

JOHN RAWLS' CONCEPT OF JUSTICE AND RESTRUCTURING OF NIGERIAN FEDERALISM: A PHILOSOPHICAL ANALYSIS

Tobenna Ben IKWUAMAEZE

Department of Philosophy & Religious Studies
Tansian University, Umunya, Anambra State, Nigeria

tobebright4greatness@gmail.com

DOI: 10.13140/RG.2.2.33912.11529

Abstract

Justice according to John Rawls' most celebrated contemporary theoretical construct, 'justice as fairness' conceives a society in which free individuals holding equal basic rights and privileges unanimously cooperate to achieve an egalitarian socio-political, ethical, and economic system to favour every human person globally, especially, Nigeria as a country. It is with no atom of doubt that Rawls political theory of justice in co-relation and in addendum with other political thinkers' ideas have really aided to a great extent in the restructuring and reshaping of the thoughts of the founders of numerous socio-political constitutions in the world today which Nigeria obviously tries to be part of, but yet to assimilate and consciously accommodate properly the rudiments and tenets embedded therein, and this is so evidential following the kind of attention such constitutions gives to certain concepts inherent in it such as, justice, equity, fairness, freedom, liberty, and equality for all etc. Hence, it becomes very pertinent in this work to employ the philosophical method of analysis in order to philosophically analyze and honestly with holistic view examine and apply Rawls' theory of justice to Nigeria's political leadership situation from 1999 till date, by judiciously employing the basic principles and tenets of Rawls theory of justice as fairness as a remedy to Nigeria's socio-political and economic predicaments and total leadership failures, which have kept the country down for many years now, in order to use it to proffer a better solution, for the country's peaceful and harmonious co-existence and socio-political and economic development and progress which is truly hinged on equity, justice, equality, and fairness with proper and adequate restructuring and sincere federalism for better future for all and sundry in Nigeria.

Keywords: Justice, Fairness, Restructuring, Nigeria, Federal Character, good governance

Introduction

Injustice is most often seen in almost every aspect of the human life, and has actually become the order of the day, especially, in Nigeria. This unabated situation has therefore call for an honest application of John Rawls' concept and

principles of justice which have actually become so necessary in Nigeria as a country, most especially, when one considers and try to assess the obvious fact that the instability we experience in our socio-political environment these days is mostly necessitated by unjust distribution of national resources in Nigeria. The attainment of better living conditions for the citizenry in the society is often seen as the most famous and egalitarian responsibility of a responsible government and its leadership in a country. Consequently, common political and classical writers in the political environment such as Plato to modern philosophers like Hobbes seems to be calm and quiet in the matter that concerns the pragmatic enthronement of political democratic leadership embedded with capacity for societal socio-economic progress, development and advancement. Following this reasoning therefore, John Rawls in Erin stated in his book *A Theory of Justice* that “fair and distributive justice is the fundamental basis for an ideal society; and it is a significant identity of a well ordered political entity”.¹ Hence, this idea seemingly suggests that liberty or freedom of the individuals, equity, equality and fairness which hinged on the common good of the people of the state are expected to strongly overwhelm a country’s socio-political agencies and institutions in their policy-making processes. This particular policy-making for common good of the citizenry in the state should embody in no small measures adequate considerations for all citizens’ wellbeing, mostly, the worse-off or the less advantaged persons in the society as stated by Rawls in his theory of justice.

Rawls’ Concept of Justice and Nigerian Ethnic/Cultural Reality

From the perspective of the practical relevance of Rawls’ concept of justice to Nigerian society we noticed clearly that epochal circumstances in the country have made Nigeria a culturally bogus and a heterogeneous entity that is divided solely along ethnic and religious lines and so difficult to intermingle with each other in nearly almost everything. This is the case due to the fact that the Nigerian state is one of such nations that was unjustly and corruptly forged, merged together and put in place, which is then nourished, and maintained by the political will of a foreign land that wields and exercises so much power over her. In this case and in pure negation of Rawls liberty principle in his theory of justice, many ethnic nationalities were fraudulently as well as unjustly contrapted together in 1914 into one unrealistic nation called Nigeria, firstly as an experiment which later became a country, and these ethnic groups are not one and the same people in any regard, which made it very difficult for them to co-habit as one people no matter how hard they try. Some of these major ethnic groups as always referred to include; Igbos,

Hausas, Yorubas and also other minor ethnic nationalities in the country so numerous to count, and even up till this present day these people first and foremost see themselves as those unique nationalities before even trying to act or see themselves as Nigerians. With this fact at hand, therefore, we can really see that it is with only truthfully honest social, ethical, and political justice among these different and most times non-compatible indigenous peoples, especially, as advocated by Rawls that can restrain and curtail the tendency and the urge for those in the majority ethnic groups or those that have the opportunity of holding political powers for long now not to subjugate, dominate, marginalize and alienate the minority ethnic groups and/or other ethnic groups politically short-changed in their midst in the same country where they belong.

Rawls' Justice Principles and Restructuring of Nigerian Federalism

Nigeria's establishment by the British especially during amalgamation in 1914, the independence of 1960 as well as the military decree called the constitution of the Federal Republic of Nigeria especially the one of 1999 being practiced today in the country have actually become a serious problem among Nigerians, because according to the citizens of the country, they were not carried along and/or allowed to have an input in any way possible to reflect particularly on the political, ethical, and social structures which govern and regulate their lives so that it will reflect truly that 'We the People' willingly without pressure, coercion or any force of any kind came together to unite and become one indivisible entity for the mutual good, harmony, progress, development, and respect of each citizens of the country. In this, therefore, Rawls stated that:

A well-ordered society is effectively regulated by public conception of justice. That is, it is a society of all whose members accept, and knew that the others accept, the same principles ... of justice. It is also the case that basic social institutions and their arrangement into one ... actually satisfy and are on good grounds believed by everyone to satisfy, these principles.²

To this effect, true federalism and adequate restructuring eluded Nigeria because the country and its supposed constitution is totally deficient in all ramifications because there was no solid foundation on which they were laid from the onset and therefore, was not laid by the total liberty and freewill of the citizenry as postulated by Rawls first principle of justice of the liberty and equality of the human person to perform their functions without interference, cohesion, and imposition of any sort by anyone. Therefore, Nigeria needs total overhauling and adequate restructuring to reflect the will of the entire citizenry especially the

contributions of the minorities and the least well-off in the society which will eschew ethnic and tribal bitterness, youth restiveness, and hence, enthrone justice, fairness, rule of law, love, equality, peace, equity, harmony, and respect for one another in the country. Following this, Rawls opined that:

Citizens of every society have the right and responsibility to formulate principles for the structuring of a society which can be reflectively endorsed by all its citizens. ...because all human beings share a capacity for introspection, the ability to reflect upon their own thoughts and deeds in order to determine whether they ought to continue as before, comparing how things are actually done to standards of how they ought to be done.³

Consequently, this is so because Nigerians never reflected nor in any way agreed on the principles that should lead, direct and govern their lives and affairs which is actually the main source of the menace and leadership crisis facing the country today. It is so because Nigerians are in a forceful union that they never willingly bargained for or came together to accept, agree and/or negotiated upon on the principles for the structuring of their society called Nigeria today. Hence, it is an unacceptable artificial unity and union which is devoid of general consensus that have really contributed terribly to the nepotism, sectionalism and ethnic and tribal divisions that is the foundation of Nigerian crisis nowadays, which was handed down to the country by their forefathers who played more of ethnic and religious politics than united Nigerian politics during their times. However, it is only the citizens' total reflection and contributions on the basic structure and principles of their society that will reveal whether the system is fair, just or unjust, as justice is one of the bedrock and cardinal virtues of any progressive society in our contemporary world today. Relatively speaking, Rawls theory of justice closely shares economic, neo-liberal, and socio-political principles which promotes personal liberty and individual's inalienable rights in the society in which they live.

More so, the basic principle of liberty states that a just society must first of all begin with the freedom of its citizenry to enjoy and exercise their fundamental equal rights without any interference from anyone. In Rawls own words, it is opined thus: "Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all".⁴ Rawls in trying to develop his social contract theory posited two basic principles of justice in which the first refers to individuals' rights to as much liberty as is compatible with liberty of others as stated above. For him, in this particular scheme there

should be fair and equal political liberties and only those liberties are to be guaranteed their fair value in the society. From this therefore, Rawls submits that human rights are absolute and on no account should it be abused and must guarantee the liberty of citizens in the society. Liberty in this angle is an inalienable right of every citizen in a well-organized and ordered state. In addition to the principle of liberty, John Rawls then asserts thus:

Equality of citizens must be extended to or be reflected in their social well-being and economic life and equal opportunity must be charted by social institutions to promote an equal distribution of primary goods. ... primary goods are what persons need in their status as free and equal citizens and as normal and fully cooperating members of society over a complete life.⁵

For Rawls, primary or common goods are things that every citizen is presumed to want regardless of his or her specific goals in life. The primary goods are essential for human existence and sustenance and because of that must be provided and made available for all citizens by a responsible leadership in a country, and the leaders should also make sure that the primary goods are fairly distributed in a manner in which inequality would be dislodged and eliminated totally and will have no place in the society.

Accordingly, the general notion of justice as fairness demands that all social and economic goods be shared equally as postulated by John Rawls in the first principle on *A Theory of Justice*, and/or unless an unequal distribution of economic and social goods of any kind would be to everyone's benefit especially the worse-off as stated in the second principle. The outlined statement of Rawls first principle of justice which opines that: "Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all"⁶ tries to explain what is known as the basic liberties of citizens in general but particularly in Nigeria which include political equality and liberty which is the right of an adult citizens of Nigeria to vote and be voted for and to hold public office, liberty and right to life, freedom and dignity of the human person, freedom of speech and assembly, liberty of conscience, religion and thought, freedom from arbitrary arrest, torture and seizure, liberty to hold personal and immovable property anywhere in the country etc. These liberties are properly stipulated and well defined by the concept of the rule of law enshrined in the constitution of Nigeria, hence, the inadequate and unequal distribution of social and economic goods in Nigeria in the light of John Rawls first principle has terribly affected the human peaceful cohesion, co-existence, and harmony in the

country, thereby, questioning the authenticity and sincerity of Nigeria's democratic system of political leadership since its evolution. The constitution of Nigeria 1999 outlined adequately the basic liberties of the individual citizens in the country which properly relates to Rawls first principle in the following manner:

Right to life which means that every person has a right to life and no one shall be deprived intentionally of his/her life except in the case of pronouncement execution or the sentence of a court in respect of a criminal offence of which he/she has been found guilty in Nigeria. Right to dignity of human person: every individual is entitled to respect for the dignity of his person for on no account shall any be subjected to torture, inhuman or degrading treatment; held in slavery or servitude or be required to perform forced or compulsory labour. Right to personal liberty which every person is entitled to and no person shall deprive him or her. Fair hearing, ...a person shall be entitled to a fair hearing within a reasonable time by court or other tribunal established by law... Right to private and family life, such as the privacy of citizens, their homes, correspondence, telephone conversations and telegraphic communications. Freedom of thought, conscience and religion; this includes freedom to change his religion or belief, and freedom ... to manifest and propagate his religion...Right to freedom of expression and the press including freedom to hold opinions and to receive and impart ideas and information without interference. Peaceful assembly and association with other persons... or any other association for the protection of his interests. Freedom of movement... Freedom from discrimination... Right to acquire and own immovable property anywhere in Nigeria.⁷

According to Rawls in his theory of justice, persons are at full liberty to do something when they are free from interference of any kind by other persons, and their decision is solely theirs and they are responsible for their own actions in whatever it turns out to be at last. However, there is nothing like that in Nigeria and the leaders are doing little or nothing about it. The country lacks the adequate ability and capacity to properly apply the above basic liberties of the individuals as a result of nepotism, religious sentiments, ethnic bigotry, political differences and other social vices in Nigeria which has eaten the country so deep that it seems beyond repair. The abuse of all these liberties are rampant with self-evidences, such as deprivation of one's life by religious extremists and invading terrorists

noticeable through their actions in the country such as the bokoharam, bandits and so-called foreign Fulani herdsmen attacks/human massacres in Nigeria in the name of protection and promotion of certain ethno-religious doctrines in a secular state which is unimaginable and unbelievable to comprehend. Also, there is the issue of the so-called unknown gunmen and even the Nigerian military and police extra judicial killings and massacres of innocent armless and defenceless citizens in Nigeria like the ENDSARS clear case and other vices going on around the country etc. the country have really shot itself in the leg by not really doing so much against this particular ugly and dangerous trend in Nigeria.

In furtherance to this, the egocentric, self-centred and over-ambitious Nigerian politicians are also not helping matters here. They destroy citizens and people's lives at random through the use of political thugs to assassinate political opponents or innocent individuals at the process and plant massive destructive bombs and explosives against peoples of Nigeria for the sake of one political target or another for little or no reason at all. All these happen because Nigerian leaders have always been indifferent and/or refused to be proactive in their dealings with the citizens' mandate on them, and are more ethnically and tribally inclined than been Nigerian first as a leader of an independent civil country whose key primary function is to protect and save lives and properties of the citizens of Nigeria before anything else, but they have failed woefully in this regard in all ramifications. Therefore, with the continuous escalation of unabated and uncontrolled ethno-tribal crises across the country, it will without mincing words terribly destroy and decimate the survival of our nursing and dandling democracy which is being handled carefully like an egg to avoid breakage of any kind but which is already becoming so imminent as day goes by due to so many heart rendering and heart breaking things going on around the country almost on a daily basis. Apart from the terrible effects of security challenges on the economic fortunes of a monopolistic country like Nigeria, the nature of the security concerns facing the country also have dangerous implications for the country's political, psychological, and social stability survival.

Consequently, in Nigeria, hardly will one see all the above and many more play out naturally, practically, or objectively without bias, and/or political or ethnic prejudices and sentiments in place. In addendum to the ethnic bigotry, the deep-rooted influence of religious sentiments on social and political public office holders is tremendously weakening the true objective application of equal rights in the society as stipulated by John Rawls. Sincerely speaking, religion has been playing significantly negative function in the run-ups of almost every election in

Nigeria and on the electorates too in post independent Nigeria, which have caused the country so much negatively than good. However, with such negative actions in Nigeria by the citizens especially those on top of the affairs of the country, it therefore makes a few rich and politically powerful individuals increase poverty in the land and try to make sure that there is uneven regional development and high incidence of graft among public office holders in the country by their actions and inactions.

Rawls, then, continued that social and economic inequalities are to fully satisfy two major aspects of the human life, hence, he opined this as follows: "Social and economic inequalities are to be arranged so that they are both: a) to the greatest benefit of the least advantaged, consistent with the just savings principle, and b) attached to offices and positions open to all under conditions of fair equality of opportunity".⁸ Rawls specifically occupies himself in his second principle with the social and economic inequalities which are to be determined for every person's advantage and benefit, and under particular condition of equal opportunity. For him, first and foremost, these inequalities must be attached to positions and offices open to all under conditions of fair equality of opportunity, and also that they should be to the greatest benefit of the least advantaged members of the society. In this vain, every member of the society is entitled to access the public office as far as they desired it, which simply means that there should be no any form of disqualifying qualifications and any atom of discriminatory basis or factor in any way. But according to Rawls, if in any way there must be, it must be at minimum attainable by many, if not by all eligible citizens of the society. It is a great and wonderful zenith point of political equality that is mindless of social or economic class or status of whomever whatsoever in the state, but focuses only on simple equality for all citizens within the society.

Accordingly, Rawls difference principle means emphatically that only inequalities that are to the benefits of the worse-off are to be allowed or guaranteed in the society, which means that the commonwealth of the state should be share and distributed across the society's rich and poor people, high and low cadres, length and breath, or every other range of the society, not minding the racial, religious, class, or ethnic stance of the citizens as far as they are citizens of the state. The difference principle, on the other hand, implies that irrespective of what might have been the cause of the least advantaged fortunes within the circle of either lack of natural or acquired skills, poor choices, laziness, and/or any other human error-induced-misfortune etc, such should be waved-out by the state in the pursuit of the social welfare for all in the society and for equity.

Continuously, Rawls second principle applies mostly in the distribution of income and wealth and to the design of organizations that makes use of differences in authority and responsibility or chains of command according to Rawls. But while the distribution of wealth must be to everyone's advantage, at the same time, position of authority and offices of command as stipulated by Rawls' theory of justice must be assessable to all without any form of bias or prejudices. Following this, Dukor in interpreting Alli's view on Rawls' theory of justice as it concerns Nigerian federalism opined thus:

The stand points of M. Chris Alli is a bold attempt to reconstruct the liberal theory of federalism in Nigeria in order to bridge the gap between the rich and the poor as well among ethnic nationalities in Nigeria. As a neo-liberalist he is reconstructing the Nigerian federalism into a proper federalism where some arbitrary distinction and proper balance are to be interpreted on the basis of John Rawl' theory of justice. ... Alli shares with John Rawls the view that the social basis of self-respect for any individual or group is predicated on (a) basic civil liberties and political rights (b) economic goods like income, wealth, institutional authority, economic power and social position. This expresses justice as a complex of three ideas, liberty, equality and reward to services contributing to the common goal. This means that what justice and fairness share in common is reciprocity.⁹

Following the above therefore, to enthrone a stable and enviable form of political leadership in Nigeria, Rawls first and second principles of justice should not be neglected or disregarded but immediately be given appropriate and adequate attention it needed in Nigeria without any further delays, for delay is dangerous as it is commonly and normally said. These first and second principles' proper application would drastically eschew tribalism, nepotism, poverty, sectionalism, and political illiteracy etc in the anal of politics in Nigeria. Hence, since it has become clearly obvious that Nigeria manifest the characteristics of religion, ethnicity, sectionalism, nepotism, and other unwarranted sentiments and ills in the management of the state's political leadership structure and other human and material resources, the difference principle appears well applicable and relevant enough in this context of Nigeria's situation and should be given due considerations.

Federal Character/Power Sharing

Nigerian constitution have a column where there exists a concept known as 'federal character' which is a principle that ensures that there is fair and equitable

allocation and distribution of national resources and also proper and equitable representation of citizens in economic, political, or social positions and offices in the country, which simply explains that no section of the country's citizens or regions should be marginalized or neglected in the distribution of offices and positions open to all etc. But in practice, as it is in Nigeria presently, this federal character principle is not in use and not been maintained and adhered to in any way at all or in some cases so shabbily acted by past and present governments and leaderships of the country. This section in the real sense of the word ordinarily protects minority interests, but as it is being used in Nigeria these days, it is for the evil protection of the majority and few section of the country with impunity by the ruling elites elected to guarantee fairness and justice to everyone. With this, some of the leading and ruling ethnic groups in Nigeria have exploited this particular constitutional provision to their own benefits at the detriment of others, especially the ethnic minorities and perceived politically untrusted and feared group(s), most visibly and importantly in the areas of award of contracts, political power sharing, government appointments into strategic offices, positions, and institutions, and also in infrastructural developments in the country. For this, Akinboye and Anifowose envisaged Nigeria as:

A country based on a foundation characterized by a lopsided federal structure, ethnic consciousness and rivalries, regionally-based party politics and perverted indigenous governance and cultural ethos aggravates concerns for the possibility of having fairness and equity being entrenched.¹⁰

However, deriving from the above and on the political and economic distribution of goods, Nigeria and most of her leaders or few section of the country have truly and greatly denied most nationalities in the country their rights and privileges in the society where they belong, especially, the right to political participation of many kinds. Power sharing and federal character principle which has turned more of 'one-sided' (lopsided appointments) or to 'born to rule mentality' in Nigeria has become very serious and major ills bedeviling the country for long now. Some of this ethnic groups forcefully took Nigeria's political and democratic leadership structure as their birth right and gift of God to their forefathers so to say that must be protected at all cost, and also need not be shared at all and at all cost, not to talk more of equally sharing it with anybody or with people of other regions in the same country; this is not fair and must be seriously looked into for the good, harmony, and unity of the country in general. Notably, people cry for equity, equality, fairness and justice as Rawls postulated nearly every day in Nigeria, but

what they normally got is government's indifference approach/attitude to their quest, total negligence, I don't care attitude, or absolutely being ignored showing directly and indirectly through body languages or certain unguarded utterances that they cannot do anything to the evil one-sided ancient political status quo in Nigeria. This is unbelievable, unacceptable and unquantifiable because it brings about more disunity and disharmony in Nigeria's fragile and patching democracy in many ways.

Similarly, since the re-emergence of civil leadership in May 1999 there has been hundreds of uncountable numbers of politically, ethnically, and religiously motivated conflicts and deaths in Nigeria. Post military era Nigeria is experiencing the rise of conflicts systematically borne out of different forms of agitations by several and diverse movements both state-actors and non-state actors from all corners of the country purportedly representing their people and region, which seek to protect, their ethnic, political or religious interests in a country which appears incapable of providing the basic welfare, amenities, and security needs of her citizens. Hence, this overwhelming and glaringly seen negligence and injustice of some major and minor ethnic groups like the Igbos who are one of the majority groups in Nigeria, the Niger Deltans, the Middle Belts etc, in major leadership positions and consequently power sharing in the country have necessitated the evolution of many agitations and civil unrest in Nigeria like the Biafra Republic agitation, Niger Delta agitation, the Middle Belt agitation and even the recently kicked-off Yoruba nation agitation, as well as Shiite Muslim agitation, and the rest, and these are signs of injustice and mistreatment of one kind or another in the country. Notably, this is actually in pure negation to the federal character principle and power devolution/sharing principle of the 1999 Constitution of the Federal Republic of Nigeria, which clearly states that:

The composition of the Federal government or any of its agencies and the conduct of their affairs shall be carried out in such manner as to recognize the Federal character of Nigeria and the need to promote national unity and command national loyalty. Accordingly, the predominance in that government or its agencies of persons from a few ethnic or other sectional groups shall be avoided.¹¹

Hence, Nigerian leaders ought to do something about this ugly trend which instead of uniting the country have severely damaged and divided the country nearly beyond repair and to a breaking point, to the extent that people fear each other like lepers and ultimately bear grudges for one another for no reason and for no fault of theirs as far as you are not from their ethnic group, especially, the

marginalized groups in the country. Something urgent must be done to avert the looming danger which is uncalled for, if and only if, we can do the right thing now as well as the needful for the good of all and for peace and harmony to reign once more in Nigeria.

Revenue Allocation/Quota System

The overwhelmingly seen injustice and imbalance in the revenue sharing formula in Nigeria is another main factor eating deep in Nigeria's socio-economic and political development and harmony. The centre is strong and lucrative which breeds unnecessary and unhealthy competition every four years for the sake of election of who goes in there. The unjust revenue formula practiced in Nigeria concedes enormous resources to the centre which has little or no direct relevance or influence to the welfare of citizens of the country. On this Alli stated that:

The federal government has become the monthly paymaster; many otherwise vibrant and enterprising nationalities have been reduced to beggarly unproductive natives living off the central government... a skewed federal revenue allocation formula that emphasizes land Mass, need, population... rather than derivation for sharing the national cake. This reflects the greatest injustice in the national system.¹²

The issue of derivative principle has been a subject of abuse and mockery as such funds are looted with impunity by public officials assigned for the management of the office or in charge of it instead of using it for the people's social and economic good and developments as postulated by John Rawls which actually is what it is meant for, more especially, for the social good and betterment of the worst-off of the society. This is why Dukor opined in support of Mohammed Chris Alli in the case of Nigeria as well as Rawls theory of justice concerning social-economic and wealth distribution that:

M. Chris Alli's analysis of the figures and facts concerning the appropriation of oil revenue is a vivid construction of a systemic injustice setting on the tripped nature of the hegemony of the big tribes in Nigeria who appropriate unjustly the naturally endowed oil resources in the smaller tribes of Nigeria. To remedy this kind of errant and extant volcanoes injustice, Rawls, in his theory of justice in a capitalist state would argue for the economic adequacy for worst off man.¹³

It is ironical that in Nigeria as an independent country individuals struggle heart and might to provide for themselves those certain basic social amenities that should be the state's first and foremost priority for her citizens. The Nigerians,

who have the means through their tough daily struggles make their own personal security arrangements, generate their own power supply, patronize privately-owned schools and hospitals, transportation, water supply etc, and the government does little or nothing on these areas to improve the welfare of its citizenry. Also, the poor and the less privileged rural settlers who are in a clear majority live in perpetual darkness and abject poverty, drink all sorts of contaminated water and contact all kinds of water-borne illnesses and diseases, and are regularly wounded, harassed or killed by armed terrorists and so-called bandits without any form of care and security or probably insignificantly assisted by their government, but the government have enough money to waste on the un-necessaries. All this is what led Dukor to conclude in this case thus:

The discarding of 1963 Constitution by the military junta was indeed the destruction of the Nigerian federalism. Implicated in this suspension of the republican Constitution is the destruction of those basic liberties encapsulated in Rawls priority rules of justice and which even the colonial masters granted to Nigerians as right to natural resources. These basic liberties and opportunities were denied through the Land Use Act and revenue formula which were meant to deprive the minorities their naturally endowed resources.¹⁴

We therefore suggest that the federation of Nigeria be restructured urgently into a loose federation with more powers given to the federating units, most especially, the local governments in order to ensure enhance development, security, peace, social harmony, equity, fairness and justice in the Nigerian state in line with Rawls principles of justice as fairness to all.

Consequently, Quota System mantra of Nigeria's federal government which somewhat coincided negatively with the federal character principle has really gave a great blow to Nigeria especially to her educational system. This in the real sense is great injustice per non, unacceptable and should be discouraged and stopped totally in our system. In this sense, Alli in his own view totally condemned all these scenario in Nigeria by arguing thus: "the philosophy of federal character, unity schools, secularity and similar pretensions have instead of institutionalizing fairness, polarized us, enthroned mediocrity and subverted the principles of nationhood".¹⁵ This in honesty brought about big and serious discrimination, inequality, segregation and injustice of the highest level in Nigeria, thereby, destroying the country's the so-called purported unity purpose and totally crumbling with speed the country's educational system with animosity clearly seen everywhere in Nigeria. All these happenings in the country, however, proved

that the so-called federal character and/or Quota system have proven to be dead on arrival and its purpose defeated and opposite of what it set out to achieve in practice, and because injustice must always be injustice and as well will often stagnate human and material development of any nation, especially, Nigeria. All these happenings in Nigeria to remedy it is exactly why Dukor suggestively opined that true federalism culminates in a “federation in which all nationalities would develop at their respective paces”.¹⁶ Therefore, these ills bedeviling Nigeria are signs of total mal-administration, misrule, injustice, negative leadership, and unfair treatment of equals in the society where they belong which is known as a federation of civil individuals; hence, this clearly negates Rawls’ first principle of equal liberty for all citizenry, and as well as his second point of his second principle in his theory of justice.

However, this particular case have honestly and earnestly affected immensely the social and political cohesion in Nigeria which have most often brought about social conflicts arising when groups confirmed the suspicion that the state has deprived or short-changed them of any political and/or social positions, benefits, rights, and other entitlements due to them in any way. The Igbo, Niger Delta, Middle Belt, and most northern and southern minor nationalities too numerous to count have really suffered in the country they called their own, hence, without social justice and fairness as advocated by Rawls it might be very difficult for peace and harmony to reign among the groups in Nigeria. According to Etuk “a nation that wishes to forge ahead and attain economic progress can ill-afford... the display of anger and hostility; because in the task of nation building, the goodwill of every citizen should be held at a high premium”.¹⁷ Also, there has been several complaints of socio-political and ethnic marginalization and domination in many quarters in Nigeria and these simply indicates that all is not well with the Nigerian political, ethical, and social justice system and leadership/governance, and something adequately and urgent must be done about it if harmony must be achieved in the country as John Rawls’ concept of justice clearly argues that justice must be fairness to everyone irrespective of who they are and where they come from as far as they are citizens of the state, but most especially the least well-off in the society which may be referred to as the minorities in Nigeria and other peoples marginalized and denied of their basic human, social and fundamental rights and privileges within the country. On the foregoing Ujomu in his viewpoint argued that “enduring national reconciliation can be achieved only through social justice”.¹⁸ This cannot be overemphasized because the only partnership that can be viable and enduring is the one in which all participants are fairly and equally treated, satisfied, happy, and have a sense of belonging just like Rawls’ original

position decision making process where there is equality and fairness in the process of decision making.

Evaluation

Rawls' concept of justice and especially his social justice is a sincere and commendable serious attempt at improving the welfare of the less-privileged or as he prefers to put it the worse-off in the society through a modified capitalist system. The lack of partiality of Rawls' principles of justice made his theory just enough, accommodating, and commendable to any individual that understands it very well. John Rawls' theory of justice which simply stands in the form of union between politics and morality is a big plus to the main dilemma of socio-political and ethical wisdom and knowledge which is the possibility of justice in a socio-cultural and political arena. Historically speaking, most philosophers of ancient days have battled so much on the rationale behind immoral and unjust means employed by people in trying to settle social and political problems facing them, but it is only Rawls in his theory of justice that seem to have clearly and in a simple terms indicated the fact that any stable, strong and lasting socio-political system must be anchored on justice, fairness, equity, equality, and morality if it must work perfectly. As an advocate of liberal theory of capitalism in our contemporary world today, John Rawls heavily and strongly stood for the rights of the poor in the society against the capitalist's system which he sees as unjust and unfair in every ramification to the less privileged citizens within the state and society in which they live. For him, it is morally good for the state to distribute and re-distribute social goods for the benefit of all in the society without necessarily abusing the process to the point of gross violation of any kind of human fundamental rights because of certain privileged persons or the bourgeois in the society. He, then, specifically shows that the main idea embedded in the re-distribution of goods is of so much importance and valuable to the entire society if not for anything else for the sake of liberal gestures, generosity and harmony for all in the society.

Generally speaking, it is said that the pursuit of the welfare of the generality of the people in a political, social, and democratic setting is the major concern of any good politically democratic leadership and government wherever it is practiced in the world over. While this may be so in some democracies all over the world, the reverse is actually the case in others like Nigeria. As good leadership found anywhere is synonymous with holistic development and aggregated and accelerated growth in some political and social quarters and settings, it is the opposite, that is, the representation of betrayal and inhuman treatments, deprivations and alienation of many sorts in Nigeria. Political and social injustice,

corruption, nepotism, tribal and ethnic politics have grown wings and uncontrollably in Nigeria and these accounts for the very unjust social and political structure the country experiences for long now. A system built with lack of trust among the leaders cannot but be ethnically favoritism inclined, nepotistic, ethnic sentimental, tribalistic in nature, corrupt, religious bigotry soaked, and hence unjust in every way.

Consequently, experience has glaringly shown that widespread discontent and loss of confidence in the Nigerian political and social structure have ways of affecting national stability. Systematically, most countries of the world especially democratic nations aspire to practice good politically democratic leadership as much as it can for the socio-economic benefit of their individual citizens, some others like Nigeria make their own brand of leadership of government of the few, by the few, and for the socio-economic and political benefit of the few in total detriment to the majority of the citizenry of the country. We, therefore, state categorically that the Nigerian state as a matter of urgency is overdue for restructuring and true federalism by all means possible. In Nigeria, Rawls theory of justice can immensely help to minimize if not stop the temptations of corruption and abuse of political powers for the sake of money and wealth accumulation and acquisition by elected public officials, as well as, for social considerations of the poor among the members of the society, and for ethnic and cultural unity and cohesion among Nigerians since all will be satisfied with what they have and have gotten in the distribution of the national goods and resources as having being adequately and considerably distributed under the condition of equality and fairness without any form of bias or prejudices. Rawls' political theory has really aided the world, most especially Nigerian state with the necessary mechanism and machinery which can greatly annihilate the current and concurrent issues of bad/negative leadership, poor governance, and unabated looting of public funds by Nigerian leaders and other public office holders in the country. This has grossly contributed to the recent and current global economic threats which Rawls' theory of justice is capable of mellowing and tackling efficiently and effectively. Nigeria's problem has always been how to organize the country properly and democratically because politics in Nigeria has often been in disarray and on 'do or die' affair basis due to her unreasonable and in some cases ill-educated so-called politicians. For Biereenu-Nnabugwu in his own viewpoint sees Nigeria's politics as:

A business with good economic returns because political class perceives the state as a "wealth mines" meant for plundering. However, in a

contest for the plundering of the national commonwealth by the political institutions' administrators in Nigeria, the socio-economic equation might be difficult to balance with political equality or representation.¹⁹

However, political experience in the post-independence Nigeria has actually shown that good and true political leadership cannot flourish adequately in the country until reasonable and well educated Nigerians are ready and willing to abide by certain globally acclaimed principles and norms of good leadership with that which is postulated by Rawls in his concept of justice which will usher in true democratic dividends for the good of all in Nigeria. Therefore, Rawls concept of justice is highly recommended in Nigerian society without much delay if the country must truly and adequately forge ahead uninterrupted in any way, and as well, can be a source of relief and correction to the many injustices perpetrated against some ethnic groups by some past and present post-independence Nigerian leaders. Hence, all the evils, wickedness and atrocities on the innocent and defenseless citizens have clearly shown the high level of political madness, idiosyncrasies and height of irrationality on most of the country's political leaders and politicians. Any government anywhere that makes excuses for their leadership woes and incompetence by pointing accusing fingers although their administration at past leaderships and hence, cannot face the facts of the issues bedeviling their country squarely, honestly, and reasonably without mincing words, which is actually why it was elected, should cover their faces in shame and on no account be regarded as competent and a responsible leadership or government in any way, but rather should be termed 'failures.' Nigerian leaders should play carefulness in whatever they do while in office else they might be caught up one day by the theory of compulsory and retaliatory retributive justice by the peoples of Nigeria after their reign which can be referred to as 'karma,' that is, divine natural punishment or payback for the measures you gave out while in the position of authority as elected or appointed leader as the case may be.

However, social cohesion and justice among various groups and interests is so important in the process of national development and nation building to avoid escalation of more and more ethnic agitations by the citizens for rights infringement which is already overwhelmed. This is due to the in-application or wrong application of the basic principle of Rawls first principle of justice into the Nigerian system of political leadership since 1999, hence, the leaders have failed Nigerians and had 'vote of no confidence' cast on them by the citizens as it stands now, therefore, anything else seen in our polity today is simply mere political camouflage to cover up their woeful socio-political and economic failures in the

country. Hence, except the country, its leaders and citizenry fights back tactically the anti-equality, anti-equity and anti-fairness and generally injustice tendencies and do all it takes to expel it from the operations of Nigeria's constitution as anti-citizens' right; equality, fairness and justice in Nigeria would remain only in principle rather than practice in the country.

Conclusion

From the foregoing, we have seen that Rawls' political theory of justice is making immense contributions to the wealth of existing theories towards improving states' socio-political structures, and ethical pluralities in the global societies of today. Looking at it specifically, the principle of equality has really deepened human fairness and liberty and channeled it towards a new democratic leadership and proactive governance for the developed and developing countries of the world. In Nigeria, the creation of an egalitarian society will begin with embracing the principles of liberty in Rawls' theory which is embedded in the constitution and which offers equal rights to all citizens in the constitution of the nation, and therefore should be taken very seriously in order to ensure the upholding of such acts that create equal playing ground for all the citizens of Nigeria, and in the conduct of the political and socio-economic affairs of the country.

Similarly, Nigerian constitution is so defective of most of the viable and enviable leadership and good governance principles obtainable in the world democracies elsewhere today, hence, needs to be urgently reviewed in line with John Rawls principles of justice and other values of liberal democracy as obtained in most parts of the world today. In Nigeria, the leaders have made themselves the authentic citizens while the majority of the people they lead automatically turn out to become the slaves in their own fathers' and ancestral land. Rawls' theory of justice is capable of enhancing and ameliorating Nigeria's contemporary and political democratic leadership woes if the country can truthfully apply appropriately its basic principles of justice as fairness into her socio-economic and political system without any bias and prejudices. Therefore, if and only if, the people and the leaders can imbibe Rawls principles and tenets of the theory of justice and then unanimously come together to truly dialogue heart to heart and seek for the holistic principles that would guarantee regional autonomy, political restructuring and true federalism that can harmoniously unite and cause the good and accelerated progress of the diverse ethnic nationalities in the country, it will actually be a good starting point for a better future for all in Nigeria. We therefore submit that if and only if the lessons derived from our recommendations above from Rawls' theory of justice is sincerely and faithfully applied to Nigerian society,

a better society for Nigeria is imminent in the nearest future for the good and betterment of all and sundry.

Endnotes

1. K. Erin, *John Rawls Theory of Justice as Fairness: A Restatement*. From: <http://www.worldcat.org/title/justice-as-fairness-a-restatement/oclc/45388455>, (2014).
2. J. Rawls, *A Theory of Justice*, 1st ed., (Cambridge, MA: Belknap Press, 1971), p. 228.
3. *Ibid*; p. 40-46.
4. *Ibid*; p. 215.
5. *Loc; cit*.
6. *Loc; cit*.
7. Federal Republic of Nigeria, *Constitution of the Federal Republic of Nigeria (As Amended)*, chapter iv, section 33-46, (Lagos, Nigeria: Federal Republic of Nigeria Press, 1999).
8. J. Rawls, *Op. Cit.*, p. 215.
9. M. Dukor, *Mohammed Chris Alli's The Federal Republic of Nigerian Army: Symposium on Sage Philosophy*, (Lagos: Malthouse Press Limited, 2018), p. 216.
10. S. Akinboye, and R. Anifowose, *Nigerian Government and Politics*, in R. Anifowose and F. Enemuo (Eds.), *Elements of Politics*, Revised Edition, (Lagos, Nigeria: Sam Iroanusi Publication, 1999), pp.238-260.
11. Federal Republic of Nigeria, *Constitution of the Federal Republic of Nigeria (As Amended)*, (Lagos, Nigeria: Federal Republic of Nigeria Press, 1999).
12. M. C. Alli, *The Federal Republic of Nigerian Army: the siege of a Nation*, (Surulere, Lagos: Malthouse Press, 2001), p. 106-107.
13. M. Dukor, *Op. Cit.*, p. 217.
14. *Ibid*; p. 226.
15. M. C. Alli, *Op. Cit.*, p. 122.
16. M. Dukor, *Op. Cit.*, p. 225.
17. U. Etuk, *God, Justice and Minority Groups in Nation Building" in African Journal of Biblical Studies*. 2/2, 1992, pp. 103-104.
18. P. Ujomu, *Internationalized Marginality, Social Conflicts and the Quest for National Unity in an African Nation State: A Theoretical Exploration" in African Development*. XXVIII. 3/4, (2003), p. 32.
19. M. Biereenu-Nnabugwu, *Lumpendemocracy and the Dialectics of Insecurity in Nigeria*. *Studies in Politics and Society* Vol. 2, No 2, (2015), pp. 259-328.