

I AM very reluctant to comment on the on-going discussion on the draft constitution. From 1960 to now, no opportunity has existed for true representatives of the working people of Nigeria, who really should own this country, to make her constitution. Yet I find it difficult to turn the other way when grave errors are being paraded and greedy vultures are descending on what they see as a corpse to tear up.

Those who assembled at Abuja to make the 1995 draft were very much like Abacha. They saw Nigeria simply as a giant national cake to be shared by exercising arbitrary and greedy power. We have seen how the cake sharers around Abacha's presidency handled the national revenue. They pleased themselves with billions of naira or dollars while the working masses starved — and while hospitals, schools and all that the people need in every town or village decayed. Nigeria is a country to be built and a hope for the Nigerian people and Black Africa to be fulfilled. It is not — for some of us — a cake to be shared.

The presidency of Nigeria must never be trivialised and desecrated by being reduced into a part of a cake to be shared by people who have the same mentality as armed robbers even when they are in big *agbada* or a General's uniform. The

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proud internationally to the spontaneous ovation of all parts of this nation selected by zoning? Why does it take only the present set of politicians to see little else except tribes and arbitrary regions?

Lugard's Northern Nigeria has many ethnic and religious groups. It is not only Hausas and Fulanis that exist in it; nor is it Ibos and Yorubas alone that exist in Lugard's south. Then, what does zoning achieve? If under zoning the so-called 'president of Nigeria' is a city Fulani from Funtua, how does that give the presidency to the Kanuri, the Tiv, the Nupe, the Idoma, the Ilorin Yoruba, or the rural Fulani in Adamawa? If a southern zone 'president' hails from Owerri, how does that give the presidency to the Yoruba, the Bini, the Ibibio, the Bekwara, the Ijaw, the Urhobo, or the Enugu Ibo? What does the zoning achieve, except to minister to the cake-sharing greed of selfish, opportunistic and nepotistic ethnic chauvinists among Ibo, Yoruba and Hausa-Fulani politicians who think of Nigeria

as belonging to the cake-sharers of these three ethnic groups?

I have been all over this country and interacted with the masses. Except where they are schooled by poisonous chauvinistic propaganda, they want a Nigerian president to be a real Nigerian and not a northern or a southern trojan horse called a 'president'. By the way, if the presidency had been zoned and Shagari had emerged as a zoned president, would that have prevented his being overthrown by General Buhari and company? Will the Generals also zone and rotate their coup-making?

With North-South zoning, the political parties themselves will become regional in fact, though national in form. By the way, who will decide which region should produce the first 'president' under the zoning arrangement? Is it imaginable that the chauvinists among the Ibo and Yoruba will allow a minority man from Lugard's South to become a president when it is the turn of the so-called South? Is it conceivable that the 'born-to-rule' chauvinists among the Hausa-Fulani will permit a man from one of the minorities in Lugard's North

to become president when it is the turn of the so-called North? If the answer is 'no', as it is, then zoning is a way to ensure that no person of ethnic minority origin can become a president of Nigeria.

If the presidency is to be zoned, there must be as many zones as there are distinct ethnic groups in the federation. In Akwa Ibom State, for instance, there are five such groups, and in Edo State at least four. The smallest group should produce the first president; and so on, in order of size for eternity. The vice-president should be selected in a similar way, beginning from the largest ethnic group, or should be selected from each state in turn in alphabetical order. Alternative ways of zoning the presidency itself is from state to state or from one local government area to another till eternity, beginning from the smallest or going in alphabetical order. These alternatives are far more rational, just and compatible with 'federal character' and Chapter Two of the draft constitution than the arbitrary North-South absurdity which violates the structure of the Federal Republic of Nigeria as defined by the draft constitution itself.

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● *Continued from yesterday*

WHATEVER scheme of zoning is adopted, provision should be made in the constitution so that whenever any member or former member of the National Executive Council of the Nigeria Labour Congress (NLC), or national executive of any of the national trade unions, or any former member of the national executive of the National Union or Association of Nigerian Students wants to contest the presidential election, the National Electoral Commission, having ascertained that a candidate belongs to this category, will waive the zoning arrangement for the candidate or for that election. Any year Eskor Toyo wants to contest the presidential election, any zoning arrangement should be suspended for that election. Many are the Nigerians who are unzoned.

Frederick Lugard himself quickly saw the need to make his two colonial Nigerias one in 1914. For Nigeria, Yakubu Gowon settled accounts with Arthur Richards's divisive and arbitrary regions in 1967. The draft constitution itself says "Nigeria shall be one indivisible, indissoluble, democratic... nation". Yet the presidency, which should be the symbol of this indissolubility and one-nationhood, is made to re-enact a colonial division which even Lugard himself abolished way back in 1914. It is sufficient, as the 1979 Constitution tried to legislate, that to be a President of Nigeria a person

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must, in the presidential election, win a certain minimum of votes in every state, a plurality of votes in two-thirds of the states and a plurality of votes in the whole country. Anyone who wants to be President of Nigeria must go all out and be a clear Nigerian in everything good, in every town, in every village. This nation must be lifted from tribalism, obscurantism and banal cake-sharing propensities. Zoning the presidency removes the opportunity of even making the effort to evolve away from horse trading in the name of politics.

Nigerian politicians should concentrate on building political parties that are truly nationwide and can translate the humane and democratic principles eloquently enunciated in the draft constitution into actual practice. The constitution goes as far as any constitution for bourgeois rule can in providing for a 'sense of belonging'. The citizenship rights; the number of states and local governments; the three-tier scheme; federal, state and local government 'character' in the composition of officials in party and government; the election and powers of the national and state assemblies, the provision for a constitutional court, and the actual powers of the states all go to en-

force a sense of belonging. The question is whether chauvinists and power mongers will permit a sense of belonging to smaller groups and whether any legal right has meaning for the financially weak in a capitalist country.

It is desirable to reduce the power of the President. There are 18 federal commissions. These are important and powerful commissions for rulership. They are all necessary; but whether they all feature in the constitution or not, the President should appoint the chairmen of only the Council of States, the National Defence Council and the National Security Council. The chairmen of the other commissions should be appointed by a special committee of the National Assembly. Chairmanship and membership of these commissions should be distributed and rotated in such a way that within any 10 years every state has produced at least one commission chairman and a few commission members. Nigerians should be free to get their president from anywhere in Nigeria. Why should a brother not succeed a brother, or a son or daughter succeed a father, as president as in post-independence Indian experience, if the

successor is the most worthy to be found?

The Organisation of Islamic Conference (OIC) affair helped to sow the suspicion and ignite the separatist tendencies that reinforced the idea of zoning. So did the military coups. However, what does zoning achieve in these regards? Does it imply that the northern zone president will always be a Moslem and the southern zone president always a Christian, notwithstanding that there are millions of Christians in Lugard's North and millions of Moslems in Lugard's South? At any rate, the draft constitution makes any affiliation to any league of countries based on a particular religion unconstitutional, for Section 39 (1) guarantees freedom of worship, thought or belief to every citizen. Concerning coups by officers from Lugard's North, how will zoning prevent such coups? At any rate, the draft constitution makes a coup a punishable constitutional crime — even if uselessly.

The only guarantee of good, non-sectional, non-ethnic, non-chauvinistic, equality-oriented and justice-imbued government is government by an ideologically principled, thoroughly humane, democratic, people-oriented, nation-wide political party loved by Nigerians. Of course, it is plain to any honest observer that Nigerians as a whole can love only a party whose leaders are transparently real Nigerian patriots and not a clique of tribalists and cake-sharing gangsters under a cloak. Money-sniffing camp followers there can be in hordes; love is different.

● *Concluded. Prof. Toyo teaches Economics at the University of Calabar.*