



# Buhari Presidency and Federal Character in Nigeria: A Human Needs Theory Perspective

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**Abstract:** *The broad objective of this study is to examine the problems of imbalance in our national life between/ among states and ethnic/religious groups in relation to the recent appointments made by the Buhari Presidency on diversity in Nigeria. This is because those from the Southern part of Nigeria have continued to express concern over the appointments made so far by President Muhammadu Buhari. They posit that the appointments were lopsided and not in the best interest of the country. President Buhari is from Katsina State, Senate President Bukola Saraki and House of Representatives Speaker, Yakubu Dogara are from Kwara and Bauchi states respectively. The judiciary is led by Justice Mahmud Mohammed from Taraba State. Of the seventeen appointments made by Buhari so far, seventeen are from the North, while five are from the South. The appointments, however, drew the ire of Nigerians who asked Buhari to respect the country's principle of federal character. Already, the Internet, particularly the social media and blogs, are agog with reactions and counter-reactions on the matter. For those who are opposed to his appointments so far, they smack of tribalism, nepotism, religious bigotry and a pointer to his ill-motivated aspiration to Islamize the country, which must be resisted. The good governance thesis posits that while calling on Southerners to be patient and watch events unfold, they should be hopeful because no region could be a subordinate of the other. This view argued that the appointments made so far are tested and trusted in various capacities and their competencies are not in doubt. Due to the nature of this research, descriptive research method was used in order to address the challenges and problems posed by the study. Sources of data were mainly from secondary sources gathered from pamphlets, journals and published books related to the field of study.*

**Keyword:** *Diversity, Affirmative Action, Nigeria, Ethno-religious and Political Identities, Representative Bureaucracy and Ethnic Balancing.*

## INTRODUCTION

Nigerians have long argued over discrimination, but the recent upsurge in perceived arbitrariness and bias in the Federal appointments by Buhari presidency has sparked concern that the matter is now becoming a dangerous tradition. The federal character principle is a key issue in the attempts to deal with the Nigerian question. Section 14 (3) of the 1999 Constitution says, "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 sectional groups in that government or any of its agencies."

Still, the concerns that have been expressed cannot be ignored.

President Muhammadu Buhari's previous and latest round of appointments to federal office has drawn a great deal of criticism, especially across the southern half of Nigeria. The immediate cause of the disenchantment is the ethnic origins of the officials he named to the positions at issue. Their qualifications are not in dispute. But central to the issue in the news media and public discourse, the appointments have been described as "lopsided", as reflecting insensitivity to the plurality of the Nigerian state, and as having stirred up "outrage across Nigeria." Some have even gone to the incendiary length to characterizing Buhari as "President of Northern Nigeria." Nigerian presidency swiftly moved to calm

nerves as angry reaction trailed the August appointments of key kitchen staff of President Muhammadu Buhari.

The accusation which was especially from the Southern part of the country accused Buhari of “Northernisation agenda.” Social Media was also awash with the Northern Agenda of Buhari. So far, out of the 42 appointments made by the President, 35 are occupied by northerners and this has drawn some concerns. The President who hails from Katsina state, Northwest Nigeria, had appointed his long time political associate, Engr. David Lawal as Secretary to the Government of the Federation, SGF and former banker, Alhaji Abba Kyari as Chief of Staff. The new SGF hails from Hong Local Government Area of Adamawa State while the COS hails from Borno State in the Northeast of the country.

In the appointment which was announced by Femi Adesina, spokesperson to the President on media and publicity, the President also announced four other appointees- Col. Hammed Ali (rtd.) Comptroller-General of Nigeria Customs Service, Kure Martin Abeshi (Nassarawa, North Central) as Comptroller-General of the Nigerian Immigration Service; Senator Ita Enang (Akwa Ibom, South south ) as Senior Special Assistant to the President on National Assembly Matters on Senate and Hon. Suleiman Kawu (Kano, North West) as Senior Special Assistant to the President on National Assembly Matters (House of Representatives). Only one of the recent six appointees is from the Southern Nigeria, a fact which attracted instant criticisms and uproar across the country immediately the appointments were made public in a statement by Adesina.

Critics who backed up their criticisms with analysis of the appointments made by the President since he was sworn in argued that the August 27<sup>th</sup> series of appointments run against expectations that the President will select his Chief of Staff and Secretary to the Government of the Federation from either the South-south or the South east part of the country which are not yet represented at the top level of the executive branch of Federal Government. What his critics failed to understand is that the Chief of Staff reports directly to the President. His appointment belongs entirely in the President’s discretion. That is how it should be. The Presidency will function much better when President and the Chief of Staff share outlook and vision and have matching chemistry. The office of Secretary to the Federal Government has a larger purview and answers to a much larger audience. But here also, Nigerian presidents, going back to the Second Republic, have traditionally exercised discretionary power in selecting those whose devotion and loyalty they can more or less take for granted. The same goes for the President’s liaison officers with the Senate and the House of Representatives.

Of the six recent positions at issue, then, only two – the Comptrollers-general for the Customs and Immigration Services– fall outside the realm of presidential discretion. Appointment to these posts is subject to confirmation by the Senate. It is here that the case can perhaps be made that the President should have cast his net much wider in search of suitable appointees, of whom there is no shortage. Surely, it has been asked, if a worthy appointee could not have been found within its own ranks to lead the Customs, instead of recalling a military officer from retirement to lead the agency? As (Eme,et.al,2015) posited, over the decades, the Customs service has been notorious for setting ridiculously low revenue targets, and then congratulating itself on meeting and exceeding them. Desperate for enhanced revenues to cushion shrinking receipts from oil exports, the government seems to have decided, according to informed sources, that an outsider is better placed to lead the agency to answer to the new challenge(Dayo, et.al,2015).

Still, the concerns that have been expressed cannot be ignored. The President has been put on notice that his appointees will be closely scrutinized, and that he will be pressed to ensure that they fully and faithfully reflect the pluralistic makeup of the Nigerian State, especially in terms of ethnicity, religion and gender respectively. The remaining segments of the paper seek to address these issues.

### **Contextualizing Ethnic Balancing**

Constitutional-Integrative School anchored their thesis on the CDC document, 1979, 1989 and 1999 Constitutions (See Section 14 (3 to 4) of the 1999 Constitution. This view posits that these documents made provisions where no dominant entity should dominate of any state, ethnic group, religion or section in term of appointments recruitment and promotion. Discrimination school on the other hand argued that this policy is a design anchored on ideology to perpetuate the dominance of the minority elites and their exploitation, exclusion and oppression of the majority

As defined by the Constitution Drafting Committee (1976:22), the federal character principle is:

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 1979 Constitution amended the 1976 definition by dropping the passage in brackets and substituted a reference to “a sense of belonging to the nation as expressed in Section 14 (3) and (4) of the 1979 Constitution” Section 14 (3) clearly spelt out the modus operandi of the Federal Character principles as follows:

The composition of the government of the Federation or any of its agencies be carried out in such manner as to reflect the Federal Character of Nigeria and the need to promote national unity and also to command loyalty thereby ensuring that there shall be no predominance of persons from a few ethnic or other sectional groups in that government or any of its agencies (The Constitution of the Federal Republic of Nigeria, 1979).

Bello (2012) adds that in pursuant to this provision, various other provisions were made in the Constitution to guarantee that the federal character principle is operative. This various provisions enjoins that the conduct of the affairs of central, state and local government bodies shall be carried out in such manner as to recognize the diversity of the people within its areas of authority and the need to promote a sense of belonging and loyalty among all peoples of the federation. The implication of this provision, the 1979, 1989 and 1999 Constitutions for federal bureaucracy in Nigeria is interesting. Following composition of the federal public services for instance and the conduct of its affairs must reflect the federal character of Nigeria. And this can only be seen to have been done if it does not contain a predominance of persons from a few states or from a few ethnic or other sectional groups. In practice this means that in the appointment, promotion and postings of the federal public servants, every state, ethnic group religions or any other sectional group should be represented. Thus, the criterion of membership of the federal bureaucracy is heavily skewed in favor of representation.

Representation of states, ethnic or any other sectional group especially religious groups in the composition of federal bureaucracy has, thus, superseded recruitment on the basis of knowledge and technical qualification as determined through a competitive examination. The situation is not different when it comes to promotion and postings. There are instances where capable, long serving and loyal federal civil servants have been denied promotion, precisely because the quota for their states in these posts has been filled. Under such situations, one's erstwhile subordinates usually become one's superiors overnight. Postings of federal civil servants in some cases have followed the federal character principle. Every state would like to see its citizens in all the organs or agencies of the federal bureaucracy. Sometimes, this representation is seen in absolute numbers not just between states in the federation but also between the North and South as collectivities. In fact, the issue of representation based on the federal character principle has unwittingly degenerated into verbal and sometimes acrimonious exchanges between the North and the South of the country (Okoli, 1990).

Paradoxically, the federal character principle has succeeded in institutionalizing North-South dichotomy rather than integrating it. To those from the Northern parts of the country federal character is synonymous with quota system and means therefore a proportional absorption into federal institutions. To those from the Southern parts of the country, it means an attempt by the “North” to infiltrate into areas which they hitherto regarded as “theirs” by right ( Suberu, 2001 & Dagaci,2009). The federal character principle carried an inherent tug-of war between the claims of belonging to the nation and the claims of locally recognized diversity. It is the insisting on equal representation and individual rights that will rock the boat of national integration. If we are to accept the intent of the concept that it carries an unambiguous and unchallengeable mandate for national integration, then the present provision has to be completely reexamined. (Okoli, 1990:5).

The Federal Government (1986) tried to resolve the problems created by the constitutional provision of federal character in the polity. The Report of the Political Bureau had argued thus, the constitutional definition of Nigerian citizenship should, as a matter of urgency, be studied with a view to removing the difficulties and anomaly arising from the interpretation of the relevant Sections of the 1979

Constitution. As Ayoade (1998) rightly observed, going by the constitutional definition of Nigerian citizenship, a dangerous dichotomy has developed between Nigerian citizenship and nativity of a state similar to the situation in the colonial period when Nigerians living outside their states of origin were regarded as native foreigners. He noted that this category of Nigerians did not enjoy full citizenship rights in those states to which they migrated.

Thus the operationalization of the federal character principle tended more to differentiate and discriminate rather than to integrate the populace.

That the principle of federal character tended to differentiate rather than integrate is not by accident, it is by design. This position supported Heineken (1984), Olugbemi (1987) and Suberu and Diamond (2004:27) when they implied that federal character as defined and pursued by the 1979, 1989 and 1999 Constitutions cannot succeed in integrating the people because it was an ideology of the minority ruling class aimed at protecting their interest. According to them, the doctrine holds a lot in stock for the economically dominant class to the exclusion of the masses from the political process in the country. Firstly, it helps to divert attention from the internal economy where the mass of the people wallops in abject material want. Second, it helps to legitimize the dominant and exploiting class position in the society. Thirdly, it helps to prevent mass mobilization for development and by implication contributes in no small measure in maintaining an oppressive social order. The various components of the petty bourgeoisies namely the top echelon of the armed forces, civil service, politicians and business people compete amongst themselves for the share of the state property and privileges. As Olugbemi, (1987:84; Otite, 1990:112 & Ojo, 2006:122) observed:

It is this intra-class factionalism within the economically dominant class over the state resources that the federal character as it is, attempts to give cover. In other words federal character by and large serves the economically dominant class that controls the state. This it does by giving explicit recognition to the essentially composite nature of the federation and provides ambiguous recipe for welding the federation into one (Bello,2012:9).

Supporting the above thesis, the federal civil service as a foremost institution, obviously, designed to be a model of the federal character principle and a torch bearer in the application of the principle is gradually becoming one of the worst culprits of the misdemeanor. Recent happenings in the Commission show this. Perhaps, the first-hand experience of the growing anomalies in the FCSC for most Nigerians was the recent appointment of directors in disrespect of a former President Jonathan presidential waiver for some disadvantaged states. The Head of Service of the Federation had in March 2014 written the Presidency to request a “waiver for the transfer of indigenes from disadvantaged states of Bayelsa, Ebonyi and the FCT to the mainstream federal civil service as directors.” This was sequel to an observed lack of directors on Salary Grade Level 17 from the two states and the Federal Capital Territory.

According to the memo to the Presidency, dated March 28, 2013 and signed by the Head of Service of the Federation, Bukar Aji, the current policy for the appointment of federal permanent secretaries is for all states of the federation to be represented in the body of federal permanent secretaries in line with constitutional provision. Section 299 of the Constitution of the Federal Republic of Nigeria also allows the Federal Capital Territory to be treated as if it were a state of the federation in some aspects of the nation’s activities. *“At the moment, however, the FCT is not represented in the body of federal permanent secretaries (Obia,2014:17).”*

The memo also stated,

The position of a federal permanent secretary is open to all officers in the mainstream federal civil service who have attained the rank of substantive Directors Salary Grade Level 17. Returns from MDAs for the filling of vacancies in the recent past have however revealed that Bayelsa, Ebonyi and FCT do not have officers who are substantive directors in the mainstream federal civil service to represent their states or geopolitical zone (Obia,2014:17).

The memo had sought the appointment of five directors each from Bayelsa and Ebonyi states, and two directors from the FCT. But when the appointments were to be made, candidates from three other states – Ondo, Ekiti, and Oyo – that were not part of the disadvantaged states covered by the presidential waiver, were included. They were subsequently appointed as directors, in clear disregard of the presidential directive, giving undue advantage to some states. At the time of the presidential waiver, records from the

FCSC showed that Ondo State had 14 directors, while Oyo and Ekiti states had 10 directors each. In contrast, Jigawa State had two directors, Sokoto State had four, Rivers State had six, Akwa Ibom and Zamfara states had seven each, Bauchi and Kebbi state had eight each, and Nasarawa and Plateau states had nine directors each. Besides, some officers were appointed to positions they did not merit. Of the 15 directors appointed, eight were believed not to have met the requisite requirements as provided by the Scheme of Service, Federal Civil Service Commission Guidelines on Appointment, Promotion and Discipline; Public Service Rules, and Establishment Circular.

The FCSC guidelines states, *“Serving officers accepted on transfer into the federal civil service from state governments and other government agencies shall be placed on the post they would have attained by normal promotion, as provided in the schemes of their cadres, if they had joined the federal civil service in the first instance.”*(Obia,2014:17). Yet, in the appointment of the directors, junior officers were placed above their seniors. In some of the cases captured in documents obtained from FCSC, officers who by normal progression should attain the position of director between 2015 and 2028 were made directors in December 2014.

Recently, more than 100 officers were alleged to have been recruited without consultation with the commissioners and without adherence to the principle of federal character. Other alleged infractions include recruitment into ministries and medical officers and allied staff for the Presidential Villa last year without geographical spread; lop-sidedness and over establishment in recruitment into the foreign affairs ministry last year; over establishment and lack of federal character in the 2012/2013 recruitment of auditors; and inter-service transfers into the federal civil service against existing circulars by the chairman. There is also a near-complete disregard of the minutes of the commission’s meetings, lop-sidedness in the assignment of supervisory functions of commissioners to key ministries like works, agriculture, health, education, and defence, etc., and non-assignment of ministries for oversight to the new commissioner for Imo/Abia since his resumption of duties.

The federal character principle is, arguably, one of the most controversial provisions of the Nigerian Constitution since 1979. It has been described in both savoury and unsavoury terms. Lagos-based lawyer Fred Agbaje believes the concept of federal character is the bane of Nigeria’s development, as it often encourages discrimination against qualified persons on the basis of their origins. Agbaje says,

It is just ironic that such a nebulous, retrogressive concept that does not add value to the growth of Nigeria, but rather has been the bane of development in this country, could find its way into our constitution. Any foreigner that picks up our Constitution and sees those kinds of retrogressive clauses would just frown on our cerebral disposition. But there are also many who feel that the principle of federal character is needed to protect the minorities against the domineering tendencies of the majority groups (Obia,2014:17).

In reality, however, for Nigeria as presently constituted, the concept of federal character seems to be one of the greatest tests of the country’s ability to accommodate and safeguard its diverse peoples against domination. Ironically, the country appears to be experiencing a terrible failure of this test under the current dispensation for instance, at the FCSC, a key institution established to be society’s bulwark against inequity. Many believe the arbitrariness in the commission has been allowed to run riot for too long. There are concern that if nothing is done urgently to stop the anomalies, they may give rise to a wider malaise in the country as they begin to have a life of their own. This situation is, certainly, fraught with unimaginable danger for the whole country. The same conclusion is equally itself out in the present Buhari appointments.

### **Theoretical framework of Analysis**

John Burton's work is of immense significance in the field of Human Needs Model. He argued that when an individual or group is denied its fundamental need for identity, security, recognition or equal participation within the society, protracted conflict is inevitable. Human Needs Theory (HNT) was developed in the 1970s and 1980s as a generic theory of human behaviour. It is based on the hypothesis that humans have basic *needs* that have to be met in order to maintain stable societies. As John Burton describes:

We believe that the human participants in conflict situations are compulsively struggling in their respective institutional environments at all social levels to satisfy primordial and universal needs - needs such as security, identity, recognition, and development. They strive increasingly to gain the control of their environment that is necessary to ensure the satisfaction of these needs. This struggle cannot be curbed; it is primordial (Burton,1991:8).

This struggle for primordial needs is theoretically related to the Frustration-Aggression theory which is based on the stimulus-response hypothesis. The frustration of not satisfying these needs leads to aggression and subsequently, conflict. What distinguishes Human Needs theory from the Frustration-Aggression theory is that the former is concerned only with absolute requirements (needs) while the later is also concerned with wants and desires. As Burton (1991:5) further stated:

Now we know that there are fundamental universal values or human needs that must be met if societies are to be stable. That this is so thereby provides a non-ideological basis for the establishment of institutions and policies. Unless identity needs are met in multi-ethnic societies, unless in every social system there is distributive justice, a sense of control and prospects for the pursuit of all other human societal developmental needs, instability and conflict are inevitable.

The significance of this theory is that it recognizes and legitimizes both Igbos, Yorubas, Hausas, Ijaws, Okuns, Ibibio and other groups and Christians, Traditionalists and Evangelical Christians *needs* in Nigeria. The needs of these entities must be met, not the needs of one at the expense of the other. This helps to move the conflict from zero-sum to win-win. The abstraction of 'human needs' helps to eliminate the sense of mutually exclusive goals. Rather than fighting over the constitutional future of the appointments, with the mutually exclusive goals of maintenance of the union or unification with the Republic, the situation shifts to one in which communities seek to fulfill their needs such as security, identity, recognition and development. These needs are not satisfied at the expense of the other community, but are realized along with the other community's needs. These needs are not mutually exclusive or gained at the expense of another; they are universal.

There are bold assumptions in this theory. As Cunningham Jr. (1998:12) posited,

This struggle cannot be curbed . . . instability and conflict are inevitable", these are contentious statements with far reaching implications. If the hypotheses of this theory are correct, if there are certain human needs that are required for human development and social stability, than the solution to conflict must be the ability to create an environment in which these needs can be met by all segments of societies.

To resolve such conflict, it is essential that needs that are threatened be identified and subsequently restructuring of relationships or the social system take place in a way that needs of all individuals and groups are accommodated. For instance, this model can be useful in the case of Nigeria where there are restraints on appointments and participation of the South (East, West & South-south) citizens in political life under President Buhari.

As Horowitz (1985:8) posited:

In severely divided societies, ethnicity finds its way into a myriad of issues: development plans, educational controversies, trade union affairs, land policy, business policy, tax policy. Characteristically, issues that would elsewhere be relegated to the category of routine administration assume a central place on the political agenda of ethnically divided societies.

This is certainly the case in Nigeria, where every public issue becomes a focus of ethno-national conflict. Before the troubles began the key issues were senior military and ministerial positions, job discrimination and political gerrymandering. As the conflict intensified, these issues all became entangled within the wider ethno-national conflict. This is one of the features that make that conflict so complex and enduring. It permeates the very fabric of society.

By accepting the assumptions and hypotheses of the Human Needs Theory, Burton suggests that there is a need for a paradigm shift away from power politics and towards the 'reality of individual power'(1991:20). In other words, individuals, as members of their identity groups, will strive for their needs within their environment. If they are prevented from this pursuit by elites, other identity groups,

institutions and other forms of authority, there will *inevitably* be conflict. The only solution is for the groups to work out their problems in an analytical way, supported by third parties who act as facilitators and *not* authorities. This is particularly relevant when the conflict is over *needs* which cannot be bargained and not material interests, which can be negotiated and compromised.

As Awa (1972), Agbaje (1989), and Gboyega, (1989) have argued, the federal character principle has been manipulated by, and channeled to serve the overall interest of the petty bourgeois ruling class. It is the members of this class who formulated and operates the principle. Even the debate on the principle, as carried in the Nigerian press has been mainly an elite preoccupation. Under the guise of the federal character principle, the members of the bourgeois class get themselves entrenched in power and exercise control over the machinery of state. Through the application of this principle too, they strive to reconcile their class differences through the operation of acceptable formulae for the allocation, distribution and sharing of national resources and benefits among themselves. While they do this, they capitalize on, and fan the embers of the ethnic differences among the various Nigerian peoples to win the support of the masses in their areas. And in the course of this elite game, members of this class climb to positions, amass wealth and enrich themselves illegally. Thus, the federal character principle is merely an elite ploy, which would not materially improve the lot of the downtrodden in whose name it is raised (Bello, 2012:11).

Similarly, the operation of the federal character in Nigeria has given more powers to the politically superior groups thus creating a wider power disparity between the strong and the weak. The politically weak are subjected to double jeopardy, a situation that is patently antithetical to national integration. This situation is a natural consequence of the hegemonies ethnic political scheming (Bello, 2012:11). Secondly, it confirms the Augustian position, that the Constitution cannot be enforced against the power that interprets it because Constitutions are essentially morality, not law. But in a politicized plural society like Nigeria, morality is not a consensual value. If anything, in such environments morality is a strategic variable (Ayode, 1998: 67; Jega, 2007 & Bello, 2012).

Thus, as long as the application of the federal character principle discriminates against one group and favors another no unity can result from such an exercise. The application is also falsifiable because distributive justice which aimed to achieve two types of equality, viz: Arithmetical equality and Proportional equality. Simple arithmetical equality has been applied where the equality of all states is assumed. But states are not equal in two main senses. They are not equal in population and they are not equal in the size of the pool of eligible candidates for appointment. Be that as it may, there is no greater inequality than the equal treatment of un-equals. Proportional equality would therefore be more just and less discriminatory than arithmetical equality (Ayoade, 1982 & Akinwumi, 2005). These have implications for diversity as the next segment of the paper will show.

### **Buhari's Appointments: between Affirmative Action & Good Governance Debate**

The outrage over the appointments made by President Muhammadu Buhari has continued to generate ripples with more Nigerians accusing the President of being ethnically biased. Even though, many who spoke in the social media and in the printed and electronic media were not surprised about the development, there was an apparent consensus that the appointments did not reflect Nigeria's ethnic diversity. To aid analysis, we are going put the debate within a framework.

In view of this, two contending perspectives have emerged: the Affirmative Action & Good Governance perspectives. Affirmative action or positive discrimination (known as employment equity in [Canada](#), [reservation](#) in [India](#), and positive action in the United Kingdom) is the policy of providing special opportunities for, and favoring members of, a disadvantaged group who suffer from [discrimination](#) (*The Free Dictionary*, 2014, *Oxford Dictionaries*, 2014 and *Oxford Dictionaries*, 2014). The nature of positive discrimination policies varies from region to region. Some countries, such as [India](#), use a quota system, whereby a certain percentage of jobs or school vacancies must be set aside for members of a certain group. In some other regions, specific quotas do not exist; instead, members of minorities are given preference in selection processes. This view perspective plays much emphasis on gender and youth issues. Those who are supportive this view posits that the appointments so far made are against are lopsided because of the non-implementation of the 35 percent affirmative action on women representation. Related to this is the non-representation of the youth. Dismissing this view, the affirmative thesis is prone to petitions and insensitive to the gender question because of indigence ideas.

Affirmative action is intended to promote the opportunities of defined minority groups within a society to give them equal access to that of the privileged majority population (Wikipedia, 2014). The stated justification for affirmative action by its proponents is that it helps to compensate for past discrimination, persecution or [exploitation](#) by the ruling class of a culture, and to address existing discrimination (Wikipedia, 2014).

In many Western countries, affirmative action tends to be implemented in the spheres of employment and education. In Africa, affirmative action is more likely to be used in the political arena. In Nigeria, affirmative action is most often discussed in the form of quota, representative bureaucracy, ethnic balancing and federal character principle, women, ethno-religious groups in education, politics and public office.

The application of Federal Character principle in the public sphere has attracted negative comments from scholars pointing to the fact that it erodes the principle of merit in employment and appointments which is the hub of effective service delivery. The merit principle is compromised for equity in distribution. Speaking on the issue, Ekeh (1989) described the application of Representative Bureaucracy to the public services, as most radical and damaging. He posited that the application of the principle had invaded the integrity and standards of public bureaucracy and other governmental bodies that normally should be shielded from the ravages of politics. In a reaction to the application of the principle, Adamolekun (2007) queried whether the area or ethnic region of an individual has become the key factor in determining the quality of the individual. These theses are fundamental since they are only quality, which is achieved through meritocracy in the employment process that can ensure high productivity and optimal service delivery for sustainable development. As Forrest (1993) also argued that the application of the Federal Character principle in the public service not only led to poor appointments but also enhanced mediocrity rather than merit.

For Eme, et.al,(2014), the term ‘affirmative action’ is given to any measure intended to introduce greater fairness and equality for disadvantaged or marginalized groups in society. The practice of affirmative action is often used to address the inequalities arising among groups as a result of historical injustices and disadvantage. These may arise out of unequal gender relations and/or divisions on the basis of ethnicity, region, and religion, race and so on. Affirmative action takes a variety of forms. They may include policies concerning recruitment, training, and education as well as the use of mechanisms for increasing access to public office and politics.

It was in reaction to this perceived discriminatory slant in Buhari’s appointment of some of his staff that southern political leaders, under the aegis of the Southern Nigeria People’s Assembly (SNPA), shouted in a very loud and unmistakable voice over what they described as selective and discriminatory appointments. The leaders drawn from all the three geo political zones in the southern part of the country, after its convention in Akure, Ondo State capital, strongly criticized this unwarranted patronage by the President of a section of the country at the expense of others.

Critics who backed up their criticisms with analysis of the appointments made by the President since he was sworn- in argued that the August 27’s series of appointments run against expectations that the President will select his Chief of Staff and SGF from either the South-south or the South east part of the country which are not yet represented at the top level of the executive branch of Federal Government. Details tabulated August 27 appointments by *PREMIUM TIMES* show that Mr. Buhari has appointed by far more officials from Nigeria’s northern region where he comes from, in violation of federal character principle.

Under the Third Schedule of the 1999 Constitution, the government must ensure “the principles of proportional sharing of all bureaucratic, economic, media and political posts at all levels of government”. The posts referred to include those of the Permanent Secretaries, Directors-General in Extra-Ministerial Departments and parastatals, Directors in Ministries and Extra-Ministerial Departments, senior military officers, senior diplomatic posts and managerial cadres in the Federal and State parastatals, bodies, agencies and institutions. *PREMIUM TIMES* chart shows that only 25 per cent of the president’s appointments are from the south while an overwhelming 75 per cent are the north. Also, Mr. Buhari’s North West geopolitical zone has the largest share of 43 per cent, while the South East for instance, has no appointee.



The appointments have sparked anger across the land, with some critics now referring to Mr. Buhari as Nigeria's most provincial leader ever. The current hysteria over President Muhammadu Buahri's skewed appointments, which has favoured the North, did not begin now. Indeed, it was in June this year, when some Yoruba elders earlier raised the alarm over the anomaly and pending tendencies. The leaders reportedly had bitten their fingers in regret for voting Mr. President, who in their view turned the other way when lawmakers from both chambers of the National Assembly elected the Senate President and Speaker of the House of Representatives without recourse to candidates from other regions South of the country.

As it were, the South-West zone was angry with the President, as the party leader, for tolerating the outcome of National Assembly leadership election, which did not favour the zone. "For the fact that the South-West played a key role in the emergence of Buhari as the President, it is expected that they would occupy a more strategic position than the post of Vice President", said one of the leaders. They had also argued that the election of the National Assembly leadership, which eventually placed the North Central and North-East geopolitical zones at a vantage point through the emergence of Bukola Saraki, as Senate President and Speaker, House of Reps, Yakubu Dogara, presented the North as a strong political bloc. On the other hand, it presented the South-West, in particular and South-South, South-East in general, as a weak power bloc in the equation. With the power structure now, they noted that the South-West had been relegated to the background in the power structure of the country.

With the list, it is clear that those who will form the heart of this administration are northerners. They, therefore note with utmost concern the attendant outcry, which is not different from previous lamentations of the South-West leaders. So far, pressure groups, individuals, even former President Olusegun Obasanjo has reacted to the lopsided appointments. Similarly, the youth wing of Ohanaeze Ndigbo, the apex socio-cultural organisation of the Igbo people, expressed its "deep anger" in a statement jointly signed by its President, Mazi Okechukwu Isiguzoro and National Public Relations Officer, Hon. Obinna Adibe. The group said the appointments has sent strong signals that with his ethnic agenda, Buhari was "not ready to accommodate Ndigbo in his government (as) none of the positions came the way of the South-East region.

On his part, constitutional cum human rights lawyer, Mr. Ebun Adegboruwa, condemned the appointments as insensitive and wrong to concentrate appointments into sensitive positions in the country in the North. Adegboruwa said,

In recent times, the President, Maj-Gen Muhammadu Buhari, has announced certain appointments, to some very sensitive positions, without any regard for the unity and progress of the nation... Virtually all major positions in the country, from the President, to the National Assembly, the judiciary, the financial sector, the armed forces, etc, are mostly occupied by candidates from the northern part of the country, in total disregard of the provisions of the Constitution. We see Mr. President's action as an infraction on the collective will of the people and a clear violation of good conscience. We also note the disservice done to the South-South zone particularly in the present appointment of a new head of customs and it shows how the people will again be marginalised and play second fiddle in the affairs of the nation ( Ndubuisi,2015:8).

In this instance Buhari's ally, former President Olusegun Obasabjo knocked his confidant hard. Obasanjo is said to be visibly angry that President Buhari did not appoint a professional and insists on the reversal of the appointment of Col. Ali. The former President who reportedly expressed his reservation over the uneven appointments said that a core professional should head the Customs Service. Ohaneze Youth Council, a socio-political group representing the people of South East Nigeria said in its reaction to the appointment in a statement signed by its President, Mazi Okechukwu Isiguzoro, and the group's National Public Relations Officer, Hon. Obinna Adibe posited thus, "*We stand to condemn this glaring hatred for Ndigbo by the administration of President Muhammadu Buhari. We recall that apart from several other appointments, Buhari's government has also appointed Service Chiefs and in a similar manner, he sidelined the South-East zone*"(Sun Editorial,2015:17).

The group which added that the appointments were totally unacceptable to Ndigbo as they were made in violation of the principle of federal character, which is enshrined in the Nigerian constitution also lamented that the expectations that someone from their part of the country will be appointed as the SGF was dashed. The group adds:

As if that was not enough, the long-awaited position of the Secretary to the Government of the Federation, SGF, has come at last and this government deemed nobody from the South-East qualified enough to occupy that position, which was earlier zoned to Ndigbo. We are indeed shocked by this turn of events, which are totally at variance with Mr. President's earlier stand that he was for nobody but that he was for everybody (New Telegraph Editorial, 2015, 18).

While other groups and individuals from the South east had spoken in similar manner, the criticisms of the appointments have not been limited to that part of the country. Farooq Kperogi, a Northerner and a University teacher based in the United States of America noted for instance that of the 36 appointments the President has made so far, 27 are from the north and only 9 are from the south. The University teacher added:

There are competent and credible people in every part of Nigeria if Buhari looks hard enough. Buhari may well pleasantly disappoint some of us his early critics after all his appointments have been made, but he is inflicting needless self-injury on himself to allow his administration to be defined as regionalist this early (Punch Editorial, 2015:17).

Professor Akin Oyeboode, a constitutional lawyer, has also warned the President that he risked being accused of trying to foist northern hegemony on the country if he continues to make appointments which are clearly in favours of the Northern part of the country as he is presently doing. The Professor of Law who spoke on a television programme said while he recognized that the president has the prerogative to appoint whoever he feels comfortable with, the country's constitution makes a case for federal character principle to be a determinant in making appointments. The Peoples Democratic Party, PDP, in its reaction, said the appointments should not be greeted with enthusiasm, saying that it is more concerned about the delivering of good governance. In a text message to *Vanguard*, the party's Publicity Secretary, Mr. Olisa Metuh, said:

The PDP has no official response to the president's style and choice of appointees. We are more concerned with the inactivity in governance and economic matters. On account of lack of ideas, this government is orchestrating drama in delayed appointments and selective witch-hunt on anti-corruption. ([Ogunseye](#), 2015:23)

Similarly, a former Minister of Aviation, Chief Femi Fani-Kayode on his Facebook page, said Nigerians are already witnessing the consequences of his pre-election warning of not voting for the All Progressives Congress, APC. He said:

Nigerians wanted change and now we have got it. No one should complain because this is what our people wanted. Those of us who warned the country that this would happen were insulted and lampooned. Now we have to live with the consequences of our choice for the next four years. Welcome to the new Nigeria. Welcome to change (Oketola, 2015:12).

Also reacting, former Minister of Transport, Chief Ebenezer Babatope said: *“Democracy to Buhari is government of the Northerners by the Northerners and for the Northerners. God bless Nigeria* (Oketola, 2015:12). Senator Enyinnaya Abaribe, stressed that no one should be surprised at the appointments because the President had allegedly pledged to give priority to those, who voted for him. He said:

No one should be surprised over what is happening or the shape of the political appointments made by President Muhammadu Buhari. To be fair to him, the President said during his recent state visit to the United States of America, that he will reward those who voted for him. Again, it could be the style of the ruling All Progressive Congress (APC). That is to say, that the party has chosen as a style, to run a government that encourages alienation of a sizeable portion of its people, as well as one that promotes exclusivity. Every political party has its style, like the Peoples Democratic Party (PDP) that adopted its own style of running an inclusive national government, which reflected the true character and national outlook of the Nigerian people. PDP's style was inclusive not minding the voting pattern of any section of the country or where its support base was derived. For any party, there should not be any political barrier or alienation of any constituent part, because after elections the President is the President and father of all Nigerians irrespective of political leaning. My hunch is that the appointments so far, which has surreptitiously thrown up the prevailing circumstance, has failed to encourage our people's hunger and quest to build a nation state out of a heterogeneous Nigeria. The appointments as it were do not also

support the effort to weave a more cohesive country that would metamorphose into a nation where unity and love will prevail. The founding fathers of our nation had this in mind when the notion of “Federal Character” was inscribed in the constitution and a commission created for that purpose. That a President of elder statesman status would willfully breach this fiber that holds this country together is highly regrettable. My take is that, it is a ‘Buhari country’, it is the reality, so he can play around with his choice as his mind and conscience directs him. After all he did not win election in the South East and South-South and yet he became President, therefore, the South should be orphaned for not voting for him. Perhaps that is the stark reality that the people of the South in Nigeria should face. There is an idiom in Igbo language that says: “20 years or more is not eternity”. The Buhari government will also come to an end one day. Nonetheless, it could have been good and politically expedient if President Buhari sees himself as President of Nigeria, which is the hallmark of a statesman and not that of President of a section of the country. (Oketola, 2015:12).

The President-General of Ohanaeze Ndigbo, Chief Gary Enwo-Igariwey, asked the President to respect the principle of federal character in his appointments. Enwo-Igariwey said,

We expect the President to recognise other nationalities that make up Nigeria. Elections are over, it is time for governance. We expect that the principle of federal character, which is constitutional, should be respected. It is important that in making his appointments, the President should recognise that there are six geo-political zones in the country and it is imperative that he carries all of them along in the spirit of nation building and as a statesman (Obioha,2015:9).

In a telephone interview with *PREMIUM TIMES*, a former governor of Anambra State, Chukwuemeka Ezeife, slammed the president for not considering an Igbo for any political appointment so far. According to him, “*I don’t understand what is going on. It appears Buhari has some messages for various people. I don’t know what to say. If it (appointment) is only for the North, it is okay(Akinwumi,2015:8)*”. Yinka Odumakin, the spokesperson of Afenifere, a Yoruba socio-cultural group, said Mr. Buhari’s action poses grave danger to Nigeria. Mr. Odumakin, who was once Mr. Buhari’s spokesperson, told *PREMIUM TIMES* that, “*It is not healthy for a plural society,” “There are competent people across the nation. When you do this there can’t be a balance. We need constructive surgery, not bulldozing” (Akinwumi,2015:8)*.”

The second thesis which is the Good governance approach revolves around meritocracy, integrity and transparency in appointments. Grindle (2010) described it as referring to a ‘list of admirable characteristics of how government ought to be carried out’, implying the notion that ‘good governance is a positive feature of political systems and that bad governance is a problem that countries need to overcome’. Michael Johnston defined it as the ‘legitimate, accountable, and effective ways of obtaining and using public power and resources in the pursuit of widely accepted social goals’ (Johnston, 2006). Good governance encompasses different ideals. International donor agencies regard it as a prerequisite for sustainable economic development. For instance, the World Bank considers accountability and transparency, efficiency in how the public sector works, rule of law, and ordered interactions in politics as the key components of good governance (Grindle, 2010: 4-5). And the UNDP considers participation, transparency, accountability, effectiveness, and equity as its most important characteristics. Others include evocative ideas such as justice, fairness, decency and efficiency. In fact, it has become a common hallmark embedded in many countries’ development plans. Good governance sets the normative standards of development. It fosters participation, ensures transparency, demands accountability, promotes efficiency, and upholds the rule of law in economic, political and administrative institutions and processes.

We are one of those who believe that if Nigeria under Buhari have well tested and proven, principled leaders in place, the force of personal example alone is enough to provoke huge levels of positive change in every facet of national life including the cancer called corruption, mediocrity and poor developmental initiatives. This is why his style of his appointments and the interest methodology has generated a lot of a lot of inputs. This is because the time invested in planning and sorting of issues can never be seen can never been seen as a wasted venture. The screening brought out the quality in his expected team. This exercise saw qualities of great minds in abundance. This approach played down pettiness and frivolities often occasioned by partisanship. The core and task of leadership recruitment in a democratic polity begins from the family, community, state and then at the national level. This is what the presidency did.

The new process set by Buhari is good, he picked his team by himself and we are sure that the process was largely devoid of old corrupting influences we know about, it may be painful to some but we have to

support and encourage it. If the political parties promote internal democracy, the security agencies and the legislative assemblies do their jobs by digging deep and coming up with detailed research findings and the populace learns what they want, making sacrifices the outcome would be a good omen for the polity.

This perspective posits that the team is a good one. People appointed are eminently qualified to serve the nation. Most of them are well known to the populace and they are performers, dedicated, competent, diligent, and hardworking and have good credentials. Critics to his appointments argued that Buhari can not be claiming to be fighting corruption, and yet to be found romancing questionable characters, people that have questions hanging on their necks. Although there are some of them who are having allegations of corruption hanging on them, since no court of law has pronounced them guilty, they should start working with the presidency as soon as the Senate confirms their nomination. Supporting this view, the Senate recently came out with some conditions which include proof of assets declaration.

From this distance, it is difficult to see any appointee or nominee that could be linked directly to one godfather or some other influence peddler. Largely, Buhari has more or less rewarded allies from his previous political sojourns who have remained steadfast, shared his visions, agonies, frustrations and betrayals. This is also some kind of change, of Buhari not being a fair-weather friend.

Now, we will not join the youths and women in any lamentation here. If these groups know what is good for them, it is high time they upped their game and proceeded from blackmail advocacy to taking charge. Put together, they are far from politicking and less active in political participation. In terms of population, they are far most useful; their demography is high but most marginalized because they failed to do the most obvious.

However, regardless of the origin and the politics inherent in the concept, it is clear that an effective and efficient system of public administration can only flourish in an atmosphere of openness, transparency and accountability. Decision making and implementation of government policies may continue without them but such a system will certainly lack credibility and can hardly guarantee fairness. The basic foundation for good governance is what came to be called the *rule of law*. Buhari has clearly shown that he is a stickler for integrity, honesty, performance and merit. Meritocracy, according to Wikipedia, is a political philosophy which holds that power should be vested in individuals almost exclusively according to merit. The concept of Meritocracy spread from China to British India during the seventeenth century, and then into continental Europe and the United States. Intellectuals in the West quickly identified the power of Meritocracy as an alternative to the traditional ancient regime of Europe. With Meritocracy, government jobs and positions are awarded on the basis of merit through competitive exams, instead of ties to politicians or political affiliation. Unfortunately, many talented Nigerians have been excluded from making maximum contributions to the growth and development of our nation due to our failure as a nation to adopt this philosophy. By his deed, Buhari is putting an end to an era where you can only serve the nation if you have a political or administrative godfather. Buhari has given the dream a face that Nigeria would someday in the foreseeable future become an egalitarian society where the privileged few will no longer hold the country to ransom by the jugular with their primitive, obstinate and bestial usurpation of the nation's commonwealth.

Many Nigerians are now nursing the dream that perhaps their beloved country will now turn to a society where anyone, irrespective of the circumstance of his or her birth as a pauper, peasant, prince or princess can hope to aspire to the highest echelon in his chosen career based on the content of his/her character and depth of his/her intelligence. In a move aimed at calming angry nerves, Adesina said on a radio programme recently posited that the President will make amends by the time he appoints ministers in September as he is aware of the federal character principle. The Presidential spokesperson who argued that those appointed into various offices so far were selected on merit, added that it would be unfair for the President to be blamed for positions that were filled as a result of elections, like those of the National Assembly and appointments made as a result of seniority like those of the acting Chairman of the Independent Electoral Commission and that of the Chief Justice of Nigeria.

Adesina said, "By the time more appointments are made, it will balance out. The President is trying to get the very best of Nigerians. The issue of key positions and no key positions should not be the issue. He gave a deadline of September for the appointment of ministers and he will keep to it" (Umoru & Asomba, 2015:17).

The immediate past Senate Majority Leader, Senator Victor Ndoma- Egba, who hailed the appointments, said this is not the first time someone outside the Customs was chosen to head the agency. Ndoma – Egba said: *“They are competent with proven integrity. It will not be the first time someone will be appointed from outside to head Customs. Dr. Bello Haliru Mohammed, current acting Chairman of the PDP Board of Trustees, BoT was appointed to head Customs from outside.”* The Deputy Minority Leader of the Senate, Senator Emmanuel Bwacha, said: *“The President has his reason, that’s all I can say.”* (Obioha, 2015:32)

A human rights lawyer, Festus Keyamo, has criticized the uproar that greeted the recent government appointments made by President Muhammadu Buhari. In a statement he posted recently, Mr. Keyamo said majority of Nigerians are only interested in good governance and not the ethnic origin of a government appointee. The so-called ‘uproar’ over the perceived ‘lopsided’ appointments made so far by President Buhari are nothing but an orchestrated frustration of a few jobless politicians who depend only on government appointments as their means of livelihood and, of course, the noise of the latest opposition party in town. Mr. Keyamo said the decade-long general division of government positions into ‘juicy’ and ‘non-juicy’ is worrisome, adding that the mentality that the ‘juicy’ positions must be shared equally among the major ethnic groups was a contraption of the old order.

“To my mind, all government appointments pose an equal challenge to those appointed as a call to higher service of fatherland,” Mr. Keyamo said:

All public positions come with an equal responsibility to be honest, forthright and dedicated. To go further to classify them as ‘juicy’ or ‘non-juicy’ is just a euphemism for positions that have enough money from which to steal and those that ‘dry’. Therefore, any agitation from a section of the country to get ‘juicy’ positions is only an agitation for their kinsmen to be appointed to steal enough from which they would benefit (Umoru & Asomba, 2015:17).

Mr. Keyamo condemned the uproar that greeted the appointments, saying that all sections of the country should be happy with whatever position the president deems fit to offer their kinsmen. This is because the President still has a long way to go with appointments. He has not even filled up to five percent of available positions.

## **Recommendations**

For Nigeria to achieve desired integration there is the need to reduce the individual’s ties with intermediate structure by strengthening his or her ties with the larger and more diffused cosmopolitan urban and industrial network of groups. This shift in relationship can only be achieved if the individual is given greater opportunities in a more flexible society and larger share in the distribution of resources in terms of education, appointments and a variety of services offered by the national government. The urban population has not broken ties with their rural community because they need to return to it for support in time of need. It is this entity that tends to take up the fight of the individual, a task that is supposed to be that of the centre if integration is to be achieved. Therefore the government should now think less of Federal Character in terms of sharing of the ‘National Cake’ and more in terms of atomizing the individual. This will involve tearing him from his traditional enclaves thereby isolating him from all except his immediate family and left to find his way alone among the large and impersonal public and private organizations that will provide him with opportunities and social welfare.

It is important that the diverse elements which make up Nigeria be recognized but this recognition should not be to the disadvantage and exploitation of the individual. The populace should be evolved through conscious political education, aimed at their understanding of the country’s goal. A nation that is strapped with ignorance and illiteracy cannot actualize its potentials. Nation-building calls for repeated sacrifice over a considerable period of time by a patriotic people. Such high patriotism is not attainable where the people are either ignorant of goals or are confused on the correct approach to these goals or find it impossible to identify with the goals. Nation-building should now be differentiated from the nationalism of the “Any Government in Power harlots”. It should depend on the power of the masses as its main driving force.

Nationalism in Nigeria should no longer be conceived and directed as a right of the privileged in the society or else it will not be able to translate the diffuse and unorganized sentiments into a spirit of citizenship. To integrate the society, there should be national arrangement, informed by the popular will. Such arrangement will stimulate national cohesion and self reliance. Again, we contend that all that the Federal Character can achieve for this country is to strengthen the territorial integration. Indeed it cannot champion the subjective feeling of the people to new Nigeria, because the people cannot actually appreciate the role of the state when intermediary structures have to mediate for them. And it is in this fact that lay the dangers of integration. An individual or group failing in their competition with others will always be reduced to the narrow perspective of ethnicity.

Besides, there are no conscious efforts by the various segments of the country to eliminate non-indigenes from the affairs of the segments. Yet the Constitution guarantees that no Nigerian shall have cause to feel aggrieved or excluded on the grounds of his place of origin, sex, religion or ethnic grouping by the section 202 (b) and (c). The Federal Character as it is a doctrine of the emancipated educated elite, in the civil service, armed forces, and business circle. It has little relevance to the integration problems of Nigeria and can therefore not support the country's nation-building efforts. It is able to keep the territory together more so with the present structure. It is equally able to provide support for the central authority. But in doing this it has only succeeded in widening the elite-mass gap because the value consensus that is necessary for the development to the political system is lacking.

The Federal Character as a means of achieving the desired end of integration relies solely on the values of the ruling elite. Therefore it has been running into the problem of the acceptable procedures for resolving conflicts. What will solve it is good governance.

## **Conclusion**

Nigerians have long argued over discrimination, but the recent upsurge in arbitrariness and bias in the recent appointments made by President Buhari has sparked concern that the matter is now becoming a dangerous tradition. The federal character principle is a key issue in the attempts to deal with the Nigerian question.

Section 14 (3) of the 1999 Constitution says,

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 sectional groups in that government or any of its agencies.

Among Nigerians especially those from the Southern part of the country expressed concern over the appointments made so far by President Muhammadu Buhari. The logic of their thesis is that in plural states such as Nigeria, the ruling elites should take cognizance of the fears and grievances of weak ethnic groups in its quest to ensure equity and justice in governance. The act of assuaging the fears and weaknesses of weak and oppressed groups by the ruling elites is indeed ethnic balancing and thus a panacea to ethnic disharmony.

This paper has shown that Nigeria is not only ethnically divided but also divided along religious lines with Muslims dominating the north and Christians dominating the south. Since 1999, the nature of inclusive governance has been a subject of debate considering the heterogeneity of the state. Even though the principle of federal character first came in through the 1979 Constitution, its implementation since 1999 by successive administrations relatively has not helped to stem the exclusivity of the minority ethnic groups from political process. More so, the adoption of the principles of federal character, power sharing and zoning formula has helped to guarantee the continuity and socio-political integration of the various ethnic groups in the country. The formula no doubt serves as a balancing mechanism over conflicting socio-political demands of every ethnic group. Significantly, these strategies have in no small measure stemmed down the struggle for political offices to intra-ethnic affairs and no longer making it inter ethnic business. Essentially, the adoption of these principles has shown that Nigeria's very diversity may indeed prove to be the guarantee of its stability and moderation if properly managed.

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