



FEDERAL CHARACTER PRINCIPLE AND NIGERIAN FEDERALISM: AN OVERVIEW

Francis Nnaemeka Mbuba

Department Of Public Administration

Chukwuemeka Odumegwu Ojukwu University Igbariam Campus

PREAMBLE

The combination of a multiplicity of ethno-religious factors and the selfish motive of the British in the exploration and exploitation of Nigeria's economic resources during the colonial era rendered the country to balkanization into three unequal parts, namely the Northern Region, Eastern Region and Western Region at Independence in 1960. The British colonial masters meticulously applied various techniques in the political engineering of the Nigerian affairs to achieve this motive. On May 1st 1906 the British government merged the colony of Lagos with Southern protectorate and named it the colony and protectorate of southern Nigeria with Lagos as Head quarters. Then followed the amalgamation of Northern and Southern Protectorates on January 1st 1914 and named it Nigeria under Sir Fredrick Lugard. Subsequently, the Clifford constitution of 1922 divided the country into Northern and Southern provinces.

The new provinces were split into three in 1939 with the Southern province divided into Eastern and Western provinces. According to Bernard Francis Atolagbe and Yinusa (2014:261) with the recommendation of Sir Burdillon that the provinces be made regions, the Richard's Constitution of 1946 formerly converted the provinces to regions. The Macpherson's Constitution of 1951 created two legislative houses at central and regional levels and the Lytleton Constitution of 1954 formerly launched Nigeria into the governmental system of federalism. The balkanization of Southern Nigeria was worsened by the creation of the Mid-Western Region in 1963 which further disintegrated the socio-political cohesion of this section of Nigeria.

It would be recalled that the Nigerian Federation at this point in time had the Northern region as being larger than the three Southern regions, namely; the Eastern region, the Western region and Mid-Western regions combined. Bello, (2012:1) noted that the problem of representational equity in Nigeria started with the problem of an unequal North-South duality; hence the justification for the Federal Character Principle in the country for the promotion of a sense of belonging and the minimization of domination resulting from the imbalance in appointments.

According to Leadership, (2008:2), when Nigeria had her Independence on 1st October 1960, she attained a clientele sovereignty with lopsided Federation which made her a tripod of unequal political entities dominated by the majority groups to the exclusion of the minority groups. Accordingly, Bello (2006:2), asserts that Nigeria's population is estimated at 140 million, adding that the country has between 250 and 400 ethnic groups depending on the criteria used. Similarly, Otite (1990:2) identifies 374 ethnic groups broadly divided into ethnic majorities and ethnic minorities. As a result of the reasons adduced by these authors, the ethno-religious compositions dominated both political and hence economic development in Nigeria.

The state of affairs which Nigeria found herself necessitated the Gowon administration to mute the idea of Federal Character Principle which metamorphosed into an Act by its entrenchment in the 1979 Constitution of the Federal Republic of Nigeria and subsequently inherited by the 1999 Constitution of the Federal Republic of Nigeria as amended. In its Section 14(3), the constitution provides as follows;

The composition of the Government of the Federation or any of its Agencies and the conduct of its Affairs shall be carried out in such a manner as to reflect the Federal Character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby

ensuring that there shall be no pre-dominance of persons from a few states or from a few ethnic or other sectional groups in that Government or any of its Agencies.

In addition to the above provision of the 1999 Constitution of the Federal Republic of Nigeria to cover Federal Ministries and Agencies, the Constitution goes further in its section 14(4) to provide the following to cover the States and the Local Governments:

The composition of the Government of a state, local government council, or any of the Agencies of such government or council or such Agencies shall be carried out in such a manner as to recognize and the conduct of the affairs of the Government or Council the diversity of the people within its area of authority and the need to promote a sense of belonging to the people of the Federation.

From the above provision of the 1979 and 1999 Constitutions of the Federal Republic of Nigeria as amended, the implication is that the composition of the Federal Public Services must reflect the Federal character. This would only be achieved if it does not contain a dominance of persons from a few states or from sectional or ethnic groups. This means that the bases of membership of the Federal Bureaucracy are dictated by the representation from all sections of the country. However, Bello (2012:7) noted that the issue of representation based on Federal character principle has unwittingly degenerated into verbal and acrimonious exchanges between the North and South of the country. Obikeze and Obi (2004) and Okoli (1990), agree with Bello that the Federal character has succeeded in institutionalizing dichotomy among the peoples of Nigeria instead of integrating them.

To support this assertion by the above authors is the result of survey carried out by Chris (2014) on the situation of the compliance with the Federal Character Principle in the employment of people in the Federal Agencies. The findings will go as follows:

That 70% of Nigerian foot-soldiers are from Hausa-Fulani. That about 80% of all permanent secretaries in Federal Ministries are from Hausa-Fulani. That 80% of those given oil wells presently in the oil from Niger Delta Region are from Hausa-Fulani. That 60% of the Generals in the Nigeria Military are Hausa-Fulani. That 60% of Heads of Parastatals are from Hausa-Fulani. That 60% of the top ranks in the Police are from Hausa-Fulani. That 70% of the Nigerian State Security Services (SSS) men are from Hausa-Fulani. That 60% in each of Nigerian Prison Service, Nigeria Immigration Service, Nigeria Ports Authority are Hausa-Fulani. That 90% of the employees of JAMB are from Hausa-Fulani and Yoruba tribes. That 80% of the employees at the central complex of Federal Secretariat at Abuja are from Hausa-Fulani and Yoruba tribes. That 95% of the all Professors and workers at the National Universities Commission are from Hausa-Fulani and Yoruba tribes. That 90% of the Registrars and Bursars in Federal Universities, Federal Colleges of Education and Federal Polytechnics are from both Hausa-Fulani and Yoruba tribes. That 98% of Nigerians given appointments to work in both African Union and United Nations are from Hausa-Fulani and Yoruba tribes. That 70% of Ambassadors and High Commissioners representing Nigeria globally are from Hausa-Fulani and Yoruba tribes and that 95% of all employees (staff) of Nigerian High Commissions and Embassies abroad are from Hausa-Fulani and Yoruba tribes.

To add to the lop-sided appointments in Federal Agencies, Ndibe (2016:20) states that out of about 16 top security appointments by President Muhammed Buhari only three came from South South and South West Geo-political zones and none from the South East zone. It would be recalled that these reports are not in consonance with the provisions of section 14(3) of the 1999 Constitution of Federal Republic of Nigeria.

CONCEPTUALIZING FEDERAL CHARACTER PRINCIPLE

The issues of Federal character and Federal character principle have been subjects of national discourse in Nigeria since it came to limelight in

October 1975 when the then Head of State, the late General Murtala Muhammed declared that he was going to use it to resolve the problem of inequality and marginalization in the Nigerian Public life. It was therefore the constitution drafting committee set up in 1977 that finally came up with the idea of the Federal character principle which was eventually entrenched in the Constitution of Federal Republic of Nigeria 1979. It was also replicated in the 1999 Constitution of the Federal Republic of Nigeria as amended, in its Section 14 (3) and Section 14 (4) respectively. What is then the meaning of the Federal Character Principle?

The Constitution Drafting Committee (CDC 1976) defines the Federal Character Principle as:

The distinctive desire of the people of Nigeria to promote national unity, foster national loyalty and give every citizen of Nigeria a sense of belonging to the nation notwithstanding the diversities of the ethnic origin, which may exist and which it is their desire to nourish and harness to the enrichment of the Federal Republic of Nigeria.

The above definition by the constitution Drafting Committee was a prelude to the constitutional provisions in 1979 and 1999 respectively.

Contributing to the meaning of Federal Character Principle, Talih (1987:2-7) states that Federal character principle is both a reaction and a system, maintaining that it is a positive reaction to correct the practices of the past, especially in the conduct of public management which tended to exploit the diversities of the nation and by so doing, cause ill will.

Similarly Afigbo (1987:21) observed that the Federal character principle arose out of compromise among the protagonists of the 1976 Constitution Drafting Committee. He sees the Federal Character Principle as an oily formula to silence the troubled waters in Nigeria and panacea to the issue of political and economic instability.

Also Olagunju (1987:33) perceived Federal Character Principle as a deliberate design to accommodate less dominant but often forcibly expressed interest. For Ojo (1999:3), Federal Character Principle is an integrative mechanism crafted in order to achieve fair and effective representation of the various components of the Federation in the country's positions of power, status and influence. He states that the Federal Character Principle touches on the problems of political process, ethnicity, the national question, minority groups, discrimination based on indignity, resource allocation, power sharing, employment and placement in institutions of learning among others.

Also for Talih (1987:17), the Federal Character Principle is a deliberate decision to construct and devise a means of ensuring the proper distribution of amenities and government projects in the country as well as an attempt to devise a formula for fair representation. Similarly, Agi (1985:13) states that Federal Character Principle in Nigeria is a check on the inter-ethnic rivalry, unhealthy political competition, mutual mistrust and antagonism among the various ethnic groups. Nnoli (1980:46) sees Federal Character Principle as a means of bridging the ethnic differences that exist between the people as well as strengthen the aim of national integration.

Ezeibe (2012:4) stated that Federal Character Principle involves a deliberate plan to construct means of ensuring that proper distribution of amenities and government projects in a country. In the words of Igbokwe-Ibeto, Agbodike and Anazodo (2015:5), Federal Character Principle is a palliative principle at uniting once existed autonomous sub-nationalities through quota system for the purpose of equality of opportunities and peaceful co-existence. Accordingly, Heirmexy (2011:5) noted that Federal Character Principle was introduced for equitable sharing of posts and even distribution of natural and economic resources. Ezenwa (1987:5) equally sees Federal Character Principle as an attempt to balance the public posts among the constituent members of the Nigerian Nation. In his own contribution, Boudurin (1989:11) holds that Federal Character Principle is a political

settlement that enables every section of the Nigerian Society to be represented in government.

An examination of the Federal Character Principle as perceived by the Constitution Drafting Committee in 1976 would reveal that the original intention of the government in introducing the Federal character principle was to minimize and possibly curb the domination of ethnic group or section in Nigeria in the affairs of power sharing, public employment and distribution of amenities. From the definitions of the principle it is also easy to decipher that it is intended to foster national integration. Similarly, the constitution of Federal Republic of Nigeria 1999 as amended, in its Section 14 (4) extended all of the above intensions to include the affairs at state and local government levels.

Similarly all the authors cited have common idea of the meaning of the Federal Character Principle, as they all concurred with the intention of the government that the principle is geared towards ensuring equity and fairness in the conduct of public affairs in Nigeria. Their ideas point to the same fact that Federal Character Principle is meant to regulate the distribution of public or government posts, admission into institutions of learning and the distribution of amenities among the peoples of Nigeria.

The Concept of Federalism

According to Rath (2000) in the modern period, the constitution of United States of America 1787, is treated as the first experiment in establishing a Federal System of Government. What is then Federalism?

Providing an answer to the above question, Pinterest (2020) answered that Federalism is compound mode of two governments. According to him, in one system there will be a mixture of two governments: State and Central and Governments. Federalism can therefore be described as distribution of Authority among central, regional and local governments. Federalism is at its core in a system where the dual

machineries of Government functions are shared by different levels of government. Generally, federalism is characterized by two levels of government. The local level is usually charged with looking after the day to day functioning and activities of their particular areas.

Wheare,(1963) the author of Contemporary Federalism, stated that by Federal Principle, he meant the method of dividing powers so that central, regional governments are each within a sphere, coordinate and independent. Wheare's idea of Federalism is believed to be a representation of what is obtainable from the United States of America's brand of Federalism. To Wheare this brand is to be viewed as the ideal Federalism.

In their own postulation, Key and Thomas (1965) hold that Federalism is where a group of neighboring countries who agreed to unite together as one country and set up a single government to rule the whole; as those countries do not want to lose their separateness, would want to retain their original governments and hand over to the new government certain powers. According to them, if the members of the groups that form the Federation would only surrender the powers that are more conveniently managed by the new Federation while retaining all other powers not surrendered. They maintained that it is left for the members to agree on the modality of the Union.

According to Frederick (1964), Federalism is a process rather than a design; he maintains that any particular design of competence or jurisdictions is a phase, a short run view of a continually evolving reality. As such, he holds that federalism may be operating in the directions of integration and differentiation. By this is meant that Federalism operates in a situation where the Federal State does the function of governance at the centre while differently, the individual regions or members of the federation govern their jurisdictions in accordance with their agreement.

Similarly (Crystal) (2003) states that Federalism is a form of territorial political organization which aims to maintain national unity while allowing for regional diversity. According to him, it is achieved by distributing different constitutional powers to national and regional governments. According to him, Federalism is characterized by at least two tiers of government enjoying their rights of existence under the constitution. These include: Separate legislature and executive powers, separate sources of revenue, an umpire which is normally the Supreme Court to decide upon disputes between the different levels; and a bicameral parliament which provides for representation in regional or state government.

For Livingstone (1952) Federalism is simply a political arrangement through which the federal attributes of a society are expressed. He maintains that the essence of Federalism lies not in the institutional or constitutional structure but in the society itself. He holds that federal government is a device by which the Federal qualities of a society are articulated and protected.

In their definition, Obikeze, Obi and Iwuoha (2016) state that federalism represents a system of government that emphasizes unity in diversity, division of powers between levels of government and limited autonomy to the constituent units. In his own postulation on Federalism, Awa (1982:12) held the view that federalism involves operations, bargaining, and statutory order which are executed to preserve unity in diversity.

Prior to Colonization of the Nigeria by the British, the contemporary Nigeria was composed of communities or state systems classified and described variously as empires, caliphates, kingdoms, chiefdoms, city-states and village republics. These communities were at different levels of development. However, the present form of Federalism in Nigeria emanated from the amalgamation of the Northern and Southern Protectorates in 1914. This evolved into three regions namely, Northern, Eastern and Western regions at Independence. In 1963, one

more region, the mid-western region was added to the former three by the Federal Government dividing Western region into two. The four regions were subsequently divided into twelve states by Gowon Administration in 1967. Subsequent military Administrations in turn divided the 12 states, finally into the present 36 states plus the Federal Capital Territory (FCT).

It is the above Federal Character that has made the introduction of the Federal Character Principle inevitable to allay the fears of domination by any Component part in the conduct of National affairs

From the ideas of these authors on federalism, it is evident that federalism is government by at least two tiers of government (Central and regional), enabling the exercise of certain powers by each as agreed upon and provided by the constitution. The essence of federalism is the maintenance of unity in diversity and achievement of harmony amongst the constituting regions, this is because federalism involves the surrendering of certain powers to the centre by the regions or the member countries. It showed therefore by all intents and purposes to be a union of convenience and good governance.

Federal Character Principle and Compliance by Public Institutions in Nigeria

According to Bello (2012:11): federal character principle has often discriminated against one group as it favoured another, wherever it was religiously applied. According to him the application is falsifiable because distributive justice which it aims to achieve is of two types; Arithmetical equality and proportional equality. Arithmetical equality has been applied where the equality of all states and local governments have been assumed. It is a truism that the states are not equal in population and also in pool of eligible candidates for appointment. It would seem that the application of simple Arithmetic is not justiceable. Accordingly Ayoade (1982), and Akinwumi (2005) held that proportional equality would be more just and less discriminatory.

It would also be noted that the choking socio-economic competition amongst the federating units of the various ethnic groups and ethno-regional conflict and tension that characterize Nigeria since independence has equally affected the application of the federal character principle. Accordingly Alubo (2003:54) maintains that the relationship between these groups is characterized by fear and suspicion of domination of one state or ethnic-group by another. It would seem that the application of the federal character principle under the prevalent condition is difficult.

Tonwe and Oghator (2009:5) found that ethno-regional patrons and their clients use the application of federal character principle to exploit and mismanage state resources without contributing to any meaningful development. They maintain that merit should frequently be in the minds of the policy executors in their consideration of the federal character principle in the nation's quest for administrative effectiveness and enhanced performance in the public services, the emergence of merit driven culture is rife. However the issue of merit should not be allowed to scuttle the purpose of the founding fathers of the federal character principle. It is instituted to achieve equity in the distribution of public posts.

For Gberebie (2010:4), basing employee recruitment on federal character principle does not render an employee unproductive. He states that the employers should apply appropriate recruitment strategies in the screening of the potential employees. For instance according to him recruitment should be based on relevant skills, experience and educational qualifications. Federal character principle should therefore not be an excuse for employing unqualified and incompetent staff by the government establishments.

Gboyega (1989:5) observed that the application of the federal character principle in Nigeria involves a contradiction. This is because some sections of the country see the policy as a quota system which it is not. One of the ideals of the principle is that merit should not be sacrificed

in the altar of mediocrity as a result of its application. However on the other side there should not be domination of any section or segment of the society in the distribution of posts.

Federal Character Principle and Government Appointments in Nigeria:

Nzeshi (2012:97) opined that the Federal Character Principle was born out of the need to ensure even spread of government appointments in all regions, states and local government councils in Nigeria. This opinion of Nzeshi is corroborated by the provision of the 1999 constitution of Federal Republic of Nigeria in its section 14 subsections (3) and (4) respectively. This principle therefore recognizes the plural nature of the Nigerian nation in ethnicity, language, religion and beliefs. As such the principle was meant to regulate recruitment, distribution of administrative and political offices and power as well as other natural resources of the country.

The idea of the Federal Character principle was to assuage the adverse effect of the diverse nature of the Nigerian nation in various dimensions. Accordingly Obiyan and Akindele (2001) held that the federal character principle was meant to mitigate, if not obviate the bellicose political struggle that characterized previous Nigeria's democratic systems. In addition, Babura (2003) stated that the Federal Character principle was to foster national loyalty and give every citizen of Nigeria a sense of belonging notwithstanding the diversities of ethnic origin, language or religion which may exist and which should be nourished and harnessed to the enrichment of Federal Republic of Nigeria.

How was this ideal to be achieved? Apparently providing answer to the above question Gboyega (1989) asserts that the fundamental objectives and directive principles of state policy in the 1979 constitution of Federal Republic of Nigeria explains Federal Character to mean the composition of the Federal government or of its agencies and the conduct of the affairs shall be carried out in such a manner as to recognize the Federal Character of Nigeria and the need to promote

National unity and to command national loyalty. To be able to achieve this ideal, efforts should be made to avoid the predominance of persons from a few ethnic or other sectional groups in public positions. He maintained that this provision was made to enhance participation of people from different segments of Nigeria society in government.

To Afigbo (1989) the historical perspectives to the understanding of the Federal Character Principle are the innate or primordial characteristics of Nigeria Federal society dating back to the pre-colonial days, the quality and performance of statesmanship which has sought to harness the inborn characteristics of Nigeria as Federal society to a federal constitution, the degree of harmony existing between primordial features and usages of Nigerian society, the structure and usages of the constitution and the fact that the character of the Nigerian federation has rather been dynamic in response to the changing perceptions of statesmanship and other relevant forces. For Afigbo (1989), the Federal Character Principle was meant to solve the problems in the political process including ethnicity, the national question, minority problem, discrimination based on indignity, resource allocation, power sharing, employment and placement in public institutions among others. Ugo and Okpere (1992) stated that the introduction of Federal Character Principle in Nigeria was aimed at fostering unity, peace, equal ability, as well as access to state resources and to promote the integration of disadvantaged states for better improvement of living conditions of the people living across the country.

Obiyan and Akindede (2002) held that the Federal Character Principle has its heart in the eschewing of all forms of group imbalance in public affairs and institutions and ensuring the equality among the component units. As for Ezeibe (2013) the Federal Character Principle involves a deliberate plan to construct a means of ensuring the proper distribution of amenities and government projects in the country. Also Heirmexy (2011) noted that Federal Character Principle was

introduced for equitable sharing of posts and even distribution of natural and economic resources.

Accordingly Nwogwugwu and Sosanya (2015) found that Federal Character Principle as an integrative mechanism stands for fair and effective representation of the various components of the federation in the country's positions of power, status and influence. This they maintain is to ensure a broad public participation in the Nation's affairs while fostering even development. However, Mohammed (1998) opined that the application of the principle had remained problematic because of the disparity in the standard of education attained among the states in the federation. This implies that the standard has to be lowered to be able to accommodate the educationally disadvantaged states. In doing this it is obvious that merit will be sacrificed in the altar of mediocrity during selection processes.

For Olaopa (2012:56), the Federal Character Principle has been one of the most effective nation-building strategies invented for managing the combusive diversity in Nigeria. He quickly added that instead, it had badly eroded professional and competence capacity of the public service. However Ikime (2002) argued that striving to ensure equality for the unequal that federal character principle has become discriminatory, he maintained that the interpretation of the federal character principle on the basis of state and ethnicity is regarded by some critics as inadequate but it should include other social divisions in Nigeria, such as class, religion and ideology. He concluded by holding that the operation of federal character principle tend to give more power to the politically dominant groups, creating wide disparity between the stronger and weaker groups.

In their own opinion, Suberu and Diamond (2004) stated that the federal character principle as defined and pursued by the 1979 and 1999 constitutions of Federal Republic of Nigeria as amended cannot succeed in integrating the people because it was an ideology of the minority ruling class aimed at protecting their interest. Similarly Bello

(2012) stated that the operation of federal character principle in Nigeria has given more powers to the politically superior groups, thus creating a wider power disparity between the strong and the weak. He maintained that a situation in which the politically weak are subjected to a form of double jeopardy is antithetical to national integration which the federal character principle was meant to achieve.

Onyeoziri (2002) in his own view asserted that the federal character principle was introduced to promote nation-building but its implementation had been fraught with different problems as it had resulted in tension among the component units of the federation. He forwarded the reasons for the tension as follows; the fuzziness that seems to accompany its application even in areas where application seems straight, especially among military regimes, lack of the political will from the leading elite to employ sanctions when the rules are breached and lack of definite guideline in achieving balance between equity and efficiency in the application of the principle. Accordingly, Onyeoziri (2002:18) maintained that the federal character principle instead of ameliorating the negative effects of ethnocentrism provokes ethno-regional divisions. He says that it suffers from a fundamental contradiction as a policy for ensuring nation-building; according to him the principle does not encourage treating individuals as members of a state, but views it from the lens of ethno linguistic group within the nation state as a result of integrating the units instead, into a nation state.

Similarly Gboyega (1989:178) maintained that issues of making public institutions reflect federal character was taken up haphazardly, giving rise to arbitrariness and victimization of some unfortunate public servants. Also Ezeh (1989:34) posited that most radical and damaging application of federal character has been in the bureaucracies and public services of the federation, where permanent secretaries have been kicked around and sometimes dismissed. The implication of the above situation is that as a result of the application of the federal character

principle some public officers have been insulted and dismissed. What a bad effect!

Also making an observation on the bad effect of the federal character principle on the performance of public officers in Nigeria, Forest (1993:36) stated that the implementation of the principle of federal character in the services not only led to poor appointments but also promoted mediocrity rather than merit. Similarly Ojo (2009) maintained that the federal character principle as practiced in Nigeria is elitist and class biased. Accordingly its implementation results to the blurring of the boundary between pursuits of meritocracy and ethnic balancing. This created a multiple system of citizenship in the polity.

The implication of the above assertion is that the production of the unintended effect of elimination by substitution and counter productivity. This is because the discrimination in appointment and promotion which the principle creates in its attempt to achieve equality of all states when the states are not equal in population and size of candidates for appointment. To Utomi (2002:48) the emphasis should not be on federal character, he maintained that Nigerians should adopt the principle that promotes competence, commitment and eradication of corruption and conflict of interest and promote career certainty. Writing in support of Utomi, Tonwe and Oghator (2009:237) argued that federal character allows ethno regional patrons and their clients to exploit and mismanage state resources without contributing to any meaningful development.

Ademolekun (2008) enquired into the efficacy of the federal character principle in the following words: has the federal character principle promoted or retarded national loyalty and stability? Or has the area of ethnic region of a person become the key factor in determining his quality as an individual? He went further to assert that the federal character principle that was introduced as Nigeria's path to achieving representative bureaucracy was politicized. According to him this led to the neglect of capacity development programmes that

were the mark of the services. This is irrespective of the fact that the Udoji report of 1974 made strong case for it. In his own postulation, Suleiman (2009:33) opined that regulating the training and other capacity building programmes for the majority of the public servants, sometimes to the point of illiteracy as a result of the application of the federal character principle is one of the reasons for the poor performance of the Nigerian public services. It must be observed that this neglect of the capacity development programmes in Nigeria as a result of the implementation of the federal character principle has left the nation's public services in the hands of the half-becked technocrats and general personnel. No wonder then the poor performance syndrome which presently is the bane of the services. A case in point is the delay experienced in the preparation and approval of the National Budget for 2016. It took the National Assembly and the executive branch of the government several months to effect the correction of the muddled up budgetary estimates by the officials.

There are different perceptions of the federal character principle by people from different regions of Nigeria. According to Suberu (2001) those from the northern part of the country perceive the principle as an opportunity to bring them to be on equal scale in the appointments with the people from the other parts of the country. He added that those from the southern part of the country see it as an attempt by the north to enter into the areas which they hitherto regarded as their exclusive preserve.

A perusal of the provisions of the constitution of the Federal Republic of Nigeria 1999 as amended in its Section 14 subsections 3 and 4, and the regulations in the Act No 34 of 1996 of the Laws of Federation of Nigeria reveals that caution should be exercised by political parties and politicians in the way and manner they make government appointments. As such Federal, State and Local government appointments should usually reflect these provisions in order to achieve the harmony among federating units of any constituency. These appointments should therefore be made in such a way as to

reflect the representation of diversities in the polity. In other words the appointments should be balanced even under intense politicking in a democracy. Party affiliations have therefore been modulated to avoid a situation in which one or more ethnic groups or sections dominate any manner of appointments in Nigeria.

As such, in considering the composition of Federal, State and Local Government cabinets, and other appointments, the federal character principle should hold sway. This means that ministerial portfolios, positions of the commissioners in the state and the appointments of supervisors in the local governments should all reflect the federal character principle. It would however be noted that the contrary seem to be the order of the day in the appointment situation in the Federal Government of Nigeria. For example a recent survey of the percentage of staff of some Federal Government Establishments reveals this. Chris (2014) found that all facets of the Nigerian public service are dominated by Hausa-Fulani and Yoruba tribes.

To worsen the lop-sided state of affairs in the distribution of public positions in Nigeria, is the most recent report by the Nigeria media that 99% of the top leadership of all the security outfits in Nigeria from Military to Police and to Paramilitary organizations are from Hausa-Fulani; while the remaining 1% is from Yoruba tribe. Laying credence to this assertion, Ndibe (2016) maintained that the President, Muhammed Buhari seems to have neglected the principle of Federal Character in the appointment of top security chiefs in Nigeria. This situation has been the state of the Federal Character Principle at the Central level. It will be recalled that the Federal character principle is also to be applied at both State and Local Governments levels.

From these divergent views from Nigerians themselves, it is clear that the federal character principle has been accepted by some people and rejected by others. This state of affairs has left the principle very controversial. However equity and fairness which were what the founding fathers of the principle aimed at achieving is still a mirage

considering the views contained in the above empirical review of its workings in Nigeria so far.

THE WAY FORWARD

The issue of suggesting the way forward in a problem area as the burden of sharing public positions equitably as stipulated by the Federal Character principle in Nigeria is obviously to achieve harmony and ensure that Justice prevails. To be able to achieve this, the following suggestions are hereby made.

It is worthwhile to strengthen the Federal Character Commission (FCC) by enacting laws that would enable it prosecute the public institutions that usually circumvent the stipulations of the Federal character principle in their employment exercises.

To ensure that the Federal Character Principle is applied in public employment in Nigeria, the chief executives should always as a policy be persons from a different area from the area where the employing institutions are domiciled. To facilitate this, it should be ensured that the vacancies in the positions of Chief Executives of these institutions are widely advertised in at least three national dailies, three televisions and several radio broadcasts to enable applications from all over Nigeria to have chances.

Similarly, the Federal Ministry of Information and the National Orientation Agency (NOA) should institute public enlightenment organs charged with the function of explaining the implication of the application of Federal Character Principle in our public establishments. With this the members of the public would be better informed on the issue of Federal Character Principle.

The Federal Character Commission (FCC) should be alive to its duty to ensure that it is consulted by the employing institutions before the latter issue letter of appointment to the new recruits. The Federal Character Commission (FCC) should be able to bring the offending

Chief Executives and their establishments to book by prosecuting them in courts of competent jurisdiction.

The application of Federal Character Principle should as well include the issue of political appointments by our politicians. This would be better achieved if the constitution of the Federal Republic of Nigeria 1999 is amended to provide for the application of Federal Character Principle in all political appointments. This will help to assuage the issue of political instability arising from lop-sided appointments.

With the magnitude of attention that the issue of Federal Character Principle attracts amongst the Nigerian Polity, it is suggested that a "Ministry of Federal Character Affairs" be created. This would enable the issue of Federal Character to be adequately covered and catered for.

REFERENCES

- Abba, S. (2016), An address on the content of the Riot Act a public sensitization forum for old Aguata Division of Anambra State. <http://www.vanguard.com20/06/03/fcc-reads-riot-act-to-institutions-overfederal-character-principle> 29/07/16
- Adeleke, L. (2008) Let us debate federalism, Vanguard Newspaper, March 26, p.17
- Afigbo, A. (1987) Federal Character Principle: Its meaning and History. Quoted in I. Ukwu (1987) *Federal Character and National*
- Agi, S.P.I (1985). *Federal Character the Search for National Integration in Nigeria*, a paper presented at Nigeria Political Science Association conference at University of Ilorin
- Alubo, B. (2003). The National Question and Nigeria's fourth republic: issues and challenges. Political science Review Vol.3 Nos 1 and 2 publications of the Department of Political Science, University of Ilorin.
- Awa, E. O. (1982) *Issues in Federalism*. Benin; Ethiope Publishing Corporation

- Bello, M. C. (2012). Federal Character Principle as a Recipe for National Integration: The Nigerian Paradox. *International Journal of Politics and Good Governance; Volume 3, 1-7*
- Bouchin, P. (1989) Federal and Social Justice in Gberebie A. (ED)
- Chris, D. (2014). *Federal character Principle and Nigerian Public Service* Ibadan: Spectrum Books Limited.
- Chris, D. (2014). *Federal Character Principle and the Nigerian Public Service* Ibadan: Spectrum Books Limited.
- Crystal, D. (2003). The peaguin concise encyclopedia. Penguin Books Ltd. London.
- Ezeibe, C. C. (2013) Federal Character Principle and National Question in Nigeria. International of Research in Arts and Social Sciences (ITRSS). www.academicexcellencesociety.conference_character_and_nationality_question_Nigeria.html. Retrieved 29-07-2016
- Ezenwa, U. (1987) *participatory politics: the socio-economic dimension*, NIPSS conference proceedings.
- Forrest, T. (1993) *Politics of Economic Development in Nigeria*. Boulder, Colorado: West View Press.
- Francis E.Z, Atolade To. and Yinusa, D.L (2014) *Extension of Modern Government*. Ibadan: Extension Publication Ltd.
- Gboyega, A. (1989). The public service and federal character. In Ekeh, P.P and Osaghae E.E. (EDs) *Federal Character and Federalism in Nigeria* (P.P. 164-185) Ibadan: Heinemann Educational Books.
- Hermexy, G. (2011). *Federal Character Policy and Technology Development in Nigeria: Problems and Prospects*. Retrived from www.priestinehrills.blogspot.co./2016/03/federal-character-policy-and-technology.html, <http://www.absradiotv.com/index.php/state/289-gov-obiano-calls-falls-for-respect-of-the-federal-character-principle>
- Igbokwe Ibeto, C; Agbodike F. and Anazodor (2015). The application of Federal Character Principle and its implementation on Service Delivery in Nigeria Civil Service. *International Journal of Human Resources (5) Vol 3 21-41*
- Igbokwe-ibeto C, Agbodike, F and Anazodo R. (2015). The application of Federal Character Principle and its

implementation in service delivery in Nigerian Federal Civil Service. *International Journal of Human Resources* (5) 3, 21 – 41.

Institutional Design, Ethnic Conflict, management and democracy in Nigeria <http://www.google.onyeoziri>, F. (2002) *Alternative policy options for managing the National Questions in Nigeria*. Ibadan: John Archers. Publishers.

Integration in Nigeria NIPSS conference proceedings

Iwuoha, (2016) *Federalism in Africa*: New York, Mac millan.

Keay E.A and Thomas, H. (1965) *West African Government*. London Hutchinson Educational Ltd.

Livingston(1952) *Federalism in Practice*: London Academic Press

Muhammad, A.A. (2007). Institutionalizing Ethnic representation; how is the Federal Character Commission in Nigeria? C RISE working paper No 43 Department of International Development, University of Oxford, U.K

Ndibe, O. (2016) Lopsided Federal Appointments – *Daily Sun July 17, p. 45*

Nzeshi, O. (2012). The quests amend Federal Character Commission Act. This Day Newspaper

Obikeze, O.S.A and Obi E.A (2004), Public Administration in Nigeria, *A development approach*. Onitsha: Book point ltd.

Obiyan, S.T. and Akindele, S.T. (2002) The federal character principle and gender representation in Nigeria. *Journal of Social Sciences* 4(6), (PP 221-246).

Ojo, E. (1999). Federal Character: Principle and Practice. *The Herald of 18th April*

Okeke, N. (2016) The Significance of Federal Character Principle, A key note Address delivered a public sensitization forum of Federal Institutions in Old Aguata.

Olagunju, T (1987) Federal Character Principle and National Integration, *NIPSS Conference Proceedings*

Olaokpa T. (2012) Nigerian Public Service and Udoji Reform, A review, *The Daily Trust Newspaper, April 10 p.56* Sibarua, R. I and Diamond , L. (2004).

- Otite, O. (1990) *Ethnic and Ethnicity in Nigeria*, Ibadan: Shaneson Publishers.
- Pinterest, I. (2020) *What is Federalism?* Boston Kellington Publishers.
- Rath, S. (2020) *Federalism: a conceptual analysis*. Delhi: Rata Mc Arrow Hill Publishing Company Ltd.
- Strategies for employee recruitment, retention and performance: dimension of federal civil service of Nigeria*, <http://www.academicjournal.org> Retrieved 28-07-16
- Suleiman, S. (2009), why the Public Sector is inefficient, *Niger Delta Standard Newspaper, May 23, page 33*.
- Talih, A. (1987) Key Address of the NIPSS conference on Federal Character and National Integration, *NIPSS conference proceeding*.
- Tonwe, D.A and Oghafor E.O (2009) The Federal Character Principle and Democratic stability in Nigeria in Ola, R.F and Tonwe D.A (EDs) Nigerian Public Administration (pp.230-256) Lagos Hamilton Books.
- Ugo, S.C and Okpere, W. I. U. (2012) policy of Federal Character and conflict management in federalism, *African Journal of Business Management* (6) 23, 6771 – 6780.
- Utomi, P. (2002). Innovation and change in civil service. *The Guardian Newspaper*
- Wheare, K. C (1963) *Federalism*. Oxford: Oxford Univeristy Press.