MIGRATION, CONFLICTS AND STATEHOOD PROBLEM IN NIGERIA: THE SELF-DETERMINATION ISSUE

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Abstract

This paper interrogates the interface between migration, conflicts and the challenges of state building in Nigeria. Scholars of Nigerian politics have shown that the numerous political conflicts and series of recurring subnational tensions in the country, pose a serious threat to the country’s corporate existence and democratic survival. However, this paper contends that the issue of right to self-determination is the major factor underpinning most of the country’s lingering protracted conflicts. This issue, the paper argues, is the result of the patterns of migratory flow in the political history of the country, an issue further compounded by colonialism and the country’s governing class.

Introduction

The history of the human race is that of migration and conflicts. Man, by nature, is designed to be mobile. He moves, as the need arises, from one location to another in search of a variety of things. In the same vein, conflict is inherent in human relationship. Whether at the interpersonal or organizational/societal or national or international level, human interactions are laced with issues for conflicts. In Africa, like other continents of the world, migration and conflicts have contributed to the making and shaping of the histories of the people. This is because at different points in the political and social histories of the African people, records revealed a large scale of in and out-migration as well as
different kinds of conflicts. The historic contacts with Europeans, the Arabs, the Chinese and others at different times are all products of migration. Similarly, the various inter-ethnic civil wars, state wars of expansion, religious conflicts, trade and commercial crises are all indices of the prevalence of conflicts on the continent.

In recent time, Africa has witnessed many protracted and gruesome conflicts, that have sparked off a wave of demographic movement of people both within and outside of the continent. Among these are the protracted civil war in southern Sudan, the Liberian civil war, the Rwanda genocide, and the crisis in the Democratic Republic of Congo (DRC), the Sierra Leonean civil war, the Nigerian civil war, the Darfur crisis, Somalia crisis and a series of boundary clashes among many others. Several other natural occurrences particularly famine and drought have occasioned mass displacement of people. Alongside these, the problems of bad leadership and poverty have combined to further accelerate the rate at which Africans migrate in droves to different parts of the continent and to other parts of the world while at the same time increasing the frequency and potency of political, ethnic and religious conflicts in the continent. As it were, Africa seems to account for the majority of the total global conflicts. Kofi Annan, in his report to the United Nations Security Council (UNSC) titled: ‘The causes of conflict and the promotion of durable peace and sustainable development in Africa,’ noted that, “… 14 of the continent’s 53 countries were afflicted by armed conflicts in 1996 alone, and over 30 wars have occurred…since 1970, mostly within states. These accounted for more than half of all the war-related deaths worldwide…”¹ The implication of this is very grave as the ability of African states to evolve into political nations, rather than continuing as cultural nations that colonialism configured them to be, is being threatened. Indeed the current waves of democratization that could have ushered the states of Africa into the orbit of political nations are seriously being undermined. A myriad of other issues have equally emerged to compound the effort of African states at nation-building.

Three concepts, namely self-determination, migration and conflicts, are critical to the analysis in this paper. The three concepts, however, suffer from a neat universal definition. The problem stems from the myriad of perceptions of the phenomena. The concept of self-determination, for example, has different meanings in the literature. Wehmeyer, for instance, defined self-determination in the context of the disabled as “the attitudes and abilities necessary to make choices and decisions regarding one’s quality of life, free from undue external influences or interference.” According to Nanda, the concept of self-determination is vague, illusive and ambitious. The fact that the term is used in justifying claims by a group against another creates the difficulty in finding a universal operational definition. Patrick Thornberry however argued that self-determination “represents a collective right of peoples to determine their own destiny.” Accordingly, Umozurike pointed out that “the principle [of self-determination] recognises the right of a people to shape their future; and politically, may take the form of unitarism, federalism, confederalism, association or any other form acceptable to the people.” One simple interpretation of the concept is that it refers to the right of a people to statehood, self-government, self-management or home rule. Also, Brookfield, writing on the types of claims specific to groups, notes that the exercise of self-determination by groups involves a range of political models, which includes the choice of independent statehood or some form of autonomy or associated statehood. Generally, under international human rights law, self-determination is construed in three different ways. The first is the right of colonial peoples to self-determination, which is how the term is used in the United Nations Charter and in many other sources of international law. Thornberry, for example, remarked that, “in the
great rush to decolonization, self-determination became identified with that process and the ‘people’ with the ‘whole peoples’ of emerging States.”

The second meaning is related to secession, and encompasses the requests of minorities, which intend to break away from the state they belong to. The third meaning refers to certain ethnic or cultural groups, which, although intending to continue to be part of the sovereign state they belong to, wish to attain certain group rights. Some of the group rights recognized by international human rights instruments, which ethnic or cultural groups may seek to attain within the sovereign state to which they belong, are the right to development, right to group culture, religion and language, right to group identity, and the right to family protection. These rights are distinguishable from individual rights in the sense that they are exercised and enjoyed by individuals in community with other individuals. The third meaning of self-determination is what is sometimes referred to as democratic or internal self-determination or minority autonomy, while the first and the second meanings are referred to as external self-determination.

By international standard however, minorities, groups and indigenous and tribal people are, as a rule, not entitled to the right of external self-determination, which is only applied to decolonization. Minorities and groups seeking collective/group rights are only entitled to internal self-determination rights. The exercise and enjoyment of internal self-determination rights can take different forms, including the granting of appropriate local or autonomous administrations to minority groups within a sovereign state, legislative recognition of minority laws and customs, guaranteed seats for minorities in legislative and other political organs, the appointment of officials chosen by the group to either specific positions or to a fixed percentage of general posts, among others. Essentially, internal self-determination rights are expected to be enjoyed in a manner consistent with the principles of international law regarding state. These principles relate to respect for territorial integrity and sovereignty of States, and

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9 Thornberry, op.cit
10 See Article 22(1&2) and 24 of the African Charter on Human and Peoples Rights
11 See Article 27 of the International Covenant on Civil and Political Rights (ICCPR)
12 See Article 1(2) of the Declaration on Race and Racial Prejudice (November 1978)
13 See Article 18(1&2) of the African Charter on Human and Peoples Rights
14 Thornberry, op. cit
16 Ibid; and Thornberry, op. cit
the maintenance of international peace and security. Therefore, the right to internal self-determination is not envisioned under international law to lead to the disintegration of the state, but to improve the quality of life of members of such groups.

Arguably, the concept of self-determination (in all its variants) is founded on the premise that the peoples, groups and minorities are holders of certain fundamental rights. Reference to self-determination is made in a number of international human rights instruments. The United Nations Charter, for example, introduced the right of all people to self-determination into the framework of international law. The Charter refers to the principle of self-determination in articles 1 and 55. Specifically, article 1(2) of the Charter states:

“To develop friendly relations among nations based on respect for the principle of equal right and self-determination of peoples, and to respect for human rights and fundamental freedoms for all without destruction as to race, sex, language or religion.”

Furthermore, articles 2 and 56 of the Charter oblige member states to implement the mandate of articles 1 and 55. Chapters XI, XII and XIII, which address questions of non-self-governing and trust territories, equally recognize the principle of self-determination because the provisions require member states to give effect to the principle.

Similarly, the right to self-determination appears in Article 1 of both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Both documents provide that:

“All people have the right of self-determination. By virtue of that right they freely determine their political status and freely purpose their economic, social and cultural development.”

The African Charter on Human and Peoples Rights equally provides that:

“All people shall have right to existence. They shall have the unquestionable and inalienable right to self-determination.”

The provisions of the aforementioned human rights instruments suggest that the principle of self-determination has acquired the status of an enforceable legal right under international law.

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17 Umozurike, op cit; Alfredsson, op.cit p. 43
18 Article 20 (1) of the African Charter on Human and Peoples Rights
Consequently, states parties to the above instruments have a duty under international law to provide and respect the self-determination rights, particularly the internal self-determination rights of their citizens. Given the conception of self-determination in international law, as shown above, and the nature and causes of some inter-group and intra-group conflicts in the country, as shown below, it is possible to categorize some of the conflicts as conflicts for internal self-determination right, and the secession attempt by the Igbo people of southeastern part of the country between 1967-1970 (the civil war years) as the conflict for external self-determination right.

With respect to the concept of conflict, the literature reveals that the concept is a highly complex one replete with different meanings, categories and theories of causality. Attempts to develop theoretical explanations for conflict as a phenomenon have often involved the analysis of multiple, interactive variables. As a result, researchers often try to employ appropriate framework to categorize the concept.

Defining conflict, Gurr, for instance, explains it as the overt coercive interactions of contending collectivities. Wallensteen (cited in Hefny) explains conflict as a situation in which a minimum of two parties strive at the same moment in time to acquire the same set of scarce resources. One of the most quoted traditional definitions of conflict comes from Coser, who defines it as a struggle over values or claims to scarce status, power, and resources, in which the aims of the conflicting parties are not only to gain the desired values, but also to neutralize, injure or eliminate their rivals. Such conflicts, he opined, may take place between individuals, between collectivities or between individuals and collectivities. Jordan (cited in Otite) considers conflict as arising from a difference between two (or more) people necessitating changes in at least one person in order for their engagement to continue and develop, meaning that the differences cannot co-exist without some adjustment.

Karl Marx in his sociology of conflict identified two areas of conflict. These are (i) that human societies are wholes or systems of interrelated parts – institutions, beliefs etc, and (ii) that human societies are always changing largely through internal contradictions and conflicts. In view of the existence of classes, Marx opined that conflict is inherent in the relations between the classes due to the

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fact that the two classes are not equal as a result of the preponderance of economic resources in the hands of the bourgeoisie over and above the proletariat. Thus, in view of the structure of societies (class based) in which economic resources are scarce, competition for these between groups and individuals, Marx noted, is an open source of conflict.

Benedix on the other hand pointed out that Max Weber dealt with the legitimization of power and how order prevails in society through its use. He situates the sole use of force in the state as a means of commanding obedience and compliance. This implies that a conflict situation will be created when a person or a group attempts to override the order of the state or when such succeeds in carrying out his personal will by overcoming the resistance of other groups or persons and their interests in a situation of scarcity of resources. Accordingly, Otite’s position that the concept of conflict is validated daily over access to a variety of limited resources which are created and distributed within defined establishments and locations is a valid one. This is made obvious by his description of conflict as a “dynamic and endemic phenomenon” and “the very essence of most formal and informal social organizations and processes.”

Like the first and second concepts discussed above, the literature on migration is equally replete with evidences that the concept is not easy to define. There is however a convergence of opinions that migration usually involves the permanent or semi-permanent change in residence which begins in an area of origin and ends at an area of destination. Migration scholars also agreed as to the determinants of the phenomenon. The determinants, which are used as the basis of theories or models of migration, cut across a wide spectrum of social, economic, ecological and behavioral factors. While unemployment and search for cheap labor and social and political oppression are examples of economic and social factors respectively, droughts and desertification and individual attributes and motivations are examples of environmental and behavioral factors of migration respectively. These factors, Barret argued, act in such a way to push and pull migrants. For example, economic factors such as unemployment, may push a migrant to seek employment elsewhere, but the destination that is chosen may be determined by social factors, in other words the migrant may be pulled to a location by its recreational possibilities,


25 Otite, op cit


27 Barret, p.139
such as a golf club, or the nearness of friends and relatives.\textsuperscript{28} However, the dominance of economic factor in migration seems to be on the increase in contemporary times. Labo, for example, contended that “migrants tend to get attracted to areas with significant development indicators of economic prosperity.”\textsuperscript{29} This was informed by his observation that since the beginning of large oil exports in the early 1970s, Nigeria has been experiencing mass influx of immigrants from all over West Africa and beyond, and that Cote D’Ivoire [during its economic boom] attracted workers from Burkina Faso and Niger for over 30 years.

There are however many theoretical models of migration. Among these are the systems and dependency models. The systems model views migration as a system, in which the effects of changes in one part can have impact on the whole system. For example, Mabogunje, in explaining the phenomenon of rural-urban migration, argued that potential migrants in the rural areas are often encouraged to migrate by stimuli from socio-economic and physical environment, which could include land scarcity and the attraction of the city and its opportunities, as well as the need for cash.\textsuperscript{30} He further argued that once migration takes place, it affects both the home and host communities of the migrants. On the other hand, the dependency model considers migration as the result of unequal development imposed by developed countries of the world on the peripheral third world states.\textsuperscript{31} This situation, it is argued, is maintained through the erection and perpetuation of a regime of economic dependence, where the peripheral states depend on the core states for survival. Under this circumstance, migration becomes inevitable from the underprivileged periphery to the privileged centers.

The strength of both systems and dependency models is that they demonstrate that migration is part of an interlocking series of events that occur locally and internationally. More importantly, the systems model of Mabogunje provides a theoretical explanation for the migration within the Nigerian state by individuals and groups, who often are stimulated to migrate by the need for a better socio-economic environment.

However, one common fact deducible in both migration and conflict literature is the wholesome agreement on the interrelatedness of the two phenomena. It is a fact in the literature that migration can engender conflicts and vice versa. Scholars of migration for instance concurred on the two dimensional

\begin{itemize}
  \item ibid
  \item Labo, op.cit, p. 8
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broad effects of migration namely: impact on the area of origin and impact on the area of destination. Among the identified impacts on both dimensions are the economic consequences in the form of remittances that migrants send to their families at home and the social consequences.

One of the social consequences of migration is the depopulation of the home community. With respect to the host community, the consequences range from overpopulation, over stretching of social amenities, increase in crime rates, cultural pollution, and increased social tension in the form of political, ethnic and sub-ethnic conflicts. Barret for example, pointed out that when migrants stay for extended periods they become more assertive of their economic, political, and social rights which may evoke a reaction from the host community.\textsuperscript{32} Similarly, Mabogunje in his Systems Approach to the study of rural-urban migration averred that once migration has taken place, adjustments occur in both the areas of origin and destination. These adjustments, he opined, could be positive or negative as in encouraging more flow from the area of origin or conflicts between the migrants and the host community.\textsuperscript{33} On the other hand, Dessaint noted that social conflict could be an immediate cause of migration. Using northern Thailand villages, he found that though the pressure of land scarcity was an ever present factor for population flow; social conflicts within the tribes usually trigger the movement.\textsuperscript{34} Fadayomi et al also observed that in pre-colonial times in Nigeria, large-scale movements of communities, clans, and groups of people were mainly the result of social conflict.\textsuperscript{35} A similar view was held by Shultz with respect to Colombia in the 1950s and 1960s. He found a positive association between the amount of reported violence and out–migration.\textsuperscript{36}

However, though migration engenders conflict, migration alone cannot be a sufficient reason or explanation for conflict generation. This fact is subsumed in Nnoli’s position that it is not the contact between groups that in itself breeds inter-group conflicts but rather, the degree of competing claims among the groups.\textsuperscript{37} This degree of competing claim can be in the form of claims to agricultural land, political power distribution, economic resources, social amenities, and the preservation of primordial ties, etc.

\textsuperscript{32} Ibid
\textsuperscript{33} Mabogunje, op.cit
\textsuperscript{35} T.O. Fadayomi et.al. Migration and Development Policies in Nigeria. In Toure, M.(ed) \textit{Migration, Development and Urbanization Policies in Sub-Saharan Africa}. CODESRIA Book Series. 1990, P.52,
Thus, migration, as a cause of conflict can only serve as a variable and not totally sufficient on its own to explain the incidences of conflict arising from inter-group contacts. This position is applicable to the numerous inter-group conflicts in Nigeria, where, though the role of migration in the generation of the conflicts cannot be denied, other issues have over the years acted as adjunct factors. Indeed, confrontations between the groups often start only when claims and counter-claims of various kinds emerge.

In most cases, the issues of land acquisition and land rights have more than any other thing made migration a cause of conflict in Nigeria. The preponderance of land question or territoriality with respect to inter-group conflicts in Nigeria and Africa makes it seems useful to want to explain the conflicts in the country in terms of territorial imperative theory.

According to Ardrey, a territory is an area of space which an animal or group of animals defends as an exclusive preserve. It is within such territory that the basic needs and interests of such animals are satisfied. These needs include security of space and food, identity, prestige etc. The animal (s) therefore defends such an area at all costs and strives to keep out those who undermine their interests and needs. Consequently, to Ardrey, all animals, including human beings have a sense of territoriality, and would patrol, secure and defend the environment that make up their territory. The defending of one’s territory encapsulates physical territory (i.e. landmass), wives, families as well as one’s nation, states and ethnic community. These animal traits, he opines, apply to man by evolutionary inheritance. Accordingly, “If we defend the title to our land or the sovereignty of our country, we do it for reasons no different, no less innate, and no less ineradicable, than do lower animals.”

From the foregoing, conflict therefore erupts when the claims of one party to land and territory become incompatible with the desire of others to satisfy their own basic interests and needs within the same territoriality. This theory aptly captures the conflicts for internal self-determination by various groups in Nigeria, which are a response to the need to protect and safeguard their sense of territoriality. The subsequent section of this paper will demonstrate in clear terms the nexus between conflicts and migration in Nigeria.

39 Ibid.
40 Ibid p.5
Migration and Conflicts in Nigeria

The political history of Nigeria is dotted with series of social conflicts. From ethnic, sub-ethnic, religious to political conflicts, every geopolitical zone of the country has one or more troubled spots. These conflicts are as a result of many fundamental issues. Specifically, the interplay of economic imbalance, political injustices, ethnic chauvinism, religious intolerance, and the nature of the global economy, may be considered as being responsible for these conflicts. It is however pertinent to state that many of the protracted conflicts in present day Nigeria have their roots in the pre-colonial and colonial histories of the country. Documentary records revealed that incidences of conflicts particularly communal conflicts predate Nigeria even as a colonial state. These are evidenced in the 19th century internecine warfare among the Yoruba people to the southwest, the war of attrition by communities in the deltaic areas over land and claim to resources, and the numerous wars of expansion in the Middle Belt area especially among the Tiv, between the Tiv and the Jukun, the Nupe and the Yoruba to the North, and also the religious wars that followed the Sokoto Jihad of 1804 and which altered the socio-political and religious topography of present day northern Nigeria and its neighbors.

Incidentally, these conflicts continued with renewed zeal during the period of colonial rule due to the nature of the colonial political and economic policies which neglected the specific histories of the various groups in the country. It is not surprising therefore that at independence many of the ethnic and sub-ethnic conflicts continued, and new ones emerged in response to the state structure bequeathed by the colonialists. In fact, the colonially defined and determined plural nature of the Nigerian state has been identified as a reason for the continued susceptibility of the country to political and ethnic conflicts. For instance, Otite observed that, “Nigeria’s constitutional, political and administrative developments have created and recreated exclusive interests of regionalism followed by those of statism.” This he pointed out has made Nigeria to be inherently prone to conflicts arising from the clash of diverse ethnic-cultural interests and goals, and from the political and economic necessities of survival, as individuals and as identifiable autonomous social groups struggle for advantages.41

41 Otite, op cit p.19
Amuwo and Herault also noted the problem in the structure of the Nigerian state when they remarked that “… whilst federalism has brought several nations within the Nigerian polity together, actual federal practice has hardly been able to keep them together happily.”

Thus, the history of the country since independence like the pre-colonial and colonial days is replete with political, religious and communal conflicts among others to such an extent that a culture of violence has been created or what has been succinctly referred to as “…zones of violent confrontations.” Notable amongst these zones of violent confrontations are the ethnic and sub-ethnic conflicts between the Aguleri and the Umuleri communities in southeastern part of the country, the conflicts involving the Ife and the Modakeke people in the southwestern part of the country, the conflict between the Chamba and the Kuteb communities, the Tiv-Jukun conflict, the conflict between the Zango and the Kataf people (involving the Hausas and the Kataf) in the northern part of the country, and also the conflict between the Ugep and Idomi communities in Cross-River state, the Ijaw-Itsekiri conflicts in Delta state, and the Ogoni conflict, all in the south-south geopolitical rim of the country.

Alongside all these are many cases of religious and political conflicts. Some examples include the 1953 Kano riots, the 1966 pogrom, the civil war between 1967 and 1970, the Maitatsine religious violence between 1980 and 1985, the uproar generated by the annulment of the June 12 1993 elections, the unending ‘oil war’ in the Niger Delta region among many others. To a very large extent, the problem of conflicts in Nigeria can not be divorced from the phenomenon of migration. This is because the accounts of many of the ethnic and sub-ethnic conflicts in the country can be linked to the pre-colonial, colonial and/or post-colonial migratory patterns of movements of people within the country.

First, in the pre-colonial days, recorded accounts showed that many of the movements were associated with trade, land colonization, drought, epidemics, and community conflicts. For example, the protracted sub-ethnic conflict between the Ife and the Modakeke people in the southwest, which started in 1849, was a product of the migration of the Modakeke people from the collapsed Old Oyo Empire to the Ife area in central Yorubaland. Similarly, the age long ethnic conflict between the Tiv and the

Jukun, dating back to the 1870s, revolves around the issue of which of the two groups can be considered to be the native/indigene, and which should be regarded as the settler/migrant.\textsuperscript{45} This distinction is significant since it determines who has prior and thus present rights to landownership, tributes, and other statutory rights and privileges. The same can be said of all the other cases of ethnic/sub-ethnic conflicts in the country. In the same vein, many of the religious conflicts in the pre-colonial and colonial history of the Nigerian peoples can be linked to the migration of people across ethnic, national and regional boundaries. For example, the 1804 Fulani Jihad, which swept through the entire northern part of the country, was a result of the years of contacts between the Hausa-Fulani to the north of what is now called Nigeria and the Arabs from the Middle East, whose religious teachings influenced the general religious ideology of the Hausa.\textsuperscript{46} Principally, the Trans-Sahara trade, involving the Muslim Arabs, the Maghrebi states and the Hausa and other ethnic nationalities of the northern rim of West Africa, was a major channel through which Islamic scholars/teachers penetrated into the region, and later orchestrated fundamental changes in the religion of the people of the northern part of Nigeria.\textsuperscript{47}

Some of the subsequent religious crises that rocked the Nigerian State even after independence can also be ascribed to the influences and activities of migrants from outside Nigeria. For instance, the Maitatsine religious violence that ravaged the northern part of the country between 1980 and 1985 was due to the influences and activities of foreign/external religious zealots.\textsuperscript{48}

In the colonial days, the nature of political and community conflicts in the country was influenced by the nature and pattern of the in and out-migrations among the various groups and peoples, but it was also a function of the colonial policies of the British Administration. For instance, the British acquisition of protectorate rights over the various groups in the area now referred to as Nigeria, and the eventual amalgamation of these protectorates as well as the introduction of western social and economic practices, increased the movement of people from one part of the country to the other.


Also, the influx of people from the rural areas to the emerging cities of the time was actually in response to the nature of the colonial system, which promoted urban growth and development at the expense of rural development. This was because the most basic infrastructures and amenities provided were mainly in the urban areas. However, over the years and particularly since independence, the centrality of migration in conflicts generation has been eclipsed by some other salient factors. These include contest over land space and resources availability, competition over access to political and economic resources, and population explosion.

Surprisingly, post-colonial government policies, like the colonial experience, have often exacerbated tension to the point of conflict or ignited it afresh. Of particular importance are such state policies as territorial restructuring in form of local and state government creation, revenue allocation, quota system, and structural adjustment program (SAP), among others.

Suberu, commenting on state and local restructuring policy in Nigeria once lamented that, “it has not satisfied ethnic demands for equity, but has created more acrimony and increasing demands.” Also, he highlighted four reasons for the high rate of ethnic minority discontent under the General Ibrahim Babangida government. These are (i) the inducement and opportunity which the government’s programs of democratic transition and economic reconstruction provided for the mobilization, crystallization and articulation of longstanding ethnic minority grievances (ii) the accumulated weaknesses, contradictions, inadequacies, or counter-productive consequences of some policies that have been mounted in response to ethnic minority problems, (iii) the sectionally polarizing impact of some decisions implemented by the military government for example, the enlistment of Nigeria in the Organization of Islamic Countries (OIC), and the arbitrary trials of ethnic minority activists implicated in some of the ethnic or ethnoreligious disturbances in the federation, and (iv) the demonstration effects arising from the global resurgence of ethnic nationality and sectarian movements, particularly in Eastern Europe and the former Soviet Union.

Furthermore, the manner in which successive governments have tinkered with the policy of sharing federally collected revenue has been a serious cause of political and ethnic conflicts and has even become a threat to the corporate existence of the country. The practice of sharing revenue among the component units of Nigeria began during the colonial era, particularly between 1951 and 1954, when

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the country became a federation of three regional governments and a federal government. During the period, the regions enjoyed a measure of fiscal autonomy. For example, the Revenue Order in Council of the 1951 constitution granted the regions the right to, among other things, keep public revenue derived from matters stated in the schedule to the instrument. The Order also mandated the payment to the regions by the central government of annual grants in respect of expenses relating to education and politics, while specifying that the central government could not interfere with revenues derived from or specific to the regions. This colonial fiscal policy laid the basis for fiscal federalism in the country. It equally allowed for the economic development of the regions, because each region had to concentrate its attention on its area(s) of economic strength, such as cocoa in the western region, groundnut and cotton in the northern region, and palm oil and timber in the eastern region, for survival. After independence, the country continued with a fiscal arrangement that was based partly on the principle of derivation. As a result, half of the revenue from the commercial exploitation of oil, for example, was appropriated by the Eastern regional government (of which the provinces and communities of the Niger Delta were part of) and the rest were appropriated by the federal government between 1958 and 1968.

Since 1969 however, the regional/state fiscal autonomy has changed to one of federal control. A number of factors accounts for this change, including the military government’s decree (Decree 13) of 1969, which transferred the bulk of the revenue from oil to the federal government. Thus, as the nation’s economy became more oil-dependent, and other sources of income became neglected, the revenue accruing to the federal government increased significantly, while that of the states and local governments dwindled. This created the need for an acceptable formula for distributing federally collected revenue among the component units of the federation. However, since the Second Republic period (1979-1983), the issue of sharing federal revenue has been problematic, owing to the fact that the issue has been over-politicized. For instance, while the federal share of the federally collected revenue has always been large, leaving the other two tiers of government with very little, the oil-producing areas have often demanded that the principle of derivation, which was in place before the Decree 13 of 1969 should be a major determinant in the sharing of the federal revenue. Alongside this, the failure of the federal government to foster equitable and appreciable socio-economic development in the country, in spite of its huge earnings from oil, and the enormous environmental and ecological damages resulting from oil exploration in the Niger Delta communities as well as the official highhandedness of successive governments in the handling of demands by communities in the Niger Delta for restitutive development

have further complicated the issue of revenue allocation. As a result, this issue has always pitched the Niger-Delta area (the major oil producing region of the country) against the Federal government on one hand, while generating or encouraging communal hostilities among the various communities in the region on the other hand.

Apart from the revenue sharing policy, some other government policies, particularly the territorial restructuring and structural adjustment programs, meant to bring government closer to the people, enhance grassroots political and socio-economic development, and the general economic well being of the country have also been purveyors of political and ethnic conflicts. However, as shown above, it is essentially the politicization of government policies that often undermines their effectiveness. Benjamin (1996), commenting on the territorial restructuring policy under the military, for example, averred that military governments in Nigeria used the policy as a way to popularize and legitimize their illegitimate regimes. This is because though the creation of states and local governments by the military was often sequel to agitations by groups demanding for more decentralization, yet successive military regimes used it to whip up political, ethnic and sub-ethnic discontents as exemplified by the 1996 exercise, which sparked off series of inter-group conflicts across the country. Though the territorial restructuring exercises no doubt assuaged the feelings of some groups, and thus engendered their support for the military, the conflicts and emotions generated by the policy nonetheless distracted public attention from the critical problems of political instability and national development, which better served the interest of the military governments to prolong and perpetuate their hold on power. In fact, the tensions, emotions and conflicts that the politicization of state policies usually generate in the country between ethnic groups, and also within ethnic groups, has made it one of the banes of the Nigerian state. It is this (the politicization of policies), as will be shown below, that underscores and heightens demands for self-determination right (in its external and internal senses) in the country.

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Challenge of Statehood: The Self-determination Issue

One issue that underlies most of the inter-group and intra-group conflicts in Nigeria is the issue of self-determination, construed both in its internal and external senses. This is because, in most cases, contending groups in the country; religious, ethnic or sub-ethnic often clashed in pursuance of their perceived self-determination right i.e. the right, for example, according to article 1(1) of both the International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR), ‘of all people to freely determine their political status and freely pursue their economic, social and cultural development.’ An analysis of some of the conflicts in the country would reveal their self-determination undertone. However, for ease of analysis and in line with the conception of self-determination under international law, conflicts in the country are categorized in this paper as either conflicts for external self-determination or conflicts for internal self-determination rights. Consequently, the inter-group and intra-group conflicts that can be linked to the quest for territorial autonomy in the form of agitations for independent local and state government status within the Nigerian federation; for separate and distinct identity by one group from another group; for religious tolerance/acceptability; for political inclusion; and for development in the form of agitations for an end to economic exploitations and environmental degradation. All these can be categorized as conflicts underpinned by the quest for internal self-determination. On the other hand, conflicts that are related to secession from the Nigerian federation are conflicts for external self-determination.

Conflicts for External Self-determination in Nigeria

Within the context of the conception of external self-determination, especially its second meaning in the literature as discussed above, the 1967-1970 Civil War was a war for external self-determination by the Igbo people of the eastern part of the country. This can be gleaned from the causes, both remote and immediate, of the war. To a very large extent, it was the perceived marginalization, oppression and suppression of the interests and aspirations of the Igbo by the Nigerian state which provoked the three year war. Specifically, for the Igbos, the events preceding and immediately after the country’s independence in 1960 were pointers to the need to assert their external self-determination right. Among these events was the display of ethnic politics at the Western House of Assembly by
Yoruba politicians of the Action Group (AG) political party against Dr. Nnamdi Azikiwe (a political figure of Igbo extraction) of the rival National Council of Nigeria and the Cameroon (NCNC) political party in 1951. Available records revealed that while Dr. Azikiwe got elected to represent Lagos in the Western Region’s House of Assembly in 1951 on the platform of the NCNC, his ambition to represent the regional parliament at the Central Legislature, on the basis of the provision of the 1951 Constitution, which allowed for a member of the regional parliament to be selected to the Central parliament, was thwarted by the Yoruba-dominated rival political party, the Action Group. This display of ethnic politics was exacerbated by other issues including the controversy surrounding the 1952/53 census, which the Igbo, like the Yoruba, considered as not being a true reflection of the actual demographic composition of the country, particularly as they contested the census figures ascribed to their region (the eastern region). Alongside these was the unprecedented massacre of people of eastern region extraction (the Igbo) in the northern part of the country between May and September 1966. The massacre is known in Nigerian history as the 1966 Pogrom. The genesis of the Pogrom was, first, the coup de tat of January 1966, which was interpreted by the northern oligarchies as being masterminded by Igbo military leaders and targeted at northern political leaders in political power, and second, the perceived inaction or unwillingness of the Head of the military junta that came to power after the January coup to prosecute the perpetrators of the coup. Equally gawling to the Northern political elite was the promulgation of Decree 34, by the Aguiyi Ironsi military government, which abolished regionalism in the country. During the Pogrom, a number of people of Igbo extraction were killed in northern Nigeria. Madiebo (1980) noted that the human cost of the first phase of the Pogrom, which occurred in May 1966, was over three thousand lives. The significance of these events was that they culminated in the counter-coup of July 1966, which removed General Aguiyi Ironsi (an Igbo man from eastern Nigeria) as the Head of State and his replacement by General Yakubu Gowon (a northerner), and the subsequent faceoff between the General Gowon-led federal government and Colonel Odumegwu Ojukwu-led military government of the Eastern region. The inability of both the federal and eastern regional governments to negotiate a peaceful solution to the crisis of confidence between them, despite international mediation as evidenced by the peace meetings at Aburi, Ghana, in 1967, resulted in the civil war. In a way, the above demonstrates that “the civil war was a clash between primordial ethnic forces and state civic structures

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that inevitably issued from the growth of regionalism.” The aim of the government and people of the eastern region (otherwise called Biafra) during the war was to secede from the Nigerian federation on the ground that their collective aspiration could no longer be met under the Nigerian state. The civil war was one of the earliest challenges to the Nigerian state. As can be gleaned from the above, it was the politicization of certain issues, including the military coup of January 1966 and the actions and inactions of the military government that eventually resulted in the civil war.

Conflicts for Internal Self-determination Rights in Nigeria: selected cases

Among the conflicts for internal self-determination rights in Nigeria are the ‘oil war’ in the Niger Delta region, the rising activities of ethnic militia groups, and a number of community conflicts. Some of these conflicts are discussed below.

The ‘oil war’ in the Niger Delta

The ‘oil war’ in the Niger Delta region of Nigeria, which started as a quiet agitation by the people of the area in the late 1950s for social and economic development, took on the dimension of quest for right to internal self-determination because the Nigerian state failed to look into the legitimate demands of the people. Right from the 1957/58 agitation by the people of the region for a separate identity within the Nigerian State, in the form of a separate region/state from the dominant Igbo dominated eastern region, to the February 2, 1966 declaration of the Independent Republic of Niger Delta by Isaac Adaka Boro and his colleagues, the story of conflicts in the region has become basically that of internal self-determination. The activities of militants and activists in the area (Niger Delta), particularly the late Ken Saro Wiwa, and many others, were simply to pressurize the Nigerian government to correct the wrongs of many years of environmental degradation and insecurity occasioned by years of oil exploration. It was also a demand for equitable (re)distribution of the nation’s wealth, the bulk of which comes from the Niger Delta. Even though the spate of violence,

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kidnapping, hostage taking, pipeline vandalization, and general acts of terror in the region since 1999 have begun to blur the very essence of the struggle, yet it is still probable that if the factor, the internal self-determination issue, underpinning the agitation is not properly managed, the end might not still be in sight for the problem.

**Militia groups and ethnic militancy**

The emergence of ethnic militias, representing and agitating for the cause of the different ethnic groups in the country since the late 1990s, buttresses the fact that internal self-determination is one of the greatest challenges of the Nigerian State. Since the late 1990s, ethnic militias such as the Oodua Peoples Congress (OPC) (representing the interest of the Yoruba people to the southwest), the Arewa Boys (representing the northern peoples’ interest, particularly the mainstream Hausa-Fulani people), the Egbesu Boys (representing the Niger Delta people), Bakassi Boys and the Movement for the Actualisation of the Sovereign State of Biafra (MASSOB) (representing the interest of the Igbo people to the east) have prefaced the political landscape of Nigeria with several incidences of politically motivated ethnic and sub-ethnic conflicts to the extent of threatening the existence of the country. Many more of such groups have since emerged in the Niger Delta area. Indeed, going by the declared goals and activities of these groups before the government outlawed them, it was obvious that internal self-determination, evidenced by demands for political inclusion and right to development, was their prime objective. Firstly and to a certain extent, the emergence of these groups was an indication of State failure. It was primarily an indication that the Nigerian State was no longer relevant in the eyes of the component nationalities, which were willing to, if possible, break away. Between 1999 and 2002, inter-group relations in the country became fragile and extremely precarious owing to the fact that the activities of the ethnic militias whipped up ethnic sentiment over national issues and popularized ethnic agendas.
Community conflicts and internal self-determination: Ife-Modakeke case

A number of community conflicts in the country can not be divorced from the issue of self-determination, particularly the issue of internal self-determination. These include the age long and protracted conflicts between the Ife and the Modakeke people to the southwest, the Aguleri-Umuleri conflicts to the southeast, and the Zango-Kataf conflicts and the Tiv-Jukun conflicts in the north. All these were basically conflicts over identity, resource control and territoriality/land, all of which are components of the self-determination rights. However, for the purpose of this paper, the Ife-Modakeke conflict will provide an excellent case for analysis. This is because of a number of reasons: the fact that Ife-Modakeke conflict is one of the oldest community conflicts in Nigeria, dating back as far back as 1849; the conflict is a sub-ethnic conflict involving two groups that are dialectally different, although ancestrally linked; the conflict has undergone diverse transformation in nature, scope, and consequences; and that a permanent and lasting resolution of the conflict still remains elusive even after over fifty years of post-colonial rule. One writer has gone as far as to describe this conflict as being unprecedented in the history of the Yoruba people: “there were no conflict in Yoruba history, whether in pre-colonial, colonial and post-colonial times which were as dangerous as that of Ife-Modakeke people.”

Historically speaking, scholars have situated the genesis of the Ife-Modakeke conflict within the context of the political crisis in the old Oyo Empire and the invasion of the empire by the Fulani Jihadists in the late 18th and early 19th centuries, both of which led to the collapse of the empire and the emigration of Oyo people into neighboring towns including Ile-Ife. By the mid 19th century, the Oyo migrants in Ile-Ife had become sizeable in number and a force to reckon with as exemplified by the recruitment of some of them into Ife army and the marriage of an Oyo immigrant woman by Ooni Akinmoyero (the monarch of Ife kingdom between 1770 and 1800), which resulted in the birth of Abegunle Abewela who later became an Ooni (king) in 1839. However, records show that the political

power tussle between the Ife and Oyo refugees in the town of Ibadan in the late eighteenth century, which ended in victory for the Oyo refugees, began to strain the cordial relationship between the Ife and their Oyo refugees back at Ile-Ife. Similarly, the emergence and ascendancy of Ibadan as a military power in Yoruba politics, which culminated in the balkanization of the entire Yorubaland into two military alliances, namely the Ekiti confederacy (Ekitiparapo) and Ibadan camp (the two camps that fought during the 1878-1894 Yoruba civil war), and its invasion and overrunning of several Ife towns before and during the war further deepened the hostility and dislike of the Ife for the Oyo refugees, who had adopted the name Modakeke after being resettled outside of Ile-Ife by Ooni Abewela Abegunle before the end of his reign in 1849.

However, violent open conflict first broke out between the two communities around 1849 (and has since remained unresolved) after the cordial and peaceful communal relationship was fractured by politically motivated communal distrust, further compounded by issues of claim to separate identity, and land/territoriality. Over the years, the situation was exacerbated by the political elites, who manipulated the fragile communal relationship for sheer political gains. Since 1849 till date, the two communities have had to engage in bloody conflicts several times; the last being between 1997 and 2001. Apart from open bloody confrontations, the history of the communal relationship has been interspersed with occasional skirmishes.

Generally, there is no doubt in the literature that the Ife-Modakeke conflict was largely about quest for internal self-determination by the two communities involved. First, the nature of the Ife-Modakeke relations on one hand and the origin, nature, causes and implications of the conflicts between them, on the other hand, suggest that the conflict was that of one group or collectivity against another. Second, though, the causes of the communal conflict are diverse, what is clearly established in the literature is that over the years, the conflicts had assumed different dimensions. These include quest for autonomy, quest to maintain group identity, and quest to freely dispose off natural wealth and resources. Specifically, the history of the conflicts shows a situation where the Modakeke have always being contending to preserve their existence in their present geopolitical location, which is incidentally

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60 Ibadan was an Egba town that was defeated and occupied by a combination of Ife war generals, Ijebu warriors and some Oyo refugees during the period of political turmoil in Yorubaland in the 18th and 19th centuries, and which later became a dominant power in pre-colonial Yoruba politics.

61 Johnson op. cit. p.525, and Akinjobin, op.cit. p. 151-152

62 For full details on the Ife-Modakeke conflict, see Johnson op. cit.; Akinjobin op.cit and Akanji op.cit

63 Johnson op.cit: Ajayi and Akintoye, op.cit; Albert, op. cit; Akinjobin, op.cit; and I.A. Akinjobin and E.A. Ayandele “Yorubaland up to 1800”, In O. Ikime (ed), *Groundwork of Nigerian History*, Ibadan: Heinemann, 1980
encompassed by Ife community, and at the same time insisting that they hold a different identity from the Ife. On the other hand, the Ife people have always considered the preservation of the territorial integrity of the entire Ife land area/community non-negotiable. The perspective of the Ife may be gleaned from the remarks made in 1997 by Orayemi Orafidiya, (the Asiwaju of Ife community), when he stated that:

“Nowhere is a land carved to a group non-indigenous to the area to form anything or to qualify for an autonomous local government…”

This reveals the internal self-determination undertone of the crisis. Likewise, the Modakeke people’s reactions, for example, to the failure of the Oyo state government to accede to their demand for a separate local council in 1981, which would have accorded them (the Modakeke) an autonomous status within Ife equally shows the connection between the conflict and internal self-determination. In response to the denial, the Modakeke staged a demonstration on 31 May 1981, carrying placards that blamed the reigning traditional ruler of Ile Ife, Oba Okunade Sijuwade as well as the national leader of the ruling political party in the state; Chief Obafemi Awolowo of the Unity Party of Nigeria (UPN), for frustrating their ambition. Some of the placards read:

"Modakeke are not Ife and the two communities can never live together peacefully and happily."

"Awo, give democracy a chance". "Modakeke must be free", “Freedom is our goal.”

At one point, the communal conflict assumed the character of a liberation struggle with the traditional chief of the Modakeke community, (the Baale of Modakeke) Chief Animasaun, threatening that if the community was not granted a separate local government status it would struggle to achieve it. And when it seemed the dream of the Modakeke was almost being fulfilled in 1989, because the government placed them in a local government council area not directly under the control of the Ife local authority, their state of ecstasy as deduced in the expression of I.O.Ajayi (the Otun Asiwaju of

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65 Ibid, p.96
66 Ibid
67 Ibid p.90
Modakeke), further revealed the strong connection between the communal conflict and the aspiration for self-determination. The Modakeke people’s state of ecstasy was summed up in the following words:

“... it is sure that we are in the Promised Land. Agitation, oppression and unhealthy rivalry between Modakeke and Ife have been solved after 150 years [1839-1989] of wars and near apartheid situation in an independent Nigeria. What an uneasy journey of 150 years towards the Promised Land.”

Thus, it is evident that the issue of identity encapsulated in requests for separate local government was a major factor in the sustenance and escalation of the communal conflict. Available evidence shows that the Modakeke people began a systematic and persistence agitation for an autonomous local government council distinct from the Ife, from as early as 1957/58. This demand continued through the 1970s, 80s and even till the 1990s. In the same vein, the Ife people did not hide their resolve to resist all attempts to balkanize their land. And this they actually did all through the years each time attempt was made by the government to do so. Above all, the Ife-Modakeke case is an example of a native/settler-related community conflict, where the Ife people are the host or native community and the Modakeke, the settler community. Nonetheless, the politicization of the issue turned the conflict into a protracted conflict, with serious threats to the peace and stability of southwestern Nigeria and the country in general.

Comparatively, the issues that underpinned the Ife-Modakeke conflict are not different from those that underpinned a number of other community conflicts in the country. Like the Ife-Modakeke case, records show that the protracted Tiv-Jukun communal hostility in Taraba state is predicated on the native/settler dichotomy and land ownership among others. The Jukun have always considered themselves as the landowners (the natives), while the Tiv are labeled the settlers, a tag which the Tiv never accept. In the same vein, the conflict between the Yoruba in Share in Ifelodun Local Government Area and the Nupe in Edu Local Government Area (two neighbors) in Kwara state is another example of a conflict underpinned by the quest for internal self-determination in Nigeria. According to records, the

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68 I.O. Ajayi. “Modakeke: Towards the Promised Land,” A mimeograph, n.d., p.8
two groups have engaged in bloody conflict about four times between 1850 and 2000. The first time was in 1850, followed by 1976, 1978, and 2000 over issues such as the creation of a footpath (land ownership) and each group’s historical claimant to the Share-Tsaragi territory.\(^{71}\) Though a major feature of the conflict has been the attempt by each of the communities to lay claim to indigeneship status, while labeling the other the migrant settler, the politicization of the issues has compounded the problem. In 1976, for example, the creation of Ifelodun Local Government with headquarters in Share was construed by the Nupe as an attempt by the government to confirm the people of Share (a Yoruba community) as the landlords.\(^{72}\)

**Conclusion**

The foregoing analysis has helped to establish the centrality of the issue of the quest for self-determination, particularly in its internal sense, as the major challenge to Nigerian statehood. This issue, created by years of colonial rule and foreign contacts, both of which resulted from migration, and sustained and compounded by competing claims to resources and disillusioned political elites in the corridors of power, has been the force underpinning violent conflicts in Nigeria. Moreover, the migration of people over the years across ethnic, religious and linguistic boundaries within the country, which was supposed to foster national unity, integration and development, has become the source of political, religious, inter-ethnic and sub-ethnic conflicts, due to the politicization of the issue of citizenship and access to political power. The inability of Nigerians to enjoy the full benefit of their citizenship, as evidenced by widespread poverty and unemployment, infrastructural decay and social insecurity, among others, and the marginalization and exclusion of minority groups from political power by the dominant ethnic groups, exacerbated the demands for internal self-determination rights by groups in the country to the point of violent conflicts. However, the right to internal self-determination which the groups in conflicts in Nigeria are entitled to is to be understood as enjoyable, only in a manner consistent with the principles of international law regarding sovereign State. The principles are to the effect that the exercise of the right to self-determination does not have to lead to the disintegration of a

\(^{71}\) See The Punch, Lagos, July 26, 2000, pp.19-20

\(^{72}\) Ibid
sovereign state, but rather to improving the quality of life of the people, ensuring equal rights and non-discrimination, and avoiding inter-group tensions.

A number of measures otherwise called specific measures or affirmative actions are recommended by major international human right instruments, to ensure the full enjoyment of the internal self-determination rights. These include concrete measures to ensure the adequate development and protection of members of minority groups. Others are political measures such as allocation of power disproportionate to the size of both the majority and minority groups in a state, in order to ensure fair influence and consultation on political issues affecting them, and the granting of appropriate local or autonomous administrations corresponding to the specific historical and territorial circumstances of the various people groups. Legislative recognition of minority laws and customs, guaranteed seats for minorities in legislative and other political organs, the appointment of officials chosen by the group to either specific positions or to a fixed percentage of general posts etc.\textsuperscript{73}

In a way, the recognition of these measures in human rights law implies, on the one hand, the global recognition of the right of people to internal self-determination, and on the other hand, the need for national governments, in this case, Nigeria, to actually see how the right can be fully exercised and enjoyed by all groups, whether ethnic, sub-ethnic, religious or linguistic groups in the country. This is a remedy to the continued threats that agitations for self-determination, whether external or internal self-determination, pose to the Nigerian State. Therefore, in line with its obligation under international law, and the conception of internal self-determination rights under international law as the mechanism for promoting the socio-economic development and political inclusion of minorities, the Nigerian government should recognize and accord every ethnic minority group in the country the fundamental right to internal self-determination as contained in international human right laws. This is imperative given the fact that Nigeria is a signatory to a number of international human rights instruments, including the African Charter on Human and Peoples’ Rights, which obligate states to recognize and provide for the exercise and enjoyment of group rights, including self-determination, by groups, whether minority or majority groups. Article 20 of the African Charter on Human and Peoples’ Rights affirms this when it declares that, “All peoples shall have right to existence. They shall have the unquestionable right to self-determination. They shall freely determine their political status and shall pursue their economic and social development according to the policy they have freely chosen.” The applicability of

\textsuperscript{73} See paragraph 35 of part IV of the Document from the 1990 Copenhagen Meeting of the OSCE Conference on the Human Dimension.
this provision to groups in Nigeria can be predicated on the argument by Prof. Umuzorike that the term ‘peoples’ used in the Charter “embraces minorities and majorities”\textsuperscript{74}, and the fact that the country has municipalized the provisions of the Charter through the (Ratification and Enforcement) Decree No 2, of 1983.\textsuperscript{75}


\textsuperscript{75} See Cap 10 1990 Laws of the Federation of Nigeria, Section 1