

*Review*

# Administrative problems of state creation in Ekiti State, Nigeria

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The Nigerian Federal system is beset by a lot of complex challenges. One of such challenges is the seemingly implacable and intractable agitation for the creation of new states. The study explores the problems of state creation in Nigeria through a descriptive case study analysis of the politics of state re-organization in Ekiti State. The study specifically focuses on three major administrative challenges of state re-organization; namely revenue allocation, assets sharing and personnel administration. The study finds that the new Ekiti State is troubled by a low level of internally generated revenue, political corruption, over dependence on central statutory allocation etc. It also reveals that the problem of assets sharing has fuelled protracted legal, political and administrative conflicts while personnel administration problems undermine bureaucratic efficiency and effectiveness. The study raises important questions about the desirability and viability of state re-organization in the Nigerian federation.

**Key words:** Administrative problem, state creation, Nigerian Federal system.

## INTRODUCTION

Federal systems by their nature are complex administrative designs because they involve multiple levels of government. The federal systems in developing countries are confronted by additional challenges as a result of the socio-economic underdevelopment and ethnic pluralism of these countries. The Nigerian Federal System, in particular, has been assailed by a lot of complex and protracted crises such as ethnic conflicts, religious polarisation, elite corruption, incessant military incursion into politics and political violence, among others. All these combine to endanger the survival of the country as a united geopolitical entity. Agitation and demand for the creation of new states has been one of the problems of the Nigerian state.

It needs to be emphasized at this juncture that state creation, has become more or less a perennial feature of the Nigerian federation. It engenders several administrative challenges in the newly created sub-federal units. These include problems of infrastructural facilities, excessively high wage bills, low level of internally generated revenues, dwindling budgets, allocation of scarce resources to unproductive capital projects, massive corruption and wastage through inflated contracts, outright theft of public monies and acrimonious battles over assets sha-

ring. It is significant to note that since Nigeria's independence in 1960, the country's structure has been altered six times through the process of state creation. In view of this, state creation has become one of the high stakes of politics in the country. The frequency of this exercise simply reflects the instability that characterized the Nigerian polity. The fact of this instability led Suberu (1998) to observe that "a striking yet sobering feature of Nigerian politics has been the severe instability in the internal configuration of the country's federal system".

The history of state creation exercises in Nigeria reveals that it has always been a highly volatile and contentious issue. Diamond (1983) traces the volatility and contentiousness of the issue to the competition for the distribution of state largesse among the various ethnic minority groups in the country.

The focus of this work is on the administrative problems usually associated with state creation in Nigeria, with Ekiti State as a case study. Ekiti, established in 1996, illustrates some of the problems that beset new states. In the ethnic structure of Nigeria, the Ekiti people are one of the most homogenous components of the Yoruba group. The agitation for an autonomous Ekiti State within the Nige-

rian federation started in 1980. Mutual suspicion and distrust dominated the relationship between the Ekiti and the non-Ekiti of the old Ondo State throughout the twenty years (1976 – 1996) following the creation of Ondo State in 1976. There were bitter sub-ethnic recriminations over the distribution of amenities and positions between Ekiti people and the non-Ekiti. The Ekiti people, who constituted 52% of the population of the old Ondo State, complained of marginalisation by the ruling class in the state (Fasuan, 2002). All these and many more led to agitation for the creation of Ekiti State. This, in the opinion of the agitators, would ensure even development of the area, guarantee political patronage, attract federal presence and create more job opportunities. Ultimately, Ekiti State was created in 1996 along with five others. Federal presence in states is crucial in Nigeria because of the nature and character of the federal system. The federal government has assumed father figure as such, substantial part of the nation's resources are with this tier. It is therefore necessary for Nigerians to agitate for new states so as to ensure the development of their areas through federal presence.

Like any other states created in Nigeria, Ekiti State faced (and is still facing) a lot of administrative problems arising from the way the state was created. First, the state, like the other five created at the same time was not given any take off grant. Take off in this context refers to the money usually given to newly created states shortly after their establishment by the military regimes. This is to enable the smooth take-off of these states. In the case of the Abacha Regime, he made it clear to all the states agitators that he was not ready to give such money because those requesting for state must ensure its viability. This, coupled with the low internal revenue base of the state, led it to depend solely on the statutory allocation from the Federation Account, for survival. Federation account in this sense is the statutory revenue accrued into the nation's distributable pool account that is shared among the three tiers of government monthly on an agreed ratio. Majority of the states in Nigeria are depending on this for their economic survival as revenue generated internally is too small. Also, the issue of assets and liabilities sharing between the state and Ondo State from which it was carved out, fuelled divisive conflicts, which consumed the energies of the new state. On personnel problems, barely 24 h after the creation of Ekiti State, her officers from grade/level 08 and above in the service of old Ondo State were forced to leave for Ekiti State. This became a major problem for the young state.

This work focuses on the administrative problems attendant on the creation of Ekiti State. The next section of the paper reviews the role of state-creation in Nigeria's political stability. This is followed by analyses of the fiscal, personnel, and intergovernmental (assets sharing) problems that trouble the new state following its creation. Majority nationalities in the Northern, Western and The con-

clusion highlights the major implications of the essay.

## STATE CREATION AND POLITICAL STABILITY OF NIGERIA

The desire for political stability in Nigeria has aroused an avalanche of prescriptions, which ranges from 'true federalism' as a system of government to the creation of state as a redressive mechanism for imagined or real marginalisation. Bach (1997) notes "Nigeria reveals a unique attempt in Africa to promote equitable access to state resources through mechanisms of statutory codification and consociational engineering". Most scholars (Adejuyigbe, 1982; Ogunna, 1983; Panter-Brick, 1970; Omorogiuwa, 1982; Ekekwe, 1982, 1986) have traced the agitation and problems of state creation to the issue of sharing of the 'national cake'. Most state agitators advance the view that creation of separate states would ensure their accessibility to the 'national cake'. For example, Ogunna, (*op. cit*) observes that most of the state agitators are motivated by the amount of the 'national cake' which they expect to grab when their separate empires are carved out for them. Omolade Adejuyigbe (*op. cit*: 11) was more emphatic on this issue as he notes that:

"... It is felt that the way of attracting more federal grants to an area is to have more states there. There is also the fact that the creation of more states in an area gives it more of those resources in which states, are treated equally such as elections to the Senate, appointment into some federal establishments and the location of some federal projects such as educational institution and so on".

The fundamental principle behind state creation in Nigeria includes the need to foster social justice; pursuit of the federal character, promotion of even development, need to bring government near to the people, the principle of self-determination, the need for balanced federalism, the need to attain unity, the need to minimize conflict between states and within states and the operation of constitutionalism (Omotoso, 2003).

The structure, adequate number and size of the constituent states in the Nigerian federation have become the focal point of national debate and discourse. This is understandable since the Nigerian state evolved through a method of internal fragmentation rather than the strategy of aggregation. The original impetus for state creation in Nigeria according to Suberu (*op cit*, 1998) was derived mainly from minority opposition to the three region of federal structure which secured autonomy and hegemony for the Hausa-Fulani, Yoruba and Igbo Eastern Regions respectively. According to Larry Diamond:

"Ethnic minority fears and grievances centred around obtaining a fair share of the rewards and resour-

ces on an expanding economy and states; contracts, loan, scholarships, processing plants, water supplies, street light, schools, hydro-electric projects. Minority demand for separate states were based on the belief actively promoted by their leaders that minorities were being cheated in the distribution of these resources by the majority dominated regional government” (Diamond op cit. 475).

Arising from ethnic benefits as a result of state creation, there were so many agitations for creation of more regions before independence. This led the colonial masters to set up the Willink Commission, which was asked to “ascertain the facts about the fears of minorities in any part of Nigeria and to propose means of allaying those fears, whether well or ill founded” (Nigeria, 1958). In its final report, the Commission failed to recommend the creation of additional regions to cater for the minorities. The actual first state creation was in 1963 when the Mid-Western Region was excised from the Western Region. Incidentally, this exercise has been the only one under a civilian regime in Nigeria. It is necessary to equally add that the reorganization that took place at this period was done by the coalition government of the Northern Peoples’ Congress (NPC) and National Council of Nigeria and Citizens to clip the wings of an otherwise formidable political opponent, namely, the Action Group (AG) which was the dominant party in the Western Region. The 1967 state creation exercise was the second attempt and the first in a series of military inspired territorial restructuring of the country. In all, twelve states were created; North-Western, North Eastern, North Central, Kano, Benue Plateau, West Central-later changed to Kwara, Lagos, South Eastern, Western, Rivers, Mid Western, East Central. Gana (1987) attributed the 1967 state creation exercise to the need to redress some of the anomalies in Nigerian federalism. One interesting thing to note about the 1967 exercise is that it marked the beginning of military federalism in Nigeria. Military federalism in this context is similar to the Soviet democratic centralism under Stalin. Specifically, in the Nigerian situation, power was centralised under the usual military command structure. Yet, the country was supposedly federal. Oyovabaire (1985) argues that, the twelve state structures of 1967 provided each state with an environment of competition and cooperation on more equal terms with the eleven other partners of the federation. For Suberu (1994) the 1967 state creation exercise overturned the structural hegemony of the north, assuaged ethnic minority fears in the former regions, undermined the imminent secessionist bid in the Eastern Region and dampened autonomist pressures in the old Western Region.

The unrelenting agitation for more states by Nigerians led the Mohammed/Obasanjo regime to effect another territorial reconfiguration in 1976 by replacing the nation’s twelve states with a nineteen state structure. The states were Imo, Anambra, Rivers, Cross River, Bendel, Oyo, Ondo, Ogun, Lagos, Kano, Sokoto, Kaduna, Bauchi, Be-

nue, Plateau, Gongola, Kwara, Borno and Niger. Osaghae (1985) observes that the 1976 state creation exercise relegated the minority question to the background because the Irikefe panel rejected the criteria of ethnicity in creating states.

The fourth and fifth state creation exercises were carried out by the military regime of General Ibrahim Babangida in 1987 and 1991 respectively. In 1987, the regime created both Akwa Ibom and Kastina States to make the total number of states in the federation twenty-one (21). Due to its populist motive and the desire to coax legitimacy from the people, the regime on the occasion of its sixth anniversary on August 27, 1991 announced the creation of additional nine states. The states were Abia, Anambra, Kebbi, Kogi, Delta, Osun, Taraba, Jigawa and Yobe. This exercise was done with a view to retain the support of influential elites for the regime and to buy more legitimacy for the elongated Babangida’s regime. The number of states in the country increased to thirty with this exercise. Nigeria’s last state creation exercise to date was carried out by late General Sani Abacha on October 1, 1996. This involved the creation of six new states, bringing the total number of states in the country to 36. In creating the six states, the Abacha regime ensured that one each was created from each geo-political zone, that is, Gombe (North East), Zamfara (North West) Nassarawa (the lower North or Middle Belt), Ekiti (South West), Bayelsa (South-South) and Ebonyi (South East). It should be noted that apart from 1996 state creation exercises was based on the principle of geo-political balancing, all other exercises were done purely on political expediency. Also, state creation exercise has been so easy under military rule because this type of government do things with fiat unlike the representative government whose activities, programmes and actions are subject to scrutiny particularly by the opposition. Not only this, politicians always do things to score political goal, as such, nearly all members of National Assembly will want a state created for them. This is coupled with the constitutional complexities associated with state creation. As will be detailed below, the creation of Ekiti State spawned administrative problems that are emblematic of the broader contradictions and tensions associated with the Nigerian system of federalism, in general, and the country’s strategy of territorial reorganization, in particular.

## **REVENUE SHARING AND THE ECONOMIC VIABILITY OF EKITI STATE**

Revenue sharing and the economic viability of the new states involve the financial arrangement for these sub-federal units. These have been particularly sensitive in Nigeria because all the states are predominantly funded from the Federation Account. The creation and central funding of new states therefore affect the resources available to older states. Central funding of states has never

adequately catered for the need and developmental objectives of these sub-federal units. New states in particular often face severe resource constraints, which pose enormous administrative challenges and which undermine their putative roles as agents for development.

To reiterate, Ekiti State, like those created alongside with it, was not allocated any federal special take-off grant. Despite the fact that Ekiti people were convinced beyond reasonable doubt that the new state will be viable economically, shortly after the creation of the state, the reality of economic dependence and crises became obvious. At inception, the state was practically begging for money from the indigenes. Thus, fund raising ceremonies were hurriedly organized in all towns and villages within the state. This fundraising was also replicated in other major cities in the country such as Lagos, Kano, Port-Harcourt, Jos, Ibadan etc., where there were substantial Ekiti indigenes.

One noticeable factor in the revenue profile of the state is the over-dependence on statutory allocation and low internally generated revenue. This is no doubt hampering the ability of the state to impact positively on the lives of the people. Apart from this, a substantial portion of the state resources is committed monthly to the payment of salaries, wages and other personal emoluments. The question that readily comes to mind is that despite Ekiti State's over-dependence on statutory allocation and low internally generated revenue, is the state poor? Indeed, the general consensus is that the level of development does not reflect the huge amount of money, which has accrued to the state since its inception. There is virtually no industry in the state; the roads are terribly bad; health care delivery system is in bad shape while access to potable water is limited. The point is that the resources of the state are wasted through inflation of contracts, corruption and outright theft. Over 28.2 billion Naira accrued to Ekiti State between 1996 and 2001 (EKSG, 1997 – 2002). Over 80% of this amount was realized from the statutory allocation. For example, it was 71% in 1997, 60% in 1998, 67% in 1999, 72% in 2000 and 75% in 2001. The former governor of the state, Otunba Adeniyi Adebayo acknowledged this fact when, he noted that "the state still relies heavily on the allocation from federation account for over 90% of its revenue expectation" (Adebayo, 2000). This situation cannot be said to be healthy for the new state of Ekiti. The over dependence on the statutory allocation is fraught with danger because uncertainty in the international market will certainly affect the ability of government to impact positively on the people and to implement its programmes and projects.

## **INTERNALLY GENERATED REVENUE AND THE STATE REVENUE**

Internally generated revenue remains one of the sources of revenue to the state. Ordinarily in an ideal federalism,

this source ought to be the major source of revenue because the ability of a state to generate its revenue internally guarantees its survival and viability. In Ekiti State, internally generated revenue constitutes the least source of revenue to the state. In 1997, only 12% of the state revenue was generated internally, 8% in 1998, 10% in 1999, 8% in 2000 and 10% in 2001. The Judicial Panel of Enquiry set up by Ekiti State Government in 1999 to look into the finances of the state since inception up to 1999 adduced the following reason for the state's low internally generated revenue:

The internally generated revenue had been low because the Board of Internal Revenue had not been seriously active in ensuring that deductions made at various paying points were immediately paid by Chief Accountants of the Ministries etc. Big sums of money collected as deduction were generally left in the hands of these Chief Accountants (EKSG, 1999).

Despite the indictment of government officials by the Judicial Panel of Enquiry one cannot but argue that the low internally generated revenue of the state is not surprising because there is low level of investment as a result of lack of capital. Power supply is very erratic and highly epileptic, industrialization is limited and the road network is bad. All these combined to affect the internally generated revenue effort of the state. Apart from Pay-As-You-Earn (PAYE) system, hackney permit and motor vehicle license fees, the state is not generating additional revenue from any other source. The state suffers from a weak industrial base, little tax jurisdiction, poor infrastructure, inadequate monitoring of the revenue officers by appropriate authority and financial recklessness on the part of the state government officials. Due to these and many more, the state government is finding it difficult to make necessary provision for the welfare of the people.

## **FACTOR FOR LOW REVENUE BASE OF EKITI STATE**

### **Corruption**

Corruption in the state is pervasive and endemic. Career officers are not only collaborators in perpetuating and institutionalizing corruption, they initiate it. There has always been a persistent outcry of lack of funds for performance in the state. The developmental project on ground does not justify the volume of resources available to the state since inception. The point is that, individuals are progressing at the expense of the state. According to (Nigerian Human Development Report, 1998) corruption in government increases poverty in many ways.

For example, it diverts resources to the rich people who can afford to pay bribes and away from the poor people who cannot. Corruption weakens governments and lessens their ability to fight poverty. It reduces tax revenues

and resources available for public services. In the state, the political leadership and corrupt government officials misappropriated a lot of money. The state is exploited through loose procurement and project execution procedure. Furthermore projects costs are unduly high while there is problem of over -invoicing. Contracts for projects apart from being inflated are deliberately terminated to be rewarded at will by career officers with active collaboration and support of the political leadership.

The report of the Panel of Enquiry earlier referred to, shows how deep rooted the issue of corruption is in the state. So many civil servants and political leadership were indicted. For example, the financial guidelines of the state indicated that the Chief Executive could take a touring allowance of between N50,000 to N200,000 per night as well as allowance for miscellaneous expenditure of the same amount. The Panel noted particularly on Navy Capital Alanda Yusuff (The Second Military Administrator of the State) that:

“He started from where Lt. Col. Mohammed Inua Bawa left on the average of N100, 000 per night. Within two months, he had increased this to N300, 000 and shortly after to N500, 000 per night touring allowance and N300, 000 as miscellaneous expenses” (EKSG, 1999).

It is outrageous for the administrator to have claimed almost N.8 million per night from a young state like Ekiti with lean resources. In this situation can the state embark on any meaningful developmental projects when all the monies have been expended on touring allowances?

### **Over pricing**

This is another major way in which officials of the state are defrauding the young state. For example, six Coat of Arms that are supposed to cost between N5,000.00 to N10,000.00 each was bought for the state at the rate of N250,000.00 each. The Ojuolape Panel felt, this was a - day light robbery (*Ibid*: 15). Apart from this, a unit of computer sold for N82,000.00 at most in the open market was quoted and bought for the state by its officials at the rate of N400,000.00 each. The state lost N35 million on the purchase of these computers sets alone. The above is the true reflection of the way things were in the state particularly under the military regime. It must be quickly added that, the situation has not changed for better even now. The panel mandated the state government to recover the sum of N264, 946,655.60 from some political leaders and career officers being amount illegally acquired by them (*Ibid*: 135-136).

### **Wasteful spending**

The political leadership and career officers commit the lean resources of the state on things that cannot be con-

sidered as high priority need. Some even engage in extravagant spending and embark on white elephant projects. For examples, there are large numbers of officials in the entourage of the state Chief Executive. Most of these officials are without any defined mission. Most of the resources of the state are committed to the payment of touring allowances to officials whose missions are not beneficial to the state. This is a way of siphoning and plundering the lean resources of the young state.

One of the former governors of the state Ayodele Fayose was accused of wasting state 1.4 billion Naira resources on “designed to fail” State Integrated Poultry Scheme. Fayose was alleged of colluding with the contractor handling the project to divert the money to personal use (Aiyetan, 2006). This was one of the problems that led to the downfall of Fayose’s government as some of his aides and the contractor were arrested by Economic and Financial Crime Commission (EFCC) operatives (*ibid*). He and the Deputy Governor were eventually impeached on the allegation and some other issues.

## **STATE CREATION AND PROBLEMS OF PERSONNEL MANAGEMENT**

One of the major problems of state creation is the problem of personnel administration. State creation simply leads to the unplanned movement and transfer of the indigenes of the new states in the public service of the old states to their new states. This results into unplanned expenditure in the new states as well as frustration, hardship and agony on the part of the migrating staff. In most cases, public servants are forced to leave for their home states in a rather precipitate manner. Necessary tools are not provided; both office and residential accommodation are not readily available. In most instances civil servants are made to operate under tree shades. Civil servants who were landlords in the old states usually live like refugees in the new state capitals.

The take off of Ekiti State was hampered by the irregular and precipitate manner in which personnel were deployed to the state without the necessary tools to work with. All staff of Ekiti state origin in the services of the old Ondo State was deployed to the new state within a week of its creation.

### **STAFF DEPLOYMENT TO ADO EKITI**

Just a day after the announcement of the creation of Ekiti State by the former Head of State, late General Sani Abacha, a particular officer of Ondo State went on the state radio-Radio Vision Corporation of Ondo State to order all administrative officers and accountants of Ekiti State origin to vacate their offices with immediate effect and move to the new state (Famosaya, 1998). This was closely followed by an internal circular which was sent to

nearly all the ministries. This directed that Ekiti State indigenes should cease to function in their various offices warning them that whatever was done by them after October 10, 1996 was null and void (EKSG, 1996). Officers who are indigenes of Ondo State were immediately posted to replace those from Ekiti.

The manner in which teachers in primary and post primary school were deployed to the new state was shocking and worrisome. Teachers were compelled to move at the middle of a school term. Over 1,000 secondary school teachers and principals of Ekiti State origin and about 3,000 primary school teachers were deployed within two weeks of the creation of the state (*Ibid*). Also, almost equal numbers of teachers of Ondo State origin were moved to the new Ondo State in like manner. There were no regards for marital peace and stability as Ekiti State female indigenes who were married to non-Ekiti indigenes were deployed to the new state. Also female indigenes of Ekiti State married to federal officers living in Ondo State were all deployed to the new state.

Dipo Kolawole graphically illustrates the forced staff deployment to Ekiti State and the attendant problems.

It is an abominable act that civil servants and teachers who have put in several years in the development of Ondo and Ekiti State should be summarily and rudely sent to a so called state of origin as a result of state creation in a mode lacking decorum, decency and reverence. It is an unpardonable crime to start sending away civil servants and teachers as if they are obstreperous school pupils being expelled or suspended from school for misdemeanor. We seem to give the impression those civil servants and teachers are just being paid salaries without a corresponding contribution to state development... because of the error of judgment in hurried and forced deployment there is an avoidable lull in governmental activities and economic life of Ondo State. Because of ethnic hysteria of a few, government activities are presently grounded to a halt. The implication is that the steps so far taken in staff deployment between Ondo and Ekiti States are speculative, premature, wicked and grossly inhuman. Needless to say that the procedure so far adopted by some civil servants in Ondo State to eject Ekiti State indigenes by force to the new state is dangerous, tactless and smacks of parochialism and incivility. It is a poisonous dagger that must not be allowed to cut or damage a long enduring cord (Kolawole, 1996).

Contrary to the timely warning of Dipo Kolawole, the poisonous dagger of statism was used to cut a deep long umbilical cord between Ondo and Ekiti States. Things have fallen apart and the centre could no longer hold. The question that readily comes to mind is that, what would the two states have lost if the movement had been gradual, planned and organized? Perhaps the bond of friendship would have been made stronger, long lasting and enduring.

### **Staff welfare**

All the staff 'rushed in' through radio announcement was not assisted to have basic infrastructural facilities to start with in Ado Ekiti immediately after the creation of the state. Top government functionaries of Ekiti State origin were denied the use of their official cars, which were already impounded by Ondo State Government (Ibidunmo-ye, 2001).

Apart from this, both office and residential accommodation were not considered when staff of Ekiti State origin was moved to the new state. Owing to this, most of the workers started off under trees at the premises of a major secondary school, the Christ School, Ado Ekiti. In order to solve the problems of office accommodation, civil servants resorted to the use of the old and other existing public buildings in Ado Ekiti. In fact, civil servants because of the exigencies were compelled to move round the state capital to look for abandoned public buildings, they could use for offices. In spite of these efforts, substantial number of civil servants could not be given office accommodation. Consequently, the state government decided to make use of decentralizing system. This is a situation whereby ministries and parastatals of government were allocated to several towns around the state capital.

The problem of residential accommodation was more severe than that of office accommodation in that the public servants were to move with their families. Residential accommodation was limited in Ado Ekiti, the state capital. Because of the problem of accommodation, the state first Military Administrator initially lived at Akure, the Ondo State capital town. Ekiti people were not happy about this. As an interim measure, a suite apartment was renovated in the former Owena Motels at Ado Ekiti for the use of the Administrator (*ibid*).

The problems of state relocation affected so many families in so many ways. For example, some children had their education aborted; some had to repeat classes because of difficulties in getting admission into schools in the new environment. Some that could not cope with the rigour resigned their appointment prematurely.

### **Staff productivity**

The procedure for the deployment of workers to the new state of Ekiti affected their productivity adversely. Staff productivity was impaired and very low particularly in the first few years of the creation of the state. The second Head of Service of the state, Lafimihan Olagunju, attested to this. According to him, "during the period, efficiency cannot be measured because infrastructural facilities in the state capital were poor. It was difficult to link or communicate with one another because there were no telephone services and no vehicles" (Olagunju, 2001). During the period, files movement was very slow. Apart from

this, the security and confidentiality of such files could not be guaranteed because ministries and parastatals of government were not located in the same town. Meetings also could not be arranged at short notice because the officers were scattered. All these made planning very difficult, (*ibid*). There was no much discipline at the period because of the situation of things. Adeyeye Ibidunmoye (the First Secretary to the state and Head of Service) corroborated this. According to him, "Nobody could punish anybody for coming late to office as majority of them were coming from Akure daily. In fact, many of the workers would not come to office more than twice weekly because they had no money to travel to and from Ado Ekiti, (*Ibidunmoye op cit*)

In sum, the productivity of the civil servants was very low because of problems of infrastructural facilities, housing, inadequate remuneration and limited office accommodation.

### **Staff appointment, promotion and geographical spread**

No doubt, creation of state allows for rapid promotion of staff and employment of new ones to fill the vacancies created by the exercise. In the promotion and employment of staff, 'geographical spread' just as 'federal character' is playing a major role. Geographical spread simply refers to the practice in Nigeria in which all parts of the state are adequately represented in the state bureaucracy, appointment to position among others. On the other hand, federal character was introduced to political lexicon in Nigeria through the 1979 Constitution. The notion of the principle is that all states of the federation are fairly represented in the appointment, employment admission among other into federal institutions and bureaucracies. These two principles are undermining merit at both levels of government in the country. The situation in Ekiti State was not different from others. So many officers were promoted to positions higher than the ones they were before the creation of the state.

Nearly all the ministries in the old Ondo State were replicated in the new Ekiti State. The creation of the new state, led to openings in positions hitherto occupied by the indigenes of Ondo State. In order to fill these vacancies the civil servants of the state were promoted. In most cases, because of the urge to fill these vacancies most civil servants were promoted beyond their level of competence. It needs to be emphasized that there is geographical spread in civil service from the point of entry and as such it is a major criteria in the appointment of Permanent Secretaries. Tunde Akilo a Senior Civil Servant in the state noted that, with state creation, there were vacancies, which allowed officers to act in positions beyond their grade (Akilo: 2002). According to him "most people occupying directorship positions are mostly level 13 offi-

cers. They are not promoted above their level of competence but they are 'held against post' (*ibid*). As long as officers are acting in positions beyond their levels, the work of government will be affected. Can a level 13-officer act in the position of a Director? The grading system in the Nigerian Civil Service starts from Grade Level 01 (lowest grade) to Grade Level 17 (highest grade). Directorship position starts from Grade Level 14 (i.e Assistant Director). Has he got the experience? Has he got the capacity and capability to do the work assigned to the position effectively"? No doubt, state creation promotes mediocrity over meritocracy in terms of promotion and appointment in the civil service.

### **ASSETS AND LIABILITIES SHARING PROBLEMS**

The creation of states in Nigeria invariably necessitates the sharing of assets between the new and the old states. Ordinarily, the exercise is supposed to be carried out in an amicable and orderly manner. Yet it has always assumed a conflictual dimension. The issue of assets and liabilities sharing has always been controversial and knotty. But this problem is more pronounced in the case of Ekiti and Ondo States. The matter was allowed to degenerate into hostility and frustration for the Ekiti people. The creation of Ekiti State out of the old Ondo State led to the expression of bottled up anger and frustration particularly by non- Ekiti against their Ekiti brothers and sisters. The manner in which Ekiti State indigenes were deployed to the new state 24 h after the new state was announced, as earlier discussed, did not go down well with the Ekiti. In fact, this marked the beginning of hostile relations between the two sister states.

In order to forestall the acrimony usually associated with assets sharing and as a way of ensuring the smooth sharing of the assets and liabilities of the old Ondo State, some committees were set up by the Federal Government and the two state governments either separately or jointly. These committees made a number of recommendations, which were done to assist in equitable sharing of these assets. (Omotoso; *Op cit*: 272 – 285). Both states were not pleased with some aspects of the recommendations that appeared not to favour them. For example, the committee recommended 46.13% of the assets for Ekiti State but the state wanted 70%. According to the state:

The fact that Ekiti State requires a lot of funds to provide similar facilities for the smooth take-off of its administration and to improve the welfare of its people particularly given the stark realities of the absence of take off grant from the Federal Government. What is being asked for should be regarded as modest and should therefore, be treated on its glaring merit. (EKSG, 1996).

From the outset, Ondo State had made its mind known

that she was not ready to have any joint ownership or joint running of any assets with Ekiti State. According to the state:

Having sampled general opinions of the people of Ondo State, we have come to the conclusion that no joint ownership and running of assets is to be made. We equally want to emphasize that the creation of state, as an exercise is to enhance development and meet the yearnings of those struggling for it (ODSG; 1996:2).

The state criticized some of the recommendations of the assets sharing committees. The state was particularly not happy about some aspects of the recommendation, which it saw as unjust to it. The state argued against the 70% demanded by Ekiti State because according to Ondo State, the present Ekiti State contributed less than 30% to the Internal Revenue Generation of the old Ondo State. Besides, Ondo State is more populous and with more local governments and land mass than Ekiti State.

## **CRISIS OVER EDUCATIONAL INSTITUTIONS**

In the recommendation, provision was made for joint ownership of the three higher institutions of the old Ondo State for three years. Close to the expiration of the joint ownership agreement there were problems between the two sister-states on 'who gets what, when and how'. Each of the states attempted to at least take two of the institutions. Ekiti state was interested in having the Ondo State University, Ado Ekiti (OSUA) and the Ondo State College of Education Ikere-Ekiti while Ondo State wanted Ondo State University, Ado Ekiti and Ondo State Polytechnic Owo. It is interesting to note that in these institutions there were internal tensions and uprisings because of the activities of the indigenes of these two states who were positioning their various states for the take over of these institutions. There were mutual allegations of marginalization, oppression and intimidation by the indigenes of the rival states in each of the institutions.

Two major opposing groups were in place in OSUA, namely, Ekiti Parapo created by Ekiti State indigenes and Ondo United established by Ondo State indigenes. According to Professor Olorunfemi Olaofe, (Chairman of Ekiti Parapo) the organization provided the rallying point by which Ekiti State interests were protected in the University (Olaofe, 2001). The sole aim of the association was to ensure that Ekiti State had a complete ownership of the University, which according to the association is the only tangible asset of the old Ondo State, that Ekiti State could lay claim to (Ibid). The objective of Ondo United was not different from that of Ekiti Parapo as it put pressure on the Ondo State government to either relocate the University or found a new university. It must be stated that the two groups realized their objectives. Ekiti

State formally took over the University while Ondo State claimed to have relocated the same University to Akun-gba-Akoko in Ondo State.

During the struggle for the ownership of the erstwhile Ondo State University in Ado Ekiti caution was thrown to the winds. People that were ordinarily friendly suddenly became enemies. The underlying factor was not that they loved their various states more but that the crisis provided better opportunities for career advancement and job mobility.

The situation at Ondo State Polytechnic, Owo was more pathetic as the principal officers who were mostly Ekiti indigenes with tenured appointment were retired without settling their entitlements. Ekiti State quickly provided jobs for these displaced indigenes in the state University at Ado Ekiti and State College of Education, Ikere- Ekiti depending on their qualifications. It should be noted that despite this provocation there was no reciprocal reactions from Ekiti.

## **JOINT OWNERSHIP AND MANAGEMENT OF PUBLIC UNDERTAKINGS BY ONDO AND EKITI STATE**

Management and joint ownership of public undertakings was a flashpoint of crisis between the two states. The idea of joint ownership was jettisoned as a result of mutual suspicions which snowballed into litigations and counter litigations. During the assets sharing period, the two states jointly agreed to own and manage the public undertakings of the old Ondo State in line with Federal Government directives on the issue. Sometime late in 1999 with the enthronement of democratic rule, politics set in and disagreement surfaced in connection with the management of the joint public undertakings. Ekiti States nominees were not allowed to function in the companies jointly owned by the two states. According to Yomi Ajileye, Permanent Secretary in Ekiti State;

The Ekiti nominees to all these companies were chased out. They were not allowed to participate in the management of these companies. The agreement between the two states notwithstanding, Ekiti State was not allowed to share in the dividends of these companies (Ajileye, 2002).

Owing to this development, Ekiti State instituted a suit against Ondo State Government at the Federal High Court Akure Division (Suit No. FHC/AK/CS/6/2000). In the said case, Ondo State contended that the court lacked jurisdiction to entertain the suit but the trial judge ruled otherwise. Not satisfied with this ruling, Ondo State appealed to the Federal Court of Appeal Benin City. The appeal was still pending when Ondo State instituted yet another suit on the same issue in the Supreme Court at Abuja. In their judgement on the cases, all the Supreme Court judges that considered the case ruled in favour of



Ekiti State. Delivering the lead judgement Idris Legbo Kutigi noted that:

“... the plaintiffs claims are hereby all refused. They are dismissed. I shall make no order as to costs the parties being sisters and brothers from preceding the creation in my view even of the old Western Region of Nigeria by the White-men...” (Kutigi, 2001).

Ekiti no doubt won the legal battle of assets sharing in relation to some public undertakings with the pronouncements of Idris Legbo Kutigi. However, the battle was only half-won as nearly all the companies in contention are located in the territory of Ondo State.

The exacerbation of the problems and crisis of assets sharing under the civilian administrations of Adebayo Adefarati of Ondo State and Adeniyi Adebayo of Ekiti State was unnecessary and uncalled for. Both governors belonged to the same party, Alliance for Democracy, (AD) how could they not resolve amicably whatever problems existed hitherto on the issue of assets sharing under military? Therefore, what is the essence of party discipline and solidarity? Besides, the rancour generated on the erstwhile Ondo State University, Ado Ekiti was not only unnecessary but was equally senseless. The two governments could have amicably resolved the matter to allow one to retain the University while the other creates its own which was what really happened afterwards. It should have been obvious to Ondo State that it could not relocate the University to its own territory because of geopolitical constraints.

In Nigeria, incumbent political office holders are exaggerating the problems and crises of assets and liabilities sharing for purposes of popularity and acceptance. The 2003 general election in Nigeria was not favourable to Alliance for Democracy and hence the two governors Adefarati of Ondo State and Otunba Adebayo of Ekiti were voted out while Dr. Olusegun Agagu was elected governor Ondo State and Mr. Ayodele Fayose as Ekiti State governor. Shortly after the assumption of office, the two governors initiated moves that permanently resolved the problems associated with assets sharing between the two sister-states. All court judgment were fully implemented, as such, Ekiti State was allocated some charlets at Alagbaka, Ondo State Government house Ground which serves as Ekiti State Liaison Office. There was symbolic exchange of visits by both governors and their top officials to each state. During the visits, speeches were made and both states emphasized their collective resolved to live as brothers and sisters and to put behind them all the problems of the past particularly those associated with assets sharing.

## CONCLUSION

One of the problems of Nigerian federalism is the unending agitation for creation of states. Despite the fact that

the country has been restructured six times, there are still persistent pressures for creation of more states. With the benefit of hindsight as regards the Nigerian political system, the creation of many new states will merely open up fresh tensions and administrative problems for these new units.

The administrative problems of state creation are obvious, apparent and acknowledged throughout the country. As noted earlier, these include revenue sharing and viability of the new states, assets and liabilities sharing problems and the problem of personnel management in the new states. The roots of the administrative problems of state creation lie in the “cake-sharing” psychosis or syndrome that plagues Nigerian federation. The component units of a federation are not subordinate to the central government rather they are constitutional partners, with viable fiscal bases. It seems as if this constitutional and fiscal imperative is not made to bear on the Nigeria federalism hence, the persistent call for ‘true’ federalism.

As regards the assets sharing problems, there must be the spirit of give and take on the part of the two states involved. The enmity usually generated by assets sharing is quite unnecessary and avoidable. Citizens of both new and old states should as a matter of fact see themselves as brothers and sisters despite the splitting of the old state into two. Apart from this, the officials of the two states need to be patriotic enough particularly during the process of sharing the assets; to divorce themselves of selfish and ethnic motives. This will enable them to see things objectively and rationally.

On the issue of personnel problems of the new states, public servants should be well compensated for the inconveniences suffered as a result of compulsory movement to the new environment due to the creation of state. Also, staff movement and deployment need to be approached move cautiously and systematically. At least minimum comfort should be provided for workers and their families in terms of office and residential accommodation before leaving for the new state.

In Nigeria, state creation simply implies more even development, equality in the distribution of nation’s resources and provision of employment. But in a way, the proliferation of states is having adverse effects on the resources of the states as a whole. In view of this development, the revenue allocation formula to be adopted should be such that compensates internal revenue generating efforts of the states. If 25% can be allocated to this, it will compel the various states to put in extra efforts to generate revenue internally without necessarily depending on statutory allocation. This, in the long run, will no doubt guarantee true federalism and the stability of the Nigerian political system.

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