History of Constitutional Development in Nigeria

**The Clifford Constitution of 1922**

**Background**

Before 1922, Nigeria was a mere geographical expression governed by the colonial masters without any known constitution. Although Sir Lord Luggard who was the first Governor of Nigeria had set up a legislative body called ‘The Nigerian Council.” The council was powerless because its resolutions had no force of law. In an attempt to establish an organized means of ruling the people, the Clifford’s constitution of 1922 was formed and named after Sir Hugh Clifford – the then Governor General of Nigeria.

**Features of the Clifford’s Constitution of 1922**

1. **Elective Principles:** This constitution was the first to introduce elective principles in Nigeria. This led to the establishment of democracy and electoral practices in Nigeria.
2. **Limited or Restricted Franchise:** Only male adult whose annual gross income was up to 100 pounds, living in Lagos and Calabar were qualified to vote during election.
3. **The Executive Council:** It was mainly made up of the Europeans. The council was a mere advisory body and was chaired by the governor.
4. **The Legislative Council:** The constitution established a legislative council dominated by the Europeans. Only few Nigerians were nominated to serve as non-official members.
5. **Veto Power:** The constitution vested excessive powers on the governor. This means he can accept or reject the decisions of the executive and legislative council at will.
6. **Exclusion of Northern Nigeria:** The constitution was only used to govern the Southern part of Nigeria. It excluded Northern Nigeria because the governor decided to rule that part of the country by words of proclamation.

**Merits of the Clifford’s Constitution of 1922**

1. It introduced elective principles in Nigeria.
2. It led to the development of political parties in Nigeria. E.g., the first political party called NNDP was established by Herbert Macaulay in 1923.
3. It was the first constitution in Nigeria.
4. It led to the establishment of print media (newspapers) in Nigeria, e.g., the Lagos Daily News was formed in 1925.
5. It awakened the spirit of Nationalism in Nigeria and the struggle for independence.
6. It made Nigeria the first West African country to practice elective principles.

**Demerits of the Clifford’s Constitution of 1922**

1. The constitution lacked national outlook since it isolated Northern Nigeria.
2. Most Nigerians were disenfranchised since only male adults in Lagos and Calabar earning a gross income per-annum can vote during election.
3. It has no provision for human rights.
4. It excluded Nigerians from the executive council.
5. It made Nigerians insignificant in the Legislative council since they were few.
6. The veto power if the governor made the decisions of the executive council useless.

**The Richards Constitution of 1946**

**Background**

The weaknesses of the Clifford’s constitution gave rise to agitation and the need for a new constitution. Central to the weakness of the Clifford’s constitution was that it lacked national outlook since it was used to govern only the southern part of the country. Benard Bourdillon who was the governor of Nigeria from 1935-1943 laid the ground work for the Richards constitution. This laid the groundwork for the Richards constitution. This was contained in his proposal in the future development of Nigeria.

Although to Benard Bourdillon left office in 1943, his proposal was continued by his successor -Sir Author Richards after whom the constitution was named. The new constitution was used to promote the unity of Nigeria and ensure greater participation of Nigerans in their own affairs.

**Features of the Richards Constitution of 1946**

1. **Regionalism:** The constitution officially divided Nigeria into three regions (North, East and West). This division had earlier been done by Benard Bourdillon in 1939.
2. **Regional Assembly:** It made provision for regional House of Assembly. Members were elected by the Native Authority. The Native Authority. The Regional Assembly as in turn empowered to elect members of the central legislative council. This assembly was a mere advisory body that lacked powers to make laws.
3. **Bi-Cameral Legislature:** The constitution introduced two-chamber legislature in the northern region, namely, The House of Assembly and the House of Chiefs. The East and West operated unicameral legislature.
4. **Central Legislative Council:** The constitution created a central legislative council in which the three regions of the country were represented.
5. **Central Executive Council:** It created a central executive council dominated by Europeans and was headed by Sir Arthor Richards.
6. **Veto Power:** Like Clifford Constitution, the Richards constitution vested unreserved powers on the governor general.

**Merits of the Richards Constitution of 1946**

1. The constitution was the first to unite Nigerians under one central legislature.
2. It introduced regionalism for the first time in Nigeria. This laid the ground work for federal system of government in Nigeria.
3. The constitution introduced bicameral legislature for the first time in Nigeria (precisely in the northern region).
4. It ensured greater participation of Nigerians in governance. This is because more Nigerians were involved in the legislative and executive council.
5. It created a constitutional link between the native authority and the legislative council.

**Demerits of the Richards Constitution of 1946**

1. It disenfranchised many Nigerians because only male adults with gross annual income of 50 pounds, residing in Lagos and Calabar were qualified to vote.
2. By vesting veto power on the Governor-General, the constitution rendered unofficial majority of Nigerians in the legislative council powerless.
3. It made mockery of the regional assembly since the assembly was a mere advisory body and had no power to make laws.
4. The constitution was imposed on Nigerians because there was no grassroot consultation.
5. Educated elites were not consulted in the framing process of the constitution.
6. The constitution divided Nigeria into three unequal parts such that the Northern region was bigger than the East and West put together.

**The Macpherson Constitution of 1951**

The MacPherson constitution of 1951 was necessitated by the numerous defects of the Richards constitution. The major defect was that Nigerians were not consulted in the framing process of the constitution. In order to correct this defects, John MacPherson who took over from Arthor Richards as governor felt the need for a new constitution.

A committee was set up to form a new constitution. The committee embarked on grassroots consultation so as to get the views of Nigeria in all parts of the country. The Ibadan constitutional Conference of 1950 was convened to discuss and harmonize the view of Nigerians on the proposed constitution. The views were documented and presented to the governor and secretary of states for colonies as the new constitution.

**Features of the Macpherson Constitution of 1951**

1. **Council of Ministers:** It introduced a central executive council called the *Council of Ministers.* It was composed of 6 official members and 12 Nigerian ministers of which 4 were from each of the three regions.
2. **House of Representatives:** It established a central legislative council called the *House of Representatives.* It was made up of 6 European officials, including the Lieutenant Governor. It also has 136 representatives elected from the 3 regions, 68 from the North, 34 each from the East and West.
3. **Regional Legislative Council:** The North and West had bicameral legislature, namely, House of Assembly and House of Chiefs. East had unicameral legislature.
4. **Regional Executive Council:** This was headed by the Lieutenant governor. It was responsible for advising the governor and he was free to accept or reject the advice.
5. **Veto Power:** It vested unreserved power on the governor, especially in areas like Public Finance, Public Service and Foreign Policy.
6. **Lagos:** The constitution made Lagos part of the Western Region and was allotted 5 seats into the Regional Assembly.
7. **Electorates:** Only male tax payers were empowered to vote in the North. In the East and West, male and female adults were qualified to vote.

**Merits of 1951 Constitution**

1. It was the first ‘home made constitution in Nigeria because for the first time, Nigerians were consulted in the framing process of the constitution.
2. It was the first to introduce ministerial positions in Nigeria.
3. The legislative house was mainly composed of Nigerians and no longer dominated by Europeans.
4. For the first time, Nigerians were the majority at both the central and regional executive council.
5. It established a quasi-federalism which strengthened the need for full fledge federalism in Nigeria.
6. It was the first to introduce Universal Adult Suffrage precisely in the East and Western Nigeria.

**Demerits of 1951 Constitution**

1. The selection of ministers from the regional assemblies gave rise to regional loyalty at the expense of national interest.
2. It established mixed elements of unitary and federal forms of government in Nigeria.
3. It failed to provide for office of the Prime Minister at the center and premier at the regional level.
4. It disenfranchised a good number of Nigerians since only male tax payers were allowed to vote in the North.
5. The Veto power of the governor in specific areas rendered the constitution undemocratic and stereotyped.

**The Independence Constitution of 1960**

The independence Constitution of 1960 was a product of the resolutions of the London Constitutional Conference of 1957. The Conference was convened to review some of the deficiencies/defects inherent in the 1954 constitution and make appropriate recommendations. The following were some of the agreements reached at the conference:

1. Provision be made for the office of the Prime Minister.
2. The Central legislature should be bicameral i.e. House of Senate and House of Representatives.
3. Bicameral legislature should be established in the three regions, namely, North, East and West and should be called House of Assembly and House of Chiefs.
4. Male adults’ suffrage should be practiced in the north while Universal Adult Suffrage should be practiced in the East, West, Lagos and in Southern Cameroon.
5. The police should remain under federal control.
6. The House of Representatives should be composed of 320 members distributed based on population of each region.

In 1958, another constitutional conference was convened in Lagos. The conference considered the recommendations of Henry Wiliks Commission of 1957 on minority issues, etc.

**Features of the Independence Constitution of 1960**

1. **Parliamentary System:** The constitution introduced parliamentary system of government in Nigeria.
2. **Head of State:** The Governor-General of Nigeria who was a representative of the Queen of England served as a ceremonial Head of State.
3. **Head of Government:** The Prime Minister was made the head of government and administration.
4. **Citizenship:** The status and means of acquiring citizenship in Nigeria was introduced and entrenched in the 1960 constitution.
5. **Fundamental Rights:** The constitution introduced and provided for the rights and privileges of Nigerian citizens.
6. **Privy Council:** This was the highest judicial body in Britain. The council was made the final court of appeal under the 1960 constitution of Nigeria.
7. **Federal System:** It retained the already established federal system of government in Nigeria.
8. **Central Legislature:** Bicameralism was extended tot the Eastern region so that the three regions now had two chamber legislatures.

**Merits of the 1960 Constitution**

1. The constitution brought an end to colonial rule and ushered Nigeria into independence.
2. It introduced and established Human Rights into Nigerian laws.
3. It defined citizenship status in Nigeria and spelt out the means of acquiring same.
4. It made Nigeria a sovereign state thereby empowering the nation to join international organisations. E.g. Nigeria joined UNO in 1960 as the 99th member.
5. It introduced bicameralism at the center and in all the three regions of Nigeria.
6. It gave Nigeirans the leverage of taking charge of the executive and legislative arms of government.
7. Nigeria also enjoyed the opportunity of establishing trade relations with countries other than Britain.

**Demerits of the 1960 Constitution**

1. It failed to establish total independence for Nigeria since the Governor General (i.e. the Ceremonial Head of State) still served as representative of the Queen of England.
2. Nigerian parliament.
3. It rendered the Supreme Court if Nigeria useless because it made the judicial committee on Privy Council in London the Final Court of Appeal.
4. It jettisoned the territorial integrity and sovereignty of Nigeria since it gave room for British interference in the democratic affairs of the country.
5. The fact that senators were not elected but nominated by the regional government was a serious setback for the constitution and democracy in Nigeria.

**The First Republican Constitution of 1963**

The first republican constitution of 1963 was formed to correct the defects of the 1960 constitution. Some of the defects include:

* The constitution was a product of an act of the British parliament, not that of Nigeria.
* It rendered the supreme court of Nigeria powerless since the privy council in London was made the final court of appeal.
* The constitution undermined the independence of Nigeria since the Queen of England was made Nigeria’s ceremonial Head of State, represented by the Governor-General.

This informed the need for the Lagos Constitutional Conference of 1963. The resolutions of the conference formed the features of the 1963 republican constitution.

**Features of 1963 Constitution**

1. **Republicanism:** The constitution introduced and established a republican form of government in Nigeria.
2. **Parliamentary System:** It rendered the existing parliamentary system introduced by the independence constitution of 1960.
3. **Head of State:** The ceremonial Head of State was called the president. The queen who was represented by the governor-general ceased to be the Head of State.
4. **Election of the President:** The president was indirectly elected by a joint session of the Senate and House of Representatives. He stays in the office for a period of four (4) years.
5. **Powers of the President:** While the president served as the ceremonial Head of State, the constitution empowers him to appoint, transfer and promote judges based on the advice of the Prime Minister.
6. **Head of Government:** The Prime Minister served as the Head of Government. He and members of his cabinet are collectively responsible to the president.
7. **Supreme Court of Nigeria:** The Supreme Court was strengthened and empowered to serve as the Final Court of Appeal in Nigeria. The judicial committee of the Privy Council in London ceased to be the final Court of Appeal.

**Merits of 1963 Constitution**

1. It ushered Nigeria into a republican form of government, a system founded on the principles of election and democracy.
2. Nigeria was no longer under the leadership of the Queen of England.
3. The Supreme Court of Nigeria was made the Final Court of Appeal and not the privy council in London.
4. Fundamental Human Rights were entrenched in the constitution.
5. It gave Nigeria the full status of a sovereign state because it closed the window of undue external influence by Britain.
6. The constitution was a home-made constitution because it was a product of an Act of the Nigerian Parliament and not that of the Britain as was the case with the previous constitution.

**Demerits of 1963 Constitution**

1. It guaranteed parliamentary supremacy rather than constitutional supremacy.
2. It made the Prime Minister accountable to the parliament instead of the people.
3. Parliamentary Supremacy led to abuse of power because those in government were no longer accountable to the people.
4. It compromised the whishes of the people since the president was not directly elected by the people.
5. The indirect election for office of the president opened a window for lobbying, bribery and corruption.
6. It did not guarantee effective performance of those in power since there is fusion of executive and legislative powers.

**The Second Republican Constitution of 1979**

The first republican constitution of 1963 was set aside by the military after they took over power from the civilian regime in 1966. Between 1966 and 1979, Nigeria witnessed series of military intervention in politics. Within this period, attempts were made by different military government to form a new constitution for Nigeria.

First was the General Aguyi Ironsi’s constitution review committee headed by Chief Williams. Much was not achieved by the committee because the regime of Aguyi Ironsi was brought to an end in about six months. Second, General Yakubu Gowon who took over from General Aguyi Ironsi organized a constitutional conference and took part in the drafting of a constitutional programme in Aburi, Ghana but that programme was never impremented.

In 1975, General Yakubu Gowon was overthrown by a military coup which saw the emergence of Multala-Obasanjo regime. Upon assumption of office, Genera, Murtala’s administration had set up a constitution drafting committee in 1975 under the chairmanship of Chief FRA Williams but Multala was assassinated in 1976. His transition agenda was continued by his successor – General Olusegun Obasanjo. The draft constitution was ready in 1976 and reviewed by the Udo Udoma led committee in 1978. The draft constitution was finally vetted by the Supreme Military Council and it came into effect on 1st October, 1979.

**Features of the 1979 Constitution**

1. **Presidential System of Government:** The constitution introduced and established a presidential system of government to the effect that an individual is both the Head of State and Head of Government.
2. **Qualifications for Office of the President:** The constitution specified that to serve as president, one must be a citizen of Nigeria by birth and must be up to 35 years of age.
3. **Commander-**in-Chief: The constitution made the president the commander-in-chief of the armed forces of the Federal Republic.
4. **Term of Office:** The duration for the office of the president or state governor is four years and a maximum of two terms.
5. **Impeachment:** if the executive (president or governor) violates the constitution or abuse the powers of his office, he/she removed through a process called impeachment.
6. **National Assembly:** it retained the existing bi-cameral legislature, namely, senate and House of Representatives. While senate had 95 members, the House of Representatives had 450 members.
7. **Separation of Powers:** Powers and functions of the arms of government were not fused together, rather they were separated.
8. **Party System:** It provided for a multi-party system in Nigeria. This means Nigeria could have three or more political parties.

**Merits of the 1979 Constitution**

1. It introduced and established the practice of presidential system of government in Nigeria to the effect that the individual served as both the Head of State and Head of Government.
2. The president is empowered through election and popular will to discharge his duty without necessarily subjecting himself to the will of his party.
3. The inclusion of separation of powers ensured that each organ performed its functions effectively without fear or favour.
4. The powers of the supreme court to check the excesses of the other organs of government through judicial review helped to reduced or eliminate dictatorship.
5. The constitution was made supreme, over and above all other laws and persons, no matter how highly placed.
6. The fixed tenure of office helped eliminate the tendency of having highly influential persons in power for a life time.
7. The constitution guaranteed the rights and privileges of citizens and foreigners alike.
8. It provided for the establishment of a new Federal Capital Territory for Nigeria.
9. The president could check the excesses of the minister since they were individually responsible to him.
10. The states were equally represented in the House of Senate.
11. The constitution promoted democratic practice because both the president and governors were directly elected by the public.

**Demerits of the 1979 Constitution**

1. The impeachment clause was used as a tool to victimize political opponents. An example was the indiscriminate impeachment of Balarabe Musa as the Executive Governor of Kaduna State.
2. Operating the constitution was quite expensive because it involves duplication of functions at all levels of government.
3. It is capable of generating conflict between the executive and the legislature.
4. It is an expensive system because it involves duplication of powers at all levels.
5. Despite the principle of Separation of Powers, the constitution still gave room for dictatorship on the part of the executive.

**The 1989 Constitution**

The 1979 constitution was abolished due to the re-emergence of military rule in 1983. The first regime was led by Muhammadu Buhari (1983-1985) while the second regime was led by Ibrahim Babagida (1985-1993). The process that led to the emergence of the 1989 constitution was initiated and actualized by the then Gen. Ibrahim Babangida’s administration.

**Features of the 1989 Constitution**

1. **Presidential System:** Th constitution retained the presidential system of government provided for in the 1979 constitution of Nigeria.
2. **Party System:** The constitution provided for a two-party system. This led to the emergence of the National Republican Convention (NRC) and Social Democratic Party (SDP).
3. **Legislative Houses:** It retained the existing two chamber legislature and provided for part-time legislature at the federal level. While the Senate had 64 members, the House of Representatives had 453 members.
4. **Federal Capital:** Abuja was made the FCT. Hence it was no longer seen as a state.
5. **Federal System:** It retained the existing federal system and provided for three tiers of government; namely, Federal, State and Local Government.
6. **Citizenship Status:** The constitution also provided for the means of acquiring citizenship status in Nigeria. Thus, one can become a Nigerian citizen by birth, registration and naturalization.
7. **Fundamental Rights:** The Fundamental Rights of the citizens such as right to life, speech, religion etc. were all provided for in the constitution.
8. **Prerogative of Mercy:** The Chief Executive (president) was empowered to grant presidential pardon to convicts or replace harsh punishment with soft once.

**Merits of 1979 Constitution**

1. It introduced two-party system which was less expensive.
2. It introduced part-time legislature which gave way for Nigerians who had the interest of the people at heart to venture into politics.
3. It made Abuja, a neutral zone, the Federal Capital Territory.
4. It clearly spelt out the rights and privileges of Nigerian citizens.
5. By establishing a federal system of government, it promoted national unity and integration.

**Demerits of 1979 Constitution**

1. By making provision for only two-party system, it restrained many Nigerians from contesting elections.
2. The part-time legislature introduced by this constitution made it practically impossible for law makers to pay full attention to their legislative duties. In other words, it gave them divided attention.
3. It established a federal system that is highly expensive because of the duplication of functions at the various levels of government.
4. The presidential pardon led to the acquitting of hardened criminals who had committed heinous crimes.
5. Separation of Powers initiated by this constitution is capable of generating undue conflict between the executive and legislative.

**The 1999 Constitution of the Federal Republic of Nigeria**

**Background**

The 1999 constitution is a product of a 10-months transition programme initiated by Gen. Abdulsalam Abubakar in 1998. Upon assumption of office as the Head of State, he abolished the transition programme initiated by Late General Sani Abacha. The Justice Nikki Tobbi led constitution review committee recommended the adoption of the 1979 constitution to Abdulsalam as the new constitution. However, contrary to this, Abdulsalam adopted the 1995 draft constitution as the new constitution. After slight moderations, the constitution was brought into force on May 29th, 1999.

**Features of the 1999 Constitution**

1. **Presidential System:** The constitution adopted the presidential system of government initiated by the 1979 and 1989 constitution plus the 1995 draft constitution. This means an individual call the president will function as both the Head of State and Head of Government.
2. **Republicanism:** The constitution also retained the republican form of government introduced by the 1963 constitution and ushered Nigeria into her fourth republic in May 1999.
3. **Federal System:** It provided for federalism because the constitution divided the powers of government between the federal government and the component states.
4. **States of the Nigerian Federation:** The constitution provided for 36 states including the Federal Capital Territory, Abuja. Apart from the FCT, that is headed by a minister, each of the states us under the leadership of a democratically elected governor.
5. **Local Government Areas in Nigeria:** The constitution provides for 774 Local Government Areas and each of the LGAs is headed by a democratically elected chairman.
6. **The National Assembly:** This is the legislative arm of government at the federal level. It has two chambers called the House of Senate and the House of Representatives. The Senate is the upper chamber made up of 109 senators while the House of Representatives is the Lower Chamber made up of 360 members.
7. **Fundamental Rights:** In chapter 4 of the constitution, special provision is made for the fundamental rights and privileges of Nigerian citizens.
8. **Citizenship:** The constitution provided for various citizenship status and the means of acquiring such status, be it citizenship by birth, registration or naturalization.

**Merits of the 1999 Constitution**

1. It provided for a republican form of government and ushered Nigeria into her 4th republic.
2. It increased the number of states and local governments in Nigeria thereby promoting wider political participation and government at the local level.
3. It discouraged illiterates and inexperienced citizens from gaining access to power by providing for minimum requirements for public offices at various levels of government.
4. It provided for separation of powers, checks and balances among the arms of government. This helps prevent abuse of powers by the executive arm of government.
5. It divided the powers of government among the various levels of government so as to promote even development in the state.
6. It safeguard and protect the rights and privileges of the Nigerian people.

**Demerits of the 1999 Constitution**

1. The system is highly expensive because of the excessive duplication of powers at the various levels of government.
2. The constitution creates room for conflict of interest between the executive and legislative arms of government especially if the president’s party is not the majority in the legislative chambers.
3. The constitution has failed to provide for equal representation of citizens at the national assembly because while every other state has three senators, FCT has only one senator.

**Nigerian Federalism**

Federalism is defined as the constitutional division of powers between the central government and the component regions. This is clearly reflected in the three legislative lists, namely, concurrent, exclusive and residual legislative lists.

The concurrent legislative list contains areas where the federal and state government have powers to make and enforce laws. E.g. education, health, tax, etc.

Under the exclusive legislative lists, only the federal government exercise full legislative powers in areas like currency, defense/security, foreign policy, etc.

In the residual legislative lists, only the state government have powers to make laws in specific areas e.g. local markets, chieftaincy affairs, motor packs etc.

**History of Nigerian Federalism**

Nigeria became a geographical entity in 1914. However, the history of Nigerian federalism is traced to the division of the country into three regions in 1939 by Benard Bourdillon. The Richards constitution gave legal backing to the three regional structure which by implication laid the foundation for Nigerian federalism. An advanced form of federalism was witnessed in Nigeria in 1951 when the Macpherson Constitution introduced *Quasi Federalism.* This was further consolidated by the Lyttleton constitution of 1954 which introduced full federalism in Nigeria.

Ever since, Nigeria had continued to practice federalism with two substantial exceptions. First was an attempt by General Aguyi Ironsi to introduce Unitary Form of Government through decree 34 in 1966. Second, was the continuous intervention of military in politics at different intervals and administered the country using centralized system.

**Reasons for the Adoption of Federalism in Nigeria**

1. To protect the rights of the minority and allay the fear of domination by major ethnic groups.
2. To bring government closer to the people at the grassroots level.
3. It is convenient in Nigeria because od the large size and population.
4. To promote unity in diversity since Nigeria is a people with heterogenous attributes. By heterogeneity, we mean a people with different customs and tradition, religion and value system.
5. To ensure effective administration through duplication of functions and reduce the work load at the center.
6. For effective management of the huge human and natural resources in the vast territories of Nigeria.

**Note:** The constitutional conferences that led to the establishment of Nigerian federalism were:

* The London Constitutional Conference of 1954.
* The Lagos Constitutional Conference of 1954.

**Structure of Nigerian Federalism**

Nigerian federalism is structured along three tiers or levels of government. They are:

* The Federal Government
* The State Government
* The Local Government

The functions of the various levels of government are clearly spelt out in the constitution.

In Nigeria, federalism has been expressed under different regions/states. Thus, in

* 1939, Nigeria was a nation of 3 regions
* 1963, Nigeria was a nation of 4 regions
* 1967, Nigeria was a nation of 12 states
* 1976, Nigeria was a nation of 19 states
* 1991, Nigeria was a nation of 21 states
* 1993, Nigeria was a nation of 30 states
* 1996, Nigeria was a nation of 36 states

**Attributes of Nigerian Federalism**

1. **The Constitution:** The constitution of Nigeria is written and rigid.
2. **Constitutional Division of Power:** Under the Nigerian federalism, the powers of government are constitutionally shared between the center and the state.
3. **Supremacy of the Constitution:** Under Nigerian federalism, the constitution is supreme. This is clearly provided for in section 1(1) of the Nigerian constitution which says the constitution is supreme and shall have binding force on all persons, institutions and bodies. In section 1(3), it went further to say “if any law is inconsistent with the provisions of this constitution, the constitution shall prevail and that other law shall to the extent of the inconsistency be void.”
4. **Separation of Powers:** The powers and functions of the arms of government are constitutionally shared.
5. **Bicameralism:** Nigerian federalism provides for two chamber legislature at the national level; namely: Senate and the House of Representatives. It is important to note that unicameralism is practiced at the state level.
6. **Supreme Court:** This is the apex (highest) court of the land. It has the power of judicial review, settle dispute between the executive and the legislature, interpret law and entertain cases arising from court of appeal.
7. **Unequal Regions:** The existing regions under Nigerian federalism are unequal. For instance, North West has 7 states, while North East, North Central, South South and South West have 6 states each. However, South East has five (5) states – making it the region with the least number of states.

**Problems of Nigerian Federalism**

1. Disagreement on revenue allocation formula among states of the federation.
2. Problem of minority and state creation. Many minority groups in Nigeria feel cheated and marginalized and so, they belief that their fears will be addressed if more states were created in their favour.
3. Inter-ethnic and Intra-ethnic conflicts among groups struggling for political and socio-political and socio-economic powers.
4. Threat of secession: Threats of secession by some people in the country. E.g IPOB, MASSOB.
5. Issue of Boundary Disputes among states and component units.
6. The cost of running the system is high due to duplication of institutions.
7. Federal character and its attendant consequences.