



Background Issues to Federal Character Dynamics in Nigeria

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ABSTRACT

Affirmative and Quota Principles have evolved virtually unavoidably in federal systems. They are introduced to tackle problems that have proved intractable especially those relevant to integration, unity and nation-building. Most often the principles and the solutions offered have created other problems frequently more acute. Thomas Sowell (2004) affirms the ever-present tendencies of affirmative action to produce ‘negative consequences’ (Thomas Sowell; 2004). Because it becomes a ‘permanent policy of preference and engendering’ animosity, resentment and hatred amongst the ‘non-preferred leading to ethnic conflict and violence’. Sowell went on to cite the inter-group polarization and conflict procured by affirmative action in countries including India, Malaysia, the USA, Sri Lanka. The ultimate ill-omen of the preference-concession selectivity is that it usually becomes perpetual and an unstoppable ‘re-feudalisation of society’. Federal Character principle embraces personnel equity dynamics covering the federal, state and local governments although the consolidation of statism appears more prominent as a concept at its epicenter (Ekeh & Osaghae: 1989:452). Despite the apparent emphasis on particularism and separatism, the principle appears ineluctable and permanent as a feature of Nigeria’s federalism. This paper delves into historical and political circumstances that culminated in the federal character tool for federal integration or federal compromise-setting. It ends with several recommendations to palliate its worst consequences.

Keywords: Federal character, Nigeria, regionalism, Constitution,

INTRODUCTION

The character principle orchestrated by the Federal Character Commission has been the main response of the Nigerian Federal Government to a myriad of complex and divisive situations and circumstances plaguing the centre and the states. Sections 14:3-4 of the 1999 Nigerian Constitution prescribes that:

“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 ensuring that there shall be no predominance of persons from a few states or from a few ethnic or other sectional groups in that Government or any of its agencies”. The Commission is to ‘work out an equitable formula.....for the distribution of all cadres of all posts in the public service of the federation and of the states..... including sensitive posts of ‘Permanent Secretaries, Directors-General, Directors, senior military officers, diplomatic officers, and managerial cadres in the federal and state public services, bodies, agencies and institutions. The Commission comprises a Chairman, a member per state all appointed by the President subject to confirmation by the Senate.

This means balancing the North and the South – Igbo, Yoruba, Hausa-Fulani and this trinity as a whole against other minority groups. Emphasis is on the sharing of benefits and privileges that come with participation in government - the basis of the chop-i-chop concept of parasitism on government leading to the culture of consumerism rather than of productivity on the part of the citizenry. Ray Ekpu (1998)

insists that excessive federal centralism was destructive and divisive thus there is need for decentralization and redistribution of powers and resources. The big issue is what modality is applied to achieve this lofty amendment to a fixated and historical mind-set lasting from 1900 to 1966. The military with all its potency and unilateralism failed to integrate the country even after a brutal civil war and various acts of political engineering within political 'transition without end' (Diamond, Kirk-Greene & Oyediran; 1998). The civilian regime within each four-year presidency 1979-83, 1999-2003, 2003-2007, 2007-2011, and now 2011-2015 are patently unable to restructure the country despite several full-scale Constitutional Conferences that attracted the cream of national elite, despite continual pressures from boiling points like the Niger-Delta and the North East, despite the swelling of incomes from oil (up to late 2014). Even the temptation to use state creation as an integration ploy was applied only by military regimes apart from the 1963 singular exception of civilian creation of the Mid-West state under self-centred mischief-making by the NPC and NCNC coalition government at the centre.

RATIONALE FOR FEDERAL CHARACTER PANACEA

The need to redress perceived injustices and imbalances in the society has frequently brought about official state policy actions to mitigate or to correct prevailing grievances. Federal Character action is intended to enhance the opportunities of specific groups within a society to offer them equal access comparable to that of the prevailing majority. The policy declaration is frequently group-targeted, for instance those intended for the female gender. At other times, the effort provides function or subject-specific concessions in areas of education, the economy, jobs, social welfare decisions. These efforts are variously described as affirmative action (USA), quota or federal character system (Nigeria), reservation (India), protected characteristics or equal opportunity act (the UK), equality section (Canada), employment equity (South Africa). Several European countries attract foreigners into their country who have financial capacity to obtain citizenship upon some big payment using the guise of business visas.

Many countries especially in their evolutionary stages have had to pass through social, tribal, economic upheavals requiring intense review of inherited policies in terms of equity, balance and fairness in the use and application of resources, privileges and opportunities. Many have inherited geopolitical consequences of prejudice, exclusivity and cultural slanting that have festered over decades and centuries. The interplay of these social vices have led to increased social consciousness, education mobilization. These have sometimes helped to produce resistance movements demanding justice and a struggle for democracy, equity and recognition. In many parts of the world such resistance movements have been pursued through peaceful organizations including especially religious campaigns and trade unionism, others have reacted to sustained repressive rejectionism by a resort to forceful and violent resistance movements lingering for years and decades. The primary and ultimate goal is usually to secure equal rights, equal access and justice and obtain compensation for previous persecution, exploitation and discrimination by the majority group or the ruling class or the government.

Most countries pass laws that specify the nature, spectrum and modus operandi of the quotas or the affirmative action. The law is usually a product of each country's history, economic circumstance, the relationship between the major ethnicities and the minorities, the nature of the phase of colonialism and subjugation, the liberty and equitable share of national resources, the level of socio-economic development of various groups in the country, the perception and reaction of the international system particularly the relevant colonial power involved, the twists and turns of internal political development.

Probably the most common example of quota and affirmative action internationally is in the education sector especially restrictions and concessions towards candidates seeking admission into higher and public institutions of learning of specific countries. There are other redressive actions including 'granting some preferential treatment to a minority group to correct past denial,bridging inequalities in employment and pay, increasing access to education, enriching state, institutional and professional leadership with full spectrum'. At the international level, the United Nations and its agencies abhor segregation and discrimination and denial of fundamental human rights (Wikipedia <http://en.Wikipedia.org/wiki/Affirmative-Action.....12/27/2014>).

FEDERAL CHARACTER PRINCIPLE AS AN INTEGRATIVE TOOL

This was an adoption of zoning and rotation of offices amongst the ethnic groups. Paragraph 15/2 of the 1999 Constitution (amended) states:

Accordingly, national integration should be actively encouraged while discrimination on the grounds of place of origin, sex, religion, status, ethnic or linguistic association or ties, should be prohibited. This declaration was meant to foster unity, peace, equal ability and equal access to state resources and promote the integration of the less advantaged states for better improvement and good conditions of living in the country. Federal Character encompasses issues like ethnicity, the national question, (are we a nation or a nation of many nations?), minority problem, discrimination, resource allocation, power sharing, employment, placement in institutions; a formula for participation in governance such that no single section dominates the rest as in the cobbled up Nigerian federation of 1946 that regional map drawn by Governor Henry Bourdillon in 1939 has left unending rancor and confusion. The confusion is not so much because of federalism with three regions but with leaving one part as territorially (geographically) more the two times the size of the rest (East and West) combined. The 1946 Richard's Constitution approach was an acceptance of the North as the dominant part of Nigeria, in any case their Richards was 'unwilling to upset the rulers of the North' (Olaniwun, 2012:67).

Structural imbalance was and is probably the greatest sin of colonialism. According to Prof Emman O Ojo of Unilorin's Political Science Department,

"In terms of land mass, Northern Region had 77%, Eastern Region 8.3%, Western Region 8.5%, Mid-Western Region 4.2%. With one hotly disputed 1963 Census figures, the North has 53.5%, the East 22.3%, the West 18.4%, the Mid-West 4.6%. Thus for the three southern Regions, the federal structure as existed made it virtually impossible for the South to control political power at the centre, given the ethnic regional politics of the country". The South thus feared Northern political domination by population and land mass, whilst the North is equally afraid of southern edge in skills it got through education acquired much earlier than the North.

There were various other overt and covert decisions by the colonialists which were antithetic to integration and plainly centrifugal to Nigeria's future. Census figures, even elections were suspected as rigged in favour of the North (in complicity with erstwhile British overlords). Contemporary and consecutive political development in the realm of the military's creation of states and local government's emphasis the deliberate and orchestrated nature of these and similar decisions. Even access to the leadership of the country was apparently skewed to favour of the north as compared to the south. In the circumstance the minorities cannot but feel restive and despondent to the point of self-help. Again Emman Ojo's depiction of 'Empirical indication of representation in the ruling body 1960 to 1998 both civilian and military government':

Regimes	Regions	Degree of Representation	
Balewa (FEC)	North	37.3%	
	West	37.3%	
	East	35/34%	
Ironsi (Suprm Milit Council)	North	50%	
	West	33.3%	
	East	16.5%	
Gen Yakubu Gowon	North	60%	FEC 41.7%
	West	40%	41.7%
	East	4.5%	16.6%
Murtala/Obasanjo	North	59.1%	44.0%
	West	36.4%	36.0%
	East	4.5%	20.0%
Shehu Shagari	North	57.5%	FEC 20.0%
	West	2.25%	20.0%
	East	20.0%	
Buhari	North	61.1%	

	West	27.7%
	East	11.1%
	North	50.0%
	West	36.7% (1985)
	East	13.3%
Babangida	North	54.5%
	West	36.4%
	East	9.1%
	North	55.5%
	West	38.8%

Source: Regional Autonomy or Nothing; Yoruba Submission to the 2014 National Conference p 35-36.

Sam Momah in his 2013:13 book, provided a rich expatiation for the disparate favouritism to the North '.....the South incurred the wrath of Sir Arthur Richards for agitating for immediate independence from Britain hence in demarcating boundaries of the regions, instead of doing so naturally using the River Niger and River Benue, as advised by some experts, he did the unexpected, by drawing the boundary in the midst of nowhere, far below the River Niger and River Benue thereby giving Northern Nigeria 79% of the land mass while the Eastern and Western Regions shared the remaining 21%. That gross imbalance sowed the seeds of endemic rift in Nigeria's political and geographic equation which even the subsequent creation of states did not address'.

There were strong effusions from the north on the issue of its dominance of power. The north frequently felt threatened by the economic power of the south. Sani Kontagora one of the northern politicians declared:

"the south is not content with monopolizing economic power and dominance of the federal civil service but has been thirsting for the choicest slice of the nation's politics – the presidency.....Nigeria's Presidency, Not for the South.....democracy is a game of numbers. If Southerners want to take it, they can come and kill all the people in the north, so that population can reduce..... Political power will remain in the North perhaps forever".

Sir Ahmadu Bello fervently objected to the independence motion moved by Chief Anthony Enahoro in 1953 terming the motion as tantamount to (the north) being recolonised 'this time by southerners' He said 'the mistake of 1914 has now come to the fore and called for the reversal of the amalgamation'. In the McPherson Constitution of 1951 in which 148 members were chosen out of which 136 were to be elected, the north was awarded 68 or half of the members were chosen from the North (Akpofure & Michael Crowder; 1966:222). The country has never been lucky to conduct a credible national Census. This huge revelation was divulged by the immediate past Chairman of the National Population Commission (Chief Joseph Odumegwu former private sector icon) who divulged what was always known to many Nigerians in the south when he said "No census has been credible in Nigeria since 1866. Even the one conducted in 2006 was not credible. I have the records and evidence produced by scholars and professors of repute..... if the current laws are not amended, the planned 2016 census will not succeed' (Yoruba Submission,p. 21 and Makinwa-Adebusoye 2014;10)

Alhaji Maitama Sule not long ago said

"...everyone has a gift from God. The Northerners are endowed by God with headship qualities, the Yoruba man knows how to earn a living and has diplomatic qualities, the Igbo are gifted in commerce, trade and technological innovation. God so created gifts" (The News, Apr 1996)

To Ayoade (2010), this kind of conquest and monarchical spirit is an outright negation of federalism and is product of a braggart gesture. It was this kind of pronouncements that led to each of the three regions threatening to secede from the country at one time or the other. Olaniwun (2012:146) reports that ' All the population censuses so far conducted in Nigeria have been manipulated in favour of the North. National ID Card projects embarked upon since 1984 have always failed, the huge amount of money spent on those

exercises notwithstanding. Federal budget allocation for these projects between 2000 and 2008 was over 22 billion naira all of which went down the drain'. The central but hidden objective of successive administration has been to promote parochial hegemony. It is noted that as recently as 2007 '..... of the thirteen top echelons of officers and leaders in Nigeria, ten were Northerners whilst three were Southerners:

Alh Umaru Musa Yar' Adua	North	President
Sen David Mark	North	Senate President
Just Legbo Kutigi	North	Chief Justice of Nig
Alh Babagana Kingibe	North	Sec to Govt of Nig
Gen Garki Muktar	North	National Secr Adviser
Gen Luka Yusuff	North	Chief of Army Staff
A O Gadama	North	Director, SSS
Gen Abdullai Muhammed	North	Chief of Staff, Presidt
Alh Yar' Adua	North	GMD, NNPC
Dr Ahmadu Alli	North	PDP Chairman
Prof Charles Soludo	East	Governor CBN
Dr Ahmadu Alli	North	North PDP Chairman
Alh Rilwanu Lukman	North	Minister, Petroleum
Gen Andrero Azazi	South	Chief of Def Staff
Mrs Pat Ette West	South	Speaker, Represent.
Mrs Ebele Okeke	South	Hd of Fed Service

A newspaper columnist queried 'whether Nigeria had become the Federal Republic of Northern Nigeria'.

As per 6 May 2014, 49% of all Federal Permanent Secretaries were Northerners, (see Table 12 of 'Regional Autonomy or Nothing' by the Yoruba People's submission to ongoing Constitutional Conference).

The gravamen of Yoruba nation demands at that Conference are as follows:

- Regionalism based on current six-geo-political zones to include all Yoruba peoples in Edo, Delta, Kogi and Kwara States,
- A renegotiated legislative Exclusive, Concurrent and Residual List,
- A unicameral legislature at the centre to be spelt out in the Constitution,
- A parliamentary form of government at the centre,
- The right to self-determination up to the right to secede,
- A just and equitable tax system with equity at the federal level.

Strikingly surprisingly is the slovenly indifference with which the South took to Northern hegemony. The inability of the South to pull together in a coalition against the North denied the nation an early opportunity for a richer and more merit-based democracy. Thus the NCNC was largely groping and grouching in a facile coalition with the NPC, the Action Group valiantly persisted in crying havoc in the wilderness of the opposition party. Both parties stuck to their regional boundaries and would not submerge their national ambitions or reconcile those ambitions with the need to look westwards and eastwards rather than northwards for potential coalitioning. Even when a north-south coalition was being hatched, it was cooked to besmirch and alternate the opposition ie the Action Group. It was not a synergy to promote understanding and extend the progressive development projects in the Western Region to the whole country. If the North and the East had substantially copied Chief Obafemi Awolowo's development template between 1954 and 1961 wholesale, a greater prospect of an east-west cooperation

would have emerged. Of course, the attitude of British colonialists was simply to ostracise the West whose citizens were considered 'unruly', 'rowdy' and 'restive' flowing from their tenacious agitations for the establishment of higher education institutions, and for political independence or cessation of colonialism and the early departure of colonialists. As shown by the Yoruba Submission cited earlier, some of the recommendations are bold such as have been presented at the 2014 Constitutional Conference. This is why so much hope is heaped on its implementation.

ACUTE REGIONALISM AS PRECURSOR TO FEDERAL CHARACTER SOLUTION

Intense regionalism immediately followed the emergence of the three main political parties by 1951, the National Council of Nigerian Citizens (NCNC) 1944 dominant in the Eastern Region but with a serious spread through the Western Region; the Northern People's Congress (NPC) 1950/51, dominant in the Northern Region; and the Action Group dominant in the Western Region with a spread to the Cross River and the Middle Belt of Nigeria. There was an highly-heated conflict capacity within and without the Regions as each of the parties sought to monopolise power and stranglehold other political parties. Outside of each Region, the parties sought to expand their popularity by seeking alliances with minority tribes and groups in other regions to undermine other political parties and strengthen their prospects for a better national influence and spread and access to federal presence.

Other regionalization thrusts enhanced were the 1946 Richards Constitution which adopted Hausa as the language of the legislature in the North. The Lyttleton Constitution of 1954 made English the official language of Nigeria with the Hausa retaining its co-official status in the Northern Region. Other selective pro-north measures were in the 1951 McPherson Constitution in which regionalization of the Marketing Boards and the inception of regional parliaments was promulgated especially in the North and the West (Ayoade; 2010;23). The regionalization process leading to the pressure by the West and the Eastern Regions for immediate independence from Britain caused a morbid fear from the Northern Region as evidenced by Gaskiya, a northern newspaper:

'.....Southerners will take the places of the Europeans in the North.....it is the Southerner who has the power in the North. They have control of the railway stations, of the Post Offices, of Government Hospitals, of the canteens..... in all the different departments of Government it is the Southerner who has the power.....'(Agbaje 1989;105). The North demanded half of the seats in the proposed independence parliament on grounds that according to them, they had more than half of Nigerian population. There was intense rifting over the allocation of federal projects in the country especially strategic ones like the proposed iron and steel project. The North, the East, the West and the Mid-West battled for its location with ensuing bitter recriminatory polemics between the two party coalition alliances at the federal government level. Ultimately the central project was located in Ajaokuta ostensibly on technical raw material based rationalization but in reality to have the largest steel industry sited in the North rather than in the East as recommended in the economic feasibility reports (Ajayi Olaniwun:2012; 145). Satellite steel or related projects were compensatorily cited in Aladja, Katsina, Oshogbo. None of them has been successfully and sustainably established. The Ajaokuta project itself, the largest of them has gulped well over ten billion dollars without results of credible kind. In any case, British policy satisfied none of the regional premiers, rather it produced cynicism-induced intense fear leading to tension and confrontation (Kirk-Greene 1975:19).

The military's solution to solving the centripetal thrust in Nigeria's multi-ethnics was to proliferate and break-up the country into states and local governments. So states were decreed incrementally from 4 in 1963 to 12 in 1967, to 19 in 1976, to 21 in 1987, to 30 in 1991, to 36 in 1996. Local governments leaped from 330 to 774 again through military decrees yielding trails of dissatisfaction against the ludicrous and indefensible injustice unleashed on some states and preferences infused on others. Mustapha (Mar. 2014) discerned seven ethnic and political cleavages in Nigeria between the North and the South, between the three major tribes and minority groups, inter-state rivalry amongst states, sometimes within and sometimes between ethnic groups, inter-ethnic rivalry in a mixed state composed of minority groups; intra-ethnic rivalry within such majority ethnic group, sometime also corresponding to boundaries and

sometimes within a single state and finally, inter-clan and intra-clan rivalries, particularly in the south-east and the north-central parts of the country.

The question potentially arises, why did British colonialists adopt discriminatory education and development policy and practice 'protecting' the North against missionary, evangelical/activism and educational incursions from the south into the North? Lord Lugard argued, with utter cynicism that westernization could only produce 'discontent, impatience of any control and an unjustified assumption of self-importance in the individual.....The local press inspired by a.....misdirected education is doing grievous harm.... by its invective against all Government action (Graham 1966). Barnes; 1999;223 called it 'rowdy modernism' engineered through Mission education had already created young men lacking in 'integrity, self-control and discipline' Barnes A F; 1997:197-228. In colonial Northern Nigeria, the British did everything possible to prevent the emergence of an educational system that might threaten British control. This forms the justification for the selective pro-north discrimination isolating the north from western education. It was not until 1931 that proper exams were introduced into the only school in the North. Under the guise of protecting Islam in the northern emirates (Lugard A R; 1986), less than one half of one percent of the school age children in the region was enrolled in the school system. Of the two thousand boys who had been through the educational system by 1926, less than half had made it beyond Standard 1, only 84 or about 4% made it to Standard V, only 26 or 1.5% had reached Standard VI. Of these 26, not one was Hausa 'but all are foreigners' meaning Southerners.

Also, British colonial government governed Northern Region using three different systems of law: the Nigerian Law based on Common Law of England as modified by Nigerian and British statutes, Native Law other than Muslim Law and finally Muslim Law divided strictly divided managerially into strictly Koranic Law known as Sharia and the law arising from the prerogative of the rulers which is about known as Siyasa' (Dawodu, 2014). Lord Lugard wrote in 1914 to the Secretary of State for the colonies:

'For sometime, it has been realized that the total isolation of the North from the South cannot continue indefinitely. The North has no access to the sea except through the South. Its revenue is insufficient to maintain its administration and deficits have to be met by annual grants from the imperial treasury. It is expected that the unification of the North and South would relieve the imperial Treasury of the necessity of making such yearly contribution. Also it is desirable to avoid competition and clash of interests (Odumosu O A; 1963). The foundation laid by Lugard was for one country and not for one nation. The agreement with traditional rulers of the north was to keep away as far as possible..... to avoid pollution of southerners and missionaries from the northern pure cultural values, ensured that what would emerge would be a country not on the integration line but one in which there would be separate existence (Alaba Ogunsanwo; 2014).

A country facing the multiplicity and variegated nature of Nigeria's history and geography does have to continually and unavoidably contend with major issues towards achieving integration or combating threatened disintegration. Nigeria like all sovereign countries under the panoply of the United Nations Organisation, strives to remain under one central government, thirty-six state governments, and seven hundred and seventy four local governments. The country had a concatenation of independent kingdoms and empires prior to colonization, all of which were forcibly brought together to form provinces at first, then an imposed amalgamation by 1914 and a cobbled up single federal country in 1939 under Governor Bourdillon and a formalized federal country comprising one central and three regional governments in 1946 (under the Richards Constitution) and 1954 (under the Lyttleton Constitution).

Many problems, economic, social, religious, educational, agricultural, productivity, perception and cultural have plagued the country pre, during and post-colonialism. Probably the most conspicuous and intractable have been religion, culture, governance and under-development. It is possible to rank the economy as more frontal in ranking especially as direct catalytic factors fuelling the earlier ones. If the education and productivity areas were straightened, probably both would have pushed the economy into respectable heights. British colonialism did not pay attention to the education of Nigeria and Nigerians as a colony, it did not appear to show interest or inclination to provide western education for Nigerians. Its cavalier indifference was only tempered by the mollifying intervention of Christian missionaries who

were allowed free rein in the south but were prohibited from extending their evangelistic forays into the northern province. In Mustapha A R; (1986), James Curray, claims ‘Under the guise of protecting Islam in the northern emirates, Lugard banned missionary activities including the founding of schools.....Less than one half of one percent of the school age children in the region was enrolled in the school system.....’ between 1859 and 1908.

By 1957, the South had 13, 473 primary schools with a total population of 2,343, 317 pupils, the North, 2080 schools with 185, 484 pupils (Okeke O; 1992). By 1958 only 9% of primary school age children were enrolled in the North, the South 80%, same year, 4000 secondary school pupils, 40,000 in the South (Yoloye E A; 1989).

PREDISPOSING FACTORS FOR FEDERAL CHARACTER LEGISLATION

(a) North’s hostility to State Creation.

The country had witnessed numerous agitations and serious grumblings by tribes, ethnic groups and communities against perceived injustice and lopsidedness in the use of resources and opportunities. These demands were so strident as to force the intervention of the British government which then set up the Sir Henry Willink Commission in September 1957 during the London Constitutional Conference. The agitation for redressing injustice was so widespread and communities heaved a lot of hopes on the Henry Willink Commission for a remedial outcome. Unfortunately, thanks to British misjudgement, the Commission spurned the NCNC’s request for 17 region- division of Nigeria. It rejected the Action Group’s alternative case for the creation of Calabar-Ogoja-Rivers State, Mid-West State and the Middle Belt States, the Action Group also pleaded that state creation be treated ‘as an ongoing exercise’ Kalu N Kalu; 2008). The British Government preferred to take position with the Northern Region which stoutly opposed state creation. This issue was allowed to linger unresolved as neither the British colonial office nor the Willink Commission effectively addressed the issue until the major Action Group crises of 1962 provided the NPC/NCNC federal coalition government, a dastardly but apparently altruistic opportunity of a democratic state creation (Mid West) as an opportunity to over-run the Action Group base in the West, the main opposition party to the fragile federal coalition (Momah 2013;18). Subsequently it was left for direct, belligerent but valiant intervention by the Niger Delta Volunteer Service under Isaac Adaka Boro and later politico-military decisiveness by Gen Yakubu Gowon in 1967 that procured the 12-state structure and the end of regional hegemony in Nigeria and the stiff resistance to state creation. Since then and till now, the North has always been addicted to a one-sided, conservative, anti-change position against the Southern tendency for some progressivism.

(b) Land Rights, Indigeneship and Citizenship

This set of issues constitutes the permanently contentious encumbrance to integration and unity in various parts of the country. Efforts to tackle the ever-surging problems in parts of Nigeria and in individual states, towns and settlements of Nigeria have proved largely ineffectual whilst ensuing repercussions of the failure of solutions procured numerous animosities and crises occasioning various intensity of harm, resentment, outright violence involving lives and property. It has kept the nation from any semblance of unity and integration. Yet there are effective panaceas which countries often adopt to tackle inherited, misjudged or fortuitous nuances of nation-building to avoid destroying the nation. One of them is affirmative action which Nigeria adopted and described as Federal Character Principle encoded as Section 147 of the 1999 Nigerian Constitution.

THE FEDERAL CHARACTER IMBROGLIO

The question that follows the pain and angst of perceived northern domination and tepid colonialists’ intervention is why the nationalists - Awolowo, Azikiwe and Ahmadu Bello apparently took no steps to try and correct perceived and pernicious mistakes or mischief of the British between 1939 (Governor

Bourdillon's governorship) and Independence Constitution 1960 and the Republican Constitution 1963). Instead, each regional premier sat entrenched in his regional enclave determined to pursue the ultimate political ambition, winning the federal hegemony for his tribe and surpassing all other tribes in capturing and keeping the country's resources. Even Sir Ahmadu Bello who was not personally pushing his ambition except through his deputy, Abubakar Tafawa Balewa was virulently dedicated to 'One North, One destiny'. That was an avoidable mistake of 1914. Each regional/national leader reeked in some complacency confining their perspective to their region although with ephemeral political adventures into nearby regions. Ekeh and Osaghae put it blandly "If there was any major failure of the First Republic, it was in the inability of the regional leaders to formulate any agreeable formula for distributing federal appointments and positions because of their obsession with the Zero-sum-politics of winner-takes-all" (1989:445).

The immediate background for Federal Character Principle or Quota System was the virile and volatile disputation on the date, readiness and timeliness for national independence by the southern regions – the East and the West – and the tepidity and unwillingness of the North for independence from British colonialists. Whereas the South pleaded in the House of Representatives (through a Chief Anthony Enahoro motion for independence tabled in 1953 proposing a 1956 date), the North preferred a loose deadline "as soon as possible" as against "1956" thus ensured that the motion was defeated. To avert a major crisis, the Colonial Office convened a Constitutional Conference in London at which the Lyttleton Constitution sanctioned a 3-region division of Nigeria for implementation. The arrangement produced a 3-region federalism where the regions were more powerful than the federal (or central) government. The colonial government also convened a 'General Conference' in Ibadan in January 1950 at which the North insisted through Abubaka Balewa 'on a reasonable speed, not an impossible speed for the North' (Olaniwun Ajayi 2012:65). This arrangement speedily made it clear that the North was -as compared to the South- acutely and deplorably lacking in manpower. That North was by far the favourite baby of the British colonialists which must be protected and pampered against the ravaging southern activists. The Federal Government established the Federal Training Centre in Kaduna to increase northern region indigenes particularly in federal agencies like the Post & Telecommunications Department. That same targeted policy was introduced into the Armed Forces and the Police whilst the Federal Public Service Commission pushed the regions and later states to 'recruit local indigenes to fill vacancies at the junior levels'.

SUMMARY OF THE FEDERAL CHARACTER WORKING MODEL

The federal character principle orchestrated by the Federal Character Commission has been the main response of the Federal Government to a myriad of complex and divisive situations and circumstances plaguing the centre and the states. Sections 14: 3-4 of the 1999 Nigerian Constitution prescribed that:

"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 predominance of persons from a few states or from a few ethnic or other sectional groups in that Government or any of its agencies".

This means balancing the North and the South—Igbo, Yoruba, Hausa-Fulani and this trinity as a whole against other minority groups. Emphasis is on the sharing of benefits and privileges that come with participation in government – the basis of the chop-i-chop concept of parasitism in government leading to the culture of kleptocracy and consumerism and never of productivity on the part of the citizenry. Ray Ekpu; (1994, Nov 7) insisted that excessive federal centralism was destructive and divisive thus there is need for decentralisation and redistribution of powers and resources. The big issue is what modality is applied to achieve this lofty amendment to a fixated and historical mind-set lasting from 1900. The military with all its potency and unilateralism failed to integrate the country even after a brutal civil war and various capricious acts of political engineering within political 'transition without end' (Diamond, Kirk-Greene & Oyediran; 1996). The civilian regime within each four-year presidency 1979-83, 1999-2003, 2003-07, 2007-11 and 2011-15 are patently unable to restructure the country despite several expensive full-scale Constitutional Conferences that attracted the cream of national elite, despite

continual pressures from boiling points like the Niger-Delta and the North-East, despite the swelling of incomes from oil (up to late 2014) and despite continual agitation especially from the southern elite.

TRAGEDY OF THE FEDERAL CHARACTER PRINCIPLE

Several situations have compelled an intense dissention and harangue over the expectations and prescriptions of the Federal Character Principle:

Analyst Oyovbaire (1983:19) called it ‘tribal character’, Suberu (2001) called it ‘geographical apartheid’ as it is inherently discriminatory and counter-productive ‘and serves no defensible purpose’. Bimbo Osifeso believed that with initial British policy which polarized the country along regional lines especially the wholistic separateness of indirect rule, this added to a philosophic aloofness and collective indifference by indigenous regional leaders. Federal Character Principle was unable to reverse the dominant slope already set by initial British policies. The British preference in keeping the North isolated and quarantined from the South ie from missionaries, western education and from social and political contamination from the South was a major catalyst for parochialism and divine right to rule superiority-complex and the monarchical spirit as diagnosed in Ayoade (2010). The North was determined to retain political dominance at the centre by winning all elections, these election-victories were preceded and enhanced by false censuses and deliberate rigging to ensure victory. They were inclined to hasten the huge gap in education and westernization between the north and the south through artificially designed equalization or surpassing process but would keep the north as the anointed favourites of successive British colonial governments in Westminster and in Lagos and initial regional capitals.

Simultaneously, Southern leaders were engrossed with outmaneuvering each other, trying to set the pace to depict greater shrewdness and proficiency. In any case, what was paramount to them was the use of their political parties (themselves governed less than democratically) to gain advantage over the other. The key and ultimate prize being aggressively wooed, if not openly demanded, was power at the federal level. Nothing else mattered not even the need to carry along the region’s society and citizenry to make for an easier journey integrated and collectivized.

THE TRAGEDY OF POLITICS OF AMALGAMATION

A lot of opinions point at the tenuous and watery beginnings of the Nigerian Foundation. Just as the 1884/5 Berlin Conference which carved Africa into possessions of various European countries with emphatic unilateralness and without a whimper of involvement of Africans, the 1914 Amalgamation of the North to the South of Nigeria was also a ‘deliberate deficit’ (Odeyemi Jacob Oluwole 2014:87-95).

On grounds of Lugard’s familiarity with the northern and southern protectorates, the cost-effectiveness and cost-minimisation of running the two provinces together, the coincidental zest for Miss Flora Shaw, Lugard’s wife, for an amalgamated Nigeria, and the need to apply part of southern resources to subsidise the resource-inadequacy of the northern provinces, amalgamation became a reality. However this decision has remained a dangerous albatross haunting Nigeria forever (Momah: 2013:8)

A Briton, F Nicholson transcended Momah’s Lugard’s pitfalls by identifying up to six other miscalculations by Lord Lugard including the divide and rule pro-Fulani favouritism by Lugard, the use of diverse taxation in the south and indirect taxation in the north, the prolonged insulation of the north from Christian missionaries, traders and civil administration. The critical period between Lord Lugard and 1960 which should have procured serious and serene tutelage for the indigenes and mature mentoring by the colonialist contained deliberate and mischievous missteps by the British and rugged too-know garrulousness by the nationalist leaders and citizens. The British did not teach Nigeria the rudiments of nationhood, democracy or leadership; on the contrary, they helped to exacerbate the legion of centrifugal conditions created by the local elite and British colonialists. As Ayandele asserted with a sturdy acerbity, ‘.....British officials never thought that colonial rule would ever come to an end. Partly because the educated elite were known to be their rivals, and partly because they believed that Africans were incapable of self-rule, British officials adduced different kinds of argument to pronounce their Nigerian rivals for power as unfit for political power’. Some argued that it would be putting the poor

unlettered majority in the hands of the wealthy and rapacious few; others contended that the unlettered majority had come to accept the white man as the natural ruler and would shudder to come under African rule.

Using the *divide et impera* (divide and rule) tactics of the British, they trained the wrong set of Nigerians the wrong way ie illiterate natural rulers through the Native Administration system. The British deliberately sowed discord between the educated elite and natural rulers. For instance they did not positively intervene to quell the crises: Ijebu versus Remo, Ijebu vs Ibadan, Efik vs Akunakuna, Akunakuna vs Umon, Igbos vs Igala, Kanuris vs Fulani, Tiv vs Hausa-Fulani jihadists. Instead, the British merely papered over the cracks. A missionary observer said:

“In Nigeria,.....you have many races, antagonistic, mutually antipathetic, utterly incompatible, and even bitterly hostile to each other”

For the local elite, they were not Africans but Efiks, Ibos; not Nigerians but Yorubas, Hausas, Ibibios and what-nots, very static in their loyalty (Ayandele E A; 1974)

To demonstrate the ineradicable gulf between the north and south of Nigeria, Abubakar Tafawa Balewa told the Legislative Council in 1947:

“I think 1947 will always stand as a very important year in the history of Nigeria. Since the amalgamation of the Southern and Northern Provinces in 1944. Nigeria has existed as one country only on paper. It is still far from being united. The country is inhabited by peoples and tribes who speak different languages, who have different religions, different customs and traditions and entirely different historical backgrounds in their ways of life and who have also attained different stages of development. We would like the world to know that in the Northern provinces we have got our own leaders whom we have chosen ourselves to be our rulers and voices. We do not want, Sir, our Southern neighbours to interfere in our development. If the Southern people feel they are representatives for what they are agitating for and demanding, well they must know that the case of the Northern Provinces is different.....but I should like to make it clear that if the British quitted Nigerian now at this stage, the Northern people would continue their uninterrupted conquest to the sea (Ayandele; 1974:106). This effusive declaration was made by a northern leader regarded as apparently moderate. It appeared to convey the virulently militant posture of the Northern People’s Congress and the belligerent and ‘monarchical’ posturing of Northern politicians.

To Olaniwun (2012:60), the British government aided and abetted Northern Nigeria to maintain the imperious and outrageous political dominance which led to the death knell of the First Republic. He is convinced that Nigeria has failed ‘completely, woefully and regrettably’ to promote welfare politics. What was patched up and passed on as three-region based federal Nigeria was incurably wobbled and contained strongly ominous elements. For instance, at the 1950 January General Conference on Review of Constitution held at the Western House of Assembly in Ibadan, three toxic requests were presented by the Northern delegation with forceful support by the colonial officials who jointly planted the seeds for disintegration. The first was that 50% of representatives in the House would be allocated to the North, the second was that revenue-sharing would be based on population. Nationalists in the South were livid and condemned these decisions believing that whatever the North desires would become law ‘as the East and the West will have to go for every legislative proposal from the North’ Olaniwun, 2012: 207. How much better would it have been if there was an equality of treatment of each of the three regions even despite the suspicious census figures so frequently floated in the face of the south? Kolawole Amodu upbraided the South for giving in to ‘crippling compromises’ ie allowing equal seats for the north and the south and tying electoral seats to population in the 1953 Constitution.

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