

1999 CONSTITUTION AND NATIONAL INTEGRATION: A COMPARATIVE STUDY OF CONSTITUTION AND CONSTITUTIONALSIM IN NIGERIA (1999-2009).

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ABSTRACT

Constitution is a legal instrument that to captured the essence of any political system in which it is operated. Hence, it is a body of laws which ensure that all the aspects of political system are to be taken into consideration in the process of its making. Thus, the framers of the federal constitution incorporate institutional measures to assure oneness in a diversified polity. This was the exact case with the nation's 1999 constitution in which some integrative mechanisms were entrenched to ensure unity in diversity. This study, therefore, not only identified these integrative mechanisms in the 1999 constitutions; presidentialism, federal character and party formation but also measured the extents of compliance by the operators of the constitution. The study which adopted documentary method thereby relies on secondary sources for its data generation concluded that, although the operators complied with these integrative mechanisms, but there were absurdities, abuses and misuse in its operations and practices. The paper also concluded that some of the integrative provisions are burden on the finances of the Nigerian State. The paper made some fundamental recommendations on how to strengthens the institutional mechanisms as provided for in the 1999 constitution

INTRODUCTION

It is a wide belief that the inability of the two post colonial constitutions in Nigeria 1960 and 1963 independence and Republican constitutions respectively to incorporate adequate integrative measures in the constitutions led to the premature collapse of the nation's First and Second Republics among other factors.

The framers of the constitutions had failed to give enough considerations to the social, political and economic environments in which the constitutions were to be operated. The two constitutions also had glossed over institutionalized integrative efforts in a sharply pluralistic nation. The framers were guilty of incorporating the features of an almost homogeneous nation-Britain, our colonial masters without recourse to environmental differences between the colonial masters and the colonized nation. This constitutional oversight was arguably believed to have fuelled the embers of disunity, cut throat politics, regionalism and tribalism in the independent and Republican years.

Thus, a pluralistic state that deserves a unified measures such as effective presidentialism to complement our federal structure opted for parliamentary system which was suitable for homogeneous nations. This is a sharp contrast to Chief Obafemi Awolowo's recommendations for constitutional making. Awolowo (1966) had stated that

a unitary constitution will not work in circumstances which a federal constitution while environmental suitability is the essence of constitutions.

In conformity with the above two views, the authors of both the 1979 constitution which formed the bedrock of the 1999 constitution did not pretend about the multiplication of interests in Nigeria and the need to ensure and maintain cohesion among them. Therefore, 1999 constitution provided for environmental influences in the making of the constitution by providing for integrative mechanisms to ensure unity in Nigeria.

1999 CONSTITUTION AND NATIONAL INTEGRATION

This integrative mission was explicitly stated in Chapter II Section 14 and 15, sub sections 1-3 a,b,c,d of the constitution. Section 15 (2) states unambiguously:

Accordingly, national integration shall be actively encouraged whilst discrimination on the grounds of place of origin, sex, religion, states, ethnic or linguistic association or ties shall be prohibited.

To encourage inter ethnic marriage among persons from different parts of the constitution Sub sections 3 a, b, c, d of the constitution mince no words on how to ensure oneness in spite of diversities in Nigeria.

The Section states inter alia: For the purpose of promoting national integration, it shall be the duty of the state to:-

- (a) Provide adequate facilities for and encourage free mobility of people, goods, and services through the federation.
- (b) Secure full residence rights for every citizen in all parts of the federations
- (c) Encourage inter-marriage among persons from different places of origin or of different religious, ethnic or linguistic association or ties, and
- (d) Promote or encourage the formations of associations that cut across ethnic, linguistic, religions or other sectional barriers.

Section 15(4) equally states clearly about the desire to build a bridge of understanding among different ethnic groups in Nigeria. It states that: The state shall foster a feeling of belonging and of involvement among the various people of the federation to the end that loyalty to the nation shall override sectional loyalty.

The above provisions become necessary because of lack of deliberate institutionalized integrative designs in both the 1960 and 1963 constitutions. This oversight was regarded as the causes of many crises of the nation building in Nigeria's First and Second Republics. Hence, the authors of the 1979 constitution which formed the bedrock of the 1999 constitution took time off to ensure that the diversities of the people, their history, and culture were reflected to guard against threats to unity and dissuade parochialism among the various groups making up in the federal republic of Nigeria.

This paper therefore sets out to examine three of these integrative mechanisms and their effectiveness in the last decade. These measures are Presidential system, Federal Character Principle and Party formation.

However before this, we need to examine the relevant concepts in this study. These are constitution, constitutionalism and national integration.

BACKGROUND TO 1999 CONSTITUTION

After the collapse of the Second Republic in December 1983, not less than two attempts were made to fashion another constitution for the nation. The first was in 1989 by General Ibrahim Babangida-led military administration and the second was in 1995 under General Sani Abacha's military junta.

However, the two constitutions did not see the light of the day because of two interruptions. One natural and the other artificial. The annulment of the June 12, 1993 did not allow Babangida's constitutional attempt to run its full swim. The death of General Abacha did not allow the constitution making he started to fruition.

The nation was at the cross road when General Abdulsalam Abubakar took over the reign of government in 1998. The military man, who was never attracted by the aroma of office to want to sit tight, was in a hurry to hand over power to a democratically elected government. He was, however, faced with difficulties with which constitution to adopt within the shortest time.

The regime set up a Constitution Debate Committee (CDC) under the Chairmanship of Justice Niki Tobi of the Supreme Court. The CDC sampled the opinions of Nigerians. At the end of the day, the preference of Nigerians was for the 1979 constitution. Therefore, the regime adopted the 1979 constitution for the transition programme and the present regime. The constitution was only minorly amended to meet the present realities.

CONSTITUTION AND CONSTITUTIONALISM

Constitution is the body of law codified or not codified in a document specifically designed to control the action and inactions of the state and regulate the behaviour of its citizens. It is an instrument specifically meant to guarantee law and order by specifying the rules, regulations for both the states and the people. It also spells out the powers and limitations of the ruled and the rulers.

Constitution is therefore the norms, conventions, customs and usages which set the structural formaton how a state is to be governed. It defines the intended relations between the governed and the governors, outlines the major institutional framework, the rights and duties of citizens.

Whearse (1966) sees constitution as:

“The whole system of government of a country, the collection of rules which establish and regulate the governed and the government”.

Paine: a contributor to the French constitution of 1793 states that a constitution is the act of a government but of people constituting a government and a government without a constitution is power without right.”

For the purpose of this paper, Constitution is defined as both an instrument for and guiding spirit of governance which states and defines the rules and regulations, rights, duties and powers of government and those of the governed in a given state.

IMPORTANCE OF CONSTITUTION

On the imperatives of constitution in any political system, Ayeni-Akeke (2008) says these include: ensuring certainty and due process, prevention of arbitrariness, prevention or mitigating conflict, setting out the basic rights and duties of citizens, guides as to the creation of basic political structure of a state including their powers and functions.

For the purpose of this paper we adopt Ayeni-Akeke's conceptualization of constitution as an integrative instrument in a heterogeneous society. According to him:

A constitution promotes a sense of community among members of a political system especially in countries made up of heterogeneous groups. Where a constitution is a product of collective deliberation, its contents or provisions tend to be distillations of the rules, interests and aspirations of the various groups making up the state.

Wharase (1966) proposes six classifications of the constitution. These include: Written and unwritten constitution, rigid and flexible, supreme and subordinate, federal and unitary, separated powers and fiscal powers and Republican and Monarchical.

CONSTITUTIONALISM

Constitutionalism on the other hand is the conformity and compliance with the tenets and provisions of the constitution in the administration of a given state for which it is meant. It measures the rate and level at which operators of the constitution are enforcing their powers and guarantee individual rights as documented in the constitution.

Nwabueze (1989) distinguishes between the two: To him, constitution is not synonymous with constitutionalism. According to him, Constitutionalism is the spirit or feelings behind the constitution. He states that it is the limiting of arbitrariness inherent in government and political powers. He further states that constitutionalism connotes the government conducted according to the determined rules and regulations but not according to momentary whims and caprices of the rulers.

According to him, constitutionalism recognizes the necessity for government but insists upon limitations being placed upon the exercise of such power.

In essence, it means a "limitation on government". It is the antithesis of arbitrary rules. Its opposite is despotic government, the government of will instead of law.

Henkin (1998) corroborates the above when he states that constitutionalism implies that the public authority can legitimately be exercised only in accordance with the constitution. Ihonvbere (2000) however, states that this is just one of the conceptions of constitutionalism. He said the view expressed by Henkin was only a legalistic interpretation of the concept. To him, constitutionalism goes beyond a point of compliance with the law to include: processes for developing, presenting, adopting and utilizing a political compact that defines not only the power relation between political communities and constituencies but also defines rights, duties and obligations of citizens in any society.

He however, classified the meaning of constitutionalism into two:

1. The process of constitution making and how it was popular and democratic:
2. The openings, institutions and processes of constitution making as a living by ensuring that all the processes of constitution making are complied with;

so that they are in opposition to not just have access to it, but that, they understand it, claim ownership and deploy it in their defense of their individual and collective right and democratic enterprise.

Fredrich (1968) as quoted in Anifowose and Enemu (1999) listed the following as the essential ingredients of constitutionalism: respect for the rule of law and liberty, separation of power and a system of checks and balances, toleration of opposition, press freedom, fairness, independent judiciary as well as accountability, responsibility and responsiveness of government to the people.

1999 CONSTITUTION AND INTEGRATIVE MECHANISMS

PRESIDENTIAL SYSTEM AND NATIONAL INTEGRATION

The Constitution Drafting Committee (CDC) was encouraged in the making of the Second Republic Constitution to adopt presidential system of government because of its integrative mechanism in a divided society. Suberu (1989) confirmed this when he said that, the CDC saw the inherent merits in substituting dual offices of the Head of State and the Head of Government by a single elected President. He mentioned that Bicephalous executive common to parliamentary system is not only meaningless in the light of African experience but also disruptive in practice.

This was also the position of CDC on presidential system of government when the body noted in its report that:

The separation of the Head of State from the Head of Government involves a division between real authority and formal authority. The division is meaningless in the light of African political experience and history. The clashes and conflicts inherent in the system produce instability in government and society; and also endanger national unity. A system of separation clearly fails to provide a clear physical point in loyalty which is indispensable in natural integration.

As opposed to the disintegrative tendencies of the parliamentary system of government that was handed down to us by our colonial masters; the 1999 constitution adopted a presidential system, which is believed to contain the seed of unity in pluralistic societies.

The separation of the positions of the Head of state and Government as practiced in Nigeria's First Republic was seen as incompatible with the unity expected in a divided society. The nature of the election of the Prime Minister and the procedure for the election of the president was outlined in chapter IV of the 1963 constitution Section 35(2) stated that:

The President shall be elected by secret ballot at a joint meeting of both Houses of Parliament held for the purpose of electing the President.

Thus, the election of the President had no national touch as most of those who composed the house were either selected or nominated members. Nigerians were not involved directly in the elections of those who was to govern them and command her troops.

The nature of the appointment of the nation's Prime Minister was equally undemocratic. His appointment was by the President whose emergence lacked national participation.

Section 87 (1) and (2) stated this procedure clearly:

- (1) There shall be a Prime Minister of the Federation, who shall be appointed by the President
- (2) Whenever the President has occasioned to appoint a Prime Minister, he shall appoint a member of the House of Representatives who appears to him to likely to command the support of the majority of the members of the House.

Hence, the framers of both the 1979 and 1999 constitution tried to change from a bicephalous nature of the executive to a monocephalous arrangement. The position of the Head of state and that of Government were combined in one person – The Executive President. Thus, the incessant conflicts between the different occupants of the two positions in Nigeria's First Republic with the introduction of 1999 constitution.

Section 130 (2) of the 1999 Constitution states thus:

There shall be for the Federation a President:

The President shall be the Head of State; the Chief Executive of the Federation and Commander-in-Chief of the Armed Forces of the Federation

The constitution in question is cleared about the integrative nature of the presidential system. The system which combines three in one functions in the person is unifying and integrating. The personality of the President is a symbol of nationhood being looked onto from all the sections of the federation. This is a situation in which one man presides over both the state and its government as against the division of these functions in a parliamentary system this promotes harmony and national integration. The President in a presidential system is regarded as a symbol of national unity, a leader representing all the segments of the nation. This is by the virtue of the election that brings him into power. This now forms basis of our argument here vis a vis national integration.

FEDERAL CHARACTER PRINCIPLE AND NATIONAL INTEGRATION

As a carryover from the 1979 and 1989 constitutions, the framers of 1999 constitution enshrined Federal Character Principles which is necessitated by our peculiar political culture resulting from our imbalanced federal structure. Osaghae (2006) states that the principle is a combination of merits of “proportionality, quota system, affirmative action/reverse discrimination, ethnic or arithmetic and political balancing”.

The principle is defined in Section 318 to refer to “the distinctive desire of the peoples of Nigeria to promote national unity, foster national loyalty and give every citizen of Nigeria a sense of belonging to the nation as expressed in Section 14(3) and (4) of the constitution”.

Osaghae (1988), Ekeh and Osaghe (1989), Ojo (2005) state that the “principle applies to other areas of our national life such as formation and operations of political parties, distribution of federal presence and composition of most national bodies including football teams”.

The principle is enshrined in Section 14(3) and (4) of the 1999 constitution.

Hence, 1999 constitution provides for balancing act and efforts at nation building in the employment into the nation's institutions, agencies and offices. This balancing act is found in sections 14 of the constitution.

Section 14 (3) states that:

The composition of the government of the federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the federal character of Nigeria and the need to promote national

unity, and also to command national loyalty thereby ensuring that there shall be no predominance of persons from a few ethnic group or other sectional groups in the government or in any of its agencies

Section 14(4) also repeated the above for the appointment into agencies and government in States and Local government in Nigeria.

FORMATION OF POLITICAL PARTIES AND NATIONAL INTEGRATION

These provisions are contained in Sections 221 to 229 of the 1999 Constitution. The Sections and their provisions are:

b the membership of the association is open to every Nigerian citizen irrespective of his place of origin, circumstance of birth, sex, religion or ethnic grouping.

C the name of association, its symbol or logo does not contain any ethnic Or religious connotation or give the appearance that the activities of the Association are confined to a part only of the geographical area of Nigeria Section 223(1) states that, the constitution and rules of a political party shall:

a ensure that the members of the executive committee or other governing body of the political party shall reflect the federal character of Nigeria.

b members of the executive committee or other governing body of the political party shall be deemed to reflect the federal character of Nigeria only if the members thereof belong to different states not being less in number than two thirds of the states of the federation and the Federal Capital Territory, (FCT) Abuja

COMPLIANCE WITH THE CONSTITUTION AND NATIONAL INTEGRATION

1) combination of President and Vice President to Contest Election

There have been two candidates that combine to contest for the executive position on the ticket of the same party as prescribed by 1999 Constitution., One as President and the other as Vice President. They were elected from different parts of the country. In 1999-2007, Olusegun Obasanjo from the South-West and Atiku Abubakar from the North-East as the President and Vice President respectively. Between 2007 and 2010, two candidates, Umaru Yar 'Adua from North-West and Goodluck Jonathan from South-South. From 2010 to 2011, Goodluck Jonathan from South-south as the President and Sambo from the North West as the Vice President.

2) Election of the President

The election have been taken place the same day all over the country. There have been observation of the 25% or ¼ of the vote cast in at least 2/3 of the states of the federation.

Federal Character and National Integration

There have been compliance with the provisions of section 14(3) and (4) in the composition of both federal and state governments in the last ten years. This is demonstrated below using the composition of the federal government as a case study.

Composition of the Federal Government 1999-2007

President - Southwest
 V. President - North East
 Secretary to the Federal Govt. - North West
 Senate President – South East
 Deputy Senate President – North Central
 Speaker, House of Representatives - North West
 Deputy Speaker House of Representatives - South –South

Composition of the Federal Government 2007 till date

President - North-West
 V. President - South-South
 Secretary to the Federal Govt. - South East
 Senate President – North Central
 Deputy Senate President – South East
 Speaker, House of Representatives - South-West
 Deputy Speaker House of Representatives - South –East

FEDERAL CHARACTER PRINCIPLE AND MINISTERIAL APPOINTMENT 1999-2003

Name	State
Mr. Ojo Madrekwe	Abia
Mr. Nnyeabo Obi	Anambra
Alhaji Waziri Korfi	Bauchi
Chief E. Bamyo	Bayelsa
Dr. Iyorchia Ayu	Benue
Alhaji I. Bonu	Borgo
Chief C. Agbobu	Delta
Chief Tony Anenchi	Edo
Prof. T. Adeniran	Ekiti
Alhaji D. Goje	Gombe
Mr. K. Chikwe	Imo
Alhaji Sule Lamido	Jigaa
Mr. Isaiah Bala	Kaduna
Mr. Kanu Agabi	CRS
Hon Dobem Onyia	Enugu
Mr. Isaiah Balat	Kaduna
Alhaji Musa Gwadabe	Kano
Alhaji Sani Zongo Daura	Katsina
Dr. (Mrs.) Ndalolo	Kwara
Chief Dapo Sarumi	Lagos
Chief Solomon Ewuga	Nassarawa
Engineer Mustapha Bello	Niger
Chief Jubril Martin Kuye	Ogun
Dr. Olusegun Agagu	Ondo
Chief S. M. Afolabi	Osun
Alhaji Haruna Elewi	Oyo

Mr. Damisi Sango	Plateau
Chief Precious Ngelala	Rivers
Alhaji Mohammed Arzika	Sokoto
Chief Bola Ige	Osun
Mrs. Dupe Adelaja	Ogun
Dr. Tim Menakaya	Anambra
Dr. Mrs. Bekky Ketebu Igwe Bayelsa	
Chief Tonye Graham Douglas	Rivers
Prof. Jerry Gana	Niger
Mrs. Pauline Tallen	Plateau
Alhaji Lawal Bitarurawa	Katsina
Alhaji Hassan Adamu	Katsina
General Theophilus Danjuma	Taraba
Alhaji Wakili Adamawa	Adamawa

Some ministerial nominees were dropped by the senate in account of geographical spread and that their selection run full of the provisions of the 1999 constitution as regard Federal character. Those that were dropped include; Mr. Yomi Edu – Lagos, Alhaji Adamawaziri-Yobe, Mrs. Joy Emordi, Anambra Mrs. Audu Salome Taraba, and Senator Onyabo Obi – Anambra. To have confirmed the candidative of Mr. Yomi Edu was to give undue reference to the South West who had produced two ministers from Osun state alone, his selection alongside, Chief Dapo Sannusi is against section 14(3). The same thing goes for the nomination of Mrs. Joy Emordi and Senator Onyabo Obi, the duo are from Anambra, the same state that provided Dr. Tim Mernakaya, the confirmed health minister.

2003 Ministerial list and National Integration

Name	State of Origin
Dr. Ngozi Okonjo-Iweala	Abia
Mr. Chukwuemaka Chikelu	Anambra
Mallam Adamu Bello	Adamawa
Mrs. Rita Akpan	Akwa Ibom
Dr. Iyorchia Ayu	Benue
Chief Broderick Bozino	Delta
Mrs. Binta Musa	Borno
Mr. Roland Oritsejafor	Delta
Chief Franklin Ogbuagu	Ebonyi
Professor Turner Isoon	Bayelsa
Elder Odion Igbesia	Edo
Mr. Frank Nweke	Enugu
Chief Samuel Babalola	Ekiti
Alhaji Sehu Sahel	Jigawa
Chief Cornelius Adebayo	Kwara
Professor Eyitayo Lambo	Kogi
Chief Adeseye Ogunlewe	Lagos
Mr. Fabian Osuji	Imo
Chief (Mrs.) Mobolaji Osomo	Ondo
Chief Bamidele Dada	Oyo
Ambassador Oluyemi Adeniji	Osun

Chief Akin Olujimi	Oyo
Mallam Nazi El-Rufai	Kaduna
Dr. Rabi Kwankaranzo	Kano
Col. Musa Mohammed (rtd)	Gombe
Dr. Precious Sekebo	Rivers
Mr. Oseni Akwanga	Benin
Alhaji Muktar Shagari	Sokoto
Mrs. Rita Akpa	Cross river
Nyel Imoke	Cross River
Mrs. Funke Adedoyin	Kwara
Mr. Isa Yuguda	Bauchi

On the strength of federal character when the President of the federation had the cause to change the nation's ministerial list, the principle of the federal character was still enforced.

The list of the replaced and incoming ministers are reflected below against their state of origin

Outgoing Minister	State	Incoming	State
Chief Mrs. Mobolaji Osomo	Ondo	Olusegun Mimiko	Ondo
Dr. Chukwemeka Chikehi	Anambra	Mrs. Obiageli Ezekwesile	Anambra
Funke Adedoyin	Kwara	Mrs. Halima Tayo Alao	Kwara
Elder Odion Ugbesa	Edo	Dr. Joseph Odidilith	Eo
Mrs. Obong Rita Akpan	Akwa Ibom	Chief Mrs. H.O.Ezuene	Akw Ibom
Hajia Bintu Musu	Borno	Mrs. Maryam Aroma	Borno
Col Mala Manile (rtd)	Zamfara	Yahaya Abidakarium	Zamfara
Alhaji Sheu Sahel	Jigawa	Hon. Ahmed Abulhammed	Jigawa
		Mr. Fidelis Tapgun	Plateau
		Bayo Ojo	Kogi
Professor Fabian Osuji	Imo	Prof. Chincwe Osuji	Imo
Chief Akin Olujimi	Oyo	Replacement from the one removed from the list	

LIST OF MINISTERS IN NIGERIA, STATE OF ORIGIN AND THEIR MINISTRY (2007)

S/no	Name	Ministry	State of origin
1.	Chief Mke Aondoakaa	Minister of Special Duty	Benue State
2.	Dr. I. Abba Ruma	Minister of Agriculture & Water Resources	Kastina State
3.	Mrs. Fidelia. A. Njeze	Minister of state, Agriculture & Water Resource	Ebonyi State
4.	Mr. Babatunde Omotoba	Minister of Aviation	Ekiti state
5.	Senator Bello J. Gada	Minister of Culture & Tourism	Sokoto State
6.	Dr. Shettima. Mustapha	Minister of Defence	Borno state
7.	Mr. Admola Sriki	Minister of State Defence	Lagos state
8.	Dr. Sam. Egwu	Minister of Educaiton	Ebonyi State
9.	Hajia Aishatu Dukku. Agada	Minister of state Education	Gombe State
10.	Mr. John Oddey	Minister of Environment	Cross Rivers State
11.	Senator M. Aliero	Minister of the Federal Capital Terrirory	Kebbi State
12.	Mr. J.S. Odom	Minister of state Federal Capital Territory	Abia State
13.	Mr. Remi Babaalola	Minister of State Finance	Oyo State
14.	Mr. Ojo Maduekwe	Minister of Foreign Affairs	Abia State
15.	Alhaji Jubril Maigari	Minister of State Foreign Affairs 1	Yobe State
16.	Ambassador. Bagudu. Hirse	Minister of state Foreign Affairs 11	Plateau state
17.	Prof. B. Osotimehin	Minister of Health	Ogun state
18.	Dr. A.I. Hong	Minister of State Health	Adamawa state
19.	Prof. Dora Akunyili	Minister of Information & Communication	Anambra State
20.	Alhaji. Aliyu Ikra Bilbis	Minister of State Information & Communication	Zamfara State
21.	Godwin Abbe	Minister of Interior	Edo State

22.	Chief. Adetokunbo Kayode	Minister of Justice	Ondo State
23.	Mrs. Deziani. Allison Madueke	Minister of Mines & Steel Development	Bayelsa state
24	Dr. Sahmsudeen. Usman	Minister of National Planning Commission	Kano State
25.	Elder G. Orubebe	Minister of state	Delta State
26.	Dr. Rilwanu Lukman	Minister of Petroleum	Kaduna State
27.	Mr. O. Ajumogbobia	Minister of state	Rivers State
28.	Dr. I. Y. Lame	Minister of Police Affaires	Bauchi state
29.	Arch. Nuhu. Way	Minister of state Power	Kaduna state
30	Dr. A.B. Zaku	Minister of Science & Technology	Taraba State
31.	Engr. S.M. Ndenus	Minister of Chairman National Sport Commission	Niger State
32.	Alhaji Ibrahim Bio	Minister of Transport	Niger State
33.	Mrs. S.H. Sulaiman	Minister of Women Affairs	Kebbi state
34.	Dr. Hasan M. Lawal	Minister of Works & Housing	Nasarawa State
35.	Mrs. Grace Ekpiwher	Minister of state Works & Housing	Delta State
36.	Sen. A. Olasunkanmi	Minister of Youth Development	Osun state
37.	Amb. A. Kazaure	Minister of Special Duties	Jigawa state
38.	Chief Ufort Ekaette	Minister of Niger-delta Affairs	Akwa-Ibom
39.	Dr. Muktar Mansur	Minister of Finance	Kao State
40.	Chief Archike Udenwa	Minister of Commerce & Industry	Imo State
41.	Mr. Rilwan Babalola	Minister of Power	Osun State
42.	Abdulrahman Adamu	Minister of State of Interior	Adamawa state

PARTY FORMATION AND NATIONAL INTEGRATION

No sectional motto or logo for any of the existing 57 political parties. E.g PDP has umbrella as its logo and Power to the people as its motto, AC has broom as its logo and

Democracy, power to the people, Alliance for Democracy has candle as the logo, Justice Party has Eye as its logo.

All the political parties headquarters are located in Abuja, the Federal Capital Territory (FCT) as prescribed by the 1999 Constitution.

As for the composition of the executive officers and federal character, the parties have equally been complying with this. Selected samples will be presented here.

Principal Officers of PPA and Federal Character Principle

Progressive Peoples Alliances

National Chairman:	Clement Ebri
National Secretary:	Abdullahi Dairu Musa
National Treasurer:	Chief Omokwe Emma Chukwu
National Financial Secretary:	Engr. Sali Maman
National Legal Adviser:	Chike Mike Nwosu

Principal Officers of ANPP and Federal Character Principle

All National Peoples Party

National Chairman:	Chief Okey Nwosu
National Secretary:	Senator Saidu Kumor
National Treasurer:	Alh. Shuaibu Musa
National Financial Secretary:	Hon. Sanni D. El-Katuzu
National Legal Adviser:	Alh. Isa Dederi

Principal Officers of PDP and Federal Character principle

National Chairman:	Chief Vincent Ogbulafor
National Secretary:	Alh. Abubakar Baraje
National Treasurer:	Mr. William Makinde
Financial Secretary:	Alh. Tukur Mani
National Legal Adviser	Chief Olusola Oke

Principal Officers of Action Congress and Federal Character

National Chairman:	Chief Adebisi Bamidele Akande
National Secretary:	Alh. Bashir Dalhatu
National Treasurer:	Dr. Alex Ideh
Financial Secretary:	Mrs. E.O. Ezuma
National Legal Adviser:	Dr. Ramatu Sale

Source: INEC website. Address Bassan Plaza Plot 759, Central Business Area, Behind NICON Insurance Plaza, Abuja. Phone 09-2347556, 09-6700075, 096700094,

1999 CONSTITUTION AND NATIONAL INTEGRATION QUESTION: AN ASSESSMENT OF PRESIDENTIALISM AND NATIONAL COHESIONS:

The Kernel of argument against parliamentary system as adopted in the nation's first Republic is that of its division of powers between the President and the Prime Minister. Again, there was lack of national/direct participation in the election of the Prime Minister. That is to say, splitting the offices of Head of State and that of Government into two i.e bicephalous executive. It was

widely believed that the adoption of parliamentarism in the nation's First Republic Nigeria was a misnomer. This is against the backdrop of the procedure of the elections and selection of both the President and Prime Minister. The two procedures were alleged to be parochial and disintegrative in nature. They also lacked sense of belonging and devoid of patriotism.

However, a critical study of the relationship between the President and the vice President between 1999 and 2010 have been crisis ridden.

The stories and rumours of incessant disagreements between the then nation's number one and two man has rubbed off the seed of unity and cohesion expected to be contained in a presidential system.

The greater period of Olusegun Obasanjo and Atiku Abubakar presidency polarized Aso Villa into two camps. The Aso Villa is said to polarized between the loyalists of the two. This accounted for why Atiku Abubakar could not succeed Olusegun Obasanjo in 2007 because of the crisis between the two. The illness of President Yar' Adua has exposed the crisis of confidence between the two. Although, the two contested the election on the ticket of the same party, but the President, Yar' Adua violated Section 144 of the constitution by failing to transmitting a letter to the National Assembly to confirm Goodluck Jonathan as the Acting President. Both the National Assembly and the Governors Forum had to resort to invent a Doctrine of Necessity to confirm Actingship on the Vice President. Therefore, the expected unity between the President and the Vice President as a result of standing election on the ticket of the same party has failed to achieve National Integration. In fact, the illness of the President and his failure to confer Actingship on the Vice President, Goodluck Jonathan has posed a question on the National Integration Mechanism in Nigeria through section 132.

A too Costly System of Government

Apart from perceived and evidences of crises between the President and the Vice President in the last decade as noted above, the system of government is too costly for developing society like Nigeria. The resources expected to be plough back into the developmental projects are being wasted on the payment of salaries and allowances to the public office holders. Presidentialism by its major features requires/dictates a lot of appointments and at all levels, local, state and national levels. For example, the National Assembly consists of 109 members in the Senate and 360 members in the House of Representatives with myriad of Special Assistants and domestic staff attach to each members. There are about 40 ministers, 15 Special Advisers, 11 Special Assistants attached to both the President and his Vice President at the Federal level. There are 36 state governors, with at least 10 commissioners at state levels and sizeable number of Advisers and Assistants, 774 Executive Chairmen and Vice chairmen of local government. There are also almost 2,000 supervisors, and over 3000 elected councilors. With different chairmen and members of commissions and agencies at both state and federal levels.

All these public officials draw salaries and allowances from the federation account on monthly basis. The huge resources committed to this system under the guise of integration is impinging on the developments of the nation.

Again, the unending crises for power before and after the elections by the above political office holders has on several occasions threaten the unity of Nigeria. Rather than unifying the nation, the elite behaviour in Nigeria has been incongruous to national unity.

ELECTION OF THE PRESIDENT AND NATIONAL UNITY

The selection of the President and election of the Prime Minister in the nation's First Republic was not nationalistic in approach i.e lacking in national appeals because of its indirect nature among nominated and elected House of Representative members. Therefore, to ensure that the President represent the entire federation, provisions were made to ensure National Integration. i.e that the president must have 25% or a quarter of vote cast in 2/3 of states in the Federation.

While this arrangement is laudable as an heterogeneous nation, it has been unfortunate in Nigeria that the elections into the nation's President and Vice President has remained fractious, rancorous and ethnically ridden. The election of the President because of the overbearing powers arrogated to the holder of the position has been turbulent. It has remained cut throat. In most of the presidential elections during the period (1999-2009) lives and properties were lost because of different manipulations associated with the election of the President. These fraudulent electoral malpractices were recorded in 1999, 2003 and 2007 presidential elections. Rather than the election promoting national unity, it has been crisis ridden and violent prone.

This explained many violence in some parts of Nigeria especially in the South West Nigeria after the 1999 presidential election. In that elections, the PDP candidate, Chief Obasanjo won with 18,734,154 votes representing 62.78% of the votes as against 11,110,287 votes representing 37.22% votes by the AD/APP Alliance candidate Chief Olu Falae. Thus this total number of votes cast at the election was put at 29,842,441.

In fact, the 2003 election was also ethnic-ridden as the Yorubas of the South-West suddenly woke up, in the name of ethnicity to vote for their son Olusegun Obasanjo. Obasanjo, who in 1999 scored less than 20%, of the votes in the election but suddenly in 2003 scored 92.42% in Ekiti, 99.92% in Ogun, 95.18% in Osun, 94.61% in Ondo, 93.82% in Oyo and 70% in Lagos state.

Hence, it is reasonable to conclude that, rather that, election of the nation's President serving as integrative forces by the provisions of the 1999 constitution, the election has rather becomes an occasion where different ethnic groups demonstrated their preferences on the basis of ethnic or religious or other factors.

POLITICAL PARTIES FORMATION AND NATION BUILDING NIGERIA UNDER 1999 CONSTITUTION.

There is no doubt that the framers of 1999 constitution tried to entrench nation building provisions via political parties in Nigeria. This is noted in the membership, logo, offices, officers, finances, In fact in the term of composition of them and officers, a fair sharing and equitable formular were adopted to ensure that their officials are representatives of different characters in Nigeria in conformity with section 14 (3) of the constitution

ASSESSMENT

However on the membership strength, except for PDP, none of the other parties can be regarded as parties with national appeal. The ACC is best described as party of the Southwest and for the Southwest. The party made little or no incursion into other zones. ANPP was more

of parties popular in most part of the Northern states. PDP is also guilty of being a party of the money bags and mostly retired generals.

With the increase of the political parties into 30 in 2003 elections and now 64, the aspirations of the authors of the 1999 constitution to ensure that political parties are instrument of nation building has remained more threaten than ever. With the formation of All Progressive Grand Alliance (APGA) and Progressive People Alliance (PPA) in the South-East, AD now AC in the South West and All People Party (APP) in the North, one is only reminded of the days of NCNC in the East AG in the West and NPC in the North.

Except that the next election are technically and carefully handed, there may be alliance among the 64 political parties if only to consolidate the erstwhile regional politics of the First and Second Republics. Except for PDP and APP to some extent, all other political parties have been tribally and ethnically chauvinistic.

Therefore, while the 1999 Constitution provides for integrative mechanisms in party formation, the Practice in the last decade have been in the reverse. The parties have remained essentially tribalistic in term of voting pattern and followership in the last decade.

FEDERAL CHARACTER PRINCIPLES AND 1999 CONSTITUTION: AN ASSESSMENT

The principle preaches over-generalization of appointment into government agencies in order to conform to the provision of this section in appointment into offices at all levels, agencies, parastatals and commissions even when these appointments are not necessary. This is particularly noticed in the appointment of Minister of State in each Ministry. Therefore, it overloads the political system and eats deep into the nation's finances because this is unnecessary as there are Permanent Secretaries to assist the Minister.

It sacrifices merit on the altar of mediocrity. Thus, it promotes incompetence, inefficiency, ineffectiveness in the discharge of public duties. This is because the best may be disallowed from being appointed as a result of the Federal Character Principle. It also sacrifices merit as far as admissions into Federal and State Universities, College of Education, Polytechnic, etc are concerned. some brilliant and promising prospective students are denied admission into Federal, State and Local Educational Institutions on the basis of quota system.

CONCLUSION

The paper concludes that there is no relationship between the integrative provisions of the 1999 constitution and the actual practices. Although, there have been compliance with these integrative mechanisms, but the operations by the stakeholders have been devisive in nature and character. In spite of desire by the 1999 constitution to have integrative political parties, the contrary is the case. We still have ethnic political parties as at today. The presidential system as being practiced in Nigeria today is not a uniting instrument. The incessant mistrust and distrust between the President and the Vice President have not made their combination a united force. It is equally too costly for a developing nation like Nigeria. The Federal Character Principle is making mockery of merit system and therefore promote incompetence and inefficiency. Many are of the opinion that the incompetence and inefficiency being witnessed in the public service today is as a result of this principle.

In the light of the above, the following are recommended.

The President elect must be allowed to pick his Vice without undue interference.

There is need to review the present Federal Character Principle as to give priority to merit in appointment and admission. The promotion in the Public Service must not be based on federal character but on productivity and proficiency.

As for the political parties, life ban must be placed on aspirants and candidates of political parties that forment troubles at elections. Candidates with proof cases of election malpractice must be disqualified.

RECOMMENDATIONS

That though the study recognizes diversities in Nigeria, there is the need to allow for over 80% in the recruitment of personnel in the public offices instead of rigid adherence to federal character. Merit deserves a place for nation. There is the need for the adoption of two party system in Nigeria. The proliferations of parties as we have it in Nigeria will continue to give way to one party dominance as being witnessed in the polity. The inability of other parties to come together to full the domineering posture of PDP is because, there was no institutionalized two party system. Hence, for strong party system and neck to neck opposition, there is the need for official two party system. Thus, all stop one party system in Nigeria.

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