages in Benue state.[465] This was in retaliation to an earlier attack by a group of civilians that led to the death of Nigerian soldiers. Obasanjo forcefully denounced the death of the nineteen soldiers killed and directed that no effort should be spared to fish out the perpetrators. Obasanjo's response to the killing of unarmed civilians was surprisingly muted, and stated it was what one should expect from soldiers who may have acted in self-defense.

While considering the killings in Nigeria in contrast to considerable ethnic harmony in Malaysia, one is bound to question the behaviour and character of the president in light of such killings by his armed soldiers. These killings significantly demonstrate glaring instances of extrajudicial killings carried out by the Nigerian army which is contrary to Nigeria's "obligations under international human rights law". Sadly, the government did not take action or issue a strong condemnation on the spate of killings in Benue State.[466] Benue tragedy was indeed reminiscent of reprisals by the military two

[463]Rothberg (ed.), *Crafting the New Nigeria*, p. 191.
[464]Okechukwu Ibeanu, "(Sp) oils of Politics: Petroleum, Politics, and the Illusion of Development in the Niger Delta," *ACAS Bulletin*, No. 64, Winter, 2002/2003 , p. 30.
[465]Human Rights Watch, (Carina Tertsakian (ed.), *Military Revenge in Benue: A Population Under attack*, New York: Testimony to Human Rights Watch from Gbeji, Benue State, December 14, 2001, Vol. 14, No. 2(A)-April 2002, p.2.
[466]Human Rights Watch, *Military Revenge in Benue*, p. 2. See also "Army genocide" says Nigerian Speaker, B.B.C News, Thursday, 15 November, (2001), 17.25GMT online <http://news.bbc.co.uk/2africa/1658522. stm> (assessed 20 May, 2010).

years earlier in Odi where perhaps as many as 2000 civilians were killed.[467] Undeniably, the Benue episode shows severe divisions among ethnic communities in the Nigerian federal arrangement. The carnage in Nigeria is not recorded in Malaysia. Given the fact that both countries were at this time under democratic rule, such may have been attributed to the military had Nigeria still been under the military rule. This can raise a question as to why democratic rule in Nigeria has not been able to redress most of the past failings associated with military authoritarian rule in the country?[468]

Third, this thesis demonstrates how more shocking stories emanate from Jos. For example, Jos, in Plateau State, once known for harmonious living and home for over 40 ethno-linguistic groups and 3.5 million people suddenly became a ground for recurring violence with the highest number of internally displaced persons (IDPs) in Nigeria since the restoration of the country's democracy in 1999.[469] Many lives were lost in this tragic incident that accured between 7 and 13 September 2001 in a conflict between Christians and Muslims who had coexisted for many years.[470]

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[467]Human Rights Watch, *Military Revenge in Benue*, p. 3.

[468] To understand the scale of these worsening communal clashes in Nigeria, even under civil rule, this study demonstrates that many ethnic communities in Nigeria are severely divided. For example, the conflict in the Taraba and Benue area has been ongoing for many years, mainly between the Tivs and the Jukuns. While the Jukuns form the majority ethnic group in Taraba, the Tivs also form majority in Benue. Similarly a sizeable minority group of Tivs live in Taraba so also small minority of Jukuns in Benue. The conflict in Taraba State between Tivs and Jukuns centered on struggle for land, control of economic resources as well as political power. There have been tensions over the siting of the boundary between Benue and Taraba states "respect or disrespect for boundary demarcations, and political control of the border towns and villages." Broadly speaking, the Jukuns claim to be the true 'indigenes' of Taraba and consider Tivs as settlers. This view was rejected by Tivs who claim to have been living in Taraba for several generations, with claim of equal rights amid their complaint of marginalization in Taraba. Similarly, the Jukuns in Benue claimed to be marginalised too. These disagreements have led to sporadic violence since late 1950s, especially in 1964, 1976, 1990-1992. In one of such conflicts in between 2001 and 2002, many locals told the Human Rights Watch that paramilitary mobile Police and in some cases soldiers took part in the attacks by Jukuns which was responsible for killings and destruction of Tiv towns and villages. While Government authorities denied of members of security force involvement, other testimonies received by the Human Rights Watch were evident. Local source confirmed to Human Right Watch that "at least one hundred people and possibly more than 300 were killed in a combined attack by Juckuns, Fulanis, Mobile Police, and soldiers in Dooshima and neighbouring village". See Human Rights Watch, *Military Revenge in Benue,* pp. 16- 18.

[469] "They Do Not Own This Place", Government Discrimination Against 'Non-Indigenes' in Nigeria," Human Rights Watch, April 25, 2006; See also International Crisis Group, p. 13.

[470]Human Rights Watch, *Jos: A City Torn Apar*t, New York: Testimony to Human Rights Watch, Jos, October 1, 2001, Vol. 13, No. 9 (A) - December 2001, p. 2.

This study highlights numerous brutal ethno-religious conflicts that have characterised Jos for the past one and half decades and how the state and federal governments have more or less contributed to the crisis through their omission or commissions. It is correct to argue in the same line of reasoning that there is a great difference between often minor tensions in Malaysia with more deadly conflicts in Nigeria. For example, about one million people in Nigeria were displaced in the country due to ethno-religious strife between 1999 and 2004. Similar tension in Plateau State which occurred between February and May 2004 left 250,000 as IDPs. Some clashes started as "struggles for political control of LGAs, access to land and competition for other resources and are fueled by the entrenched bias of local and state officials who have crafted policies that favour indigenes and deny non-indigenes opportunities for educational advancement and civil service jobs. These officials also accept the exclusion of non-indigenes from the political life and continually demonstrate anti-settler bias in the provision of social welfare services."[471] Contestation over indigene and non-indigene status intensified mindless killings in Plateau State. The appointment of a politician from the Hausa Community to a state-wide post in a federal poverty eradication programme in 2001 resulted in clashes that claimed more than 1000 lives involving local Christians and the non- indigenous Fulani as well as Jarawa who are mostly Muslims. The Christian community claimed that their member was entitled to the state appointment.[472] Obviously Nigeria faces challenges despite the fact that federalism fosters unity and mitigates conflicting social forces which seems to be absent in this scenario.

In another scenario, Jos which has been a safe haven between 2000 and 2001 for many people fleeing from clashes in Bauchi, Kaduna, Taraba, and Nasarawa states suddenly became a conflict ground. The case of indigenes or non-indigenes or the

[471] International Crisis Group, p. 13.
[472] International Crisis Group, p. 13.

settlers mostly Hausa in the north had been causing tension in the state.[473]There is no effective law on citizen's rights: for instance a man and his wife, who migrated to another part of the country, will remain a no-native in his place of residence including their offspring who were born there, no matter the length of time of their stay in a particular state or territory. They are continually denied customary, native and political rights throughout all their generations based on a singular reason that they are non-native or are from a different tribe. This does not augur well for national unity.[474]

Given the need for security, the choice of using the armed forces as a bulwalk against aggression has put emphasis on its relevance. Despite the poor image of the military, their barrack is the first place of call for many Nigerians fleeing from ethnic and religious violence.[475] According to Larr, "In keeping with previous patterns, soldiers were sent in not only to restore law and order in the face of obvious police incapacitation, but to demonstrate a show of force in a bid to dislodge impunity. Such ventures have translated into bloodshed against innocent and defenseless civilians".[476]

The army had started "feeling a sense of professional idleness and political restiveness" an indication that an unused army is a possible threat to the stability of civil rule, as well as to individual liberties and freedom.[477] In spite of these communal conflicts in Nigeria, its Federal Constitution provides a guide for interethnic harmony. For example, section 42-(1) of the Federal Constitution of Nigeria which states:

> A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not, by reason only that he is such a person- (a) be subjected either expressly by, or in the practical application of any law in force in Nigeria or any executive or administrative action of government, to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religion or political opinions are not made subject; or (b) be accorded either expressly by, or in the practical application of, any law in force in Nigeria or any such executive or administrative action, any privilege or advantage that is not accorded to citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions or political opinions.[478]

[473]Human rights Watch p. *Jos: A city Torn Apart*, p.5.
[474] Nwankwo, interview comments
[475] Udogu., *Nigeria in the Twenty – First Century*, p. 32.
[476] Larr, *Nigeria's Journalistic Militantism,* p. 67.
[477]Abubakar Umar, Will Nigeria's Democracy Survive? *Vanguard*, 11 July, 2003.
[478] Constitution of the Federal Republic of Nigeria, Apapa, Lagos: Federal Government Press, 1999, pp. 23-24.

According to the same section "42-(2): No citizen of Nigeria shall be subjected to any disability or deprivation merely by reason of the circumstances of birth".[479] Given these constitutional provisions, the federal government under President Obasanjo declared a state of emergency in Plateau State for six months following numerous tragic deaths. He accused and suspended the state Governor Joshua Dariye of incompetence and replaced him with retired General Chris Alli.[480] This study argues as highlighted at the beginning of this section that the Federal Constitution of Nigeria is rich in inclusiveness, but weak enforcement of the law has in part given room for many deaths in the country. For instance, ICG has noted that given Nigeria's diversity, a constitutionally-based tenet that seeks to foster inclusiveness is a commendable design.[481] ICG also observed that the way the federal character principle is interpreted as well as implemented tends to legitimise a reasoning that instigates ethnic resentment as well as recurring carnage in places like Plateau State. It cautioned "There is compelling need to divorce citizenship and entitlement from indignity in order to stem the discrimination of communities perceived as settlers."[482] It means that Plateau State governor in trying to protect the indigenes of the state contravened the Federal Constitution. Paradoxically, it is similar to such seemingly (unfair) rights for the indigenous Malay majority but correctly entrenched in the Malaysian constitution which projects the political arrangement as authoritarian majority. In view of the continuing violence and killings in Jos and some parts of the country due to issues on indigeneity, ICG has suggested how the Federal Character Principle should be restructured to take care of emerging issues in the polity.[483]

[479] Constitution of the Federal Republic of Nigeria, p. 24
[480] See International Crisis Group interview, Plateau State, May, 2006.
[481] International Crisis Groups, interview, Abuja, April 2006.
[482] International Crisis Group, p. 14.
[483] The recommended areas cannot be listed here due to space constraints, see International Crisis Group, p. ii.

The suggested areas largely reflect on how issues in a plural society and in fact a federal state should be treated without bias. This is akin to such disparity that existed in Malaysia in early 1970s prior to the implementation of the country's affirmative action. It must be pointed out in this study that the struggle for natives' rights in Jos and a few other places in Nigeria has cost the nation many lives. Yet, in contrast to Nigeria being averse to indigenous rights, such rights to the Bumiputras in Malaysia have been elevated in governance policy in the country in more profound and enviable heights because of their constitutional backing. The larger Malay population receives the benefits and other ethnic groups, while not engaging in violent reactions, convey their reactions or perceived unfair treatment by mostly peaceful means. This is in contrast to continuing clashes and brutal confrontations that characterise the situation in Nigeria. While HRW reports condemned the role the Nigerian Government played with its military at various engagements as shocking. Wheare has cautioned that threat and political coercion are not allowed in a federal system.[484] A detailed insight in this respect as Ronald Watts would say provides different insights and a rich content in the analysis of pluralism, diversity and operations of different federal states. [485]

4.5 **Conclusion**

This chapter has shown that apart from ethnic conflict in a federal system, a certain level of crisis can be observed happening between the federal authority and its federating units from time to time, which sometimes show how either the federal or state government acts in accordance or outside its jurisdiction. While the federal constitution delimits spheres of authority, it is meant to avoid conflict in the process of achieving effective governance in federalism. There can be levels of tension emanating from

[484] Wheare, *Federal Government,* pp. 86-7.
[485] Ronald L. Watts, "Typologies of Federalism" in John Loughlin, John Kincaid and Wilfried Swenden (eds.), *Routledge Handbook of Regionalism and Federalism*, New York: Routledge, 2003, pp. 19-33, here p. 26.

excessive use of power or incidental encroachment into the sphere of authority of another. All these make federal practice both challenging as well as healthy competition between both levels of government. Both the mobilization of military force against some states in Nigeria and the federal government failure to release revenue or discourage investment in its federating units due to faceoff are not healthy for federalism to thrive.

It is observed in the chapter that maintaining ethnic harmony, political stability, growth and development requires good policy choices and implementation strategies to redress the tensions generated by the May 13th racial riot of 1969. One of the significant factors that enhanced the success of Malaysia's affirmative action was the nation's pre-NEP debate by both EPU and NDU. The National Operations Council (NOC) ushered in a new era of ethnocentric development. The promulgation of a *Rukunegara* (National Ideology) and the implementation of a national policy, known as the *Dasar Ekonomi Baru* (DEB) or the New Economic Policy (NEP) which propelled the Second National Plan from 1971 to 1975 and to run for twenty years. The Federal Government of Malaysia pursued an agenda that was meant to avoid a repeat of the 1969 incident.

Similar to Malaysia's pos-1969 race riots, the rehabilitation, *reconciliation* and integration of diverse groups in Nigeria after the civil war in 1970, especially the Igbo were top agendas in the Second National Development Plan. The chapter raised the important point that Nigerian leaders failed in policy implementation and practice that contrasted with Malaysia's approach in its post-1969 racial riot. Tension associated with interethnic competition is intertwined with the struggle for economic resources accruing to the state in form of the national cake. The civil war was mainly on account of economic interests in Nigeria's federal structure. Yet Nigerian authorities were unable to implement policies that could help resolve the economic factors that instigated the war. This is where Malaysia achieved a feat in its affirmative action in reducing income disparities among groups after its 1969 racial riot in which the national debate helped.

Nigeria has been inconsistent in being guided by good policy options and direction. Right from its inception, inconsistencies, failed national plans, and policies, have characterised the country's inability to overcome its socio-political and economic challenges. As a missing gap in national development ideology, this chapter has highlighted how the Obasanjo administration introduced NEEDS. Despite NEEDS intellectual approach as a tool for development and reduction of poverty and economic disparities among Nigerians, it was a failure. Some scholars see NEEDS as good on paper only, which could not convert the country's huge oil wealth and the government's trillion naira budgets, into lifting the mases out of their grinding poverty. This chapter has also demonstrated the level of ethnic and communal violence in Nigeria and the approach adopted by the government to deal with it. Surprisingly, the reasons given by the president in defense of his order that led to the slaughter of hundreds of civilians by federal troops is untenably wrong and invalid. Apart from May 13 1969 race riots in Malaysia, no other ethnic commotion has witnessed such tragic incidents as seen in Nigeria. This is a lack of unity as respondents point out in this study in what Ifeka describes in the literature review as a complex society with its centre-periphery conflict.

In fairness, the performance of Nigerian leaders has not been good enough to address numerous ethnic challenges in the country. The state has not effectively intervened with huge resources at its disposal to relieve the masses of their long standing poverty. Secondly, policy issues and programmesto disallow socioeconomic disparities as seen in Malaysia were not strictly followed and implemented in Nigeria. Although Malaysis exhibits its own mode of operation, Nigeria's posture, in handling disputes under Obasanjo's regime was contrary to the principle of a true federal democracy. The foregoing analysis that will aid in the understanding of the effectiveness of federalism in Nigeria and Malaysia is explored in the next chapter.

CHAPTER 5

Exploring the Effectiveness of Federalism in Managing Ethnic Conflicts in Nigeria and Malaysia

5.1 **Introduction**

The preceding chapter assessed Nigeria and Malaysia on federalism as an inclusive mechanism for managing diversity with focus on leadership behaviour and policy issues. This current chapter examines further the role of federalism and how effective this institutional framework has worked in Nigeria and Malaysia in mitigating ethnic conflict. The focus is to provide analysis that vividly shows the country that demonstrates political stability and enduring social order within the context of ethnic rivalries and federalism as a conflict mitigating mechanism in both countries.

This evaluation also takes cognisance of two institutional prerequisites of federal features (a & b have been discussed earlier in chapter 4). This chapter will now discuss (c) The Constitution is the supreme law of the land and any legislation not in conformity with the provisions of the Constitution is deemed invalid. It, therefore, follows that the Constitution must almost necessarily be a written and rigid Constitution. (d)The Court has the power of Judicial Review. The courts should have the authority to interpret the constitution. In this respect, the court decides cases related to jurisdiction involving the federal and regional governments or among regional governments. It keeps various levels of government in check within their various spheres of influence.[486]

The thesis examines the effectiveness of federalism in dealing with ethnic conflict. In order to understand how the system works in enhancing political stability in Nigeria and Malaysia, the following areas are explored: first by assessing conflict over exploration and distribution of resources; second, it examines conflict induced by structural and political context; and third, it assesses the influence of tradition and

[486] See Moten's emphasis on federal features documented in chapter one covering the theoretical framework of this study.

culture in politics. The idea is to show levels of political stability in both countries. Two facts emerge from this perspective: Nigeria is more unstable while Malaysia is much more stable. This assertion is shown in the patterns of regime change discussed in the chapter. The fourth section of this chapter examines the current challenges in Nigeria and Malaysia. It is important to note that 'current challenges' in both countries are beyond the scope of this study. However, the idea is to show briefly current issues in both countries as supporting facts to the ongoing discussion. To begin this chapter, the entire discussion is substantiated with the following arguments:

(1) Nigeria has been in turbulence for about fifty years of its existence with numerous challenges, namely, {i} numerous ethnic conflicts, exacerbated by rampant regime change by an ethnic army that distorted the country's federalism and exposed the nation to the status of an unstable polity. {ii}the country's written (rigid) constitution was suspended six times in thirty years of military rule by decree {iii} except for a few years, the suspended constitution gave no room for judicial role. In effect, this study argues that federalism in Nigeria has not been effective.

(2) This thesis argues that the Malaysian federalism has been considerably effective and more stable for over fifty years. Three factors emerge from this perspective: (a) entrenched traditional and religious institutions and Malay rights are intertwined with federalism in Malaysia. (b) Power sharing and compromise arrangements by the Alliance at independence have led to consociational democracy in Malaysia. It describes uninterrupted one party seemingly majority-authoritarian democratic rule for fifty years. (c) Post-independence leaders were truly determined on affirmative action, and national development. This study examines (constitutional issues-'c&d').This chapter demonstrates that the role of federalism as a mechanism in managing ethnic conflict has been more effective in Malaysia than in Nigeria.

5.2 **Ethnic and Regional Conflict over Exploration and Distribution of Resources in Nigeria**

Ethnic and regional struggle for higher derivation from oil has exposed Nigeria to instability. Unlike Malaysia, ethnic and regional conflict over resource distribution is a peculiar problem to Nigeria. Malaysia will feature in this discussion where necessary. Obviously, federalism has helped to keep Nigeria's diverse groups together for half a century. Malaysia has done well too but its federal constitution is ethnically focused. Fault lines exist in the practice of federalism in Nigeria that has made ethnic conflict and political instability inseparably convoluted and threatens its social existence.

This thesis looks at ethnic conflict and instability that have characterised Nigeria as a nation since the amalgamation of Northern and Southern Nigeria in 1914. It is linked to such ancient hatred, and a union of people of different regions and cultures who often engaged in continual inter-ethnic wars as well as trade before they were joined together as one nation. The argument is seen on why this disunity was not overcome at independence, which helps the reader to understand how Malaysia's level of stability has emerged from its historical past as the thesis demonstrates in the next section. Observably, tension among ethnic groups in Malaysia could be said to be far less than the North South tension today in Nigeria. The serious tensions are like a corrosive wound that is negatively affecting federal arrangements in the country which is reinforced by fresh conflicts.[487] This thesis emphasises that ethnic conflict and political instability crisscross regional and ethno-communal boundaries in Nigeria. Given the ethnic conflict, this study presents both 'fiscal' and 'political' contexts that instigate most known rivalries and all forms of instability in the Nigerian federal system. Discussion on Nigeria requires a broad view. As Watts would say, federations are distinct political systems.[488] Fiscal federalism explains constitutionally distinct

[487] This is about the current ethno-religious killings in Nigeria by Boko Haram sect.
[488] R. Watts, "Federalism, Federal Political System and Federations," *Annual Review of Political Science,* Vol. (1998):117-37

monetary transactions involving more than one level of governing authority within a nation-state (federation) with responsibility for both taxation and expenditure.[489]

Fiscal context as discussed in this study involves exploration as well as allocation of oil resources whereas the political context has to do with providing suitable arrangements that would enhance the well-being of all the components parts. But the function of federalism in both contexts should be designed with effort to avoid marked inequality among the federating units in power and resource matrix.[490] Contrary to federal practice, this study looks at the centralisation of resources by the Nigerian governing authority as inconsistent with the law that guides federations, whereas it has been made clear that financial subordination of units or obvious disparity in wealth, population and landmass harbour factors that can destabilise federations and may mark an end to federalism.[491] This study contends that conflicts exist among Nigeria's federating units as was the case with Malaysia. For example, at the inception of federalism in Nigeria, the original three regions enjoyed devolution of powers whereby each region enjoyed significant autonomy over internal affairs such as maintaining a regional police force as well as civil service. The principle of derivation was obviously significant in the resource distribution arrangement as seen in the recommendations by Louis Chick Commission of 1953.[492]

It points to the fact that derivation was the central emphasis in federal revenue allocation between the period 1954 and 1966 when the military removed the then civilian government from power. The military saw the crucial need to curb the powers of

[489] Wheare, *Federal Government*, p. 188; I. B. Bello-Imam, Chapter 10, Fiscal Federalism in Nigeria in Oluranti S. Komolafe, Hossein Jalilian, Mark Hiley (eds.), Fiscal *Policy Planning and Management in Nigeria*, NCEMA, 1999, p. 249; Of course, within a fiscally federated state, Okigbo has argued that "a citizen can be subjected to the influence of fiscal operation of different levels of government – a development in what economists tag, economics of the multilevel". See, P. C. Okigbo Nigerian Public Finance, London: Longman, 1965; J. C. Anyanwu, "Revenue Allocation and Stable Fiscal Federalism in Nigeria," *Journal of Economic Management*, Ibadan, Oct. Vol. 2 No.2, (1995).
[490] Mahammad, "Federalism and Political Stability," p. 192.
[491] Wheare, *Federal Government.*
[492] This is cited by J. I. Elaigwu, *The Politics of Federalism in Nigeria*, Jos, Nigeria: Ayaotu Publishers, 2005. p. 252; Mahammad, Federalism and Political Stability, p. 192.

the regions which had weakened the central government because the federal structure was gradually disintegrating. To arrest the situation, the military changed the derivation principle in 1966 to make way for other arrangements. This was a period of rising in oil prices and a fall in the prices of cocoa as well as other export produce from various regions that were sold in the world market. It was unexpected windfall for the south eastern region with the oil boom eventually becoming the mainstay of the Nigerian economy, while the importance of groundnut and cocoa from northern and western regions respectively receded at this period.[493] Other Revenue Commissions instituted by the military recommended some minor modifications which were effected.[494]

This study also looks at how both the North and West were seemingly silent over the new revenue distribution formula by the military in which the Eastern Region insisted on the existing derivation arrangements as the basis for revenue sharing in the country. The military regimes however tampered with the constitution and kept on reducing the derivation (See table 6.2, page 229 ahead), contrary to Nigeria's fiscal practice, and no consensus has been reached on an acceptable formula in the country.[495] This shows how divided Nigeria has become, hence it begs the question as to whether the northern military ruled-government would have changed the derivation, had the oil deposits been found in the north. This question still remains unanswered. Yet, each time the military seized power the Nigerian Constitution was suspended and military decree was put in place. Contrary to democratic principles that operated simultaneously in

[493] Mahammad, "Federalism and Political Stability," p. 193.

[494] From 100 per cent in 1946, the Philipson commission recommended 50 per cent for derivation in 1951; Hicks-Philipson recommended 50 per cent, 100 per cent was actually disbursed in 1953 when the Western Region pushed for it; in 1958, however, the Raisman Commission set derivation at 50 per cent; in 1960, it was 50 per cent; by 1970, the regime of General Yakubu Gowon …reduced derivation share to 45 per cent… In 1975, derivation fell to 20 per cent, The Obasanjo/Yar'Adua administration fixed it at 25 per cent…Shehu Shagari reduced it to 5 per cent in 1981. Under Buhari, it crashed to 1.5 per cent. General Ibrahim Babangida raised it to 3 per cent…it took the rise of Sara Wiwa phenomenon for the consideration to be given to a 13 per cent rise on the principle of derivation as proposed in the 1995 and now the 1999 constitution, see O. Ofeimum, "Resource Control and Beyond (2)," *The Guardian*, Lagos, July 17, 2005.

[495] I. S. Zabadi and A. N. Gambo, "Federalism and National Security in Nigeria," *African Journal of Federal Studies.* Vol. 1. No. 1, (2000):65-81, here p. 75.

Malaysia at this time, there was no consultation with the federating units in Nigeria, rather they were being intimidated in most matters of earlier shared interests. This is also substantiated in the literature review of this study where Najibo and Umukoro stress on denial and deprivation and the ready support from local and state officials to paramilitary groups they believe have the strength to enforce their regional agenda in Nigeria.

First, it could be argued that military rule is non-constitutional in terms of matters this study seeks to address. Second, as highlighted in 'c' in the introductory section of this segment which looks at the constitution as the supreme law of the land and any legislation at variance with its provisions is deemed invalid, yet no court as required in 'd' above is allowed to challenge the military which largely operates outside the constitution. Largely, the courts seem to be constrained, for example, John Paden clarifies this assertion when he posits that "the judiciary continued to play a weak role partly as a result of long term military rule. Political interpretations of the constitution tended to rely on power politics rather than judicial precedent."[496]

Third, subsequent military and civilian governments in Nigeria attached such earlier military decrees on revenue sharing into the 1999 Federal Constitution with less emphasis on what happened to the 1960s constitution that provided for 50 per cent derivation which the military dropped. The regions or ethnic communities affected by the slashed oil derivation were not consulted because it was an ethnic army that took over power and distorted the existing revenue arrangement. There was no participatory discussion on how the military decrees could override provision of the country's earlier constitution. What the ethnic army did in terms of the provisions of the Constitution is deemed invalid in (a) above. But from all indications, no court revised what the military put in place. But it should be noted that the military's inclination in meddling in politics and governance in Nigeria is not observed in Malaysia. For instance, Campaign for

[496] John N. Paden, *Muslim Civic Cultures and Conflict Resolution:The Challenge of democratic Federalism in Nigeria,* Washington D.C: The Brooking Institution, 2005, p. 142.

Democracy (DC) in Nigeria has decried that military rule destroyed the basis of federalism in Nigeria. The 1999 constitution does not show any sensitivity to the existing problems. It scarcely gives consideration to the issue of autonomy or organisation of political power; rather it concentrates on power and definition of power in its lopsided posture in favour of the central government. The federating states are denied control of their oil resources. This exclusive preserve is shown in the 13 per cent to oil producing states which is not different from the illegality of the military that doled out meager portion to them under dubious fiscal arrangements.[497]

This study contends that this derivation instigated resource control struggle in Nigeria at the exit of the military in 1999 because, as highlighted in the introductory note of this section, the military as an aberration were coercive. Given the pressure, a suit was filed by the federal government demanding Supreme Court's interpretation of the offshore oil revenue in 2001, and also stated that it was not compelled to pay revenue derived from offshore oil fields to coastal states. The ruling by the Supreme Court in favour of the federal government triggered further agitation due to a feeling by the oil-producing states of their derivation cut.[498] With regard to (b) above, if the Supreme Court ruling was truly justified, how right is it to increase to 13 per cent derivation during the same period? This then leads to the question as to why the same conflict has not ceased for fourteen years now, if both the court ruling and 13 per cent increase were justifiable. This has led to armed conflict between the Niger Delta ethnic communities and the Federal Government armed forces.

This problem is not witnessed in Malaysia. Although there are instances whereby oil-producing states ruled by the opposition party have asked the Federal Government of

[497] Insight into this vexing fiscal arrangement, see the paper presented at the "Conference of nationalities" organised by the Campaign for Democracy (CD), Century Hotel, Okata, Isolo, Lagos Nigeria, December 17-19, 1999.
[498] Human Rights Watch, *Niger Delta: No Democratic Dividend*, Vol. 14. No. 6 (A), October (2002).

Malaysia to increase their royalty, but without conflict.[499] This owes more to the fact that the oil-producing regions in Nigeria have insisted on true federalism. The system is also riddled with huge theft of revenue from oil or large scale corruption that benefits the political class. The conflict in Nigeria as the thesis highlighted in chapter two is also exacerbated by Nigeria's geoethnicity (most states are ethnic/tribal in nature) which makes their oil resources localised and arguments on resource control is highly contested, because they see it as one of the features of true federalism. Ethnic groups in Malaysia live in clusters, and are largely loyal to both traditional and religious rulers, which has made its system more synchronised. Both Sabah and Sarawak oil producing states which are geographically separated from West Malaysia have not acted violently on oil revenue matters. While other improved conditions may count, Raja Omar argues that the states in Malaysia are not constitutionally safeguarded since the Federal Constitution vests overwhelming power in the federal authorities.[500]

Notably, revenue sharing formula has been a major cause of most recorded conflicts in present-day Nigeria, but oil producing states receive 5 per cent in Malaysia with fewer worries, hence more attention is focused on Nigeria in this analysis. Research has shown that resource control has not posed a major issue in Malaysian fiscal policy.[501] As noted earlier in the introductory section of this study, it is this story that has led to tragic ethno-regional conflict in the Niger Delta Region over revenue cut from 50 per cent down to 1.5 per cent and presently 13 per cent which is still being contested. Sadly, such are the politics of revenue sharing and frequent conflict in Nigeria which however describes the practice of federalism in Nigeria as ineffective.

[499] For example, the most recent request by the State of Sabah to the Federal Governmant of Malaysia in 2014 for increase in royalty it receives, which is discussed ahead under Malaysia testifies to this assertion.
[500] Omar, "A Historical Perspective of Federalism in Malaysia, p. 125.
[501] All the respondents interviewed in Malaysia as discussed in chapter six ahead confirmed that conflict over 'resource control' is not yet witnessed in Malaysia.

5.3 **Federalism: Ethnic tension Induced by Structural and Political Contexts in Nigeria**

Another area of tension in Nigeria relates to the country's structural and political context. The creation of the nation's first three regions in 1954 has witnessed gradual but steady incremental state creations by different regimes in Nigeria bringing about 36 states in 1996. Also the numerical strength of local councils in Nigeria grew from 301 in 1976 to 774. The three tiers of government involving the federal, state and local governments are fashioned to cope with Nigeria's diversities, but ceaseless structural divisions of the country have not provided satisfactory results. This owes more to the military's penchant for disregarding constitutional norms by quickly acceding to numerous calls for the creation of more states as well as local governments in Nigeria.[502]

Part of the emphasis in this segment of the thesis is that unlike Malaysia, rampant state and local government creations and recreation have not really relieved Nigeria of numerous destabilising conflicts. This is because as some scholars argue, the exercise of state creation in Nigeria has opened up room for development. It has also localised or shifted conflict away from the federal centre and such moves, has succeeded in breaking the earlier hegemony of the original three regions.[503] But this study argues that the localised conflicts highlighted above have destroyed lives and property within the Nigerian federation. What goal is then achieved when the centre is firm and secure and its federating units destabilised by conflicts of varied proportions? Even if such development prospects could be envisaged, how real is development in Nigeria? How do the states and local councils account for huge oil revenue at their disposal which local government Chairmen and governors are largely accused of sharing among themselves and big men in politics with minimal development projects?[504]

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[502] Mahammad, "Federalism and Political Stability," p. 194.

[503] Larry Diamond, "Issues in the Constitutional Design of a Third Nigerian Republic," *African Affairs*. Vol.86, No. 343 (2987): 209-226; Fred Onyeoziri, Alternative Policy Options for Managing the National Question in Nigeria, Ibadan: John Archers Publishers limited for PEFS, 2001.

[504] The height of corruption in Nigeria relates to degree of underdevelopment of the country which may have added to the level of suspicion and fraustration of groups in the society.

This study contends that to understand the game of politics in Nigeria is to observe the flow of oil money from the federal government to states and local governments which raises some sentiments among those who feel they are marginalized or left out. For instance, Nwosu has argued that creating new states from the existing ones invariably leads to the emergence of new minorities, as well as new majorities in newly created states which raises fresh claims of marginalization by those who felt they have become minorities. In other words, attempt to cut age old tribal affinities of brothers into separate states or local councils have caused clashes within the federation.[505]

This study argues that the issue of marginalisation prompted the federal government to divide the country into six geographical zones. For example, both Southeast Zone of core Igbo has Southsouth Zone of former minority groups now split into states to form a zone. This is similar with Southwest and those of Northeast, Northwest and North central. These zones are new centers of power and the number of states counts in politics. In order to give sound expression to its federalism, the Federal Government of Nigeria adopted Federal Character Principle which is enshrined in the 1979 Nigerian Constitution as a directive principle of state policy in which section 14(3) of the Constitution says "The composition of the government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such manner as to reflect the federal character of Nigeria and the need to promote national unity and command national loyalty thereby ensuring that there shall be no predominance of persons from a few states or from a few ethnic or sectional groups in that government or any of its agencies".[506] The uniqueness of the Federal Character Commission (FCC) is also seen in

[505] N. I. Nwosu, "the Military and Constitutional Engineering in Nigeria," *Ilorin Journal of Business and Social Science* Vol. 5 No.1 (1998):31-39, here p. 34.
[506] See, Mahammad, Federalism and Political Stability, pp. 195-6; For discussion, see Federal Character Commission, 10th Annual Reports, Abuja, Nigeria, 2005.

its section 14(4), for instance, explains that the composition of the federation and conduct of affairs in a fair manner in recognition of Nigeria's diversity.[507]

But this lofty Federal Character Principle (FCP) which targeted inclusive segments of the federation had no executive agency until 2002 when the FCC was launched. Its implementation earlier by different agencies of the government was disorderly leading to people's loss of confidence even now in the federal character principle.[508] While Malaysia is examined next, it is interesting to recognize certain good characteristics of the Nigerian federal character principle. This study has shown that Nigerian leaders have maintained clear insight on how the Nigerian federation should prosper through its federal character principle approach. Yet, one ponders over the scale of conflicts that have ravaged Nigeria over five decades amid its federal arrangements.

Nigeria, as this study argues, has been plagued by an avalanche of conflicts namely, the three year civil war of 1967 and 1970, ethno-regional instigated coups, namely January 1966 and July 1966.Others are Major Gidion Okar-led but failed coup of 1990, communal clashes between Ife and Modakeke in Osun State, Umuleri and Aguleri in Anambra, Ijaw and Ilaje communities in local war etc. This period also witnessed the resurgence of Movement for the Actualisation of Sovereign State of Biafra (MASSOB), Odua People's Congress (OPC), Egbesu Boys, Movement for the Emancipation of the Nigeria Delta (MEND), and other ethnic militia that rose in the wake of Sharia debacle, to defend their respective ethnic interests and to control oil resources within their region in what they feel is true federalism.[509]The literature section of this study provides views of scholars like Isaac Albert, Toyin Falola on ethnic hostility in Nigeria. Apendix I. Table 6.1 also provides a list of ethnic and religious clashes in Nigeria between 1754-1817 and 1960-2002, and all these describe the Nigerian federation as volatile.

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[507] Mahammad, "Federalism and Political Stability," p. 196.

[508] P. P. Ekeh and E. E. Osaghae, *Federal Character and Federalism in Nigeria*, Ibadan: Heinemann, 1989

[509] This study has captured major part of the contestations and conflict among ethnic groups in the federation in chapter five of this thesis. See also Mohammad, "Federalism and Political Stability," p. 197.

5.4 **Federal order: Religion and Culture influence Political Behaviour in Malaysia**

Malaysia and Nigeria are two different countries that have certain salient features that provide unique differences between them. Unlike tensions caused by oil money and the rough politics of Nigeria, Malaysia exhibits far less tensions. Rather, while taking cognisance of Malaysia's stable tensions, this section of the study shows how Malaysia's socio-cultural heritage has reinforced on its federal character -a measure of cultural and religious loyalty that significantly influence public behaviour and political stability.

There is one peculiar fact that emerges in this discussion which directly or indirectly touches on some other aspects of life in Malaysia. It is deep-rooted culture that permeates the life of the people. The relationship between politics and social culture has been emphasised as "Among the most important principle which must be considered when analysing Malaysia politics."[510] It is observed in this study that culture has a great influence on Malaysia's political stability. For instance, Malaysia remains a kingdom given the fact that the Sultan as the head of state remains in power, whereby the constitution has also given mandate to the people of Malaysia to choose their government through election. Hence the Executive Government remains in position under the "philosophy of the people, for the people and by the people." The process of integration in the system has been ongoing since the general election in 1955 and independence in August 1957.[511]

In effect, this study explains the fact that early integration between 'power and politics' and the 'balance of ethnicity and races' had been experienced in Malaysia as a

[510] Md. Shukri Shuib, Mohamad Nasir Saludin, Otto F. Feigenblatt, Mohamad Faisol Keling and Na'eim Ajis, "The Role of Malaysian Leaders in Nation Building Process (1957-2003)" *Arts and Social Science Journal*, Vol. ASSJ-3, 2010.

[511] M.S Shuib, M.F Keling and M. N. Ajis, The Implications of Cold War on Malaysia State Building Process, *Journal of Asian Culture and History*, Vol. 1 No. 2 (2009) 89-98; Shuib et al, "The Role Role of Leaders", p. 2.

dominant factor that saved Malaysia from falling into insurgency.[512] This study also contends that Malaysia has transformed from 'sultanate nationality' to 'nation-building phase which in this context largely defines Malays as primary subjects. To understand Malays and culture, prior to 1940s, they were divided into Malay groups and categorised themselves between state and *kaum* (ethnics).[513] But the point of emphasis now is that Malays who are largely Muslims have all along been pressured and controlled by traditional loyalty to the Sultan and the King. The Sultan is the symbol of sovereignty by his or her own people. This historical fact has also shown with the exception of Malays living in Malacca, Penang and Singapore, that "Malays had to be citizens and loyal subjects to each state governed by the traditional aristocracies. This had a major influence on the process of nation-building in Malaysia."[514]

It is of interest to point out in this study that, apart from the Sultan in Northern Nigeria whose influence is limited to religious issues within the north, Nigeria is aligned to secularity in its federal design. Unlike the more traditionally and religiously regulated Malaysian society, Nigeria's secular state status was meant for building a liberal state, and as such government officials had to adopt a neutral position towards various religions because of its divisiveness and likelihood of causing conflict. It is the reason why Gordon rigntly observes that "Since independence, the Nigerian state has managed religious diversity through the constitutional stipulation that Nigeria is a secular state that guarantees freedom of religion and equality of all citizens".[515]

It is this early culture that got infused into UMNO and Malayan union in 1946. For example, Dato Onn Jaafar, the Johor Malay leader, demonstrated his zeal to unite all Malays "in Malaya either from non-federated states or Strait States," which stressed on the unity that gave birth to UMNO, as a dream realized on May 11, 1946. The proposal

[512] I. W. Hwang, Personalised politics in Malaysian state under Mahathir, Singapore: Institute of Southeast Asian Studies, 2003.
[513] R. Leetee, *Malaysia From Kampung to Twin Towers*, Kuala Lumpur: Oxford Faja 2007, pp. 16-27.
[514] Shuib et al, ,"The Role of Malaysia Leaders in Nation Building" p. 3.
[515] Gordon, *Nigeria's Diverse Peoples*, p.214.

and concept of Malayan Union by Sir Harold McMicheal was resisted because it was an idea of 'nation building' that sought to bring non-Malays to an 'equal citizenship rights."[516] The proposed idea for Malayan Union was regarded as a move to overthrow the Sultan and kingship. However, the Sultan and the Raja are held in high esteem as the traditional as well as religious leaders of the Malays.[517] This fact is profound; hence this thesis demonstrates that in the federation of Malaysia, the Monarchy is a highly revered institution whereby some levels of administration provide a balance between power and politics. While rulers are not allowed to be involved in politics, the authority and respect they command often helps calm down tension between politicians in the country especially Malay politicians.[518] Conversely, Nigerians are more restrained by legal rules.

This study argues that the Malays in Malaysia who are largely Muslims as well as majority in the country have retained their old and cherished loyalty to their traditional and religious rulers as well as political leadership are not given to violence. This influence was evident in the administration of Prime Minister Tunku Abdul Rahman, 1957-1970, Tun Abdul Razak, 1970-1976, Husein Onn 1976-1981, Mahathir Mohamad, 1981-2003, and Abdullah Ahmad Badawi, 2003-2009. Apart from racial riots of May 13, 1969, Malaysia has recorded interethnic harmony within its federating units.

Nigeria has been able to keep all its federating units intact, even though it has witnessed more severe conflicts ranging from its Biafran Civil War to ethno-religious conflicts and other militia-related conflicts that expose its system to more volatility than Malaysia. As observed in Nigeria's Federal Character Principle, NEP became the guide as affirmation policy in Malaysia that was strictly followed by all the governments that have ruled Malaysia since 1970. Fiscal policy in relation to revenue sharing has not posed many problems to Malaysia due to its affirmative action. There is no doubt that

[516] H. Miller, *The Story of Malaysia*, London: Faber, 1965, p. 164.
[517] Miller, *The Story of Malaysia*, p. 165
[518] T. A. Rahman, Coretan Kenangan Tunku Abdul Rahman Putra al-Haj, The Memoir of Tunku Abdul Rahman Putra al-Haj. Shamsudin Puteh (translator), Department of Information Malaysia, Kuala Lumpur, 2007, pp. 95-110; 125-144.

contestations and certain level of exclusion have occurred in Malaysia as this study shows in chapter six, but such has not degenerated into major instability as seen in Nigeria. All these account for relative political stability in Malaysia as against more regular crises in Nigeria. Apart from earlier compromises within its ethnic leadership, Malaysia's stable polity, as this study argues also owes more to its traditional monarchy, religious culture and its (ethnicity) Malay rights enshrined in its federal constitution that have influenced the state policy with the outcome of the state being considerably stable.

5.5 **Ethnic Conflict: Assessing Federalism and Regime Change in Nigeria and Malaysia**

5.5.1 **Introduction**

In this section, the thesis evaluates the effectiveness of federalism and its institutional workings by examining institutional structures and political stability especially in terms of smooth transfer of power in both countries. The idea at this point is to argue that federalism thrives in a democracy which makes room for social cohesion. On the contrary, "countries strongly divided along class and ethnic lines will place severe constraints on the attempts of even the boldest, civic-minded, and well-informed politician (or interest groups) seeking to bring about policy reform." [519] While Nigeria and Malaysia are discussed separately in this section, the thesis argues that Malaysia has been more politically stable than Nigeria due to traditional and religious influence on its society. It is apt to note that the structure of the Nigerian federation exhibits uncertainty and disruptions between civilian and military dictatorships. In effect, attempt is made in this section to show how federalism has been distorted from working effectively in Nigeria due to turbulent and contradictory political trajectory that has characterised the nation since its independence in 1960.[520] This thesis discusses item (b) above on

[519] William Easterly, "Social Cohesion, Institutions, and Growth," Working Paper Number 94, Center for Global Development, August 2006, p. 2. Available at www.cgdev.org

[520] Nigeria's institutional inadequacy is ighlighted in the literature review of this study.

incessant regime change and different regimes in Nigeria while providing brief insights into other itemised problems.

5.5.2 **Ethnic army Induced Rampant Regime-Change and Faltering Federation of Nigeria**

Nigeria, as this study emphasises is an interesting country to study given its challenges and the resilience to numerous internal tensions. While the challenge is huge in view of diversity and sectional interests, federalism provides an enabling platform for diversities and multiethnic groups that exist in such federations whereby Nigeria is described as a country of extraordinary diversities and complexities.[521] The argument in this section is premised on the fact that those decades of military rule in Nigeria negatively affected the smooth-running of the country's federal arrangement towards a seeming unitary system in a strict sense of its true evaluation.

Strictly speaking, in 1960 the British came with their independent political arrangement that was skewed in favour of Northern Nigeria. Then came the military that was externally instigated to formulate various forms of constitutions and political arrangements for the country, all with the central intent to hold the country weak and backwards for the benefit of the military and civilian elites.[522] This argument is also substantiated by the fact that most of the country's politicians and bureaucrats, as well as other political actors are now engrossed in military dictatorial style of governance continually.[523] Earlier in this chapter, this study raised and substantiated facts on how Nigeria has been more unstable than Malaysia. Similarly, it continues to characterise its faltering federation which is defined by different factors inherent in the system.

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[521] Human Rights Watch, They Do not own this Place: Government Discrimination Against Non-Indigenes in Nigeria. Human Rights Watch Report Vol. 18 No. 3(A), April 2006, available online at www.hrw.org; Abdulrasheed A. Muhammad, "Federalism and Political Stability in Nigeria: Current Peril and Future Hopes,"*Journal of Sustainable development in Africa*, Vol. 9, No. 4 (2007):187-210, here p. 187.

[522] Frank Okay Nwankwo, (Igbo Southeast), Real Estate manager, Abuja, Interviewed at Abuja September 15, 2010.

[523] See, Julius O. Ihonvbere, "Constitutionalism and the National Question in Nigeria," in A. A. B. Agbaje, L. Diamond, and E. Onwudiwe (eds.), *Nigeria's Struggle for Democracy and Good Governance: A Festschrift for Oyeleye Oyediran,* Ibadan: Ibadan University Press, 2004: 243-265.

First, Nigeria's ethno-regional structure led to lack of compromise even within their conceived political coalitions. Disagreements and contests instigated numerous crises which provided room for the fatal military coup of January 1966 leading to the collapse of the parliamentary government of Nigeria's First Republic. Second, to understand how federalism was distorted in Nigeria is to reflect on the fact that each time the military took over power; the Federal Constitution of the country was suspended and replaced with military decrees. A cursory glance at events in the 1970s-1990s shows decades of aborted transitions to democracy and military coups which Okorie describes as "Khakistocracy, and illegitimate era of looting in Nigeria." He provides insight into seven successful and two failed coups that negatively portrayed Nigeria as unstable.[524] Horowitz describes military coups especially in Nigeria as "Where armed forces are ethnically fragmented, military coups ostensibly to quell disorder or to end corruption may be made to secure the power of some ethnic groups at the expense of others."[525]The polarisation of the military and its intervention in governance constricts democratic space as seen in regular suspension of the Nigerian Federal Constitution which is the life wire of the federation. It is believed that the best way to succeed is to rise when one falls, but the situation in the past decades in Nigeria saw the military grab political power at the least mistake by the civilian regimes.

For further insight into power play, North's hegemonic trait is put succinctly in Elaigwu's own words, "there was a relatively delicate division of power between the North and the South. The North's control of political power was counter balanced by the South's monopoly of economic power in the country. We may go further to suggest that the January coup of 1966 tilted the delicate balance between the North and the South it

[524] This thesis demonstrates these unstable regimes through the lens of Okories work, (1),15th January 1966 military coup led by Majors Kaduna Nzeogwu & Emmanuel Ifeajuna, (2) 29th July 1966 military coup led by Yakubu Gowon, (3) 29th July 1975 military coup led by Murtala Mohammed, (4), 13th Fedruary 1976 militar coup led by Buka Suka Dinka, (5), 31st December 1983 military coup led by General Buhari, (6), 27th August 1985 military coup led by General Ibrahim Babangida, (7),1986 coup sponsored by Major Mamman Vatsa-but failed, (8), April 1990 coup led by Major Gidion Orka but failed, (9) 17th November 1993 palace coup led by General Sani Abacha. Okorie, *Nigeria Weeps*, p. 34.
[525] Horowitz, *Ethnic Groups in Conflict*, p. 12.

concentrated both political and economic power in the South, the North felt its sense of security threatened and reacted accordingly".[526]

As a comparative study that clarifies issues common to both countries, such concessions allowing political power in the hands of the Malays and economic power controlled by the Chinese did occur in Nigeria. As observed in aforementioned Elaigwu's view on Nigeria, there was no such alliance; rather such political and economic cleavages were reinforced by geopolitics over North and South regional interests. But such military disruptions in Nigeria did not occur in Malaysia.

Third, General Gowon was removed from office due to corruption amid mismanagement of the economy. General Murtala Mohammed and Obasonjo regimes 1976-79 which was reform-centered governance inherited a fragile economy from Gowon. The buoyant economy, which defined General Gowon's nine-year leadership, had begun to slide at the time Mohammed and Obsanjo took over the government through coup d'état.[527] Yet, corrective military regimes are not saints if one can employ such an appellation in line with Dent's view that "corrective Military Government is a distinct category. It comes under the genus of Military Trusteeship which contrasts with the corruption of military power-military usurpation or tyranny. A corrective Government occupies the middle position between Military Caretaker Government and Military Revolution."[528] The inadequacy of the system includes the following:

a) "Malfunctioning of the Federal System owing to lack of national unity.
b) Lack of national dynamism owing to inert administration.
c) Corruption throughout national life.
d) Over-dependency on outsiders in foreign affairs and lack of indigenization in business.
e) Failings in political process through deficiencies in the Federal Constitution and in the political class who operated it and excess elitism in many spheres".[529]

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[526] J. I. Elaiigwu, "Federal-States Relations in Nigeria's New Federalism: A Review of the Draft Constitution," in Suleiman Kumo and Abubakar Aliyu (eds.), *Political Issues in the Nigeria Draft Constitution*, Institute of Administration, Ahmadu Bello University, Zaria, 1997, p. 147.
[527] Levi A. Nwachuku and G. N. Uzoigwe (eds.), *Troubled Journey: Nigeria since the Civil War*, Maryland: University Press of America, 2004, p. 113.
[528] M. J, Dent, "Corrective Government: Military Rule in Perspective," in Keith Panter-Brick (ed.), *Soldiers and Oil: The Political Transformation Of Nigeria*, London: Frank Cass, 1978, p. 102.
[529] Dent, "Corrective Government," p. 104.

Another aspect of interest of this study is to show how the regime set up a panel to investigate the authenticity of the cost of government projects and the corrupt role of high-ranking civil servants in plundering the nation's wealth. But as Panter-Brick would argue, a military regime that has assumed responsibility for correcting the deficiencies of its predecessor may act like a colonial government, exercising the power of tutelage, and reserving for itself the right to insist on certain constitutional provisions.[530] In other words, it will always give itself a period of grace, ruling by decree until certain conditions are fulfilled, and it may pre-empt future decisions by its own unilateral action. Given this, the new regime removed all the governors who served under Gowon and disallowed the newly appointed governors from being part of the Supreme Military Council (SMC) in order to achieve discipline in the force.[531]

This study also posits that one of the major policies of the regime in the reform process was to restore democratic governance with a determined effort at establishing a functional and liberal democracy in Nigeria. Mohammed had in September 1975 selected a 50-member (49 in active service) as Constitutional Drafting Committee' (CDC) with specific instructions namely: "To eliminate cut-throat political competition and discourage electoral malpractices; discourage institutionalised opposition to government in power; firmly establish the principle of public accountability; eliminate over-centralisation of power in few hands; provide for genuine and truly national political parties".[532] But Malaysia did not encounter these disruptions as witnessed in Nigeria after its initial Alliance compromise that ushered in its consociational democracy. However, Nigeria was able to produce its first autonomous constitution by

[530] Keith Panter-Brick (ed), "The Constitution Drafting Committee," Soldiers and Oil The Political Transformation of Nigeria, London: Frank Cass and company 1978, p.291.
[531] Zalanga, "The Postcolonial state," p.349; O. J, Offiong, "The Dilemma of Nigerian Experience at countering Socioeconomic and political Behaviours through social mobilization," *Nigerian Journal of administrative Science* vol. 4, (1993), pp. 45-46.
[532] Oyele Oyediran, ed., *The Nigerian 1979 Elections*, Lagos: MacMillan Nigeria, 1981, p.10; See also International IDEA, *Democracy in Nigeria*, p. 23.

1979 charter. It was put in place thus justifying the preamble "we the people of Nigeria […] do hereby make, enact and give to ourselves the following constitution".[533]

Fourth, the abolition of a parliamentary system in favour of a presidential system of government in 1979 demonstrated effort at correcting inherent systemic problems in Nigeria. True democratisation sustains effort at political integration while strengthening national cohesion under federalism. The adoption of American presidential system of government was meant to provide room for true federal structure and practice Nigeria's diverse ethnic groups long desired. Given the fact that the military rule is an aberration, President Shagari's administration was expected to restore enhanced economic welfare to Nigeria's diverse population, but his regime failed in this sense. It is fair to argue at this point that there was a policy change, and a genuine effort at repositioning the nation in the right constitutional track by developing democratic institutions. The argument had been to replace the Westminster model with American presidential system in view of past failures in governance. Nigerian leaders could no longer continue with the earlier experimented parliamentary system under the Westminster model of 1960 - 1966 which operated prior to the first military take-over of the government.

A presidential system similar to that of the US was adopted in 1979. The idea was to go for the full workings of federalism in Nigeria as seen in America.[534] However, effort was made to end the military rule in 1979. Nigeria's earlier parliamentary constitution was dropped and the newly provided presidential constitution was adopted. But it should be recalled that Malaysia went ahead uninterrupted with its own similar parliamentary system of government till this day. However, while the new constitution retained federalism, other ways to reduce ethnic tension, taking account of the "federal character" principle to mandate recognition of the diversity of Nigeria's people in the

[533] Panter-Brick, "The Constitution Drafting Committee." p. 346.
[534] Government of Nigeria, *Report of the Political Bureau*, Abuja: MAMSER, 1987, p. 27.

composition of any government body were retained.[535] In spite of the latest reforms by the Obasanjo's administration, the new civilian administration led by President Shehu Aliyu Shagari was still characterised by huge economic mismanagement and electoral fraud.[536] The 1983 election which marked the transition that ushered in Shagari into power was characterised by large scale rigging by northern dominated ruling party.[537]

Fifith, President Shehu Shagari's Administration was overthrown by Major General Buhari and Major Gen. Idiagbon in 1983. This was almost the same time in 1981 when Prime Minister Mahathir Mohamad was elected as Malaysia's 4th prime minister since 1957. This time the take-over of government by coup was instigated by Shagari's ineptitude resulting in regime's squandering of national wealth with the attendant social decay in fraud and other forms of anti-social life in the country. Nigerian Armed Forces (NAF) constituted a Federal Military Government led by Buhari.[538] The 1979 federal Constitution of Nigeria has been suspended. For Buari, there was a need for a new approach to the socioeconomic predicament to which Shagari regime exposed the country. Other challenges were in the area of illicit activities and moral decay in the Nigerian society. Shagari's government was unable to be guided by the new Federal Constitution of 1979 for democratic rule in Nigeria. Rather Nigerian politicians were unrestrained to capture power at all costs.[539]

Rampant regime change is argued in this study as part of Nigeria's continuity and discontinuity that negatively affected interethnic relations and the true workings of its federalism. From 1983 -1985, Buhari and Idiagbon were preoccupied with political education and public policy in Nigeria in view of the decay in the sphere of ethical values. This was exacerbated by people who were wired to setting government

[535] Government of Nigeria, *Report on political Bureau,* p. 27.
[536] See chapter five of this thesis on ethno-electoral vionece in Nigeria.
[537] Suberu and Diamond, *Institutional Design*, p. 403.
[538] Buhari, "Maiden address delivered", pp. 7-8.
[539] Buhari, "Maiden Address Delivered" p. 8.

buildings ablaze in an effort to cover large scale fraud.[540] Apart from ethnic conflicts, there were also other anti-social behaviour issues that needed to be dealt with in Nigeria. While the people had started to respond to Buhari and Idiagbon's new rule, the regime was immediately overthrown by Babangida –led coup. Yet, ethnic virus in the Nigerian military force was unrestrained from 1984-1999 era of military hegemony in their exchange of power in a system held hostage by ethnic army from the North.[541]

Sixth, General Ibrahim B. Babangida removed General M. Buhari from office through a palace coup. His eight-year transition to civil rule programe climaxed in the annulment of June 12th 1993 presidential election which was won by Chief M.K.O. Abiola –a southerner. As covered in chapter five, it led to serious ethnic tension mainly in the southwest that claimed numerous lives and properties. It showed the North's unwillingness to share political power with other sections of the country. Babangida stepped aside, and handed over to Chief Ernest Shanekan from the southwest as the Head of Interim Government (ING), now seventh head of state of Nigeria. Yet, the interim government could not calm down ethnic tension against military action.

General Sani Abacha's regime became Nigeria's eighth administration when he removed Shonekan from office in a space of three months. He ruled with an iron hand which constrained any effort at unity of all the ethnic groups. His regime recorded political assassinations while he drove members of National Democratic Coalition (NADECO) into exile for being in opposition to his rule. Unlike such considerable ethnic harmony and political stabilityin Malaysia, Nigeria has remained a contrast in its perennial disruptions of governance. As Julius Ihonvbere observes, most of the public reactions are shown through protests against "unfederal" development were met with

[540] For example, illicit activities led to the use of arson to cover fraud. The public institutions gutted by fire were listed, namely "P and T Building in Lagos, the Anambra State Broadcasting Corporation, the Republic Building at Marina, the Federal Ministry of Education, and the Federal Capital Development Authority accounts office and NET Building". Given Nigeria's obstinate corruption, a ministry was created to stem it, see, Buhari, "Maiden Address Delivered" pp. 10-11.

[541] Donald Rotchild, "An Interactiive Model for State-Etnic Relations," in F. Deng and I. Zartman (eds.), Conflict Resolution in Africa, Washington DC: The Brookings Institution, 1991:190-215.

intimidation and repression. Many Nigerians have been killed under the military rule and through ethno-religious conflicts, and class-based riots which characterised the society under the military. Military regimes in Nigeria were largely insensitive, often used brute force against the demands of nationality groups, minority participation in governance as well as quest for true federalism. He also posits:

> By "defederalisation" we refer to the process of making unitary what was once federal. In other words, defederalisation is a deliberate process of eroding or dismantling a federal system and replacing it with a unitary arrangement. The military not only concentrated power in itself and the center, but also ensured that the states were reduced to mere administrative units taking orders from the center. The excessive centralization of power, resources, and opportunities also encouraged the rise of authoritarianism and other forms of despotic rule, and the negation of democratic values. [542]

Pini Jason shows Abacha's administration's level of sectional interests in the selection of officials who are almost all from one section of the country. This arrangement runs counter to the federal character of Nigeria.[543] Nigeria's nineth regime was headed by General Abdulsalami who took over power after Abacha's sudden death in 1998 and eventually handed over to a democratically elected president in 1999. While Olusegun Obasanjo became Nigeria's next Head of State in 1999, this period witnessed ethno-communal clashes all over the country. The long held grievances under the military were at this time unleashed on the polity by ethnic militia in demand of increased derivation paid on oil revenue or outright control of their resources in the Nigeria Delta region. Obasanjo was besieged by a host of problems. In his inaugural address on his ascension as Head of State, he noted:

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[542] Julius O. Ihonvbere, "Constitutionalism and the National Question in Nigeria," available at nigerianlawguru.com/…/constitutional%20law/CONSTITUTIONALISM… (accessed January 30, 2015).

[543] His argument is built on the prevailing situation under General Abacha. He argued, "Let's take a typical situation for example, Were Abacha to desire an advice on legal situation of Chief Abiola's pending case in the supreme Court, he would have had in attendance, his Special Adviser on Legal matters Professor Anwalu Yadudu, Attorney General, Alhaji Abdulahi Ibrahim, the Chief Justice, Muhammed Uwais, National Security Adviser, Alhaji Ismaila Gwarzo, his Chief Security Officer, Major Hamza el-Mustapha, the Director-General of Military Intelligence, Brigadier Sabo Mohammed and perhaps, the Secretary of the Federal Government, Alhaji Gidado Idris…But tell me where can you locate anything 'federal' in this assemblage?... add the Minister of Labour, Alhaji Ahmed Gasua and you would end up with the same unfederal assembly! If he summoned the Inspector-General of Police, the Deputy IG, AIGs and Commissioners of Police, you would still have the same sectional assembly and sectional solutions to a federal problem. There is nothing equally federal in a situation where people from one section of the country are solely in control of all the border posts of immigration, almost all the area administrators of the customs. That simply amounts to deliberately holding the rest under siege. Pini Jason, "Federalising Nigerian Government," *Vanguard*, Lagos, July 31, 1998.

> The incursion of the military into government has been a disaster for our country. The espirit de corps among military personnel has been destroyed. Professionalism has been lost. Most youths go into the military now not to pursue a noble career but with the sole intension of taking part in coups and to be appointed as military administrators of states and chairmen of task forces. As a retired officer, my heart bleeds to see the degradation in the proficiency of the military. A great deal of re-orientation will has to be undertaken and a redefinition of role, retraining, and re-education will have to be done to ensure that the military submits to civil authority and regains its pride, professionalism, and tradition".[544]

In his solemn address to the Joint National Assembly Session (JNAS) in 4 June 1999, the president also stated "…our people have come to understand and appreciate the extent of historical links within the geographical area housing our nation... various groups and communities have been advocating their perception of "true federalism." Some talk of restructuring of the federation with separate defense and law enforcement commands; others demand the application of a revenue allocation formula based only on the principle of derivation; there are those who want the country carved into six geopolitical zones". He understood the system, the people and the nature of governance in Nigeria over the years hence he couldn't hide his feelings when he also noted:

> These demands are mostly borne out of deep frustration and despair over the persistent failure of central governments to meet the hopes and aspirations of the people. An inventory of our grievances would reveal that without exception all sections have felt marginalised in the last fifteen years. In a situation where groups complain of marginalisation the question is begged: who is doing the marginalisation? This whole nation has been traumatised by misrule. It is perhaps understandable that in the absence of a trustworthy, transparent and just central authority, each one feels a victim and suspects the other of being the oppressor.[545]

There was pressure, as this study discovers, leading to a suit filed by the federal government demanding Supreme Court's interpretation of the offshore oil revenue in 2001 where it argued that it was not compelled to pay revenue derived from offshore oil fields to coastal states. The ruling by the Supreme Court in favour of the federal government triggered further agitation due to a feeling by oil-producing states of their

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[544] President Olusegun Obasanjo, "Inaugural Speech in 1999" in *The Inaugural Address and Ascension Speeches of Nigerian Elected and Non-elected Presidents and Prime Ministers 1960 -2010*, Maryland: University of America, Inc., 2011, p. 133.

[545]His Excellency President Olusegun Obasanjo's "First Inaugural Address to the Joint National Assembly Session on June 4, 1999," in Solomon Obotetukudo, *The Inaugural Addresses and Ascension Speeches of Nigerian Elected and Non-elected Presidents and Prime Ministers 1960-2010*, Maryland: University Press of America, Inc., 2011, p.135.

derivation cut.[546] Similarly such rulings in favour of the federal government have featured in almost all contested election cases brought before the courts in Nigeria. For example, Section 141 of 2006 Electoral Act states thus "an election petition shall be presented within 30 days from the result of the election is declared." This gives the idea of a long period of hearing hence the tenure of the office in contention is almost completed at the time judgment is delivered. It is argued that the Electoral Act is silent on time frame within which Tribunal Court need to complete petitions brought before them. This differs markedly from Electoral Act of 1982 and 1977 which gave 30 days to complete hearing and pass judgment in respect of presidential elections and 60 days for others. The trend has been that all the presidential and some other major elections in Nigeria since 1999 have been contested and court judgments passed has been in favour of the federal government.[547] While the courts have helped to sustain democracy in Nigeria in what is described as the proverbial Rock of Gibralter of Nigerian democracy,[548]individuals and organizations have attacked the Courts in Nigeria. According to Bolaji Akinyemi, some judicial interpretations have led to staggered elections as well as elongation of tenure of some public officers which is not good for democracy, and not found elsewhere in the world.[549] Nigeria is known to be Africa's most consistently federal polity.[550] Yet, given its failings, federalism in Nigeria has been described derogatorily as "peculiar, bizarre, misleading, purely distributive or failed, and representing a hollow federation or a unitary state in federal guise".[551]All these explain Nigeria's decades of instability.

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[546]Human Rights Watch, *Niger Delta: No Democratic Dividend*, Vol. 14, No. 6 (A), October (2002).

[547] These include the 1999 Presidential Election, 2003 Presidential Election and 2007Presidential Election, see Lawal Ejalonibu Ebenezer, A Synoptic Analysis of Issues in Nigerian Presidential Elections Disputes 1999-2007 Historical Research Paper, Vol. 13, 2014

[548] *The Nation,* June 18, 2009, p. 10.

[549] *Newswatch*, December 15, 2009, p. 10.

[550] Ladipo Adamolekun and John Kincaid, "The Federal Solution: Assessment and Progress for Nigeria and Africa," *Publius The Journal of Federalism*, Vol. 21, No.4 (1991):173-188

[551] John Makintosh, "Federalism in Nigeria," *Political Studies*, Vol. 10, No. 3 (1962)223-247; Larry Diamond, *Class, Ethnicity and Democracy in Nigeria: The Failure of the First Republic*, London: Macmillan, 1988.

5.5.3 **Ethnicised Federal Constitution and Consociational Democracy as Institutional Architecture for Stability in Malaysia**

Malaysia is a multiethnic country with unique features which are rarely found elsewhere in the world. The nation of Malaysia is populated by its indigenous Malays and other tribal or aboriginal groups who today live side by side with a host of earlier migrants from China and India who had settled in Malaysia for over a century. From its independence in 1957, Malaysia has demonstrated such commitment to realising and retaining a united and harmonious multiethnic society. Although Malaysia has maintained relative political stability for over four decades now, it has also exhibited direct and unrestrained discriminatory practices. This argument is premised on a federal feature of unity in diversity, but checks and balances against dominance of sections of the society by one group, as one of the cardinal features of federalism[552] is ignored in Malaysia's quest to retain the primacy of Malay rights and its institutions in its federal arrangement. Yet the system has been given credit for its effort at enhancing economic distribution and balancing interethnic relations.

This segment of the chapter is devoted to examining the mode of regime change in Malaysia and to view how and what has made its democracy uninterrupted, ethnic harmony improved and a considerable degree of its national development realised. All these point to the fact that Malaysia's nation-building effort demonstrates effective federalism. But the intent of this thesis is also to unveil salient features and such unique attributes that distinguish Malaysia's federation from others, yet a high degree of interethnic harmony and federal and state cooperation have been maintained.

In all calculations, Malaysia harbours remote ethnic tension amid its level of political stability. But to understand Malaysia better, the focus of this study is now aligned to H. Singh who has noted "Rather, the more pertinent question that arises at this juncture is: why did the Malaysian political system come to be structured on a

[552] Okpaga, "Inter-Governmental Relations" p. 184.

differential, rather than on an *equivalent*, or even *universalistic*, mode of incorporation?" Equivalent incorporation as Singh explains has to do with social justice that is expressed in equal rights to citizens with regard to affiliation. He employs "universalistic incorporation" to explain the need for equal political rights to all individuals in Malaysia.[553] The foregoing issues point to the ethnicised federal constitution and practices which have placed the control of political power and 'rights' in the hands of Malay ethnic majority in one authoritarian party rule in the country. This fact is profound in the general discussion. This thesis now highlights what contributed to the effectiveness of federalism in Malaysia.

First, the study done by Shafruddin has shown that ethnicity featured greatly in Malaysia's 1957 and 1963 federation as demonstrated in chapter three of this study on federal design in accommodating pluralism.[554] The earlier existing traditional institutions of the Malay Rulers were given recognition and protection by the Malaysian Constitution. The Rulers have constitutional functions as well as roles enshrined in the Federal Constitution and States Constitutions too. There are nine Malay Rulers who are Heads of State as well as Heads of the religion of Islam in their various states.[555] Notably, the *Yang di-Pertuan Agong* or the King is Malay Ruler elected by the Conference of Rulers as the Head of State for the federation (the Supreme head of the Federation) which gives a total of ten monarchies in Malaysia. "The existence of ten Malay monarchies or Malay sovereigns who have constitutional roles and prerogative powers in one country is a unique feature of Malaysia."[556]

Given the position of Malay Rulers in the constitution, it is also discovered in this study in comparison with Nigeria that the constitutional framework as well as the

[553] H. Singh, "Ethnic Conflict in Malaysia Revisited," *Commonwealth & Comparative Politics,* Volume 39, Issue 1 (2001): 42-65, here p. 45.
[554] Shafruddin, Malaysia centre-state relations by design and process, p. 7.
[555] States like Perlis, Kedah, Perak, Selangor, Negri Sembilan, Johor, Penang, Terengganu and Kelantan have Malay Rulers. See, Mokhtar, Federalism in Malaysia, p. 1.
[556] Mokhtar, Federalism in Malaysia, p. 1.

system of government in Malaysia was adjusted to accommodate the traditional institutions. Hence the Malay Rulers as well as federal system in Malaysia are knotted, showing that the institutions rely on the federal system and vis a vis.[557] The Malay ethnic majority whose special rights and privileges are fully protected in the constitution have also been nurtured in a system that makes their loyalty mandatory to a cultural heritage and religiosity in the context of both Sovereign Monarchy and Sultanate assigned to the *Yang di-Pertuan Agong*.[558] In view of this scenario, this study argues that the Malays are playing out as well as utilising the power of majority in all their protected rights and positions. For example, McGarry and O'Leary have reasoned that "A majoritarian federation concentrates power-resources at the federal level and facilitates executive and legislative dominance either by a popularly endorsed executive president or by a single party premier and cabinet."[559] The system truly retains the loyalty of all Malays in particular and other ethnic groups. It has enhanced political stability and sustained federalism in Malaysia in contrast to issues discussed on Nigeria.

Second, this thesis stresses that the event of Malaysian independence ushered in a new thinking in interethnic relations, pushed forward by the departing colonialists. This brought about the inter-racial bargain demonstrated by the Alliance. Having documented this in an earlier chapter, it shows how in a compromise between ethnic groups, political power and certain special rights were given to Malays in exchange for citizenship rights and economic power to the Chinese. In a nutshell, this study stresses that this power sharing and compromise arrangements by the Alliance at independence have led to consociational democracy in Malaysia. This argument is premised on the fact that political stability of any polity can hardly be based on predictions involving political

[557] Mokhtar, Federalism in Malaysia, p. 1.
[558] A salient feature deeply surrounds the contrasting scenario of the constitutional power of the state and the religious prerogative of the Rulers, which is linked to the Islamic religious authorities in the states of Malaysia. Mokhtar looks at "the mystery that shrouds the constitutional position and the religious prerogative of the Malay Rulerr as the Heads of the religion of Islam, and second, to some grey areas relating to the constitutional division of powers between the federal government and the state government relating to Islamic religious affairs", See, Mokhtar, Federalism in Malaysia, p. 3.
[559] This is more explained in chapter one; see McGarry and O'Leary, Federation as a Method, pp.1-2.

culture and the role of culture as two variables in which Lijphart considers the behaviour of the political elite as a third variable that provides consociational democracies as demonstrated by the Alliance.[560] It describes uninterrupted one party seemingly majority-authoritarian democratic rule for fifty years.[561] This is the political stability Malaysia commands over Nigeria in which Malaysia's democratic transitions from one regime in power to another has been smooth.

Third, this study argues that durable democracy is the cornerstone of effective federalism which is the outcome of Malaysia's consociational democracy discussed above. But this study sees post-independence leaders in Malaysia as truly determined to build a progressive society. The first phase Malaysian history provides a rich tapestry and insight of Tunku Abdul Rahman's administration from 1957-1970, whose attention was deeply devoted to nurturing a plural society with emphasis on political stability. For example, given his inclusive posture, Pramanik one of many scholars that have written about Malaysia's success says that Tunku deserves credit for his leadership quality which brought about a unity at securing independence and also for laying a strong foundation for sharing economic opportunities and racial harmony in Malaysia.[562] According to Tunku, "without national unity, there would be no stability, without which there would be no opportunities and resources for national development".[563] Enloe, one of the earliest political scientists to study multi-ethnic politics in Malaysia observes that "A political community is a man-made artifact fraught with destructive tendencies, making its continued cohesion a major task of government."[564] Malaysia's success in its consociationalism in contrast to Nigeria is explained in the work of McGarry and

[560] Arend Lijphart, "Constitutional Democracy," *World Politics*, 1982.
[561] Singh, Ethnic Conflict in Malaysia Revisited, pp. 48-54.
[562] Ataul Huq Pramanik, *Malaysia's Economic Success*. Petaling Jaya: Pelanduk Publications (M) Sdn Bhd, 1994, p. 6.
[563] Tun Abdul Rahman Putra Al-Haji, Tun Abdul Razak Hussein, Tun Hussein Onn and Tun Dr. Mahathir Mohamad, *Political Stability and Sustainability as Key Success Factors in Developing Malaysia*, Shah Alam: Perdana Discourse Series No. 4/2006, Institute of Quality and Knowledge Advancement(in QKA), Universiti Technology Mara, 2006, p. xi.
[564] Cynthia H. Enloe, *Multi-Ethnic Politics: The case of Malaysia*, Research Monograph Series, Center for South and Southeast Asian Studies, Berkeley, California: University of California, August 1970, p. 1.

O'Leary on the reasons for success and failure of federations. They have argued that "Nigeria and a future European federation will, *ceteris paribus,* be relatively unstable, as neither possesses a Staatsvolk. What must be considered in our '*ceteris parbus'* clause?" They hypothesise the following:

> (a), Multi-national federations without a Staatsvolk, if they are to survive as democratic entities, must develop consociational practices that protect the interests of all the encompassed national and ethnic communities with the capacity to break-away (b), The existence of a Staatsvolk, or the existence of consociational practices, will not themselves assure the stabilisation of a multi-national democratic federation, though they will separately or cojointly increase its survival prospects (c), Other conducive external and internal political, economic and social relationships may decide the fate of a multi-national federation. The character of multi-national power sharing, whether a national minority has backing from a powerful neighbouring state and whether its region is on the border of the federation will assuredly matter, as will the democratic and legal character of the federation, its mode of formation, and its prosperity.[565]

In addition to McGarry and O'Leary's assertion, the significance of this section also makes a logical claim that genuine effort was made in laying a solid foundation for a united and peaceful Malaysia when compared to events in Nigeria. This assertion is made clearer by a scholar who observes that the period of 1957-63 was like an illusion. This is because the Alliance created a platform that put in place a foundation for Malaysia's integrated society, ethnic harmony as well as constitutional democracy.[566] Tunku believed he would usher-in Malaysia's developmental aspirations and unity. Despite his effort, this thesis reflects on how racial riots of May 13, 1969 set a defining moment in the history of Malaysia.

It led to fresh policies from 1970 under Prime Minister Tun Abdul Razak that enhanced accommodation and welfare to Malaysia's diverse racial groups to tackle the 1969 challenges through NEP as an affirmative action. This section shows how Tun Abdul Razak's administration of 1970-1976 used security measures and economic integration through affirmative action to support national unity while retaining Malay political dominance. The transition of power from Razak to Onn was smoothly democratic. Under Prime Minister Tun Hussein Onn in 1976-1981, the thesis examines

[565] McGarry and O'Leary, Federalism as a Method, pp. 19-20.
[566] Keong, *Malaysian Chinese and Nation-Building,* pp. 49-50.

his administration that was centered on national unity with commitment to national security. The entire analysis here compares to rampant coup-related change of leadership in Nigeria. Remarkably, Onn's relentless onslaught against Islamic resurgence helped Malaysia to move beyond early fragmentation with enhanced economic growth.

Prime Minister Mahathir Mohamad's rule from 1981-2003 redefined Malaysia in a new development discourse and focus while accommodating all ethnic groups. His regime's response against Islamic insurgency as Onn did was remarkably swift and effective with sustained strong domestic economy which climaxed in his Vision 2020 for Malaysia. Finally, Prime Minister Abdullah Badawi's administration from 2003-2009 gave attention to the continued unity of the country and the realisation of Mahathir's Vision 2020 policy. He emphasised on the importance of human capital in view of Malaysia's quest to join the league of developed nations by year 2020. Badawi's strong emphasis on good race relations creates a window for Nigeria to view Malaysia's treaded path. Unlike the presidential system of government in Nigeria, and especially what the military did in disrupting federalism in the country, government in Malaysia's parliamentary democracy seems to function smoothly without disruption or disagreements with the states apart from earlier highlighted federal and state disagreements. Power transfer in Malaysia is smooth with ethnic harmony yielding political stability and effective federalism.

Fourth, there could be reasons why there was no military coup in Malaysia compared to the Nigerian situation. This study underlines four emerging arguments that support the considerable ethnic harmony and political stability in Malaysia in this sense***:*** (i) the Chinese in particular are smaller in number and traditionally tend to gravitate to the business sector and few are in civil service. (ii) By the adoption of a federal constitution in Malaysia, the safeguards of the positions of the Malay Rulers, the Bumiputra rights, which also promoted quota system in the civil service in favour of

Malays by 4:1 non-Malay, may have reflected in the military being composed of largely Malays.[567] (iii) This study looks at Malays as striving to protect all the rights and privileges they arrogate to themselves hence its military is made up of greater number of citizens of Malay extraction and this is the surest way of protecting the Sovereignty of the Constitution and the country. (iv) The compromise and shared interests by the members of the Alliance produced a democratic government born out of interethnic exchange of rights and privileges to the indigenous people and citizenship to other immigrant communities. Given this scenario, it has been said that one form or uniform federalism does not exist; hence Malaysia's federalism accommodates elements of ethnic inequality in contrast to true federal tenets. This may have given room for Malay ethnic forces with fewer tendencies for coups unlike Nigeria's experience which precipitated its ethnic driven civil war, the obliteration of its federal features which continues to rock its ethnic communities as seen in contrast to more peaceful ethnic communities in Malaysia. The division of Nigeria into twelve states helped the military to neutralise the regional hegemony that encouraged the Igbo Biafrans in civil war. It is important to recognise that none of these power struggles were witnessed in Malaysia.

Fifth, Malaysia's relative political stability is anchored on McGarry and O'Leary research. They argue that "The demographic composition of the federation matters: a federation with a dominant ethno-national community is likely to be more stable than one that does not". They are also of the view that federalism does not provide all the answers to interethnic harmony, rather consociational practice at the federal level is vital for "success of multi-national federalism if there is no Staatsvolk".[568]

[567] Quota system in Malaysia in favour of the Malays is more analysed in chapter six on contested issues on ethnic politics and administration in Malaysia.
[568] McGarry and O'Leary, Federalism as a Method, p. 26.

5.6 **Reflections on Current Challenges in Nigeria and Malaysia**

Attempt is made in this section to highlight in a concise manner some ongoing challenges in Nigeria and Malaysia. As earlier noted, it helps in support of ongoing arguments on both countries in the entire study as well as providing informed knowledge on current realities in the two countries as at the time of concluding this study. It is imperative to note that Nigeria continues to witness continuing ethno-religious violence in spite of some measures by the Nigeria Federal Government to keep the Africa's most populous nation free from ethnic strife. For instance, President Goodluck Jonathan became the head of state of Nigeria after the death of President Yar'Adua in 2010. Before his death, Yar'Adua's administration spent time and resources in addressing ethnic and regional problems in Nigeria. However, since 2011, President Goodluck Jonathan's administration has also been challenged even more by unending ethnic conflict in the country. Amid growing insecurity in the country, the Nigerian Army says its operatives are on top of security challenges in Nigeria.[569] Precisely, the study provides some highlights on President Jonathan's current challenges.

First, President Jonathan's victory in the April 2011 poll sparked revolts in a few parts of the North, which claimed many lives and property, while the opposition challenged his victory.[570] Second, hundreds of Nigerians have been killed in the 2011 ethno-religious violence in Jos and a few other states in the North.[571] Third, Boko Haram a brutal terror outfit, have killed many Nigerians including United Nations (UN) staff at

[569]We Are Not Sleeping Over Bombings, GOC Assures Defence Attaches, *Daily Sun*, Monday, 10 October,2011<http://beegeagle.wordpress.com/2011/10/11we-are-not-sleeping-over-bombings-goc-assures-defence-attaches/ (assessed October 12, 2011); See also, Boko Haram: Insurgent Kill LG Council Chairman, Two Others in Borno, *Vanguard*, 30 August 2011; Nigerian President Pledges Improved Security Nationwide, http://beegeagle.wordpress.com/2011/08/30/nigerian-president-pledges-improved-security-nationwide> (assessed 12 October,/2011).

[570]Deadly Riots in Nigeria After Jonathan Election Win, *The Independent*, Tuesday, 19 April 2011. <http://www.independent.co.uk/new/world/africa/deadly-riots-in-nigeria-after-jonathan-election-win-2269647.html> (assessed 12 October, 2011).

[571]Hyacint Kalu, *Together as one: Interrelationships Between African Traditional Religion, Islam, and Christianity in Nigeria*, Interfaith Series Vol.11, Bloomington: iUniverse 2011, p. 131.

the UN office in Abuja in the September 2011 bombing.[572] History has a way of repeating itself, (as earlier acted by Obasanjo and Yar'dua), President Jonathan recently drafted the military to crack down on the Boko Haram sect in Maiduguri and other areas they could be traced.[573]

But the persistent reign of terror by the Boko Haram sect in Abuja, Sulija, Bauch and Borno and the communal crisis in Jos has further raised questions concerning President Jonathan's capacity to address the rising wave of deadly conflicts in Nigeria.[574]Also, "Movement for the emancipation of the Niger Delta (MEND)" including various ethnic militia remain threats to national security with attempts to stop Nigerian independence cerebrations on 1 October 2011.[575] Nigeria's complex security, economic and political problems led to fresh calls in 2011 by Nigerians and State Governors for a forum to address important national issues.[576] There are insinuations as to whether Jonathan has all it takes to carry the nation over the threshold to greatness.[577]

Amid these tensions, President Jonathan has said he will disappoint those who expected him to act like a military general, or like a Pharaoh. He warned Nigerians not to make him into a Nebuchadnezzar.[578] "I'm no Pharaoh or army general", he declared. He also noted that he had not the character of a ruthless leader, but believes he can transform the country without exhibiting the traits of a lion king or of "a Goliath".[579] He assured Nigerians in his 51st independence address that the nation would overcome its challenges while urging citizens to keep faith in the country. Many southerners have fled Northern Nigeria due to ceaseless bombings by Boko Haram which currently holds over 200 girls as hostages. Other issues involving Jonathan's second term bid, power

[572]*The Guardian,* Thursday, 1 September, 2011. <http://odili.net/news/source/2011/sep/1/17.html>(assessed 12 October, 201).
[573]Soldiers Kill Boko Haram Members, *PUNCH*, Friday, 7 October 2011<http://www.punch.com/Article.aspx?theartic=Art2011100711251271> (assessed October 12, 2011).
[574]*Vanguard,* 29 September, 2011.
[575]*Sahara Reporters*, New York, In Nigerian New.Net, Thursday 29th September, 2011.
[576]Ayo Adebanjo, "Jonathan Will Divide Nigeria If…" *Vanguard*, in Special Report, October 1, 2011.
[577] Malam Nasir El Rufai, "Jonathan's Tough Choices", *THISDAY*10 June, 2011.
[578]King of (Ancient) Babylon of Biblical history.
[579]Jonathan to Critics: I'm no Pharaoh or Army General, *THE NATION* 26 September, 2011.

shift to other ethnic groups especially the presidency, and the North's insistence that power must be returned back to the North in 2015 continues to hit the polity. President Jonathan's Government has concluded a fresh National Dialogue in 2014 involving all the representatives of ethnic nationalities in Nigeria to find ways to cohere as a nation.[580]

There are few current issues that need mention on Malaysia. The current Prime Minister, Najib Tun Razak took over power on 3rd April, 2009. The1Malaysia concept became the key thrust of his administration which was to foster unity amongst the multi-ethnic *rakyat* (people). While 1Malaysia is gradually gaining acceptance, the country has witnessed religious tensions as highlighted above involving the word 'Allah' as exclusively for Islamic religion and not for Christians. While the court ruling was in favour of the Muslims, it aggrieved Christians in Sabah and Sarawak who have been using the word 'Allah' for over a century. Yet the Malaysian Government says the word 'Allah' can be used by Christians in Sabah and Sarawak and prohibited in Peninsular Malaysia only. This is a conflicting issue in the country.[581] Also the state is about to invoke the Sedition Act 1948 against ceaseless racial and religious provocative remarks

[580] A 5-month National Conference organised by the Federal Government of Nigeria, and headed by retired Justice Idris Legbon Kutigi in 2014 has recently submitted the resolution of all ethnic groups in Nigeria on a number of issues resolved, except 'resource control' which the Conference was not able to resolve, but to be assigned to a 'Special Committee' to look into it. See, Premium Times on the report of the National Conference at www.premiumtimesseng,com-national-conference-report-ngconfab-2/ (accessed December 4, 2014).

[581] It could be asked if the government is going to disallow Sabah and Sarawak natives from coming to Malaysia peninisular with their 'Allah' Bible to worship in Peninsula Churches, or carry their Holy Book wherever they need to be with it in Malaysia. What about numerous East Malaysian Christians living in West Malaysia with their Bibles in view of such seizure in peninsular currently by Customs officers in Malaysia. Some of these contested issues on religion in Malaysia are not observed in most Muslim dominated countries as well as in Nigeria. For Bible seizure see, Zahid blames Customs for Siezure of Christian Materials. Also as at the time of writing, Mohamed Azmin Ali who is the new Mentri Besar of Selangor where 321 copies of Holy Bible were seized by Jais in January 2014 told some 1000 DAP supporters that the Malay and Iban-language Bibles seized by the state religious authority in January do not belong to Muslims and must be returned to the Christians. This thesis intends to stress the fact that DAP party is mainly of Chinese ethnic community. Chinese forms the bulk of Christian population in Malaysia with some Indians apart from natives in Sabah and Sarawak. Dealing with religious issues has some elements of ethnic connotations as Malays are mainly Muslims in the same thinking. For Asmin's comments, see Anisan Shukry, "Bibles belong to the Christians, Azmin tells Selangor Sultan." *The Malaysian Insider*, November 11, 2014 available at www.themalaysianinsider,com/malaysia/article/bibles-belong-to-the-christians-asmi-tell-selangor-sultan (accessed December 4, 2014).; It is also interesting to indicate that the Bibles have been returned to Christians, see 'Bible seized by Jais returned to Christians but in Sarawak only.' The Malaysia Insider, November 14, 2014. Available at www.thmalaysiainsider.com/malaysia/article/bible-seized-by-jais-returned-to-society-says-asmi (accessed December 4, 2014).

by Malaysians through the media and other forms of social interaction. Lastly, while Malaysia is discussed in this study as free from militant activities, fresh developments show that some Malaysians are said to have joined the Islamic State 'IS' jihadists in Syria. Some suspected militants were also arrested in the country.[582]

5.7 **Conclusion**

This chapter has demonstrated institutional structures that promoted ethnic tension and harmony in Nigeria and Malaysia respectively. This study provided views on ethnic and regional conflict over exploration and distribution of resources in Nigeria. While it is peculiar to Nigeria, effort was made to highlight few instances of agitation especially by the opposition wing in Malaysia. The thesis also argues that ethnic tension in Nigeria is induced by structural and political context. This segment also highlighted factors that induce certain ethnic conflict in Nigeria as peculiar and localised, i.e problems of state creation and military penchant to power seizure which are not observed in Malaysia.

The chapter underlined the level of political stability, instances of what constitutes remote ethnic tension that still exists in Malaysia. However, this study has highlighted political and religious culture as intertwined in Malaysia. This has contributed tremendously to cultural and considerable ethnic harmony in Malaysia, when regular ethnic conflict and armed militia confronting the Nigerian armed forces is revisited. While armed confrontation is absent in Malaysia, the payment of oil royalty to its oil producing states is known to be peaceful. Credit is given to Malaysia in its effort to rid its system of violent ethnic conflict which makes the country more stable than Nigeria.

Finally, differences appear in political stability and regime change in Nigeria and Malaysia. From the first decade in 1966 to 1999, civilian administration in Nigeria operated for only four years, and the rest of the years were characterised by military

[582] For example, see "Nabbed-terrorists bound for Baghdad" *The Star,* Saturday June 14, 2014.

dictatorship. The nation of Nigeria was seemingly under siege due to ethnic army adventure in politics. While they appeared as if they were on a mission to unify the country, they were also seen exchanging power often violently among themselves through coups in their unhindered authoritarian rule that dismantled almost all the features of federalism in Nigeria. Not only was the Nigerian constitution suspended, there was no rule of law in terms of judicial interpretation and adjudication of justice.

All these are contrasted with democratic rule in Malaysia throughout the same period. One feature that has sustained federalism in Malaysia is the nation's ethnicised federal system that gave protection to both traditional and religious institutions a place in governance with total loyalty from Malays who are given special rights in wealth distribution. This is an unfair practice that has lasted for several decades in favour of the Malay majority ethinc group that gives support to UMNO-led government. Given Malaysia's consociational democracy, the system was able to sustain stability with smooth power transfer in a seemingly authoritarian one party rule for over half a century. This explains the dividing line between Nigeria's ethnic chauvinism and its unstable polity, and Malaysia's considerable ethnic harmony and political stability.

Finaly, reflections on the two countries has shown that Nigeria is still putting up measures to counter ethnic threats to its existence as a nation whereas new events continue to emerge within Malaysia's relative ethnic harmony and political stability. However, the next chapter discusses various contested issues by ethnic groups in Nigeria and Malaysia. The chapter demonstrates various competitions and cleavages as well as physical clashes among ethnic groups as manifestations of ethnic conflict.

CHAPTER 6

A Comparative Analysis of Ethnic Conflicts in Nigeria and Malaysia

6.1 **Introduction**

The preceding chapter explored the effectiveness of federalism in managing ethnic conflict in Nigeria and Malaysia. It provided the background knowledge of levels of political stability as shown in the patterns of regime change in both countries. This current chapter is focused on shaping the reader's understanding about contested issues in Nigeria and Malaysia, and the degree and impact of such conflicts on both countries. The aim of this chapter is to compare and contrast various forms of ethnic conflict in Malaysia and Nigeria since their independence in 1957 and 1960 respectively till 2009. The idea is to show major arenas of ethnic conflict and how the chapter offers rich materials in the general evaluation of ethnic conflict in Nigeria and Malaysian federations of diverse ethnic communities as shown in figure 6.1 in the next page.

Nigeria is explored first in the chapter and then followed by Malaysia. The chapter discusses domains and dimensions of ethnic conflicts in Nigeria in the following arrangement: ethno-political conflict and coups; era of electoral violence; massacre of ethnic communities; ethno-religious conflict; contesting education; economic contests; contesting politicized state creation; contesting resource control; and contesting security. The chapter further discusses research findings, summarises findings and concludes. This chapter adopts *a priori* assumption that different manifestations of ethnicity as well as conflict are linked to political power.[583] However, ethnic cleavage for sectional interest is akin to what Nzerimo describes as crisis of values.[584] Figure 6.1 serves as a balance sheet of the study showing common and uncommon issues contested for in each of the two countries being studied which make conflict different and often severe.

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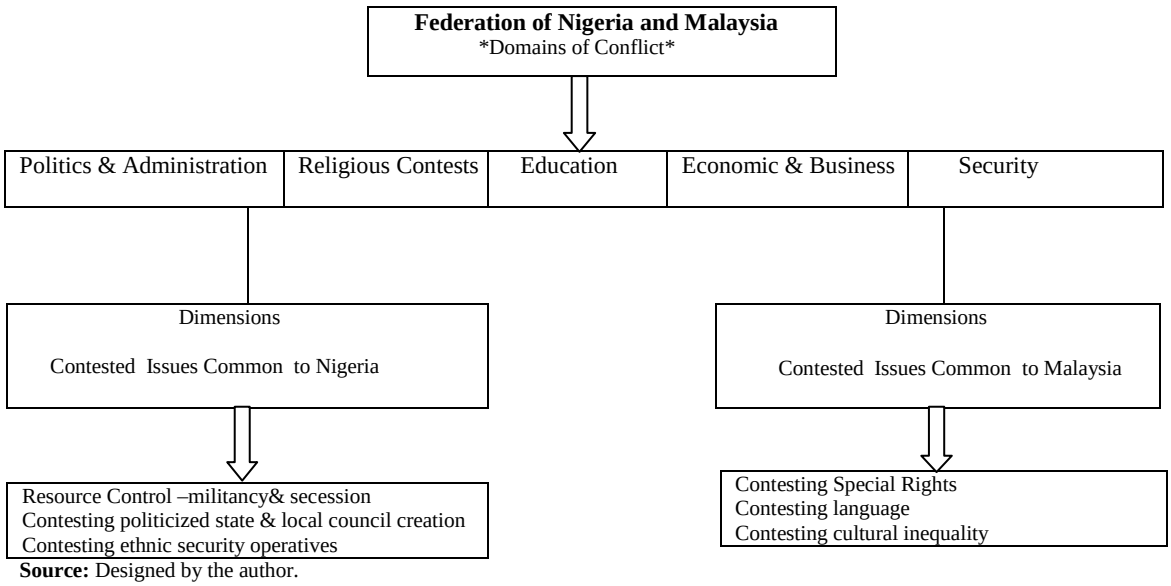
[583] Donald G. Baker, "Race and Power: Comparative Approaches to the Analysis of Race Relations," *Ethnic and Racial Studies* Volume 1, No. 3 (1978):316-35.

[584] IkennaNzimiro, *Nigeria Civil War: A Study in Class Conflict*, Enugu: Frontline Publishers, 1984, p. 11.

Figure 6.1 **Domains and Dimensions of Ethnic Conflict in Nigeria & Malaysia at a Glance**



Source: Designed by the author.

6.2 **Nigeria's Unbalanced Federal Structure Generating Ethno-political Tension**

6.2.1 **Introduction**

This section discusses numerous ethno-political conflicts over contested issues in Nigeria since its independence in 1960. It has often been argued that the asymmetrical federal structure foisted on Nigeria by the departed colonialists in favour of the North with two-third of the country's landmass tend to marginalize the two main ethnic groups in the south in an unfavourable political equation. Ethnic conflict in Nigeria crisscrosses many aspects of life. First, the study traces the 1959 election crisis at the threshold of independence which exposed ethnic groups in Nigeria to severe divisions especially between the North and South. Second, the 1962 census crisis and the 1964-1965 elections generated ethno-political tensions in the Western Region which invoked federal power controlled by northern leaders. This climaxed in the first military coup by Igbo officers, briefly discussed, and counter-coup carried out by northern ethnic army in 1966 which complicated governance and threw the country into a three-year Civil War.

6.2.2 **Ethno-regional Controversies over Elections, Census Figures and Adminisitration**

Many troubled societies especially among recently decolonised countries are often beleaguered with question as to who is power. 'Who' in this sense is not about an individual but the ethnic group in control of power? Each ethnic group in Nigeria is unrelenting in the country's complex multiethnic setting. This section explores controversies involving elections, National Census and the administration of Nigeria. This study emphasises that the genesis of Nigeria's ethnic crisis is historically linked to the "amalgamation of Northern and Southern" Nigeria in 1914 as shown in chapter two of this thesis. This union of north and south gradually climaxed in the independence of the Nigerian state in 1960. Politics in Nigeria is characterised with severe ethnic divisions which has been identified as one of the leading causes of all forms of social conflicts and political instability in the country. Hence ethnicity is perceived as a hindrance to socio-politico and economic development of Nigeria.[585]

Given the fact that this section is conceptualized to address ethnic conflict in Nigeria, the problems that besiege the nation can only be diagnosed and understood through historical survey and analysis of contemporary events as they occurred for a better understanding of the nature and the degree such ethnic conflicts. The period between1960 and 1970 was a decade of ethno-political turmoil in the history of Nigeria. Its 1959 general election ushering in independence was won by the Northern People's Congress (NPC), a party dominated by the Hause-Fulani of the north by 142 seats. The National Council of Nigerian and Cameroons (NCNC predominantly Igbo of Eastern Nigeria) while in an alliance with the Northern Element Peoples Union (NEPU) based in

[585] O. Otite, *Ethnic Pluralism and Ethnicity in Nigeria*, Ibadan: Shaneson C. I Ltd, 1990, p. 145.

the north, won 89 seats while Action Group (AG) of Western Nigeria and predominantly Yorubas won 73seats in the federal House,[586] as shown in Table 3.1.[587]

Table 6.1 **Results of Nigerian Federal Elections 1959**

Party	North	East	West	Lagos	Total
N. P. C.	142	--	--	--	142
NCNC/NEPU	8	58	21	2	89
A.G.	24	14	34	1	73
Seats	174	72	63	3	312

Source: Adapted from K. W. J. Post, *The Nigerian Federal Election of 1959*, Oxford: Oxford University Press, 1963, p. 373.

This development led to the formation of a coalition government by NPC and NCNC at the federal level. NPC with a higher winning figure produced the Prime Minister while NCNC produced the President of the Senate and later the Governor General of Nigeria in 1963 when Nigeria became a republic. In other words, Abubakar Tafawa Balewa, Nnamdi Azikiwe and Obafemi Awolowo became the Prime Minister, the first Nigerian Governor-General and the opposition leader respectively.[588]

Given various conflicts, the crop of politicians and leaders at Nigeria's immediate post-independence period have been described as appointed stooges and incapable as they mismanaged the economy with abuse of power.[589] Several crises precipitated the collapse of the first republic that laid the foundation for other crises that followed. This study also stresses that as early as 1962, Nigeria as a nation started to manifest negative tendencies especially among its composing ethnic groups, which led to mistrust, suspicion and violence. National census is known to have political connotation and equation in the electoral process in governance. In their political calculation, political leaders of Southern Nigeria had the option of using population census figures at this time to compete with the North by attempting to undermine the constitutional basis of

[586] Billy J. Dudley, *An Introduction to Nigerian Government and Politics*, Bloomington: Indiana University Press, 1982, pp. 61-67.
[587] This was the same trend in Malaysia's first election towards self-rule. But the difference with Nigeria was Malaysia's peaceful negotiation among the leaders of the three main ethnic groups in the country. This is treated in the next section on Malaysia's early political events.
[588] Dudley, *An Introduction to Nigerian Government*, p. 62
[589] J. Ibrahim, "Corruption in Nigeria: transition, Persistence and Continuity," in *The Nigerian Social Scientist*, Vol. 6, No. 21 September, (2003):3-13.

domination by the North. This self-seeking interest of all the groups resulted in the three regions of the country inflating their respective census figures. The result of this initial census gave 54 per cent to Northern Nigeria as its share of the entire population. The controversy led to the cancellation of the figure with a recount conducted in 1964.[590]

The North still maintained a dominant position with regard to population distribution. The premier of Southeastern Nigeria refused to accept the census results, while the premier of Midwestern region reluctantly accepted it for the sake of unity. However, premiers of both Northern and Western regions accepted the result as rendered. The acceptance of the census result officially led to Nigerian ethnic and regional conflict now transformed from its known broader North-South dichotomy to uncompromised positions between the North and the East. The census result would have been invalidated by the Supreme Court of Nigeria, but by not doing so it brought about the legitimisation of Northern domination, which seemed to have been left to stay. All shifted to federal elections in 1964-1965 where Southern Nigeria felt that if its parties could win the election and establish the government at the federal level, they could use constitutional power to amend the rules and counter Northern dominance. But such strategic plans depended on free and fair elections. [591]

This study discovers that ahead of 1964-1965 elections, political alliances merged for the federal legislative elections which brought about two broad alliances for the elections. Unlike the 1959 election, the 1964-1965 election brought about two major alliances for the election which were the "Nigerian National Alliance" (NNA), which was comprised of the following: NPC, NNDP (party from the west) including smaller parties from the West and Midwest. "United People Grand Alliance" (UPGA) was

[590] See, Oyediran, *Nigerian Government and Politics*, pp. 15-16.
[591] Oyediran, *Nigerian Government and Politics*, pp. 17-20.

another alliance which was composed of the following: NCNC, the AG, NEPU and the United Middle Belt Congress (UMBC), as two broad alliance groups for the election.[592]

This study also takes into account the harassment and arrest of opponents and a haphazard NCNC boycott of the election that characterised the campaigns and pattern of conduct exhibited by groups which marked the campaigns as neither free nor fair. The end of the election showed NPC from NNA Alliance to have won 162 of the 167 seats in the Northern Nigerian, and by implication allowed it to form a government without getting involved in any form of alliance. A controversy arose when the president of the country under NCNC of a different coalition refused to call the leader of the majority party, the NPC to form a government. The president insisted that the prime minister should set aside the election results, but the prime minister refused. There was no government in the country within the four days of this disagreement, but it was the intervention of the chief justice of Nigeria and the chief justice of the Eastern region who negotiated a peace deal that brought about a compromise to the saga. It was recommended in the compromise that a broad-based government be formed while fresh election should be conducted at places of election boycott.[593] Similar alliance was witnessed in Malaysia during the same era of the two countries formative years with a difference as shown in discussion on Malaysia ahead in this chapter.

What led to the collapse of Nigeria's First Republic was the political instability in the country which featured fierce competition for supremacy between two Yoruba parties in the West. Problems occurred in the 1965 Western regional election when AG attempted to assert its influence in the West by trying to recapture power from NNDP, another Yoruba party that was formed as a splinter group from the AG, but had support

[592] Oyediran, *Nigerian Government and Politics*, pp. 17-20.
[593] Oyediran, *Nigerian Government and Politics*, pp. 17-20.

from the NPC led-federal government. The NPC-controlled federal government used its power of incumbency to guarantee the success recorded by NNDP.[594]

All these early tensions and internal disorder in Nigeria's political arena culminated in breeding ethnic motivated mutiny and coup d'état of January 15, 1966 in Africa's most populous country. It laid the foundation of Nigeria's unstable polity as discussed previously in Chapter five. For Horowitz, ethnic conflict in Nigeria stems from 'ancient hatred' that characterised the Nigerian polity and has affected its military.[595] Appendixes H. figure 6.1 shows how ethnic affiliation stimulates force of action on recorded coups in Nigeria. This study argues that federalism is not auto-mechanical in conflict reduction in view of the need for unity and coexistence in diverse societies. Rather, Moten reiterates on K. W. Robinson's study cited earlier in chapter one of this thesis that "federation does not create unity out of diversity; rather, it enables the two to coexist."[596]

6.3. **Fledging Federal Structure Exhibiting Ethno-religious Conflict in Nigeria**

In this study, credit is given to the federal arrangement that has kept diverse ethnic groups in Nigeria together for over fifty years of the country's existence. Yet, the same federal system is fraught with numerous abnormalities that have exposed the nation to ethnic tensions. While this argument is broad, it is pertinent to note for objective assessment that "Nigeria's chronic instability is largely a consequence of its failing experiment in federalism. Federalism is often championed in ethnically diverse countries in the hope that it will foster greater political participation and reduce inequality among diverse populations."[597] This understanding could be seen from the fact that "federalism is not fixed; it is a process that is in perpetual negotiation" involving both soluble and

[594] Ahmed R. Mohammed, "The Nigerian Civil War 1967-1970 – A Critical Look at the Development that Led to it" in Uma Eleazu, ed., *Nigeria: The First 25 Years*, Ibadan: Heinemann Educational Books, 1998, pp. 173-177; Oyediran, *Nigerian Government and Politics*, pp. 17-24.
[595] This emphasis is shown in *Horowitz theory of Ethnic Groups in Conflict* and his later work of "Structure and Strategy in Ethnic Conflict."
[596] Cited again for emphasis: see K. W. Robinson cited in Moten, *Introduction, p*. 103.
[597] "Nigeria's Faltering Federal Experiment" Crisi Group Working Paper, Africa Report 119, October 25, 2006.

insoluble issues in the system.[598] The argument is that many ethnic and religious groups do not induce or trigger conflict in their natural setting. It is only when these groups are mobilised within the context of identities or they are sometimes politicised that provides a ground for conflicts.[599] Nigeria is a secular state of different beliefs, with UN (2010) population figure of 158.2 million people.[600] Currently, both Christian and Muslim populations in the country are contested. Currently, Muslims who live in northern and southern Nigeria make up roughly 50 per cent of the Nigerian population.[601]

Nigeria as a nation accommodates "Africa's oldest Islamic traditions, Christianity is much newer, but it has quickly grown to encompass 50 per cent of Nigeria's population, with the greatest growth occurring during the past 30 years."[602] Recent statistics by a notable African Christian scholar maintained that Christians in Nigeria were 46 per cent by 2000 while 44 per cent Muslim. He argued that Christians have increased from 1per cent since 1900 to 50 per cent of the population in the same frame.[603] Given Nigeria's contested census figures, other scholars estimate the number of Christians and Muslims as approximately equal.[604]

Religious conflict in Nigeria could be seen through the lens of Ayoade's study which stresses how religious bias often influences certain official decisions that demand equity and justice in the Nigerian Federation. The second republic (1979-1983), "countrywide, Muslims obtained about 70 per cent of all executive positions" in

[598] See Wheare, *The Federal Government*, p. 10.
[599] Eghosa E. Osaghae and Rotimi T. Suberu, "A History of Identities, Violence, and Stability in Nigeria," CRISE Working Paper - CRISE Centre for research on Inequality, Human Security and Ethnicity, Queen Elizabeth House, University of Oxford, 2005, p. 14.
[600] Alphonsus Emeka Ezeoke, *Dying Education: Necessary Reform, The Nigerian Case*, Bloomington: iUniverse, 2011, p. xiv.
[601] John Woronoff, *Historical Dictionaries of Africa,* Maryland: Scarecrow Press, Inc., 2009, 174.
[602] John Campbell, "Religion and Security in Nigeria" in Chris Seiple, Dennis R. Hoover and Pauletta Otis (des.), *The Routledge Handbook of Religion and Security*, New York: Routledge, 2013, p. 217.
[603] John Campbell, *Nigeria: Dancing on the Brinks*, Maryland: Rowman & Littlefield Publishers, Inc., 2011, pp. 50-51.
[604] Todd M. Johnson and Brain J. Grim, *The World Religions in Figures: An Introduction to international religious Demography*, Oxford: John Wiley & Sons, Ltd, 2013.

Nigeria.[605] This is similar to a scenario in Malaysia where Muslims occupy most of the country's strategic positions, but federalism calls for unity in diversity as well as equity as this federal principle disallows disharmony among groups in a federation.

Religious differences tend to divide Nigeria along ethnic and regional lines. Major deadly conflicts in the country for decades have been associated with ethno-religious tensions. This thesis argues that Nigeria has since the 1970s exhibited religious violence and conflicts of unprecedented proportions that shaped its volatile political arena. A close study shows Nigeria as a major African theatre of religious violence and aggression, as have Sudan and Algeria in Africa.[606] The problem in Nigeria is that religion strongly separates "Christians and Muslims". The separation is due to religious crisis that has characterised their relationship. Due to the uneven distribution of population, the majority of Muslims live in the north and some in the Middle Belt, while the Southeast is predominantly Christians and Southwest having equal representation of both faiths.[607] While Christians and Muslims in Western Nigeria have always lived peacefully together, the North is charactrised by endless hostility. This problem is triggered by struggle for religious space in socioeconomic and political arenas. Compromise is needed for Nigeria to move forward.[608]Arguably, strong security measures and tolerance among the people has significantly moved Malaysia away from the spot of brutal ethnic clashes to a considerable ethnic harmony.

This study stresses that at Nigeria's independence, the most destabilising factor was ethnicity which prompted the idea of dividing Nigeria into states after the civil war to weaken the earlier regions and empowering the centre. Since then religious violence which is as disruptive as ethnicity took centre stage in Nigeria, within a short time over a

[605] J. A. A. Ayoade, "Federalism in Nigeria: The Worship of an unknown God," Paper presented at a special seminar held at the Institute of African Studies on Wednesday, February 10, 1982.
[606] Falola, *Violence in Nigeria*, p. 1.
[607] For discussion above see Falola, *Violence in Nigeria*, p. xii -1.
[608]Two anonymous persons (Yoruba –Southwest), officers of EFCC. Similar email responses, March 10, 2012

dozen religious riots had claimed many lives. Religion is used by politicians to gain political legitimacy, hence politicians have since the mid-seventies asked their followers to vote along religious lines. The political parties have always operated along ethno-religious lines too.[609] It is religious intolerance that has become a big challenge to the country over the years. It is a problem that escalates from time to time with huge casualties. It is a problem yet unresolved in the country.[610]

However, transferring power from the military to civilians involved writing a new constitution which provided opportunity for groups to settle old scores and create hegemonies for their ethnic and religious groups. The adoption of the Constitution in 1978 generated tension in the 1978 election as politicians campaigned by manipulating religious symbols and values, and rejection of the recitation of national anthem and pledge by the Jehova Witnesses. In 1980 the Maitatsine religious crisis in the North claimed many lives while properties worth millions of naira were destroyed.[611]

Given the development of Maitatsine violence which was on the rise, Hacket expressed shock over what seemed to be like millennialist Islamic or Islamic movement that has assumed metonymic status in the psyche of Africa's most populous nation. Similar violence occurred in Kano and Sokoto in 1994. An Igbo man standing trial for defaming the Koran was taken out of a police station and beheaded. It spread in Igbo land and further intensified religious and ethnic tensions in the country.[612] Also, in October 1982, eight churches were burned down in the city of Kano while intra-Islamic violence claimed two lives and injured hundreds of people. In the same manner a major riot in Kaduna claimed at least four hundred lives the same year, while in 1984, violence

[609]Falola, *Violence in Nigeria*, p. 2.
[610] Mr. A. A. Obe, (Yoruba, Southwest), Head of National Press Centre Abuja. Interviewed in his office at the National Press Centre Abuja Nigeria on 29/6/2010; Shared comments with Alhaji A. H. Yusuf (Hausa/Fulani –North), Deputy Director Staff Well-fare and Training, Ministry of Justice Abuja. Interviewed in his Abuja office on 28/6/2010.
[611]Falola, *Violence in Nigeria*, p. 3; J. I. Elaigwu, *The Politics of Federalism in Nigeria*. London: Adonis & Abbey, 2007, pp. 178-183.
[612] Rosalind I. Hackett, "Exploring Theories of Religious Violence: Nigeria's Maitatsine Phenomenon" in Timothy Light and Brian C. Wilson (eds.), *Religion as a Human Capacity: A festschrift in Honor of E. Thomas Lawson*, Leiden, The Netherlands: Brill, 2004, p. 194.

intensified by Muslims in Yola and Jimeta consumed approximately seven hundred people which included policemen and left nearly six thousand people homeless. Gombe, a neighbouring town was also besieged and over one hundred people were killed.[613]

In 1990-91, the objection by the Igbo and other Nigerians concerning the introduction of Sharia in the country generated tension and bloodbath in which hundreds of Christians, mostly Igbo were killed thereby raising fresh ethnic tension.[614] Certainly people are fervent about ethnic and religious space in Nigeria, Nwankwo cautioned:

> Religious tolerance is almost at zero level mainly in the North, there will be no end to ethnic and religious killings in Nigeria so long we pretend about nation building and the sacrifice it entails. "We appear not to know what it takes to build a great nation". It takes persistent sacrifice on the part of the leaders in all their ways and their doings, in both words and actions for a great nation to evolve".[615]

In other words, rampant killings characterised Obasanjo's Administration between 1999 -2007 that claimed many lives in the event of *Sharia* contestation and conflict in the Muslim-populated Northern Nigeria. But President Obasanjo quickly noted that "*Sharia* law is unconstitutional and will die a natural death."[616] According to Malami, religious tolerance is at zero level while religious intolerance is high in the country.[617] This problem led to Anyanwu's rhetorical question, "Is there an end in sight for religious killings and violence in the country? "Religious violence is born of lack of understanding. When people of different faiths are properly educated to understand that no one religion is superior to the other, then they could coexist peacefully."[618]

Certainly, the level of ethno-religious mayhem in Nigeria is not witnessed in Malaysia. This assertion will be substantiated in the next segment of this chapter on Malaysia's considerable religious tolerance. Religious intolerance is really on the high

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[613]Falola, *Violence in Nigeria*, p. 3- 4.
[614]James Minahan, *Encyclopedia of the Stateless Nations: ethnic and National Groups Around the World*. (Westport: Greenwood Press, 2002), p.766.
[615] Frank Okay Nwankwo, (Igbo Southeast), interviewed on 15/9/2010.
[616] Anna Everett, "The African Diaspora Speaks" in Tasha G. Oren and Patrice Petro, eds., *Global Current Media and Technology*, (New Jersey: Rutgers University Press, 2004).200-218.here 215.
[617] Dr. Hussaini U.Malami, (Hausa/Fulani -Sokoto, North), Senior lecturer, email interviewed 15/3/2012.
[618] Anyanwu (Igbo, Southeast), interviewed August 7, 2010.

side with Boko Haram insurgency heightening religious intolerance.[619] The thesis argues that intolerance could be seen in mistrust emphasised by Edmund Ezegbobelu in the literature review above. For Ebirim, religious intolerance is enormously caused by Northern religious leaders who are conservative and intolerable. They still believe that they will convert Southerners to Muslim religion through Jihadist bloody movement.[620] Appendix I. Table 6.1 shows a list of more than fifty tragic cases of ethno-religious conflicts from 1960 to 2002, and as shown in the literature review.

However, the fight for *Sharia* law and various killings by the current Boko Haram insurgency is a fight against the secular state in the north for the institutionalisation of Islamic Caliphate. But it is seen differently by other people, for example, Douglas Patt sheds light on secularism in Nigeria and positively describes secularism as "an ideology of peaceful co-existence of freedom of choice in matters of belief and association, and freedom of expression in matters of speech, arts, publication and worship".[621] Given the significance and explanatory goal this study invokes, a secular state is therefore a conception of secularism, in which a nation-state is deemed to be formally unbiased on issues of religion by giving no support to religion or irreligion.[622]

A secular state is not inclined to declaring superiority of a particular religion and is never given to promoting religious doctrines nor does it have any formal interest to set up a particular religion within its territory. The state is not expected to detach itself completely from religious issues; rather the different religions should have permissible right given their status as secular organizations that can benefit from community

[619] Three anonymous persons (Hausa/Fulani- North), EFCC top officers interviewed 11/3/2012; Shared comments with Jude C Arisukwu (Igbo-Southeast), Director in ministry, Owerri, interviewed 20/3/2012.
[620] Dr. Danial C. Ebirim (Igbo–Southeast), Associate Professor (Retired), Alvan Ikoku College of Education Owerri, Nigeria, interviewed March 7, 2012.
[621] Douglas Patt, *The Challenge of Islam Encounter in Interfaith Dialogue*, Hampshire, 2005, p. 206.
[622] John T. S. Madeley, "European Liberal Democracy and the Principle of State Religious Neutrality," in John T. S. Madeley and Zsolt Enyedi (eds.), *Church and State in Contemporary Europe: The Chimera of Neutrality*, London: Frank Cass Publishers, 2003, pp. 4-7.

financed police as well as emergency services.[623] This study argues that tolerance makes room for unity which is one of the underlying principles of federalism as explained in chapter one of this study which draws from Livingston's insight on federalism. Different religious ideologies constitute a hindrance to unity in a federal polity.

One similarity of importance in this discourse is the push for Islamic law that has started to create tensions in Nigeria and Malaysian secular states. Unlike in Malaysia, religious bigotry in Nigeria has assumed impunity with the current Boko Haram insurgency to Islamise the country.[624] For the sake of clarity, this study emphasises that Nigeria maintains its secular status, given the need to clarify institutional competences between the federal and northern states pressure in this matter. But the pressure is more from Islamic scholars, governors and Islamic religious groups in the North who regard secularism as a popular Western ideology. A similar view is held in Malaysia's oppositions push for Islamic state whereas its Islamic religious centered government has directly or indirectly but incrementally been pushing towards this end as will be discussed on Malaysia. Okorie gives more explanation on religious bigotry in Nigeria:

> In this our beloved nation, religion is an instrument of division among its people. This day, the elders and frustrated leaders now make use of the youth in trying to achieve some selfish purpose through religious bigotry. This religious vice has always created mutual suspicion, civil unrest, wanton destruction of lives and properties. In this orgy of religious violence, the youths are fronted by disgruntled politicians hiding in the mask of religion. The current dichotomy in Nigeria based on religious beliefs was stirred by these elders who want to cling to power by all means.[625]

The spate of ethno-religious killings in Nigeria has gradually assumed impunity status which explains the worsening ethno-religious conflict in the country. It owes a lot to inconsistency with federalist principles of dialogue, tolerance and accommodation. This is contrasted with events discussed under Malaysia ahead in this chapter.

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[623] Russell Blackford, *Freedom of Religion and the Secular State*, West Sussex: John Wiley & Sons, 2012, p. 57.
[624] Ayo Oritsajafor, "Boko Haram Planning to Establish Islamic State of Nigeria," *The Paradigm*, July 2, 2014. See www.theparadigmng.com (accessed July 10, 2014).
[625] Ukachukwu Okorie, *Nigeria Weeps*, Owerri West: SNAAP Press Ltd., 2003, p. 137.

6.4 **Contesting Education**

In Nigeria, education is noticeably contested. It is significant to point out here that the contestation in the sphere of education in Nigeria is not as serious as seen in Malaysia. Nigeria has evolved as a tripolar ethnic structure along with the minorities. Persisting educational gaps which is illustrated in historical foundations of inequality prevailed. For Graham "It was precisely in the sphere of education that regional differences were increasingly manifested under colonialism. And this then had a knock-on effect on the regional formation of human capital and general economic development. Colonial educational policy in Northern Nigeria was driven by two intertwined policies: fear of the development of a class of educated Africans, as was the case in Southern Nigeria."[626] It is needful to emphasise that the British approach towards the north was to a great extent instigated by the north attitude towards western education in which there was an "attempt to create an alternative Anglo-Muslim aristocratic civilisation in Northern Nigeria".[627] Lord Lugard looked at how education had raised a good number of men in Southern Nigeria whom he described as dissatisfied, impatient of any control as well as passionate of their importance.[628]

This study looks at Lugard's negative reaction against more literate southerners because they were averse to colonial rule. Both educational and economic inequalities cut across ethnicities and regions, a situation that manifests in the recruitment within the public establishments in Nigeria. Regional divisions of the country manifest all forms of inequalities, even among ethnic groups and in administrative units of the four regions of the federation up to 1966. Not too long ago, the current 36 states of the federation were informally grouped into six zones. However, wrong perception of educational agenda under the British colonial rule, and the North's poor receptivity to western education

[626] S. Graham, *Government and Mission Education in Northern Nigeria: 1900-1919*, Ibadan: University of Ibadan Press, 1966.
[627] A. E. Barnes, "Some Fire Behind Smoke: The Fraser Report and its Aftermath in Colonial Northern Nigeria," *Canada Journal of African Studies*, Vol. 31, No. 2, (1997):197 -228.
[628] Graham, *Government and Mission Education*, p. 136.

created north-south regional gap since the early 1900s.[629] This variation in North-South zones remains a big problem in Nigeria, and is currently made worse by Boko Haram's (Islamist sect) insistence that western education is evil. One similarity that once existed educationally in Nigeria and witnessed in Malaysia especially within their Muslim populations was their backwardness in Western education after their independence. Governments in the two countries rose up to tackle the problem through quota system. The educational gap among ethnic groups (zones) in Nigeria is shown in Appendix J. Table 6.2 where the North is seen trailing behind.

The introduction of quota system in Nigeria to bridge the gap among groups in Nigeria signifies that the federal principles of equality and fairness were upheld. But given the existing differences, this study argues that decades of gradual educational progression in Nigeria has 'avoidably' left behind a sectional ethnic variation of 'far less literate citizenry to compete in the same commonwealth of Nigeria in this global age. This delicate situation in the north has also been emphasised by Adamu who argued that many years of educational differences have manifested in differences in manpower and human resources development throughout Nigeria. A report in 2003 attributed the northern zone which has 53 per cent of the population of producing "only 10 per cent of engineers, 15 per cent of professors, 10 per cent of architects, 25 per cent of lawyers, 8 per cent of bank executives and less than 2 per cent of insurance practitioners".[630]

There is no doubt that this gap in the level of elite formation has its implications in the inter-ethnic relations in Nigeria in which Jubril Aminu once posited that "Certain sections of this country will be highly disturbed about their future in a united Nigeria if they study the pattern of higher educational opportunities in the country. It is this kind of

[629] See Barnes, "Some Fire behind the smoke," pp. 197-228.
[630] Fatima Adamu, "Globalisation and Economic Glocalisation in Northern Nigeria," UK: Development Studies Association, www.destud.org.uk/publications/papers/conf03 (accessed July 10, 2012).

disturbance which promotes among the people some actions and counteractions, mutual suspicion, nepotism and loss of confidence in the concept of fair play".[631]

But this study raises arguments that counter Aminu's apprehension because educational problems of the North are self-induced. For example, the demand for education is so huge in Southern Nigeria. The educational gap which has existed between the regions is historically linked to regions and their receptivity to Western education. For instance, Chikas Danfulani argues that Quranic education had been in place prior to colonial rule. Formal education introduced after the British occupation in 1903 in Nigeria was rejected and resisted as linked to Christianity popularised by the missionaries. It was believed, if allowed, may lead to conversion of their children to Christianity.[632]Amid the North's negative attitude towards Western education, the federal government introduced affirmative action to bridge the gap in education with the South by granting more scholarships and financial support to the northerners than the southerners. Conscious efforts were also made to build more schools in the north.[633]This approach was similarly adopted in1970s to support poor Malays who were educationally disadvantaged. Having been left behind educationally, they were given more attention.[634]

All things being equal, the levels of educational attainment in various sections of Nigeria obviously reflected the level of professional and manpower development in these areas. All efforts made in 1990s to abridge the widening gap through quota system amongst the regions could not yield the expected result rather the number of highly trained professionals in the South continued to increase. For example, in 1990 the total number of engineers that registered with the 'Council of Registered Engineers' (COREN), was 6,407, but only 129 which represents 2.0 were from the North. A similar

[631] Professor Jubril Aminu- prominent educationist of northern origin; See *Tell*, November 14, 1994, p. 15.
[632]Chakas Danfulani, "Education is Education,": Contemporary Muslim Views on Muslim Women's Education in Northern Nigeria" in John A. Chesworth and Franz Kogelmann (eds.), *Sharia in Africa Today: Reactions and Responses*, The Netherlands: Koninklijke Brill NV, 2014: 103-124.here105.
[633]NkuziNnam, *Colonial Mentality in Africa*, Maryland: Hamilton Books, 2007, p.109.
[634] Interview with former Deputy Prime Minister of Malaysia, (of Malay extraction), Tun Musa Hitam, March 12, 2012.

scenario was observed the same year in the law profession, whereby of the "1,344 lawyers called to the Nigerian bar, only 196" or 14.6 per cent represented the North. In addition, of the 669 registered estate surveyors, only 5 or 0.7 per cent were from northern areas. The North produced only 160 (14.2 per cent) out of a total of 1125 registered architects. People of northern origin managed only 14 registered accounting firms (2.7) out of 522 registered firms operating in Nigeria.[635] While huge successes has been made by the South in education, the North has remained backward for many years and the only educated children were those that attended Koranic schools.[636]

The South which is made up of the Eastern and Western parts of Nigeria were largely Christians and had much higher education and better equipped with modern skills than the North. This state of affairs was to provide a fertile ground for endemic conflicts that would plague post independent Nigeria.[637]Briefly, this section of the study underlines two contrasting scenarios in Nigeria which differ from issues in Malaysia:

(a) The federal government of Nigeria has always committed itself in providing education across the country, while being guided by the federal character principle through its quota system. This means that in Nigeria, there is no discrimination and favouritism given to a particular ethnic group for access to education. This is contrary to what the Malaysian government has done over the years as discussed on Malaysia in the next segment. Ironically, the North has failed to appropriate this benefit provided by the Federal Government of Nigeria whereas the number of students seeking for admission in the southern part of Nigeria continues to rise.

(b) Currently, the North maintains a certain level in education but the situation has not altered much given its self-induced problem of not being amenable to Western education. Sadly, Islamic religious ideology has for decades discouraged Northern

[635]*Tell*, November 14, 1994, pp 16-20.
[636] Helen Kitchen, "Nigeria," in *The Educated African: A Country by Country Survey of Educational Development in Africa*, New York: Frederick A. Prager, 1962, pp. 364-365.
[637] Hugh Seton Watson, *Nations and States*, London: Methuen, 1977, p. 348.

> Nigeria Muslims from opening up to Western education provided by the Federal Government of Nigeria through its quota system. In contrast, the Malays who are largely Muslims in Malaysia are more willing to be educated in modern or western sense of education whereas those of the Hausa/Fulani or the larger Muslim community in Northern Nigeria are not receptive to western education.

Certainly, Aminu's aforementioned fear is further constrained by the current Boko Haram insurgency in the North, as earlier highlighted which says "Western education is sinful" with continuing killings in the country. This thesis also stresses that ethnic groups in Nigeria maintain their respective cultures and traditions without any external imposition from the government or larger groups unlike Malay dominance in Malaysia. This shows how federalism in Nigeria has been successful in allowing diversity of traditions and cultures unchallenged, unlike what seems to be Malay dominance which often challenges the existence of other cultures.

Similarly, unlike what appears as Malay hegemony with regard to government's influence on education and language in Malaysia, English as the official language in Nigeria is not contested. As a secular state no particular ethnic language is imposed on others. It is pertinent to emphasise that conflicts over education is a conflict between "backward" and "advanced" status of groups. Horowitz relates this to ethnic conflicts in many African, Asian and Caribbean countries where group advancement in education and representation in the civil service and independents professions place such ethnic groups ahead of others in social equation. [638] It is a contest of values which may take years for Northern Nigeria to overcome, but other groups in Malaysia may need to engage with the Malay-led government in what A.B. Shamsul describes as "stable tension in Malaysia."[639]

[638] Horowitz, *Ethnic Groups in Conflict*, p. 148.
[639] A. B. Shamsul, Many *Ethnicities, Many Cultures, One Nation: The Malaysian Experience*, UKM Ethnic Studies Series,Bangi: Institute of Ethnic Studies, 2008, p.9.

Given the quest for sharia law and Islamic schools in some Northern states of Nigeria, the distribution of power in the federalism guarantees federal and state governments independence but not outside their jurisdictions. While this idea obviously derives from the principle of unity in diversity, some assumed state rights in this discussion on Northern Nigeria in terms of their jurisdiction on certain educational matters is divisive, retrogressive and far from unifying the Nigerian federal state.

6.5 **Economic Contests**

The economic contestation in Nigeria is as old as the country itself given the fact that the first three regions which were ethnically divided demanded to be autonomous even in the sphere of development so that each could grow at its own speed. [640] In this section of the thesis, effort is made to show in brief some form of Nigeria's economic history and the interplay between political and economic upheavals in resource distribution. By every conceivable measure, Nigeria is one of the world's richly endowed countries with natural resources. It is the most populous country in Africa and has one of the best human resource bases in the developing world.[641]

Competition exists in the sphere of economics and business in Nigeria. For instance, the Igbo people are known to be more aggressive in business within the Nigerian economy. During the colonial era, the Igbo had great men in business such as Sir Lous Philip Odumegwu Ojukwu, who was "one of Africa's most successful entrepreneurs at a time when business environment was highly disciplined". The economic smothering of Igbo began during the country's First Republic at the time the Northern ruled federal government established all important development ventures

[640] Awo, *The Authobiography*, pp.164-165; Awo further argues "If the idea of a federal constitution for Nigeria is accepted, and if it is sincerely desired by the British Government to create 'a system within which the diverse elements may progress at varying speeds, amicably, and smoothly, towards a more closely integrated economic, social, and political unity, without sacrificing the principles and ideals inherent in their divergent ways of life' then the present administrative boundaries within the country musth be redrawn." pp. 173-174.

[641] *International Institute for Democracy and Electoral Assistance*, Stockholm, Sweden: International IDEA, 2000, p. 152.

allotted for execution in the first National Development Plan (1962-1968) in northern Nigeria. These development schemes include, "the 150 millon BP Bornu Railway extension project, 50 million BP defence and administration factory and the 7million BP Kainji-Dam, Sokoto Road project". The iron and steel industry which was meant to be sited in the Eastern Nigeria was denied on the bases of using raw material from the north to service another industry in the south.[642] Yet, the oil produced in Eastern Nigeria and Niger regions regularly piped up the north to service the Kaduna oil refinery.

Igbo areas being denied federal projects and industries to be setup has attracted Achebe's criticism that "Many have tried to ask but nobody has quite succeeded in explaining away the sitting of five steel mills worth 4.5 billion naira on final completion with estimated employment capacity of 100,000 by 1990, only in North and West of the country."[643] This study addresses Chinua Achebe's complaints. For example, from 1986-1990, 70 per cent of registered companies in Nigeria were found operating in the southwest whereas 16 per cent were located in the northern zone and 14 per cent was shared by two other northern zones.[644] Yet the same north suffered infrastructural and macro-economic difficulties that led to 46 per cent of industries located in the zone to close down as at 2001. In other words, de-industrialisation as a result of economic liberalisation has excessively negative impact in the north.[645]

In furtherance to this argument, this thesis provides other instances of unfairness in the system. Obafemi Awolowo who was the Nigerian Finance Minister "put a ceiling of 20 pounds on all bank accounts that had been operated in Biafra" for the duration of the civil war, was designed to neutralize the savings as well as economic capacity of the Igbo to recover from the setback caused by the civil war and to re-enter the Nigerian

[642] O. Nnoli, *Ethnicity and Development in Nigeria*, England: Ashgate Publishing Ltd, 1995, p. 116; Chris C. Ojukwu, "Igbos Nation, Modern Statecraft and the Geopolitics of National Survival in a Multiethnic Nigeria," *African Journal of Political Science and International Relations* Vol. 3, No.5 (2009):182-190, here p.186.
[643] Chinua Achebe, *The Trouble with Nigeria*, p. 49.
[644] Ladi Hamalai, "Distribution of Industrial Enterprises in Nigeria and National Unity," in A. Mahadi et al (eds.), *Nigeria: The State of the Nation and the Way Forward*, Kaduna: Arewa House, 1994.
[645] Adamu, Globalisation and Economic Glocalisation,

economy. Others include exploitation of revenue allocation formula as well as negligible share of federally funded projects to the East.[646] But these issues do not promote a cohesive federal state as seen in ill-treatment against the defeated Biafrans now being short-changed while rejoining the federation. Forsyth insists that in multi-national federalist, multi-national maintenance engineers the system. Multi-ethnic federalists conversely promote federation "to unite people who seek the advantages of membership of a common political unit, but differ markedly in descent, language and culture."[647]

Furthermore, this study argues that the current agitation in the Niger Delta is truly based on the argument that both the Philipson "Commission report (1946) and the Dina Committee Report (1968)" provided the country with "the principle of derivation" which was generally accepted amongst the measures for allocating national revenue in Nigeria which benefited the North and West through their agricultural produce. The military changed the rules as soon as oil was discovered in Eastern Nigeria and largely within the/Niger Delta. It ceased to be the revenue distribution arrangement whereby the military in1970 amended the principle of derivation through Decree 3 of 1970 which recognised equal weighed principles-population and equality of states.[648]

Post-independence Malays were backward like the the situation in Northern Nigeria in terms of economic empowerment. This is attested within the index of economic inequality as shown in the predominance of Lagos in banking operations which maintained 48 per cent of general deposits as well as 69.96 per cent of loans issued in 2006. This starkly contrasts with the 10.75 per cent of deposits and 8.5 per cent of loans in the three northern zones combined.[649]

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[646] N. Ikpeze, "Post Biafran Marginalization of the Igbo in Nigeria," in Ifi Amadiume and Abdullahi An-Na'im (eds.), *The Politics of Memory: Truth, Healing and Social Justice*, London: and New York: Zed Books, 2000: 90-109, p. 96.
[647] M. Forsyth, *Federaisim and Nationalism*, Leicester: Leicester University Press, 1989, p. 4.
[648] Ikpe, "Post Biafran Marginalization", p. 97. This speaks of the current conflict in the Niger Delta.
[649] Charles Soludo, Preserving Stability and Accelerating Growth, Central Bank of Nigeria, Speech by the Governor, 2007.

It is significant to note in this study that macro-economic liberalisation could result in unwarranted polarisation consequences, so also are official discriminatory practices by the state and its officials. It can fuel inequality and tension when certain groups are given unfair access to economic resources which is commonly described in a local Nigeria parlance as "*Na for them them*" and literarily interpreted as (the system is for them and their people), nepotism at work whereby some officials give their ethnic group more preference. For example, many Igbo leaders expressed dissatisfaction over the quick indigisation of companies in Nigeria immediately the Civil War ended in 1970 which they felt was done so that a devastated people will not be able to take their due place in the exercise. In the same manner Ken Saro-Wiwa, a Niger Delta activist complained resentfully that top northerners were lifting oil under the military dictatorship of Babangida and Abacha when they themselves in the oil producing Niger Delta never had access to the oil wealth deposited in their region.[650]

Sadly, Ken Saro-Wiwa was among the nine environmental and political activits of the Movement for the Survival of the Ogoni People (MOSOP) who were executed by Gen.Sani Abacha's government.[651] This thesis argues that it was a violation of the federal constitutional provision expressing the competences of the federal and the state in terms of revenue accrual and utilization. This remarkable violation of the right of the states or regions in their geoethnic setting is resisted to this day, especially the ethnic groups in the Niger Delta thereby causing ceaseless tensions in Nigeria. Yet, not too long ago, Northern Elders complained of "a systematic edging out of the region and northerners from positions in the economy in sectors like oil/gass, telecommunications, banking and energy.[652]

[650] Mustapha, Institutionising Ethnic Representation,p. 4.
[651] See Craig W. McLuckie and Abubrey McPhail, eds., *Ken Saro-Wiwa and Political Activist*. Boulder, Co: Lynne Reinner Publishers, 2000, p.129.
[652] North Being Edged Out from Oil, Other Sectors – Northern Elders " www.Thisdayonle.com; see also Mustapha, Institutionising Ethnic Representation, p. 4.

Also ethnic politics is responsible for the lopsided location of industries and development projects which tend to disregard genuine feasibility studies or viability of the location. Politicised ethnicity remains detrimental to national unity and socio-economic development and well-being of Nigeria.[653] Unlike Malaysia, no ethnic preferential policy is practised in Nigeria rather politicians often use political fiat to favour their ethnic group. For example, an appointee of the Abacha administration, General M. Buhari (rtd) who is of northern extraction was said to have allowed the allocation of Petroleum Trust Fund (PTF) lopsidedly in favour of the North whereas the South-south and South-east where the oil is produced received less.[654]

In this context, it raises certain questions as to the criteria used by Buhari's office to distribute resources to different geopolitical zones in the country. The amounts allocated to South-south and Southeast where oil is produced as shown in Appendix K. Table 6.3 on patterns of PTF allocation demonstrate the grievances that followed military exit from power in 1999. This describes structural injustice as the table demonstrates. This is akin to Malaysia's preferential treatment. Paradoxically, both North-west and North-east were allocated a total of 458 contracts as whereas South-West, South-East and South-South where oil is produced were allocated with something around 250 contracts. This is one of such issues perceived as unfair treatment which directly or indirectly fuels ethnic hostility in the country. The thesis stresses that years of harsh military rule that were characterised by misguided policies and over centralisation of national resources at the center with the federal government has reduced the constitutional powers of states and regional autonomy to a seemingly unitary status thereby reinforcing ethnic demands for a true federal order in Nigeria.

[653] Joseph C. Ebegbulem, "Ethnic Politics and Conflicts in Nigeria: Theoretical perspective" *Khazar Journal of Humanities and Social Sciences* vol. 14, No. 3 (2011):76-90. here 77.
[654] Festus O. Egwaikhide, Victor A. Isumonah, Olumide S. Ayodele (eds.), *Federal Presence in Nigeria: The 'Sung and 'Unsung Basis for Ethnic Grievance*, Dakar: CODESRIA, 2009, p. 42; Newswatch, Vol. 35 Issues 13-26, 2002.

6.6 **Contesting Politicised State and Local Government Creation –ensuing Conflicts**

Ethnicity is politicised when political coalitions or parties are organised along ethnic lines, and when access to political or economic good depends on ethnic affiliation. Two issues are crucial in this discussion. First, regular state creation produces dimensions of ethnic and communal conflict in Nigeria. Second, incessant state and local government creation tends to foster continuing and enduring instability in Nigeria.

In Nigeria, state creation and recreation of states and local governments provides a ground to view both power and revenue-sharing strategies and the numerous conflicts the country has created for itself. For example, state creation started in Nigeria in the 1940s. This brought about the creation of a three-state system and later made four in number in 1963. Gowon's administration recognised the need to divide the country into smaller units in order to overcome the problem of a strong state that would control the central government or opt for secession. Gowon however articulated five principles for new states to be created namely, "No state should be in the position to dominate or control the central government; Each state should form one compact geographical unit; Administrative convenience, the facts of history, and the wishes of the people concerned must be taken into account; Each state should be in a position to discharge effectively the functions of the existing regional government; It is essential that new states are created simultaneously".[655]

This study points out that General Gowon's announcement on May 12th 1967 of the new 12 structures of Nigeria coincided with Eastern-region declaration of its independence as Republic of Biafra. This development brought changes in the federal system and created a more centralised government that gained more power.[656] The re-organisation in 1967 intensified demands for new states,which confronted Brigadier

[655] Elaigwe, *The Politics of Federalism in Nigeria,* p. 115.
[656] Rotimi T. Suberu, *Federalism and Ethnic Conflict in Nigeria,* Washington: United States Institutes of Peace, 2001, pp. 87-88.

Murtala Mohamamed who quickly appointed the Irikefe panel with the mandate and possibility of creating additional states in Nigeria.[657]

Irikefe's panel recommended that 7 states be created on the basis that Nigeria's stability might not be assured without the government creating new states. The new seven raised the number of states in the country to 19, but failed to satisfy numerous demands, mainly the Igbo whose discontent was great in being allowed only two states. Politically speaking, a crucial point of note in this discource is that ethnic groups in Nigeria measure how many states each dominant group controls. This is important because it determines their respective power at the federal center as well as attracting higher revenue allotment from the Central Government. It should be noted that in 1985, General Ibrahim Babangida's administration created two more states and later further agitation led his administration to create nine more states and based his arguments on "three mutually reinforcing principles, namely, principle of social justice, the principle of development and the principle of a balanced federation". [658] A number of reasons which include realigning former boundaries of earlier colonial provinces, as well as to see the Third Republic experience smoother operation than earlier regimes were among his few reasons for new states.[659]

Further demands for new states never ceased, hence General Sani Abacha received more than seventy thousand requests for new state creation. He created six more states thereby bringing the total number to 36 states. He emphasised how state creation had become regular as well as an accepted aspect of politics in the country given the fact that it has gained the support of the National Constitutional Conference.[660] Appendix L Table 6.4 shows the years and number of states created in Nigeria since1914. Obviously, newly created states are not an end in themselves, rather they

[657]Suberu, *Federalism and Ethnic Conflict in Nigeria*, p. 90.
[658]Rotimi Suberu, *Public Policies and National Unity in Nigeria*.
[659] Suberu, *Federalism and Ethnic Conflict in Nigeria*, pp. 90-101.
[660]This is captured by Suberu, *Federalism and Ethnic Conflict in Nigeria*, pp. 101-106.

induce splitting and recreating new local government areas in line with the administrative structures of the new states. This thesis argues that by splitting the country into several new states, the nation has not really shifted from the earlier regional centres of ethno-politics because newly created states are largely considered along these ethno-regional lines of remote power centres thus reinforcing ethnicity in the country. According to Otite, these incessant state creations in Nigeria induce communal conflict in local councils. He cites numberous communities involved in these conflicts.

First, land space and resources available constitutes a source of conflict. People of different backgrounds within and across LGAs most times claim ownership of land as "original settlers or aboriginals" who see this as a basic reason to fight off those they see as intruders. It has generated heightened tensions and clashes in some parts of Nigeria's deltaic areas where claims and counter claims over territories oil companies operate for which royalty and other developmental benefits are expected.[661]

Second, the "disputed jurisdiction of some traditional rulers and Chiefs" is a factor in which a ruler lays claim to certain people as his subjects is resisted. For instance 'Olu' (King) of Itsekiri ethnic group who had been "Olu of the whole Warri" has in his possession Itsekiri, Ijaw and Urhobo groups living within his jurisdiction, but problem arose when the government appointed three new rulers in similar capacity for the whole area now split up. In "Ile-Ife in Osun State, the Modakekes" claims of "ownership" of the disputed settlement along with farmland was opposed by the Ooni (King) and his people of Ife, and this led to conflict resulting in numerous deaths among the warring factions.[662]

[661]. Otite, "On the Conflict," p. 20.

[662] Every tribal group or community in Nigeria wants not only to be heard through its leader but also to maintain its primordial identity at all times. "The situation arose when the Delta State Government enacted Edict No. 1 of 1999 (*Traditional Council and Chiefs Edict 1998 vol. 9*) and appointed three other traditional rulers of equal status in Warri, two for the Urhobo Kingdoms of Okere and Agbassa (Agbarha-Ame) and the third for the Ijaw of Warri". The disruption or government making changes on the existing social order due to the need to effect new state or local government structure intensified conflict of interest and resistance in maintaining ethnic or tribal identity. See Otitie, "On Conflict, Their Resolution," p. 20.

Third, newly created LGAs as well as the locations meant for their headquarters are conflict-generating factors in Nigeria's local communities exemplified in Ife and Warri cases. The federal government is responsible for the creation of the new local government councils but conflicts arise when a particular community feels its inclusion in the wrong council. Attempts to site local government council headquarters or market are sources of conflict in the case of Zangon Kataf and Tafawa Balewa town in Kaduna, with the opposition demanding relocation to another community and subsequent resistance exacerbating widespread conflicts.[663]

However, Appendix M. Table 6.5 contains the list of these communal clashes in Nigeria. It is these tragic images that intensified conflicts involving Yoruba communities of Ife and Modakeke who are neighbours but have been locked in a bitter and violent conflict over historical and legal claims to land ownership. In the southeastern region of Nigeria, the Ikun community of Cross River state had conflicts of their own with their neighbours the Okon-Ohafia community of Abia state. Violent clashes also occurred in the farming community of Udawa in Gombe State involving Fulani cattle rearers. Communal conflicts have always been widespread involving Umuleri/Aguleri, Ijaw/Itsekiri, Ilaje/Ijaw and many other communities in the country.[664] Huge human and material losses were recorded at the threshold of Nigeria's transition to civilian administration in 1999, in which over forty tragic ethnic clashes consumed about ten thousand lives. These occurred within the first four years of the administration of President Obansanjo.[665] Communal clashes stem from individual and sectional competition over scarce resources. "Positions of state commissioners, local government" council chairmen as well as "councilors are limited" and opponents mobilise their tribe's

[663] Otitie, "On Conflict, Their Resolution," p. 21.
[664] CDHR *Annual Report on the Human Rights Situation in Nigeria 1999,* pp. 209-213.
[665] Bronwen Manby, "Principal Human Rights Challenges in Nigeria," Paper prepared for the conference "Nigeria: Unity, Governance, Law and Conflict," Kennedy School of Government, Harvard University, December 12-14, 2002.

men for victory through their votes at elections. Expectations are high because successful contestants are expected to bring political good home.[666]

Despite its associated conflict, state creation has some seemingly positive effects on the continual existence of the Nigerian federation. First, the numerous states created have given the minority groups in Nigeria a sense of identity and believe in the system. Multiple-state federal system has provided room for the role of ethnic minority states in Nigeria's decentralised polity.[667] Second, despite the insurgency being carried out by the southern ethnic minority communities in the Niger Delta, anti-secessionist sentiment as well as support for the continuity of Nigeria as a nation is moderately strong since the 1967 state creation exercise in Nigeria.[668] Third, it has localised conflicts within states but has not engulfed the entire country. However, the exercise has led to inter-religious hostility particularly in Kaduna.[669] Suberu's observation indicates that conflict in Nigeria is widespread. Then does it make the federal centre an island of its own? Is the federal constitutional role effectively discharged as revealed in this discourse? It could rightly be said that the federal centre is meaningless if the component units are destroyed or are engaged in self-destruction and by extension does not portray federal accommodation.

This study also argues that most states in Nigeria seem to be unviable not for a lack of resource generating avenues. Rather monthly oil money disbursed at the center has made the federal and its component units dependent solely on the fluctuating petro-dollar oil prices at the world market. This accounts for danger in the economy whenever oil prices fall. Hence these states have become cost centres, and as Nwankwo correctly noted, "We have indolent-nominal rent-collecting governments in Nigeria whose only role and duties as governments is to pay civil servant salaries, as well as maintain a few

[666]Otite, "On Conflict," p. 21.
[667] D. Rotchild, "An Interactive Model for State-ethnic relations," in F. Deng and I. Zartman (eds.), *Conflict Resolution in Africa*, Washington DC: Brookings Institution, 1991, p. 39.
[668] Rotimi Suberu, "Nigeria: Dilemmas of Federalism" in U. Amoretti and N. Bermeo (eds.), *Federalism and Territorial Cleavages*, Baltimore MD: Johns Hopkins University Press, 2004.
[669] Rotimi Suberu, "The Nigerian Federal System: Performance, Problems and Prospects," *Journal of Contemporary African Studies*, vol. 28, No, 4 (2010):459-477, here p.463.

administrative offices; with no form of real development to show for their existence."[670] Unforfunately, overdependence by the states in Nigeria on the central government is antithesis of federal practice which has given room for much crisis in governance.

Conversely, these conflicts are peculiar to Nigeria. In Malaysia, no new states have been created outside the original 13 states existing from its independence as observed by former Prime Minister Mahathir Mohamad. He also explained, "All these states are the original Malay states. Each has its own ruler. So when we began, we did not create any new state, but we had those territories ruled by the colonial powers, like Pinang and Malacca, and for them we created governorship. Today they have government, the same thing with Sabah and Sarawak. They have their own governments and are loyal to their states."[671] The foregoing discussion demonstrates the fact that factors responsible for numerous ethnic conflicts in Nigeria are varied. Arguably, state and LG creation and recreation as a factor in communal tension has to do with the 'politics of the belly'. It is part of such failure in Nigeria's federal practice due to the nation's inability to nurture peaceful coexistence among its large ethnic communities.

6.7 **Contesting Resource Control Inducing Militancy and Secession**

To argue that Nigeria's federal system is flawed is never meant to castigate the nation which has endured for over fifty years. Yet, the grounds for this argument is not abashed by mere existence, given the numerous contradictions in terms of misrule exacerbating ethnic upheavals that have characterised and constrained the social progress of the people, as well as the development of the federation. This section of the study establishes two salient facts about resource control and revenue sharing in Nigeria:

[670] Further comments by Nwankwo, interviewed September 15, 2010.
[671] Former prime minister of Malaysia, Tun Dr. Mahathir Mohamad (Malay), interviewed at his 86th floor of PETRONAS Twin Tower office, February 14, 2012.

(a), Resource control in Nigeria is historically linked, its distortion by the military created tension,

(b), Federalism is less practiced in Malaysia's close parliamentary government, unlike Nigeria's style of American presidential system of democracy with its federalism reinforcing demands by federating units in Nigeria on their rights under the country's federal constitution.

The difference between Nigeria and Malaysia as highlighted above should be kept in mind, while this study stresses that the need for true practice of fiscal federalism poses a great challenge to Nigeria. Differences exist among federations as could be seen in these two countries under investigation, and between adoption of federal system and full practice of federalism. For example, these variations are documented in chapter one as made clearer by Mcgarry and O'Leary who posit, "The federal principle of separation of competencies says nothing about how much power each level enjoys. Regions in some federations may enjoy less de facto power than those in decentralised unitary states. The constitutional division of power (even as interpreted by the courts) is not always an accurate guide to policy-making autonomy and discretion enjoyed by different tiers."[672] Given the foregoing issues, this study looks at how time and space created a dichotomy from what is known to what is imposed on revenue sharing in Nigeria. For example, the emphasis here is that the constitution (legal framework) covering resource control as well as revenue distribution gives the Federal Government of Nigeria the final power. When the British rule ended, the 1946 Mineral Act which granted colonial authorities the control as well as onwnership of all minerals in the country was maintained.[673] In providing a concise analysis of the root of resource control problem in Nigeria, Octive Igbuzor in an interview with Allwell Okpi of *SUNDAY PUNCH* observed,

> In the first republic (1963 to 1966), there was no oil. The revenue of the country was distributed based on derivation principle. Fifty per cent of the revenue from mineral resources was given to the region from where the minerals were extracted. Then, 30 per cent was put into a distributable pool which was divided among all the regions including the producing regions while the remaining 20 per cent went to the Federal Government. But the formula changed when oil became Nigeria's main source of revenue.[674]

[672] McGarry and O'Leary, Federation as a Method of Ethnic Conflict Regulation, p. 2.

[673] Most of the underlying problems on Resource Control have been captured in Chapter five.

[674] Allwell Okpi, "Politics of resource control" PUNCH, March 4, 2012 available at www.punchng.com/politics-of-resource-control/ (accessed January 26, 2015); "Dr Otive Igbuzor is the Executive Director, African Centre for Leadership, Strategy and Development", his research paper in

The challenge posed by resource control struggle in Nigeria has not only attracted scholars but civil societies alike. The perception is seen within what could be concieved as Federal Government absolutism on mineral resources involving oil and gass in Nigeria. For instance the 'Citizens Forum for Constitutional Reform (CFCR)' which is a coalition of more than ninety civil society groups in Nigeria was formed in July 1999. Its major concern as contained in its constitution is to press for constitutional reform in Nigeria's fiscal federalism in which it noted,

> It has been noted that the 1999 Constitution violates the principles of Federalism as applied to revenue allocation. In mature federal political systems, federating units have the right to control their resources. For example in the USA, the state of Alaska owns all the lands in the State currently producing oil and collects over $1.1 billion annually in royalties on production in its public land. In Canada, the provinces (states and regions) are entitled to extract a royalty payment in respect of each unit of production. In Australia, States collect royalties but not taxes. The past and present revenue sharing formula in Nigeria are bedevilled with problems. …Derivation principle, which has been used since the 70s to try to transfer some of the revenue from resource exploitation to the areas, have not satisfactorily addressed the problem. [675]

Contrary to what is practiced in the older federations as shown in the foregoing analysis, the military created resource sharing problems in Nigeria. For example, while oil was discovered in Nigeria in 1956, unfortunately the generous derivation principle earlier practiced in the country was disrupted by the incursion of the military into governance. The secession by Biafra and threats to annex a large share of the oil-rich south quickly pressured the Nigerian Federal Authority to enact the 'Petroleum Act of 1969' which conferred on the Federal Government of Nigeria with ownership of oil and gas wherever they are located in the country, including those found in its territorial waters and continental shelf. But the turning point as this thesis discovers is that the 1969 Petroleum Act was originally a war instrument against the secessionist Biafra, and was not reversed after the war. Yet, as commentators say, the government incongruously continues to fight the very oil-producing region it moved to 'liberate' at the period of

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2002 with the title, 'Constitution making and the struggle for resource control in Nigeria' captures most argued aspects of resource control tensions in Nigeria.

[675] Olive Igbuzor, "Constitution Making and the Struggle for Resource Control in Nigeria" Citizen Forum for Constitutional Reform, Lagos, 2001.

civil war in the country.[676] However, "the 1979 Constitution Section 40(3) declared all mineral and hydrocarbons legal property of the federal government" whereas "land ownership rights" were left in the hands of state military governors "in trust" for the people.[677] By 1999, the Federal Government enshrined into the 1999 Constitution the ownership of all the natural resources in the country.[678]

Given all these constitutional changes, this study looks at a scenario in the Niger Delta region which shows the majority of communities occupying the oil-rich region as comprised of peasant farmers. Unfortunately, their incomes were based on food and cash crops as well as minimal compensation received from their land which fetched the Federal Government "billions of dollars from of oil and gas" exploration. This study also discovers resentment by Niger Deltans towards President Obasanjo over the oil revenue law instituted during his tenure as military head of state in 1979. In all the troubles associated with ethnic and regional conflict in the Niger Delta region, this study found that it has mainly been centered on derivation increase demanded by the oil-producing ethnic communities rather than resource control as the primary contention. The governamnt maintains a Federation Account on oil from which oil funds are shared by "federal government, states, and local governments" in line with the formula provided by the "Revenue Mobilisation, Allocation and Fiscal Commission" (RMAFC) a federal executive agency.[679] All the tiers of government in Nigeria virtually depend on oil revenue they receive from a central pool through statutory allocation, a situation that can make them non-functioning if oil revenue is deleted. Fiscal structure in Nigerian federalism should be quickly addressed.[680]

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[676] See, Crisis Group interview, civil society representative, May 1, 2006.
[677] Land Use Act, 1978 Part 1 section1.
[678] The constitution states "the entire property in and control of all minerals, mineral oils and natural gas in, under or upon any land in Nigeria or in, upon any territorial waters and the Exclusive Economic Zone of Nigeria shall vest in the Government of the Federation and shall be managed in such manner as may be prescribed by the national Assembly". See, Constitution of the Federal Republic of Nigeria 1999, Chapter IV, Section 44-(3).
[679] See, International Crisis Groups, p. 5.
[680] Bello-Imam et al, *Perspective on National Economic*, pp. 164-5.

For Anynwu, "We are not really practicing true federalism because various states are at the mercy of the federal government, as the formula for revenue allocation is manipulated".[681] Contrary to the fundamentals of federalism, the politicians-in-uniform substituted surreptitiously, the true federal constitution of 1960 and 1963 with decrees that reduced the 50 -70 per cent derivation to a paltry percentage. Undoubtedly, the perpetuation of these "gross inequalities, unfairness and injustices in our polity" remains the major catalyst for the re-current national crises.[682] As stated in Chapter five that the military whittled down 50 per cent derivation enjoyed by the rejoined three regions now down to 1.5 per cent in control of oil wealth.[683] The pervasiveness of marginalisation and unfairness with natural resources has led to a resurgence of secessionist movements in the country with threats to dismember the political entity called Nigeria.[684] The slashing of oil revenue paid to oil-producing region is shown in table 6.2.

Table 6.2. Federal and producing states shares of oil rents proceeds 1960- present

Years	Producing state share (Derivation per cent)	Federal Government share (inclusive of Distributive Pool Account in per cent)
1960-1969	50	50
1969-1971	45	55
1971-1975	45 minus offshore proceeds	55 plus offshore proceeds
1975-1979	20 minus offshore proceeds	80 plus offshore proceeds
1979-1981	Nill	100
1982-1992	1.5	98.5
1992-1999	3	97
1999 till date	13	87

Source: UNDP, *Niger Delta Human Development Report*. Abuja: United Nations Development Programme, 2006, p. 15.

Nigerian leaders have had the delicate task of holding the country together, yet, it must be stated clearly that the very problems that caused these attempts to break up the

[681] Anyanwu, interviewed 7/8/2010.
[682] *TELL*, Nigeria May 9, 2005, pp.35-36.
[683] U.Ukiwo,"Conflict and Development in the Nigeria Delta,"in K. A. Kiikpoye & D. George (eds.), *Placebo as Medicine: The Proverty of Development Intervention and Conflict Resolution in the Niger Delta Region of Nigeria*, Port Harcourt: Kemuela Publications, 2010, p.10.
[684] MASSOB is Igbo ethnic separatist group which insists that the defunct Republic of Biafra is realizable with a "non-violent" ideology to realize the goal of re-establishing the sovereign state of Biafra which is Igbo sovereignty. Despite their ideology, the Nigerian armed forces have at several occasions killed many of its members. The resurgence of MASSOB led by Ralph Uwazuruike seems to vindicate the Biafran war lord Odumegwu Ojukwu. See Sylvester Asoya, "Panic Over Biafra" in *The News Magazine*, June 2000.

country have not been carefully addressed up till now.[685] The Niger Delta Militant groups insist on the control of natural resources in their region, which the Nigerian nation-state denies them.[686] Given the need for equity in federalism, the implementation of resource control as presently practiced in Nigeria appears to be limited to mineral resources, particularly oil. There should be a generalisation of resource control of all resources in all states of the federation and the criteria clear and accepted.[687]

Ethnic self-determination is born out of deep frustrations caused by unfulfilled promises where a group or groups feel alienated or marginalised in the scheme of things. Hence MASSOB and MEND ethnic secessionist groups in southern Nigeria have been challenging Nigeria on socio-economic disparity in its lopsided federal practice.[688] But Yusuf was against the agitation for resource control. There was a time groundnut from the North was one of Nigeria's main revenues. He posited, "They now want to separate because they have oil in their area, what about our abundant agricultural produce for all in pre-1960 and 1960s? Oil in Nigeria is for the development of the country".[689]

Conversely, Malaysia's federal state under parliamentary system of government shows demands on fiscal federalism by its federating units but with less tension. Reasons for this are discussed in the next segment of this chapter on Malaysia. This is mainly on an account of low poverty rate on the one hand, and authoritarian one-party rule of a unitary posture, that is shielded by Malay ethnic majority electoral support that are influenced by preferential policy of the government. A salient fact at this point in Nigeria in contrast to ethnic preference in Malaysia is obvious. For instance, while federalism remains an effective system of consociationalism given its conflict regulatory

[685] Peter Calvocoress, *World Politics*, 7th Edition, London: Longman Group, 1997, p. 613.
[686] For more on Niger Delta See, Victor Aajkorotu, ed., *Anatomy of the Niger Delta Crisis: Causes, Consequences and Opportunities for Peace*, New Brunswick and London: Transaction Publishers, 2010.
[687] Anyaehie int. 20/5/2012
[688] Shared views: Ezeji, Musa, Madu, Hamaadama, Obe, Oragba.
[689] Yusuf (Hausa-Fulani) interviewed.

mechanisms, ethno-regional domination, polarization and alienation in Nigeria provided a ground for ethno-military infighting which led to the collapse of the First Republic.[690]

It was marginalization and unfairness in the sharing of derivatives from with natural resources that led to the resurgence of secessionist movements and threats to dismember the political entity called Nigeria.[691] It is obvious that Federal Character Commission was established to cater for the welfare of different ethnic groups in Nigeria. Agitation for resource control has led to militancy especially in the Niger Delta. Resource control as a problem today in the Nigeria is `a constitutional matter that should be resolved through constitutional means'.[692] Ethnic clashes induced President Obasanjo's regime between 1999- 2007 to organise a national conference in 2005 which among other issues increased the derivation on oil to 13per cent which the Niger Delta region says is still unjustified.[693] Government should revert to the period before the civil war when regional governments had full control of their resources that were taxed by the federal government instead of the slashed percentages on the current derivation.[694] Given the dependence and the centralisation of oil resources at the center, Nwankwo argued:

> I am in support of resource control as part of the Nigeria federation policy. As this is the only way various levels of the government in Nigeria from local, state and federal governments could look inwards and begin to make positive attempts at developing natural and human resources otherwise distributed all over the country by God Almighty Himself. Nigeria is a very rich resources blessed nation. Resource control in Nigeria is an idea, which time is ripe for implementation. Resource control will make our political leadership to sit-up from the president to the 36 state governors, down to the 774 local government chairmen who have collectively constituted themselves into a drain pipe of the country's resources and revenue.[695]

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[690]Rotimi T. Suberu, "Nigeria: Dilemmas of federalism" in Ugo M. Amoretti and Nancy Bermeo (eds.), Federalism and Territorial Cleavages, Maryland: The Johns Hopkins University Press, 2004:327-354.here346.

[691]Human Rights Watch, *The Price of Oil: Corporate Responsibility and Human Rights Violations in Nigeria's Oil Producing Communities,* Washington: Human Rights Watch, 1999, pp. 9-11.

[692] Author, interview with Mr. A. A. Obe, (Yoruba), Head, National Press Centre Abuja, Nigeria in his office, June 26, 2010: Shared views with Associate Professor Daniel C. Ebirim (rtd), (Igbo) Imo State, Nigeria. Interviewed, March 17, 2012.

[693] Cyril Obi, "Ethnic Minorities and the Struggle for Resource Control in the Niger Delta" in Said Adejumobi (ed.), *State, Economy and Society in Post-military Nigeria*, New York: Palgrave MacMillan, 2011, p. 99.

[694] Hakiru Ibrahim, (Deputy Detective) Crime Investigation, Nigeria Financial Intelligent Unit, (Hausa/Fulani – Kaduna North) email interview, March 10, 2012; See also Dr. Hussaini Usman Malami, (Hausa/Fulanii) Senior Lecturer Usmandan Fodio University, Sokoto, interviewed March 15, 2012.

[695] Nwankwo also regretted, "We have indolent-nominal rent-collecting governments in Nigeria whose only role and duties as governments is to pay civil servant salaries, as well as maintain few administrative offices; with no form of real development to show for their existence. The present structure of 36 states is not sustainable as what Nigeria is currently experiencing is over-bloated governments without

The lingering and often open gun battles with frustrated ethnic militia, results in the destruction of oil facilities which attracts brutal retaliatory measures by the Nigeria armed forces. This reinforces further confrontations by such ethnic communities with the entire oil-rich region threatening secession from the entity called Nigeria. But Ibrahim suggested that ethnic separatism could be overcome in Nigeria through equal rights and justice, and true federalism. "Equal rights and justice must be exhibited in all spheres of our national life".[696] According to Crisis Group "The government has been quick to brand many of the symptoms, especially the rise of militancy, as simple criminality to be dealt with by more police and troops. But unless it engages with the underlying issues of resource control, equal rights, power sharing and accountability, Nigeria will face an internal crisis of increasing proportions."[697] Other views insist that ethnic separatist movements could be overcome by negotiations and compromise that will be strictly honoured by the stake holders and warring parties in the country.[698]

Yet, revenue formula has raised serious disagreement in the ongoing National Conference under the leadership of President Jonathan in 2014.[699] The struggle for 'resource control' in the Niger Delta region was enshrined over decade ago in various ethnic declarations such as, "(i)The Ogoni Bill of Rights (ii) The Kaiama Declaration, (iii) The Aklaka Declaration, (iv) The Bill of Rights of Oron People, (v) The Warri Accord (vi) Resolutions of the First Urhobo Economic Summit, (vii) Ikwere Rescue Chapter".[700] The foregoing analysis and list of social forces as well as reasons for continuing conflict in the Niger Delta region is summed up by Nwankwo: "The

development", Nwankwo, interviewed; see also, Ibrahim shares views for a revert to earlier control of resource by the regions.

[696] Ibrahim's interview comments.

[697] International Crisis Group, Nigeria's Faltering Federal Experiment, p.i.

[698] Ebirim, interviewed, with shared comments by Nonso.

[699] See. National Conference, "13 per cent derivation: Ijaw Youth threaten to Cripple Nigeria's oil Production," *Times.* May 15, 2014.

[700] See. Peter P. Ekeh, Urhobo and the Nigerian Federation: Whither Nigeria? in Peter P. Ekeh, ed., *History of Urhobo People of Niger Delta*. Lagos: Urhobo Historical Society, 2007: 628-646. here 636-637.See also, *TELL* January 30, 2006.29

generality of the people feel politically alienated and short changed in the scheme of things. People have generally lost faith in the way the country is governed politically and economically. The wealth of the nation is steadily being siphoned away to foreign bank accounts of the elites, leaving the majority of Nigerian people economically destitute in their own country. Sadly, uemployed youths resort to violence, militancy, kidnapping which has become a way of life among this alienated segment of the population".[701]

Many reasons given in this study collaborate with Nwankwo and Jinadu views who insist that the "effectiveness of federalism and consociationalism as conflict regulatory mechanisms has been limited in Nigeria". The kind of competition and quest to control the "Nigerian state" revealed strong ethnic cleavages that truncated the First and Second Republics.[702] These ethnic militants are forces common to Nigeria and may have been aggravated by the frustrating poverty which the Nigerian government has not fully addressed as seen in Malaysia.[703]

Given Nigeria's wealth distribution challenges, the ICG proffered the following remedies to the Nigerian Government: "1, Work toward a new division of the country's natural resource wealth by: (a) Increasing as an interim measure the oil revenue allocated to producing states (the derivation principle) to 25 per cent. (b) passing uniform resource control legislation that: invests 50 per cent ownership of natural resources in the states and 50 per cent in the federal government, and then divides a percentage of the federal share among the states and local government areas (LGAs) through the Federal Account; and it requires that state devolve two thirds of the revenue accrued from state ownership directly to local incorporated development trusts, splitting the remainder between the state government and (LGAs); and (c) abolishing the derivation principle entirely once

[701] Nwankwo, interviewed, other respondents that shared similar view with Nwankwo were Oragba, Ibrahim two anonymous.
[702] Adele L. Jinadu, "Federalism, the Consociational state, and Ethnic conflict in Nigeria," *The Journal of Federalism* Vol. 15, No2 CSF-Associate, Philadephia Spring (1985):71-100.
[703] Poverty in Malaysia has fallen from 10 per cent to 5 per cent in 2007. See United Nations Development Programme 2007.

this new framework is in place. 2,- Encourage non-oil producing states to develop new revenue generating capacity in agriculture, tourism and solid minerals. 3, Conduct a review of laws that have deprived communities of their lands and birthrights, leading to reform of the 1978 Land Use Act and repeal of the 1946 Minerals Act and the 1969 Petroleum Decree."[704]

6.8 **Contesting National and Ethnic Dimensions of Security Operatives**

In Nigeria, the task of sustaining effective national security in the country has largely constituted a national challenge. The issue of security of life and property in Nigeria has become crucial for the country's survival and progress. This argument draws from Njoku's view that "a sovereign state is marked by self-rule while maintaining all the trappings of sovereign status that grant it legitimacy over its geographical limits within which lives, property and the well-being of its citizens form prioritised goals of the government to protect and guide jealously for its own continuity."[705] This section is significant in the entire ethnic conflict discourse in this study. (a) It grants the reader a clearer view of physical force and brutality associated with ethnic conflict in Nigeria. (b) It serves as a benchmark for understanding the level of political instability and social disharmony in Nigeria. (c)To state the fact that Malaysia does not have parallel ethnic security movement competing with the national security outfit as seen in Nigeria.

This study is inclined to arguing that Nigeria's need for adequate security is not a matter of huge numbers of soldiers within its army, because most of the problems the country has suffered from since its independence in 1960 down to year 2000 have been

[704] International Crisis Group, p. ii.
[705] Chukwunenye Clifford Njoku, The Assassination of Eze Emeka Njoku: Anatomy of Crisis in Nigeria and the Way Forward (forthcoming). This new book by the author partly explains crisis in Nigeria as explored in this thesis which concerns flawed security in Nigeria that demonstrates such unstable polity where perceived political foes are eliminated by certain individuals in order to gain political mileage.

associated with the actions and omissions of the same security forces of Nigeria.[706] In other words, this study emphasises that security in Nigeria has been limited to the personal security maintained for the leader as well as those supporting him. The protection and safety measures in the country have collapsed due to the fact that the "national security" failed to "include vital aspects of social and national development in the area of basic amenities", hence Nigeria has not been able to achieve economic, social and "military conditions" that serve as "national security".[707]

For instance, security failures in Nigeria created a vacuum that gave rise to ethnic militia serving as auxiliary security operatives called vigilant groups, and militant civil society vanguards. It exposed the inadequacy of the Nigerian police force as well as its awful disappointment to uphold the rule of law and offer protection which was among the findings of the Annual Reports of the human situation in Nigeria. Many civilians were slain by these ethnic vigilant groups.[708] While it is highly contested, these ethnic militia were not too long ago drawn into religious as well as ethnic conflicts, and by extension undermined "the fragile peace and stability of the country".[709] These armed militia represented by the Bakassy Boys of Southeastern Nigeria, the Oodua People's Congress (OPC) of Southwest and the Egbesu Boys acted as security to their respective

[706] See, Philip Ogo Ujomu, "Ethics and National Security in Nigeria: Critical Issues in the Search for Sustainable Development," *THE VOICE*, Millennial Edition No. 39. SS Peter &Paul Seminary Ibadan, May 2000, p. 39.

[707] Samuel Egwu, "The Origin, Nature and Politics of The Niger-Delta Crisis: The Consequences of Violence on the Future of Youths," A Paper presented at a *Workshop on the Reorientation of Youths for the Cause of Peace and Democratic Stability in Niger-Delta*, Akwa-Ibom Uyo, May, 2000, p. 4.

[708] Committee for the defence of Human Rights, *VICTIMS* News Letter vol. 10, no. 33, June, 1999. The activities of Bakassy Boys that operated in the southeastern Nigeria – mainly at Onitsha, Owerri and Aba were dreaded by all. They were supported by some state governors to the extent that their services turned soar when innocent citizens other than thieves were manhandled and slaughtered for unfounded allegations. In the Southwestern part of Nigeria the Oodua Peoples Congress OPC managed to help create sanity in the Lagos area but at the same time constituted a \public nuisance in creating tension everywhere. See, Agbu, *Ethnic Militias and the threat to Democracy*; Festus Emiri and Godwin Deinduomo, *Law and Current Challenges*, Lagos: Malthouse Press Limited, 2009.

[709] Ogundimnodede, "Gowon, Anyim Preach Tolerance, p. 7; Emeka Nwankpa, "ANBA Deplores national decay, insecurity," in *The Guardian* Thursday December 21, 2000, p. 5.

ethnic groups. The worsening crime in Nigeria at this time which overwhelmed the police led to the need for the vigilantes."[710]

For instance, the so-called "Godfathers" in politics largely recruit from certain vicious and sometimes violent struggles for local power or against other ethnic sectarian groups.They have at one time or the other aided the intimidation of political opponents.[711] It is worthy to point out that Bakassi Boys, for instance have at various times been drafted and recognised as state vigilantes and sponsored by governors. They were legitimised as Anambra Vigilante Service (AVS) between 1999 and 2003 during the tenure of then governor, Chinwoke Mbadinuju. Given their suspected involvement in several political smuggings, abductions, assassination as well as being political thugs, no efforts were made to prosecute for engaging in extra-judicial killings.[712]Similarly, between 2004 and 2005, Governor Chris Ngige who succeeded Governor Mbadinuju used Bakssi Boys to guard himself and key officials at Government House in Awka, due to the federal government's withdrawal of his police guards. In Abia State, Governor Orji Kalu argued that the due to the scale of crime in his state, the 'Abia State Vigilante Group Bill', which gave assent to the operation of the state-based security outfit, was borne out of a crucial societal need, and not connected to Bakassi Boys.[713]

The foregoing can be understood through a Lagos editorial publication which summed up the emergence of State Vigilante groups in Nigeria and their role in contemporary Nigeria. It expressed that the challenge that confronted the Federal Government especially on the need to reduce enormous crime in the society, was the police force's inability to ensure effective protection of lives and property. This gap has led to some states to have parallel security and vigilante groups which have been more

[710] Bruce Baker, "When the Bakassi Boys Came: Eastern Nigeria Confronts Vigilantism," *Journal of Contemporary African Studies*, Vol. 20, no. 2 (2002): 223-244; see also *Post Express*, Lagos, October 16, 2000.
[711] International Crisis Group, p. 17.
[712] International Crisis Group, p. 17.
[713] "Vigilance group law, a necessity in Abia –Kalu", *Daily Sun*, Lagos, February 6, 2006, p. 7.

effective in reducing crime in the country. Despite the inherent problems and risk associated with untrained security, such as vigilante groups who usually operate without defined structures, proper training or legal authority, these groups should be allowed to operate to assist in law enforcement, as in the case of the Bakassy Boys and others pending the creation of state police in the country.[714]

Also this thesis looks at the growing insecurity during Obasanjo democratic regime and how various regimes have allowed huge budgetary allocations to equip the police for their role. Crime rate has for several years led many state governments to give their state police patrol operation names such as 'Operation Sweep', 'Operation Wipe Out', 'Operation Gbale' etc.[715] Yet, crime rate in Nigeria has not been reduced to match with a more secure Malaysia. However, noticeable contradctions exist in the operation of federalism in both countries with different results in the context of a federal balance.

However, this study highlights the fact that the ban on Bakassi Boys some years ago has not really altered the situation. The Nigerian state has not achieved enough on security when compared with Malaysia's stern measures on security matters. The argument in favour of Malaysia's considerable ethnic harmony and political stability is shown in a contrasting scenario to Nigeria's incessant political crisis that led to military dominance for roughly three decades. This study takes congnisance of the fact that military regimes in Nigeria exhibited unstable government that set negative legacies.[716] These legacies are seen as poor social conditions they left behind. For instance, protection and safety measures in Nigeria are lacking because the "national security" failed to "include vital aspects of social and national development in the area of basic amenities", thus the nation's failure to achieve economic, social and "military

[714] *This Day*, October 1, 2000; See also Baker, "When the Bakassi Boys Came", p. 224. International Crisis Groups p. 17.
[715] "Operation sweep", "operation wipe out" and all the rest of operations are inscriptions on police patrol vans and Trucks that connote readiness to destroy and to deter any form of crime.
[716] Okorie, *Nigeria Weeps*, 36-37.

conditions" that serve as "national security."[717] The thesis argues at this point that failings in socio-economic conditions of Nigerians reflect the social fragmentations in its polity accounting for ethnic militant movements that more or less operate in parallel with the Nigerian armed forces. This view point should be well understood when considering the dimensions of ethnic conflict in Nigeria. Ethnic movements in Nigeria include, Ijaw Youth Council (IYC), Oodua Peoples Congress (OPC), Arewa Peoples Congress (APC), Niger Delta Volunteer Force (NDVF), Movement for the Actualization of the Sovereign State of Biafra (MASSOB) whereas Malaysia has none of these ethnic forces. However, Afenifere, Arewa Consultative Forum (ACF) and Ohanaeze Ndigbo are Socio-cultural organizations in Nigeria which are similar to UMNO, MCA and MIC ethno-cultural organizations in Malaysia. The formation of Ohanaeze and MASSOB were targeted at protecting as well as promoting the Igbo interests. Ohanaeze is non-radical whereas MASSOB radical, but non-violent. [718]

However, structural and institutional imbalances led to the establishment of these "ethnic social movements and ethnic socio-political organizations" in Nigeria. As social pressure groups, they pressure for the restructuring of power in Nigeria by fighting for the marginalised groups and the worsening material conditions, political and economic deprivations of some ethnic groups in the country.[719] This study accentuates the fact that the existence of these ethnic movements in Nigeria is reinforced by the problem of ineffective political leadership, the challenges posed by the existing structure of power as well as economic relations in the country. It also involved some perceived hegemony by certain ethnic groups, the asymmetric centre-state relations which has been described

[717] Samuel Egwu, "The Origin, Nature and Politics of The Niger-Delta Crisis: The Consequences of Violence on the Future of Youths," A paper presented at a *Workshop on the Reorientation of Youths for the Cause of Peace and Democratic Stability in Niger-Delta*, Akwa-Ibom Uyo, May, 2000. 4.
[718] Ojukwu, "Igbos Nation, Modern Statecraft,"188.
[719] S. Adejumobi, "Ethnic militia groups and the National Question in Nigeria," a paper presented to the conference on urban violence, ethnic militia and the challenge of democratic consolidation in Nigeria, in Lagos, April 23-26 2002; Ojukwu, "Igbo Nation, Modern Statecraft," 188.

by Wole Soyinka as extremely unbalanced, exploitative and acquisitive.[720] The Nigerian federation showcases conflicting social forces such as the forces for unification (centripetal forces) and the forces for preserving differences (centrifugal forces). This fact is obvious. For example, to understand the roots of ethnic conflict in Nigeria is to understand the thoughts of Ralph Uwazuruike, the founder and leader of MASSOB who once posited: "Biafra is a fight and symbol for inclusion, a project aimed at breaking the chain of Igbo exclusion from the scheme of things; a quest for a sense of belonging and identity; it is not an issue of secession but that of justice and fairness…"[721]

The foregoing collaborates with similar views by Ben Nwabueze who is of Igbo extraction, and a constitutional lawyer of repute. He said that 'Ohanaeze Ndigbo'was formed "to lift ourselves from our present marginalised position and realise our group interests in the fierce competition and struggle among the antagonistic ethnic nationalities comprised in Nigeria imperatively, requires an effective, credible organisation and without which we will remain rudderless. In such organisation lies our only hope of salvaging ourselves from the abyss into which we have sunk."[722]

The 'abyss' as a metaphor demonstrates the intensity of ethnic conflict in Nigeria and the support it has attracted. Ihonvbere argues that The growing socio-economic injustice, political intimidation and alienation expressed in marginalised ethnic groups for many years in Nigeria has negatively affected both traditional values and institutions have become fresh challenges for the state and those in power.[723] Ethnic organisations in Nigeria are ethnic movements and affiliations which show organisational cohesion and limitations on their ability to generalise support.[724]

[720] *Guardian,* Nov. 3, 1999.
[721] *Vanguard* May 14, 2000.11; A. O. Adekson, *The Civil Society Problematique: Deconstructing civility and Southern Nigeria's Ethnic Radicalization,* New York and London: Routledge, 2004: 87-107.
[722] See. Nwabueze (2001) cited in Ojukwu, "Igbo Nation, Modern Statecraft," 188.
[723] Ihonvbere, "Constitutionalism and the National Question in Nigeria," p. 243.
[724] Horowitz, *Ethnic Groups in Conflict*, 12.

Malaysia

6.9 **Ethno-Federal Constitutional Design and Ethnic Conflict in Malaysia**

6.9.1 **Introduction**

In this section of the study, attention is paid to domains and dimensions of ethnic conflict which are similar to issues treated on Nigeria. However, contests over special rights on education; language and culture provide a unique discussion on Malaysia. Unlike Nigeria, ethnicity featured in the calculations for the establishment of both the 1957 and 1963 federation as shown in Chapter three. In effect, ethnicity infused Malaysia's federal designs-in its earlier constitution of 1957, which preserved all aspects of Malay hegemony, legitimacy and their indigenous demographic dominance.[725] These issues include; the position of Islam; the Malay Sultanate and monarchy; Special position of the Malays and indigenous people; position of Malay Language. These should be seen in a restricted sense while contested issues in Malaysia are explored.

6.9.2 **Contesting Ethnic Politics and Administration in Malaysia**

Malaysia and Nigeria shared similar experience on ethnic politics and administration during their early formative years in 1960s. The origin of the country's ethnicisation is located at the influence of the British who reinstated the authority of the Malay Monarchs that had been somewhat disregarded and created social stability by treating the Malays favourably to have influence in the politico-administrative domains due to reasons of being marginalised in business and industry.[726] Similar special privileges have centrally influenced politics since 1946 when UMNO was formed as a major political party to advance the special rights of the Malays vis-a-vis other ethnic

[725] B. H. Shfruddin, Malaysian centre –state relations by design and process in between Centre and State – Federalism Perspective. Shafruddin, B.H. & Iftikhar AMZ Fadazli, Kuala Lumpur: ISIS Malaysia, 1988.
[726] G. P. Means, Ethnic Preference Policies in Malaysia, in N. Nevitte & C. H. Kennedy (eds.), *Ethnic Preference and Public Policy in Developing countries*, Boulder, CO: Lynne Rienner, 1986: 95-118; J. V. Jesudason, State Legitimacy, Minority Political Participation and Ethnic Conflict in Indonesia and Malaysia, in N. J. Colletta, T. G. Lim & A Kelles-Viitanen (eds.), *Social Cohesion and Conflict Prevention in Asia*, Washington D.C: The World Bank, 2001.

groups in the country. As observed in the formation of early ethnic political parties in Nigeria such as NPC, NCNC and AD, such occurred in Malaysia too. The role of ethnicity in Malaysia has also been very profound in which the formation of the three major political parties, UMNO representing the Malays, MCA for the Chinese and MIC covering the interests of the Indian community define their segregated configuration in the Malaysian political, religious and socio-cultural map.[727] The political history of Malaysia is in part shaped by the three main political parties that rose from the formation of a coalition to strengthening it with what is ordinarily known as the 'Alliance'. The Alliance victoriously won Malaysia's first federal election in 1955 that formed the government at independence in 1957. The coalition later welcomed other minor political parties to form an enlarged "Barisan National or the National Front."[728]

However, the Alliance of UMNO, MCA and MIC leaders was a product of cooperation, agreement, and compromise among these leaders with regard to power sharing, allowing "political power to Malays and economic power to non-Malays". Alliance was to serve the above purpose for interexchange of rights and benefits in which non-Malays were assured of citizenship and limited political role which was to be exchanged for accepting the special rights of the Malays in politics, education and language.[729] In the Malaysian political equation, UMNO which represents the Malays can easily gain victory at elections but it entails MCA as well as MIC to gain two-third majority requisite to engage in any form of constitutional amendment. It is within this ethnicised structure of the governing coalition that the influence of Malay rulers is made evident in their political and religious roles in their states. Notably, from among them the king emerges as the constitutional monarch of the federation for every 5-year term.[730]

[727] C. Derichs, "Nation-Building in Malaysia Under Conditions of Globalization," Paper presented at the 2nd International Malaysia Studies Conference, University of Malaya, Kuala Lumpur , August 2-4, 1999.
[728] Means, "Ethnic Preference Policies", p. 100.
[729] Means, "Ethnic Preference Policies", pp. 100-101.
[730] Derichs, *Nation-Building in Malaysia*,

It is also observed that the ethnicisation process in public service started during the imperial rule, which provided English education as well as teaching sons of Malay aristocrats in order for these young ones to occupy elevated ranks in the Malayan Civil Service (MCS).This then led to the creation of Malaya Administrative Service (MAS) which was for these Malay privileged class. In this scenario ordinary Malays were neglected while non-Malays were permitted to "professional and technical services".[731] It was proclaimed by the colonial government in 1952 that non-Malays could be employed in the MCS on the ratio of 4:1 which specially was in favour of the Malays. This quota became well-entrenched in the system after independence, and based on Article 153 of the Constitution, the issue of ethnic ratio between the Malays and non-Malays came into view in the MCS– 4:1 in all the government departments.[732]

According to Crouch "the ethnic preferential policy" brought about huge numbers of Malays occupying top "political and administrative positions" and this formed the archetype of Malay primacy "over institutions" like cabinet, legislature, bureaucracy, defense, judiciary, police etc.[733] This shows how Malaysia operates what McGarry and O'Leary describe as majoritarian federation which allows power-resources at the federal level while facilitating "executive and legislative dominance either by a popularly endorsed executive president or by a single party premier and cabinet".[734]

For the sake of a well-enlarged Malaysia, Prime Minister Tunku Abdul Rahman had welcomed Singapore to be part of the federation. This decision formed the imperative of a greater Malaysia.[735] The most significant consideration from Tunku's approach was touching on the ethnic factor, reasoning that in an enlarged Malaysia, incorporating the Borneo territories would ensure that Malays would always outnumber

[731] H. L. Mah, Affirmative Action, Ethnicity and Integration: The Case of Malaysia, *Ethnic and Racial Studies*, Vol. 8, No. 2 (1985): 250-276.; see also, Means, "Ethnic Preference Policies" p. 97.
[732] D. S. Gibbons, & Z. H. Ahmad, Politics and Selection for the Higher Civil Service in New state: The Malaysian Example, *Journal of Comparative Administration* Vol.3, No. 3(1971):330-348.
[733] Crouch, *Government and Society in Malaysia*; See also, Means, "Ethnic Preference Policies, p.105.
[734] McGarry and O'Leary, Federation as a Method, pp.1-2.
[735] Tan Tai Yong, *Creating Greater Malaysia, Decolonization and the Politics of Merger*, Singapore: Institute of Southeast Asian Studies, 2008, p. 6.

other ethnic groups like the Chinese, Indians, and secure integration of Borneo territories especially Brunei and Sarawak into the Malayan federation.[736] Singapore being a part of Malaysia came to an end in 1965 through peaceful negotiations. Social conflict is known to be a fight over rank, authority, as well as limited 'resources' whereby the objectives of the contenders are not simply to achieve their preferred goal but at the same time aim to damage or get rid of competitors.[737] Elections in Malaysia from 1970s-1980 show mass support.[738] Crouch describes UMNO as authoritarian whose elections are not intended to allow the voters to change the government.[739]

The compromise between UMNO, MCA and MIC has always given Barisan Nasional (BN) victory. But most noticed struggles within MIC and MCA especially urging their leaders to fight more for non-Malay rights in BN.[740] In non-Malays there is seemingly a frustrating situation of exclusion within the domineering influence of UMNO-led Barsan Nasional. One observes poor federal practice given the fact that democracy aids federations to thrive in an open manner in power sharing arrangements. While there is strong ethnic competition in Nigeria, the conflict in Malaysia is exacerbated by ethnic hegemony between those deemed as owners of the land and those Malays Amibiga, a radical Malaysian Indian lawyer recently criticised for derogatorily using the Malay word '*Pendatangs*' or immigrants for other Malaysians.[741]

[736]Kheng, *Malaysia: The Making of a Nation*, p. 93.
[737] Lewis A. Coser, *Sociological Theory: a Book of Sociological Reading*, 2nd edition, London: McGraw Hill, 1966.
[738] For more on UMNO's level of mass support (Case 1993:187) cited in Zhang, *Pacific Asia: The Politics of Development*, p. 96.
[739] Harold Crouch, Malaysia: Do Elections Make a Difference? in R. H. Taylor (ed.), *Woodrow Wilson Center Series: The Politics of Elections in Southeast Asia*, Cambridge: Cambridge University Press, 1996, p. 114-115.
[740] Crouch, Do Elections Make a Difference? pp. 130-135.
[741] Yiswaree Palansamy, "Stop rewriting history to justify racist policies, Ambiga tells Putrajaya," Malaymail Online, October 2, 2014 available at http://m.themalaymailonline.com/malaysia/article/stop-rewriting-history-to-justify-racist-policies-ambiga-tells-putrajaya (accessed January 7, 2015.

6.9.3 **Post-independence Religious Contests and Violent Conflicts**

Religion is highly given primacy in the governance of Malaysia. Muslims in Malaysia are mostly Malays who constitute the largest number of the national population. Article 11 of the Federal Constitution gives freedom of worship for ethnic groups to practice their religions, while Article 3 stipulates that Islam is the state religion.[742] In this section of the study, four major factors which underline ethno-religious tension in Malaysia are explored. (a) First, Islamic religion dominates the governance of the Malaysian State to the extent that people of other faiths feel disadvantaged. (b) The authorities in Malaysia disallow conversion of Muslims (mainly Malays) to other religions but allow others to convert to Islam which is regarded as double standard. (c) There is ongoing attempt to Islamise Malaysia as against the secular status of the constitution of the country. (d) The use of the word 'Allah' is currently being contested. All these largely shape explosive grounds of conflict in the Malaysian federal formation, yet Malaysia is seen as being more tolerant than Nigeria.

While the thesis explores all the aforementioned areas of concern, the literature section of this study demonstrates how Schottmann admires the influence of the former premier of Malaysia Tun Dr. Mahathir Mohamad while arguing that Islam could rise to the level of being a cultural pillar for democracy in Malaysia. This thesis looks at such perception which seems to dominate some people's view about Malaysia and Islam. This is reinforced by the obvious fact that Muslims enjoy certain religious privileges when compared to devotees of other faiths. According to Hamid "First, in terms of legal repercussion, if Malay Muslims convert themselves to other religions, and if individuals preach Christianity among Muslims, they may have to face some consequences, although the conversion of non-Muslims to Islam is not discouraged".[743] This collaborates with Woon's view that "Religious tolerance is relatively good where there

[742] See "Government of Malaysia, *The Federal Constitution,"*
[743] J. Hamid, Malaysia Opposition Unveils Islamic State Vision, cited in Haque, The Role of the State, p. 250; U.S. Department, *1999 Country Report on Human Rights Violation.*

is freedom of worship despite the fact that there are so many religions in Malaysia. However, majority are Muslims as Malays born in Malaysia embrace Islam, and people of other faiths are not allowed to preach (apostasy) to the Muslim as it is against the law/constitution, which is actually religious intolerance."[744]

For Kumar, all is not settled "Malaysia is predominantly an Islamic country. The constitution states freedom of religion very clearly but unfortunately freedom of religion is in reality not true. There is a restriction in Malaysia that Christians are not allowed to share their faith with Muslims. Muslims are not allowed to be found in Church building. There have been raids in churches and unfair intimidation so to speak. The right of Malay to choose his own faith is absolutely out of the question in Malaysia".[745] However, such can be related to more tragic scenarios in Nigeria where the level of intolerance, not by the central government, but by angry intolerant mobs who torch churches and indulge in mass ethno-religious killings in the country.

On a wider context, this study discovers that there is a growing tendency in Kelantan State where the state applies Islamic law. Apart from restrictions, the government is accused by critics of its active role in pursuing the process of Islamisation of the country through many Islamic programmes. These include provisions and "establishment of Islamic institutions such as Islamic Banks, International Islamic University, expansion of Shariah courts and religious schools," as well as allocating larger space for building Mosque unlike spaces allowed for other religions.[746] Religious popularity seems to influence Malay Muslims in the coalition as well as the impulsive increase in the number of groups with political influence as exemplified in "Muslim Youth Movement of Malaysia, the Islamic Representative Council and the Jamaat

[744] Engineer E.Woon (Malaysian Chinese - Engineer) interviewed May 28, 2012.
[745] Dr. Jai Kumar (Malaysian Indian –rtd. Pharmacist), interviewed May 24, 2012.
[746] K. Hamayotsu, "Reformist Islam, Mahathir and the Making of Malaysian Nationalism," Paper presented at the 2nd International Malaysian Studies Conference, University of Malaya, Kuala Lumpur, Malaysia, 2-4 August, 1999.

Tabilgh, and the Islamic Party of Malaysia".[747] In these state-led policies in favour of Muslims, people of other faiths might have a feeling of envy. For example, in Nigeria, the regional government's policy of Northernisation led to the programme which was intended to free the North from depending on the Southern Nigerian civil servant and business by giving "preferences in employment, contracts, scholarships, land, and loans to Northerners". This was as a result of apprehensions in Nigeria against the Southern domination of the Northern life.[748] This is what Horowitz describes as ethnic groups maintaining their solidarity on material rewards they make available to "their members rather than on diffuse affection whose behavior is based on the interests of their members".[749] This creates divisions instead of unifying the country.

Similar to the era of ethno-religious tension in Nigeria in 1980s and 1990s, Malaysia's religious tension also started with the activities of Darul Arqam which was a religious body established in 1968 by Ustaz Ashaari Mohammad, leader of the organization up till its end in October 1994.[750] The clandestine activities of this religious body that operated for some years was halted my Prime Minister Mahathir Mohamad's vituperative assaults against the organisation that curbed its influence. This created room for a peaceful political environment for the Prime Minister's vision to continue uninterrupted. However, there were outbreaks of Islamist violence in Southeast Asia around 1998 in Indonesia, southern Thailand and the Philippines which have long traditions of paramilitarist rebellion. Malaysians however have managed to keep the train of national politics on a largely constitutional track that remains undisrupted.[751]

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[747] A. F. A. Hamid, *Political Dimension of Religious Conflict in Malaysia: State Response to an Islamic Movement in the 1990s,* Paper Presented at the 2nd International Malaysian Studies Conference, University of Malaya, Kuala Lumpur, Malaysia, 1999.
[748] Horowitz, *Ethnic Groups in Conflict*, p. 116.
[749] Horowitz, "Structure and Strategy in Ethnic conflict," p. 2.
[750] Muhammad Syukri Salleh, *An Islamic Approach to Rural Development – the Arqam Way*, London: Asoib International Ltd, 1992.
[751] Hefner, "The Sword against the Crescent," p. 42.

For a harmonious coexistence, Prime Minister Mahathir in 1996 criticised PAS on its intention to introduce "*hukum hudud"*, "God's Punishment including amputations, lashes and stoning"[752] and to enforce "Muslim dress codes". Mahathir further tried to keep the Sharia Court significantly controlled by the Federal government in order to disallow interpretations of Sharia decisions by states ruled by PAS which could undermine the guiding principles of the Federal government.[753] For enduring harmony, the Federal Government started to put in place "Islamic institutions" namely: "the Islamic Banking and finance Institute, the Institute of Islamic Understanding and the International Islamic University Malaysia".[754]

Tension was again generated in 1998 when PAS stood firm in its bid to implement Sharia law in which it proposed a bill in the federal parliament that recommended punishment for any one converting from Islam to another religion with the death penalty.[755] This tension created by PAS was worsened in 1999 election when it won in Terengganu state and twenty seven seats in Malaysia's federal parliament, thus making itself a strong opposition party.[756]

PAS's increasing power induced Mahathir's government to declare "in 2001 that Malaysia fulfills the conditions for an Islamic state".[757] In spite of the appeasing changes, PAS further threatened to islamise a number of institutions of governance in PAS-controlled state of Terengganu having made it clear in 2002 of its plans to amend its constitution in order to introduce *hokum hudud*.[758] Challenges posed by hard-pressing Islamic PAS led to the introduction of "dress codes for tourists, closed pubs, karaoke

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[752] AFA Hamid, 'The UMNO-PAS Struggle' Analysis of PAS's defeat in 2004, in Swee-Hock Saw, Kesavapany K (eds.), *Malaysia: Recent Trends and Challenges*, Singapore: Institute of South East Asian Studies, 2005.
[753]Z. Abuza, *Militant Islam in Southeast Asia: Crucible of Terror*, Lynne Rienner: Boulder, Co, 2003, p. 59.
[754] S. Y. Guan, "Managing Sensitivities: Religious Pluralism, Civil Society and Inter-faith Relations in Malaysia," *Commonwealth Journal of International Affairs*, 94, 382 (2005), p. 634.
[755]Abuza, *Militant Islam in Southeast Asia*,
[756]KMd Khalid, Voting for Change? Islam and Personalized Policies in the 2004 General Election, in E. Gomez, ed., *Politics in Malaysia: The Malay Dimension*. New York: Routledge, 2007.
[757] Guan, *Managing Sensitivities*, p. 634.
[758]Abuza, *Militant in Southeast Asia,*

centres, unisex hair salons and gaming outlets" in Teregganu, they also "enforced gender segregation aisles at supermarket counters".[759] This study emphasises that PAS-induced tension in the application of Islamic law in governance was climaxed in 2002 when the PAS controlled state of Kelantan fined 120 Muslim women for violating the stipulated Islamic attire.[760] Abdullah Badawi brought about sweeping changes when he succeeded Prime Minister Mahathir in October 2003 by frustrating PAS's agenda when he declared a fresh standpoint on Islam in the country. It is known as Islam Hadhari or 'civilizational Islam,' which is basically 10 axioms.[761]

The thesis submits that the state operation has been intertwined with religious issues by providing more incentives to Malay Muslims who are the majority in order to avoid wider conflict. But the Federal Government of Nigeria does not engage in this kind of practice. However, efforts of the Malaysian Federal Government has also been devoted to protecting the interests of people of other faiths in this secular state without which PAS moves would engulf the state in crisis given various perceptions and religious interpretations and the need for tolerance. According to Paul Chen, laws exist indicating a certain religion as state religion, and laws that project the state as secular. "What is important is the implementation. It doesn't matter what the law says, it all depends on how each leader interprets the law. Majority of people in this country are tolerant. It is only a few key leaders in this country who created problem for political gains.[762] Mahathir looked at Malaysia rather in a historical context when he observed:

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[759] Guan, *Managing Sensitivities*, p. 635.
[760] United State Department, Malaysia, International Religious Freedom, USDS, 2003.
[761] The ten axioms Badawi introduced are as follows: "Faith and piety in Allah; A just and trustworthy government; A free and independent people; Vigorous pursuit and mastery of knowledge; Balanced and comprehensive economic development; A good quality of life for the people; Protection of the rights of minority groups and women Cultural and moral integrity; Safeguarding natural resources and the environment; Strong defense capabilities". See, Abdullah A. Badawi, Islam Hadhari, Address to Jamia Millia Islamia, Delhi, India, 21 December 2004. Available from http://www.pmo.gov.my/(accessed 19 Nov. 2007); See also, A. A Badawi, Islam Hadhari in a multi-racial society, Address to the Asia Society of Australia, Sydney, 8 April 2005, Available from http://www.gmo.gov.my/.14 Nov 2007 cited in Bouma et al p. 74
14 Nov 2007 cited in Bouma et al p. 74
[762] Rev. Dr. Paul Chen, Malaysian Chinese, - medical Doctor (rtd), interviewed February16, 2012.

> We have lived peacefully with other races right from the time we were feudal state and the time when we were under the British rule. We accepted that these other races have got their religions, and at that there should be justice. We have two laws, one Islamic law and British Common law. If we impose Islamic law on them, there is likely to be instability and Islam forbids that. Though we allow most of the time to be tried under the British Common law, and it applies to all and the sentence is the same, whether they are Muslims or non-Muslims. If you apply Muslim law to Muslims, to other they will be punished the way Muslims will be punished. So we have to be careful so that in administering law in this country you do not differentiate between Muslims and non-Muslims in terms of the sentence but in terms of justice they must be the same.[763]

For the benefit of argument in this study, Mahathir clarified what makes Malaysia more tolerant compared to Nigeria, in view of interpretation and implementation of Sharia law and what it has caused in Northern Nigeria. For Amanath, "I think the government has given a fair opportunity for all religions. No-body is deprived of his or her religion. We have literally done well there, that is why we are united. If we have not done well we would have created civil strife then".[764] In the same vein Musa Hitam was quite passionate about his country Malaysia. His expression was persuasively patriotic thus invoking a deep sense of national pride as seen in his remark, "As a Muslim country when compared to other Muslim countries in the world we are ahead of all of them. We are above. Concerning women and Muslim women in this country – Our women are in education, 70 percent of our Universities are filled by women even heads of departments. However, there are those who are error-minded, but generally speaking we are the best".[765] There is no doubt that the above views provide a ground to argue that Malaysia has maintained a peaceful federal structure in contrast to Nigeria.

This study also takes into account Rahim's positive view on secularism in Malaysia given the constitutional provisions at Malaysia's independence as observed in Article "11. (1) Every person has the right to profess and practice his religion, and subject to Clause (4), to propagate it". He also observes that Article 11 which guarantees freedom of worship is similar to Article 25 of the secular Indian constitution. "Malaysia's federal constitution has been aptly described as embodying the postcolonial

[763] Former Prime Minister Mahathir's interview comments
[764] Dr. Amarnath, (Malaysian Indian –Rector), interviewed October 18, 2010.
[765] Hitam's comments on Malaysia's religious tolerance.

spirit of *Merdeka* (independence) rooted in the *wasatiyyah* (centrist, moderates, middle path) principles of accommodation, moderation, and tolerance".[766]

In spite of this development, Saravanamuttu argues that Malaysia's constitutional provisions since its self-rule in 1957 seemingly permitted a sort of Muslim exceptionalism which has turned to be the instrument that accelerated the infiltration of Islamic practices.[767] Yet, the progressive push for *Sharia* in Malaysia has been incrementally dismantled by the comprehensive imposition of state-led Islamization. Since Malaysian independence in 1957, its secular constitution has been altered 600 times through 45 amendments. All these amendments were driven by BN (*Barisan Nasional* National Front) coalition government supported by conservative Islamists who view the federal constitution as little more than a legacy of British colonialism.[768] Given this religious push, extremists are springing up in Malaysia as recently reported.[769]

Apart from the era of religious tension in Malaysia, the state is known to have exhibited religious harmony. Given the issues raised by J. Hamid above, the thesis describes Malaysian government as playing double standard in forbidding Muslims to convert to other religions, whereas the state allows non-Muslims to convert to Islam. This collaborates with Woon and Kumar's views on some aspects of religious intolerance in the country. This is against religious freedom of most Malays in not attaining their desired spiritual fulfillment in life, whereas people of other faiths are made to feel inferior and marginalized. There is no restriction on religious conversion in

[766] See, Lily Zubaidah Rahim, "The Crisis of State-led Islamisation and Communal Governance in Malaysia" in Lily Zubaidah Rahim (ed.), *Muslim Secular Democracy: Voices from Within,* Palgrave Macmillan, 2013, 166; see as cited from Faruqi 2006, p. 8.
[767] John Saravanamuttu, "Malaysia: Multicultural Society, Islamic State, or What?" in *State and Secularism: Perspectives from Asia.* eds. Michael Heng Siam-Hend and Ten C. Liew, London: World Scientific Publishing Co. Pte. Ltd., 2010, p. 289.
[768] Sarwar (2006:11) cited in Lily Z. Rahim, p. 66, See Rahim, Lily Z. "The Crisis of State-led Islamization and Communal Governance in Malaysia," in Lily Z. Rahim (ed.), *Muslim Secular Democracy: Voices from Within,* New York: Palgrave Macmillan, 2013: 165-190, here pp.165-179.
[769] Militants in Our Midst, *The Star,* June 24, 2014, p. 1.

Nigeria. This is what Horowitz says power is, of course, often an instrument to secure other, tangible goods, and benefit for a particular group.[770]

It is important to note, although it is beyond the scope of this thesis, but for emphasis that the use of the word 'Allah' has caused serious controversy in Malaysia. It was a disagreement between Muslims in Malaysia who objected the use of the word 'Allah' by its Christian Community for their God. Recently, a High Court in the country in an earlier ruling gave its nod on 31 December 2009 quashing a minister's ban order and that Catholic *weekly Herald* could use the world 'Allah'. It sparked an appeal by the minister and Government against the ruling in which the Court of Appeal later on October 14, 2013 ruled against the use of 'Allah' by the same Catholic *weekly Herald*. A 4-3 majority decision of the Court of Appeal on June 23, 2014 rejected the bid by the Church to challenge the use of 'Allah' again.[771]

Also, Holy Bibles containing the word 'Allah' for the indigenous people in Malaysia were confiscated by the Islamic religious group on June 2014. Attorney General closed the case saying that Jais erred in seizing the Holy Books.[772] Yet, such tension has not been diffused by the federal government. Nevertheless, the use of 'Allah' does not cause problem in Nigeria. Undoubtedly, Horowitz is correct when he posits that such things people elsewhere regard as regular issues become a political agenda of ethnically divided societies.[773] This thesis argues that religious issues in Malaysia bear largely on the ethnicised federal constitution where Malay is intertwined with Islam, and where the federating units such as Sabah and Sarawak majority ethnic Christian states who have been using the word 'Allah' over a century witness its ban in the country. If the word "Allah" is not banned in East Malaysia of Sabah and Sarawak, why is it banned

[770] Horowitz, *Ethnic Groups in Conflict*, pp. 186-187.
[771] See. "Apex Court Says no to Church Bid to Challenge ban on use of 'Allah' Rejected in 4-3 Majority Decision," *The Star*, Tuesday, June 24, 2014, p. 5.
[772] See, Attorney General Says Jais erred in seizing Bibles, Orders Case closed, available at www.themalaysiainsider.com (accessed July 10, 2014).
[773] Horowitz, *Ethnic Groups in Conflict*,7-8.

in the Malaysia Peninsular of the same federation where Sabah and Sarawakians intermingle with their Holy Book containing the world 'Allah'? Malaysia is truly an ethnicised federation as as Shafruddin has observed as shown earlier in this thesis.[774]

To understand Malaysia's hidden tensions, a senior Sarawak Barisan Nasional minister accused the Malaysian government of the police not taking action against Perkasa's Datuk Ibrahim Ali over his call to burn copies of the Bible containing the word "Allah" because he was merely defending Islam which has placed extremists above the law. He also noted, "So now it is acceptable to burn the Bibles, insult believers of other faiths and do disrespectful acts in denfense of the sanctity of Islam."[775]

6.9.4 **Economic and Business Contests**

Malaysia and Nigeria's economic contests are embedded in their histories. We may not understand people's frustrating tension in any given society unless their economic consciousness that impinges on their welfare is examined in view of contending groups' interests within the available resources of the state and how the system allocates such resources. This segment focuses on two issues: (a) to highlight a few historical flash points that can enhance understanding of the past and contemporary economic cleavages and tension in Malaysia. (b) to affirm to the fact that preferential policy in Malaysia is a historical necessity that has saved the nation from more explosive ethnic tensions.

A close study of the state and nation-building in contemporary Malaysia remains crucial because the state has been fully involved in the transformation of the country. Its "intervention and political patronage" describe most significantly its influence in

[774] Shafruddin, "Malaysia centre-state relations," p. 7.
[775] See, "Land Development Minister Tan Sri Dr James Masing, said in reaction to Minister in the Prime Minister's Department Nancy Shukri's written parliamentary reply" on Monday to a question by Bagan MP Lim Guan Eng on why Ibrahim Ali had not been charged with sedition. See, Desmond Davison, "Islamist extremists now above the law, says Sarawak minister" Malaysian Insider October 9, 2014 available at www.themalayinsianinsider.com/malaysia/article/policeinaction-over-bibleburning-threat-places-islamic-extremists-above-the-law (accessed January 7, 2015).

Malaysia's economic development since its independence in 1957.[776] For example, the struggle for group interest by the Malays was induced by critical thoughts which routinely looked at what they have things they feel they deserved or even merited in the context of common wealth with other rival ethnic communities especially the Chinese.[777]

This study emphasises that economic and business competition and preferences have been part of Malaysian history and practices that provide a scene to see what this thesis describes as 'winners and losers' within the system. This study demonstrates this historical development and practice as observed in the area of land ownership, whereby the pre-colonial tradition to land which benefited only the Malays was changed by the British land tenure system based on Torrens Land Laws which created opportunity for both the "British and Chinese miners to purchase and own land as transferable private property." This was done at the expense of peasants within the Malays.[778]

The growing resentment by the Malays led the British to put in place "Malay Reservation Act". The Act provided for selected neighborhood as "the Malay Reservation Land" and similarly empowered the Malays to own, lease and mortgage land.[779] Ethnic competition and preferences were intensified at the immediate post-1957 independence of Malaysia whereby the 1957 Constitution empowered appropriate establishments to set aside specific allocation of business as well as licenses on trade for Malays.[780] Malaysia's First long term articulated Plan (1971-1990) was targeted at raising "Malay ownership and participation in industrial and commercial activities to 30 per-cent by 1990". Similarly, the agenda aimed at developing a class of Malays in

[776]VidhuVerma, *Malaysia, State and Civil Society in Transition*, Colorado: Boulder 2002, p. 18.
[777] From the early years, the Chinese in Malaysia had been in control of the economy through their well expanded businesses. They were ahead of other ethnic groups and their business activities before and during the colonial period placed them ahead of other groups in the country. See, Yen Ching-hwang, *The Chinese in the Southeast Asia and Beyond: Socioeconomic and Political dimensions*, Singapore: World Scientific Publishing Co. Pte. Ltd, 2008, pp. 37- 62.
[778] Mah, "Affirmative Action, Ethnicity and Integration", p. 252.
[779] Means, "Ethnic Preference Policies in Malaysia"
[780]Government of Malaysia, *The Federal Constitution*, Kuala Lumpur, Malaysia: Government Printer 1977.

commerce as well as industry was encouraged, and was given a place in the Second and Third Perspective Plans.[781]

Mahathir has stressed on how ethnic tension brought about by economic imbalance in Malaysia induced the introduction of an affirmative action to reduce the disparities in the system.[782] "The Industrial Coordination Act of 1975" which was introduced made it essential that non-Malay companies with capital as well as financial reserves of over M$250,000 and 25 employers should show not less than 30 per cent Bumiputra equity for the approval or renewal of its license.[783] However, non-Malays could be denied of company license by the state if it failed to satisfy the requirements. Given these special rights, the Malays were favoured in business licenses, which encompass the following sectors: construction, mining, transport, timber industry, and so forth.[784] These privileges have been designed by the government to position the Malays to be adequately in control of state machinery.[785]

Differences exist between Nigeria and Malaysia in this respect. First, there is no such thing as preferential policy to indigenous people because all the ethnic groups in

[781] Haque, "The Role of the State in Managing Ethnic Tension, p. 248.
[782] Former PM. Mahathir pointed out that affirmative action was the only option for the indigenous people that make up 60 percent of the population and through affirmative action they should get 30 percent of corporate wealth and the other 60 per cent should go to other races. This according to the Premier was a difficult thing to achieve because at the initial stage the indigenous people had less than 2 percent of the total wealth, whereas the Chinese who were the children of the immigrants who were citizens were given 30 percent. It was decided that the Chinese should get 40 per cent, indigenous people 30 percent and the rest be owned by foreigners and other races. Mahathir further pointed out that since the indigenous people had only 2 percent of the total wealth, to achieve 30 percent they needed to grow by 1500 percent ... In a nutshell, he noted: "We have been able to achieve 20 percent which is considered as 1000 which is already considered as very big, but the economy is low, 20 percent in 1971 when the EDP was started was much smaller than now when the economy has grown. You can see the indigenous people have a share in the economy and they are less prone towards antagonism," Mahathir, further Interview comments, February 14, 2012.
[783] Lee, *Ethnicity Relations in Peninsular Malaysia,*
[784] H. Crouch, Managing Ethnic Tension through Affirmative Action: The Malaysian Experience, in N. J. Colletta, T. G. Lim, & A Kelles-Viitaanen (eds.), *Social Cohesion and Conflict Prevention in Asia,* Washington D. C: The World Bank, 2001, p. 234; Mah, Affirmative Action, pp. 258-259.
[785] Institutions established by the government to support the Malays were "the Bumiputra Commercial and Industrial Community, Majlis Amanah Rakyat (MARA), Bank Bumiputra, Perbadanan Nasional Berhad (PERNAS), and the state Economic Development Corporations to provide credit and technical assistance to Malay business entrepreneurs," – see, A. L Chua, *Free-Market Democracy: Indonesia and the problems facing Neoliberal Reform. A Council of Foreign Relations Paper*, New York: The Council of Foreign Relations, 2000; "Economic Planning Unit (EPU), (1991), The Second Outline Perspective Plan 1991-2000, Kuala Lumpur, Malaysia: Economic Planning Unit, Prime Minister's Department".

Nigeria are natives. Second, Nigeria's failure in its post-civil war 2nd National Plan that was meant for reconciliation, integration, reconstruction and development is akin to Malaysia's success story although it was highly ethnicised. For example, the affirmative action plan as this study explains expanded and laid a strong root for "Malay special rights" in various spheres. This was deepened by the Malaysian government as an agenda of such transformation right from 1970s involving measures, as an "ethnicized policy framework" to reposition the Malays over years of exclusion from Malaysia's business sector. This was a move intended to assert an assumption of "Bumiputraism" thus justifying their indigenous status as more privileged in Malaysia.[786]

NEP ushered in radical Malay elites that took control of the Alliance who maintained that the root causes of Malays' poverty and tragedy was due to unequal distribution of the fruits of modernisation. They advocated for the restructuring of the economy to correct economic imbalance.[787] Yet, the state is largely peaceful in spite of Chinese, Indians and other people who feel a sense of deprivation in the system.

Briefly stated, this study provides other current issues (a little beyond its scope for emphasis). Recently, Prime Minister Najib Tun Razak looked at Bumiputra interest as an historical necessity when he noted: "Appreciating the interest and struggles of Bumiputra, I wish to quote seven wills by the Nine Malay Rulers when consenting to the independence agreement to set up a federation". Truly: "We declare and we keep for you and we allow you to declare and keep for your children and grandchildren, other than the mountains, lakes and forest reserves, Malay Reserve land up to a ratio of 50 per cent, the rest you, together with the other communities, may grab". Najib also noted that "this will is very clear. It has stated the equity and the ownership of the Malays and later expanded to Bumiputra, through the unification of Sabah and

[786] Lee, *Ethnic Relations in Peninsular Malaysia*,
[787] Harold A. Crouch, *Government and Society in Malaysia*, New York: Cornell University Press, 1996, pp. 24-25 &181.

Sarawak when Malaysia was set up 50 years ago."[788] Yet, it remains mostly contested by non-Malays as continued deprivation and marginalization whereas the government says it is not losing sight of the needs of all the ethnic groups.[789] This thesis looks at Malaysia's ethnicised federal structure as characterised by limiting other ethnic interests in the same social system which creates obvious ethnic boundaries as fault-lines. Yet, its federation appears more peaceful than Nigeria.

6.9.5 **Contesting Special Rights, Education, Language and Cultural Inequality**

There is need to note that many issues are contested for in Malaysia. Education, language, culture and other special rights are known to cause tensions in the country. In these areas of ethnic cleavages and tension, this study establishes three key areas of concern in relation to federalism. (a) The country projects Malay primacy through hegemony by UMNO-led Government, given the fact that UNMO unifies the Malays and thrives on the strength of its majority in the country. (b)This move allows little or no expression to states on certain debatable issues as federal units in Malaysia, rather than being almost mere appendages. (c) The Malaysian Federal Constitution is ethnically designed with less regard of federalism to regulate conflict in the system.

To begin the assessment of contested areas, this thesis emphasises that in the area of education, there have been several instances of communal tensions that rose to a dangerous dimension. Education is highly contested in Malaysia.[790] For example, the Chinese community was outraged in 1973 over the mass-failure of Chinese students in their Malaysia Certificate of Examination (MCE, form 5) in a compulsory Malay

[788] "Najib Tun Razak Announced New Bumiputrera Economic Empowerment Programmes," Universiti Teknologi Mara, Saturday, September 14, 2013. (See speech serialized no: 68 and 69).Available at http://www.thestar.com.my/News/Nation/2013/09/14/full-text-najib-bumi-speech.aspx (accessed December 10, 2013.

[789] "Najib Announced New Bumiputra Economic Empowerment".

[790] This has earlier been emphasised in the thesis where Horowitz also argues that the status of private schools has been an ethnic issue in Malaysia, *Horowitz, Ethnic Groups in Conflict,* pp.7-8.

language paper.[791] Some cultural issues in education caused tensions in 1982 in which Malay language was officially used in schools and the Chinese community felt alienated with grave danger on their children's cultural upbringing. Some educational policies of the government intensified inflamed ethnic passion.[792] However, Nigeria is known for its extreme linguistic diversity but English is the official of the nation without problems.

Ethnic conflict on education-related issues as this thesis emphasises could be observed in a situation where a non-Mandarin-educated teacher was appointed as senior administrator in a Chinese school. It was visited with instant reaction from the Chinese community. Chinese students at a time boycotted classes[793] because of irregularities and quota system that never favoured them and has always been the reason for many Chinese sending their children abroad for studies.[794]This study points out that post-independent government in Malaysia employed unrestrained procedures to intensify the articulated "special rights of Malays in education by offering them generous scholarships, by expanding their quotas". It started to lower the admission requirements along with building institutions to accommodate and train Malay professionals.[795]

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[791] See, *FEER* 30 April 1973 (M. G.G Pillai, "The MCE Drama").
[792] Means, "Ethnic Preference Policies," p. 98.
[793]The problem generated extensive press coverage in Jan.1982; Crouch, *Government and Society*, p.161.
[794] In his work on ethnic and racial inequalities, Carr notes that" tension is heightened where the group which is discriminated against seeks to retain its separate identity and resists assimilation…belief of dominant groups in their superiority to other ethnic groups is an important factor in exploitation." see Carr, *New Patterns*, p. 107.
[795] Chua, *Free-market Democracy*, p. 20; Mah, *Affirmative Action,* p. 257; According to Tun Musa Hitam - a one time Minister of Education in 1970s and later Deputy Prime Minister(partly documented in chapter five), noted that as at 1970s, the Malays were backward in education. He gave some useful insights as to view earlier educational trend in the country and how it negatively affected the Malays hence new policy initiatives were geared at correcting the ugly trend. Hitam noted that at the beginning it was discovered that education was key to development. In order to give meaning to education they needed to spend a lot of money on education. As education Minister he confirmed that the allocation for education was 23percent of the national budget and that demonstrated how much the government paid attention to education. He also noted that, "The purpose of education was racial and unity objectives. I say that because higher education was very limited, but that limitation concentrated in the urban areas. No secondary schools in the villages. So, you have the best secondary schools, best teachers, best schools, best results, best pupils in the urban areas, and it happened that the urban areas were made up of the Chinese. If you let that go, really you are in trouble". This made the government to pay attention to education for the rural folks which by implication meant the Malays. He also noted, "Let me remind you, in those days after independence the Malays only enjoyed primary education. Primary education was only to enable the Malays to read and write". In order to correct the situation the government set up many schools, vocational and secondary schools with hostels because of the nature of rural area and distance, (Interview with former Deputy Prime Minister of Malaysia Tun Musa Hitam, March 12, 2012.

In view of these historical events, the Razak Report of 1986 emphasised for the establishment of a common education system that would accommodate all the racial groups which was premised on slow but sure rapport toward meeting the aspirations of the larger ethnic groups in the country. Contrary to this, Majid Ismail Report recommended university admissions to be based on racial quotas instead of merit.[796] Efforts were made to strengthen and protect special rights for the Malays in education in the Constitution in which Article 153 gives power to the king to give directives to appropriate bodies to set aside definite number of placements in universities and colleges, and other related establishments in the country for Malay students.[797] This has helped to reduce the educational gap between the Malays and other ethnic groups, which has enhanced a measure of stability in the Malaysian federation. But this privileges are currently and largely for the Malays.

In related terms, this study broadens this discussion with emphasis on language policy which continues to be a crucial weapon in ensuring Malay dominance. In order to promote national integration through the development of language, Malay was selected but a strong stand was taken as the federation of Malaya was being formed on educating the whole of its people in Malay language. This nearly divided Malaya's Alliance. Malay leaders who rejected the Reid (constitutional) Commission's recommendation, that Chinese and Indian languages (Mandarin and Tamil) should be recognised along with Malay for use in the federation's parliament.[798] However, English was retained for official purpose only for ten years as a gesture to the peninsular non-Malay leaders.[799] The frontal attack on other languages was not allowed, but Malay became the official

[796] See Razak Report cited in S. J. Abraham, "National Identity and Ethnicity: Malaysian Perspectives," Paper presented at the 2nd International Malaysian Studies Conference, University of Malaya, Kuala Lumpur, Malaysia, 1999.
[797] Government of Malaysia, *The Federal Constitution*, Kuala Lumpur, Malaysia: Government Printer 1977; For more issues on preferences see Means, "Ethnic Preferences Policies," p.107.
[798] Margret Roff, "The Politics of Language in Malaysia," *Asian Survey*, VII, (1967), pp. 318-320.
[799] R. K. Yadav, *The Indian Language Problem: A Comparative Study*, Delhi: National Publishing House, 1966, p. 122.

language in 1967 for communication.[800] According to Razak Report, "one of the fundamental requirements of an educational policy was to orientate all schools to a Malayan outlook through the teaching of Malay".[801] The 1956 Razak Report advocated the idea of unifying the nation's system of education based on "Malay-English bilingualism and Education Ordinance of 1957" showing Razak Report which was targeted at replacing Chinese with English in examinations conducted in Chinese secondary schools.[802]The Rahman Talib Report of 1960 brought about the Education Act of 1961, with its recommendation to convert every Chinese secondary school "into English secondary schools". This led to the conversion of 54 out of 71 whereas 17 preferred to remain as "Independent schools."[803] The language policy further intensified leading to the "passage of the National Language Act" (1967). This constitutional amendment positioned "Malay as the national language" while Chinese and the use of English still remained as part of the educational scheme in the country.[804]

Similarly, it was demonstrated in the 1970s and 1980s when government and its agencies regularly seemed to disregard other cultures and treated Malay culture as if it were synonymous with Malaysian culture. Horowitz points out that "short of eliminating ethnic diversity in the physical sense, exclusionary groups seek to impose a homogeneous identity on the state and to compel acknowledgement of their preeminence in it." While non-Malays were unnecessarily subjected to all sorts of pressures in Malaysia, it became difficult to maintain much of their culture.[805]

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[800] Rudolph, "Federalism and Nation-building," p. 411.

[801] Malay language is preserved in Article 153 of the Constitution of 1957 as the national language and any time attempt is made to question its provision in the constitution is visited with Malay bitterness and vexation. Other ethnic groups have managed to allow peace to rein as government still allowed the use of English as a universal language. See Keith Watson, *Education in the Third World,* Australia: Croom Helm Ltd., 1982, p. 100.

[802] A. Booth, E*ducation and Economic Development in Southeast Asia: Myths and Realities,* Paper Presented at the 2nd International Malaysian Studies Conference, University of Malaya, Kuala Lumpur, Malaysia, 1999; PGRM, Dong Jiao vs. the government on Chinese education.

[803] PGRM, Dong Jiao vs. the government on Chinese education.

[804] Abraham, *National Identity and Ethnicity*,

[805] Horowitz, *Ethnic Groups in Conflicts*, pp. 199-200; Crouch, Government and Society, p. 167.

A number of contested issues in Malaysia bear on culture. For instance, the 118-foot-high statue of Kuan Yin which is 'the goddess of mercy' at Ayer Itam hill in Penang was forced to be reduced to eighty-three feet due to Malay protest in 1980.[806] In 1984, the Melaka government planned to level a large part of Bukit China (China Hill), which was reputed as the largest Chinese graveyard outside China, which contained around twelve thousand graves dating back to the time of Melaka sultanate in the fifteenth century.[807] There were instances when appeals were made to the government by the Chinese group to have regard for non-Malay culture. But the government has been careful in this area.[808] Discussions on "National Culture Policy" (NCP) instigated identity contestation in Malaysia between the 1970s and the 1980s and it has almost been forgotten due to changes in governance.[809]

This study now reiterates further on cultural inequality in Malaysia that often restrains cultural autonomy of other ethnicities contrary to its primacy in federalism. For instance, since the 1980s, the government and its agencies seemed to disregard other cultures and treated Malay culture using the media as well as displaying its Islamicised outlook in the public domain. Certain established rules by the government tend to restrict symbols of Chinese culture and practices.[810] Given this cultural issue, Horowitz explains that "short of eliminating ethnic diversity in the physical sense, exclusionary groups seek to impose a homogeneous identity on the state and to compel acknowledgement of their preeminence in it." While non-Malays were needlessly subjected to numerous pressures

[806] *NST* 8 November 1980.
[807] *NST* 26 November 1984. This generated tension that led to Chinese protest supported by MCA and DAP recorded success leading to the abandonment of the plan.
[808] Article 3 of the Constitution stipulates that Islam is the religion of the country other religions may be practiced in peace and harmony in any part of the country without restriction. Also, Malays' cultural supremacy stems from Article 152 which specifies that the Malay language shall be the national language but at the same time "no person shall be prohibited or prevented from using (otherwise than for official purposes) or from teaching or learning any other language".
[809] Joan M. Nelson, Jacob Meerman and Abdul Rahman Embong (eds.), *Globalization and National Autonomy: The Experience of Malaysia*, Singapore: ISEA, 2008, p. 273.
[810] H. G. Lee, *Ethnic Relations in Peninsular Malaysia: The Cultural and Economic Dimensions*, Singapore: Institute of Southeast Asian Studies, 2000, pp. 2-4.

in Malaysia, it became difficult to maintain much of their culture.[811] Conversely, language is not contested in Nigeria but the complexity of ethnic languages complicates conflicts in the country. Pius Eze estimated that there are more than 300 languages (and dialects) in Nigeria.[812] Such cultural differences had earlier prompted Awolowo to caution the British rulers in Nigeria to group together only people who could through affinity or general experience work together in harmony with regard to ethnic classification, cultural affinity and common problem.[813] However, from a few hundred to well over five million, Coleman reduced the number of Nigerian languages to 248. No single satisfactory scheme for African languages has been agreed to by linguists, but it is generally accepted that Nigeria is one of the principal "linguistic crossroads" of Africa.[814] This study argues that many languages in Nigeria may have directly or indirectly impacted negatively on national cohesion because languages create boundaries. For Horowitz "The key element in ethnic conflict is religion, or a common language is what "knits people together." What is absent is what pulls them apart.[815]

To sum up, this study also perceives language controversy in Malaysia in the light of what Horowitz describes as *Jayakan Bahasa kebangsaan* – "Glorify the National language"-reads a neon sign in Kuala Lumpur. Horowitz emphasises that Malay language had often been denigrated. He insists that what was at stake was more than a language. This is because during the colonial rule, "the language of administration was the language of the ruler, the status of the language denotes the status of the group that speaks it." [816] The overall clamor and demand by UMNO-led government since 1957 has been to maintain the primacy of Malay in the national outlook. This does not truly reflect

[811] Horowitz, *Ethnic Groups in Conflict*, 199-200; Crouch, *Government and Society*, p. 167.
[812]Pius Eze, Political Integration and Social Instability, The Case of Nigeria, Ph.D. Thesis, University of Oregun, 1971, 75.
[813] Obafemi Awolowo, Awo *The Autobiography of Chief Obafemi Awolowo*, London: Cambridge University Press, 1960. 177.
[814] Coleman, J. S Colman, *Nigeria: Background to Nationalism*, Berkeley, 1971, p. 15.
[815] Horowitz, *Ethnic Groups in Conflict*, 15.
[816] Horowitz, *Ethnic Groups in Conflict*, p. 160.

federal character in what projects a posture of 'us and them marginalization" in what remains a centrally ethnicised-federation as earlier shown in Chapter three.

6.9.6 **Fiscal Federalism: Contesting for Higher Royalty on Oil Resources**

This section explores fiscal federalism in Malaysia with special attention to resource control and what instigates militancy and secession within a federal state. Three major themes emerge from this discussion on Malaysia: (a) Malaysia's long ruling one-party majority parliamentary federal structure inhibits true federal autonomy, although Sabah and Sarawak are unique in their own sense of autonomy in the country. (b)Unlike Nigeria's geoethnicity –where ethnic groups are geographically separated with their reinforcing regional (state) demands, Malaysia ethnic groups which live in clusters less provokes ethnic-state demands. (c) Less agitation for resource control in Malaysia is because federalism is not well studied and practiced in the country as compared to Nigeria. (d) A new development shows that the victory of opposition parties in the recent elections in Malaysia seems to have liberated some states from UMNO-led authoritarian government now demanding higher oil revenue as seen in East Malaysia.

To start with, federalism as a concept in governance provides room for spheres of autonomy between the regions and the central governing authority. It gives support to democracy through its balancing attributes. It endows central governments therein accommodating diverse groups and long-existing localities through consultative and pragmatic ways. While its terms are rooted in constitutionalism, it deepens the rule of law and raises the value of citizenship.[817] Malaysia as a nation was founded under its Federal Constitution of 1957, which provides a federal system of government under an elected constitutional monarchy. Each of Malaysia's 13 states has its constitution and a unicameral state assembly that shares legislative powers with the federal parliament. The

[817] Watts, *Comparing Federal Systems*, p. 14.

states in east Malaysia enjoy guarantees of autonomy.[818] But the fact remains that "federalism has done less to promote democracy than to reinforce semi-democratic politics, a shifting amalgam of authoritarian controls and democratic space by which central government has efficiently- and interminably – extended its tenure".[819]

Malaysian Federation is still credited to have innovative mechanisms to accommodate other irreconcilable diversities within a single system. One strong point remains that accommodation of ethno-cultural identities was almost ingrained in the very body of the post-Independence Malaysia federalism because of collective efforts and expansion in federalising efforts since the Federated Malay State in 1895, the Malayan Union of 1946 and the Federation of Malaya 1948 which led to independence in 1957.[820] Rosely observes that "Federal Constitution of Malaysia assigns clear responsibilities to the federal, state, and local orders of government with much greater taxation power assigned to the federal government has led to fiscal centralization." [821]

According to Jaafar, as far as natural resource is concerned Malaysia has two main points. The first one is regarding petroleum resources. The question of exploration and of sharing is handled by the federal government in tandem with the state governments wherever the state has petroleum resources. Other than petroleum, other resources like iron ore, tin etc. are in the hands of state government, including water and sand. There was a debate between the state of Kelantan and the federal government as to how much royalty should be given to the state of Kelantan for its petroleum resources. Malaysia had earlier same question in the state of Terengganu, but these matters have been

[818] He Baogang, Brian Galligan and Takashi Inguchi (eds.), *Federalism in Asia*, Massachusetts: Edward Elgar Publishing Ltd., 2007, p. 4.
[819] William Case, "Semi-democracy and Minimalist Federalism in Malaysia", in Baongang He, Brian Galligan and Takashi Inoguchi (eds.), *Federalism in Asia*, UK: Edward Elgar Publishing, Inc., 2007, p. 124.
[820] Harihar Bhattacharyya, *Federalism in Asia: India, Pakistan and Malaysia*, New York: Routledge, 2010, p. 38.
[821]Saiful Azhar Rosely, "Fiscal Federalism in Malaysia: Challenges and Prospects," in *International Association of Centres for Federal Studies,* (IACFS) http://www.federalism.ch/files/categories/IntensivkursII/Malaysia4.pdf (accessed November 4, 2010.

resolved between the state and the federal government.[822]In view of what is happening elsewhere where states are meant to give the central government – "that is a new structure, the federal structure that has been imposed on old structure. It reinforces old structure. The new structure supersedes the old structure but nevertheless both work together – the federal and state are set up to operate."[823]

Federal hand-outs (grants and loans) have enabled states to ignore the revenue potential of their own tax sources and their incentives for economy. Umikalsum Nor suggests that the states should generate their own revenue, and encourages the Government to manipulate federal grants given to states so that they should explore their potential.[824] There have been instances of growing problems of vertical and horizontal imbalance in the system but federal transfers in the country should take into account interstate inequalities.[825] There is no doubt that Malaysia is blessed with oil and other rich natural resources –oil palm and timber. But the problem with Malaysia is that it is divided into so many states like Sabah, Sarawak and Terengganu where there are rich deposits of oil and timber and therefore is economically prosperous. But the Federal government seems to have an overall control over this revenue and only a certain percentage of the oil money is ploughed back to the respective states". Apparently, this has caused discontentment from time to time. A resource control could bring a pecuniary situation to most states in Malaysia. On the other hand, resource control could be achieved with a dynamic, progressive and visionary leadership.[826] In Malaysia, both federal and state governments retain certain powers over resources. National finance and police (security) are under the federal government. Land which is one of the natural resources belongs to the states. If the federal government needs land it asks the state. In

[822] Dato Mohd Amir Jaafar(Malay, Ambassador/High Commission, rtd, currently Senior Research Fellow) at Asia Europe Institute, University of Malaya, interviewed, October 11, 2010.
[823] Abubakar further comments.
[824]Umikalsum Haji Mohd Nor, Fiscal Federalism in Malaysia 1971-1987, Ph.D Thesis, Kuala Lumpur, University of Malaya, 1991, p. 3.
[825] B. H. Sharuddin, *The Federal Factors in the Government and Politics of Peninsula Malaysia,* Singapore: Oxford University Press, 198.
[826] Dr J.Kumar, more interview comments May 17, 2012.

the case of oil "It involves huge capital for the state, the federal government took over the management of oil resources but the state where the oil is found on-shore or off-shore becomes entitled for 5 per cent of the total production – 5 per cent to the state involved, the rest goes to the federal government revenue. From there it becomes redistributed to states including states which have oil."[827]

Apart from Holzhausen's study on federal finance and state financing by Lai Ah Hoon,[828] specific study on fiscal federalism in Malaysia appears negligible.[829] The concentration of functions with the Federal Government has been so overwhelming in which one is bound to ask the essence of federation in the first place since states are not active in a real federal setting except the Borneo states with some additional powers but are still below the first level of government importance.[830] However, the structure of federalism and the nature of federalism was already in Malaya before the British came. Negeris Sembilan – meaning nine states were in place in 1773 when America was involved in civil war. The indigenous concept of federalism has always been there.[831] In the federation of Malaya (during independence) there were only two items the state has autonomy (1) Land (2) Religion and Malay culture. But Sabah and Sarawak have autonomy on immigration, education. He also noted:

> I can take my passport to go to Sabah. This is the unique federation we have. In terms of fiscal policy we are different from many federalism all over the world, because it is not homogenised, but the only thing that is homogenised is when you agree in that federation you can only take 5per cent of whatever resources in the country. Economically you have to manage because we emphasise on redistribution, we really don't emphasise on good, we emphasise on redistribution and that is where Malaysia is very strong relative to other countries. We emphasise on redistribution and we are concerned about redistribution. We know a state as rich state or poor state. If you are a rich state, you cannot be rich alone. You must share, so income from oil in Terenganu, Sarawak must be shared by everybody. This is what we have in this country.[832]

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[827] More comments from Tun Dr. Mahathir Mohamad, interviewed, February 14, 2012.
[828] Lai Ah Hoon, West Malaysia: Analysis of States Finances, Washington: Report Undertaken on behalf of the World Bank, 1974.
[829] Water Holzhausen *Federal Finance in Malaysia*, Kuala Lumpur: University of Malaya Press, 1974.
[830] Holzhausen, *Federal Finance*, p. 178.
[831] Shamsul pointed to the fact that there was a proto-federalism before the British came. "All our Negris were set up before the British came in a most amicable way when Americans were fighting (the South and the North) in 1776 when George Washington declared Amrican independence. This has swallowed the British history." More contribution by Shmsul, A. B., interviewed March 23rd, 2012.
[832] Shmsul, comments on resource control

However, on oil resource distribution generally "if your contribution is 20 million, you can only have 5 percent that is the rule. This is based on consensus and negotiation - consensus is contingent upon many other things. I believe Malaysia is practicing what I call autonomous-oriented federalism".[833] Shamsul also argued that fiscal policy was not yet seen as important in the devolution of fiscal policy while stressing that fiscal policy has never been studied in Malaysia because people were so engrossed in politics and economic growth, they don't study federalism and economic distribution. Affirmative policy is one and, there are many other things.[834]

According to Musa Hitam there were laws which cover the sea up to many miles is owned by Malaysia. "Each one of the states which conforms and complies with the petroleum Act, the National Petroleum Act gives power to the federal government to extract the natural resources but they must share the income with every one of the states". He also noted that, "It was easy; we were all from the same party. When Terengganu became under Islamic party, the Federal Government said no, we won't pay because we have not ripped, then politics comes in. I am an UMNO man but I said it open that it is their right. We gave them and called it sympathy fund. Basically it goes to the people, not to the pockets of leaders. But the quarrel with the states now is that they want the money for development. It is not individualised. But collective –that is a good thing about Malaysia and they are not following it in a violent manner".[835]

The issue of resource control between the federal and state government is a recent phenomenon because until the last election, Barisan Nasional had full control of both the Parliament and the State Assemblies. Until recently, the issue of resource control was still not well tested. With recent events showing the swing of loyalty away from the Barisan coalition, "we may see this conflict of resource control becoming an issue

[833] Shamsul, comments on resource control.
[834] Shamsul's further comments.
[835] Musa Hitam, further interview comments, March 12, 2012.

between federal and state governments depending on which party wins the Parliament seats and State seats. No experience to show how this problem can be overcome".[836]

Recently, an appeal was made to the Malaysian government to increase oil royalties for the state of Sabah. Prime Minister Najib Tun Razak on July 2014 noted that "A formula is being worked out to address the call to increase oil royalties for Sabah…We have been concerned about the issue of oil royalties in Sabah and as an immediate solution, PETRONAS will increase its corporate social responsibility (CSR)…We will be announcing several other approaches which can help Sabahans in the oil royalty issue."[837] However, experience has shown how resource control elsewhere has led to serious negative impact on some nations, but there has not been such thing as militancy agitating for control of resources in Malaysia. Rather initially the indigenous people were the poorest among the groups in the country whereas the descendants of the immigrants who became nationals were richer and very much richer. This led to the conflict experienced in 1969. It was decided that the disparity should be reduced. It was followed with affirmative action which favoured the indigenous people. The indigenous people now have a share in the economy and they are less prone towards antagonism.[838]

There is also a general view that there is no militant group in Malaysia. "I don't see such in Malaysia only but outside the country. Such thing can exist in agitation of Bumiputra, unfair policies or, privileges given to one race. I believe the government has been able to recognise other races and treat them much better".[839] The May 13, 1969 riot made the government become stricter on issues that could disrupt public peace and order in the country. There is no militancy in the country.[840] A circle of inequity and

[836] James Wong (Malaysian Chinese – CEO Master Web Academy), interviewed May 22, 2012.
[837] This view is outside the scope of this study, however, it is provided to buttress the fact that Malaysia is still part of the dynamic world that is amenable to change. See, Najib, Formula to Address Oil Royalties: Petronas to increase CSR programmes in Sabah, *Sunday Star*, July 13, 2014. 6.
[838] Mahathir,s interview comments on militancy
[839] JD. Jedidia, Comments on militancy. All the respondents were of the view that Malaysia does not have any militant threat.
[840] Khoo Kay Kim, (Malaysian Chinese –Professor Emeritus/ Human Rights Commissioner), interviewed at hhis UM office October 11, 2010.

revolutionary response are provoked by ill-feeling of primordial type held by certain ethnic group members in a multiethnic nation which are historical legacies of deprivation and vengeful mentality. However, Malaysia is a multiracial democratic country, the people look up to their leaders to provide security.[841] There has not been any form of secessionist groups or rival groups in Malaysia. Ethnic separatism has never been the issue facing Malaysia today. In the future, if there would be any division that may arise, it is more likely to be along religious lines.[842] Such is always overcome by political leaders being fair in the policies of the government.[843]

6.9.7 **Contesting National Security for Political Stability**

Managing national security is vital in the life of a nation. Briefly stated, this segment on Nigeria showed a precarious federation that suffers internal cohesion instigated by parallel militia and ethnic movements alongside with the nation's armed forces. Malaysia does not have ethnic militia. This has helped in its political stability.

Ethnic and ideological differences as well as socioeconomic imbalance often expose a nation to volatility and security problems. The Malaysian State has not only gone through socioeconomic transformation but has also been challenged in its own internal security threats. For example, given Prime Minister Onn's strict measures against extremism, a Far Eastern Economic Review report in 1979, just prior to his retirement, explained that his first two years in office saw the Communist Party of Malaya (CPM) launching a terror campaign. This meant that his regime "had to be intolerably harsh" and "Draconian laws [had] to be passed to bring the terror to a halt".[844] Indeed, Hussein's leadership coincided with a heightened outpouring of religiosity on a scale never seen before. This fervor was the result of a widespread

[841] Kumar, interview comments on resource control.
[842] Jaafar and James' comments.
[843] Woon's interview comments.
[844] *Far East Economic Review*, 26 January 1979, p. 18.

movement seeking a 'back to basics' in Islamic practices, or fundamentalism' that often advocated the use of violent militant activism to force acceptance of its objectives. This was Islamic fundamentalism that spread rapidly around the world in the wake of the Iran Revolution.[845] *Dakwah* groups were united in one area and they were determined to see a more Islamic environment that stressed on Malay primacy. It needs to be stressed that such *dakwah* motives underline resentment against a government that in their view, was unwilling to subscribe to Islamic governance.[846]

This thesis also emphasises that Mahathir responded strictly to dealing with religious extremists, His Administration's projection of the interpretation, form and ideas of Islam which it considers appropriate for Malaysia clearly possess a reverse image – "wrong" Islam. Broadly subsumed under the category of extremism, it has been identified as problematic to Malaysian socio-political development and largely assigned to the ruling party's political opponents (including, increasingly, any religious movements expressing dissenting Islamic interpretation. [847]

The period 1990s - 2000s witnessed extensive mass political mobilizations and public protests in Malaysia. This led the government to invoke the powers of Internal Security Act (ISA) 1971. Some students and members of Parti Islam SeMalaysia (PAS) were arrested between 2000 and 2001. The authorities claimed that they have netted a group of Islamic militants allegedly belonging to the Kumpulan Mujahidin Malaysia (Malaysia Mujahidin Group) or KMM that was trained in Afghanistan by the Taliban was plotting terror activities in Malaysia. Public reaction against the existence of KMM demanded that those arrested be brought for trial in court.[848] This thesis argues that ISA was seen in Malaysia as an obnoxious law because of arrest without trial. But the government used it as an instrument to counter threats to national security and social

[845] Anthony S. K. Shome, *Malay Political Leadership*, London: Routledge, 2002, p. 112.
[846] Shome, *Malay Political Leadership*, p. 113.
[847] See, Shanti Nair, *Islam in Malaysian foreign Policy*. London: Routledge, 1997, p. 180.
[848] K. Y. Leong, "KMM Suspects put Media on Trial in Suhakam Inquiry", *Malaysiakini,* 19 June, 2002.

harmony in Malaysia for many years. For example, aghast by the growing threats to national security, Mahathir exploited the September 11 2001 to address some political issues. He noted in 2002 that the "dilemma that the Malays and the people of Malaysia face is whether we should in the name of democracy, allow the country to be destroyed or we ensure that people are not subjected to the point where they will use democracy to destroy democracy".[849] He also insisted "We want political stability because it is good in itself. But we want it more because it can help prosper our country."[850]

Security comprises domestic as well as external dimensions. The emphasis is on the internal peace, law, and order perceived as important in the regular business of administering as well as meeting the needs and demands of a plural society. Historically, security measures in Malaysia can be seen in its "constitutional, political and economic structures" produced by its governing elites to guard and support the diverse needs of Malaysia's multiethnic social order.[851] There is no doubt that security is vital to both Nigeria and Malaysia, but numerous deaths and casualties recorded in Nigeria provide a contrast to view Malaysia's relative political stability as shown in its ethnic harmony.

According to Mahathir "When we talk about national security, the picture that usually comes to mind is that of armed soldiers manning border posts or fighting in the jungle… But security is not a matter of military capability. National security is inseparable from political stability, economic success and social harmony. Without these all the guns in the world cannot prevent a country from being overcome by its enemies…"[852] Mahathir's uncompromising posture against threats to national security

[849] Mahathir Mohamad, "The New Malay Dilemma," Speech delivered at the Harvard Club of Malaysia Dinner, Kuala Lumpur, July 27, 2002. See also Haurudin Somun, *Mahathir: the Secret of the Malaysian Success*, Selangor Darul Ehsan: Pelanduk Publications (M) Sdn Bhd 2003, p. 233.
[850] Mahathir Mohamad, "Building a New world Order- Sustaining Peace, Sharing Global Prosperity," in M.Yeoh (ed.), *Bridging the divide: Towards building a New South*, Selangor: Pelanduk Publications (M) Sdn Bhd, 2003:2-9.here p.7.
[851] Muthiah Alagappa, *The National Security of Developing States: Lessons from Thailand*, Dover, Mass.: Auburu House, 1987, p. 514.
[852] Speech by the Malaysian Prime Minister Mahathir Mohamad at the First National Security Conference, organized by the Institute of Strategic and International Studies (ISIS) Malaysia in Kuala Lumpur, July 15-17, 1986, ISIS Focus 17(Aug. 1986. 16 -18.

and peaceful environment has helped to define Malaysia's developmental progress get noticed today. Mahathir speaks passionately when he says, "I am not saying that we should abandon democracy. Autocracy can be worse as we need force to remove an autocrat. We need only to vote a democratic Government out of office. For the time being democracy offers us the best political system. But we need to know how to manage it, to use it in order to have good Governments and political stability. We want political stability because it is good in itself. But we want it more because it can help prosper our country". [853] However, Mahathir has recently observed that Malaysia's relative political stability and social progress were not tied to one factor:

> It is difficult to identify a single thing that helped the country. But, it is a combination of people being well educated, also very restrained. They are not given to violence. They understand the limit they can go to, they don't exceed that limit even in demonstration. Generally Malaysians are law abiding, and because of that as you can see, I can walk through the street in the town everywhere. There is nobody coming to beat me up or something like that. It is basically culture.[854]

There is no doubt that there was a total commitment towards security issues in Malaysia. The argument is not as if Nigeria does not fight against insurgency, but how is such effort sustained? To demonstrate the confidence of the government in the police force in providing security, an auxillary security unit set up by the Penang government was shut down. Secondly, even with the repeal of the ISA by the Najib government, the police are still effective in containing threats to the country caused by militant groups and extremists. [855] One significant difference Malaysia has displayed in its decades of democratic rule is its effectiveness and success in facing security threats to the nation. Malaysia was firm in dealing with religious extremism in 1980 and 1990s which was the same period of intense religious bloodbath as well as coups and counter coups in

[853] Mahathir, "building a New World Order", p. 7.
[854] Author, Interview with former PM Mahathir Mohamad, February 14, 2012
[855] A recent issue which is relevant although, is beyond the scope of this study can explain ISA in Malaysia better. ISA was repealed in 2012 and replaced with Security and Offences (Special Measures) Act of 2012 (SOSMA) by PM Najib's administration for a more friendly legal system. However, Zahid, the home minister noted that the growing extremism and call for ISA will not compel the government to reinstate it, See. Zahid denies ISA on comeback trail, Malaymail online, January 11, 2014.

Nigeria. The prevalence of ethnic security in Nigeria shows deep ethnic divisions, and ethnic conflicts led to security failures which exposed Nigeria to deeper challenges.

6.10. **Discussion of Research Findings**

This study deals with ethnic conflicts in Nigeria and Malaysian plural societies which are explored through the lens of federalism. A detailed explanation of the empirical report of this study is provided in this section for understanding of the phenomenon and the outcome. As Denzin's study explains, "Interpretation clarifies and untangles the meanings that are produced by a set of experiences. It does so within an interpretive framework that is meaningful to those who have experienced the event in question – that is, interpretation utilizes experience - near concepts and interpretations".[856] Interpretation illuminates the meanings and conceptual structures that organise a subject's experience.[857] Most of the underlying challenges posed by ethnic conflicts in both countries owe a lot to the neglect of principles of federalism as a guide.

Notably, ethnic conflicts in Nigeria and Malaysia crisscross different spheres of life such as politics, religion, culture, education, language, security, economic sphere and all forms of rights exclusively claimed by certain ethnic groups. For instance, the struggle for 'resource control' is found to be one of the ethnic conflicts in Nigeria which is tied to unequal treatment in Nigeria's socio-political and economic equation. The empirical evidence from respondents interviewed collaborates with views of scholars documented in the literature review of this study. The lists of Respondents from Nigeria and Malaysia are shown in Apendix N. Table 6.6, and Appendix O. Table 6.7 respectively.[858]

To understand issues in the literature review in relation to neglect of true federal practice is to consider Ogbodo's comments against military economic mismanagement

[856] Denzin, *Interpretive Interactionism*, p. 124.
[857] Clifford Geertz, Thick Description: Toward an Interpretive theory of culture, in Clifford Geertz, *The Interpretation of Culture: Selected essays*, New York: Basic Books, 1973, pp. 3-30.
[858] Appendix P: shows a sample of the letter to some of the personalities contacted and interviewed.

in Nigeria in the late 20th century and its consequences to the reconfiguration of the Niger Delta identity and intense conflict in recent times.[859] In addition Najibo and Umukoro emphasised on support from local and state officials to paramilitary groups they believe would enforce their own political agenda in Nigeria shows how divided the society has become. It shows a lack of trust in the Federal Government given the way people seek solutions to their problems through any possible means.[860] Najibo and Umukoro's emphasis is on ethnic militia who fight to secure certain ethnic interests. This shows the ineffectiveness of federalism in Nigeria which demands Nigeria to address issues on equity (equality) as one of the principles of federalism. Fair resource distribution and recognition of jurisdictions and merit will help in resolving some of the nation's lingering resource-related problems. Ordinarily, there should not have been any ethnic militia such as the Oodua Peoples Congress to defend Yoruba interests, and MASSOB for the Igbo, if there were no socio-economic disparities, power domination and if adequate security was provided by the police in a fair manner in Nigeria.

This study stresses that resource control issues which came up immediately after the military relinquished power to the Obasanjo-led civilian regime in 1999, was a reaction against years of unfair federal practices by the Nigerian military regimes especially in manipulating revenue sharing formula in the country. Horowitz describes them as ethnic army, "The military is both a resource and an object of ethnic conflict."[861] The military plays many roles in ethnic conflict. One of the three roles is that "The army may be an integrating institution as has sometimes been claimed though in divided

[859] See Ogbodo as earlier cited in the literature review of this study.
[860] See also, Najibo and Umukoro's contribution in the literature review.
[861] Horowitz, Ethnic Groups in Conflict, p. 443; ee also, Lee, who asserts that ethnicity reflects in most issues in divided societies as shown in the early military tension in Nigeria in 1960s when ethnicity penetrated into court-martial practice. Officers of the Nigerian army accused of misappropriation of funds were expected to be tried if men of other ethnic groups were also standing trial. See J. M. Lee, *African Armies and Civil Order*, New York: Praeger, 1969, p. 78.

society, it is doubtful that a single institution can reverse cumulative effects of others." Experience has shown that the armed forces frequently generate ethnic resentments.[862]

Most recorded conflicts in Nigeria are the outcome of unequal distribution of wealth or a direct consequence of social exclusion.[863] Horowitz insists that economic interest plays a leading role in ethnic conflict. Such economic contestation underpins ethnic hostility which persistently defines most recent ethnic conflicts.[864] This means that asymmetrical social structures compel ethnic nationalism to organise themselves according to their ethnicity so that they fit into the new ethno-federal system.[865] This study emphasises that militancy in Nigeria has some consequences because some states tend to prove to be enduring; while others are in the true sense ephemeral. Some old states are known to have fallen apart while new ones emerged.[866]

The position of this thesis is that the accommodation of territorial cleavages is facilitated by federalism, an institutional setting, whereby a broad range of scholars has identified as a useful device in divided societies. By combining the advantages of shared rule with that of self- rule, federalism offers a range of solutions and opportunities that make it preferable to unitarism.[867] Understanding of ethno-regional struggle for resource control in both onshore and off-shore situations which is a source of tension with the Federal Government of Nigeria is clarified by Sagay, who looks at the same issue in advanced federations like the US. For example, while supporting resource control in both continental shelf and land mass, President Truman of America stated:

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[862] Horowitz, *Ethnic Groups in Conflict*, p. 443.
[863] Horowitz, *Ethnic Groups in Conflict*, p. 102.
[864] Horowitz, *Ethnic Groups in Conflict*, p. 106.
[865] Asnake Kefale Adehe, Federalism and Ethnic Conflict in Ethiopia: A Comparative Study of the Somali and Benishangul –Gumuz Regions, Doctoral Thesis, Leiden University, 2009, p. 29.
[866] Global Policy Forum, "Emerging States & Claims to Autonomy and Independence," – Monitoring Policy Making at the United Nations, http://www.globalpolicy.org/nations/emerging/index.htm
[867] See Ugo M. Amortti and Nancy Berneo (eds.), Federalism and Territorial Cleavages, Batimore, Maryland: The John Hopkins University Press, 2004, p.11.

> (i)the continental shelf is an "extension of the land mass of the coastal nation" and that (ii) the resources in the continental shelf "form a seaward extension of a pool or deposit lying within the coastal state territory". President Truman had a third reason for resource control declaration. This is the control for the purpose of conservation of the resources and conservation in this context includes environmental considerations.[868]

Sagay is also of the view that the aggressive move for resource control has to do with "the right of the states and communities" who are honestly anxious to be part of decision-making with regard to the "exploration for, the exploitation and disposal of including sales of the harvested resources" in their area. The control of resources and management is better handled by those who live with the impact and devastating effects of oil production. He also noted that, "Mere increase in revenue without control and management is short sighted, and deadly, and it condemns the peoples of the Niger Delta to a present without a future".[869] These give support to the plight of oil producing areas. It is significant to note that there is no record of state or ethnic struggle for resource control in Malaysia. Rather, sometimes there are calls for the increase of oil royalties to oil-producing states in Malaysia. The difference between Nigeria and Malaysia on 'resource control' issues lies in the original derivative arrangement in Nigeria which the ruling military changed and the level of violence it has unleashed on the Nigerian polity.

The thesis argues that ethnic struggle is a demand for the restoration of the original 50 per cent, or an outright control of resources by Nigeria's Niger Delta. Conversely, while 5 per cent is paid to oil-producing areas in Malaysia, 50 per cent originally paid to oil-producing regions in Nigeria was reduced by the military to1.5 per cent. It was recently increased to 13per cent after the military disengaged. Worse still, as this study discovered, no meaningful development was recorded in the Niger Delta almost throughout decades of military rule and exploitation of oil in the region. Instead the ethnic communities suffered environmental degradation to their fisheries, which affected

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[868] I.E.Sagay, "Resource Control and the Law: Beyond the Supreme Court Judgement," in Augustin A. Ikein, Diepreve S.P. Alamieyeseigha, Steve S. Azaiki (eds.), *Oil, Democracy, and the Promise of True Federalism in Nigeria*, Maryland: University Press of America Inc., 2008, p. 381.
[869] Sagay, "Resource Control," p. 381.

their incomes, health problems caused by air and water pollution and social upheaval, as many had to translocate to areas within or outside of the delta region to escape violence clashes between the military and ethnic forces. From 1999 onwards, serious effort has been made by the Federal Government of Nigeria under various civilian administrations to develop the region and also to reduce the adverse impacts of oil extraction in the area.

This study points out that given the aforementioned initiative as a federal measure to resolve the problem, programmes are implemented through the Oil Mineral Producing Areas Development Commission (OMPADEC), and Niger Delta Development Commission (NDDC). These are bodies established by the federal government to ameliorate the situation in the Niger Delta Region after many years of neglect which exposed the oil-rich region to poverty. Yet, these establishments have their constraints in developing the area while militancy inevitably remains a threat to national security which differs from the moderate approach adopted by states in Malaysia.[870] Chapter six of this thesis demonstrates the intensification of ethnic separatism in Nigeria. This tension revolves around demands for power sharing, equitable distribution of wealth and the general empowerment of the citizens which is consistent with federal practice. Yet, in fairness to all as a federal principle given huge natural resources at the disposal of the central governing authority, it has been a challenge for the nation's struggle with ethnic militia. Serious disscussions need to take place to establish balance and fairnessin the practice of federalism in Nigeria in view of years MASSOB[871] and MEND which have

[870] For OMPADEC and NDDC, see J. Ishola Omotola, "From the OMPADEC to the NDDC: An Assessement of State Responsesto Environmental Insecurity in the Niger Delta, Nigeria" *Africa Today* Volume 54 No. 1 (2007): 73-89, here p.1. This is outside the scope of this study but for emphasis: for example, recently, there was ongoing appeal to the Malaysian government to increase oil royalties for the state of Sabah. Prime Minister Najib Tun Razak on July 2014 noted that "A formula is being worked out to address the call to increase oil royalties for Sabah…We have been concerned about the issue of oil royalties in Sabah and as an immediate solution, Petronas will increase its corporate social responsibility (CSR)…We will be announcing several other approaches which can help Sabahans in the oil royalty issue."Najib, Formula to Address Oil Royalties: Petronas to increase CSR programmes in Sabah"*Sunday Star*, July 13, 2014. 6. This thesis prefers to describe the situation in Malaysia as mutual given Prime Minister Najib's tune in response to the call.

[871] MASSOB agitation has spread to virtually all parts of the world. Foreign countries where MASSOB has offices understand this well. See *ThisDay*, August 27, 2004, "Biafra Day" was a pointer to the Federal Government of Nigeria when MASSOB agitation crippled movement and mainly business activities in

engaged in self-determination struggle in the country. Most related issues on federalism as highlighted by the respondents are linked to unfairness and marginalization in the polity. The same fear of domination and deprivation by other powerful groups has helped to fuel separatist movements, hence each group needed to assert itself within the Nigerian political and economic arenas.[872] This is the crux of militancy against the federal government. This however fits into words penned down by Wallenstein during Katanga's move to secede some decades ago that "Some regions will be richer (less poor) than others, and if the ethnic claim to power combines with relative wealth, the case for secession is strong. … Every African nation, large or small, federal or unitary, has its Katanga".[873]

While separatism could be better understood in the context of self-determination, Horowitz observes that after decolonization in the developing world, the context and the issues changed. It was no more a fight against external powers. Colonial domination was no longer the problem; rather self-determination was seen only to the level of preexisting colonial boundaries. "Within these boundaries, the question was to whom the new states belonged…"This was the cause of the Biafran war in post-independence Nigeria.[874]

Yet, it was due to social injustice and unfairness to groups from which separatist movements emerge. The situation in Nigeria indicates that social imbalance persists, which explains why the Igbo of Biafra and MEND see themselves territorially trapped in Nigeria.[875] Malaysia achieved success in reducing ethnic tension in its polity due to its

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Lagos and most parts of the country on the 'ORDER No MOVEMENT' in which MASSOB asserted its legitimacy because over 30 million Biafrans obeyed the order. MASSOB also re-introduced Biafran currency in Washington, the US, circulating in some West African countries waiting for Biafran take-of See Johannes Harnischfeger, *Democratization and Islamic Law: The sharia Conflict in Nigeria*, Chicago: University of Chicago Press, 2008, p. 137.

[872]For studies on fear of domination among ethnic groups in Nigeria, see L. Diamond, Class, Ethnicity and Democracy in Nigeria: The Failure of the First Republic, New York: Syracuse University Press, 1988, p.15.

[873] Immanuel Wallerstein, *Africa: The Politics of Independence*. New York: Vintage 1961, p. 88; see also Peter Alex Gourevitch, "The reemergence of 'Peripheral Nationalism: some Comparative Speculations on the Spatial Distribution of Political Leadership and Economic Growth," *Comparative Studies in Society and History* 21, July (1979):303-22.

[874] Horowitz, *Ethnic Groups in Conflict*, p. 4.

[875] Concerning reasons for separatism see Horowitz*Ethnic Group in Conflict*, pp. 186-187.

bold step in implementing its Affirmative Action on NEP. Malaysia has no record of separatist groups and hence enjoys relative peace with political stability as shown in field reports and literature. This point is validated by Hitam who insisted that the large comfortable middle class that Malaysia has produced will not give room for militancy while others share similar notion because the rate of poverty has been reduced in the country. Hitam's view by extension relates to most new Bumiputras who have benefited from the government's preferential policy which aims at enhancing special rights of the Malays and other natives in Malaysia. As unfair federal practice, policy implementation over decades has led to good wealth distribution among the Malays; the chances of tensions rising in the community have receded.

The study has also shown the prevalence of religious bigotry in Nigeria, mainly in the north. The interview report demonstrates that ethno-religious tension plays a fair share in the conflict that has engulfed Nigeria in recent years. Religious extremism not only plays a divisive role in Nigeria but has impacted negatively on the development and wellbeing of Nigerian citizens which works against a cohesive federal structure. Unlike earlier religious tension in Malaysia that was brought under control by different administrations, sadly, thousands of Nigerian citizens have lost their lives at the hands of religious extremists in Northern Nigeria. There are efforts by Muslim extremists to islamise the country through forced Islamic laws and terror attacks. Given the persistent killings of the Igbo in the North, it has caused MASSOB in the Southeast to retaliate and has also reinforced its bid to secede from the entity called Nigeria which accounts as part of the failings of federalism in Nigeria.

Arguably, religious violence in Nigeria may have been triggered by economic frustrations unlike in Malaysia's case. In spite of Malaysian government's compulsion on issues of faith on Muslims as some respondents observed, economic consideration has largely influenced the government's attitude towards Muslims in the country. This is

seen in special rights as highlighted earlier which have both ethnic and religious connotations in Malaysia's ethnicised federal constitution. This point is crucial about Malaysia's relative peace, as could be seen in numerous Islamic institutions springing up in the country presently. This thesis clarifies economic issues and religious harmony in Malaysia. For example, P.R. Bhuyan reflects on Swami Vivekananda's work in India in which Vivekananda writes "religion is meaningless to a starving man. Man's mind is guided by his stomach". The stomach of such a person matters, without which all preaching and philosophy will have no effect on him. "Religion will stand supreme if it has an economic background … Whenever any religion succeeds, it must have economic value. Thousands of similar sects will be struggling for power, but only those who meet the real economic problem will have it."[876] This shows that even in a federal system, ethno-religious group's inclination for survival is a common challenge to federalism.

The study has also shown that there is no separatist group in Malaysia as confirmed by the entire respondents interviewed. However, despite sporadic violence, ethnic groups in Malaysia have been living moderately in harmony for decades. In addition, due to Malay dominance, the relative political stability in Malaysia as shown in chapter five of this thesis is premised on the demographic composition of the Malaysian federation. This view is factual and consistent with McGarry and O'Leary insight on successful federal states. This study considers it a major factor for Malaysia's considerable interethnic harmony given the fact that the country which is dominated by the over 60 per cent population of Malays is likely to be more stable than a country of almost shared equal population of its main ethnic groups whereby each ethnic groups struggles for ascendancy in what makes ethnic conflict in Nigeria more explosive. [877]

[876] P. R. Bhuyan, *Swami Vivekananda: Messiah of resurgent India*, New Delhi: Atlantic Publishers, 2003, p.350.

[877] Comments on Nigeria and Malaysia from author, see, McGarry and O'Leary, Federalism as a Method, p. 26 as earlier cited in chapter one of this thesis, but here for emphasis. The expulsion of Singapore in 1963 in probably to avoid 'Malays and Chinese competition and struggle for power control may prove this assertion right.

6.11 **Research Findings**

Findings in this research largely draw from research questions (RQs) of the study. Findings from RQ "a" unveiled (i) ethnic /regional agitation for resource control, (ii) ethnic separatism (iii) religious tolerance and intolerance (iv) federal practices in the two countries as challenging. For instance, findings show how ethnic/regional agitation for resource control has intensified militancy due to deprivation. Similarly, ethnic separatism has also been induced by alienation, deprivation and marginalization and fear of domination by stronger ethnic group/s in Nigeria. It shows that federalism as a mechanism that mitigates conflict is not yet effective in the governance of Nigeria. There is no doubt that both Nigeria and Malaysia have different levels of religious tolerance and intolerance. However, federalism as a system that mitigates ethnic and regional conflicts has not been effective especially in Nigeria. This is because kleptocracy and failure to be guided by federal institutional framework have exacerbated poor governance which in turn intensified ethic and regigional tensions in Nigeria. The findings in this study are given detailed explanations below:

(i) A few factors account for agitation for resource control in Nigeria as highlighted in the study and by the respondents. First, pre-1966 derivation formula of 50 per cent paid to resource-producing regions was 'stopped on oil produce' by the nothern ethnic military in power, which denied the Niger Delta region's right. Second, decades of oil exploration under the military failed to develop the Niger Delta oil region, which has suffered neglect arising from environmental pollution affecting their agricultural lands, water as well as air pollution. Third, in spite of decades of oil exploration, no meaningful infrastructures were provided by the military, hence the region was deprived of life's essentials coupled with its youths' unemployment reinforcing poverty which breeds frustration and militancy. Ethnic and Regional demands for increase in oil derivation led the Federal Government to increase its

derivation under the Obasanjo democratic regime from 1.5 to 13 per cent which was seen as small and has intensified demands for further increase or alternative control of resources by the region. From the respondents' perspective, militancy in Nigeria is induced by a struggle for social justice due to deprivation and alienation. It is also shown in the study that militancy is now adopted directly or indirectly by the major ethnic groups to advance their claim from the Federal Government and to counter domination by other rival groups in Nigeria.

(ii) Given the problem in Nigeria, the study also reveals that there is no resource control conflict in Malaysia. For instance, 5 per cent which is paid to the oil producing areas in Malaysia does not attract confrontation even during a review of such oil royalties as shown in this chapter.[878] Conscious effort in fair distribution of wealth in Malaysia has helped to reduce conflict in this respect. However, other findings show that less agitation and conflict over resources could be as a result of Barisan National ruling for many years in Malaysia's parliamentary system of government. It shows how almost all the states have been under the control of the Federal Government hence everything appears peaceful compared to agitation by the opposition states.[879] Second, Malaysia operates quasi federalism under a parliamentary system as some scholars observe, unlike Nigeria which operates American presidential system. This is consistent with Shamsul's claim during the interview that fiscal federalism is not yet well studied in Malaysia. Third, there was no ethnic militancy in Malaysia within the period covered in this study. Atempted insurgency in the past was dealt with the use of ISA.

(iii) Separatist movements in the country which aim to form parallel sovereign states from Nigeria's lopsided federal structure represent resistance against inequality. They are reactionary forces against the anti-federal character of the state such as social

[878] Apart from literature, see the recent appeal by the state of Sabah to the current Federal Government for increase in their oil royalty, and Prime Minister Najib's positive response.
[879] This was highlighted earlier in the study as contributions by respondents, namely, former Deputy Prime Minister, Tun Musa Hitam, and James Wong during interview.

exclusion, denial, marginalisation and corruption. The state has become an instrument in the hands of politicians for furthering of sectional interests. There was no consensus as seen in early Alliance in Malaysia. The state maintains limited space for power sharing arrangement as shown in Nigeria's early electoral and census tensions within its federal structure. Moreover, socioeconomic disparity tends to alienate some ethnic groups contrary to the federal principles of equity, accommodation and balance. This is a lens through which separatist movements in Nigeria can be viewed as interview results have also shown. Nigeria's geoethnic politics is disruptive, divisive and prone to violence.

However, empirical evidence has shown that Malaysia has no secessionist movements. There are several reasons that account for this variation in both countries. First, good redistribution of national wealth was instituted in post 1969 racial riot via affirmative action. Second, Malaysia maintains strong laws and exercise of state power. For example, the ISA was dreaded by many due to arrest and detention without trial those whose activities are threats to national security. Nigeria has been careful and has avoided obnoxious laws but it has been seemingly complacent with its relevant laws in dealing with extremists. Third, Malaysia's federal constitutional arrangement is well ethnicised that favours the native Malay Muslim majority and the preservation of Malay traditional and religious institutions in the governance of the Malaysian State. Respect for traditional institutions is high, which allows for moderation in politics. Fourth, unlike the case of Nigeria, UMNO, MCA and MIC alliance gave birth to Malaysia's consociational democracy as a beacon of its federal arrangement, which by extension has made the polity considerably stable since its independence. This has been achieved through the sharing of political power by Barisan Nasional, with the dominant UMNO taking the lead role since independence in 1957.

(iv) Religion is a factor in the analysis of ethnic conflicts in Nigeria and Malaysia. One of the challenges in the Nigeria federal arrangement is that religious violence

especially in the North is perpetrated along ethnic lines. Both literature and views of respondents show that religious conflict has consumed thousands of lives in Nigeria gven the fact that religion is imported into politics in the country. It is also revealed that attempts at implementing sharia law in Northern Nigeria have exposed the nation to ethno-religious bloodbath which rather denigrates the true workings of federalism in Nigeria. Due to its destabilizing impact on the federal arrangement, President Obasanjo descibed it as political sharia which he said will die a natural death. This is due the fact that it is inconsistent with the secular status of Nigeria as enshrined in its Federal Constitution. Documented evidence in the study and views given by respondents show that religious intolerance is high in Northern Nigeria as could be seen in the current Boko Haram insurgency. This is not seen in Malaysia which is relatively more peaceful.

In Malaysia result also shows that the primacy of Islamic religion as the religion of the state is enshrined in its constitution. The line between Islamic religion and governance of Malaysia is blurred because the two are intertwined. This is observed in Malays Rulers who are also spiritual heads of their state, with the status of the King who is also the Sultan. It is found that Malaysia has had religious conflict especially during Mahathir's regime which was at the instigation of the opposition in government trying to implement full Islamic law in the country, in an apparent push for the establishement of an Islamic State in the country as seen in Nigeria. While its related tension in Nigeria has consumed thousands of lives and property, Malaysia seems to be stable amid threats of implementation of *hukum hudud* by Islamist PAS in states of Terengganu and Kelantan. Religious conflicts in the two countries are reinforced by strong ideological views and wrong interpretations as commented by some respondents. The literature section shows how ethnic groups and religions are intertwined thus exacerbating rivalries in more reinforcing ways. While the level of tolerance is low in Nothern Nigeria, Malaysia is considerably moderate with less violence as seen in Nigeria.

Yet, scholars and empirical evidence show that the Malaysian government seriously segregates and shows intolerance in practice in its commitment to protecting Islam and Malays under the state religion. While the state allows people of other faiths to convert to Islam, it strictly refuses any attempt for Malays (Muslims) to convert to other regions. This has been described in the study as intolerance and double standard. Such state compulsion and restriction is not practiced by the Nigerian government, as the constitution disallowes such practices. Malaysia's religious authority raids in churches amount to intimidation which tends to deviate from the moderate posture that Malaysian demonstracy projects. It is apt to state that both Nigeria and Malaysia are secular states, despite killings in Northern Nigeria, Nigeria demonstrates more openness and fairness to all as enshrined in its federal constitution. This is unlike issues raised against Malaysia's protection of Islamic faith in the country, yet it infiltrates into individual freedom and human right of choice of faith of the Malays. In all, Malaysia is more tolerant, less violent without mass religious killings as observed in Nigeria.

(v) The federal system and politics in Nigeria are deeply flawed providing the perfect setting for fostering political violence and divisive tendencies that always threaten to destabilise the country. First, the lopsided structure of Nigeria whereby two-thirds of the country is located to the North has led to the northeners trying to dominate politics, the economy and finance to the exclusion of other areas of the country such as the Easten and Western regions. The stakes are high for ethnic groups in their states or regional formations to capture power at the centre which shows the lopsidedness in centre-state relations. Chapter six of this study demonstrates early internal crises in Nigeria over census figures and elections result rivalries. North's dominance of political space is also shown in three decades of its ethnic army in power in Nigeria. Since the Civil War ended, the Igbo who were known for their prominent role in securing Nigerian

independence as well as in the political engineering of the new nation have been sidelined from occupying presidential position.[880]

Federalism is the appropriate system designed to manage conflicting ethnic and regional interests in both countries, yet due to ethnic chauvinism Nigeria has not been able to utilise the system to prosper its diverse ethnic groups. Repeated complaints by southern Nigeria has been that the Britsh left an unbalanced federal structure which is inimical to the country's federation given its political implication. The military disrupted federal practice for three decades with less consultation to Nigeria's federating units in its governance of Nigeria unlike democratic practice in Malaysia.

However, federalism in Malaysia has been successful as shown in chapter five. This is observed in its enhanced welfare although discriminatory in nature, yet a considerable ethnic cohesion has been achieved. This is not by the workings of federal principles as such; rather Malaysia's ethnicised federal structure places the primacy of Islamic religion and its institutions in all the states ruled by kings who are also religious heads in their various states as earlier highlighted. It embraces the position of the Sultan as the spiritual head of the religion and Sovereign King and Head of the Malaysian Fedaration. This is reinforced by the privileges granted to the Malays who are natives and Muslim majority whose loyalty to Malay Rulers and the King is absolute. Given this scenario, ethnic conflict in Malaysia is partly and strategically managed through these traditional and religious structure infused in the governance of the state. It has always been used by the long ruling UMNO-led Barisan Nasional Government to pacify and assuage possible threat by the Malay majority even in electoral support. This is profound in the governance of ethnicity in Malaysia. Yet the state also provides for the rest of other ethnic groups in Malaysia which have chosen a moderate approach in their demands unlike regular escalation of conflict in Nigeria's lopsided federal structure.

[880] For example, Nwabueze who is a constitutional lawyer of Igbo extraction decried as documented in chapter six about what he describes as 'abyss' to which the Igbo have fallen.

However, Research question (RQ) ‘b’ provides institutional working of federalism with four features of federalism which are used in the study to analyse and providing ways of resolving problems arising from division of power in a federal system. It provided insight into ethnic and state (regional) problems in Nigeria and Malaysia. This is provided within the lens of the role of federal design in accommodating pluralism which is treated in chapter three. The chapter demonstrates the role of federalism and how federal constitutional design in both countries is meant to accommodate diversity. Chapter four under ethnic conflict and federalism shows how features of federalism ‘a’ and ‘b’ are used to analyse governance of the two federations. In Malaysia, features -‘a’ and ‘b’ exist, but the line is blurred in ‘a’ due to the influence of the centre in a parliamentary system of government. In the case of ‘a’ and ‘b’, unlike in Malaysia, institutional framework of federalism was distorted for many years by the military rule in Nigeria which convoluted in the military suppression of the powers of the federating units. The constitution was severally suspended by all the military regimes that ruled by decree, which gave the courts little or no room to operate. All these constrained the operational functions of federalism in Nigeria similar to ethnicised type in Malaysia.

However, RQ ‘c’ is explored and explained in chapter four also, which looks at elite behaviour and different policy roles in Nigeria and Malaysia. Findings also show how the role of political leaders and policy execution differ in the post-1969 race riots and post-1967-1970 civil war in Malaysia and Nigeria respectively. Unlike Malaysia, the poor leadership role in Nigeria, continuity and discontinuity in policy programmes as well as unresolved economic disparity in the system have continued to bedevil Nigeria.

Finally, RQ‘d’ on how Malaysia is more successful in dealing with ethnic conflict is answered in chapter five. The chapter measures the effectiveness of federalism in the two countries. Findings show that federalism has been more effective in Malaysia than in Nigeria. This owes a lot to years of consociational democracy providing room for

political stability in Malaysia and further enhanced by strong traditional and religious institutions unlike three decades of military incursion and destabilsation of federal order to the chagrin of ethnic groups in Nigeria. It is also found in the study that the demographic composition of federation matters which suggests that dominant ethno-national community as seen in Malaysia is likely to be more stable than Nigeria. The foregoing shows that the whole research questions have been answered.

6.12 **Conclusion**

Many contested issues have been discussed in this chapter and a number of facts can be discerned. *First*, ethnic politics is observed right from party formation to other socio-political and economic competitions that are common to both countries. While the Alliance is characterised by the UMNO-led Malay dominance, Malaysia also displayed quality leadership that cared for the interests of its wider community, but its plight for the Malays is profound. Conversely, Nigeria's political problem was exacerbated by a lopsided federal structure that makes electoral and census figures more in favour of the North. This has led to struggles for political power and economic control in Nigeria.

Second, religious influence is huge. In Malaysia's wide range of influence and incentives to Muslims and in Islamic projects with state resources places people of other faiths in disadvantaged position. Also, slow Islamisation process in Malaysia makes its remote tension obvious, although more religious tolerance than Nigeria. But Nigeria holds strongly to its secular federal constitution despite its challenges.

Third, economic and business competition feature in both countries. Except for Nigeria under the First Republic and the northern military hegemony, no particular ethnic group is allowed domineering influence on other ethnic communities. The 1954 federal constitution in Nigeria led to decentralization and healthy competition among the regions. Federalism in Nigeria was distorted by the military, so also were economic and

business interests against the marginalized. Most ethnic tensions in Nigeria owe a lot to struggles against inequality in its federation which is against the principle of federalism. The affirmative action in Malaysia was a federal intervention to favour earlier disadvantaged Malays. Yet, such preferential treatment to Malay Bumiputra is continuously expanded by the government which makes other ethnic groups survival conditioned by their own push and grumblings in 'a nation in the state of stable tension'.

Fourth, low level of education was a problem within the Malay circle apart from economic inadequacy, but affirmative action was used to correct the imbalance with other ethnic groups. Interview with Tun Musa Hitam (Former DPM) elucidated facts surrounding government preferential treatment to Malay education. Other ethnic groups perceive continuing denial of similar opportunity as unfair in view of numerous scholarships to Malays. Also, cleavages over language, culture and religious matters largely raise disagreements and tension. Given the primacy of Islam in the Constitution of Malaysia as the State religion, its influence on governance is profound in view of a number of Islamic public institutions being established by the government which are denied other ethnic groups. However, questioning Malay special rights or comments on Islam can spark off tension among the Malay Muslim majority in the country. Generally, there is considerable harmony in the country because other ethnic groups do not use violence to secure what they believe they merit. This speaks of moderation on the part of other ethnic groups (non-Bumiputra), in contrast to ethnic militia in Nigeria.

However, the backwardness of Northern Nigeria like the Malays of old was a problem inherited from the divide and rule policy of the British. Moreover, strong religious doctrine among the Muslims in Northern Nigeria never allowed them to embrace Western education early on and even now. Many are in the camp of Boko Haram sect which says "Western education is evil".[881] While the number of the

[881] See, chapter 7, on the activities of Boko Haram and the new challenges facing current Nigerian Head of State - President Goodluck Jonathan.

Southerners is high in educational intake, it is also observed that many students from the south cannot gain access to universities because of limited space due to the Quota System. This also shows that the Nigerian Federal Government under civilian rule holds more strongly to the principle of equity in federalism. Unlike Malaysia which made Malay its official language with a certain level of discrimination against other cultures.

Fifth, both countries have flaws in their fiscal federal practices as seen in most centralised issues with the federal government in Malaysia. The constitutional structure involving the role of monarchy and Islam, and Malay special rights as well as its parliamentary system of government make the practice of federalism sustained in an operation that resembles a unitary system, because power is highly centralised at the federal level. However, Nigeria started on a sound federal practice but this was later distorted by the military when it took over power. Most of the policies lacking transparency initiated by the military pose problems to Nigeria's federal structure now.

Sixth, Malaysia does not have problem of state creation. This is a burden created by the military in Nigeria. The effect of state creation and recreation tend to localise conflict within various states instead of disrupting governance at the center. Deadly ethnic clashes and boundary adjustments showcase Nigeria as a troubled federation. *Seventh*, similarity between Nigeria and Malaysia in terms of ethnic political dominance is observed in almost thirty years of northern ethnic dominance of Nigeria's political space which is akin to UMNO-led Barisan Nationale authoritarian rule spanning over 50 years. Yet, despite strong opposition, Malaysia has experienced decades of smooth transfers of power which makes its electoral and political process more stable than Nigeria. Obviously, one ethnic majority (party) rule in a federal state for over fifty years as seen in Malaysia does not project federalism in good light. This is in contrast to Nigeria which is to some extent open to power shift to other ethnic groups, but fragmented by strong ethnic strife.

CONCLUSION

This study has examined the ethnic conflict in Nigeria and Malaysia through the lens of federalism. The study is pursued with the intent to unveil reasons as to the continuing ethnic tensions and years of ethno-political as well as ethno-religious conflicts especially in Nigeria. Given the fact that this study is pursued for the cause of good governance in Nigeria in view of the aforementioned tensions that have characterised the nation since its independence, it became necessary to compare issues in Nigeria with Malaysia which is relatively a peaceful country that shares most features in common with Nigeria. Federalism as conflict mitigating mechanism has helped to narrow down the missing link between both countries in conflict management.

Major findings in this study show levels and dimensions of conflict that characterise Nigeria and Malaysia as two former British colonies. Findings show more destructive and even open brutal communal clashes exacerbated by ethno-religious inclination by groups in Nigeria which regularly accounts for numerous violent deaths recorded in the country. Findings also show that Malaysia is more successful in achieving ethnic harmony which manifests in its considerable political stability and sustainability in contrast to Nigeria. These findings were obtained through the institutional mechanism of federalism as a tool that mitigates conflicts in plural societies.

From the foregoing discussion, three key issues that touch on the objectives of this study have been highlighted as treated in the study. First, the entire study has been devoted at exploring the challenges posed by ethnic groups in both countries which are well highlighted in the introductory section of the study. This is precisely demonstrated in the statement of the problem that describes the nature and levels of conflict in both countries being compared. The second objective of the study looks at a framework that interprets as well as addresses problems in multiethnic societies. The adoption of federalism as the framework is covered in chapter one which provides explanatory

insights in the management and conflict analysis in plural societies. For instance, Eme Awa's view as a renowned scholar in federalism is shared by other scholars as documented in chapter one. He describes Federalism as a mechanism that provides the existence of a primary centre in a political system while accommodating units which are subordinated to this centre. A federal system of government shows the existence of a primary centre which is the central government that possesses intrinsic authority, while devolving some powers on the units in running the administration of the country.

This study is further guided by Wheare's emphasis on the principles of federalism. Notably, institutional requirements such as constitutionalism, especial four features of federalism which are also rendered by Moten are adopted in the analysis of center-periphery relations in both Nigeria and Malaysian federations. The third object of the study provides a comparative overview of contested issues in Nigeria and Malaysia. The workings of federalism, especially its four features are explored in the analysis of federal practices in the two countries as treated in chapters three, four and five. Given the fact that this study seeks to compare and contrast ethnic conflicts in Nigeria and Malaysia as part of the third objective, chapter six of this thesis serves as a lens to view the domains and dimensions of the ethnic conflicts in both countries explored.

However, the strength of the thesis draws from the research questions that were articulated to unveil areas and factors that have induced ethnic conflicts in Nigeria and Malaysia. The first research question (RQ) 'a' generated four empirical answers as problem areas in the conflict analysis and resolution in the study. These four research findings from the first research question are as follows: (i) 'Resource Control' is a problem, and one of the challenges in Nigeria that has driven some ethnic groups in the country into militancy. (ii)Socioeconomic disparity, social exclusion, alienation and less effort in power sharing are jointly inherent with explosive violence and separatism in Nigeria in particular. All these which are anti-federal have featured in the Nigerian

federal state. Malaysia is also analysed in the entire context. (iii) Overzealous pursuit of religious ideology and space has brought about ethno-religious bigotry and bloodbaths. (iv)Unguided, or neglect of principles of federalism in governance of the state. RQs 'b' 'c' and'd' are well discussed in the research findings. Findings show that all the research questions have been answered. The researcher at this point demonstrates to the reader that the empirical findings are also supported by salient facts revealed in the study:

(a) First, Malaysia paraded leaders who were strategists with commitment to national aspirations. The Alliance of the three main ethnic groups engineered by the First Malaysian PM. Tunku Abdul Rahman led to a coalition that has ruled the country democratically for over fifty years of relative peaceful ethnic co-existence. Although with emphasis on Malay primacy, Tunku (lawyer) demonstrated leadership with intellectual wealth, vision, innovation and an accommodating heart. This truly amplifies the fact that development thinking calls for intellectual vision as well as honesty needed to transform society. This study submits that Tunku and other past Malaysian prime ministers truly showed how institutions of governance required men who are knowledge-driven with political will, maturity and trust which correctly explains human factor engineering that transforms society.[882]

(b) Going a little beyond the scope of this study helps to clarify certain issues in this study better. For example, Prime Minister Najib in his recent defense of the Bumiputra special rights covered in chapter three of this thesis is evident. It is really discriminatory, yet the system is stable because other racial groups while unhappy are not violent. Malay privileges which are subsumed in Bumiputra interest as a historical necessityhas been elevated in governance in Malaysia.

(c) Horowitz asserts that the colonialists recognized the legitimacy and the "special positions" of indigenous people in Malaysia, in the face of migrant population

[882] See S. B-S. K. Adjibolosoo, "Human Factor Engineering: The Primary Mission of Education and Training," in Senyo B-S.K Adjibolosoo (ed.), *Human Factor Engineering and the Political Economy of African Development*, Westport: Greenwood Publishing Group, 1996, p. 30.

whose real home is elsewhere and cannot claim parity of status with those who were inhabitants of the land before they came.[883] This is the origin of special rights of the Malays which later became part of Malaysia's ethnicised federal constitution that also retained Malay traditional and religious institutions in the governance of the state which has enhanced its political stability. This study commends the Chinese and Indian communities in Malaysia for their tolerance and moderation.

(d) The study also revealed that Malaysia has had smooth democratic transition of government right from 1957 to date. This is contrasted with Nigeria's deadly coups, and rampant disruptions of democratic process. It is important to point out that military coups instigated by ethnic rivalries and inclination to power is absent in Malaysia for two obvious reasons:(a) It could be argued that political stability in Malaysia is in part rested on its armed forces which are highly dominated by ethnic Malays, and Malay traditional and religious institutions. Undoubtedly, the ratio of recruited military officers' falls within the ratio of 4 Malay to 1 non-Malay as earlier discussed on federal service which is contrary to the principle of equity in federalism. Hence it is obviously correct in line with Horowitz's assertion that ethnic army ensures protection of its ethnic group in control of power.[884]

(e) The study has truly shown that good policy choice, implementation and accountability has been the hallmark of Malaysia's success. Speaking in federal terms, this thesis argues that N.E.P was meant to reduce income disparities among ethnic groups, equitable provisions of life essentials for all groups, while emphasising on social harmony, moral reorientation and development engineering. Malaysia is primarily known for its stability. This is a country where leaders who are also Muslims never gave room for any form of Islamic insurgency. The power of ISA, although obnoxious in nature was invoked to deal with any acts disrupting

[883] Horowitz, *Ethnic Groups in Conflict*, p. 208.
[884] For military politics as well as numerous sectional struggles in Nigeria, see, Horowitz, *Ethnic Groups in Conflict*, p. 443

Malaysia's peace. This is one of the essential factors that have contributed to a peaceful Malaysia, as well as issues covered in the literature review of this study.

In fairness to Nigeria, in spite of numerous ethnic conflicts in the country, Nigerian authorities have been able to hold the country together within the framework of federalism unlike failed federations. Some salient facts are also raised on Nigeria:

*(i)*The country never had true nationalists who were committed as seen in Malaysia. There was no spirit of comradeship that would have molded into real coalition as in Malaysia. Both countries have similar history but there came a point of divergence. Unlike the UMNO, MCA and MIC Coalition, both NPC and NCNC and A.G were too parochial about ethnic and regional gains from the federal stand point of politics. They missed a unifying strategy Nigeria needed to overcome most of its challenges. They never let go of what Horowitz describes as ancient hostility in their post-colonial rule.[885]

(ii) Post-civil war Nigeria did not provide new ideas to change the pattern of governance. Unlike Malaysia's post-1969 NEP, a war-torn Nigeria failed to follow its policy outline for implementation. The Igbo were not truly reintegrated into Nigeria after the war in which millions were in poverty. Instead, they were shortchanged of their money left in the bank prior to the civil war. Their houses were declared as abandoned properties. It was reconciliation without full integration. This is one of the policy choices and implementation issues in which Nigeria missed Malaysia's treaded path.

(iii) Nigeria has had its bad experience in changes of leadership. Nigeria as a nation was caught in a web of coups and counter-coups that polarised its military for almost thirty years. Decades of military rule by ethnic army distorted federal order with the use of force which is contrary to federal balance. This created resentment among other ethnic groups in what Horowitz refers to as "ethnic army." It explains escalated ethnic and regional conflicts when President Obasanjo came to power in 1999 democratic system.

[885] Horowitz, *Ethnic Groups in Conflict*, p. 98.

*(iv)*Furthermore, the military used state creation as a development policy to legitimatise their regime by creating unviable states which today solely depend on the central government for its resources to function in such a federal state. Apart from inducing conflicts through state creation and recreation affecting boundaries, agitation for state creation continues. Paradoxically, these new states have now become cost-centres. For instance, Gowon has recently advised the National Assembly not to accede to various interests for the creation of new states emphasising that it will increase the burden of governance in the country.[886] This is consistent with Nwankwo's interview remarks in describing the thirty six states as over-bloated government without development.

(vi)Political instability is highly prevalent in Nigeria's internal crisis exacerbating security challenges. These are direct results of denial, marginalization, and exclusion accounting for ethnic restiveness in Nigeria. Assassination and arson, militancy against the federal government, including destruction of oil facilities in the South, killings by religious extremists in the North, rampant kidnapping, daily armed robbery and secessionist movements are challenges confronting the Nigerian nation. Communal clashes arising from claims to land, boundary disputes due to new states as well as local government creation intensify the need to adjust boundaries to suit current reality are problems that have bedeviled Nigeria lately. Assertion made by Malaysia's former Prime Minister Mahathir presents a contrast with Nigeria and many troubled plural societies, when he remarked, "You know I can walk freely in the street here in Malaysia without being afraid of who is after me, and this is the Malaysia we have".[887]

*(vi)*Finally, having explored ethnic conflicts in Nigeria and Malaysia, it is evident that Nigeria has a lot to learn from Malaysia. This study has indeed demonstrated how Malaysia provides a mirror to view Nigeria's missing link in interethnic harmony,

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[886] David Attah, "Gowon Urges National Assembly to Reject State Creation" *Punch*, December 6, 2012 http://www.punchng.com/news/gowon-urges-nassembly-to-reject-state-creation/ Retrieved 6/12/2012 (cited for emphasis on current developments, but Gowon started state creation, see, chapters 2 and 5).

[887] Interview with former PM. Mahathir,(14/2/2012).

considerable religious tolerance, redistribution of national wealth and social progress. Former Malaysian Prime Minister Badawi's insightful comment validates the argument on more ethnic violence and conflict in Nigeria in contrast to Malaysia's considerable ethnic harmony and political stability, when he, Badawi posited:

> My country does not enjoy peace and harmony today by accident. Our founding fathers and mothers did not leave it to chance that Malaysia would become a calm oasis of many cultures and religions. What we enjoy today is not something that was created overnights. Malaysians have worked hard for our peace, harmony and prosperity. We have had to sacrifice and we have had to give-and-take. We have fought terrorism and extremism in all its forms. We have protected our many languages and religions so that our people are free to speak their mother tongues and profess the religion of their choice. Achieving all this was not easy…The-so-called burden of not having a homogenous country did not destroy us, it brought the best out of all us.[888]

The resolution of ethnic conflict in Nigeria calls for effective federalism with its institutional architecture that provides a fair and balanced approach in dealing with the existing differences, and socioeconomic disparity which induce rivalries among ethnic communities in Nigeria. However, the study does not assume to have an overall solution to Nigeria and Malaysia's ethnic problems, but to proffer some solutions that could be helpful to policy makers concerning Nigeria largely, and Malaysia where necessary. Given unbiased assessments of both countries, Malaysia has hidden tensions, yet Nigeria is considered far behind Malaysia in a number of issues that demand focus and determined national leadership on ethnic harmony and social cohesion. However, the following issues need to be addressed in Malaysia as it harbours remote tensions.

First, the study has shown that in Malaysia, Malay 'special rights' has been a source of grievance to non-Malays. As a constitutional matter, it is advised that Bumiputra special rights be narrowed to a particular item for the Malays since the country has reduced poverty to 5 per cent. *Second*, the state should continue to sustain its political stability and good race relations along with social development by allowing more and fair federal principle of equity and well decentralised powers. *Third*, the state

[888] Abdullah Ahmad Badawi, "Dialogue the Key to Unity of Multi-religious, Multiethnic and Multicultural Societies," Address at the Plenary Commission on Faith and Order of the World Council of Churches at Federal Hotel, Kuala Lumpur, August 3, 2004, p. 2.

should continue its people-oriented progrmmes while creating space to listen to minority ethnic groups in the spirit of one Malaysia and federal balance.

Fourth, the government of Malaysia is commended for its commitment to religious tolerance and peaceful co-existence. However, policy issues on religion should be balanced and fair to individuals and people of various faiths in the country as it touches on their freedom, psychology and perception. The study has revealed a form of intolerance that Malays do not have freedom of personal choice of their faith due to restrictions placed on them not to convert to other religions whereas others can convert to Islam. This does not promote good interaction needed in a federal system. It does not allow for human freedom and self-fulfilling spiritual life of most Malays. It is double standard as perceived by people of other faiths who see such official notion as reinforcing the primacy of Islam and in being superior to other religions in the country.

Five, Apart from complaints about Bumiputra privileges, Malaysia harbours remote tension which is managed by the state. This tension is caused by the opposition group in Malaysia forcing the government to enforce Islamic laws even now. This has in the past led Mahathir's Administration to put up Islamic institutions in the country as well as saying that Malaysia was ripe for Islamic state. Yet, these appeasing moves have not deterred PAS pressure on *hudud* and other issues that project Islam in the governance of Malaysia. This should be checked because the Federal Constitution of Malaysia does not prescribe Islamic state, or it may slide this country of diverse cultures into real tension. Malaysia's known religious moderation is gradually drifting towards a uni-polar primacy of Islam in the making of an Islamic state while its original secular constitution is also contested by other stakeholders. The current push by its opposition group for Islamic law in Malaysia tends to revive religious militancy which Mahathir and other past leaders had earlier dealt with head-on. While Malaysia fights militant threats, it may exceed its

current stable tension if Islamisation which is outside its constitution is attempted within its ethnic and religious divide.[889]

On the other hand, it must be mentioned as earlier emphasised that in the midst of its internal troubles, Nigerian leaders have been able to keep the country intact under its federal structure. This is gallantry. The effort of the government in maintaining democratic governance after fifteen years of military disengagement is also commendable. The Obasanjo civilian administration (1999-2007) was able to pay-off Nigeria's foreign debt which has been a burden to the nation. This is also commendably a rare achievement and first of its kind in Africa. But it is supposed to improve beyond that in view of its huge resources, which is unfortunately described as 'resource curse'.

Nigeria's ineffective and lopsided federal structure, as shown in its flaws in governing the nation's diverse ethnic groups have manifested in different ways which makes the nation to be seen as unstable. The thesis offers some recommendations that would enhance interethnic harmony, political stability, and growth in line with Malaysia's treaded path for Nigeria to evolve a better future for its people.

(a)Nigerian leadership should explore with vigor the need for a prioritised goal at improving economic welfare and development. This is because poverty induces ethnic and regional tensions in most divided societies which Nigeria counts. This explains the World Bank's view that the challenge of development in many countries "is to improve the quality of life, which generally calls for higher incomes" for citizens for a more

[889] This is beyond the scope of the thesis, but it is relevant in the emerging issues and arguments on Malaysia as contained in this study. For example, while Malaysia has been relatively calm, some groups have been pushing the government to give assent for the implementation of Sharia law in Malaysia. But the Federal Government has been careful on it. Malaysia is known to be a secular state based on its constitution. Certain elite in Malaysia tend to accuse the current Prime Minister as being too liberal without giving full protection to Islam. But PM Najib says, Islam preaches moderation. The same conservative voices tend to arouse the spirit of militancy which the Malaysian armed forces fight fiercely now. To understand these current issues, see Ambiga Steenevasan, former Malaysian Bar Council President, and one of the patrons of Negara-Ku -a Movement, has cautioned that, "Right-wing extremists have become bolder and their voice has grown louder with more racial and religious slurs." See Rita Jong, "Championing a Cause for My Country," *The Heat newsweekly*, July 26-August 1, 2014, pp. 1, 13 &16.

progressive life.[890] As commented by 'United Nations Development Programme' (UNDP), "People cannot be reduced to a single dimension as economic creatures".[891] In other words, unity eludes a nation when people are hungry and less-catered for, yet many political leaders in Nigeria live affluently. There is need to reduce income disparity which induces a sense of exclusion, frustration, denial and social tension.[892]

(b) Ethnic conflict in Nigeria is also exacerbated by misappropriation of resources by corrupt leaders who treat development and human welfare issues as unimportant. When national wealth benefits all, no one talks of marginalisation and exclusion. EFCC Report of over $380b lost to corruption since independence partly explains bad leadership exacerbating poor development, frustrating poverty of some ethnic groups and tension. Corruption is a symptom of fundamental failure of governance which indicates that the higher the incidence of corruption, the more sustainable development becomes elusive. Politicians of certain ethnic extraction manipulate the system to the disadvantage of others in the same federation.

(c) Policies and their implementations should find expression within the basic sense and definition of economic development that bring positive benefits to citizens. Certain sections of the country can be frustrated and feel excluded when thebenefits accruing from programmes implemented by the government does not reach them. It becomes a problem when true communication is lacking. There should be a genuine sense of equity and fairness in the discharge of federal character principles in the Nigeria.

(d) It is important for Nigerian leaders to go back to the drawing board and make moral education more compelling and well understood among Nigerian children, youths and adults. Reform in this area has become crucial in view of the eroded moral life

[890] The Word Bank the World Development Report 1991, *The Challenge of Development*, Oxford University Press, 1990, p. 4.
[891] UNDP. The Human Development Report 1990, Oxford University Press, 1990, p. iii.
[892] Nigeria should improve on public bus transport like *Rapid KL* and *Metro Bus* transport in Malaysia which have been tremendously helpful to the average citizens and students in the country because public transportation is subsidized by the government. There are a number of ways of sharing national wealth which helps to make people feel belonged while reducing tension. The expected peace in the country is first achieved in the heart of the people who believe that a system is really at work.

prevalent in Nigerian society today. Good moral behaviour has become the cornerstone of enabling state building in most of the advanced countries of Europe, Japan and Singapore. It is part of Malaysia's success as a harmonious society.[893]

(e)There is a need to resolve the problem of resource control in the country. The study has shown supporting views for resource control by ethnic groups/state/regions or improved derivation to cool tensions in the Niger Delta region. The apex Court decision on off-shore and on-shore exploration of oil in Nigeria has not solved this matter that requires true dialogue. If the Supreme Court which is an arm in a federal constitutional structure could rule in the "on-shore and off-shore exploration, the same court is supposed to void the undemocratic derivation cut by the departed military. This has not been done. Yet, most of the military authoritarian decrees that form part of the 1999 Nigerian Constitution with institutional restrictions especially on the derivation principle have not been fully addressed. Rebellion is obviously associated with a political system that restricts the independence of the judiciary which in part explains the limited role of the court during years of military role in Nigeria. In view of this, the Nigerian government should tackle Nigeria's overarching resource control problem and other unfair practices inducing secession, militancy and brutal killings in Nigeria through commitment to inclusive government with unbiased power sharing arrangement.

(f) Notably, state institutions need to be strengthened with leaders who are truly elected by the people without ethnic biases in order to achieve constitutional roles of meeting Nigeria's diverse needs. It follows that laws and other instruments of coercion

[893] The thesis provides emphasis on Singapore in which moral and religious teachings were being used in serving Singapore's national pragmatic needs…meeting a perceived urgency in the 1980s to forge 'social cohesion'. The government initiated new ideas of forging 'shared values' and five could be identified: "nation before community and society before self; community support and respect for the individual; the family as the basic unit of society; consensus in place of conflict; and racial and religious harmony." See, Singapore, *Shared Values,* Singapore, Singapore National Printers, 1991; see also (Tan, 1994) cited in Tan Tai Wei and Chew Lee Chin, Moral and Citizenship Education as Statecraft in Singapore: A Curriculum Critique, *Journal of Moral Education,* Vol. 33, No. 4, Carfax Publishing Taylor& Francis Group, December 2004.

should be appropriately used when it is necessary to deter or punish extremists and other social misfits while the police should be more proactive and friendly with the masses.[894]

(g) Reforms in Nigeria should also look into educational integrity on the part of its students and leaders alike for national development. The country needs men of integrity to move forward. It rewards individuals and the society at large by imbibing patriotic behaviour.[895] For example, Chinua Achebe's recent refusal of the "National Award" twice from the Nigerian Federal Government was due to poor governance of the country. Achebe addresses part of the issues covered in this study while rejecting National Honour Award by the government of his country Nigeria in reaction to its problems.[896]

(h)Maintaining independent Courts with impartial judges of high integrity is important as a federal institution that could truly enhance checks and balances between the Central and State Governments. It is envisaged that this initiative would bring about true justice in addressing ethnic, regional and religious tensions as well as social injustice that aggravate tensions in Nigeria. Nigeria must experience exceeding transformation when good leaders emerge with genuine dialogue, compromise on power shift, fair wealth distribution, and eliminating the so called godfathers who largely takeover the institutional role of the state.

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[894] Even the United States which demonstrates a classic model of federalism now operates what Kincaid describes as 'coercive federalism'.See (Kincaid,1990), cited in Watts,"Typolgies of federalism,"chapter 2.

[895] For men of educational integrity, see, Njoku, "Educational Integrity in Policy Implementation and Practice, pp. 96-104; Seee also, Ogechi E Anyanwu and Chukwnenye Clifford Njoku, "Educational Development in Modern Africa: History, Politics, and Challenges," in Salome C. Nnoromele and Ogechi E. Anyanwu (eds.), *(Re) Tracing Africa: A Multi-Disciplinary Study of African History, Societies and Cultures*, Dubuque: Kendall Hall Publishing Company, 2011: 89-108.

[896] "I write this letter with a very heavy heart. For some time now I have watched events in Nigeria with alarm and dismay. I have watched particularly the chaos in my own state of Anambra where a small clique of renegades, openly boasting its connections in high places, seems determined to turn my homeland into a bankrupt and lawless fiefdom. I am appalled by the brazenness of this clique and the silence, if not connivance, of the Presidency. Forty three years ago, at the first anniversary of Nigeria's independence I was given the first Nigerian National Trophy for Literature. In 1979, I received two further honors – the Nigerian National Order of Merit and the Order of the Federal Republic – and in 1999 the first National Creativity Award. I accepted all these honors fully aware that Nigeria was not perfect; but I had a strong belief that we would outgrow our shortcomings under leaders committed to uniting our diverse peoples. Nigeria's condition today under your watch is, however, too dangerous for silence. I must register my disappointment and protest by declining to accept the high honor awarded me in the 2004 Honours List." See J. Bumah, Achebe and Politics *Punch* March 23, 2013, <http://www.punchng.com/news/achebe-and-politics> (accessed November 13, 2013).

It is needful to emphasise at this point that federalism does not provide a panacea for all the ills of a multicultural society but it does offer a greater capacity for solving problems. However, a federal model in one state cannot be transferred wholesale into another. The success of any federal solution depends on how a given state copes with the group rights and cultural rights of its diverse people, and how it creates a feeling of security among them. A crucial point to note is that any power sharing arrangement must empower the minorities and reduce their fear in the face of the natural power of the majorities. This is especially when a country has suffered from violent conflict as largely observed in Nigeria which Malaysia addressed considerably in its formative years. Tremendous and sustained efforts are needed by all ethnic groups to work for what is needed most: reconciliation and reconstruction of the country while rebuilding trust. This is important given the fact that ethnic conflict is more disruptive in Nigeria where the state totters in the face of tension due to pulls by its fragmented ethnic groups that feel territorially trapped in a country many regard as a colonial ideology.

It is also important to reiterate as noted in chapter two that ethnic groups in Malaysia live in clusters, which does not give room for intense conflict among them. This salient fact is also important in the analysis and arguments about Malaysia's level of ethnic cohesion. Coversely, ethnic conflict in Nigeria is reinforced by its geoethnicity and unmet social demands aggravating fragmentations and conflict along ethnic and regional lines in which some ethnic groups feel terrirorially trapped in Nigeria. This assertion is premised on the fact that previous national conferences aimed at addressing ethnic and social conditions in Nigeria did not yield the expected results. Similar to past experiences, ethnic contestations, antagonism and secession also confronted President Jonathan's Administration that prompted the convocation of the 2014 National Constitutional Conference to address ethnic demands in Nigeria. Yet, Nigeria's most critical challenge is its fragmented ethnic groups which have transformed into parallel

remote centers of power built on suspicion as shown in chapter six. They have over the years developed less trust in a seemingly less-mediating central governing authority in its inability to resolve lingering socioeconomic disparities and power sharing problem in the system. This dividing line explains more struggle and ceaseless ethnic conflicts that have characterised Nigeria as more unstable and underdeveloped in comparison with Malaysia which explains the impairment to which Nigeria has been exposed.

But it a major fact in this study is that Malaysia's ethnicised Federal Constitution makes room for Malay traditional and religious institutions at the apex of governance, and special rights of the Malays who are Malaysia's ethnic majority. All of these uncommon practices have combined to influence Malay loyalty, morality, and moderation in politics resulted in inherent institutionalised discriminatory policies in favour of Malay ethnic majority as a solace against tension. This fact is profound in this study which shows how Malaysia has managed its ethnic conflict better than Nigeria.

Finally, this thesis suggests the need for a responsive mediating central governing authority with men of educational integrity at 'resource centres and power' in line with true federal principles to mitigate ethnic conflict in Nigeria. This study argues that no multiethnic nation-state makes substantial social progress or survives outside the axis of its interethnic balance. This is the critical challenge of the Nigerian government in nation-building! In effect, when the state serves its citizens well, ethnic conflict is reduced and none of its ethnic groups will feel entrapped in an invented nation-state, rather it becomes a nation for all with less contention. Truly, the ember of ethnic conflict is largely fanned and maintained by elite of perverse mind. For Nigeria to emerge united, free of ethnic antagonism, and become more progressive, the nation needs true practice of federalism and a change of the existing orthodoxy of its leadership and reminiscence of ethnic hegemony for a true national rebirth.

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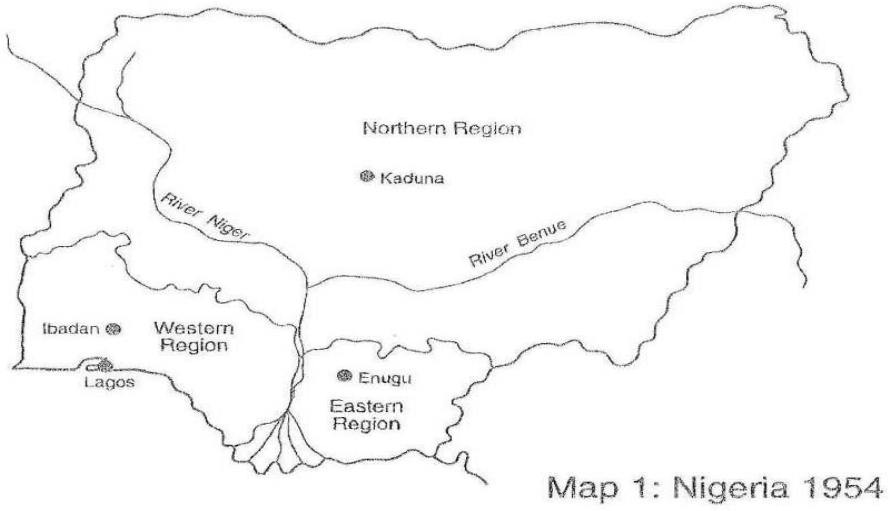
APPENDICES

Appendix A, Map 1.1 Map of Map of Nigeria 1954

Map of Nigeria 1954 Showing Three Federal Regions Created by British Colonial Rule (1954



Source: Wilberforce Conference on Nigeria Federalism, New York, 1997

Appendix B, Table 1.1 NIGERIA, POPULATION AND AREA, 1953

AREA:	373, 250 Square Miles.
POPULATION:	31, 500, 000
Northern Nigeria	16, 840,000
Eastern Nigeria	7, 218,000
Western Nigeria	6, 087,000
Southern Cameroons	753,000
Lagos	272,000
NON-AFRICAN POPULATION	
Northern Nigeria	4, 897
Lagos	4, 393
Western Nigeria	2, 852
Eastern Nigeria	2,578
Southern Cameroons	634
Total	15,354
PRINCIPAL TRIBES	
Hausa	5, 540, 000
Igbo	5, 426,000
Yoruba	4, 849,000
Fulani	3, 030,000
Kanuri	1, 301, 000
Tiv	780,000
Ibibio	755,000
Edo	462,000
Nupe	358,000
RELIGIONS	
Moslems	13, 655,000
Christians	6, 371,000
Other Religions	10,109,000

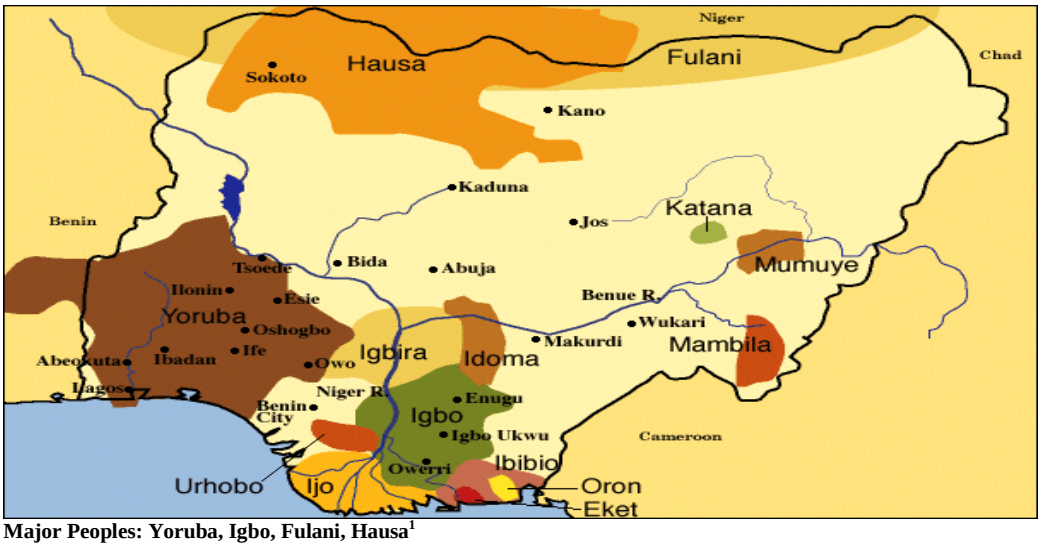
Source: Nigerin Yearbook 1960, p. 13. Adapted from the 1952-53 Census.

Appendix C Table 2.1 SOUTHERN NIGERIAN CENSUS, 1911

ETHNIC GOUP & POPULATION		*ETHNIC GROUP & POPULTION*	
Ibibios	**210,000**	**Ngbos**	**50,000**
Sobos(Urhobos)	**209,000**	**Jekris(Itsekiris)**	**35,000**
Ezzas	**180,000**	**Nsokpongs**	**33,000**
Ezzis	**140,000**	**Ekpaffias**	**33,000**
Anangs	**119,000**	**Okobos**	**32,000**
Ishans	**114,000**	**Ogbsayons(Ogbeyans)**	**31,000**
Munchis(Tiv)	**97,000**	**Bokis**	**31,000**
Kwales	**97,000**	**Ikwes**	**30,000**
Ijaws(Ijo)	**93,000**	**Igaras**	**29,000**
Kwas(Qua)	**90,000**	**Abuas**	**26,000**
Ogonis	**78,000**	**Yalas**	**26,000**
Bini	**75,000**	**Etchis(Etches)**	**25,000**
Ikas	**74,000**	**Orons**	**25,000**
Efiks	**62,000**	**Ekois**	**24,000**
Okpotos(Akpotos)	**60,000**	**Akoris(Akunakunas)**	**22,000**
Ekets	**60,000**	**Yakoras(Yakos)**	**22,000**
Ikonors(Ikonos)	**50,000**	**Abos(Abohs)**	**21,000**
Kukurukus(Afenmai)	**50,000**	**New calabar(kalabari)**	**20,000**
Total:	**1,858,000**		**515,000**

Source: T. N. Tamuno, ***The Evolution of the Nigerian State , The Southern Phase , 1898 -- 1914.*** **London: Longman group** Ltd, 1972, p. 223.

Appendix D: Map 2.1 Map of Nigeria with Major Ethnic Groups



Major Peoples: Yoruba, Igbo, Fulani, Hausa[1]

Appendix E Table 2.2 Early Population of Malaysian Ethnic Groups

Area		Population	% of Population
Federation of Malay	Malay:	3,125, 474	49.8%
(Malay Peninsula)	Chinese:	2,333, 756	37.1%
	Indian:	696, 186	11.1%
	Total:	6,278, 578	98.0%
Singapore	Malay:	197, 059	13.6%
	Chinese:	1,090, 596	75.4%
	Indian:	124, 084	8.6%
	Total:	1,445, 929	97.6%
Sarawak	Malay:	129, 300	17.4%
	Chinese:	229, 154	30.8%
	Indian:	2, 355	0.3%
	Indigenous:	375, 154	50.9%
	Total:	744, 529	99.4%
Sabah	Malay:	26, 429	5.8%
	Chinese:	104, 542	23.8%
	Indian:	3, 180	0.7%
	Indigenous:	3 00, 941	66.2%
	Total:	454, 421	95.7%
Federation of Malaysia	Malay:	3,478, 262	38.8%
(Grand Total)	Chinese:	3,758, 048	42.1%
	Indian:	825, 805	9.2%
	Indigenous:	676, 095	7.7%
		8,923, 673	97.8%

Europeans and Eurasians are included in the figures of total population of each category, but have not been listed separately since they do not constitute significant group within the unit that formed the federation of Malaya:**Source:** *DemographicYearbook,*

[1] Source: Net. Http://www.uiowa.edu/~africa/toc/countries/nigeria.html

Appendix F: Map 2.2 States in West Malaysia

West Malaysia is also referred to as Peninsular Malaysia

Appendix G: Map 2.3 Map 2: States in East Malaysia)

East Malaysia also referred to as Borneo

Source: http://www.mymalaysiabooks.com/malaysia/Malaysia_states.htm Sabah & Sarawak

Appendix H Figure 6.1
The Congregation of Ethnic Army and the 1966 Revolution in Nigeria

(1) PRINCIPAL ACTORS AND VICTIMS IN THE JANUARY 15, 1966 REVOLUTION

	Actors		Victims	
	Majors		*Brigadiers*	
1	Chukwuma K. Nzegwu	Igbo	Sam A. Ademulegun	non-Igbo
2	mmanuel Ifeajuna	Igbo	Z. Miamalari	non-Igbo
3	D. Okkafor	Igbo	*Colonels*	
4	C.I.Anuforo	Igbo	K. Mohamed	non-Igbo
5	I.H.Chukuka	Igbo	Ralf A. Sodeinde	non-Igbo
6	T.Onwuatuegwu	Igbo	*Lt.Cols*	
7	Adegbyega	Non-igbo	Y.Paur	non-Igbo
	Captains		A.C.Unegbu	non-Igbo
8	G.O.Oji	Igbo	Major Sam Adegoke	non-Igbo
19	Gbulie	Igbo		
10	E.N.Nwobosi	Igbo		
11	Lt.B.O.Oyewole	non-igbo		
	2nd LTs			
12	N.S.Nwokocha	Igbo		
13	Ojukwu	Igbo		
14	Azubuogu	Igbo		

(2) PRINCIPAL ACTORS AND VICTIMS IN THE COUNTER-COUP OF JULY 29, 1966

	Victims		
	Lt. Colonels		*The counter-coup was masterminded*
1	I.C. Okoro	Igbo	*and executed entirely by Northern*
2	G. Okonweze	Igbo	*Officers in the army.*
	Majors		
3	T. E. Nzeogwu	Igbo	
4	B. Nnamani	Igbo	
5	C.C. Emelifeonwu	Igbo	
6	J.I. Obienu	Igbo	
7	P.C. Obi	Igbo	
8	Ibanga Ekanem	non-Igbo	
9	O.U.Isong	non-Igbo	
10	A.Drummond	non-Igbo	

Source: adopted from, Ema I. Orji, Issues on Ethnicity and Governance in Nigeria: A Universal Human Rights Perspective, *Fordham International Law Journal,* Volume 25 No.4 (2001):431-482, here p. 447.

Appendix I. Table 6.1 List of Ethnic and religious Clashes in Nigeria 1754-1817 &1960-2002

Date	Regime	Description of Conflict
1754-1817	Pre-Independence	Usmandan Fodio Jihad which led to the conquering of the Hausa States in Northern Nigeria
1960-1966	First Republic	External mutual respect but internal spite and Disaffection
1967-1970	Civil war period	Although not a religious war, Biafran propaganda argued that they were fighting and resisting Muslim expansion.
1970-1975	Gowon regime	Religious cold war. Christian Mission schools in the South were taken over by Govt. but Koranic schools in the North were funded and preserved by Government
1976	Murtala/Obasanjo Regime	Sharia controversy during the drafting of the 1979 Constitution: To have provisions of the Sharia written into the laws providing for the supreme Court of Nigeria. The compromise reached was the establishment of Sharia Courts and Customary Courts of Appeal at the State level for those States that deserve them.
18- 29/12/1980	Shagari Regime	Kano Matatsine Riot when a Muslim sect attacked all those they considered pagans and infidels including Muslims that did not belong to their sect, approximately 4,179people lost their lives.
10/1982	Shagari Regime -	Burning of Churches in Kano. This has been described as the first open and violent religious conflict between Christians and Muslims allegedly caused by the laying of the foundation of a Christian Churh near a Mosque
26/10/1982	Shagari Regime	Two years after the Maitatsine riot, some members of the group escaped to Maiduguri and a violent episode occurred when police tried to arrest them for allegedly threatening the lives of the people of Bulumkutu area of Maiduguri.
27/2/1984	Buhari Regime -	The Jimeta uprising by members of Matatsine Movement who survived the Bulumkutu Riot
29/5/1985	Buhari Regime	With the crushing of the Jimeta riot, Musa Makanaki, who was in charge of defence in the Jimeta uprising moved to his home town Gombe and settled with other surviving Maitatsines. After a few months, another riot broke out.
1/1986	Babangida Regime	Nigeria applied for membership of Organisation of Islamic Conference (OIC)
3/1986	Babangida Regime	The Ilorin disturbances. A Christian procession during Palm Sunday angered the Muslims and they attacked the Christians. Eight persons were injured and two churches were damaged.
3/5/1986	Babangida Regime	The Students Union of the Usman dan Fodio University organized a gala night to commemorate the achievements of Nana Asaman, the daughter of Usmandan Fodio. Among the events scheduled for the night was a Miss Nana Beauty contest. This angered the Muslim students Society who thought that it was absolute abomination to associate the name of Nana, a virtous woman with the parade of nude girls in the name of beauty contest. They stormed the scene of the programme which led to a fight.
5/1986	Babangida Regime	Clashes between Bassa and Gbagyi against Ebira in Nasarawa State
5/5/1986	Babangida Regime	On 5 May 1986, the University of Ibadan Statue of the risen Christ was burnt by unknown persons.
18/7/1986	Babangida Regime	Muslim Students Society of the University of Ibadan demonstrated on campus destroying offices and halls of residence with inscriptions “cross must give way to the mosque”
6/3/1987	Babangida Regime	During the Federation of Christian Students Annual Fellowship in Kaduna, a preacher and convert from Islam, Bello Abubakar from Kano State was attacked by Muslims mainly of the Izala group. The crisis spread to Zaria and Kafanchan. The Christian Association of Nigeria recorded that 153 churches were burnt.
3/1978	Babangida Regime	In Zaria, the land that has been housing St. Michaels’ Church for 50 years belonged to Muslims and they demanded the land back. The Christians refused and it led to fighting
5/1988	Babangida Regime	A clash occurred between Izala Muslim movement and Darika Muslim group over disagreement on the conduct of Ramadan Koranic reading
6/1988	Babangida Regime	Violence broke out at the Ahmadu Bello University when it became clear that a Christian student would win the Students union election. Earlier, the Student (Mr. Stephen) had earlier campaigned on the slogan of “a vote for Steve is a vote for Christ”
20-22/4/1991	Babangida Regime	A ten year old Muslim boy bought Suya meat from a Christian. Another young boy challenged the boy that the Suya bought from the Christian could have been pork or dog meat. This led to fight.
11/10/1991	Babangida Regime	A group of Muslim Youth attacked people in Sabongari and Fagge area of Kano metropolis as a protest against the religious crusade organized by the State Chapter of Christian Association of Nigeria with a renown German Preacher Reinhard Bonke.

10/1991	Babangida Regime	A Story in Fun Times, a Daily Times of Nigeria Publication tried to show that a prostitute who repents can lead a decent life. He gave examples with the Bible & Koran. He mentioned that "Prophet Mohammed had an affair with a woman of easy virtue and later married her" . An Islamic preacher used this to mobilize against the Governor of the State who is a Christian and they destroyed the offices of Daily times.
4/1992	Babangida Regime	On 2 April 1992 there was an uprising in Bauchi which led to the destruction of many Churches and Mosque. The clash was over the use of abattoir in Tafawa Balewa town. The abattoir had three sections: one for the Izala Muslims, one for the other Muslims and the other for the Christians. The Muslims protested the "Desecration" of the abattoir and this led to the clash.
5/1992	Babangida Regime	In Zangon –Kataf, the Local Govt Chairman Mr. Ayoke, a Kataf Christian, ordered the relocation of a market. The order was opposed by Alhaji Mato, the Uncle of Dabo Lere the then Governor of Kaduna State. This led to a fight.
12/4/1994	Abacha Regime	Clashes as a result of protest over the appointment of an Hausa man as the Chairaman of the Caretaker Management Committee of Jos North Loca Government
15/5/1999	Obasanjo Civilian Regime	Struggle for Local Government Headquarter in Niger Delta. 200 people died.
18/7/1999	Obasanjo Civilian Regime	Clashes between Hausa and Yoruba over traditional rites in Shagamu. 60 people were killed.
22/7/1999	Obasanjo Civilian Regime	Clashes between Hausa and Yoruba, retaliation to Shagamu's conflict in Kano. 70 people were killed.
5/8/1999	Obasanjo Civilian Regime	Clashes between Ijaw & Ilaje over oil rich land in Niger Delta.
11/8/1999	Obasanjo Civilian Regime	Conflicts between Kutebs and Chambas (causes unknown) in Taraba state. 200 people were killed.
9/9/1999	Obasanjo Civilian Regime	Conflict between the Yoruba separatist and the Oduas People Congress in Lagos. 16 people were killed.
4/10/1999	Obasanjo Civilian Regime	Fight over the control of land near Nigeria's biggest oil Refinery at Port Harcourt between Okrikas & Elemes 30 people were killed.
21/11/1999	Obasanjo Civilian Regime	Ijaw Youth were accused to have killed12 Policemen in Niger Delta. The retaliation of the Federal government to the above accusation by the Military led to the death of 60 civilians.
25/11/1999	Obasanjo Civilian Regime	Riot between Yoruba and Hausa over the control of a market in Lagos. 100 people died.
21/2/2000	Obasanjo Civilian	Fight between Muslim and Christian in Kaduna.100 people died.
27/5/2000	Obasanjo Civilian	Crisis between the Urhobo and Itsekiri near the oilrich town of Warri in Niger Delta.
21/6/2000	Obasanjo Civilian	Proclamation of Sharia law in Kano.
25/6/2000	Obasanjo Civilian	Fight between Tiv and Hausa speaking ethnic group in Nasarawa.
15/10/2000	Obasanjo Civilian	Four days fight between OPC and Hausa Fulaniin Lagos. 100 people died.
18/10/2000	Obasanjo Civilian	Three days fight between OPC and Muslim Hausa Fulani in Lagos. 100 people died
26/11/2000	Obasanjo Civilian	Implementation of Sharia Laws in Kano.
7/8/2001	Obasanjo Civilian	Conflicts between Muslims and Christians in Jos 165 died while 900 were injured.
12-23/10/2001	Obasanjo Civilian Regime	Communal fights between the Tiv and Jukun. The Military intervention led to the death of 19 Soldiers and 200 Civilians.
25/10/2001	Obasanjo Civilian	Clash between Itsekiri and Uhrobo in Niger Delta. 5 people were killed Regime.
11/2001	Obasanjo Civilian Regime	Relocation of Sanga Local Government Headquarter in Kaduna State. 10 people were killed.
4/5/2002	Obasanjo	Political parties crisis in Jos (PDP**)**
13/10/2001	Obasanjo Civilian Regime	Violent riots in Kano against USA led air strikes on Afghanistan 8 People were killed and 5 Churches burnt.
11/2001	Obasanjo Civilian Regime	Another Ethnic crisis between Junkun/Chamba Settlement in Taraba State. 50 people were killed.
4/2002	Obasanjo Civilian	Conflict between Olusola Saraki's faction versus Governor Lawal's faction at Ilorin the Headquarters of Kwara state. One killed and property worth millions of Naira were destroyed**.**
2/2002	Obasanjo Civilian	Ethnic Conflicts btw Hausa and Yoruba in Lagos.
15/10/2002	Obasanjo Civilian	Ethnic crisis in Jos, the headquarter of Plateau State 16 people killed.

Sources, (Adopted from Udoidem), 1997:154-181, Ikubaje, 2002 and CFCR, 2002 http://www.encburma.net/index.php/feature/54-feature/166-nigerias-experience-in-managing-the-challenges-of-ethnic-a-religious-diversity-through-constitutional-provisions.html Retrieved 23/4/2012

Appendix J. Table 6.2 **Admissions to Nigerian Universities by zone of origin, 2000 -2001**

Zone,	Population in millions & (%) in National Population.	Number of all post-primary institutions in 1989 & (%) of total.	Number of admitted candidates to universities.	Percentage of total university admissions
Northwest	22.9 (25.8)	567 *(9.7%)*	2341	4.7
Northeast	11.9 (13.4)	343 *(5.9%)*	1979	3.9
Northcentral	12.1 (13.6)	1022 *(17.5%)*	5597	11.1
Southwest	17.4 (19.6)	1575 *(27.0%)*	8763	17.4
Southeast	10.8 (12.1)	1208 *(20.7%)*	19820	39.4
Southsouth	13.3 (15.1)	1114 *(19.1%)*	11734	23.3

Source: adapted from www.jambng.com; Federal Republic of Nigeria (FRN), 2001; *Tell*, November 14th 1994, p. 15.

Appendix K. Table 6.3 **Pattern of Project Allocation by the PTF, 1994-1998**

Geo-political Zones and component states	*Projects*					
	Road rehabilitation programme: Total distance in km		Health rehabilitation Programme: Total number of contracts		Education rehabilitation programme: Total number of contracts	
	No	%	No	%	No	%
South-West: Ekiti, Lagos, Ogun, Ondo, Osun, Oyo.	1,984.50	10.84	-	-	51	5.29
South-East: Abia, Anambra, Ebonyi, Enugu, Imo	977.9	5.34	31	6.53		
South-South (Niger Delta): Akwa-Ibom, Bayelsa, Cros River, Deta, Edo and Rivers	1,478.03	8.07	31	6.53	188	19.48
North-West: Jigawa, Kaduna, Kano, Kebbi, Sokoto and Zamfara	5,020.00	27.42	263	55.37	336	34.82
North-East:Adamawa, Bauchi, Bornu, Gombe, Taraba and Yobe	4, 299.44	23.48	2	0.42	212	21.97
Total	18310.9		475		965	
North	13,870.47	76	381	80	687	71
South	4,440.43	24	94	20	278	29

Source: Adapted from *TELL* Magazine1999: 24-27 - as cited by Ibaba S. Ibaba, Alienation and Militancy in Niger Delta, p. 17.

Appendix L, Table 6.4 **The Search for a Viable Federation in Nigeria.**

Year	Number of Regions or States	Extent of Regional or State authority	Regime Type
1914	2	Very high	Colonial
1954	3	Very high	Colonial
1963	4	High	Democratic
1967	12	Low	Military
1976	19	Low	Military
1979	19	Medium	Democratic
1991	30	Low	Military
1996	36	Very Low	Military
1999	36	Medium & rising	Democratic

Source: World Bank. (see, as cited by Paden) [2]

[2] John N. Paden, Unity with Diversity toward Democratic Federalism, in Robert I. Rothberg (ed), *Crafting the New Nigeria: Confronting the Challenges*, Lynne Rienne, Colorado: Publishers, Inc. 2004, p. 19.

Appendix M. Table 6.5

Some Nigerian Communities and their Reactions to the New Local Governments

State	LGA	Community	Nature of Dissatisfaction	Community Reaction
Anambara	Oguta	Awgbu	Wanted to be excised from Aguata in order to be merged with Anaocha	Protest to state govt.
	Oyi	Awkuzu	Dissatisfaction over sitting of L.G Headquarter at Umnya	Protest and petition to State Government
	Awka	Amawbia	Dispute over control of old Local Government Station	Petition to state government. Dissatisfaction between Amawbia and Awka communities
Bendel	Enuani	Ubuluku	Dislike sitting of new Enuani L.G Headquarters at Nzukwa. Suspicion that a member of the state house who hails from Nzikwa worked against the interest of Ubuluku	Protest march and demonstration at the premises of the Bendel State House of Assembly
	Isemeyin	Ibrede	Wanted new L.G Headquaters sited in Ibrede not in Aboh. Feared its minority status among Ukwanu speaking people, wanted its own local government or merger with another Isoko-speaking L.G.A	Threat to expel all Aboh people in Ibrede and to recall Ibrede people from Aboh.
	Etit-Ukwani	Otagb Ogbe	Regard removal of Kwale as Headquarters of Etiti Ukwani as robbery. Kwale had been L.G Headquarters since 1930s	Demonstration at the State Assembly chanting war songs.
Cross River	Afi	Nde Edor	Edor is unhappy with sitting of L.G Headquarters outside Mgbaka	Threat of court action against state government
	Boki	Okondi	Not happy with sitting of L. G. Headquarters at Nwup	Violent clash between Okomdi and Boki communities
Imo	Njaba	Amucham	These communities are opposed to having Umuaka as Headquarters of Njaba L.G.A	Physical violence; Attack on chair and supervisory councilor of new L.G.A
	Akaokwa Arondizogu	Akokwa	Dislike sitting of Headquarters of L.G.A at Ndiawa and inclusion of 3 Aro communities to another Senatorial district	Protests, petitions, demonstrations, threats to go back to Ideato L.G.A.
		Arondizogu	Dissatisfaction over legislative decision to site L.G. Headquarters at Ikpachara	Petition to the legislative and executive press release
Ondo	Owo	Irekari area (comprising Ido-Ani, Idogun, Afo, Sekere and Kajola)	Dislike merger with Ekamaru	Protest letters to State Governor and to speaker of Ondo House of Assembly. Threat court action against state government.
		Ifedore Igbara-Oke	Not happy with sitting of L.G. Headquarters at Ijara. Wanted L.G Headquarters sited at Mariwo	Press conference threat to go to "war".
		Oke-Igbo	Rejected merger with any other communities. Wanted its own L.G.	Threat to declare a "peoples Republic of Ok-Igbo".
Rivers	Bori	Babbe	Dislike over merger with Kenkhan district. Wanted its own district	Petition State Governor

Source: *National Concord* June 15, 1982; *Daily Times* May 28, 1982

Apendix N Table 6.6

LIST OF (25) PERSONALITIES INERVIEWED IN NIGERIA								
Name	**Title**	**Profession**	**Affiliation**	**Rank**	**Age**	**Date**	**Place/T**	**Origin**
Anyanwu, O.	Dr.	Lecturing	University og kentucky	Ass. Professor	42	7/8/2010	Email	Eastern Nigeria (Igbo)
Anyaehie, E. O	Dr.	Lecturing	Abia State University	Professor	65	20/5/2012	Abia	Eastern Nigeria (Igbo)
Arisukwu, J. C.	Mr.	Civil Servant	Civil service Owerri	Deputy Director	52	20/3/2012	Owerri	Eastern Nigeria (Igbo)
Anonimous 1	Mr.	Crime Investigation	EFCC	Top Rank	55	10/3/2012	Email	Middle Belt Jos (Hausa/Fulani)
Anonymous 2	Mr.	Crime Invest	EFCC	Top Rank	50	10/3/2012	2.10pm-2.45pm	Western NigeriaYoruba)
Anonymous 3	Mrs.	Crime Investigation	EFCC	Top Rank	55	11/3/2012	2.0pm – 2.40pm	Niger –North (Hausa/Fulani)
Anonymous 4	Mr.	Crime Investigation	EFCC	Deputy Detective	48	11/3/2012	10.00am-10.30am	North Maiduguri(Hausa/F)
Anonymous 5	Mr.	Crime Unit	N.F.I.U	Deputy Detective	53	11/3/2012	Email	Western Nigeria (Yoruba)
Ebirim, D. C	Dr.	Retired	Alvan Ikoku Coll.of Edu.	Associate Professor	70	17/3/2012	Email	Eastern Nigeria (Igbo)
Ezeji, E.	Rev. Canon	Clergy	Anglican Communion	Vicar	40	30/7/2010	Ehime 9.ooam-9.45am	Eastern Nigeria (Igbo)
Etiuzalle, E. L.	Lawyer.	Aw Practice	Law chamber Ikoyi-Lagos	___	50	12/7/2010	Abuja 11.45am-12.15pm	Eastern Nigeria (Igbo)
Hamaadama, S.	Alh.	Civil Servant (Retired)	Fed.Urban Mass Transp.	Deputy Director	70	28/6/2010	Abuja 2-2.45pm	North – Niger (Hausa/Fulani)
Ibrahim. H.	Mr.	Crime Unit	Nigeria Fin. Int. Unit	Deputy Detective	__	10/3/2012	Email	Kaduna North (Hausa/Fulani)
Madu, E. M.	Dr.	Consultant	Owerri	CEO	57	30/6/2010	Ehime 9-945pm	Eastern Nigeria (Igbo)
Malami, H. U.	Dr.	Lecturer	Usmandan F, Uni. Sokoto	Senior Lecturer	-	15/3/2012	Email	North – Sokoto (Hausa/Fulani)
Musa, U.	Mr.	Public Servant	CAC Abuja	DM (Customer Service	45	11/7/2010	Abuja 12-12.30pm	Middle Belt
Nonso, p.	Mr.	Crime Investigation	___	Deputy Detective Superintendent		13/3/2012	Email	Eastern Nigeria (Igbo)
Nwankwo, F. O.	Mr.	Corporate Business	Estate Management	CEO	53	15/9/2010	Email	Eastern Nigeria (Igbo)
Obe, A. A.	Mr.	Media Service	National Press center	Head	52	29/6/2010	Abuja 9-10am	Western Nigeria (Yoruba)
Okwun, C.	Dr.	Lecturer	University of Malaya	Senior Lecturer	54	15/9/2010	UM12.1-1.10pm	Eastern Nigeria (Igbo)
Ofor, N.	Lawyer	Law prractice	Chamber Ikoyi, Lagos	__	56	13/7/2010	Abuja 2-230pm	Eastern Nigeria (Igbo)
Onyemechalu, N	Lawyer	Law practice	Madona Chamber	__	___	13/7/2010	Abuja 1-145pm	Eastern Nigeria (Igbo)
Oragba, T	Pastor	Gospel Minister	Ambassey of Refuge	Head	53	13/8/2010	5.25-600pm	Eastern Nigeria (Igbo)
Sowe, M. A.	Mr.	Civil Servant	ICPC Abuja	Head Public Enlightenement	57	25/6/2010	Abuja 12-12.45pm	Western Nigeria (Yoruba)
Uchenna, O. A.	Mr.	Magistrate	Judiciary	Senior Magistrate Grade II	-	15/3/2012	Email	Eastern Nigeria (Igbo)
Yusuf, A. H.	Alh.	Civil Servant	Fed. Min. of Justice	Deputy Director	65	28/6/2010	Abuja 3-3.30pm	Northern Nigeria (Hausa/Fulani)

Appendix O. Table 6.7

LIST OF (25) PERSONALITIES INTERVIEWED IN MALAYSIA

Name	Title	Profession	Affiliation	Rank	Age	Date	Place & Time	Origin
Abubakar, M.	Professor	Lecturing	University of Malaya	Academic Professor	7o	31/1/2012	UM 11.30-12pm	Malay
Amanath	Dr.	Academics	Gemiland College	Rector	6o	18/10/2010	KL office 12-12.45pm	Indian
Amin, M.	Mr.	Civil Servant	Min. of Information	Senior Ex. Officer	60	21/10/2010	11.10-am 11.45amKL	Malay
Asmi	Dr.	Researcher	Asia Europe Institute UM	Deputy CEO	60	19/10/2010	AEI 2.30-3.20pm	Malaya
Anonymous	Mr.	Civil servant	___	___	83	26/5/2012	2-2.55pm	Chinese
Anonymous	Mr.	Retired		____	80	23/3/2012	11.20-11.40am	Indian
Chen, p.	Dr.	Clergy/	River of Life	Head Pastor	70	16/2/2012	11.15-11.45	Chinese
George, B.	Dr.	Surgeon	George Specialist	CEO	85	18/10/2010	KL office 2-2.45pm	Indian
Hok, L.Y.	Mr.	Estate Management		Rector	60	18/10/2010	KL 9.930am	Chinese
Hitam, M.	Tun	Deputy PM Malaysia (former)	WIEF	Chairman	78.	12/3/2012	KL office 2-3.10pm	Malay
Inck, J. P	Mr.	Property Investment Adviser	___	General Manager	66	11/5/2012	2-2.40pm	Chinese
Jaafar, M. A.	Dato	Former Envoy	Asia Europe Institue UM	Senior Research Fellow	67	11/10/2010	AEI office 4-4.45 pm	Malay
Jedidiah, J. D	Pastor	Clergy/Businee	TAIC	Pastor/CEO	60	10/10/2010	2-245pm	Indian
Judah, A.	Puan	Civil Service	Min. of Info/cult.	Chief Ass. Sec	53	21/10/2010	Office 10.15am-10.50am	Malay
Kim, K. K.	Professor Emeritus	Profesor (Retired)	Human Rights Comm Malaysia	Commissioner	78	11/10/2010	UM 1-1.45pm	Chinese
Kumar, J.	Dr.	Retired Pharmacist	_____	____	75	24/5/2012	Email	Indian
Leong, T. C.	Mr.	Retired Banker	MayBank	Manager	70	25/5/2012	9.30-10am	Chinese Selangor
Mahathir, M.	Tun Dr.	Medical Doctor/ PM	Malaysia	4th Prime Minister Malaysia	86	14/2/2012	Twin Tower 3.30-4.15pm	Malay
Shafeje, M. A. B.	Mr.	Civil Servant	Min of Info.	Senier Ex. Officer	59	21/10/2010	11-11.45am	Malay
Shamsul A. B	Professor	Senior Lecturer	UKM.Founder, Institute of Ethnic Studies	Malaysia's Distinguished Professor	68	23/3/2012	UKM office 9-10am	Malay
Sivanathan, S.	Engineer	Mechanical	Stemtech	____	60	27/5/2012	11-11.45am	Indian
Tan, K.	Mr.	Businessman	Prince of Peace	CEO	55	30/5/2012	OUG office 5.5.45pm	Chinese
Theoh, L.	Mr.	Banking	___	Member, Board of Directors	66	19/10/2012	9-9.45am PJ	Chinese
Wong, J.	Mr.	Training	Master Weld Academy	CEO	75	22/5/2012	Email	Chinese
Woon, E.	Engineer	Manufacturing	Auto	CEO	60	28/5/2012	Email	Chinese Sel'gor

Appendix P. Sample of Letter to Some of the Personalities Interviewed

Dept. of International Relations and Strategic Studies
Faculty of Arts and Social Science, University of Malaya
30/12/2011

His Excellency,
YABhg Tun Dr. Mahathir Mohamad
Hon.President, Perdana L. Foundation, Putrajaya

Your Excellency,

Request For 30 Minutes Academic Research Interview on Malaysia
Chukwunenye Clifford Njoku Ph.D Candidate AHA080051 UM.

Subject refers; I am delighted to approach Your Excellency on this timely and important segment of my academic work at the University of Malaya that requires your comments. I am from Nigeria - a Ph.D student of International Relations at the University of Malaya. I am under the supervision of Assoc. Prof. Dr. Hamidin Abd, Hamid, and Dr Trevor Williams Parfitt as my second supervisor. The title of my thesis

The Challenges of Ethnic Conflict in a Plural Society, and Federalism in Mitigating Conflict: Nigeria and Malaysia in Comparative Perspective

Your Excellency, my arrival in Malaysia for my Master's degree in 2005 opened my eyes to see a peaceful and progressive country, and I developed passion about Malaysian society which led to this fresh study, with the intent to compare and give suggestions for changes in Nigeria. The background of this study stems from misrule as the root of continued ethno-religious and political tensions in Nigeria since its birth as an independent nation. Although the core reason and the genesis of the country's retarded growth and development in part stems from its pre-independence rivalries orchestrated by hatred and strong cleavages among its competing main ethnic groups that seems to portray 1960 independence as a mere conjecture. Of course, this was intensified by the British colonial rule.

Today tension looms in Nigeria due to fierce contestations by groups, expressed in regular ethno-religious blood bath, communal conflicts, guerilla warfare etc. In a nutshell, Economic stagnation, mass poverty, endemic corruption, political instability, inept leadership, weak institutions, and ethno-religious conflicts are found elsewhere but Nigerian experience is fiercely dangerous. However, this thesis reconciles these differences and prevailing situation in Nigeria within the embrace of Malaysia – a harmonious, progressive and federated state whose similar society has peacefully endured for over half a century. As a multiethnic, racial and religious society, (apart from May 1969 Riot), Malaysia presents a sharp contrast to Nigeria in terms of its political stability since its independence in 1957. Malaysia's religious tolerance is enhanced by good moral orientation which has helped to forge good inter-ethnic relations, thus bringing about stability in governance. In other words, Malaysia has been free from any form of conflict and military coups since its independence while corruption rate is minimal. Its fast growth and development has put the country ahead of most developing countries with the current target of attaining a fully-developed country by year 2020.

Your Excellence, I decided to brief you on the background of this study for you to understand where I'm coming from. Given this, I intend to engage in this study to uncover the underlying factors that have for so long permitted poor governance in Nigeria. Sir, I did my "Candidature Defence" in November 2011, and the University Defence Evaluating Team was impressed about this research work. Sir, among others, your administration and positive impact on Malaysia feature greatly in this study. They suggested that apart from my previous interviews, that I should try and incorporate oral interview comments from Your Excellency to enhance the quality and authenticity of this scholarly work, hence this request. Please Your Excellence, I would be highly delighted if you could invite me within January 2012 for few minutes interview. My first supervisor, Assoc. Prof. Dr. Hamidin Abd. Hamid (CEO Razak School of Government) is aware of this request. Your Excellency, I thank you immensely for this privilege and consideration.

Yours faithfully,
Chukwunenye Clifford Njoku
Ph.D Candidate AHA080051 UM