

## Federal Character Principle and Democratic Consolidation in Nigeria: An Appraisal of Buhari's Appointments of Heads of Security Agencies

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**Abstract:** The wide acclaim attributed to democracy as the best form of organization of human society is based on the idea that democratic government brings about inclusiveness, representativity, relative stability in governance and therefore development of a nation. It is with the intent to ensure the inclusion of all sections of the Nigerian society in the governance of the nation that the Federal Character was enshrined in the Constitution. However, recent actions by the Buhari led administration seemed to have violated this principle, thus, questioning the democratic credentials of the administration. We posed the questions: Is the appointment of heads of security agencies in Nigeria a reflection of federal character principle between 2015 and 2018? Why has the appointment of the heads of the security agencies between these periods skewed in favour of a particular section of the country? We anchored our analysis on the Marxist theory of social production and reproduction of material values. Our data was generated through secondary sources. Our findings indicate that it is the struggle for survival and security of the incumbent administration that has led to the skewed nature of appointments to the heads of the various security agencies in the country. The paper recommends that for democracy to thrive and be consolidated in Nigeria that there will be every need to respect the federal character principle in appointments not only to the heads of the security agencies but also in all facets of our public life.

**Key words:** Federal Character principle • Democratic consolidation • Social production and reproduction

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### INTRODUCTION

The wide acclaim attributed to democracy as the best form of organization of human society is based on one of the ideas that democratic government brings about inclusiveness, representativity, relative stability in governance and therefore development of a nation. The concept of democracy have evoked a lot of controversy over the years, however, [1] had pointed out that:

while we may not avoid this controversy, it may be much more academically and practically rewarding to use the term in the way it was used and it meant to the Athenians who first used the word to refer to one of their known forms of rule rather than in the current dominant liberal sense in which

democracy has been reduced to rule by a comparatively few representatives elected periodically.

In furtherance of the above [2] had pointed out that

The quest for democracy is a global phenomenon. In fact the high stake attached to the concept of democracy especially in countries struggling to wriggle out of the bondage of dictatorial regimes, gives the impression that it is an end in itself. In that light, the results of elections are sometimes erroneously considered synonymous with the finished products of industries. On that premise, whatever ramification of the political behavior of political leaders who had emerged via the electoral machine is perceived as features of democracy.

The importance of democracy in bestowing legitimacy to the government has led to a practice where all forms of government and political leadership lay claim to democracy as a principle that informs their government style. One suspects as pointed out by [3] that the reasons for this pervasive appropriation of the term, democracy, by those who ought to know better are essentially ideological and psychological [4] went further to assert that:

All kinds of rulers want to be seen as democratic: meaning that they have been popularly selected by the people or rule on behalf of the people, or in the people's interests and/or that when they rule the people are ruling. Thus, rulers do not want to be seen as self serving, concerned with preserving privileges or amassing and/or protecting the wealthy these days.

For the purpose of this paper we will adopt an exposition on democracy as espoused by [5]. He had asserted that:

Only a process, function, structure, event or action which gives more people the right to authoritative decision making in a polity, can be rightly considered to be pro democracy, democratic friendly, democracy beckoning and vice versa, not just free speech, not periodic elections, not the right to vote and be voted for, as useful as they have been.

From this view point, democracy is a process and not a thing, it is a process of bringing more people into the authoritative decision making and decision enforcement of a polity. Therefore, any action, event, structure among other things that encourage the participation of more diverse people in a heterogeneous society in the process of decision making and enforcement in a polity should be considered democratic friendly and pro-democracy. Hence, democracy is consolidated when a process, action, function, structure and event gives more people the right to authoritative decision making in a polity.

In this connection, in a society that is heterogeneously constituted, for democracy to thrive and be consolidated, there is the need to put up a mechanism through which all the diverse elements of that society are given chance to participate in the governance of that society in all its ramifications. This is what the federal character principle which was instituted in Nigeria's

constitution should envisage. Thus, this paper interrogates the observation of the federal character principles in the appointments made by President Buhari since 2015 especially in the security architecture of Nigeria and prospects of democratic consolidation in Nigeria.

**Statement of the Problem:** Since October 1960, when Nigeria became an independent nation, successive governments have continued to seek the best form of government that would anchor the nation on the terrain of democracy. Accordingly, Nigeria has moved from Western parliamentary system of government to Presidential system of government in search of democracy. Moreover, there have been efforts in this direction by the creation of more states arising from the agitations of some sections of the country of marginalization in the affairs of the country. It was reported in the UNDP Human Development Report on Nigeria, 1996 that:

Between 1967 and 1996, the political structure has undergone five changes- from 4 regions to 12 States (1967); to 19 States (1976); to 21 States (1979); to 30 States in 1991 and to 36 States in 1996..... This ever present clamor for the creation of more States and Local Governments is indisputably a reflection of the disaffection of the people with the system of governance.

[6] corroborated this when he asserted that: "it is in order to redress the situation that the successive governments responded to the wishes of the people by continuing to create more states. This was in order to bring governments nearer to the people at the grassroots and offering more opportunities for participation in government by a greater number of people. In line with these efforts to instituting the democratic process in Nigeria, important constitutional reviews were carried out among which was the creation of the Federal Character Commission which was established by section 153(1) of the 1999 Constitution of the Federal Republic of Nigeria. However, its actual existence pre-dates that Constitution by three years having been set up by the Federal Character Commission (Establishment, etc) Decree No.34 of 1996 ("the Enabling Act"). This act was a direct result of the recommendations of the 1994/95 constitutional conference. The commission was established to give effect to section 14(3) and (4) of the constitution which provides respectively as follows:

The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to effect the federal character of Nigeria and the need to promote National unity and also command national loyalty, thereby ensuring that there shall be no predominance of persons from a few states or from a few ethnic or other sectional groups in that government or in any of its agencies. (www.federalcharacter.gov.ng)

Section 14(4) provides for:

The composition of Government of a State, a Local Government Council, or any of the agencies of such government or council and the conduct of the affairs of the Government or Council or such agencies shall be carried out in such a manner as to recognize the diversity of the people within its area of authority and the need to promote a sense of belonging and loyalty among all the people of the Federation. (www.federalcharacter.gov.ng)

Nevertheless, the conduct of government in Nigeria since 2015 to date, calls to question the application of the principle of federal character in the appointment of persons to public positions, but more specifically, the heads of security agencies in Nigeria. This is going by the fact that the fundamental concern of human beings and perhaps other living things is survival and security [7, 8]. Man must survive and be assured of his security before he can pursue any other aspect of social life. Without the assurance of survival and security, it will be difficult for society to discover itself let alone be able to produce and reproduce itself in a progressive manner. Therefore, we will be posing the teaser: Is the appointment of heads of security agencies in Nigeria a reflection of federal character principle between 2015 and 2018? Why has the appointment of the heads of the security agencies between these periods skewed in favour of a particular section of the country?

**Theoretical Framework:** This paper made use of some the assumptions emanating from the dynamics of social production and reproduction of material values which was developed in the classical works of Karl Marx and his friend Friedrich Engels and was popularized by such scholars as [8-11] among others. The social production and reproduction system perspective employed here according to [12] posits among others that:

- The fundamental concern of human beings and perhaps of other living things, is survival and security.
- And that for the human being to survive and have security he/ she must produce and reproduce human needs, including the production and reproduction of the human kind. It is also accepted as self-evident that meaningful production and reproduction of human needs is essentially social (interpersonal), not individual (or sectional, that is it requires the mobilization of all the sections of the human and material resources of a polity. *The author's insertion*).
- Every social relation (interpersonal relation) tends to be a full or partial social production and reproduction relation in full and/or in part of tangibles and intangibles such as food, shelter, medicine, weapon, new human being, pain, pleasure, sorrow, joy, security, insecurity, violence, offence, defence, etc.
- These tangible and intangible values and interests revolve around life processes such as respiration, nutrition, excretion, locomotion, sensitivity to stimuli, reproduction, growth and repair and decay. These vary in their perceived importance to various people at various points in time.
- Complete social production and reproduction of any value often entails political, economic, sociological, religious, psychological, physical and technical factors and dimensions almost at the same time or sequentially. For example, people may pray, be polite/rude, friendly/hostile to one another, educate or confuse/deceive others, find efficient ways and means, employ physical strength, marry, divorce, have some entertainment and relaxation, etc in order to produce and reproduce their needs. This means that a social production and reproduction system involves virtually every aspect of life. It is only for purposes of emphasis and brevity that an analyst tries to enumerate only the main factors of production.
- The family is the first basic and fairly complete unit of social production and reproduction including that of the human being, values, beliefs, culture and remains the last bastion and safety net for survival and security. Historically, interacting families have expanded into kindred families, clans, tribes and cores of nations and ethnic groups. These extensions of family, like the family are to varying degrees simultaneously political, economic, sociological, religious, language and geographical entities.

- Ethnic and religious considerations are important in so far as they enhance or inhibit or are perceived to enhance or inhibit people's position in the social production system.
- In every social production and reproduction system there must be someone or people to make binding decision on what is produced, distributed, exchanged and /or consumed by who and for who.
- Those who decide/choose what to produce when, how, where, by who and for who, also control the social production process and in their favour. They generally have the most of what is produced and they are often more satisfied than others within the production system and tend to protect it.
- Those who do not decide/choose what to produce (goods, services and other values) are generally at the receiving end of the social production system. They generally have the least of what is produced and they are often not satisfied or less satisfied than those who make the decision and they, therefore tend to want to change the system in their own favour.
- It is those who choose what to produce and for who, who controls the production process and who also rule or determine who rules. It is perhaps for this reason that each human being tends to want to determine/ decide/choose what himself or herself wants to produce. He or she wants and tends to work for/labour for what serves his or her needs and his/her needs which are likely to be best known to him/her and often to be produced when he/she decides and controls what to produce. This is the impetus for self-rule, peoples rule (democracy) and the resistance against other people's rule/foreign rule, particularly, domination and dictatorship
- A social production and reproduction system in which all accept their positions in it is unlikely to be violent and vice versa. People are likely to accept their position in the scheme of things if they feel secure. They feel more secure when they control the social production system. This is why people's sense of security is a function of their place in the production system. When, therefore, all the masses or at least a majority of the people in a polity control the production process, the polity or unit becomes a democracy, when the aged control the production process a gerontocracy emerges, when the wealthy dominate the production system plutocracy emerges as the form of governance etc. Therefore, no form of rule can be wished or decreed into existence or

sustained if it is not in consonance with or does not evolve from the social production that determines who has the means to govern.

**Application of the Theory to the Study:** The implication of these theoretical assumptions to this paper is that, the appointment into various political and public offices by the current Buhari's administration, especially the heads of the various security agencies in Nigeria between 2015 and 2018 is a reflection of the concern for the survival and security of the administration and the political class subsumed within it. It is an attempt by a section of the political class in Nigeria to use the security apparatus to perpetuate their dominance and survival within the social production and reproduction system of the Nigerian polity to their advantage. However, this has attracted a backlash from the ethnic/regional groupings that feel disadvantaged from the skewed appointments. Moreover, this skewed appointments in favour of one section of the nation to the exclusion of others, is a democratic reversal which vitiates from the principle of federal character as enshrined in the Nigeria Constitution. This principle for one thing tries to ensure that no section of the country is excluded from the process of authoritative decision making and implementation anchoring itself on the democratic principle of representativity of the various socio-cultural grouping in a society. Thus, if this trend continues in Nigeria the quest for democratic consolidation will be an effort in futility.

**An Appraisal of Buhari's Appointments into the Heads of Security Agencies and Other Positions in Nigeria:** The introduction and adoption of the Federal Character principle into the Nigerian Constitution is unarguably for the need to ensure that the country toes the democratic path in its development policies and objectives. It intends to carry along all the diverse elements of the nation in its social production and reproduction and thus eradicate marginalization which tends to engender conflict and antithetical to national development. This can be vividly inferred from the declaration of the then Head of the State while inaugurating the Federal Character Commission in 1995. He stated thus:

Every Nigerian has a right to share in the resources of our country just like we all must collectively shoulder the responsibility of her development and progress. The effective management of the economy calls for appreciation of the various groups in the country and acceptance of the dire need for a

balanced development and equitable access to socio-economic opportunities. (Federal Character Commission, 1996).

One of the functions of the Federal Character Commission as outlined in section 4(1) of the Decree are:

4.1 (a) To work out an equitable formula..... for the distribution of all cadres of post in the civil and public service of the Federation and of States, the Armed Forces, the Nigerian Police and other security agencies, bodies corporate owned by the Federal or a State Government and Extra-Ministerial Departments and parastatals of the Federation and States.

(b) To take such legal measures including the prosecution of the heads or staff of any Ministry, Extra-Ministerial Department or Agency which fail to comply with any Federal Character principle or Formula prescribed or adopted by the Commission.

Despite these provisions, the Buhari's led administration has gone ahead to make skewed appointments into the heads of the various security agencies in the country as can be gleaned from the table below while the Federal Character Commission looks the other way.

List of the Heads of Security Agencies in Nigeria and their State and Regions of Origin

S/N	POSITION	STATE	REGION
1	Air Force	Bauchi	North East
2	Inspector General of Police	Niger	North Central
3	Director General of Department of Security Services	Katsina	North West
4	Chief of Army Staff	Borno	North East
5	National Security Adviser	Borno	North East
6	Immigration	Jigawa	North West
7	Civil Defence	Niger	North Central
8	Defence Minister	Zamfara	North West
8	Comptroller of Prisons	n/a	North
9	Custom	Kaduna	North West
10	Chief of Naval Staff	Cross River	South South
11	Chief of Defence Staff	Ekiti	South West

Source:<http://www.nigerianeye.com/2016/06/Nigeria-security-chiefs-and-their-state.html?m=0>

From the table above it is evidently clear that the security architecture in Nigeria is dominated by a section of the country, specifically the Northern part of the country. Moreover, it had been observed that of all the other appointments made the president that 75% are from the North part of Nigeria while a paltry 25% are of the

Southern part of Nigeria [8]. Thus, in a discussion of security issues concerning Nigeria, the rest of the other parts of country will be grossly under represented, therefore bringing a sense of fear and insecurity to their mind. It is no wonder that the incessant killing of farmers and the sacking of villages by the Fulani herdsmen with boldness and audacious impunity has been attributed to the conspiracy between the President and the heads of the various security agencies in the country for an Islamic agenda. This scenario has tended to bring mutual suspicion among the different regional and religious groupings in the country.

It is pertinent to point out here that one's sense of survival and, mainly security will to a great extent be determined by the extent one feels represented/participate in deciding what shape the production and reproduction system takes. Survival and security are mutually reinforcing, one struggle to survive within the security architecture in a polity, while one's security depends on the survival strategy other people adopt within the social production and reproduction system in a polity. Thus, any polity whose means of survival and security architecture excludes a section of the populace vitiates from democratic ethos, which is the foundation of any meaningful development strategy. In this connection [4] had noted the nexus between democracy and development when he pointed out that:

Development is intended to engender development while, on the other hand development is expected to sustain and enhance democracy. Thus, the major hindrance to the institutionalization of democracy in the Third World Countries is basically their respective states of underdevelopment. There cannot be democracy in any polity in which antagonistic class structure is pronounced.

It is for this reason that the federal character principle was instituted in the Nigerian constitution, given its heterogeneous composition and the centrifugal forces that tends to divide rather than unit its people's, to ensure that all component parts of the country is represented in the scheme of things in the organization of whatever social production and reproduction that is being undertaken.

More importantly, the appointments into the heads of the various security agencies in Nigeria are a reflection of the survival strategy of the incumbent administration headed by President Muhammadu Buhari. The skewed nature of appointments in the security agencies in Nigeria

by the Buhari's administrations since 2015 are all efforts geared toward the security and survival of his regime and those other people whom are part of a fraction of the social class he represents. During his inaugural speech he rekindled the hope of democratic governance and democratic consolidation when he was quoted as saying:

"I belong to everybody. I belong to nobody."

That was the golden statement or word on the marble credited to President Muhammadu Buhari in his Inauguration Speech on Friday, May 29, 2015 at the Eagle Square, Abuja. However, disillusionment set in when in an address to United States Institute of Peace, that "the constituents, for example, gave me 97% [of the vote] cannot in all honesty be treated on some issues with constituencies that gave me 5%." (Sahara Reporters, July 25, 2015). Therefore, his appointments to the heads of various security agencies in Nigeria and most other of his appointments are a testament to that statement. It should be noted that the hoard of the president's supporters comes from the North and to him compensating the North will be a sure way to secure his Presidency and secure him and his cronies a second term in office.

However, this tendency from the President detracts from the federal character principle which should have been a mechanism towards ensuring democratic consolidation in Nigeria and the consequent national unity and development.

Furthermore, this survival and security strategy of appointing people from his section of the country could be gleaned by the attempt for the use of the Head of Department of State Security (DSS) Lawal Daura his cousin to scuttle and wrestle power from the leaders of the National Assembly who were considered antagonistic and constituting a stumbling block to the consolidation of the Presidents and his cronies interests and implant their stooges. The actions of the President have only succeeded in instilling mutual suspicion among the various ethnic and religious groupings in the country. One wonders how democracy and development can be achieved in such a situation.

## **CONCLUSION AND RECOMMENDATIONS**

The appointments of the President so far, especially to the Heads of the various security agencies in Nigeria, have been in gross violation of the principle of federal character as enshrined in the Nigerian Constitution. These lopsided appointments reflect attempts by the

President and a fraction of the political class whom he considers loyal to him to maintain a strong hold and secure a disproportionate share of the social product in the social production and reproduction system of the country. This is antithetical to democracy and consequently development.

However, since democracy is anchored on the principle of representativity of the people in governance or the bringing of more diverse people in a heterogeneous society into the authoritative decision making process of the government; it becomes imperative that the federal character principle be respected in appointments to positions in the country. Anything short of that is democratic reversal, anti-democratic and inconsistent with democratic consolidation and therefore development.

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