Polycentric Interstate Federalism Among The Yoruba Of Nigeria: Lessons For Growing An International Federal Order

OYEBADE KUNLE OYERINDE
Clark Atlanta University

Abstract: There is no doubt that federalism has important ingredients for growing an international order for individual liberty and interstate peace as well as political and economic integration across national borders. Yet sharp disagreement characterizes the effect of federalism. What is not at issue in Africa is that two prominent African federations - Ethiopia and Nigeria—have demonstrated how not to grow such an international order. These African federations, which were deliberately designed to control individual action, have, unfortunately, paralyzed individual liberty, fueled interstate violence, and hindered political integration beyond state/provincial borders. The imposition of federalism in Ethiopia and Nigeria has not only failed to live up to the purported promises of federalism but has also run roughshod over pre-colonial African traditions that can and should inform the theory and practice of federalism. This article draws important lessons from how two pre-colonial self-generating orders among the Yoruba of Nigeria used polycentric values of interstate federalism and avoided provincial-central [or state-national] sovereignty and inter-provincial violence as well as ensured individual liberty and political and economic integration beyond provincial borders.

INTRODUCTION

Sharp disagreement characterizes the effect of federalism amid the recognized importance of federalism for growing “future patterns of organization” (V. Ostrom 1978, p. 121), including an international order of law that can unite all societies as coequals (Hayek 1976, p. 269). While the debate rages on, the unique sovereignty-for-equality bargain the United States has used to abrogate national-state sovereignty offers bright grounds for hope in spontaneously extending federalism to grow liberal polities that can culminate in a world state (Christensen 2021). At the same time, the study of federalism has largely neglected distinctive pre-colonial African federations that can teach us something, probably more unique and more useful, about federalism and polycentricity and about how to extend federalism to grow an international federal order.

This article addresses this missing piece of the federalism puzzle by utilizing the obscured libertarian and classical liberal tradition of interstate federalism to engage with how the citizens of two pre-colonial spontaneous [or self-generating] orders among the Yoruba of Nigeria, which
are Abeokuta and Ibadan, used polycentric values of interstate federalism to grow their respective polities. Unlike the consciously planned Ethiopian and Nigerian federations [or taxis], in which provincial and/or central governments serve as the sovereign or final authority over individual action, the two self-generating Yoruba orders [or cosmos] avoided provincial-central government sovereignty and interprovincial violence as well as eliminated nationalism or separatism, protected individual liberty, promoted political and economic integration beyond provincial borders, and facilitated free flows of people and goods. Unexpectedly, the extraordinary accomplishments of the two Yoruba polities materialized robustly despite the internecine wars that ravaged Yorubaland for much of the nineteenth century, the early part of which marked the birth of the two polycentric interstate polities (Falola and Oguntomisin 2001).

Interstate federalism, which is not often adopted in the literature, turns upon the combination of economic union and political union that “would do away with the impediments as to the movement of men, goods, and capital between the states and that would render possible the creation of common rules of law, a uniform monetary system, and common control of communications” (Hayek 1948, p. 255). To guarantee individual liberty and republican security, this union must have neither a confederation of sovereign states/provinces/regions nor a sovereign national government (Robbins 1937, p. 240). In its polycentric character, an interstate federation operates as a political-cum-economic union of “self-rule and shared-rule relationships” (Elazar 1991, p. 16) and consists of “many autonomous units formally independent of one another, choosing to act in ways that take account of others through processes of cooperation, competition, conflict and conflict resolution” (V. Ostrom 1991, p. 225).

As individuals act as consenting players, in whom sovereignty [or the final authority over governmental action] resides, and as a check on government officials, polycentric practices—mutual agreement or covenanting, non-centralization, qualified decentralization, areal [or territorial] division of power, open competition, and representative recall—prevent provincial-central government sovereignty [or control over individual action] as well as guarantee individual liberty and political and economic integration. These outcomes prevail when irrevocable political authority is distributed between the central government and the constituent territorial power bases [or local and provincial governments] (Elazar 1991, V. Ostrom 1991). The sustainability of the outcomes requires learning, and adaptation to changing conditions, as diverse individuals act to take one another into consideration in “endless shifting configurations of competition and collaboration” that prevent long-term control of governing units by some factions (McGinnis, Baldwin and Thiel 2020, p. 3).

Evidence shows that not only is polycentric interstate federalism well adapted to complex biophysical and cultural conditions (E. Ostrom 2009), but it also protects and enhances individual liberty (Elazar 1990, V. Ostrom 1991, Polanyi 1951, Schaefer 2009), avoids interstate/interprovincial violence and hierarchical power centralization (Christensen 2021, Elazar 1991, V. Ostrom 1991), and promotes political and economic integration beyond state/provincial borders (Christensen 2021, Elazar 1991, Hayek 1976). As empirical analysis has shown, polycentric interstate federalism nurtures and fosters individual liberty when individuals, as equal partners, freely participate in growing a covenant founding polity and live according to the terms of the covenant or mutual agreement as the successful rules of the game (Elazar 1990, p. 5). The successful rules of the game, as manifested in the two pre-colonial cases in this study, include the freedom of diverse individuals to become citizens on an equal basis irrespective of where they live in the polity, to form and maintain autonomous territorial power bases by mutual agreement, to exercise exit option from any territorial power base and move freely between territorial power bases, to compete for political office within and beyond their respective local territorial power bases, and to petition to remove or recall irresponsible political officeholders. The dual goal of covenant terms is to ensure that the polity is kept open to all participants and to guarantee that political officeholders depend on the governed for their offices (Elazar 1990, p. 9).

Meanwhile, polycentric interstate federalism also facilitates political and economic integration. While economic integration manifests as the use of common standards for economic exchange relationships throughout the polity (Hayek 1976), political integration focuses on bringing together socially diverse individuals and groups as coequals by preserving their ability to organize and maintain autonomous territorial
power bases within the polity and by protecting their liberty to exit any territorial power base. As people live according to the terms of their mutual agreement, interstate federalism, therefore, tends to facilitate political and economic integration when diverse individuals and groups are accommodated "by giving them territorial power bases of their own" (Elazar 1991, p. 167), which cannot be altered without their consent (Wheare 1963, 3), and by giving them "continued opportunities...to exercise power without fear of retribution from "higher authority"" (Elazar 1979, p. 35).

Interestingly, the United States serves as a unique federation that has used polycentric interstate federalism to abrogate national-state sovereignty as well as ensure individual liberty and political and economic integration across state borders. At the roots of the United States’ accomplishment was a sovereignty-for-equality bargain, whereby each state or province has an equal number of seats in the United States Senate that, in turn, exercises oversight over the executive branch to prevent the concentration of power in one governmental branch (Christensen 2021). Nevertheless, certain questions beckon attention in this regard. If polycentric interstate federalism is important for individual liberty and republican security, must the United States’ uniqueness be the only example for the entire world? Or can more knowledge be gained from non-Western traditions of polycentric interstate federalism that have effectively prevented provincial-central government sovereignty? Focusing on obscured non-Western traditions is a Hayekian inevitability because, if polycentric interstate federations must be spontaneous or self-generating to achieve these outcomes, a spontaneous order [or cosmos] “will always be an adaptation to a large number of particular facts which will not be known in their totality to anyone [in either Western or non-Western societies]” (Hayek 1973, p. 40). This article seeks to answer these questions by focusing on less understood non-Western traditions of polycentric interstate federalism in the context of the significant debate about the effect of federalism.

FEDERALISM AND SOVEREIGNTY

Evidence supports the potential of federalism in shaping patterns of organization that can culminate in an international order. Notable contestation, however, remains on the proper location of sovereignty or the final authority in a federation to ensure individual liberty, republican security, and political and economic integration. That, indeed, is why it is often argued that federalism lends itself to individual liberty and avoidance of interstate violence when the national government dominates the decision-making process as the supreme sovereign authority, while the people and the subnational governments are subject to the control of the national government (Reagan 1972, p. 17). In support of this national sovereignty model, Wilson (1956, p. 203) argues for a more powerful national government, while further anchoring the claim on the belief that prosperity lies primarily in what is seen as “a large national unity” that can best be guaranteed when the national government is vested with greater powers and operates as the dominant actor. DiGiacomo and Flumian (2010, p. 6) buttress Wilson’s position by arguing, inter alia, that “a federal arrangement characterized by a dominant central government is valued because it is better able to ensure that citizens are treated equally.”

To be sure, a sovereign national government may protect individuals against local abuses and achieve citizen satisfaction with public services in a precise and cost-effective manner. At the same time, since the executive leader(s) of the national sovereign government need a nationwide majority to win political support, at least through the electoral process, the rights of the minorities might be compromised (Treisman 2007, p. 271). In addition, the use of the national sovereignty model to grow an international order would lead to a confederal union of national sovereignties, which, as evidenced in empirical analysis, has hindered political integration across national borders and ravaged international relations (Christensen 2021) with what Thomas Hobbes excellently describes as “a war of all against all,” except where, as can logically be predictably expected, sovereign states see nationalistic advantages in cooperation. Unfortunately, these suboptimalities characterize consciously planned federal systems, an example of which is Nigeria’s federal system.
The Nigerian federation demonstrates how not to extend federalism to grow an international federal order. Individual liberty is not the focus of the federation, which was consciously designed in 1954 to assuage three major ethnic groups—the Ibo, the Hausa-Fulani, and the Yoruba. Initially, the federation operated as a decentralized system of sovereign national and subnational governments in the sense that the initial constituent regional governments exercised sovereignty over their respective regional matters and peoples. As a result, the regional governments “prevailed in subordinating the traditional rulers to elected governments at both the regional and local levels” and stripped the traditional power bases of autonomy (Adamolekun 2005, p. 386). Also, the major ethnic group in each region dominated the regional government and deprived minority communities of self-determination. Using the strategy of divide-and-conquer, the national government sponsored conflict in the political party of the leaders of the opposition (Olowu p. 1996). The rancorous relationships between the regional and national governments, along with minority marginalization, escalated the “politics of ethnic majority chauvinism, hegemony, and separatism” (Suberu 2005, p. 142) into the 1966 Nigerian coup d’état and the 1967-1970 Nigerian civil war that resulted in over three million military and civilian deaths (Elaigwu 1988).

The Nigerian federation has, since 1966, stealthily morphed into an executive-run system of presidential government and has fared poorly concerning political integration and the development of common citizenship as well as the security of life and property for its teeming population of about 206 million. As a rule, the Nigerian national government centralizes police and uses it to clampdown on the opposition and, in the process, to paralyze the freedom of individuals to hold government officials to account. Also, the state and local governments in Nigeria depend disproportionately on crude oil revenue that the national government uses to subordinate the subnational governments. The national government, as the sovereign authority, has unilaterally created, altered, and imposed subnational governments, which has not only led to escalating tensions within and between the constituent subnational governments but has also compromised political integration and repressed the freedom of individuals to create and run autonomous state and local governments through, to use Hayek’s (1973, pp. 41-42) words, their interests, creativity, and knowledge not “ever being concentrated in a single mind, or being subject to those processes of deliberate coordination and adaptation which a mind performs.” In addition, descent, rather than birth or residency, primarily serves as the basis of state citizenship, which has further crushed political integration as well as the freedom of individuals to compete for political offices outside their respective ancestral home localities and states (Suberu 2005).

Meanwhile, unmitigated ethnic and sectarian allegiance also hinders political integration and heightens interstate/interregional tensions in Nigeria. This political integration imbroglio has manifested as the displeasure of ethnic and sectarian groups in southern Nigerian states not only against the controversial adoption of sharia [or Islamic] law in northern Nigerian states but also against the purportedly lopsided representation of northern Nigerian states in the national government. The resultant suspicion of domination among the constituent ethnic groups has intensified nationalistic/separatist interests as well as fueled increasing clashes between the national security forces and ethnicity-based security outfits and escalated unrelenting pressures for the disintegration of Nigeria (Agboluaje 2021; Wunsch and Olowu 1990). This is in addition to growing interregional tensions shambolically complicated by Boko Haram—the world’s deadliest terror group - that has unpityingly killed tens of thousands of people and displaced 2.3 million from their homes since 2002 (Chinwokwu and Michael 2019; Otu and Nnam 2018). Without equivocation, the national sovereignty model at work in Nigeria erroneously suggests federalism is nothing more than a top-down devolution of powers by a sovereign national government, whose dismal performance, as shown in the foregoing, makes a strong case for the abrogation of national government sovereignty, if, at least, individual liberty and interstate peace are to be achieved.

If the Nigerian case demonstrates how not to extend federalism to grow an international order for individual liberty and republican security, where else should sovereignty reside to ensure, at least, individual liberty? In addressing this concern, some scholars argue for political decentralization, whereby the constituent subnational governments in the federation can exercise the final authority or be sovereign, at least in
principle, over their respective regional public affairs and peoples. In some multiethnic societies, political decentralization has been consciously pursued as ethnic federalism or “ethnic group sovereignty”, whereby the territorially based ethnic groups each have a sovereign region/state. It is often argued that political decentralization is more likely to empower subnational governments to check the excesses of the central/national government and, where major ethnic groups are territorially based, prevent ethnic insecurity and interethnic violence (Diamond, Linz and Lipset 1995, pp. 44-45). However, it is also possible that the subnational governments can become powerful enough to weaken the national government as well as to repress the constituent minorities in favor of the supportive majority. This was the case under the United States articles of confederation when the sovereign states, as “paragons of the excesses of democracy”, weakened the national government and provoked interstate trade wars (Christensen 2021). Also, ethnic federalism can complicate ethnic tensions and fuel nationalistic interests, which regional elite or tyrannies may exploit for personal benefit (Maddox 1941, p. 1123), as the experience of Ethiopia with ethnic federalism has shown.

The multiethnic landscape of Ethiopia provided the impetus for the deliberate adoption of ethnic federalism in 1994. Rather than focusing on individual liberty, Ethiopia used ethnic federalism to try to pacify the major ethnic groups in the country. As a result, Ethiopia was divided into nine regions, each dominated by a major ethnic group. In addition, each region, in principle, was guaranteed the right of secession and sovereignty over regional matters and peoples. Unfortunately, one major challenge of ethnic federalism in Ethiopia is the resultant ethnic framing of citizenship, politics, and identity, which has spiraled out of control and provoked a culture of citizen-stranger dichotomy, intense ethnonationalism, and brutal treatment of minorities. Specifically, the constituent regions have intensified interregional tensions by evicting minorities who are treated as outsiders (Taye 2017). The resultant political scheming and ultra-nationalism have placed Ethiopia under lethal stress as mutually catastrophic fighting has raged on between “the federal troops and Tigrayan forces in eight different locations in the country” (BBC News 2020).

The Ethiopian and Nigerian federations demonstrate that national-state sovereignty threatens individual liberty, interregional peace, and political and economic integration. Inevitably, the sovereignty gap, more than ever, forces critical thought about a challenge Alexander Hamilton (1982) poses in Federalist Papers No 1: “…whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on accident and force.” Without equivocation, the American interstate order’s answer to this challenge sheds tremendous light on choice or covenant by individuals as the foundation of federalism that can be extended to shape patterns of organization and achieve not only republican security but also the protection of individual liberty and the achievement of political and economic integration across state/regional borders (Christensen 2021, Hayek 1976). It is within the choice matrix of the American experiment the recognition by prominent classical liberals and libertarians of interstate federalism for individual liberty and republican security can be properly situated and adaptively extended to the analysis of different polities.

Interstate federalism describes a polity that combines political union and economic union to ensure free flows of people and commerce and abrogate or avoid provincial/state and national sovereignties (Hayek 1948, Robbins 1937). In its polycentric character, an interstate federal order is a system of “self-rule and shared-rule relationships” (Elazar 1991, p. 16) and consists of “many autonomous units formally independent of one another, choosing to act in ways that take account of others through processes of cooperation, competition, conflict and conflict resolution” (V. Ostrom 1991, p. 225). The consent foundation of polycentric interstate federalism corresponds with Hayek’s (1976) view about government by mutual agreement [or by covenanting] limited to operate in areas individuals, as autonomous equals, can obtain true agreement. Herein lie the core values that invigorate polycentric interstate federalism to ensure individual liberty, abrogate or avoid provincialization [or state/provincial despotism], and national sovereignty [or hierarchical centralization of power] (Christensen 2021) as well as vest sovereignty in the people as autonomous equals (Tocqueville 1966), who are “capable of entering into covenants to establish the rules and institutions of their self-government…on the basis of mutual consent to advance human cooperation in such a way that
all the partners preserve their respective integrities, even as they build a common framework, or common frameworks to cooperate to secure common ends” (Elazar 1994, p. 5).

Consequently, the core values that animate and sustain polycentric interstate federalism as a system of self-rule and shared-rule relationships include covenancing as well as non-centralization, qualified decentralization, areal divisions of power, and common citizenship. On its own, covenancing is the process by which humans as equals come together to form self-rule and shared-rule relationships, commit to their fundamental equality, and retain their basic rights. Generally, proper liberty in polycentric interstate federalism is the liberty to act according to the terms of the covenant, but not according to the whims and fancies of a few select interests (Elazar 1994). As excellently captured by Kincaid (2002, p. 7), covenants yield “a system of voluntary self-rule and shared-rule ...” based on “… a binding partnership among coequals in which the parties to the covenant retain their individual identity and integrity while creating a new entity, such as a family or a body politic, that has its own identity and integrity as well.”

Non-centralization and areal division of power imprint the federal relationships embodied in a permanent covenant on the federation through the diffusion of irrevocable power among many autonomous but limited territorial power bases with overlapping jurisdictions, thereby creating a system of additional checks and balances for discouraging hierarchical centralization of power and for preventing the constituent territorial power bases from serving as the final authority over individual action. The diffusion of power prevents hierarchical centralization of power if the authority to exercise political power, and make and modify rules, cannot be taken away from the people in the constituent territorial power bases without common consent. Yet non-centralization also allows for qualified decentralization, by which the central authority, for example, can decentralize and recentralize only within its sphere of jurisdiction (Elazar 1991; Osaghae 1990).

Furthermore, areal division of power, in the context of non-centralization, facilitates political integration by accommodating the existence of many groups of autonomous territorial power bases in different size categories. This federal value guarantees neutrality and equality when power is internally divided on a territorial basis such that localities and provinces operate as autonomous territorial power bases, where different people can freely express their respective sociopolitical preferences, but without a majority having the perpetual ability to dominate or exclude other people (Kincaid 2016, p. 568) in endless shifting configurations of competition and collaboration (McGinnis, Baldwin and Thiel 2020, p. 3). Territorial equality, as in Abeokuta in this study, allows the preexisting groups to each have their respective territorial power bases and thereby find expression both locally and in the federal whole. Territorial neutrality represents diverse individuals and groups, along with their diverse interests, in proportion to their strength within the same territorial power bases (Elazar 1979, pp. 33-35), such as local [or compound and township] governments in Abeokuta and local [or compound] and provincial [or quarter] governments in Ibadan.

Consequently, areal division of power not only prevents centralization of power but also facilitates political and economic integration and attraction of people (i) by accommodating diverse groups and giving them territorial power bases and (ii) by ensuring that no territorial power bases/provinces or groups are too powerful enough to dominate others or exercise sovereignty over others, thereby avoiding separatist or nationalistic interests, interprovincial conflict, and local and provincial government sovereignty. Individual liberty and political integration further become a lot more reinforced as diverse individuals have equal chances of becoming citizens and vie for political office irrespective of where they live in the polity (Elazar 1991). It is against this background, Vincent Ostrom (1991, p. 253) claims that polities, which are open to more diverse ways of assembling and accommodating diverse individuals, are those that nurture and enhance individual liberty, republican security, and economic and political integration.

As empirical evidence has confirmed, covenant [or choice], non-centralization, areal division of power, and common citizenship (Elazar 1994) are the key components of “the piecemeal federation of political units under the U.S. constitution”, which has largely demonstrated the potential of polycentric interstate federalism to abrogate or avoid national-state sovereignty and “achieve more freedom for more people”, even beyond state borders (Christensen 2021). On the other hand, scholars face the challenge to consid-
er covenant-based non-Western societies given that “polities founded by covenant are essentially federal in character” (Elazar 1991, p. 4) and that “there is as much to be learned from stateless societies as from those that emerged as “kingdoms” and “empires” before the intrusion of European empires [in Africa]” (V. Ostrom 1991, p. 18).

However, analysis of federalism has largely obscured successful attempts at interstate federalism in non-Western societies, even though an exploration of non-Western historical practices has a lot to teach us about polycentric interstate federalism. As a result, this article utilizes the libertarian and classical liberal tradition of polycentric interstate federalism to engage with how the citizens of two pre-colonial spontaneous federal orders among the Yoruba of Nigeria, which are Abeokuta and Ibadan, intricately grew government by mutual agreement as well as protected individual liberty, avoided both interprovincial violence and hierarchical centralization of power, eliminated separatism, attracted more Yoruba and non-Yoruba immigrants, and promoted political and economic integration beyond provincial borders.

POLYCENTRIC INTERSTATE FEDERALISM AMONG THE YORUBA

Abeokuta and Ibadan were founded by restless soldiers and outcasts, who had been badly treated in Yoruba states, with hierarchical structures of subordination, and who desired a covenant founding union of complementary and overlapping territorial power bases strong enough to ward off external aggression and flexible enough to accommodate diverse individuals and groups through processes of cooperation, competition, and conflict and conflict resolution. The two Yoruba polities, which are in today’s western Nigeria, were unclaimed before they were occupied by restless soldiers and outcasts after the collapse of the Old Oyo Empire. The Empire was the largest Yoruba kingdom up to the late eighteenth century, which was grimly doomed by the invading Hausa-Fulani cavalry from today’s northern Nigeria (Awe 1973; Phillips 1969). Unfortunately, internecine wars then broke out among the surviving Yoruba states in the early nineteenth century, which threatened Yorubaland for much of the nineteenth century. It was during the turbulent period that Abeokuta and Ibadan were founded, precisely in 1830 and 1829, respectively. The two Yoruba polities have, since then, been home to diverse individuals, with Yoruba being their common language.

During the nineteenth century, Abeokuta was made up of Egba Yoruba [or the founders] and Owu Yoruba [or the immigrants] (Biobaku 1952, p. 49) as well as freed slaves from the trans-Atlantic slave trade [or the immigrants]. Ibadan has, since 1829, been home to diverse individuals, including Egba Yoruba, Ekiti Yoruba, Ife Yoruba, Ijebu Yoruba, and Oyo Yoruba as well as freed slaves from the trans-Atlantic slave trade. Outcasts from other Yoruba states, who had been treated badly, also migrated to Abeokuta and Ibadan (Oguntomisin 2001, pp. 227-232). The occupational diversity of the two federations was so rich that they each had diverse professionals including warriors, police officers or hunters, blacksmiths, farmers, traders, and other craftspeople. As diverse individuals engaged in mutual adjustment and respectful contestation, the distinctive heterogeneities in linguistic dialect and ancestry in both polities were greatly obscured by the covenanting basis of their respective systems of interstate federalism (Biobaku 1952, Falola and Oguntomisin 2001), which is further discussed below.

Covenant Terms, Individual Liberty, and Political and Economic Integration

Covenanting underlay polycentric interstate federalism in Abeokuta and Ibadan during the nineteenth century. In the two Yoruba political economies, covenanting found expression in mutual agreement [ifohùnsọkan or àdéhùn] or voluntary will [ife atinuwa] (Adamolekun and Kincaid 1991, p. 180), by which the Yoruba people in Abeokuta and Ibadan, as coequals, grew a covenant founding system of interstate federalism or what Frederick Hayek has called government by mutual agreement. Through voluntary will, restless soldiers and outcasts in Abeokuta and Ibadan, tied together by the shared experiences of oppression, spontaneously nurtured individual liberty and political and economic integration and avoided separatism and provincial-central government sovereignty. The citizens of the two Yoruba polities accomplished these
outcomes by discarding the “monarchical institution hitherto characteristic of the Yoruba” and by coven-
nanting to non-centralization, representative recall, open political competition, areal division of power, and
common citizenship as the successful rules of the game (Oguntomisin 1981, p. 224).

In fostering individual liberty and political and economic integration, the belief that landownership
was the nontransferable ancestral right of the founding lineage was deemphasized through voluntary will.
As experts have confirmed, there was no lineage land and no landless person in Abeokuta and Ibadan (T.
Falola 1984, p. 50, Imoagene 1976, p. 14), which prevented the concentration of economic and political pow-
er in the hands of a few select interests and further affirmed the fundamental equality and liberty of di-
verse individuals as citizens in each polity. In Ibadan, for example, “everybody belonged or was attached to
a compound [a local government] and each compound had sufficient land to give its members” (T. Falola
1984, p. 26). A compound or local government consisted of a set of nuclear families. A man, his wife or
wives, and their children constituted a nuclear family. In enhancing individual liberty and political and
economic integration as the population landscape changed, the Egba Yoruba in Itoko, Ijemo, and Ikopa
townships in Abeokuta waived “their rights to the land so that all the newcomers might have some land to
cultivate” (Mabogunje 1961, p. 266) and to form autonomous compounds as territorial power bases, with
successive waves of newcomers given land to own (Biobaku 1991, p. 17; Imoagene 1976, p. 15).

Traditionally, political office-holding was hereditary and created a citizen-stranger dichotomy in
Yoruba states before the founding of Abeokuta and Ibadan (Oyerinde 2019, pp. 996-997). As a covenant
term in Abeokuta and Ibadan, however, merit or “personal achievement rather than ascription became the
criterion for holding office” (Oguntomisin 1981, p. 224). The basis of personal achievement included warfare
performance and impartial judgment. This covenant tradition not only prevented the concentration of lead-
ership prerogatives in the hands of few individuals or groups but also promoted individual liberty by giv-
ing diverse individuals an equal chance to compete for leadership positions in local [compound and town-
ship], provincial [quarter or provincial], and central governments (Awe 1973, p. 66; Imoagene 1976, p. 14).
In the final analysis, “the Yoruba idea of hereditary office had little meaning” (Oguntomisin 1981, p. 231).
Although there were times when individuals competed for vacant positions that had once been held by their
relatives, citizens vied freely for vacant positions outside their local and provincial governments, thereby al-
lowing more freedom for diverse individuals and cementing political integration across the constituent lo-

In attracting more diverse individuals and discouraging separatism, the tradition guiding group alle-
giance was voluntarily relaxed in Abeokuta and Ibadan during the nineteenth century. As a result, diverse
individuals worked together and formed local and provincial governments as autonomous territorial power
bases, such as compounds and townships [or local governments], quarters and provinces [or provincial gov-
ernments]. It is important to note that the practice of territorial equality initially allowed the preexisting
groups in Abeokuta—Egba Ake, Egba Oke-Ona, and Egba Gbagura as well as Owu - to each have their re-
spective provinces and thereby find expression both locally and in the federal whole. On the other hand, the
tradition of territorial neutrality allowed diverse individuals and their diverse interests to be represented in
proportion to their strength in local governments [or compounds and townships] in Abeokuta and local [or
compound] and provincial [or quarter] governments in Ibadan. As no groups of individuals were powerful
enough to exclude others from the constituent territorial power bases as foreigners and as the interests of
diverse individuals and groups were represented by giving them autonomous territorial power bases, the ar-
eal divisions of power prevented local and provincial governments from being the final authority over indi-
viduals and facilitated political integration across the constituent provinces (Imoagene 1976; Johnson 1921).
Also, federal [or individual] liberty prevailed for individuals as the covenant-induced flexibility “reduced
the authority of some fathers over their children’s labor” and “encouraged many ambitious young men to
‘break away’ from their compounds and stand on their own, in another person’s compounds as sole entre-
preneurs, at a relatively young age, doing whatever job they liked” within their covenantal terms (T. Falola
1984, pp. 52-53). Overall, the covenanting process yielded a voluntary system of self-rule and shared-rule as
well as checks and balances in both Yoruba polities; vested sovereignty in the people; and discouraged the
sovereignty of the constituent local, provincial, and central governments over the people (Biobaku 1991, T. Falola 1984).

Self-Rule and Shared-Rule, Individual Liberty, and Political and Economic Integration

Vincent Ostrom (1991, p. 51) argues that “[t]he autonomy of the open public realm” is critical to growing self-rule and shared-rule relationships, by which individuals can govern themselves and work with co-equals to “avoid the perversities whereby some oppress and exploit others”. During the nineteenth century, self-rule and shared-rule relationships thrived in Abeokuta and Ibadan. Self-rule was evident in common sayings about the sovereignty and liberty of citizens, such as *Egba olaba, onikaluku lo nse bi Oba* [or individuals in Abeokuta were their own kings] and *onikaluku lo nse ijoba ara re* [or individuals in Ibadan governed themselves] (T. Falola 1984, Johnson 1921). The expressions provided insight into how the local, provincial, and central governments were responsible to the sovereignty of the people.

Due to the open public realm the key covenant terms created and sustained, diverse individuals in each Yoruba polity exercised the federal liberty to create and govern compounds [or local governments] as their territorial power bases. *Mogaji* or *Baale* [or compound heads] and compound members worked together in securing their respective compounds against kidnapping and property theft. As compound members acted together through voluntary will, they saw themselves as belonging to an integrated sociopolitical unit. The feelings of political integration were so strong that diverse individuals freely lent and borrowed each other’s household utensils in an atmosphere of peaceful coexistence (Fadipe 1970).

The multiplicity of autonomous governing units and professional associations in different size categories not only avoided hierarchical centralization of power but also provided the opportunity to size governing units to functions. There were economic and security challenges whose scale of effect went beyond the jurisdictional boundaries of individual compounds and whose costs and benefits could not be completely contained within the compound. In matching those externalities to governing units as individuals adjusted to their changing governance circumstances through respectful contestation, compound members freely worked together in creating more territorial power bases for coordination, such as towns in Abeokuta [or local governments], quarters in Ibadan and provinces in Abeokuta [or provincial governments], and central councils of chiefs [or the central government]. The governments processed the diverse interests of their respective constituent units, while citizens openly competed freely for political office in the governments (Biobaku 1952, p. 38; Pallinder-Law 1974, pp. 66-67).

In Abeokuta, for example, there were four provinces, which included Egba Ake, Egba Oke-Ona, and Egba Gbagura as well as Owu. Before their settlement in Abeokuta, each province was a group of towns: forty-four (44) towns in Egba Ake, eleven (11) in Egba Oke-Ona, nineteen (19) in Egba Gbagura, and five (5) in Owu (Ajisafe 1998). The first three provinces, as well as their respective compounds and towns, had been formed in Egba forest before the Egba people fled from oppression to settle in Abeokuta in 1830. The flexible governing institutions of the Egba people attracted the Owu people, who were fleeing their collapsed state (Johnson 1921).

Furthermore, for individual freedom to thrive as well as to avoid concentration of power in one government branch and promote political and economic integration, governance in Abeokuta was based on the functional division of labor among four separate but interdependent branches in the constituent towns and provinces as well as at the central government. The four governmental branches included Ogboni [judges and lawmakers], Oloroogun [war chiefs], Parakoyi [trade chiefs], and Ode [police chiefs] (Biobaku 1991). They each met every 17 days and represented the diverse interests of individuals including warriors, police officers or hunters, traders, blacksmiths, and other craftsmen. As a covenant term, freed slaves and freeborn individuals exercised the liberty to compete for offices in each branch (Folarin 1934), except that age differentiation characterized the process of competition. For example, elderly citizens typically were Ogboni chiefs “who could be relied upon to place duty before sentiment and maintain secrecy [or confidential information]” (Biobaku 1952, p. 38). Oloroogun and Parakoyi chiefs consisted of middle-aged citi-
zens. Young citizens were Ode chiefs. In consequence, a citizen could be first an Ode [police] chief, then a Parakoyi [trade] or Oloroogun [military] chief, and later an Ogboni [judicial] chief.

For fairness to prevail, positions in each governmental branch were zoned among the constituent territorial power bases of each governmental jurisdiction. Based on prevailing records, citizens in Abeokuta sometimes suspended or recalled their irresponsible representatives [chiefs] from the four branches, which ensured and sustained the sovereignty of the people over the actions of their governments. When chiefs fell short of the expectations of their citizens, the citizens, as a practice, sometimes demanded the recall of the irresponsible chiefs from the meetings of the affected branches. The recall remained in force until the concerned chiefs reconciled with their citizens or new chiefs were selected through open competition (Tejuoso 1991, pp. 139-140; Yemitan 1998, pp. 48-51).

As expected, the four branches of government performed different, albeit sometimes overlapping, duties. Specific duties Ogboni chiefs performed included interpretation and making of rules as well as adjudication of disputes in their respective governmental jurisdictions. Since Ogboni chiefs handled disputes that affected different occupations—including policing, warfare, trade, farming, and other occupations—heads of the other three governmental branches [Oloroogun, Parakoyi, and Ode] in each jurisdiction were members of the Ogboni court in that jurisdiction. This interjurisdictional cooperation demonstrates how governance functions overlap in a system of polycentric interstate federalism. However, the Ogboni court could not be initially established as part of the central government. The challenge could hardly be disconnected from the internecine wars ravaging Yorubaland, which, largely, shifted the interest of the citizens of Abeokuta toward defense against external attacks and the protection of external trade routes (Pallinder-Law 1974). As records have confirmed, however, the Ogboni court was later established at the center, with such positions as Oluwo, Lukosin, Odofin, and Ekerin zoned to Egba Ake province, Egba Oke-Ona province, Egba Gbagura province, and Owu province, respectively (Ajisafe 1998).

Also, during the nineteenth century in Abeokuta, Parakoyi chiefs in the central government oversaw economic exchange relationships between Abeokuta and other Yoruba and non-Yoruba states, while local [or township] and provincial Parakoyi chiefs coordinated economic exchange relationships within their respective jurisdictions. In the process, Parakoyi chiefs regularly met in Ije-Aje [or merchants’ court], where they processed conflicts among traders and made rules that ensured just prices. For a common market for the whole Abeokuta, Parakoyi chiefs created and protected common standards of workmanship and trade (Ajisafe 1998).

Generally, Oloroogun [military] chiefs were able-bodied males responsible for military service. Local and provincial Oloroogun chiefs provided military service in defense of their respective jurisdictions. Central Oloroogun chiefs took responsibility for defense against external aggression and the protection of trade routes between Abeokuta and other Yoruba and non-Yoruba states. As a practice, central Ode [police] chiefs, in the context of qualified decentralization, worked with the central Oloroogun in securing external trade routes, without the latter taking away the decision-making power of the former. On their own, local and provincial Ode chiefs maintained internal security and developed policing tactics in reining on theft and kidnapping within their respective jurisdictions. Also, Ode chiefs mobilized human and non-human resources with which they constructed and maintained roads (Folarin 1934; Sotunde 2002).

The areal division of judicial, military, trade, and police powers not only prevented intra- and inter-provincial violence but also facilitated qualified decentralization in Abeokuta in an environment of non-centralization. For example, the existence of multiple local and provincial military units successfully disincen-
vized the constituent townships and provinces from seeking to dominate one another, thereby avoiding interlocal and interprovincial violence as well as separatism. In addition, individuals competed for political office in the judicial, military, trade, and police branches outside their territorial power bases. The shifting alliances that characterized political competition prevented localities and provinces from colluding with one another and dominating other localities and provinces. In addition, it was very clear to the central government that, without the support and cooperation of local and provincial governments, it would be difficult for central Oloroogun [military] chiefs to perform their duties. To this end, central Oloroogun chiefs
decentralized military enlistment to local and provincial Oloroogun chiefs who in turn recruited able-bodied males for military service for the central government. In the process, central Parakoyi chiefs worked with their local and provincial counterparts and supplied food and ammunition to central Oloroogun chiefs. As evidence of political and economic integration, local, provincial, and central Ode chiefs voluntarily worked together in recruiting young individuals who served as war boys or scouts and reconnoitered external enemies’ positions as well as gave surveillance reports to local, provincial, and central Oloroogun chiefs, who utilized the information in planning military tactics in defending Abeokuta and its external trade routes. Indeed, qualified decentralization spontaneously animated cooperative intergovernmental relations without a government or a governmental branch taking away the decision-making powers of other governments or governmental branches (Biobaku 1952).

As diverse individuals engaged in shared-rule and respectful contestation in a changing environment of competition and collaboration, each government “administered its own justice and guarded its own interest” without fear of retribution from higher authority (Oguntomisin 1981, p. 229). Consequently, mutual trust resulted and encouraged peaceful coexistence among diverse individuals (Biobaku 1991, p. 37). The practice of non-centralization of power in Abeokuta, as confirmed by prevailing records, “accords with the traditional Egba abhorrence of the concentration of all power in one pair of hands” (Biobaku 1952, p. 39). As a result, immigrants, who moved to Abeokuta in 1843, felt “well treated at Abeokuta”, “they practiced their trades and calling”, and “many engaged in agriculture, cultivating maize, yams, and cotton” (Biobaku 1991, p. 28). By 1848, the peaceful atmosphere also attracted more Nigerian and European traders and teachers who taught “agriculture and the mechanical arts” to the citizens of Abeokuta (Biobaku 1991, p. 35).

Similarly, non-centralization and areal division of power also reinforced each other in Ibadan and fostered individual liberty and political and economic integration as well as avoided interprovincial conflict and separatism. Compound members in Ibadan freely worked together in creating independent quarters [or provincial governments] within which the constituent compounds [or local governments] were nested. Babaogun [or military chief] led each quarter, which consisted of warriors, police officers, blacksmiths, farmers, traders, and other artisans. As compound members managed the internal affairs of their territorial bases in an environment of respectful contestation, they shared the day-to-day running of their quarter [or provincial] affairs without confining power to a few select interests. As an expression of the liberty of citizens and respectful contestation, dissatisfied compound members freely formed new quarters or joined existing quarters whenever their Babaogun became wicked, miserly, and/or unpopular among other military chiefs. All of this was facilitated by the belief about liberty that Ibadan o ki se ile enikan [or Ibadan is no man’s ancestral home] and Ibadan kii gba onile bi ajeji [or Ibadan never blesses the natives as much as the strangers], which discouraged separatism. The existence of many compounds and quarters as autonomous territorial power bases—as well as the ability of immigrants and natives to prove military worth equally within compounds and quarters and the freedom of immigrants and natives to form compounds and quarters—promoted non-centralization and political integration in Ibadan as well as protected individual liberty (T. Falola 1984, Watson 1999).

As expected, the constituent local and provincial governments individually lacked the capacities for the planning and coordination of matters of general importance to the whole of Ibadan. In response to the public affairs challenges, a council of military and civil chiefs was established as the central government by mutual agreement. The council exercised decision-making power over the defense of Ibadan against external aggression as well as over the creation and security of trade routes to other Yoruba and non-Yoruba states. Also, the central government coordinated internal exchange relationships for economic integration across the constituent localities [or compounds] and provinces [or quarters]. The council was composed of two male lines, one civil and the other military, as well as one female line. Selection onto the Ibadan council of chiefs was not hereditary but rested on a promotion basis. Whenever a chief died or was dismissed or recalled for irresponsibility or declining ability, the chief below moved up by one step in each of the three lines. Success in warfare and other professional enterprises served as the basis for competition for the lowest position in each of the three lines. To prevent hierarchical centralization of power or central government
sovereignty, the council, as a rule, usually did not interfere with the internal affairs of the constituent local and provincial governments (T. Falola 1984).

As localities and provinces competed in attracting residents, cooperative intergovernmental relations characterized the interactions between the central, provincial, and local governments in Ibadan and reinforced political and economic integration. As an acceptable tradition, the council of chiefs utilized qualified decentralization by which they devolved (i) defense responsibilities to local and provincial governments and (ii) exchange relationships to professional guilds. In addition, the council mobilized warriors from compounds and quarters for the internal and external defense of Ibadan. The sense of political integration in Ibadan was so strong that the efforts of the central government were complemented with support from trade guilds as well as local and provincial governments. Trade guilds supplied weapons, food, security services, and revenue, which enhanced defense and security capabilities. Trade guilds also attended meetings of the council or the central government and worked with the council in ensuring “that ammunition as well as food supplies were available” for the defense of Ibadan against external aggression (Awe 1973, p. 74). In the final analysis, qualified decentralization led neither to the usurpation of the decision-making powers of trade guilds as well as those of local and provincial governments nor to the loss of the policymaking power of the central government over matters of general importance (T. Falola 1984).

Meanwhile, in coordinating the exchange relationships for a common market, the council partnered with trade guilds and integrated economic relationships across provincial borders via a well-organized trading network. Indeed, through the trading network, trade guilds organized storage facilities for goods coming to Ibadan from outside as well as provided storage facilities for visiting traders. Trade guilds also determined the prices of commodities and prevented dishonest practices (Awe 1973, p. 73). Hunters or police officers from the constituent local and provincial governments policed trade routes to other Yoruba states such as Lagos, Ijebu, Abeokuta, Eruwa, and Badagry and non-Yoruba states including the Nupe area in northern Nigeria and Port Novo in the West African nation of Benin Republic. Overall, exchange relationships were well managed that the citizens of Ibadan developed a complexity of markets held at either four- or eight-day intervals, including Oja Igbo [or a market in the bush] and Elekuro [or a place of palm kernels] (Awe 1973).

The complementary efforts so facilitated the exchange sector in the nineteenth century that Ibadan citizens could freely go to other Yoruba and non-Yoruba states to trade. People from other states also came to Ibadan in pursuit of diverse economic interests. In the process, Ibadan never became a centralized political order where government dominated the people (Watson 1999, p. 18). As was the case in Abeokuta, Ibadan, instead, spontaneously developed into a complex polycentric system of many independent but limited territorial power bases facilitating mutual trust and political and economic integration as diverse individuals freely pursued their respective interests and took one another into consideration. The resultant peaceful co-existence provided a common market where, according to T. Falola (1984, p. 34), numerous farmers in Ibadan “operated far above the subsistence level; its military rulers provided the necessary peace and control over the economy; and its exchange sector allowed for the distribution of surplus local items and imports.”

Checks and Balances and Individual Liberty

Limited government also contributed to the outstanding outcomes in Abeokuta and Ibadan, especially the avoidance of provincial-central government sovereignty. For limited government to survive, James Madison, in *Federalist Papers* 51, opined that “a dependence on the people is, no doubt, the primary control on the government” as well as “the necessity of auxiliary precautions” as a system of checks and balances that citizens can utilize to subject leaders to effective limits (Madison 1982). Citizen voice and freedom of choice played an important role in checking the excesses of chiefs or political officeholders in Abeokuta and Ibadan, which, as a rule, made the local, provincial, and central governments responsible to the sovereignty of the people. As a rule of mutual agreement, chiefs in Abeokuta and Ibadan exercised limited power.
In Ibadan, as was the case in Abeokuta, for example, the success of a chief “was measured by the number of people [or constituents] he had supporting him” (Watson 1999, p. 15). Furthermore, chiefs in the constituent territorial power bases in both Yoruba states received gifts from their constituents in recognition of their performance. Chiefs, however, lost the honor when they persistently failed to meet the expectations of their constituents. In some instances, chiefs were dismissed from office due to irresponsibility, unpopularity, and/or declining ability.

As the prevailing records have demonstrated, poor performance by chiefs sometimes induced their respective constituents to exercise the liberty to compare them with their predecessors and colleagues in other territorial power bases, usually to their disadvantage. Unpopular chiefs were removed from office when they did not heed warnings from their constituents. The ease with which dismissal or recall from political offices was carried out benefited from the non-hereditary nature of leadership positions in Abeokuta and Ibadan. Also, dissatisfied citizens sometimes exercised the liberty to move either to better territorial power bases or to form new ones as a statement against their unpopular chiefs. To avoid the dissolution of their governing units, chiefs usually attempted to establish and maintain good relations and ensured that their constituents had access to impartial conflict resolution and attractive livelihoods (Ajisafe 1998, T. Falola 1984).

Generally, despotism was discouraged in favor of individual liberty in Abeokuta and Ibadan, respectively, in that “decisions on vital issues were reached either in the council of chiefs or at public meetings” (Oguntomisin 1981, p. 232). Additionally, despotic tendencies were greatly minimized by the presence of many autonomous territorial power bases, which exercised specific irrevocable powers and whose citizens freely subjected their chiefs to limits in those jurisdictions. The checks and balances, in place in Abeokuta and Ibadan, encouraged their respective chiefs to do their jobs, which, also, strengthened mutual trust between chiefs and their citizens as well as reinforced peaceful interactions in Abeokuta and Ibadan during the nineteenth century (Oguntomisin 1981). In the final analysis, the freedom guaranteed by the prevalence of interstate federalism in the two Yoruba successfully attracted more people from other Yoruba states as well as from Europe and from within Nigeria (Imoagene 1976).

LESSONS FOR THE LIBERAL WORLD ORDER

This article has shown how Abeokuta and Ibadan, unlike Ethiopia and Nigeria, have utilized the polycentric values of interstate federalism to avoid provincial-central government sovereignty and separatism/nationalism as well as to ensure individual liberty, promote political and economic integration, and attract more people. The success stories of the two Yoruba polities offer important lessons for using polycentric interstate federalism to grow an international order of law that can unite all societies as equals. First, the constitution of a global federation must focus on individual liberty and support government by agreement as well as make it possible for individuals to serve as a check on the constituent governments. Unlike in the consciously planned Ethiopian and Nigerian federations [or taxis], the federal practice of mutual agreement was responsible for the avoidance of provincial-central government sovereignty in Abeokuta and Ibadan, where diverse individuals not only discarded the sovereignty of the local, provincial, and central governments but also freely covenanted or mutually agreed to a common political-economic union of self-rule and shared-rule relationships.

A future international federal order also stands to benefit from the polycentric values of non-centralization of power, areal division of power, and qualified decentralization. These federal values discouraged the sovereignty of local, provincial, and central governments in the two Yoruba polities and accommodated diverse groups of individuals by giving them territorial power bases. In the process, political and economic integration was ultimately promoted across the constituent localities and provinces in the two Yoruba spontaneous political systems. Specifically, the value of areal divisions ensured that no territorial power bases or groups in Abeokuta and Ibadan were too powerful enough to dominate others, thereby tempering the separatist or nationalistic ember of intra- and interprovincial violence, unlike the Ethiopian and Nigerian federations where national-state sovereignty has triggered mutually destructive ethnic framing of citizen-
ship, politics, and identity, which has, in turn, repressed the liberty of minorities and provoked catastrophic interstate tensions.

In addition, both Yoruba polities demonstrated the importance of qualified decentralization for the avoidance of national sovereignty. For example, the central government in each Yoruba polity decentralized responsibilities within its sphere to local and provincial governments, but without taking away the decision-making powers of local and provincial governments, thereby reinforcing political integration and discouraging hierarchical centralization of power. Indeed, the poorly understood intergovernmental relations put to work the qualified decentralization guaranteed by their respective covenanting terms. This pattern of intergovernmental relations, however, contrasts sharply with the centralized state’s unqualified decentralization that has led to both recentralization of power and subordination of local and state governments in the Ethiopian and Nigerian federations.

Another important lesson for a future international federal order turns upon the role of open political competition and representative recall in strengthening and sustaining individual liberty and the sovereignty of the people. Although provinces were not equally represented in the central government in Abeokuta and Ibadan, citizens, however, freely utilized open competition to select political officeholders to local, provincial, and central governments. The selection process enhanced individual liberty by giving citizens equal chances of vying for political office within and without their territorial power bases, unlike in Nigeria and Ethiopia where individuals cannot vie for political office outside their ancestral home states and localities. Also, political officeholders were subject to recall in Abeokuta and Ibadan, which, in practice, citizens utilized to remove political officeholders for poor performance or misconduct. In the process, the recall procedure protected individual liberty, while, also, serving as a check on political officeholders in the local, provincial, and central governments in both Yoruba polities. The recall mechanism contrasts quite sharply with the situation in the United States, where the constitution does not provide for the direct recall by citizens of presidents and congressional members to curb the excesses of national political officeholders. The terms of political office-holding ensured individual liberty and promoted political integration as well as affirmed the sovereignty of citizens, who, as de Alexis Tocqueville (1966) has observed about self-governing polities, were the only source of authority over local, provincial, and central governments in Abeokuta and Ibadan.

In consistence with the potential of interstate federalism for democratic governance (Christensen 2021), non-centralization and common economic standards are fundamental in abrogating or avoiding national-state sovereignty and ensuring free flows of people and goods. As evidenced in Abeokuta and Ibadan, non-centralization advanced individual liberty and discouraged separatism in Abeokuta and Ibadan as “decisions on vital issues were reached either in the council of chiefs or at public meetings” (Oguntomisin 1981, p. 232). Also, natives and immigrants, warriors [or solders], police officers [or hunters], farmers, blacksmiths, traders, and other craftspeople exercised power within their respective territorial power bases without the fear of retaliation from higher authority. In addition, a common market evolved in each Yoruba federation and operated on common standards of exchange relationships. As a result, Yoruba and non-Yoruba immigrants, who moved to both pre-colonial federations, freely participated in the exchange sector. The way political integration proceeded with economic integration in both federations supports the idea of a liberal economic regime as a necessary condition for interstate federalism (Christensen 2021).
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