

CONCEPTUAL ISSUES IN DEMOCRACY AND FEDERAL PRACTICE IN NIGERIA.

¹Chidi O. Ukaegbu Makodi Biereenu-Nnabugwu, ²Chukwuma, ³Ogonna, Ebenezer, ⁴Chidi A. Okoroafor

^{1,2,3}*Department of Political Science, Nnamdi Azikiwe University, Awka*

⁴*Department of Political Science, Evangel University, Akaeze, Ebonyi, NIGERIA.*

ABSTRACT

One of the key arguments in favour of Democracy as a system of government is the fact that it serves as a tool or means of ensuring inclusivity, peace, stability and political advancement in countries that have concentrated differences. The system is believed to improve service delivery and participation among the diverse people that make up the state. As Francis Fukuyama (1992) argued, democracy remains a liberal political device that is universally applicable regardless of the cultural and historical differences of the people that make up a state. This conception presents democracy as the last hope of any social formation in the world and the best form of governing human beings politically. In view of this, the present paper interrogates the conceptual issues woven around the conception, adoption and practice of democracy. The study interrogated the views of scholars on the nature and practice of democracy as an integral part of the broad liberal capitalist process, and identifies three historical contentions in the context of Nigeria. The first contention is unitary democratic arrangement, the second is the federal character democratic principle while the third contention is the conception of economic democracy in Nigeria. Given the fact that democracy is the product of the global liberal capitalist process that have at least, theoretically, provided a tool or means of ensuring inclusivity, peace and stability in countries that have concentrated plurality or culturally diverse population, its practice in third world social formations is trapped by assorted factors that demand exploration. To do this, the paper adopted two theoretic: the classical econometric theory and the theory of overdeveloped state developed by Alavi (1972). The paper argued that the dynamics of the practice of democracy in Nigeria falls short of the standards set by its progenitors. These shortfalls are not unrelated to issues around its conception. It therefore recommended that the advantages inherent in democracy as a political system need to be fully and profitably harnessed by making frantic efforts at resolving issues in the conception of democracy and federal practice in Nigeria.

KEYWORDS: Conceptualization, Democracy, Social formations, Inclusivity, Economic democracy.

1. INTRODUCTION

From time immemorial, social formations across the world have constantly sought for a system of government that best fit their peculiarities and accommodate the divergent interests of its members. This continuous search arises from the fact that human beings are dynamic and the interest they seek through any framework at every point, continues to change in conformity with their aspirations. Since they are rational beings by virtue of their natural endowments, it is advertently believed that the system operated by a state should integrate its members and effectively pursue their collective goals as members of such social formation. This believe has led to the adoption of various forms and systems of government across the world at different epochs. One of such generally accepted forms of government is federalism. Being, an essential component of the global liberal democratic drive that have swept across the world, federalism, at least, theoretically, serves as a tool or means of ensuring peace, stability and mutual accommodation in countries that have territorially concentrated differences of identity, ethnicity, religion or language. Where these have been efficiently managed, the system, especially in large or diverse countries, improves service delivery and democratic resilience; ensure development at all levels; ensure that decisions are made at the most appropriate level; protect against the over-concentration of power and resources, and create more opportunities for democratic participation among the diverse people that make up the state where the system is practiced.

As Francis Fukuyama (1992) rightly argued, this liberal democratic device rests on the fact that; it is universally applicable regardless of the cultural and historical differences of the people that make up a state. The system, according to him, helps to resolve almost all the fundamental questions of governance even of the most complex human association. Because of its perceived advantage over all other systems, Fukuyama argued that, there would be no more significant ideological improvement in the system of governance as democracy and its concomitant federal system cannot be challenged by any other better option. Thus, the end of the cold war, signaled the triumph of federalism as an essential component of the universal democratic movement. To this end, federalism adopted by culturally diverse or territorially large countries like Argentina, Belgium, Brazil, Canada, Germany, India, Malaysia, Pakistan, Spain, South Africa, the United States of America and Nigeria have helped to improve governance. Thus, by all intents and purposes, federalism attempts to reconcile a desire for unity and communality on certain critical issues with a desire for diversity and autonomy on others. The question of whether federalism is suitable for a given country and, if so, what form should it take and to what extent should the federal principles be applied therefore depends chiefly on the balance between common interests or identities, on the one hand, and divergent interests or identities of federating units on the other (Elazar 1987).

No doubt, federalism possess identifiable merits, another look at its operations over time especially in Nigeria, reveals the fact that the system has equally exacerbated existing differences among component units sometimes leading to deeper conflicts and even state failure. This claim requires systematic investigation to ascertain whether or not there are contentious issues that tend to polarize the federal system and defeat the very essence of federalism and democratic practice in Nigeria. As an alien, expensive, complicated, and often time convoluted system, federalism in Nigeria is often conservative and legalistic giving rise to more contentions than it seeks to resolve. This is more so when it is operated by a dominant class with ethnic, tribal and religious bigotry. The implication is that, the system robs the people the dynamism that characterize the pursuit of the aspirations of components units. This leads to greater agitations and cracks within the federal system. This underscores the inherent challenges that characterize the adoption of this model of governance in third world states like Nigeria which is the main thrust of the present study.

Specifically, the interest of this paper is to examine the causative factors of the crisis or contentions in the federal system as practiced in Nigeria. Going further, this work, anchored on the classical econometric theory and the theory of overdeveloped state, hopes to interrogate these issues and posit in concrete terms ways, a state can toe to promote the integration of member units. With that, federalism as a system designed to cater for heterogeneously and culturally diverse states like Nigeria will be positioned to become profitable to its federating units.

2. LITERATURE, THEORETICS AND METHODOLOGICAL ISSUES

Broadly, this study examines issues in the practice of democracy and federalism in Nigeria. Expectedly, the aim of the literature review is to interrogate the views of scholars on the nature and practice of federalism as an integral part of the broad liberal democratic system. Hence, emphasis shall be made to assess the views of scholars in Nigeria and other advanced democracies that share common characteristics. The aim here is to locate a gap in extant literature which shall constitute the point of departure and force for the present study. In view of the focus and goal of this work, our literature review shall be done under the conceptualization of federalism and its identifiable principles laid by earliest scholars and theoreticians that has perhaps given rise to the contentions inherent in its practice in Nigeria.

From the outset, it suffices to state clearly that the term federalism does not appear to have attained any precise and determinate meaning acceptable and applicable in all climes and circumstances. The term from a very simple parlance, refers to a constitutional mechanism for dividing power between different levels of government so that federated units can enjoy substantial and constitutionally guaranteed autonomy over certain policy areas while sharing power in accordance with agreed rules over other areas (Sharma, 1955, Burgess, 2012). Thus, federalism combines partial self-government with partial shared government (Elazar 1987, IDEA, 2017). Etymologically, the term federalism is from the Latin word 'Foedus' (agreement, treaty, compact or covenant, convention, bond, compromise etc) or 'Fides' (Trust). The term depicts a political arrangement in which two or more self-governing political units or entities share the same political space and the outcomes of their interactions. It is a mode of political association or organization that unites separate political entities within a more comprehensive political system in such a way as to allow each to maintain its own fundamental political integrity (Elazar, 1995).

Usually, the term is used to describe governance arrangements found in such culturally diverse or territorially large countries like Argentina, Belgium, Brazil, Canada, Germany, India, Malaysia, Pakistan, Spain, South Africa, the United States of America, Nigeria and arguably the European Union (EU). These states are viewed from two main contexts- whether they are identity federalist states or efficiency federalist states. The former occurs when two or more culturally, linguistically, religiously or otherwise distinct national communities have enough commonality of interest or identity to make them want to live together in one polity, but enough distinctiveness of interest or identity to make them demand substantial autonomy within that polity (e.g. Canada, Switzerland) while the latter occurs when a culturally homogeneous but geographically large nation wishes to improve democratic representation and accountability by decentralizing power and giving greater control over resources and policies to the component units (Watts, 1996, Burgess, 2012). This variant is perhaps, what is conceived in the mind of most theorist who advocate for the federal system and a major contention in climes where the federal practice is dysfunctional.

Thus, the doctrine and principles of democracy and its attendant federal system for long occupied the minds and attention of scholars and volumes of literature have accumulated in this regard. In his theoretical postulation, Plato was, among other things, bothered about a functional classification of society and how it would be administered by the best fits. This perhaps, laid the very foundation of the principles of democracy and federalism. He averred that there exist a connection between a functional classification of a society and the capacity of the society to meet the needs of its members. Where these two meet, it gives rise to an ideal society which in our minds, is the end objective of all social formation and the state itself. Thus, For Plato, community, in this case, the interest and wellbeing of the people is more important than the individual; a position that contradicts the view of present day political office holders who see themselves more important and stronger than the community or people they govern.

Accordingly, Plato's theoretical satisfaction laid in his attempt to classify the society into three classes' corresponding to the characteristics of the human soul. For him, an individual soul has three elements of 'wisdom', 'courage' and 'appetite.' Members of the state whose soul is dominated by 'reason or wisdom' will become 'philosopher king, while members of the state whose soul is dominated by courage will become Soldier whereas, members of the state whose soul is dominated by appetite will form the producer class. This class is also determined by the type or level of education they received. For Plato, those who complete first stage of education will be eligible to form producer class. After completing second stage of education, they will be eligible to form Warrior class while those who complete all the stages of education, will be qualified to become philosopher king. This invariably, laid a bar on those who seek political power and the right to administer the political structure since, individuals with wisdom are usually in the minority. The foregoing in Plato's view, establishes an organic relationship between state structure and the ability of the state to meet the aspiration of its members which is the core essence of federalism. Therefore, if a philosopher rules, it is most likely that the widest needs of federating units would be met, conversely, same is true.

Thus, the idea of inheritance and or power/function of each class/tier, resource control and appointments which are key contentions in modern federal arrangements were inherently taken care of at least theoretically. In the main, the ideas postulated by Plato would naturally lead to just society and unifying state which is one of the key justifications for the adoption of the federal system. To this end, any ideal federal arrangement should act in favour of and in consonance with the will and aspirations of all classes in the state as it would at the same time form the General Will of the state. According to Jean Jacques Rousseau (1996), this 'will' is merely the political expression of the deepest longing of federating units that make up the entire political system. The import of this is that, being the will of each individual in favour of the good of the entire community, the general will becomes superior to the will of individuals, classes, region, groups or ethnic nationalities and sets the boundaries to the actions and inactions of state managers. As such, it provides a working theoretical template for the operations of federalism and the foremost classical theoretic that have invariably paved way for subsequent works on federalism.

Generally, the traditional view of federalism pays attention to what federal systems ought to be and its postulations which often times, fall within the normative realms. Key proponents include A.V Dicey, John Burgess, James Bryce, K.C Wheare, M.J.C Vile amongst others. Take for instance, A.V Dicey in 1885 developed his classical view of federalism based on the American liberal democratic model. He posited inter alia, that the federal system should with all intents and purposes, involve the distribution of force of the state among several coordinate bodies, each originating in and controlled by the constitution. For him, it is a political contrivance intended to reconcile national unity and power with the maintenance of state rights. To understand and perhaps appreciate federalism as a term, it suffices to consider the contending perspectives and the justification of the principles and sustaining elements of democracy that draws its strength from the constitution.

The first is the classical or legalistic perspective. The outstanding exponents of the classical perspective include A.V Dicey, Harrison Moore, Jethrow Brown, Bryce, Robert Garran and K.C. Wheare. This perspective sees federalism from a legalistic or juristic point- as a form of Government in which sovereignty or political power is divided between the Central and local Governments, so that each of them within its own sphere is independent of the other. It described the Federal and State Governments as "distinct and separate" in their action. Thus, to test whether a political system is federal or not, is to ask whether such a system embody predominantly a division of power between general and regional authorities, each of which, in its own sphere, is coordinate with the other 's and independent of them. If so, that government is federal. From the above, the idea of independence of each level of government is central to the classical perspective. In order to make the "independence" of each government real and secure, the classical theorists enunciated the following conditions or principles to enhance the federal system and its concomitant democratic practice.

- a. Written constitution.
- b. The constitution is to be rigid.
- c. There is to be an independent judiciary.
- d. Both levels of government directly operate on the life of the citizens
- e. There should be allocation of adequate sources of revenue for the government at each level, general and regional.

The second perspective is generally referred to as the origin theory of federalism. The perspective sees federalism in terms of the favourable circumstances warranting the adoption of the system. The perspective is sustained by the sociological theory, the multiple-factor theory and the political theory. The sociological theory for example, believes that it is the nature of the federal society that gives birth to the federal political system. As such, federalism is a direct fall out of a federal society. The federal society as William Livingstone averred, is one which contains within its fold elements of diversity. This diversity is caused by differences in economic interests, religion, race, nationality, language, and historical background, previous existence as independent states or separate colonies in dissimilarity in social and political institutions. One principle laid down by this theory is that diversities must be territorially grouped in order to result in the formation of a federal union. It must be done in a way that it is not too great to break up the community into independent groups or should it be suppressed to make way for a unitary form of government. This perspective however fails to inform the definite indices or criteria by which a federal society can be distinguished from a non-federal society. Again, the perspective merely described the various diversities but failed to explain the factors which generate the desire to form a general government under a federal union.

The Process perspective views federalism as a dynamic process and not a static one. Theorists here see federalism as a process by which a unitary political community gets differentiated into an organized federation. Carl Friedrich, the key exponent of this theory, is of the view that federalism is a dynamic process, through which several separate political communities work out joint solutions to the problems which resultantly help them in getting integrated (Burgess, 2006). This perspective sees federalism as the joint name of interdependence, cooperation, and dynamic process between the two levels of government. The main criticism of this theory is that it does not foresee federating units as pursuing any clearly defined goal.

William Riker introduced the political or bargaining perspective of federalism. According to him, federalism provides the panacea of all issues related to a political system. To him, the problem of political association is purely political. The solution must be political because it revolves around the dynamics of state power. According to Riker, "federalism is one way to solve the problem of enlarging government and once one government enlarges itself, then its competitors and neighbor feel themselves compelled to do likewise... (Verma, 1986, Dosenrode, 2010).

Since the traditional method of imperialism through force and coercive measures has become outdated and against human civilization, federalism becomes the only viable remedy for expanding territory and area through cooperation, coordination, and independence within its respective spheres without necessarily subjugating one or the other. As such, this perspective argued that two basic conditions/principles compel politicians in federating units to engage in bargaining for a federation. First, is to stem a military threat or prepare for military aggression or to expand their territory through peaceful means. This purpose shows that federalism is a system entered into without force or the use of coercive measures. Second, the constituting units opt for the bargain by sacrificing some parts of their independence for the sake of the union. This provides the opportunity for development. This perspective appears to present the reason for federalism in African context and the failure of state to meet these objectives among other things, is the reason for a number of contentions that the present study seeks to investigate.

From the foregoing, we can posit that the federal system incorporates the principles of democracy which includes inter alia, the distribution of force of the state among several coordinate bodies, each originating in and controlled by the constitution; the division of sovereignty or political power between the central and local Governments, so that each of them within its own sphere is independent of the other; a Written constitution that is rigid; an independent judiciary, both levels of government directly operating on the life of the citizens and the allocation of adequate sources of revenue for the government at each level. Thus, the federal system thrives only when there are favourable circumstances warranting the adoption of the system; it is this organic nature of societies that makes the federal system to work. Accordingly, federal systems must not be too great to break up the community into independent groups or too small to be suppressed to make way for a unitary form of government.

To this end, federating units must see the federal system as a form of interdependence, cooperation, and dynamic process between the two levels of government in solving problems peculiar to the union. Accordingly, as federalism is the government of component units, democracy is the rule of the people that form the federating units and their ability/opportunity to among other things: be involved in decision making; be fully represented in the federal arrangement and institutions; allow the full operation of the rule of law; an electoral system that allows the will of the majority to prevail; some degree of equality and liberty among citizens etc. It follows logically that, federalism and democracy are intertwined and mutually reinforcing, implying largely that, the former cannot really exist and thrive without the later. Since federalism is a political arrangement devoid of forceful membership and a union achieved by the sacrifices of some parts for the sake of averting some external threat and or providing the opportunity for development, some (especially, proponents of the elitist theory) have argued that federalism and its accompanying democratic system cannot work effectively in modern societies unless conscious effort is made to encourage the people to participate and given the means of informing themselves regarding the key issues directly or indirectly affecting their corporate existence. Herein lies the key challenge of federalism and its perceived failure in Africa especially, Nigeria. This will be closely examined under three key contentions based on selected theories.

Accordingly, two theoretics need to be appreciated. The first is the classical econometric theory while the second is the theory of overdeveloped state developed by H. Alavi (1972). The classical econometric theory is attributed to the works of Adams Smith in 1776 and later popularized by P. Ruuds in the late 1990s. The theory is predicated on the assumption that the observed data indicating the general economic performance of the component units of a federal system, come from a stationary process, that is, a process whose means and variances are constant over time. In this same system, most economic variables that yield the constant data evolve, grow and change over time in both real and nominal terms, sometimes dramatically yet the data they yield which paints the picture of the entire system remains constant or grows even worse.

Alavi (1972) in his theory of overdeveloped states avers that most post-colonial social formations have powers that are far beyond what is necessary for their functioning. This is because post-colonial states inherited overdeveloped apparatuses of state and its institutionalized practices through which operations of indigenous social classes are regulated in the interest of the dominant class and their external collaborators (Alavi 1972 in Biereenu-Nnabugwu, 2021). From the foregoing, scholars and federalist thinkers have proposed different models and restructuring patterns of federalism believed to be tenable antidotes to the key contentions of the federal system. These models and patterns include but not limited to: the legal-institutional model, the sociological model, the bargaining model, the status quo restructuring pattern, modular restructuring, centrifugal restructuring pattern etc.

The process model or definition of federalism appears more cogent and apt considering the dynamic nature of multi-level and multi-ethnic union in any federal systems. However, the model seems to limit our understanding of federalism to that which seeks only to solve common problems jointly and that which completely erodes the independence of constituting units to act within their spheres of independence and jurisdiction which are precisely fundamental issues determining the nature and character of federal systems across third world states and Nigeria in particular. This is a major limitation requiring the urgent search for a model or theoretical propositions that can adequately handle the intricacies of federal practice in third world states. The option of restructuring offered by Biereenu-Nnabugwu (2021) nears general acceptance. His postulation is generally hinged on the character of the Nigerian state further expatiated by Ake (1983). According him, the system of class domination in Nigeria is not mediated or modified by any form of commodity exchange. Hence, the character of class domination in Nigeria is disassociated from the class itself such that the state represented by the dominant class, has failed to be an objective force standing alongside society. As such, the state acts as an interested party in the cleavages that confronts the political structures and by this, it reinforces these contentions and cleavages in the state.

According to Ake (1981), the Nigerian state, as it is with all other states in the capitalist epoch, is a specific modality of class domination modified by commodity exchange such that the system of domination is somewhat differentiated and disassociated from the state which appears as an objective force standing alongside society. Thus, the Nigerian state and its attendant structures and behavior are rooted in chains of internal and external exigencies and experiences which has invariably injected sufficient contradictions and contentions in its federal practice. Thus, with estimated population of 180million persons, Nigeria is home to over twenty percent of sub-Saharan African population (Biereenu-Nnabugwu, 2021), yet unable to provide a model federal practice. On the flip side, the federating units throw up an interesting mix in terms of ethno-religious identity, political affiliation, ideological bankruptcy, ethnic and sectional bigotry and other forms of extremism which has made it easy for the country to be trapped in a dysfunctional federal system that has thrown up key contentions in the federal arrangement (Ukaegbu, 2023). The present study shall highlight three of these key contentions to the end of proposing possible panacea for a more functional federal practice.

3. Key Contentions in Nigeria's Federal System

- a. First contention: Unitary Constitutional arrangement
- b. Second contention: Federal Character Principle as a Problem in the Practice of Federalism in Nigeria
- c. Third contention: The Problem of economics of federalism in Nigeria.

The first contention in the practice of federalism in Nigeria is the ambiguities in Nigeria's constitutional arrangement. The 1999 constitution which defines the nature of federalism in Nigeria is itself problematic. It was handed over to the federating units by the military elites who have held power for over 30 years since independence with over 70% of its military personnel in power (Biereenu-Nnabugwu, 2021).

Simply defined, a unitary constitution is that in which most fundamental powers of the state is concentrated at one level or tier. Nigeria has a unitary constitutional arrangement in which the federal government wields overarching powers. Like the United States of America, Nigeria is structured as a federation with 36 states, one federal capital territory, and 774 local government areas constitutionally recognized. However, unlike the United States, the central government controls the revenues and nearly all of the country's resources, especially oil and natural gas (Biereenu-Nnabugwu, 2021). Revenues generated from the domains of federating units accrue to the account and coffers of the central government from where it is reallocated to the states and local governments on the basis of contentious sharing formulas. These sharing formulas have made it difficult for the Nigerian state to meet the critical needs of its component units. This is clear when it viewed from the angle of the failures of various developmental plans from the Lagos development plan of 1967 to the recently inaugurated Agenda 2050. Again, the constitution provides that the nation's annual federal budget is financed almost entirely by crude oil revenue generated from the domains of constituting units. Aside its multiple implications, this trend has made Nigeria's federal system dependent on one major source of revenue both for her foreign exchange and in tackling the beehive of socio-economic, cultural and economic challenges that confronts all major units that make up the Nigerian state. One major import of this is that, it has reconfigured the character of power struggle in Nigeria and rendered it a periodic throat-cutting contest planned immediately one election result is announced. This was not so before 1960.

Nigeria's constitutions up to the time of independence in 1960 were truly federal in character (Ikokwu, 2014). Each region had its own constitution, coat of arms and autonomy with regard to the functions prescribe to it and it was these three regions that ceded some powers to the central government. The reverse is the case in the constitutions of 1979 and 1999 introduced by military fiat which invariably moved sovereignty from the people to a special class. Thus, the popular calls for the restructuring of Nigeria is among other things targeted at returning sovereignty to the component units of the Nigerian state and to stem the rise of dictatorial tendencies and one-man rule as is evident in Nigeria today. One problem with the unitary form of Nigeria's Constitution is that it extended the exclusive lists of powers more to the central government than any other constitution Nigeria has ever had. This aggregation of more powers to the central government means that Nigeria has moved more towards dictatorial tendencies which is a glaring negation of the inherent diversities in our cultural, ethnic, religious and linguistic multiplicities making it the only country with more than 200 ethnic nationalities and languages being ruled under a unitary or semi-unitary government and constitution. (Ikokwu, 2014, Biereenu-Nnabugwu, 2021). The failures of the present unitary constitution re-echoes in the following specific ways:

- The president has a fixed term of four years, which can be extended to a second term of four years with a tendency to enthrone a crony who would continue in the footings of the president after he has served out his tenure.

- The president exercises supreme executive powers and control of all other federating components of the state.
- The executive authority of the Federal Government is vested in the president. This provision makes the Federal Government more powerful than any other tier of governments in Nigeria. By the same token, no other tier of government can exercise its executive authority in a way that impedes or prejudice the executive powers of the Federal Government.
- Establishment of only one national Security Council, and none at all for the federating units. Worse still, the state governors, who are supposed to be the chief security officers for their respective states, are not included in the membership of the National Security Council.
- The present unitary constitutional arrangement has endangered the evolution and maintenance of strong and ideologically based political parties. It is only the existence of strong and issue-based political parties that can limit the use of dictatorial “winner takes all” system which reduces accountability in governance which the present federal structure encourages.

These failures have found expression in many other contradictions and conflicts among the federating units in Nigeria and have given rise to other forms of structural dislocations in its democratic practices. This amplifies further, the convoluted nature of Nigeria’s unitary constitutional arrangement (Biereenu-Nnabugwu and Ukaegbu, 2024). Another serious and challenging contention in the practice of federalism in Nigeria is the principle and application of the federal character principle in the governance of the Nigerian state.

B. Federal Character Principle as a Problem in the Practice of Federalism in Nigeria. Suffice it to note that, by its original intent and purpose, the federal character principle was put up to help solve the problems associated with federalism and democratic practice; but its use in Nigeria is fraught with challenges. No doubt, most federal states are amalgam of diverse peoples and groups whose interest and aspirations must be fully protected by the federal government through the federal character principle. However, the way and manner it is applied in Nigeria has remained a problem. It is important to state clearly, that before the British colonialists came to Nigeria, there was no Nigeria. There were Ijaws, Igbos, Urhobos, Itshekiris, Yorubas, Hausas, Fulanis, Nupes, Kanuris, Ogonis, Gwaris, Katafs, Jukars, Edos, Ibibios, Efiks, Idomas, Tivs, Junkuns, Biroms, Agnas, Ogojas, some of which had even come together to have their own mini kingdoms and political administration effectively managed in the best interest of the people based on the peculiarities of their existence. Hence, it would be unjustifiable for these kingdoms and perhaps, mini states to submit loyalty to a federal unit that does not care about their membership and wellbeing. It is this need that really activated the use or adoption of the quota system now dubbed the federal character principle. The principle is promoted as a devise for the management of Nigeria’s diversity yet it has turned out to be a dysfunctional tool and indeed a critical factor that sustains the dysfunctional federal practice in Nigeria.

One thing stands clear, the idea of quota system is not new in Nigeria’s demography. The practice according to Biereenu-Nnabugwu (2021:15) is rooted in the foundational issues in British colonialism which has made Nigeria a capitalist-mercantilist and pseudo rentier state. The unitary constitutional arrangement as highlighted above especially the 1999 constitution, gave due recognition to the principle of federal character especially in appointments into federal public service and the establishment of the Federal Character Commission to specifically oversee the application of this principles in all aspect of the relationship between the federal government and other federating units. Accordingly, the federal character handbook clearly noted that, its duty is to ensure fair and equitable distribution of posts and of socio-economic amenities in Nigeria. The 1979 Constitution gave a clearer definition of this goal thus:

The distinctive desire of the people of Nigeria to promote national unity and give every citizen of Nigeria a sense of belonging to the nation, notwithstanding the diversities of ethnic origin, language, culture or religion which may exist and which it is their desire to nourish, harness to the enrichment of the federal republic (Adapted from the 1979 Constitution in Biereenu-Nnabugwu 2021:16).

Going by the above, one would think that the federal character principle is one of the best devices to manage the diversity and partial representation of component units in a federal system like Nigeria. But far from the truth and as it is with us at the moment, the federal character principle rather than contribute to national cohesion has led the country far into diversity and divisive tendencies. Rather than enrich the federal and democratic practice in Nigeria, the principle now serves as a major device for generating dysfunctional social order and for killing Nigeria’s federalism and dwarfing her democratic principles and institutions. The device now serves as a political tool or device tactically deployed in the intra-class struggles of the various regional faction of the privileged classes. Their only relations to unity is their pretensions to establish some order in the struggle of these factions

for the division of national cake (Nnoli, 2008:313). Going further, the unequivocal provisions of section 14 (3) provides a clear justification for this principle that could aid the triumph of democracy in Nigeria. It states that:

The composition of the government of the federation or any other of its agencies and the conduct of its affairs shall be carried out in such manner as to recognize the federal character of Nigeria and the need to promote national unity and command national loyalty, thereby ensuring that there shall be no predominance of persons from few states or from a few other sectional groups in the government or any of its agencies.

From the foregoing, one thing that comes to mind is the interplay between ethnic affiliation and political effectiveness in governance. While federal character principle re-enforces the former, meritocracy results from the later. Beyond the challenges associated with this principle, one question that stares us in the face is: how do you give every citizen of Nigeria a sense of belonging notwithstanding the complex and multifaceted character of her ethnic diversity? As Obi and Abonyi cited in Obikeze and Obi, (2004) observed, when principles recognize and legalize ethnic groups, it creates ethnic affiliation, consciousness, allegiance and its related predicaments and makes them predominant in national body polity. If government must be composed by ethnic identities; appointments or post shared by it or other public offices, it invariably means that a basis for inter and intra ethnic struggle has been permanently established. Instead of the pursuit for political effectiveness that would invariably yield good governance and the delivery of its dividends, the fanning of ethnic identities continues...today, rather than merit, employment and promotion to certain federal offices are now based on the quota system. Thus, merit is thrown overboard. What matters to drive a state (merit), now matters no more and what does not really count in social re-engineering now matters above all other things. The overall effect of this is poor service delivery in most federal or public establishments and no individual or ethnic group has the right to raise dust over incompetence. Hence, Nigeria's political system continues to suffer mediocrity and incompetence.

The application of the federal character principle is problematic when it is considered from the point of its use as the basis of admission into government owned educational institutions, military and paramilitary outfits. A typical example is the admission opportunities for students into Federal Government Colleges otherwise called Unity schools in Nigeria. Biereenu-Nnabugwu (2021:17-18) alludes to the case of Emeka and Hassan from Green and White primary school, Abuja. Emeka, a Nigerian aged 11 hailed from Aguleriotu, an oil producing community in Anambra state. He scored 138/200 (69%), that is, 1mark less than the cut off mark for Anambra state but was denied admission while his class mate-Hassan, about the same age from Gashua Yobe state who scored 02/200 (01%) and is offered admission. Which theory would be used to explain to Emeka that 01% is better than 69%? How does one justify this partiality? How does one then explain diligence to study as a demonstration of patriotism? We can go on and on with series of questions resulting from the action. What is even more worrisome is the fact that, the said Unity schools are maintained largely by oil revenue generated from the state where Emeka hails from. This creates a lot of wrong and indelible impressions on the mind of the young child regarding the basis and benefits of membership to a federal system and what overall essence democracy serves. It clearly shows a case of unequal opportunity for equal Nigerians hinged on a principle that has polarized the Nigerian state. Aside from the above and worse still, is the ratio of admission per state that is not based on merit, derivation or any other generally accepted public principle.

Historically, the above situation has continued to resonate throughout Nigeria's history as a fall out of the structure and configuration of the Nigerian colonial state which brought about imbalance in the representation of the numerous identities and ethnic groups in federal institutions. This imbalance created agitations for a system that will encourage equity and justice among the various entities. By 1958 a quota system was introduced to quell this agitation. In the quota system, 50% was allotted to the North, while 25% was given, each to the East and West. Yet, despite the huge educational gap between the north and the south in the 1950s, the quota system was not employed. Specifically, the International University Council (IUC) insisted on merit as pivotal for academic excellence and admissions to the University College, Ibadan. This stance on merit over quota was maintained by the post-colonial government of Alhaji Tafawa Balewa. This stance further widened the educational gap between the north and south, reflecting in serious socio-economic disparity. Hence, by the 1970s, Northern leaders became more concerned with the extent to which the north has been left behind in the area of western education and general socio-economic advancement. This fear intensified the clamour for an inclusion of the quota system in education. While the south resisted the idea with an argument that it negates International Educational Standards, the north insisted that the non-inclusion of this system creates a barrier to the western educationally weak northerners to be educated and become as competitive as the southerners (Olanrewaju, Segun and Ilemobola, 2014). This argument has continued unabated and has in effect found its ways into many other structures of the Nigerian state.

The application of the federal character principle spells doom when it is used as the basis for power distribution or political representation. It serves as a brand of quota system that is based on the exercise of raw power, greed and favouritism in the recruitment and promotion of operatives of the federal structures by the most powerful. To this end, it serves as a tool of domination in the hands of the dominant class and their stooges. The report of Vanguard News online, 19th April, 2017 amplifies this issue further. According to the report:

51 of the 479 new recruits came from Katsina, which is more than 42 new cadets, recruited from the six South-South states. Whereas Katsina had 52 new cadets, the distribution in six-South-South states is as follow: Rivers 7, Delta 8, Cross River 9, Bayelsa 7 and Akwa Ibom 5. Lagos with the highest population had 7 while Kano which follows had 25 and was closely followed by Kaduna with 24 and Bauchi 23 cadets (in Biereenu-Nnabugwu, 2021:19

Of course, this lopsidedness or political imbalance of Nigerian federal system will always receive justification by the agents of the dominant class acting on the advice of their principal. But whatever it is, the act itself negates the good intentions of the constitutional provisions that enabled its practice ab initio. According to 14(13) of the 1999 constitution as amended: 'the composition of the armed forces of the federation shall reflect the federal character of Nigeria in a manner that is prescribed in the same constitution in section 217. Other evidences scattered across the history of federal practice in Nigeria show that the provisions of the constitution made to provide soft landing and amicable resolution of the issues emanating from the practice of federalism and democracy in Nigeria have been simplified to the rule of the thumb and left for experimentation in the whims and caprices of the dominant class per time. Take for instance, in the wake of the 'EndSARS civil disorder' of 2020, which in itself was a national movement for halting police brutality and other forms of inhuman acts meted against Nigerians; an expanded National Council of state was called. Ordinarily, and in the federal and democratic spirit, this National Council should consist of Heads of State, Security Chiefs and other top military and paramilitary officers representing the component units of the Nigerian state but surprisingly, no representative of Igbo extraction was part of that meeting because, perhaps, it was dubbed an Igbo attempt to pull down the government of a Northerner. As (Biereenu-Nnabugwu and Ukaegbu, 2024) noted, the immediate trigger of the 2020 Special Anti-Robbery Squad (SARS) protest in Nigeria was far from being an Igbo movement. It started when a video that showed a SARS officer shooting a young motorist in Ughelli, in Delta state, pushing the body out of the car and driving the deceased's Lexus SUV away to undisclosed destination went viral on 3rd October 2020. Amnesty International (2020) recorded about 82 cases of abuses and extra-judicial killings by SARS. Thus, within days, crowds of young people gathered in Nigerian cities to demand the abolition of SARS (Samuel, 2020 in Yusuf and Benisheikh, 2021). Consequently, the youth took to the streets and vowed not to back down until substantial change was made.

C. Resource Generation, Allocation and the Problem of Economic Federalism in Nigeria.

One of the issues that have threatened the corporate existence of Nigeria is the issue of fiscal federalism and economic development of Nigeria. This is the third contention examined in the present study. No doubt, Nigeria is a resource-rich country that has been grappling with a significant challenge bordering on generation, distribution as well as redistribution of her resources. Despite its vast natural resources, Nigeria still appears unable to effectively manage its resources and distribute them in a way and manner that allows the sections of the Nigerian state involved in the generation of these resources to enjoy its proceeds. Recent efforts in this direction like the creation of the erstwhile ministry of Niger Delta, Amnesty programme, Derivation to oil producing states among others, are responses from Nigeria's federal government to ameliorate the plight of the Niger Delta regions whose ordeal had lasted for over six decades (Dode, 2023). The matter is worse, when it is known that despite these abundant resources and the revenue that accrue from it, Nigeria still engage in extensive borrowing and high profile indebtedness even to foreign states (Ukaegbu, Amali and Ebenezer, 2024). Thus, and as argued in Dode (2023), the revenues that accrue to the Nigerian state are generated by the component units; but the units that generate them seem to be systematically schemed out or shortchanged in the distribution process. The dominant class in Nigeria, by borrowing, makes these regions feel that what is generated is not enough to service the interest of its members let alone any left for distribution. This has led to agitations from federating units for sharing formula and resource control measures. A twist is further added with the debate that only federating units where these resources are generated should be given primary attention in the allocation and appropriation of these resources. This problem according to Oshodi (2021), seems to have been a part of Nigeria chequered history after the first merger. The first merger of Nigeria was in 1914 when various ethnic, social, political and cultural groups were brought under British colonial rule through amalgamation of Southern and Northern protectorates. The colonial government, in 1947, divided the country into Northern, Western and Eastern regions.

In 1960, Nigeria became an independent state, with a federal system of government retaining the three regional structures. In 1963, following a referendum, the Mid-western region was created. Positively, each region developed at its own pace using the resources within its domain (the North had groundnut, the East, palm produce and the West cocoa) and contributed to the central government based on the principle of derivation. These cash crops were the main stay of the country's economy. Largely, this explains why the regional governments supported the use of derivation principles in sharing federally collected revenues and this no doubt, subdued all forms of agitations. According to Oshodi (2021), the control of resources at the regional level is part of the reasons the political elites did not want more regions carved out of their respective areas since the basis of influence will be the ability of the region to generate its means of existence.

Thus, the struggle for political power at the regional level was extremely competitive and less at the center. This is the direct opposite of what obtains today where the centre enjoys over concentration of power and resources with clicks or appendage of the dominant class constantly scheming for states to be created from their cleavage of interest. This agitation led the various military regimes to significantly alter the structure, nature and dynamics of Nigeria federal system. Thus, Nigeria has, at different times, been divided into 12, 19, 21 and eventually 36 states. The current 36 states and the federal capital are the administrative entities with each state falling within one of the prevailing six geo-political regions in the country under a centrally controlled federal government. Thus, these series of structural adjustments under the military came with over centralization of power at the center, which is a major challenge to the current federal arrangement in Nigeria. Hence, what is currently obtainable in today's federal arrangement has constantly and drastically too, changed the derivation dynamics of the country to other sharing principles that have continued to float in controversies.

With the present shift from agrarian economy to the one dominated by petroleum products and the sharing of the revenue in favor of the center through federal instruments/institutions like the Federal Accounts, Federal Executive Council and Revenue Mobilization, Allocation and Fiscal Commission, Nigeria's federal system has crippled regional development as regions or federating units have now become very dependent on federally collected and allocated revenue for all their expenditures and survival contrary to the initial harmless intention of federalism built on social, cultural, political and geographical affinity where each unit is both coordinate and independent, functioning each, within their sphere of influence (Olanrewaju, Segun and Ilemobola, 2014, Oti, 2018, Orunbon, 2020, Biereenu-Nnabugwu, 2021).

3. CONCLUSION

The present discourse essentially focused on issues in Democracy and Federal practice in Nigeria and the choices forward. We have specifically interrogated the specificity of the practice of federalism and democracy in Nigeria and its post-colonial exigencies. In the main, the study found out as follows:

1. Democracy and federalism are the products of the global liberal democratic drive that have at least, theoretically, provided a tool or means of ensuring peace, stability and mutual accommodation in countries that have territorially concentrated differences of identity, ethnicity, religion or language or culturally diverse population. Until a better political framework is evolved, the advantages inherent in federalism and democratic practice must be fully and profitably harnessed.
2. Aside its identifiable merits and as practiced in most post-colonial states, federalism has exacerbated existing differences among component units sometimes leading to deeper conflicts that have promoted a dysfunctional state. Hence, whether federalism is suitable for a state like Nigeria and, if so, what form should it take and to what extent should the federal principles be applied, depends largely on the reconciliation of common interests or identities that makes the federal system necessary on the one hand, and the divergent interests or identities of federating units that must be given up to allow the federal and democratic system to thrive. These two must be reconciled in deliberate ways.
3. Since the original intents and purposes of the principles of democracy and federal practice world over, are to solve the problems associated with the governance of culturally diverse or territorially large countries like Nigeria, the contentions associated with its practice in Nigeria especially those related to its unitary constitutional arrangement, federal character principle, resource generation, and allocation pose major obstacles.

Recommendations

Based on the foregoing, the study makes the following recommendations:

A. Federating units in Nigeria really need to understand and appreciate the key challenges that affect the practice of federalism and democracy in Nigeria. Knowing where the problem lies is key to understanding and appreciating the need for urgent overhaul. This would lay to rest countless agitations arising from their dissatisfaction with the federal practice in Nigeria.

- b. As follow up to the above, the submissions and proposals of the 2014 National Conference should be thrown open as a basis for national dialogue in resolving basic national questions related to federal and democratic practices in Nigeria.
- c. The persistent calls for restructuring must not be ignored. This can take either status quo, modular or centrifugal forms. Again, a referendum or plebiscite should be organized for the people or zones to decide which form the proposed restructuring must take.

This article is on issues in Democracy and Federal practice in Nigeria. However, no where in the paper (except few attempts at conceptualization) has democracy or its practice discussed. Also, link has not been established between democracy and federalism. Establishing such link will provide opportunity to raise issues concerning them as it relates to Nigeria. The issues surrounding the two needs to be brought out and discussed which has not been done. There is need for general overhauling of the second section. That is where proper conceptualization ought to be done which will serve as background for a robust discussion of the issues in the third section. Also, the author(s) have not brought out implications of such issues on the state and or its democratic process. This also needs to be done. The conclusion and recommendations ought to be discussed separately. Some references are incomplete. e.g. Biereenu-Nnabugwu (2021), Fukuyama (1992). Date of retrieval of internet sources should be indicated. Some of the internet links attached are not opening. Maybe they are incorrect e.g. Biereenu-Nnabugwu (2024) and ‘Federalism: international IDEA Constitution Building’.

REFERENCES

1. Ake, C. (1981). *A Political Economy of Africa*. Harlow: London.
2. Biereenu- Nnabugwu, M and Ukaegbu, C.O (2024). Talcott Parsons’ Principle of Purposive Action and the Preponderance of Civil Disorder in Nigeria. *Irish International Journal of Law, Political Science and Administration*. Vol.8(3),77-89.Retrieved from <https://aspjournals.org/journals/index.php/iijlpsa/article/view/683.13/01/2025>
3. Biereenu-Nnabugwu, M (2021). *Post-Coloniality, State and State Behaviour in Nigeria: A Study in Politicology*. A Kalu Ezera Lecture presented at the 8th Annual Conference of the Nigerian Political Science Association, Southeast Zone held at Coal City University, Enugu State, Nigeria.
4. Burgess, M (2006, 1st ed.). *Comparative federalism; theory and practice*. Routledge publishers, London, United Kingdom.
5. Burgess, M. (2012). *In Search of the Federal Spirit: New Comparative Empirical and Theoretical Perspectives*. Retrieved from <https://academic.oup.com/book/3107>. 16/12/2024.
6. Elazar, D (1987). *Exploring federalism*. University of Alabama Press.
7. Elazar, D (1995). *Federalism: An overview*. HSRC Publishers.
8. Ezekwesili, O. (2013). *The wealth and Poverty of a Nation. Who shall restore the dignity of Nigeria?* 42nd Convocation Lecture, University of Nigeria, Nsukka, Enugu state, Nigeria.
9. Federal republic of Nigeria (1999) *Constitution of the Federal Republic of Nigeria*. Ikeja: Government printer.
10. Federalism: international IDEA Constitution Building. Retrieved from <https://www.idea.int/publications/catalogue/federalism.13/01/2025>.
11. Fukuyama, F (1992). *The End of History and the Last Man*. Free press, New York, USA.
12. Mill, A. (2010). *Federalism in the European Union and the United States Subsidiarity, private law and the conflict of laws*. University of Pennsylvania Journal of International Law.
13. Nnoli, O. (1978). *Ethnic Politics in Nigeria*. Fourth Dimension Publishers.
14. Obi, E A and N. Abonyi (2004). *Ethnicity and Nation Building in Nigeria: the federal Character Principle Revisited* in Obi, E.A and S.O Obikeze (eds). *Federalism and National Integ,ration in Nigeria*. Onitsha: Abbot Books Limited.
15. Olarewaju, A, Segun, P and Ilemobola, S. (2014). *Federalism in Nigeria. Problems and Prospects*. *African Journal of Politics*.
16. Oshodi, L (2021). *Regional studies in Nigeria*. Retrieved on 23/12/2024 from [www.regional studies .org/pwp.content/upload/2021/02/regional-studies-in-nigeria.pdf](http://www.regionalstudies.org/pwp.content/upload/2021/02/regional-studies-in-nigeria.pdf).
17. Riker, W (1987). *The Development of American federalism*. Retrieved from <https://www.amazon.com/Development-American-Federalism-William-Riker/dp/0898382254.13/01/2025>.
18. Rosseau, J.J (1996). *A Discourse on the Origin of Inequality in the Social Contract and Discourses*. London. Dent. G.D.H. Cole (Trans). Cambridge University Press.
19. Sharma, B (1953). *Federalism in theory and Practice*. Bhargava Publisher, University of Virginia.
20. Ukaegbu, C., Amali, A and Ebenezer, C. (2024). *Nigeria’s Debt Burden and the Dialectics of Economic Development- in the eyes of a theorist*. *Asian Research Journal of Arts & Social Sciences*. Vol. 22 (12).

21. Ukaegbu, C.O (2023). *Politics and Religion in Violence*. Nnamdi Azikiwe Journal of Political Science. Vol. 8(2).
22. Vanguard Newsonline, May, 27, 2014. *Restructuring: We'll drive away Igbo delegates if...* by Guy Ikokwu.
23. Wheare K.C. (1953). *Federal Government*. (4th ed.). London: Oxford University Press.
24. Yusuf, U & Benisheikh, B (2021). *Youths Movement: An Examination of End Special Anti- Robbery Squad (EndSARS) Protests and Challenges Facing the Nigerian Youths*.

Biographical Notes

Makodi BIEREENU-NNABUGWU and *PhD*, is a Professor of political theory and methodology of political inquiry in the Department of Political Science, Nnamdi Azikiwe University, Awka NIGERIA. An active member of the Nigerian Political Science Association, NPSA. Prof Makodi Biereenu-Nnabugwu is a former Director of Research and Publications and presently the Vice President of NPSA. He has published widely. Email: mn.biereennnabugwu@unizik.edu.ng.

Chidi O. UKAEGBU, *PhD*, is a Lecturer in the Department of Political Science, Nnamdi Azikiwe University, Awka NIGERIA. His area of specialization is political theory and methodology of political inquiry: Email: co.ukaegbu@unizik.edu.ng.