

**INTRODUCTORY
TEXT IN
POLITICAL
SCIENCE**

*Rotimi Ajayi
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Chapter Seven

FORMS OF POLITICAL ADMINISTRATION SYSTEM

Daniel Eseme Gberevbie. PhD

7.0 Introduction

The systems of administration in Nigeria since independence in 1960 can best be appreciated in the individual periods: the first period is 1960-1966 when the Nigerian state was administered under a federal and parliamentary system; the second period is 1966-1979; the third period is 1979-1983; the fourth period is 1984-1999, when Nigeria was administered under a unitary system of government and military rule; and the fifth and current period is 1999-2012, a time that the Nigerian state has adopted a presidential system of democratic

government (democratic presidentialism). In this chapter, the systems of administration as practiced in Nigeria since 1960 to date are discussed. These systems, specifically, are: parliamentary, unitary, federal, presidential, military and confederal systems of government.

7.1 What is a Parliamentary System of Government?

The parliamentary system of government is a government that is made up of the head of state (Prime Minister, Chancellor or Premier, or any other title), and his ministers appointed by the President on the advice of the Prime Minister that holds executive power of the state (Okoli & Okoli, 1990). The Prime Minister holding executive power heads the cabinet. The cabinet is the policy-implementing structure or body in a parliamentary system of government. There is no limit or fixed number of people that make up a cabinet, but the prime minister has the political right to appoint any one as his cabinet minister and others of a non-cabinet status, what is called a non-cabinet minister.

According to Harris (1978), one of the essential features of a parliamentary system of government is its close relationship with the parliament (p. 94). The parliament

makes the law and the parliamentary executive, made up of the Prime Minister and his cabinet who are also members of parliament, implements the law.

7.2 The Appointment and Tenure of the Prime Minister

In a parliamentary system of government, the prime minister is a very powerful figure. The prime minister holds the full executive power, while the office of the President or Governor-general is a ceremonial position. The head of state or president appoints the prime minister. The president do not just appoint any body, however; it must be the leader of the party with majority of members in the parliament. In the case of Nigeria during the first republic (1960-1966), the president, Dr Nnamdi Azikiwe, appointed as Prime Minister Alhaji Tafawa Balewa who was the leader of the Northern People's Congress (NPC) with majority of members in the parliament. Also, the prime minister remains in office for as long as he enjoys the support of majority of members of parliament. Once members of parliament withdraw their support for the prime minister, it means that the government is defeated and the prime minister must resign from office (Asia, 2000). As observed by Adigwe (1979), once the prime minister dies or resign, his cabinet also resigns with him (p. 57).

7.3 The Powers and Functions of the Prime Minister

In a parliamentary system of government, no policy of government can be carried out without the support of the prime minister. This is because the prime minister holds the executive power and selects his cabinet ministers. He is the one that determines who among the ministers should become a cabinet or non-cabinet minister. The prime minister presides over the cabinet, and he is the leader of the party with majority of members in parliament, which gives him an advantage to get his policies approved by parliament (Ikelegbe, 1988).

7.4 Ministers under the Parliamentary System of Government

Ministers under the parliamentary system of government are also members of parliament. They take part fully in the deliberation of legislative issues in parliament and vote in cabinet to take collective decisions during cabinet meetings (Asia, 2000).

7.5 Political Parties and Parliamentary System

Party discipline is highly enforced under the parliamentary system of government. This is because once party with majority of members in parliament fails to support

government policies and programmes, then that government is bound to fail and the prime minister will have to resign. Also, the parliament will be dissolved for a fresh election to take place. As a result of the likely dissolution of parliament once government policies are defeated in parliament, loyalty of party members to the party in government (in the aspect of support) is highly encouraged and enforced by the party in power (Ikelegbe, 1988).

7.6 Functions of the Cabinet in a Parliamentary System of Government

Under the parliamentary system of government, the cabinet – made up of the prime minister and his cabinet ministers – perform important functions of formulating policies, bills and deciding the bills to be introduced in parliament. Whatever decisions taken at the cabinet level is binding on all members of the cabinet. What this means is that if there is any disagreement it must be resolved at the cabinet meeting before it gets to parliament. Once any issue or bill gets to parliament, the success or otherwise at its being passed into law and being implemented becomes a collective responsibility of all cabinet ministers (Asia, 2000).

The cabinet serves as the link between the executive (to which they belong) and the parliament (to which they

also belong). The cabinet can be seen as a stabilizing force under a parliamentary system of government. It can be said that the cabinet controls the parliament. This is because whatever bills that are rejected by the cabinet are also rejected by the parliament (Ikelegbe, 1988). King (1988) pointed out that during Nigeria's first republic (1960-1966), the Nigerian constitution under the parliamentary democracy conferred exclusive, concurrent and incidental or supplementary powers on the central government, regional/central governments, and those necessary for the exercise of exclusive powers, respectively. The parliament could exercise powers over at least 44 items among which were: defence, external affairs, exchange control, export duties, extradition, nuclear energy, passports and visas, to mention a few. The concurrent legislative list included 29 items on which the central government could legislate jointly with the regional governments. This list included among others: census, higher education, national parts, health, and others.

The constitution however established the supremacy law. The supremacy law stated that any law made by the regions that was in conflict with the central or federal law, the central or federal law took the precedence and the law passed by the region became null and void.

Under the 1960-1966 parliamentary system of government, the constitution also gave national powers to the central or federal government. These powers could be expanded indefinitely through the exercise of emergency powers. The parliament was empowered to make laws for Nigeria or any part thereof with respect to matters not included in the legislative list, if it appeared necessary for securing peace, order and good government. The constitution specifically defined what constituted an emergency and restricted its usage to emergency period only (King, 1988).

7.7 What is a Unitary System of Government?

The unitary state is a system whereby the central government dominates other levels of government (Bealey, Chapman & Sheehan, 1999). Although there may be subunits or constituents in a unitary state, these units are subject to erosion (overridden) by the central government. All laws of any importance will usually emanate from the central government, similarly. A unitary system of government or constitution therefore is the one that gives recognition to only one level of government as supreme – that is, central government. Under the system, every other subunit is subservient to the central government.

Okoli and Okoli (1990) aptly noted that the power to make laws for the whole country under the unitary state is solely vested on the country's legislature, which is usually a unicameral legislature (p. 47). Other agencies of government that make laws do so by the power of delegation given them by the central legislature. Indeed, the central legislature also has the power to scrap such bodies or agencies. Under the unitary system, for instance, local governments are the creation of the national or central legislature, and not that of the constitution as obtainable in a federal state. The central legislature does delegate some powers and functions to the local governments so as to cater for the peculiar needs of the local people. But these powers so delegated could be withdrawn by the central legislature at will.

Idahosa (1994) pointed out that in a unitary state the local government system is weak because of the centralized or integrated and unified nature of the central government. Local governments under the unitary system lack the autonomous nature as it is in a federal state like Nigeria. There is no line of demarcation between local and central responsibilities because it operates as part of the hierarchy of national planning. Examples of countries that practice the unitary system of government include Britain, Ghana, France, among others.

7.8 Merits and Demerits of Unitary System of Government

The unitary system of government has its own merits: the government expenditure is relatively reduced because there is no duplication of government ministries and parastatals; the system allows for better and greater control of government functionaries; it encourages nationalist spirit and reduces different areas of conflict; and loyalty is only to the central government as recognized by the constitution of the country. However, there are demerits associated with the unitary system of government: the system is often characterized as dictatorial because of the concentration of power on only one level of government; and it is a system not suitable for a large country with multi-cultural diversity and religious differences, such as Nigeria (Okoh, 1995, pp. 183-207).

7.9 What is a Federal System of Government?

According to Wheare (1953), federal system or principle means the method of dividing powers so that central and regional or federal and state governments are each within a sphere, co-ordinate and independent. For Nwabuaze (1983), a federal system of government or federalism is a constitutional device by which powers

within a country are shared among the major tiers of government, than among geographical entities. On their part, Frantzich and Percy (1994) stated that a federal system of government or federalism is the legal and political relationships among two or more units of government that operate at different levels. They posited that in a federal system the responsibility for governing is shared between one national government and multiple sub-national units. Taking Nigeria for instance, the federal system of government involves the sharing of government powers between the federal government at Abuja (the Federal Capital Territory), the thirty-six (36) states of the federation and 774 constitutionally recognized local government councils.

In the same vein, Mimiko (2007) argued that the important points to note about a federal system of government are: (i) division of governmental powers; (ii) division is constitutional; (iii) both governments have independent as well as shared powers; (iv) neither government owes its legal existence to the other; and (v) neither government may dictate to the other (p. 303-316). The unique thing about a federal system of government therefore is the fact that the component units are not subordinate to one another, but they derive their existence from the constitution. Nnamdi (1993) also observed that in a federal state, there is the existence of a constitution; the division of powers must be clearly

spelt out in the constitution; the constitution must not be amendable by only one level of government; there must be a supreme court to act as an umpire for resolving inter-governmental disputes; each level of government must operate directly on the people rather than indirectly through the other tier of government (p. 95-111). Again, in the Nigerian example, the federal system of government derives its power from the 1999 Constitution of the Federal Republic of Nigeria and the powers are shared among the three tiers (or levels) of government – federal, state and local governments.

Idahosa and Aghahowa (1995) asserted that the ideal federal system, which emphasizes that each component unit or government must be independent within its own sphere of competence, does not take cognizance of the actual operation of a federal system of government. They argue that the contemporary world is that of independence. If there is anything at all, the emphasis is now for levels of government in a federal state to cooperate for the purpose of efficiency and effectiveness in administration to enhance development in the society.

7.10 Federal System of Government in Nigeria

The origin of a federal system of administration or federalism in Nigeria could be traced back to its colonial constitutions including Richard Constitution of 1946,

McPherson Constitution of 1951 and Littleton Constitution of 1954. These colonial constitutions variously created two levels of government and the two levels were governments at the central and, later, at three regions of the North, West and East. In addition, the 1960 independence and 1963 republican constitutions further strengthened the federal system of government in Nigeria. Note worthy, it was the 1979 and 1999 constitutions that actually established Nigeria's federal system under three tiers of government, namely federal, state and local governments. Scholars have advanced various reasons for the establishment of the three-tier federal system of government in Nigeria to include its ability to hold together the diverse ethnicities and nationalities that were forcibly incorporated into a unitary state under the colonial rule (Idahosa & Aghahowa, 1995; Abasili, 2004).

7.11 Merits of Federal System of Government in Nigeria

Abasili (2004) contended that federalism was adopted in Nigeria due to the following reasons: legacy of colonial rule; desire to maintain local autonomy by different nationalities while retaining shared historical experience; to assuage fear of domination and marginalization by majority ethnic groups; to enhance rapid socio-economic growth of the different component parts; to forge a

strong united front against perceived common threats, thereby making defence and security easy; to foster decentralization and secure greater participation by Nigerians in the discussion of their own affairs; and the regional nature of the major political parties in Nigeria (p. 33). Given the reasons as well as the reality of political development in the country, it is clear enough that the federal system is to be preferred to the unitary system of government in Nigeria.

7.12 What is Presidential System of Government?

Idahosa and Ekpekurede (1995) viewed the presidential system as a form of government in which the president is the head of state and the chief executive officer of the nation that is elected for a fix term. Under the presidential system, the president is the Commander-in-Chief of the Armed Forces and he appoints his ministers and other federal officers for the smooth running of government; but the ministerial (political) and public officers must be approved by the central legislature – in Nigeria, specifically, the House of Senate approves the executive nomination. The ministers are responsible to the president who can remove them from office due to poor performance or other offences without having to contact the central legislature, notwithstanding. In a

presidential system, the ministers are not members of the legislature, as they are in the parliamentary system of government. Once any elected member of the state or central legislature is appointed a minister or commissioner at the federal or state level (respectively) the appointee must resign his/her position as a legislature's member (Okoli & Okoli, 1990).

7.13 Presidential System of Government in Nigeria

The 1979 and 1999 constitutions of the Federal Republic of Nigeria established the presidential system of government in Nigeria. The different arms of government – executive, legislature and the judiciary are mutually exclusive in membership and they are vested with the powers to check and balance one another for due accountability in governance. The Nigerian central legislature called the National Assembly is a bicameral structure: the National Assembly is made up of the House of Senate having 109 members and the House of Representatives having 360 members. The Nigerian federal legislature is based in the Federal Capital Territory (FCT), Abuja. The National Assembly is empowered by the constitution to make laws for the good governance of the nation. In addition, it authorizes the expenditure of public

funds through appropriation laws; confirms key executive and judicial appointments and international agreements, among others (Ikelegbe, 2004, p. 138).

The presidential election in 1979, which took place under the presidential system of government, brought to power Alhaji Shehu Shagari on 1st October 1979. The general elections in 1999 under the current democratic presidential system of government produced as President Chief Olusegun Obasanjo on the 29th May, 1999. The subsequent elections under the presidential regime brought to power the late President Musa Yar'Adua on the 29th May, 2007, and President Goodluck Jonathan on the 29th May, 2011. The election that produced President Goodluck Jonathan held in April 2011.

7.14 Merits and Demerits of the Presidential System of Government

The merits of the presidential system of government in a country include: its ability to bring about unity in governance; singleness of purpose in the respect of developmental policies and programmes; and promptness in reaction by the government to issues of national concern. However, there are demerits in the adoption of the presidential system of government. The demerits

include: the possibility of serious disagreement between the different arms of government – executive, legislative and the judiciary, which could slow down the pace at which the machinery of government operates; and the in-built mechanism of checks and balances inherent in the presidential system could lead to conflict and administrative inertia (Idahosa & Ekpekurede, 1995. p. 31). This could result in non-performance of the government in the provision of basic necessities of life for the enhancement of the living standard of the people.

7.15 What is Confederal System of Government or Confederation?

Confederalism is a system of government that permits a union of states who possesses yet a common authority in certain matters affecting the whole nation, especially matters that pertain to external relations. In fact, confederalism refers to a loose federation or loose union of states. It is important to note that while sovereignty does not lie with the component units (state and local governments) in a federation or federal system of government, it is not the case with confederalism. In a confederal state or system, sovereignty lies within each of the state that makes up the confederation, and the central government is thus weak (Idahosa & Ekpekurede, 1995, p. 34).

7.16 Merits and Demerits of Confederal System of Government

The merits of confederalism lie in the fact that each federating unit of the confederation can take decisions on issues affecting it on certain matters without having to refer such matters to the central government. In addition, confederalism gives room for speedy development arising from a healthy competition amongst the various confederating units. The demerits however lie in the fact that it could lead to total disintegration on issues of disagreement (national incohesion) between the central administration and the confederating units, when such issues are improperly handled. It is in view of this that the desire for integration of nations as catalyst for development has almost made it unfashionable for modern states to crave for confederalism as a viable governmental system.

7.17 Military Rule or Administration: Nigeria's Experience (1966-79/83-99)

According to Maniruzzaman (2004), military rule or administration is the rule by a military officer or military junta who takes over the state power through a military coup d'état and rules without any accountability as long as the officer or junta can retain the support of the

armed forces (p. 250). One major distinguishing factor between military government and a democratic government is that while democratic rule connotes accountability, military rule connotes dictatorship and lack of accountability to the people.

Military regimes in Nigeria between 1967-1979 and 1984-1999 operated the same pattern of governance. The military governed the country under a unitary government camouflaging as a 'federal system' where the three levels of government could be identified – federal, state and local government levels. However, one distinguishing features in the different military governments in Nigeria is that they did not operate the federal system in a uniform structure, really. While General Gowon's government (1967-1975) operated a federal system in Nigeria made up of 12 states, Murtala/Obasanjo's government (1975-1979) operated the federal system constituted of 19 states. The General Babangida's government that deposed the General Buhari's military regime in 1985 operated the federal system, first composed of 19 states, then 21 states in 1987, and 30 states in 1991. It was in the following General Sani Abacha's military regime that the number of states in the country increased to 36, in 1997. Under the 36 states federal structure, General Abdulsalami Abubakar who succeeded late Abacha handed over political power to the democratically elected government of President Olusegun

Obasanjo on 29th May, 1999 (Ikelegbe, 1988; Asia, 2000).

7.18 Pattern of Administration under Military Governments in Nigeria

No doubt, in terms of name, structure, existence of the federal civil service, state civil service, federal and states judiciary, Nigeria is a federal state. But the military administered the country as a unitary state. The reason for the unitary system during the military rule is not unconnected with the command structure of the military as an institution, whereby orders flow top-down. This top-down flow of orders under the military rule made it impossible for state governors and local government chairmen to formulate and carry out policies and programmes independent of the Nigerian central government. Indeed, the state governors were appointed by the military head of state. Similarly, the military ruler also doubled as the Commander-in-Chief of the Armed Forces, the armed forces of which the military governors were part, and the governors in turn appointed the local council chairmen. Implicitly, the local government chairmen served the military dictator's orders. As a result, even though Nigeria was a federal state, it could not be said to realize true federalism in practice under the military rule (Asia, 2000; Ikelegbe, 1988).

7.19 Law-Making under Military Governments in Nigeria

Under the military rule in Nigeria (1966-1979 and 1984-1999), the legislative and executive functions of the state were fused together. For instance, under the General Gowon's government (1966-1975), the main organ of the government referred to as Supreme Military Council (SMC) was the sole law-giver and executor of the law. This trend continued through the General Babangida's Armed Forces Ruling Council (AFRC) in 1985, to General Abacha's Provisional Ruling Council (PRC) in 1993. When General Abubakar became the Head of State following the death of General Sani Abacha in 1998, his government had the Abacha's Provisional Ruling Council as the state's law-giver and executor, up till on May 29th 1999 when the political power was handed over to a democratically elected government (Ferreira, 2009; Asia, 2000; Ikelegbe, 1988).

At this point in Nigeria's political history, the various military governments that governed the country though operated a federal system on paper but in practice or reality administered the nation under a unitary system: there was only one level of government supreme and represented by the SMC, AFMC and PRC, at the federal level. As observed by Ball (1977), the structure of the

military/armed forces rule is hierarchical and centralized in nature (p. 218). This feature of the military government shall in no small measure explain the reason for Nigeria's administrative structure of a unitary state in a federal arrangement.

7.20 Conclusion

Since the amalgamation of the Nigerian state by the British colonialists in 1914 the country has passed through different stages of political development. The country adopted the parliamentary democracy at independence in 1960. It has also practiced unitary system of government during both the periods of colonial and military rules, and the federal system under a democratically elected government. Among all the political systems, it is very clear that the most preferred and enduring one is the federal system of government. This is particularly so going by the advantages derivable from it in a multi-ethnic, cultural and religious society like Nigeria. Therefore, Nigeria with a population of 168 million people, with over 250 ethnic groups is more likely to realize its political, social, economic, cultural and religious interests in a federal political setting than other systems of administration ever practiced in the country.

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