

Ideology and Governance in Nigeria: The Case of 1999 Nigerian Constitution

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Abstract

The study investigates ideology in governance text focusing on The 1999 Nigerian Constitution. Critical Discourse analysis theory is applied to the study of selected extracts to show traces of ideological positioning in the text. The study shows that lexical choices and other text production techniques are used in the context of law making to project and legitimize group and sectional interests to the disadvantage of others. Findings from the study shows that such lexical choices as landmass and population are strategically used to confer advantage on a group to the disadvantage of others. The use of inclusive ‘we’, distancing and access restriction are other text production techniques that are employed to project the dominant ideology in the 1999 Nigerian Constitution.

Key words: Governance; Nigeria; Ideology; Constitution; Text analysis

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INTRODUCTION

Governance, often used interchangeably with government, is a critical component of the organization and functioning of any modern society. Fairclough defines governance as the “activity within an institution or organization directed at managing or regulating social practices” (2009, p.217), while Webster’s *Third New International*

Dictionary sees it as “the act or process of governing, specifically authoritative direction and control”. Central to the definitions of governance provided by the two authorities cited above is the relevance of power as connoted by the use of the words: regulation and control. And when this is related to state affairs, governance can then be understood as the management of the power of a State which principally concerns resource allocation and regulation of behaviours. State power is by far the most important in a State. For the realization of the objective of governance, there is usually a regulatory framework set out in text(s) to define in certain terms the objective, organizational structures and their functions, and most times, organisations, institutions, states produce such texts to regulate their activities for the overall interest and achievement of the goals of such organization, institution or state. For example, corporate organizations have Memoranda of Understanding and Articles of Associations, while governmental institutions have enabling Acts and laws. However, for states, the text setting out the governance framework is usually the constitution, and in Nigeria the most significant governance text is the 1999 Constitution.The constitution of a state establishes the organisation of government, distribution of power and fundamental human rights. Also embedded in the constitution is resource management practices and the regulation of the conduct of the citizens through the activities of the police, military and the courts. The significance of the constitution in any state is eloquently expressed by Prof. Ben Nwabueze when he notes that “the superstructure of a state is its constitution”(Vanguard 20 Jan., 2012, p.46). Because of the importance of the constitution in the success or failure of a state, the study of the 1999 Nigerian has become a compelling one, especially among legal scholars, linguists, sociologist and political scientists to interrogate the context, mode of production and composition techniques. Notable scholarly contribution in this regard are Lawrence A Rupley

(1981), Tunde I. Ogowewo (2000), Julius O. Ihonvbere (2000), Paul Okhaide Itua (2012), Chinwe R. Ezeifeke and Nneka N. Osakwe (2013) and . O. Arowosegbe, R. J. Akomolafe (2016) and Olusola B. Adegbite (2016). For instance, Ihonvbere (2000) and Itua (2012) examine the legitimacy question of the constitution considering the making process, and Rupley (1981) studies the impact of the Constitution on resource allocation and management. While Ezeifeke and Osakwe (2013) interrogates gender representation. It is noteworthy to observe that these studies have contributed immensely to the understanding of the 1999 Nigerian Constitution, it is, however, important to note that none of these studies have investigated ideology and the linguistic means of representation in the text. The present study, therefore, aims at investigating ideology in governance text, with particular reference to the 1999 Nigerian Constitution. The investigation of ideology in text, especially those of regulatory specie, has become a compelling enterprise, considering their significance in constructing and enacting relationships which may place an individual or group in a disadvantaged position. Candlin has argued that analysts address their talents to those texts that evidence critical moment in discourse where participants may be placed in social risks during communication (2014, p.viii).

CONCEPTUAL CLARIFICATION

The Constitution

The Constitution, according to *Black's Law Dictionary*, is "the organic and fundamental laws of a nation or state which may be written or unwritten establishing the character and organizing the government and regulating, distributing and limiting the function of its different departments and prescribing the extent and manner of the exercise of sovereign powers." The definition provided supports the position of Nwabueze that the constitution of a state provides its superstructure. The constitution is superior to any other law as the validity of any law depends on the constitution (section 1(1) and (3), 1999 Nigerian Constitution). The idea of constitution also invokes Hans Kelsen's (1881-1973) concept of the ground norm in the hierarchy of norms. In modern democracy, the constitution is widely regarded as a social contract between the government and the governed where the government is seen as trustees of the common interest of the people. Amongst other things, it sets out the governance system and structure of the state, organs of government, the directive principles, fundamental human rights and the distribution and limitations of powers. So the constitution becomes an important site for the attainment of personal and group interests as it serves to legitimize such interests.

In any modern democracy, the state is the main apparatus of governance as it is endowed with the

sovereign power of the people. The desire to control the powers of a state and maximize the benefits thereof manifests in the desire to control the access and content of the discourse of governance, in this case, the constitution. This is because such discourses are the "symbolic resources" (van Dijk 2015, p.470) that if probably controlled may enable the advantaged persons and groups to control the minds and activities of the less powerful groups. This is particularly significant in the context of legal norms as van Dijk concedes that the interest of the dominant groups may be integrated into laws (2015, p.470). It appears that Facault has legal discourse in mind when he characterizes discourse as "not simply that which translate, struggles...of systems of domination, but it is the thing for which and by which there is struggle" (qtd in Fairclough 1993, p.51). It is this awareness that makes texts, especially institutional ones objects of scrutiny as advanced by CDA. Scholars in attempts to unmask ideologies latent in texts have examined diverse texts to unravel instances of power abuse, inequality and domination that are ingrained in texts.

It is agreed that most times, power is not overtly expressed (van Dijk 2015, Wodak and Meyer 2008, Fairclough 1993, 2001 and 2003), rather it is exercised by ideology or what Dijk (2015) refers to as mind control. Perhaps, the reason for this is to rule by decoy and "wade off powers and dangers, to gain mastery over its chance events" (Facault, qtd in Fairclough 1993, p.51)

Establishing the relationship between ideology and power, Fairclough contends that ideology is "meaning in the service of power" (1995, p.14). This implies that ideology does not just exist for its own sake, but exists to serve particular interest. Scholarship has shown that laws are suitable sites for the representation of ideologies (van Dijk 2015). This is because such laws serve to legitimize the interest that those ideologies serve to project and make them difficult to challenge. For instance to amend the 1999 Nigerian Constitution is such a herculean task (See section 9 (1)-(10)). Also significant in this regard is the painful realization that there is no provision for a referendum in the 1999 Nigerian Constitution contrary to universal norms. The above reasons explain while powerful groups tend to dominate the production and interpretation of laws. The 1999 Nigerian Constitution is a good example where the military determined both access and content (See Preambles to 1999 Constitution). This makes it a suitable text for study to explain traces of dominant ideology represented by the military leaders.

It remains a fact in our world that those in privileged position which van Dijk (2015) refers to as "symbolic elites" control access to discourse and determine the encoding strategies. This, often times, confers advantage on them or the groups they represent, especially in a society dichotomized by economic, political, ethnic or religious interests. Because of the

danger that such a discourse or a text poses, scholars, especially from the perspective of critical discourse analysis have devoted much interest to the study of such specie of texts. According to Fairclough (1993, p.15), “critical” in discourse analysis “implies showing connections and causes which are hidden; it also implies instruction, for example providing resources for those who may be disadvantaged through change”. The 1999 Nigerian Constitution presents a good resource for the investigation of ideology considering its significance in the governance system and the circumstance of its emergence.

Ideology

Ideology is an age-long terminology that has engaged the attention of scholars across disciplines such as political science, sociology, law, and lately linguistics. The term ‘ideology’ does not have any simple and consensually accepted definition. The most popular view, however is that ideology is a set of ideas. According to *dictionary.com*, ideology is “ a body of doctrine, myth, belief, etc that guides an individual, social movement, institution, class, or a large group.” From the above, it can be argued that ideology manifests in ways of doing things. Like every other word in English, there have been changes in the use and meaning of the word. Most significant in this direction is the influence of the seminal work of Karl Marx and his followers on the impact of ideology on the political economy of the state, scholars have applied the term to the explanation of political, institutional and organizational practices in a given social set-up. Significantly, Althusser (1971) seeks to locate ideology in the state and its apparatus which include the military, police and courts. He argues that ideologies are materialized in the state apparatus and contributes to the reproduction and transformation of economic relations. However, Christine Synowich differentiates two views to the use of the term ‘ideology’. These are the liberal and the critical views. According to her, the liberal view perceives ideology as value free, and a product of collective consciousness that aims at serving the interest of the wider society, while the critical view perceives ideology as the false representation of reality to disguise a hidden interest. This view of ideology is traceable to Karl Marx’s idea of historical materialism where he contends that ideas are shaped by the material world. This view of ideology has been adopted by scholars from diverse disciplines to explain human condition. In the domain of language study, the concept is applied by critical discourse analysts to explain how ideology is represented in discourse to secure advantage by a group over the other. According to the proponents of this school, virtually every text is considered to be ideologically invested in the sense that text composition is motivated by a given idea. In the words of Fairclough, “ideology is the key mechanism of rule by consent and because it is the favoured vehicle of

ideology, discourse is of considerable social significance (2001, p.34). This view of ideology is adopted in this study.

METHODOLOGY

The study is both text based and qualitative in nature.

Theoretical Framework

The study applies Critical Discourse Analysis method to the study of 1999 Nigerian Constitution as a social practice. CDA is an interdisciplinary and social approach to the study of language that seeks to investigate power abuse, inequality, dominance and ideology within a sociopolitical context (Dijk, 2015, Fairclough, 1993; Wodak and Meyer, 2008). This is realized through the study of language as a social practice that mediates social processes. The importance of language in regulating relationship in the society is succinctly captured by Dijk, when he states that “ among other things that define power base of a group or institution, access to or control over public discourse and communication is an important symbolic resource” (2015, p.470). Dijk elaborates on the concerns of CDA when he claims that “(CDA) primarily studies the way social power abuse, dominance, and inequality are enacted, reproduced, and resisted by texts and talk in social and political context.” (2015, p.352). Wodak streamlines the preoccupation of CDA to three basic concepts of power, history and ideology ((qtd in Bhatia 2015, p.15). In effect, CDA strives to show how language shapes and it is shaped by the socio-cultural context of use.

The basic assumption underlying CDA application is that no language use is value free, but rather it is invested with ideology and serves social purposes of establishing social structures, and enacting power relationship in the social context of use. According to Fairclough, “discourse (text) is a mode of action, one form in which people may act upon the world, and especially upon each other, as well as a mode of representation” (*Analysing Discourse*, 63). Therefore CDA relies on the surface linguistic features of text to offer explanation for the meaning potentials within the socio-cultural context of text production and consumption. In order to achieve its object, CDA relies on insights from sociology, psychology, mass media, and so on. Fairclough indicates that there are three facets in the application of CDA analysis. These are description: the examination of the formal properties of text; interpretation: the examination of the relationship between the text and the social process of production and consumption; explanation: examination of the interaction between the texts and the social context (*Analysing Discourse*, 21). According to Fairclough, amongst the three stages in the analytical process, the interpretation stage is crucial because this is when the texts that are inherently opaque are made transparent by the analyst to expose all

traces of dominance and inequality in text production and consumption. To this end, Fairclough (2003, p.11) explains interpretation in the following words:

Interpretation can be seen as a complex process with various different aspects. Partly, it is a method of understanding – understanding what words or sentences or larger structures of texts mean, understanding what speakers or writers mean (the latter involving problematic attributions of intentions). But it is also partly a matter of judgement and evaluation: for instance, judging whether someone is saying something sincerely or not, or seriously or not; judging whether claims that are explicitly or implicitly made are true; judging whether people are speaking or writing in ways which accord with the social, institutional etc. relations within which the event took place

No doubt, the definition of interpretation provided above by Fairclough is quite elaborate, and it points to the fact that undertaking CDA is a sensitive one that requires the understanding of, not only linguistic knowledge, but also the social structures and social realities to give a balanced and informed account of how language influences, and is influenced by the socio-cultural context.

It is important to note that CDA is not a unitary framework. This means that there are different tendencies represented by the three major proponents: Teun Van Dijk, Norman Fairclough and Ruth Wodak. Van Dijk is credited with the socio-cognitive approach, and Fairclough dialectal-relational approach, while Wodak is of the socio-historical orientation. Irrespective of the differences in persuasions, it is maintained that CDA is unified by its concern for the investigation of social problems in discourse and talk, especially those related to the representation of ideology, social structures and power relations (Fairclough, 1993; Wodak and Meyer, 2008). Other notable scholars of the critical discourse school are Roger Fowler and Gunter Kress.

Fairclough,..... Hovath and Sheehan (2010) have applied CDA to the study of texts from different domains. Fairclough studies marketisation of public discourse in Britain focusing on the universities, while Hovath studies President Barack Obama's inaugural speech and Sheehan examines British universities' regulations to show how students are constructed within the British culture. Fairclough notes the use of catchy headline such as "make an impact on the next generation", personalization of the reader and the institution by using second person pronoun "You" and first person plural "We" to instigate conversation as instances of marketisation of public discourse. He also notes the use of self promotional claims associated with prestige and corporate advertising as in "with our reputation ...". Finally the author observes that this method is sharply contrasted with the traditional genre associated with the older universities that are marked by distance and impersonality, and argues that usages are ideologically motivated and serve as persuasive strategies in the socio-cultural context of text production. Hovath identifies the macro structures of

the inaugural speech to include the following: thanking his predecessor, (paragraph 1-2); acknowledging the economic crisis, (paragraphs 3-7); pointing out crisis of the past, (paragraph 8-17); addressing cynics, (paragraphs 18-20); addressing the world, (paragraphs 21-26), and the solution lies with us (paragraphs 27-35).The author identifies the key ideological components to include the following concepts: pragmatism, liberation, inclusiveness, acceptance of religious and ethnic diversity and unity. The author uses the following excerpt to illustrate the ideology of inclusiveness: "My fellow citizens, I stand here today humbled by the task before us, grateful for the trust you have bestowed, mindful of the sacrifices burned by our ancestors."The author argues that beginning with "my fellow citizen" as opposed to "fellow Americans" that characterises the augural speech of his predecessor, Obama is perceived to be more inclusive since it is inclusive of all nationalities, ethnic and religious groups. According to the author, "the style of Obama can be explained on the basis of the fact that the citizenry is the cornerstone of American Republic, and that the whole system is based on a grassroots diplomacy, rather than an exclusive and elitist system of Bush: Strong citizenry" (50). Sheehan shows that the students who are the main targets of the universities' regulations may be constrained, marginalized or excluded by the deliberated choice of Linguistic resources and the encoding techniques adopted in the text composition. The author shows two methods that are used to characterise the students in the texts to include exclusion of the students and their placement in the recipient object position. According to the author, these methods of text composition tend to disempower the students and place them in a more difficult situations when they may be in conflict with the university authorities. Finally, the author suggests the composition of more dialogic and empowering texts by organizations and institutions to address the twin social problems of dominance and inequality. The revelations from these studies show that critical discourse analysis is useful as it helps to locate ideology in texts, thereby empowering the reader to make a better decision.

CDA has been criticized for sundry reasons. Some of the criticisms are based on the earlier versions of CDA. For instance, Toolan (1997) and Stubbs (1997) criticized CDA for failing to approach texts systematically. It is important to note that this observation has been addressed in subsequent revision of CDA (see Fairclough, 1993). Other notable criticisms are those of Widdowson (1995, 1996, 2005), Bhatia (2015) and Hammersley (1997). For instance, Widdowson (1998, p.136) criticizes what he considers as the unsystematic nature CDA research, and label same as ad hoc where pre-existing linguistic concepts are arbitrarily selected to achieved a predetermined. He further questions the legitimacy CDA research outcome and contends that CDA research suffers

from bias and subjectivity as the researchers' ideological persuasion is brought to the interpretation of texts (1995, p.169). Bhatia also expresses a similar view when he claims that CDA "cannot provide complete analysis but only partial interpretation" (2015, p.15). Another strident critic of CDA is Hammersley (1997, pp.237-248). He accused the promoters CDA of being presumptuous and taking for granted the idea of critical approach as obvious and unproblematic. He went further to state that CDA research relies much on Marxism that has been discredited and ejected western scholars and administrators. It is however important to note that some of the accusations are unfounded. For instance, the claim by Widdowson and Bhatia that CDA is subjective is debatable bearing in mind that subjectivity is a product of social conditioning that cannot be completely obliterated in any scholarly inquiry. Irrespective of the criticism noted, the researcher still considers CDA useful in deepening the present study within the wider social context and contributing to the revelation of ideological posturing in texts, especially in legal contexts that are the sites for the legitimization of personal and group interests.

Data Presentation and Analysis

The analysis shows linguistic resources used in the making of the 1999 Nigerian Constitution and the underlining ideological considerations

Extract 1

AND WHEREAS the Provisional Ruling Council **has approved the report subject to such amendments as are deemed necessary** in the public and for the purpose of promoting the security, welfare and good governance and fostering the unity and progress of people of Nigeria with a view to achieving its objective of handing over an enduring Constitution to the people of Nigeria. (Preambles to the 1999 Constitution)

The extract raises question of discourse control and access which are important facets of CDA. The extract shows the control exercised in the production of the 1999 Nigerian Constitution by a group of soldiers that do not have the mandate of the Nigerian people. As could be shown, they arrogate to themselves the power to 'approve' and 'amend' contents submitted by another group arbitrarily assembled by them citing public interest, unity and progress of the Nigerian people. According to van Dijk (2015), the production mode of articulation is controlled by the symbolic elites. He describes the symbolic elites as powerful members of the society that determine topic, style and content...and mentions the following as members of this group. In the case of the 1999 Nigerian Constitution, the army generals are the symbolic elites that determine its content. Usually the symbolic elites represent certain interest. Ezeani notes that "these army generals saw themselves as Northerners, while paying lip service to Nigeria unity (182) Exploiting their advantaged positions, they are able to introduce, by fiat, provisions that project the interest of their people as

further study will show. Ideologies serve the interests of certain people with social power, because they inform the way people interpret the world around them (Andea 2008, p.11). Organisations that strive for power will try to influence the ideology of a society to become closer to what they want it to be (Wodak and Meyer 2008, p.8)

Extract 2

WE THE PEOPLE of Federal Republic of Nigeria
HAVING firmly and solemnly resolved:
TO LIVE in unity and harmony as one indivisible and indissoluble Sovereign Nation under God dedicated to the promotion of inter-African solidarity...
AND TO PROVIDE for a Constitution for the purpose of promoting the good government
DO HEREBY MAKE AND GIVE TO OURSELVES
The following Constitution (emphasis in the original)
(Constitution)

Extract 3

Pending any Act of the National Assembly for the provision of a system of revenue allocation between the Federal and State, among the State[], between the States and local government councils and among the local government council[] in the States, the system of revenue allocation in existence for the financial year beginning from 1st January 1998 and ending on 31st December 1998 shall, subject to the provisions of this constitution and as from the date when this section comes into force, continue to apply... (section 313)

Extract 2 is part of the preambles to the *1999 Constitution*. The linguistic resources deployed are quite significant. The use of the inclusive 'we' in capital letters highlights its importance, and it indicates that the Nigerian people, who the law is to serve their interest and the military leaders participated in the law making process This aims to give legitimacy to the made law According to Tyler (2006, p.375):

Legitimacy is a psychological property of an authority, institution, or social arrangement that leads those connected to it to believe that it is appropriate, proper, and just. Because of legitimacy, people feel that they ought to defer to decisions and rules, following them voluntarily out of obligation rather than out of fear of punishment or anticipation of reward. Being legitimate is important to the success of authorities, institutions, and institutional arrangements since it is difficult to exert influence over others based solely upon the possession and use of power.

Legitimacy is a universal requirement for making a valid law, therefore the use of 'we do hereby make and give to ourselves the following Constitution' gives the impression that the constitution enacted is the product of the collective will of the Nigerian people. This is not the case, rather it is a case of 'manufactured consent' (Fairclough 1993, p.4). In this regard, it could be noted that the language used is ideologically invested.

From the view expressed above, it is clear that ideology resides in texts as much as discourse events are configured to express reality in one form or the other. In the text studied above,, there is a clear or feigned

intention to attribute the authorship of the making of the Constitution to the Nigerian people who knew nothing about the process and content. This is confirmed by the words of Col. Tony Nyiam when he stated in an interview: “My former colleagues in the military who I have always described as politicians in uniform created a constitution which gives advantages to their people. It is a constitution that you cannot change anything in it. They deliberated excluded a fundamental thing that makes a constitution legitimate, and that thing is called a referendum”. (*Vanguard* 17 August 2017).

Extract 3 above gives an explanation and a binding provision on the revenue allocation system among the three tiers of government in Nigeria. At the time of coming into effect of the 1999 Constitution, the impression created was that there was a new constitution that set out how the country should be governed as different from the preceding military administration. The above provision appears to contradict this expectation. The text, “the system of revenue allocation in existence for the financial year beginning 1st January 1998 and ending 31st December 1998... shall ... apply” is clearly ideologically motivated. The statement, among other things, serves to preserve the status quo, and hence the advantages gained by one region of the country over the other as a result of long period of military rule. It is important to note that the revenue allocation system so legitimized courtesy of the above provision was never negotiated or agreed upon by the federating units, rather it was the outcome of arbitrary military law making process that is clouded by ethnic and regional considerations. No wonder this system of revenue allocation has been a subject of contestation among the federating units since 1999 when the Constitution took effect. The ideological posturing in the above text could be made clearer when read against extract 2 which begins thus: “We the people.....” The people cannot give to themselves “existing system of revenue allocation”. Certainly, the claims in extract 2 which is that of independence, solidarity and common ground is at odds with extract 3 which is clearly and imposition from an existing order. It is important to observe that the existence of law is an attempt by a group to govern the affairs of others. Therefore, efforts are made most times to truckload laws with group preferences and interests in the name of common interests. The explanation presented above is supported by the view expressed by Fairclough in the following words:

“...ideology is located both in the structures... which constitute the outcome of past events themselves as they reproduce and transform their conditioning structures. It is an accumulated and materialized orientation which is built into norms and conventions, as well as an ongoing work to neutralize and denaturalize such orientation in discourse events (2003, p.89)

The explanation provided above support the view that Nigerian legal texts are works in ideology.

Extract 4

The President, upon the receipt of advice from the Revenue Mobilisation Allocation and Fiscal Commission, shall table before the National Assembly proposals from the Federation Account, and in determining the formula, the National Assembly shall take into account, the allocation principles, especially those of population, equality of state, internal revenue generation, landmass, terrain as well as population density
Provided that the principle of derivation shall be constantly reflected in any approved formula as being not less than thirteen percent of the revenue accruing to the Federation Account directly from any natural resources. (Section 162[2])

The extract above relates to the revenue allocation principle as obtained in the Nigerian State. A key feature in the study of ideology in text is the unmasking of language use that confers advantage on a group, especially the dominant group to the disadvantage of others. In the above extract, there is a provision that stipulates and legitimizes certain principles for the sharing of revenues. These principles are population, equality of state, internal revenue generation, landmass, terrain as well as population density. Studying these principles, one after the other will no doubt reveal the interests they project. However, before the study of the implication of these principles, it is important, it is important to understand the revenue percentage allotment of the ingrained principles. The Federal Government keeps 52.68% of the total revenue, while the states share 26.72%, and local governments get 20.60%. **Regarding the principles as it concerns the distribution of revenue accruing to the states, the following applies:** the first 40% of revenues is shared equally across the states, that is, according to the principle of equality of state. 10% is determined by population, while 10% is determined by landmass, and internally generated revenue is 10%, while social development factors such as population density, terrain and others account for the remaining 10%. The other principle is derivation which should not be less than 13% (Revenue Mobilisation & Fiscal Commission).

The equality of state principle means that all states receive equally irrespective of their contribution to the national. The percentage allotted for the purpose of this principle is 40% of revenue distributable to states. In the first republic, Nigeria had four regions: northern region, western, mid-western and eastern region. But following about 28 years of military rule largely dominated by officers from the north, Nigeria now has 36 states plus a Federal Capital Territory, Abuja. Of significance in the new Nigerian structure is that the north which originally had one region now has 19 states, plus the capital territory, while the four regions of the south has 17 states. It therefore follows that based on the equality of states which takes a chunk of 40% from the distributable income to states, the north has an advantage as they will get more revenue. It is important to point out that the number of states also translates to number of local governments

with the consequential effects on revenue allocation. Recall that the distributable revenue to local government areas is 20.60% and the equality of local government areas applies. Out of the 774 local government areas contained in part 1 of the first schedule of the 1999 Constitution, the north has 404, while the south has 370. This means that the north receive more revenue at the local government level. Also, embedded in the ideology of having more number of states is the advantage it confers at the national parliament, where they have more number of seats. The reality is that having made a law that favours a section, that section is empowered by the same law to protect the accrued advantage by granting it majority of seats in the parliament—the only organ that can amend such a law!

The other principle for the sharing of revenue is population, and 10% is allocated for this purpose. This principle implies that the geographical locations that have more number of persons will have more of the designated 10%, irrespective of their contribution to the national purse. Going by the 2016 Nigerian population census result, the North is placed at an advantage. For instance, North Western Nigeria has 48,942,307 persons, while South-South region has 28,829,288 persons. This means that the North-Western region will have greater portion of the allotted 10% of the distributable revenue than the South-South region which generates 69% of the national revenue (Vanguard, Feb., 20018). Because of the significance attributed to population by the makers of the 1999 Nigerian Constitution, the determination of Nigerian population has been a contested issue.. Commenting on the politics of population and its implication for revenue allocation , Oke has this to say:

Extract 5

Population figures derived since the pre-independent period has conveniently factored in that assumption. That has been the foundation of the estimated population of the North being 'double'. Even triple that of the South combined. Every attempt to count and re-count has resulted in a stalemate and the inevitable preservation of the status quo. What follows from the population advantage is the allocation of federal resources anchored on the contentious figures (Vanguard [online] 11 August 2020)

Shobowale also comments on the manipulation of the population of Nigeria because of the importance in the Constitution “Whereas everybody in the far better educated South, Christian or Muslim, had to be sighted to be counted, the same was not true of the North. Women and young girls in harem were counted sight unseen” (Vanguard, March 15, 2020). The study clearly shows the significance of discourse and ideology as the use of the word “population” has so much importance in the Constitution as it continue to generate revenue for the target group.

The last principle recognized by the 1999 Constitution is the derivation principle. This is the most applicable

principle by states that practice federalism. It stipulates that states or regions control the production of resources in their domains and pay certain percentage to the central government. This was the practice as enshrined in the 1960 Nigerian Independent Constitution and the 1963 Nigerian Republican Constitution. For instance, Section 140(1a) of 1963 Nigerian Constitution states: “There shall be paid by the Federation to each Region a sum equal to fifty percent of the proceeds of any royalty received by the Federation in respect of any minerals extracted in that Region.” In Nigeria, this principle has its root in the Hicks-Phillipson Report of 1951 (Uche and Uche, 2004). Supporting the above position, Okunnu observes in an interview observes that “ Revenue allocation before independence was more or less in this formula, those regions which produced certain commodities or minerals profits from these commodities or minerals: 50 percent of the profit went to the state of origin.” It is strange that derivation which was originally 50% is now 13%. Even the ascribed 13% appears to be an afterthought as it is not a provisional clause but a qualification as could be observed in the language used “Provided that the principle of derivation shall be constantly reflected in any approved formula as being not less than thirteen percent of the revenue accruing to the Federation Account directly from any natural resources..”

Commenting on the impact of the military on the Nigerian system, Rupley (1981, p.1) notes “Changes in the nature of federal financial relations were among the most striking features of the nearly 14 years of military rule in Nigeria” .This is solely achieved by means of discourse control.

Extract 6

There shall be a Police Force for Nigeria, which shall be known as the Nigerian Police Force, and subject to the provisions of this section no other police force shall be established for the Federation or any part thereof (Section214)

The police is a key ideological apparatus in the state function (Althusser, 1971, p. 17). In the extract, the Constitution establishes the Nigerian Police Force that is controlled by the central government to the exclusion of any state or other units of government. This makes it possible for whoever occupies the seat of the president to determine the security situation in any part of the country. This is unlike any federal constitution where policing power is shared among the different tiers of governments. In the US and other countries that operate a federal constitution, policing powers are shared in that there are the federal police, state police and others. Recall that Althusser recognizes the police as one of the apparatuses of state. This singular provision has made it possible for the President to suppress and subdue every opposition that is targeted at addressing obnoxious policies of government. For instance, in January, 2012, there was protest against the removal of fuel subsidy

which resulted in price hike, the police and other security agencies were mobilized to suppress the protest. Most recently in Nigeria, there have been security challenges occasioned by the activities of herdsmen, Bandits and the Boko Haram sect who are predominantly of the northern extraction, and citizens have protested the poor handling of policing activities by the Federal Government. For instance, a national daily, *The Punch* reports an incident that happened in Oyo State South-West Nigeria as follows: "Sometime in February, the Divisional Police Officer of Igbon Division in the Surulere Local Government Area of Oyo State, Mr Ayodeji Adepoju, reportedly shot and injured an Amotekun operative in the state for arresting herdsmen whose cows destroyed the crops of a farmer in the Gambari area of the state". (*The Punch*, 11 March, 2021). Also, in October, 2020 and December 2021 there were *Endsars* and *Northisbleeding* protests against bad governance, particularly concerning police brutality and insecurity in the country. In each of these protests, the protesters were subdued using police and military might. The account provided above is quite revealing, and it supports the argument that the Nigerian police are bias as they serve group and sectional interest. The evidence re-enforces the view that the provision helps to protect and consolidate group interest. The ideology embedded in this provision has made it one of the most contested constitutional provisions in the Nigerian State as interest groups have continued to agitate for reforms in the policing system.

CONCLUDING REMARK

The paper studies the 1999 Nigerian Constitution to establish traces of dominant ideology. The study notes different ideological positioning designed to control discourse access and content, legitimize an otherwise an illegitimate text, the control of security apparatus and establish an unfair revenue allocation formula.

According to Georges Bidault (1879-1983), the one-time French Prime Minister, "the good or bad fortune of a nation depends on three factors: its constitution, the way the constitution is made to work and the respect it inspires". The above statement reveals the significance of the constitution in any society. As could be noted, the 1999 Constitution is a discourse that is seized and consequently legitimized through the will power of some group of soldiers with ethnic and class bias. This is contrary to the universal norm that underlies the process of constitution making. This has made the 1999 Nigerian Constitution one of the most contested texts in Nigerian history. It is important to note that shortly after it became operational in May, 1999, there have been moves and calls for its amendment or total repudiation on the premise that it is a fraud foisted on the Nigerian people by an illegitimate military government from a section of

the country. This, no doubt has pitted one section of the country against the other. The northern part of the country has defended the Constitution, while the southern part has called for its amendment or annulment as the Constitution has been blamed for the sorry state of the country. In 2011, it was amended, but the outcome was not far reaching. Another effort was made to amend it at the 2014 National Conference, yet nothing came out of it. Also, at the time of writing this paper, there was yet another effort at amending the Constitution.

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