**Structural-Functional Analysis of Nigerian Government**

**Background:** Five Constitutions

* Colonial era (1914–1960)
* Independence constitution (1960)
* 1963 constitution (First Republic)
	+ President with ceremonial powers and parliamentary system with prime minister as head of gov’t
* 1979 constitution (Second Republic)
	+ US presidential model
* 1993 constitution (Third Republic)
	+ En route to Democracy
* 1999 constitution (Fourth Republic)

**Structures & Functions of the Fourth Republic**

* Executive:
	+ President, Vice President & Council of State
	+ By convention, there must be one Cabinet member from each of the 36 states
	+ Cabinet oversees 19 Federal Ministries
	+ Functions
		- assenting to and signing Bills
		- referring a bill back to the National Assembly for reconsideration
		- referring a bill to the Constitutional Court for a decision on the bill's constitutionality
		- summoning the National Assembly to an extraordinary sitting to conduct special business
		- making appointments
		- appointing commissions of inquiry
		- receiving and recognising foreign diplomats
		- appointing ambassadors and diplomats
		- pardoning or reprieving offenders
* Legislative: National Assembly
	+ Senate: 3 x 36 + 1 from Abuja = 109
	+ House of Reps: proportionate rep from 36. Total of 360.
	+ 4 year terms for both Houses.
	+ Leadership
		- Speaker of House presides over House of Reps
		- President of Senate, in line of presidential succession after VP
		- 60 standing committees in each chamber
	+ Legislators do not often have previous leg experience
	+ Functions
		- Before any bill may become law, it must be agreed to by both the House and the Senate. Can override veto with 2/3
		- Senate has power of impeachment of judges
		- Senate also confirms the President's nomination of senior diplomats, members of the federal cabinet, federal judicial appointments and independent federal commissions.
* Judicial
	+ A positive legacy of British colonialism
	+ Fed and state courts are integrated into a single system of trial and appeal courts
	+ Supreme Court has both original and appellate jurisdictions
	+ SC is composed of the Chief Justice of Nigeria and not more than 13 justices, appointed by the President on the recommendation of the National Judicial Council and subject to confirmation by the Senate.
	+ Traditional authorities maintain their greatest influence in judicial powers
		- 10 northern states maintain *sharia* courts
	+ Federalism
* 36 states +Abuja, the federal capital territory.
	+ Number of LGAs have varied from 301 to 774 since 1960
	+ Defining state and local gov´t boundaries is not easy.
* 2 attempts to impose a unitary system in 1966 & 1990
* Control of Nigeria by military gov’ts for much of post-colonial era
* States are divided into 774 Local Government Areas (LGAs)
	+ Exec: State Governors, Deputy Governors, state civil service
	+ Leg: State legislatures = Houses of Assembly
* Many pol decisions are **not** made at national level
	+ **very decentralized** political system
	+ considerable devolution of power to leaders of the 3 major ethnic groups
		- LGAs
			* Despite diversity, uniform structure and common functions for local gov’t
			* Local administration of federal policy 🡪 unlikely to change b/c do not have independent sources of revenue
		- South has argued for greater state or regional autonomy 🡪 some southerners call for separate military forces (Hausa domination of military apparatus)
		- Affirmative action adopted to calm regional tensions and to maintain Nigeria’s “federal character”
	+ Various regions (and thus ethnic groups) guaranteed share of federal positions
	+ Nigerian football team selected with attention to geographic representation
		- Since 1999, competition among states for the distribution of fed oil revenues
			* Disagreements between president and Nat Assembly over amount of money that should be returned to oil-producing areas (“derivation formula”)
			* “National cake” 🡪 state and local govs as major recipients of slices
		- 2/3 to ¾ of state and local funds from Fed Govt
		- fed govt decides how it´ll be distributed to state and local govs and how it’ll be spent