

THE PRINCIPLE OF FEDERAL CHARACTER AND RECRUITMENT IN THE NIGERIAN FEDERAL CIVIL SERVICE

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ABSTRACT

Federal character principle was adopted in Nigerian public service to enhance equity, merit and national stability. This paper employed documentary research to examine the factors affecting effective enforcement of the federal character principle and sound recruitment in the Nigerian federal civil service. Arithmetic equality, delegation of recruitment functions, latent position of the federal character commission in the recruitment process, politicization, unofficial policy of elimination by substitution and inadequate human and financial resources were identified as the prevalent factors affecting the effective enforcement of the principle of federal character and sound recruitment in the Nigerian federal civil service. It was therefore posited that the issue of politicization in the recruitment process should be eliminated. It was also recommended that the federal character commission should be effectively involved in the recruitment process, be adequately funded and properly staffed to reinforce the principles of justice and merit and bring into the Nigerian federal civil service competent manpower that will promote ethical conduct and national stability.

Keywords: federal character commission, federal character principle, federal civil service commission, Nigerian federal civil service, recruitment.

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INTRODUCTION

Civil service is a body or organ which enjoys continuity of existence. It essentially covers ministries and extra-ministerial offices (FRN, 2008: Rule 010103). According to Rahman (1998) cited in Iqbal (2009), the civil service is the body of officials who carry out functions of the government under the direction and supervision of head of government. The civil service requires matching administrative effectiveness (Gberevbie and Ibietan, 2013) with fairness, equity (Federal Character Commission, 2011) and national stability (Edigin, 2010). For national stability and equitable civil service structure in Nigeria, the federal character principle was enshrined in the 1979 constitution to ensure that appointment into the civil service and other public institutions fairly reflects the linguistic, ethnic, religious and geographical diversity of the country (Akintoye and Utang, 2012).

The federal character principle calls for evenhanded representation in all arms of government especially in the executive bureaucracies at all levels of governance (Edigin, 2010). To reinforce the implementation of the principle, the Federal Character Commission (FCC) was established by decree 34 of 1996 (Ugoh and Ukpere, 2012). The commission was established with the responsibility of promoting, monitoring and enforcing compliance with the principles of proportional sharing of all bureaucratic, economic, media and political posts at all levels of government (Majekodunmi, 2013).

Improving human resource management is one of the necessary conditions to reach a better civil service performance (Chamroeun and Natacha, 2009). The civil service does not just have the right kind and quantity of manpower it requires in a cost-effective and timely manner (Cole, 2004) without effective recruitment (Nwachukwu, 2000) policies and programmes. Recruitment is a set of activities used to obtain a sufficient number of the right people at the right time from the right places (Nickels et. al., 1999). The purpose of recruitment is to appoint the best applicant with the right ability, willingness and temperament (Mullins, 1996), and to develop and maintain a qualified and adequate workforce through which an organization can fulfill its human resource objectives (Briggs, 2009).

In Nigerian federal civil service, the Federal Civil Service Commission (FCSC) serves as a recruitment agent and the commission performs its statutory functions without a fee (Nwachukwu, 2000). The commission also delegates powers to ministries and extra-ministerial departments to recruit in the lowest category of posts graded GL 01-06 (Al-Gazali, 2006).

The puzzle

The Federal Character Commission (FCC) was established to sustain federal character principle (Agomuo, 2013) by ensuring that government decisions promotes, monitors and enforces compliance with the principles of equitable sharing of all bureaucratic, economic, media and political posts at all levels of government. Conversely, the principle falls short of minimum acceptable standard because according to report from the Federal Character Commission (2000)

cited in Akintoye and Utang (2012), there are gross inequities in the distribution of federal jobs in the country (Table 1).

The principle of federal character is one of the key factors that determine recruitment in the Nigerian federal civil service (Babaru, 2003), but according to Shuaib (2009) cited in Edigin (2010), the principle promotes mediocrity, incompetence, corruption and ethnicity rather than nationalism and as such, has diverse consequences in terms of discipline, morals and overall effectiveness and efficiency in the Nigerian civil service. Therefore, balancing the outcomes of the principle of federal character and the recruitment of competent workforce in the Nigerian federal civil service becomes a puzzle.

To this end, this paper examines the factors affecting the effective enforcement of the federal character principle and the recruitment of the right kind and quantity of manpower that the Nigerian federal civil service requires. The rationale behind this paper is to create a foundation for the Nigerian federal civil service to make standard and objective recruitment decisions based on the principle of equity, justice and merit.

The Federal Character Principle

Nigeria's population is estimated at 140 million (Mustapha, 2007; Eniayejuni and Agoyi, 2011) and the country has between 250 and 400 ethnic groups depending on the criteria used (Mustapha, 2007). Though not enshrined in the constitution, the country is divided into six-geopolitical zones namely north-west, north-east, north-central, south-west, south-east, and south-south (Figure 1). To create a sense of belonging and cater for equitable and fair distribution of power and resources to all ethnic groups in the country, the southern and eastern parts of the country are clamouring for the inclusion of the six-geopolitical zones in the constitution but the northern part is vehemently opposed to this effort, asserting that the north constitutes larger part of the nation and thus, cannot be divided equally with the other parts of the country (Odiegwu et. al., 2012).

The political and economic imbalance that exists amongst the various ethnic groups that constitutes Nigeria makes most Nigerians feel marginalized, and as such, the Federal Character Commission (FCC) was established to sustain the federal character principle (Agomuo, 2013). According to Adeosun (2011), the informal origin of the federal character principle dates back to the pre-independence era of nationalist struggle for participation in the administration of colonial Nigeria especially after Nigeria became a federation in 1954. But in the present formalized and institutionalized form, the federal character principle is a legitimate matter expressed in section 14(3) of the constitution as:

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 few states or from few ethnic or other sectional groups in that government or any of its agencies.

FCC is a federal executive body established by decree 34 of 1996 (Ugoh and Ukpere, 2012) to implement and enforce the federal character principle of fairness and equity in the distribution of posts in the civil service especially in the executive bureaucracies at all levels of governance (Edigin, 2010). FCC addresses the issues of relative deprivation and marginalization, and works out an equitable formula for distribution of socio-economic services, amenities and infrastructural facilities, national resources and the optimal utilization of the resources (Akintoye and Utang, 2012).

FCC headquarters is situated at Abuja, the federal capital territory of Nigeria. The commission comprises of a chairman and one commissioner to represent each of the thirty-six states of the federation and the federal capital territory. According to third schedule, part 1(c) of the 1999 constitution, the chairman and the commissioners are appointed subject to confirmation by the national assembly. The law setting up FCC is silent on the functions of the commissioners. FCC has state offices that consist of coordinators, monitoring officers and statisticians in each state of the federation (Mustapha, 2007) for devolution and effective performance of its functions at the lower tiers of government.

To give effect to the provisions of section 14(3) and (4) of the constitution, the commission is empowered to monitor recruitment exercise at the three tiers of government in the public sector in order to ensure fair and equitable distribution of manpower, receipt analysis and publication of manpower statistics, redress existing imbalances in manpower distribution, investigate and resolve complaints of marginalization and deprivation, enforce the federal character principle in all public service institutions, and take disciplinary measures against non-compliance (Federal Character Commission, 2011). Third schedule, part 1(c) of the 1999 constitution also stipulates that the principle applies to the positions of permanent secretaries, directors-general and directors in Ministries, Departments and Agencies (MDAs), senior military officers, senior diplomatic posts and managerial cadres in the federal and state parastatals, bodies, agencies and institutions.

Recruitment in the Nigerian Federal Civil Service

Recruitment is an integral part of human resource that involves the process of identifying and attracting or encouraging potential applicants with needed skills to fill vacant positions in an organization (Peretomode and Peretomode 2001), matching them with specific and suitable jobs, and assigning them to these jobs (Chandan, 1987). Job analysis which is the study of what is to be done, where, how, why, and by whom in the current and predicted job begins the recruitment process (McCormick, 1976). After the job analysis process, potential applicants are sourced by

the creation of awareness for the existence of vacancies in order to attract the right kind and quantity of people to be recruited in a cost-effective and timely manner (Cole, 2004).

Potential applicants are drawn through the internal and external sources of recruitment (Nwachukwu, 2000). When using internal sources of recruitment, the organization turns to the existing employees to fill the open positions. The employees recruited internally are either seeking lateral moves (job changes that entail no major changes in responsibility or authority levels like transfers), or promotions (Jones et. al., 2000), recalls from lay-off or retirement (Nwachukwu, 2000). Internal recruitment is not expensive and is less time consuming compared to the external sources. Another merit of the internal recruitment is that the employees are already familiar with the system and the organization also has information about the skills, abilities and actual behaviour on the job. Internal recruitment boosts morale and motivation of employees.

Despite the internal sources of recruitment, many organizations still rely on the external sources. Reasons may be that there is a limited pool of candidates internally and the system may not have suitable internal candidates. When recruitment is conducted externally, the organization looks outside for potential applicants. External recruitment is likely to be used especially for lower entry jobs in periods of expansion and for positions whose specific requirements cannot be met by the present employees within the organization. There are means through which an organization can recruit externally such as advertisement in electronic (including Internet) and print media, private and public employment agencies (Prasad, 1979), walk-ins by job hunters (Jones et. al., 2000), employee referrals (Halcrow, 1988), academic institutions (Lindquist and Endicott, 1986), professional associations, unions (Terpstra, 1996) and informal networks (Jones et. al., 2000).

External recruitment attracts potentially large applicants to an organization who have the skills, knowledge and abilities that organization needs to achieve its goals. Recruiting qualified and competent workers may be difficult for some organizations because of environmental constraints. Some organizations have unattractive workplaces, have policies that demand promotions from within, operate under union regulations, or offer low wage which makes the recruitment exercise and keeping employees difficult (Nickels et. al., 1999). However, the degree of environmental complexity and turbulence (Briggs, 2009) is minimized by the formulation of sound human resource policies and programmes after careful analysis of the strengths and weaknesses of the environment.

Recruitment in the civil service is one of the crucial tasks of modern governments and lies in the heart of the problem of personnel administration (Basu, 1994). The key to recruitment process in the civil service is the notion of position classification which is the arrangement of jobs on the basis of duties and responsibilities and the skills required to perform them (Denhardt and Denhardt, 2006). Position classification is derived from a thorough job analysis, and it is

important in civil service recruitment process because it maintains an objective inventory that connects positions to the tasks and skills required to fill them.

In the Nigerian federal civil service parlance, appointment is often synonymous with recruitment (Al-Gazali, 2006). The Nigerian civil service has been undergoing gradual and systematic reforms and restructuring after decades of military era (Babaru, 2003). As part of the reforms, section 153(1) (d) of the 1999 constitution has vested in the Federal Civil Service Commission (FCSC) the powers to appoint persons to offices in the federal civil service and to dismiss and exercise disciplinary control over persons holding such offices. FCSC comprises a chairman and not more than fifteen commissioners of unquestionable integrity and sound political judgment who are appointed by the president subject to confirmation by the senate.

Appointments into the federal civil service are done through recruitment (Briggs, 2009), promotion (FRN, 2008: Rule 020701), transfer and secondment (Babaru, 2003). Recruitment in the federal civil service is the filling of vacancies by the appointment of persons not already in the federal civil service. This however, excludes the transfer of officers from other public service in the federation to the federal public service (FRN, 2008: Rule 020201).

Promotion involves change in position that assumes greater responsibility and authority in return for higher pay, benefits and privileges (Casio, 1986). In the Nigerian federal civil service, no promotion shall become effective until they have been approved by FCSC except where powers of appointments and promotions have been delegated (FRN, 2008: Rule 020701). The promotion of federal civil servants in relation to the grade levels, due period and the responsible MDAs is depicted in Table 2.

Transfer is a permanent release of an officer from one schedule service to another or from one class to another within the same service, while secondment refers to the temporary release of an officer to the service of another government, approved body or any recognized international organization or body for a specified period (FRN, 2008: Rule 020501).

Section 170 of the 1999 constitution empowers FCSC to delegate any of its powers and functions in order to guard against possible delays and allows for the devolution of administrative powers in view of the crucial role the commission is expected to perform as a regulatory authority of the federal civil service. Though, FCSC delegates powers to Ministries, Departments and Agencies (MDAs) to recruit the junior staff to posts graded GL 01-06, it has the reserved right to exclusively appoint the entry grades of the senior staff on posts graded GL 07-10. Appointments to posts graded GL 12-14 are done directly by the commission after due advertisement as the need arises and appointments of directorate staff which are posts graded GL 15-17 are made by FCSC in consultation with the head of the federal civil service and in response to the advertised vacancies (Al-Gazali, 2006).

METHODOLOGY

The paper employs documentary research (Obodoeze, 1996) as the predominate sources of data collection. Documentary research is a necessary and valid secondary data that has passed through the statistical process by someone else (Kothari, 2004) and as such does not require field work by the researcher (Nwana, 1979 cited in Obodoeze, 1996). This paper reviews current related literature and circumscribes the paper to the factors affecting the effective enforcement of the principle of federal character and the recruitment of competent manpower in the Nigerian federal civil.

DISCUSSION

This section explains the possible and logical interpretations of the subject matter, using secondary data (Nwidum, 2006) as the major sources of data collection.

The issue of arithmetic equality: The principle of federal character ensures that there is no predominance of persons from few states or from few ethnic or other sectional groups in the public sector. However, the application of the principle is skewed in favour of arithmetic equality rather than proportional equality (Mustapha, 2007). Arithmetic equality formula is deficient because it does not take into consideration the relativity of ethnicity and also, does not ensure that the best candidate from a state is chosen, which implies that the formula lacks merit and equity.

The arithmetic equality formula limits the attraction of a broad range of potential applicants (Peretomode and Peretomode, 2001) in the minority groups (Mustapha, 2007) for employment opportunities. This frustrates the principle of justice and fairness, and reinforces the imbalance recruitment structure and ethnic domination (Edigin, 2010) in the Nigerian federal civil service.

Delegation of recruitment functions to Ministries, Departments and Agencies (MDAs): Each MDA is delegated with the responsibility to recruit junior staff in the lowest category of posts graded GL 01-06. Delegation of recruitment functions to MDAs thwarts the federal character principle and induces corruption in the recruitment process. To corroborate this assertion, the chairman of FCC, Professor Oba Abdulraheem in his presentation before the senate committee on federal character and labour, employment and productivity on March 4, 2013 stated that MDAs hide under the guise of recruitment of casual and temporary staff and replacement of substitute staff to circumvent the federal character principle. The senate president, David Mark at the hearing of the presentation sustained that recruitment irregularity as a result of delegation of recruitment functions in the Nigerian federal civil service shows that employment has been reserved for only the highest bidders. According to the senate president, the practice negates the principles of equity and fairness and encourages frustration, corruption and low productivity in the federal civil service (Oji, 2013).

Delegation of recruitment functions to MDAs allows for the devolution of administrative powers and guards against possible delays but on the contrary, it stimulates lack of trust and confidence, insecurity and confusion, avoidance of responsibilities (Njoku and Nwosu, 2010), mediocrity and poor appointments (Forrest, 1993), and unethical conduct in the Nigerian federal civil service.

The position of FCC in the recruitment process: Appointments to posts graded GL 15-17 are made by FCSC in consultation with the head of the federal civil service, and appointments to posts graded GL 12-14 are done directly by FCSC. Also, FCSC has the reserved right to exclusively appoint entry grades of the senior staff on posts graded GL 07-10 but delegates powers to MDAs to recruit the junior staff to posts graded GL 01-06 (Al-Gazali, 2006). This clearly reveals that FCC is not included in the recruitment process especially at the entry point (Peretomode and Peretomode, 2001) that allows the commission to prevent problems relating to the effective enforcement of the federal character principle rather than cure them later (Njoku and Nwosu, 2010).

According to Ekeh (1989) cited in Gberevbie and Ibietan (2013), the principle of federal character is a legal weapon put in place to regulate appointments, promotions, security of tenure and severance in the public sector. However, the exclusion of FCC in the recruitment process places it in a latent position that affects effective monitoring and compliance with the federal character principle and also, stimulates subjective choices of appointments that lack fairness, justice and merit in the Nigerian federal civil service.

The issue of coordination in the recruitment process: MDAs recruit persons to offices in the federal civil service because of delegation which creates lack of coordination in the recruitment process. To buttress this assertion, a circular from FCSC (FCSC/CHMN/CL/15/VOL.1/8), signed by the chairman Dns. J. O. Ayo, dated July 9, 2012 stated that some officers whose appointments, transfers and secondments were neither approved nor regularized by FCSC were presented for promotion exercise for officers on posts graded GL14-16 which is a breach of guidelines for appointments, promotion and discipline (FRN, 2012: Circular Item 29).

Another circular from FCSC (FCSC/CHMN/CL/17/VOL.1/33) signed by the same chairman, dated August 14, 2012 stated that MDAs have been declaring vacancies directly to FCSC without reference to the establishment and records offices of the office of the head of civil service. According to the circular, this practice will mislead FCSC into making appointments or promotion to non-existing positions (FRN, 2012: Circular Item 32).

The most awful example concerning lack of coordination in the recruitment process is the recent immigration recruitment test that was held on March 15, 2014 where stampedes led to the death of sixteen applicants. The board of immigration and the controller general of immigration transferred the responsibility for the deadly recruitment disaster to the minister of interior, Abba Moro, claiming that they were sidelined (Hassan, 2014).

Coordination is the orderly synchronization of efforts to provide harmonious and unified actions to a stated objective (Akanwa, 2003). Lack of coordination in the recruitment process circumvents the federal character principle which contributes to one of the reasons why in 2005, FCC indicted the federal ministry of employment, labour and productivity for violating the principles of federal character (Akintonye and Utang, 2012).

Lack of coordination in the recruitment process induces overlapping and conflict (Njoku and Nwosu, 2010), encourages recruitment leakages through illegal openings (also known as back door) and finally, makes the recruitment process in the Nigerian federal civil service difficult to attract competent manpower based on an objective position classification in addition to the principles of merit and equal opportunities for all citizens (Briggs, 2009).

Unofficial policy of elimination by substitution: According to Adeosun (2011), the unofficial policy of elimination by substitution by recruiters in the federal civil service in the disguise of the principle of federal character is counter-productive. Some civil servants are retrenched or retired unnecessarily for the sake of federal character for its operators to substitute the position with a kinsman. Uduchukwu (2013) posits that many public officers hide under the federal character principle to promote corruption by willingly denying some individuals positions and granting same to favourites who lacked requisite knowledge of the function of that office.

This scenario creates a gap between the intent and application of the federal character principle and promotes corruption in the recruitment process. According to Sam Monah, a former minister of science and technology, the situation inculcates cheating rather than hard work (Agomuo, 2013) and also fails to bring into the federal civil service the right manpower with administrative effectiveness for enhanced performance in the implementation of government policies for sustainable development (Gberevbie and Ibieta, 2013).

The issue of politicization: FCC performance is inhibited as a result of highly politically charged nature of its work (Mustapha, 2007). High degree of politicization (Ogunrotifa, 2012) is a bad omen for good governance because politicians are self aggrandizers and self perpetuators (Jones, 2006). The issue of politicization affects both the principle of federal character and objective recruitment process. As a result, applicants who are connected to political clout have undue advantage in appointments and promotion that makes the Nigerian federal civil service structure lacks sets of behaviours and other personal attributes that are critical to successful job performance.

Inadequate human and financial resources: FCC performs the exclusive functions of promoting, monitoring and enforcing the principle of federal character at the three tiers of government in Nigeria. These functions are enormous and demand adequate human and financial resources for effective accomplishment. In 2003/2004, FCC had about 303 staff in its headquarters and 230 staff in the state offices (Mustapha, 2007). In view of its vast roles, the

staff especially those in the state offices with an average ratio of six staff to a state are considered inadequate.

FCC also has funding constraints that affect the monitoring and investigation of MDAs outside the headquarters (Mustapha, 2007). As a result, it distorts the federal character principle and reinforces recruitment leakages and manipulation to the advantage of MDAs officials through dubious and corrupt (Igwe, 2012) practices in the recruitment process.

CONCLUSION AND RECOMMENDATIONS

The federal character principle calls for equal sharing of all bureaucratic, economic, media and political posts of all levels of government in Nigeria. To reinforce the implementation of the principle, FCC was established by decree 34 of 1996 with the responsibility of promoting, monitoring and enforcing compliance with the principle. Studies have shown that the principle of federal character provides modalities and schemes for redressing imbalance and on the other side, promotes mediocrity and incompetence in the public service. The principle of federal character is one of the key factors that determine recruitment in the Nigerian federal civil service. As a result, this paper examines the factors affecting the effective enforcement of the federal character principle and the recruitment of the right kind and quantity of manpower that the Nigerian federal civil service requires.

The paper identifies arithmetic equality, delegation of recruitment functions, latent position of the federal character commission in the recruitment process, politicization, unofficial policy of elimination by substitution, and inadequate human and financial resources as factors affecting the effective enforcement of the principle of federal character and sound recruitment in the Nigerian federal civil service. Consequent upon this, the paper posits that FCC should be included in the recruitment process of the Nigerian federal civil service. This will promote effectiveness in the monitoring and enforcement functions of the commission as well as promote equity in the recruitment process. More staff should be employed in FCC, and the federal government should fund it adequately in order to deal with its enormous roles. The federal government should provide mechanism that will curb corruption and politicization in the recruitment process. This will attract suitable applicants to compete for jobs based on merit and fairness in the Nigerian federal civil.

Table 1: Staffing of Federal Bureaucracies by Ethno-Regional Zones

| Zones / % of pop | Percentage in all Bureaucracy | Zones | Percentage in all Bureaucracy |
|----------------------|-------------------------------|-------------------|-------------------------------|
| North-West (25.6) | 10.4 | South-West (19.7) | 24.9 |
| North-East (13.6) | 8.6 | South-East (11.7) | 16.0 |
| North-Central (13.5) | 18.4 | South-South (15) | 20.7 |

| | | | |
|---------------|-------------------------------|-------------|-------------------------------|
| | Percentage in the Directorate | | Percentage in the Directorate |
| North-West | 16.8 | South-West | 24.4 |
| North-East | 12.7 | South-East | 13.4 |
| North-Central | 16.4 | South-South | 15.8 |
| | Percentage in the Technology | | Percentage in the Technology |
| North-West | 7.9 | South-West | 30.5 |
| North-East | 5.3 | South-East | 21.5 |
| North-Central | 12.8 | South-South | 21.6 |
| | Percentage in the Police | | Percentage in the Police |
| North-West | 12.0 | South-West | 14.0 |
| North-East | 12.7 | South-East | 12.4 |
| North-Central | 22.0 | South-South | 26.1 |

Source: Adapted from Abdul Raufu Mustapha, "Institutionalizing Ethnic Representation: How Effective is the Federal Character Commission in Nigeria"? *CRISE Working Paper No.43*, (2007), UK: Department of International Development, University of Oxford.

Table 2: Promotion of federal civil servants by grade levels, due period and responsible MDAs

| Categories of grade levels | Minimum number of years due promotion | Responsible MDAs |
|----------------------------|---------------------------------------|---|
| 06 and below | 2 | Ministry/Extra-Ministerial Office |
| 07 – 14 | 3 | Ministry/Extra-Ministerial Office or the relevant staff pool subject to confirmation by FCSC |
| 15 – 17 | 4 | FCSC on recommendation from Ministry/Extra-Ministerial Office or the relevant pool routed through the Head of the Civil Service |

Source: FRN, 2008: Rule 020701.

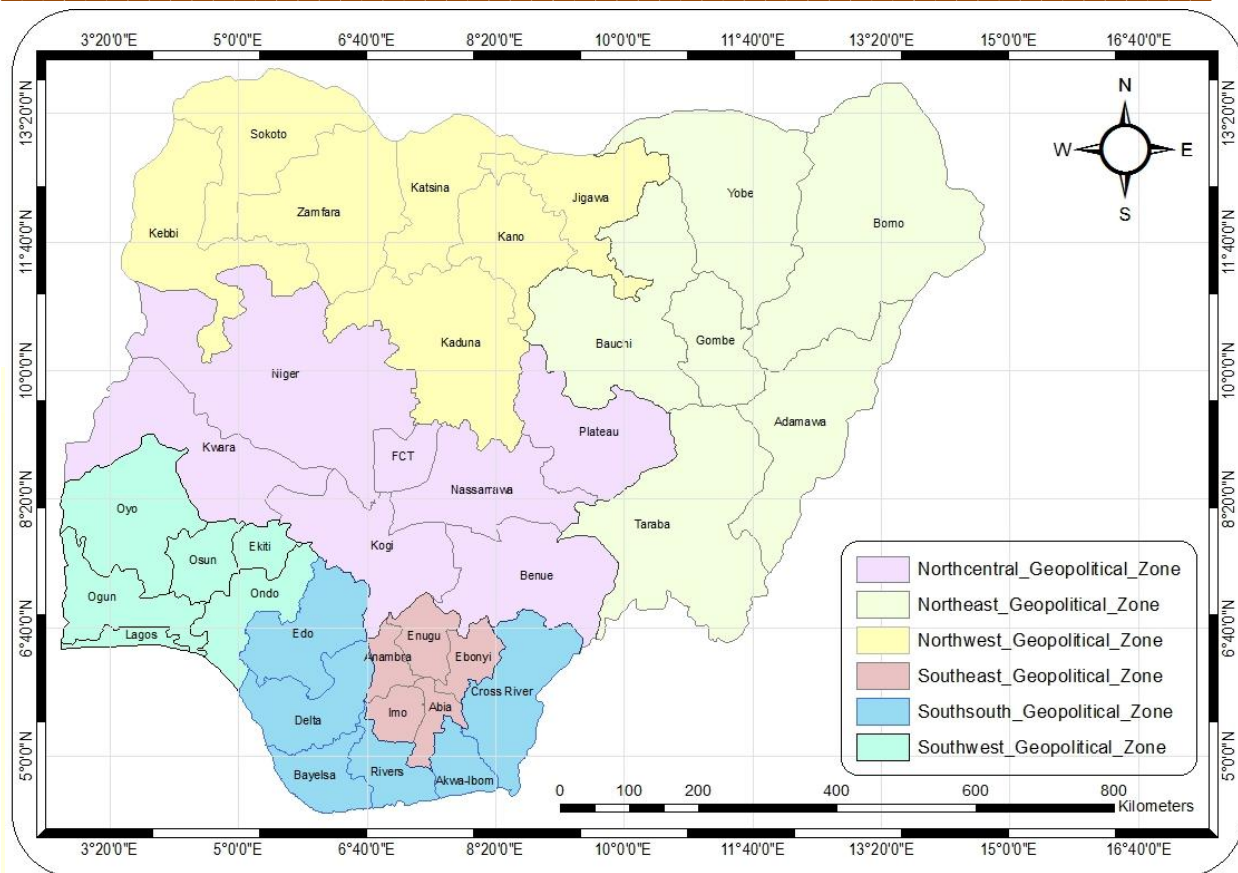


Figure 1: Map of Nigeria Showing the Six Geopolitical Zones

Source: Adapted from Sunday Adesogan, "Sewage Technology in Nigeria: A Pragmatic Approach" *Science Journal of Environmental Engineering Research*, Vol. 2013, Article ID sjeer-266, 9 Pages, 2013. doi: 10.7237/sjeer/266.

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