THEORY AND PRACTICES OF RULE LAW: A FOCUS ON NIGERIA

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Abstract
The study examined the theory and practice of rule of law with specific reference to Nigeria. Thereby exposing some factors militating against the rule of law in the country and had led to the instability of organized society. This has informed the need to undertake a wholesaler practice and adherence to the rule of law, which centers on ensuring that there is absolute respect for fundamental human right. However putting the rule of law of Nigerian into perspectives, there seems to be some challenges facing the law of the country. Despite these challenges the study argues that there are prospects of the political aspect of the rule of law, particularly with the consolidation of democracy through a civilian to civilian transition. Orderly transition, governance strengthening and institutional repositioning as well as the collaborative effort of the major stakeholder of the various arms of government insuring that due process is followed to achieve a free and violent society.

Keywords: Nigeria, Rule of law, Practices, Challenges and Fundamental Human Rights

Introduction
On the 10th of December, 1948, the General Assembly of the Untied Nations adopted the Universal declaration of Human Rights. It called on all member states and all people to promote and secure the effective recognition and observance of the rights and freedom set forth in the declaration. Article 1 and 2 of the declaration states that “all human beings are born equal in dignity an rights” and are entitled to all the rights and freedoms set forth in the declaration “without distinction of any kind such as race, colour, sex, religions, language, political or other opinions, national or social origin, property, birth or other status”. Articles 3-21 of the declaration set forth the civil political rights to which human beings are entitled. These include the following

1. The right to life, liberty an security of person
2. Freedom form slavery and servitude
3. Freedom from torture or cruel, inhuman or degrading treatment or punishment or punishment.
4. The right to recognition every where as a person before the law; the rights to an effective judicial remedy; freedom form arbitrary arrest detention or exile the right to fair trail and public hearing by an independent and impartial tribunal, the right to be presumed innocent until proved guilty.
5. Freedom from arbitrary interference with privacy, family, home nor correspondence; freedom from attacks upon honour and reputation, the right to protection of the law against such attack.
6. Freedom of movement; the right of asylum, the right to a nationality.
7. The right to marry and to find a family, the right to own property.
8. Freedom of thought, conscience and religion; freedom of opinion and expression
9. The right to peaceful assembly and association.
10. The right to peaceful assembly and association

From the above universal declaration every country in the world adapted the declaration to the extent it suits its particular purpose. The aim here was to encourage all nations of the world to guarantee
the rights of their citizens. It also encouraged citizens of the world to fight for and protect their rights.

The demand for rule of law is a concern of good government which will preserve the tenets of democratic government which in application means:

1. The supremacy of law;
2. Equality before the law;
3. Civil liberties which underline the rights of man in a political setting.

The demand is emphatic that laws should be made to guide people's actions in the environment in which they live. An if the laws are there, then governors or rulers should adhere to them religiously so that, political and legal actions can be predictable. They would be the only way to avoid arbitrariness by the rulers themselves and a way to ensure that the rights of man are not violated by those who rule.

Apart from inconsistencies in laws made by rulers to suit their specific interest and which were not borne out of general human experiences, as laws are supposed to be general rulers, there is sample evidence to show gross violation of the principles of law even by those who made them. In Nigeria, this is an unsolved paradox.

**Hypotheses**

Having states the provisions of rule of law, the researcher formulate the following hypothesis.

a. That laws made in the society are made to suit the rulers.
b. That the poor people in the society have no means to justice and legal right.
c. That the Nigerian force rather than protect, are violating the rights of the citizens.
d. That ignorance of the masses to the tenets of rule of law militates against the success of rule of law.
e. That one is not, guaranteed of fair hearing in the law court unless one has a god father or belongs to a particular political party.

**The Theory Of The Rule Of Law**

In the writings of Lawal (1976:19-20) defined the rule of law as a constitutional doctrine which emphasizes the supremacy of the law as administered by the law courts. He maintains that there are three basic aspects of the rule of law namely:

a. The supremacy of the law;
b. Equality before the law and
c. Civil liberty

He says that every constitution contains the doctrine of the rule of law but its degree of operation differs from one country to the other.

Adigwe (1979:15) says that the rule of law has three related meanings:

a. It means the absolute supremacy of the law
b. The rule of law means that all men are equal before the law.
c. The rule of law means that the constitution is based on the inalienable rights of the individual person.

Stem Eyiye (1987:41) defines the rule of law as the principles that stresses the supremacy of the law over all other consideration.

According to him, the principles has four major aspects which are:

1. Equality
2. Impartiality
3. The rights of man and;
4. The law and order

Ojo (1987:41) defines the rule of law as a negation of arbitrary power; the equality before the law, it is the ruling of a constitutional government and the absence of dictatorship.

Dare and Oyerole (1983:12) defined the rule of law as one of the devices in democratic system through which the rights of citizens are protected.
Ademolekin and Osuntokun (1977:41) explained that laws are of two types

1. Those made by God referred to as the moral, natural or divine laws and
2. Those made by men as manmade laws which are passed by parliaments and referred to as status.

Other being those that have evolve out of human experience.

For instance, customary or common laws case laws and another category of laws, which are made up by the judgment delivered by courts over a long period of time? They said that the meaning of the rule of law implies that:

“…Individual or body of people or government is allowed to contravene these laws”.

According to Nwabueze, S.O. a central problem of every political community is how to ensure that its affairs are conducted according to the predetermined, known and binding rules of general application and not known and binding rules of general applications and not according to the arbitrary will of some individuals. In some specific terms the problem is to ensure that the government of the community is executed and administered according to law, that disputes among its member or between any one of them and the government are adjudicated impartially according to law by regular, ordinary tribunals which are independents of the disputes, and that of the ordinary laws applied the execution of government and the adjudication of disputes are made according to some basic, fundamental rules which regulates both the content and the form of some laws as well as the procedure of making them. The mere existence of rule is of course not enough to secure the rule of law only becomes “a living reality to the extent that these rules curb the arbitrariness of description and are infact observed by the wielders of political power.

The problem is inherent in the very existence a political community. It arises because the management of affairs of the political community, with the tremendous power which it involves, has to be entrusted to human beings. No one has ever been known to be completely above its deductive and corruptive influence, and from this, arises the necessity for ensuring that its exercise is governed by law and not left to the uncontrolled will of individuals. This according to him is what the rule of law is about.

These authors seem to agree on the same principles of the rule of law although their way of presentation might show little difference. Lawal (1976) says that where the rule of law operates; a person cannot be sent to prison without trial in a law court. A person’s property cannot be taken arbitrary where the rule of law operates. An accused person is deemed innocent until he has been proved guilt of an offence. A person cannot be detained for more than 24 hours without trial. Institution of Habeas corpus is accepted by countries that practice the rule of law under a state of emergency, the operation of the rule of law is set aside. Introduction of detention laws is a limitation of the rule of law. All citizens are equal before the law and subject to the ordinary law of the land. Neither position, wealth nor education can make one oto be above the law. Equality before the law is limited by the establishment of administrative tribunals. It limits the doctrine of the rule of law. The rule of law still operates as administrative tribunals can be questioned in the law courts.

Every individuals has to enjoy basic freedom and rights in order to feel happy without which life becomes dull and uninteresting. These basic rights which include: freedom of speech and assembly, of ownership of property, of association of religion and right of elect and to be elected, are preserved by the rule of law court if encroached upon by the government or any government body.

Adigwe (1979) says that all men are subject to the ordinary law ordinary law of the land. There will be no preferential consideration for government officials as opposed to the ordinary man. All cases or matters are to be tired or settled by the ordinary court.

No absolute equality of all persons before the law. For one thing public authorities and their official are allowed certain privileges and immunities. The law regards the rich and the poor as equal schemes are being run to help poor people who have been unjustly treated to obtain redress in a law court. The schemes are the legal aid scheme being operated in England and the poor man’s lawyer scheme being run by the Nigerian law school in Lagos. The operation of the tribunals set up by the ministry of justice, certain issues does not
diminish the rule of law provided they give fair hearing to parties appearing before them. Pay due regard to precedents, try matters impartially and without interference from the executive and provided they give good reason for their decisions. The constitution is based on the inalienable rights of the individual person. The rights which include freedom of speech, movements, associations, assembly and right to life and property are inherent in the individual and can only be restricted by laws. Ojo (1973) says that the rule of law implies the concepts of legality. Without law and order life will be useless and insecure in the sense that every man will become enemy of the other. It implies the notion of liberty within the limits prescribed by law. Every man has the right to personal freedom of movement, of speech, of assembly. It implies supremacy of the law. It is law that rule and nothing else. The rule of law implies the separation of government powers since the concentration of power in one person or body persons lead to dictatorship.

Eyiye (1987) maintain that the law that applies to the king applies to his servants. All citizens are equal before the law. It is the president and a messenger should break the same law; they should be given the same punishment. If a laborer is jailed ten years for stealing a fowl, a head of state should also be jailed ten years when he steals a fowl. No one should be punished unless after normal trial in the ordinary court of law. An accused will be regarded and treated as innocent until he has been found guilty by the ordinary law court. There should no special court of tribunals. All person should be tried in the same type of court. Each state should grant certain basic rights and liberties. No government should deprived its citizens of right in modern time. The rights are stated in the constitution of modern countries. He used the ones contained in the Nigeria constitutions of 1979 and 1999 as examples. They are stated as the right to private and family life, right to freedom of thought, conscience and religion, right to freedom of expression, right to freedom of movement, right to freedom of discrimination.

There should be sufficient laws to guide actions of men in society. The laws would be clearly stated, the government as well as the citizen should act in accordance to the law and not in accordance with the personal wishes or interest.

He says that in practice equality before the law does not exist in all cases. The British Monarch cannot be brought before her own court. Head of State, Foreign ambassadors and their staff, judges an ministers are all given some privileges and immunities in certain areas of the law. According to the rule of law, no one should be punished unless after conviction by the ordinary court of law. In practice many people accused of serious offences are kept in police or prison custody for months or years while their case are pending in courts. In modern times the practice of establishing specials or administrative tribunals is on the increase. In National emergencies such as war, people can be detained definitely without trial. In some countries the Head of State can detain persons in the interest of security even in normal times.

Dare and Oyewole (1983) maintain that the powers of government and public officials are limited to those actions for which they have specific authorities, and officials are not allowed to exercise arbitrary power. Their powers can be extended or changed through publicity known laws. An accused person must be informed of the charges against him, and he cannot be punished until after he has had public hearing and had been convicted to the offence. The accused person has be right to appeal.

The main feature of the rule of law is that every man what ever his rank or condition is subject to the ordinary laws of the land and subject to the jurisdiction of the ordinary court of officials and not above the law and if his action contravene the law, he must face the consequences. An individual cannot be detained for more than forty eight hours without formal charges brought against him.

The doctrine of the phase “Rule of Law” was formulated by Professor A.V. Dicey, he first man to be associated with the term”, Rule of Law”. He was the first to give it a clear analysis. Dicey in his book referred to as “Law of Constitution” made the idea popular and he based the Rule of Law on three main principles namely:
i. **Notions of legality or that no men can be made to suffer or punished for a break of the law unless established before the court.**

ii. **The supremacy of law which means that nobody is above the law of the land.**

iii. **The general principles of the constitution.**

However, Dicey is not the only person that treated this topic. Many authors in the field of politics have given many definitions to the phrase “Rule of Law”. The rule of law according to Lord Hewart is “the supremacy or predominance of law, as distinguished from mere arbitrariness or some alternative mode which is not law of determining or disposing of the rights of individuals”.

Fletcher in his work says that “the rule of law is a fundamental principle of the constitution which implies separation of powers, since the concentration of powers in one authority is dictatorship which according to liberal is “Political Tyranny”.

Lindsay Barnet saw the phrase “Rule of Law” as something that implies “the supremacy of the ordinary law as distinct form the influence of arbitrary power of the government”.

Eyiyere says that “the rule of law is the principles that stresses the supremacy for the law overall other considerations;”.

Furthermore, J.H. Price says that whenever we discuss the nature of sovereign, a concept which we must take into consideration is the rule of law. Inherent in this concept, is the idea not only that every citizen shall be equally bound by known and fair laws, enforced by known and impartial judges, thus protecting each individual’s right against those of other individuals, but also that the government itself shall equally be bound by those on the part of laws. So that the relationship between the government and every other individual citizen be protected and asserted against tyranny on the part of the government. However, the rule of law is a doctrine which emphasizes that law is above everybody, ones positions, power, education and wealth notwithstanding.

The last but not the least, is Ojo’s definition of which say, “the rule of law implies that law should be supreme and predominant in any given state”. The people who exercise the authority in a given state must exercise such authority in accordance with the laws already made. If a given government should exercise its authority not according to the laws of the state, such a government thus, rules arbitrary and is therefore the government of men rather than of the laws already made. If a given government should exercise its authority not according to the laws of the state, such a government thus, rules arbitrary and is therefore the government of men rather than of the law.

There are three basic principles of the rule of law which were promulgated by A.V. Dicey. Though they have been mentioned before, there is a need to study them in full details in order to known their implications. **Notions of legality or that no man can be made to suffer or punished for a breach of the law unless established before the courts.** The supremacy of the law is that nobody is above the law of the land.

The general principles of the constitution. Having see them, we shall then discuss them one by one beginning with the first one.

**Notions of Legality**: This means that no man is punishable, or can be lawfully made to suffer in bad or goods, except for a distinct breach of law established in the ordinary legal manner before the ordinary courts of the land. It means the supremacy of regular laws, as opposed to the influence or arbitrary power. This implies to everyone in every case, even when a man is alleged to have committed a crime, he is assumed to be innocent until the court of law finds him guilty and all people will be tried by the same type of court; Nobody shall be detained by the police or other government agent for more than twenty four without trail or express permission of a judged of the high court. In their way, citizens are protected against arbitrary police detention. It is also known as the wreath of habeas corpus Act.
The Supremacy of Rule of Law or Equality of all before the law:
Before ever we say anything on this, there is need for us to first of all know the meaning and types of equality. Equality is derived from equal which means “the same size, value, quantity or evenly balanced” in the declaration of the right of man. (1789) issued by the National Assembly of France, during the French revolution, the following categorical statement was made, “men are born and will always continue to be free and equal in respect of their rights. A similar statement is found in the American Declaration of independent (1776): “we hold these truths to be self evident, that all men are created equal”. Having seen these, the question still remains, in what sense are men by nature equal” We shall not discuss this since it differs from or topic; all the same we have to name the types of equality before we know the one that suits into our study.

Economic Equality: The attempt to explain all differences in wealth, allotting to everyone an equal share in worldly goods.

Political Equality: A measure of equality in the share which the citizens of a state have in their government.

Civil Equality: This is perhaps the type of equality that appeals to our topic; it means equality of all before the law.

Having seen this, we can then say that everybody is equal in terms of political and civil rights in the land. No one person is above the law in this sense, the laws that applied to a king applies to his servants. A citizens should be under the same law. There should be no differential treatment. If a laborer is jailed ten years for stealing a fowl, ahead of sate should be jailed ten years for stealing a fowl.

The General Principles of the Constitution: This implies that a teach state should grant certain rights and liberties to its citizens. These rights are inalienable and no government should deprive its citizen of them. In the Nigeria constitution, they are stated as the right to life, right to dignity of human person, right to personality liberty, right to fair hearing, right to private and family life, right to freedom of thought, conscience and religion, right to freedom of expression and the press, right to peaceful assembly and association, right to freedom movement, right to freedom from discrimination etc.

The Practice of Rule of Law and Nigerian Scene

Equality before the law: The rule of law states that all citizens are equal before the law without distinction as to rank, status, race, religion, social connections or birth, but in practice, it is not applicable. For example, late Gen. Sani Abacha was a military head of state in Nigeria, he had the power to detain the citizens anyhow, and he had the power to detain the citizens anyhow, and he was the prosecutor as well as the judge by the detention order. He can’t be used to court or imprisoned.

Fundamental Human Right: The rule of law assumes that for democracy to survived, citizens must be accorded certain fundamental rights; the right to life, liberty and property, the freedom of speech, unity religion, private correspondent and the right to seek legal redress should the violation of any of these rights.

Factors Militating Against the Rule of law

In every political system, there are several factors which work against the rule of law and make it impossible to achieve in practice.

The Class Character of Law: Law is often made by the ruling class in a society. In Monarch the kind makes the law. In Aristocracies, Aristocrats enact the law. Even in Democracies, it is the representatives of the people who legislate on behalf of the people.

Our point is that those who make the laws often make the law to favour themselves. In Nigeria first and second republics, legislators were mainly contractors and businessmen, inevitably, they could not make any law against their business interest. Even when such law against their business interest. Even when such laws are made those who made them device very efficient means for thwarting the law.
Thus, although to be associated with democratic slogans, it often ends up protecting the interest of a few, the interest of the privileged classes. This reduces the connotation to a hypocritical document. It makes the rule of law an ordinary speculation about how society should or ought to be administered.

**Mass illiteracy and ignorance: law is** very technical subject. It requires a certain level of literacy or education for one to understand what the law demands. But in developing countries, such as Nigeria, the literacy rate is very low. A high percentage of the population are illiterates and uneducated they are neither politically aware nor do they know their legal rights and obligations. They are as such ignorant of the law. But it is equally an assumption of the rule of law that ignorance of the law is not an excuse for breaking it. Thus illiteracy and ignorance work against the rule of law because those who know the law use the opportunity for cheating and transgressing against those who are ignorant of it.

**High Cost of Litigation:** In countries where the national wealth is unequal in spread, the rich get richer while the poor get poorer. In such countries the legal profession becomes a money making profession, lawyers charge exorbitant fees in order to defend clients. Inevitably, the ability to seek redress in court becomes the function of how much money one has. Justice is commercialized. The rich easily throws the poor into jail. The poor cannot secure justice because of the high cost of litigation. Since the lawyer is no longer the custodian of justice and fair play but a is no longer the custodian of justice and fair play but a trader on the misfortunes of others, equality before the law (which the rule of law preaches) dies an unnatural death.

**Administrative Tribunals:** According to the rule of law, all cases involving crime, fraud, and administrative disputes must be settled in law courts. But what obtain practically in the day to day running of government is that administrative tribunal or commission are often set up to investigate allegations of fraud or poor administration.

These tribunals often posse very powers to declare an individual guilty or innocent and to make recognition of exoneration or punishment. More often then, these powers are considered by government as being superior to those of courts.

**Legal Immunities:** in spite of the assumption by the law that nobody is above the law, practical political behavior reveals that some top ranking officials of government and members of the foreign service such as, ambassadors and foreign diplomats are placed above the law. They are merely declare untouchables. Neither Heads of government more ambassadors can be arrested and summoned to a court of law. Where this happens, in the case of a head of Government. Je merely sends his solicitors. And in Britain, the Monarch, like the Pope is said to be infallible. He can make no mistakes and can do no wrong. He cannot be sued.

**The increasing Powers of Administrator:** With the increasing complexity in social political and economic organization it have become easy for government official to require great powers which enable them to use a wide margin of discretion in the performance of their ministries as delegated to them by constitutionally recognized legislative bodies. This delegation legitimizes their authority and enable them to interfere with the lives and freedom of citizens.

**Table 1**

Responses on laws made to suit the rulers.

<table>
<thead>
<tr>
<th>Question Number</th>
<th>Total No. of Responses</th>
<th>Agreed</th>
<th>Disagreed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>50</td>
<td>40</td>
<td>20</td>
</tr>
<tr>
<td>2.</td>
<td>50</td>
<td>43</td>
<td>14</td>
</tr>
<tr>
<td>3.</td>
<td>50</td>
<td>20</td>
<td>50</td>
</tr>
<tr>
<td>4.</td>
<td>50</td>
<td>20</td>
<td>60</td>
</tr>
<tr>
<td>Total</td>
<td>200</td>
<td>128</td>
<td>144</td>
</tr>
<tr>
<td>Average</td>
<td>50</td>
<td>32</td>
<td>36</td>
</tr>
</tbody>
</table>
The above table shows that an average of 64 of the respondents agreed that laws made in the society are made to suit rulers, while 36% of the respondents disagreed. From these therefore, it can be asserted that laws made in the society are made to suit the rulers in Nigeria.

**Hypothesis B**: The poor people in the society have no means to Justice and Legal Right

<table>
<thead>
<tr>
<th>Question Number</th>
<th>Total No. of Responses</th>
<th>Agreed</th>
<th>Disagreed</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.</td>
<td>50</td>
<td>No</td>
<td>%</td>
</tr>
<tr>
<td>6.</td>
<td>50</td>
<td>46</td>
<td>92</td>
</tr>
<tr>
<td>7.</td>
<td>50</td>
<td>47</td>
<td>94</td>
</tr>
<tr>
<td>8.</td>
<td>50</td>
<td>38</td>
<td>76</td>
</tr>
<tr>
<td>Total</td>
<td>200</td>
<td>171</td>
<td>342</td>
</tr>
<tr>
<td>Average</td>
<td>50</td>
<td>42</td>
<td>85.3</td>
</tr>
</tbody>
</table>

From the above, it shows that average responses of 42.7 representing 85.5% of the respondents agreed that the poor people in the society have no means of justice and legal right, while 14.5 of the respondents disagreed to this opinion. This means that the poor in the society have no means to justice and legal right.

**Hypothesis C**: The Nigeria force, rather than protect, are violating the right of the citizens.

<table>
<thead>
<tr>
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<th>Total No. of Responses</th>
<th>Agreed</th>
<th>Disagreed</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.</td>
<td>50</td>
<td>35</td>
<td>70</td>
</tr>
<tr>
<td>10.</td>
<td>50</td>
<td>40</td>
<td>80</td>
</tr>
<tr>
<td>11.</td>
<td>50</td>
<td>25</td>
<td>50</td>
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<tr>
<td>12.</td>
<td>50</td>
<td>20</td>
<td>40</td>
</tr>
<tr>
<td>Total</td>
<td>200</td>
<td>70</td>
<td>240</td>
</tr>
<tr>
<td>Average</td>
<td>50</td>
<td>17.5</td>
<td>60</td>
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</tbody>
</table>

The table above shows that the average responses of 60% agreed that the Nigeria force, rather than protect, are violating the rights of the citizens, while 40% of the respondents disagreed. Therefore, it is unarguable that the Nigeria force violates the rights of the citizens instead of protecting them.

**Hypothesis D**: Ignorance of the masses to the tenets of rule of law militates against the success of the rule of law

<table>
<thead>
<tr>
<th>Question Number</th>
<th>Total No. of Responses</th>
<th>Agreed</th>
<th>Disagreed</th>
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<tbody>
<tr>
<td>13.</td>
<td>50</td>
<td>12</td>
<td>24</td>
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<tr>
<td>14.</td>
<td>50</td>
<td>40</td>
<td>80</td>
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<tr>
<td>15.</td>
<td>50</td>
<td>45</td>
<td>90</td>
</tr>
<tr>
<td>Total</td>
<td>150</td>
<td>128</td>
<td>256</td>
</tr>
<tr>
<td>Average</td>
<td>50</td>
<td>32.3</td>
<td>85.3</td>
</tr>
</tbody>
</table>

This table shows that 64.7% of the respondents agreed that ignorance of the masses do militate against rule of laws, while 35.3% of the respondents disagreed of this opinion. This means that ignorance of masses to the tenet of rule of law militates against the success of rule of law.
From the data above, 58% of the respondents agreed that there is no guarantee of fair hearing in the law courts unless one belongs to a particular political party or has a good father, while 42% of the respondents disagreed to this opinion. In the final analysis therefore, it is a known fact that unless one has a “godfather”, or belongs to a particular party, one is not guaranteed of a fair hearing in the law courts.

Data Analysis

Hypothesis A: Laws made in the society are made to suit the rulers
Question No. 1 to 4 were developed from this hypothesis, and the analysis is presented below.
Question No. 1 some laws are difficult for the masses to obey.
From question No. 1, 50 questionnaires were administered and were all returned answered out of which 40 respondents agreed to the question, which amounts to 80% while 10 respondents disagree to the question, which amounts to 20%.
Question No. 2: Immunities of the Rulers are often misused.
Question No. 2 had 43 out of the 50 respondents agreed to the question while the remaining 7 disagreed, this is respondent in percentage as 86 and 14 respectively.
Question no. 3: The society turn a blind eye when the rulers break the law:
From question No. 3: 25 people agreed to the question, while 25 people disagreed to the question, and this amounts to 50 percent for both.
Question No. 4: The rulers are above the law.

Question no. 4, had 20 respondents agreed to the question, which amounts to 60%

Hypothesis B: The poor people in the society has no means to justice and legal rights
Question no. 5 to 8 were developed to test this hypothesis and below are the analysis.
Question no. 5: High cost of litigations tends to deny the poor the right to justice.
From question No. 5 to 46 respondents which are 92% agreed to the question, while 4 respondents, which is 8% disagreed.
Question No. 6. Had 47 respondents which amounts to 94% agreed to the question, while 3, respondents, which is 6% disagree to the question.

Question no 7: Some judges in Nigeria are corrupt:
Question 7 had 76% from the 38 respondents that agreed to the question, while 24% represented the 12 respondents that disagreed to the question.
Question No. 8: The poor not have a legal right due to lack of money. From question No. 8. 40 respondents agree, while 10 disagreed. And this is represented in percentage as 80% and 20% respective.

Hypothesis C. The Nigerian force, rather than protect, are violating the rights of the citizen.
To test this hypothesis, question No. 9 to 12 were formulated.
Question No. 9 had 70% representing the 35 respondents had agreed to the question, while 30% represented the remaining 15 respondents that disagreed to the question.
Question No. 10: The Police do not protect the citizens.
Question No. 10, 80% represented the 40 respondents that agree to the question, 20% represented the 10 respondents that disagree to the question.
Question No. 11: The Nigerian forces violate the rights to the citizens. Form question No. 11 the agreed and disagreed respondents tied 50% each which are respondents on each side.

Question No. 12: Offenders are treated as suspects rather than convict.

Hypothesis D: Ignorance of the masses to the tenets of rule of law militates against the success of rule of laws.

To test this hypothesis, question 13, to 15 were formulated and below are the analysis.

Question No. 14: Illiterate masses can not defend and fight for their rights.

From question NO. 14, 80% represented 40 respondents that agreed to the question, while 20% represented the 10 respondents that disagreed to the question.

Question No. 15: An educated society is where there is rule of law.

Question No. 15, had 90% representing 45 respondents that agreed to the question, while 10% represented the 5 respondents that disagreed to the question.

Hypothesis E.: One is not guaranteed of fair hearing in the law courts unless has a god father or belongs to a particular political party. Form these hypothesis four questions, no 16 to 19 were formulated to test hypothesis and below is the analysis.

Question No. 16: Innocent people are convicted due to lack of godfather. From question NO. 16, 82% representing 41 respondents agreed, while 18% representing 41 respondents agreed, while 18% representing 41 respondents agreed, while 18% represented the 9 respondents that disagreed to the question.

Question No. 18: Normal process of court sittings is not always adhered to. Question No. 18, had 40% representing 20 respondents that agreed to the question, while 60% represented 30 respondents that disagreed to the question.

Question No. 19: The appointment of judges is not done on merit.

The agree and disagree parties tied 50% each from question No. 19 which means that each had 25 respondents on each side.

It should be noted that on the whole, 50 questionnaires was distributed and the whole 50 were answered and returned completely

Conclusion and Recommendation

The paper concludes by writing that does men and women within the corridors of authority, leadership and governance must be upright and men of dignity and accountability. From the result of the research, the following are recommended.

Legislative authority should be shared between the central, state and local governments, all of which coordinates with, and independent of one another in regards to the powers and function specifically assigned to them by the constitution.

The governed must finance their government and obey laws and regulation. The governors, on the other hand must offer protection for the life and property of the citizens as well as cater for their general well being. Officials can exercise such powers given to them by the people only so long as the people are satisfied with their conduct and management on public affairs.

The populace should be politically alert through sustained political education to make it easier for them to monitor the performance of the operators to detect their faculty and to hold them accountable. To avoid the dangers of the corruption influence of power, there must be maintenance of the separation of powers among the executive, legislative and judiciary. The needed checks and balances should be providing as prescribed by the constitution. No one of the three arms of government should be in a position to intimidate or blackmail the other.
Sovereignty is to rest with the people. The legislature and the president must be elected by and responsible to the people. The judiciary must particularly in matters of appointment, discipline and exercise of its functions be relatively independent of the executive and legislature. The judiciary service commission should be made up of retired judges and distinguished lawyers in private legal practice, who will owe their allegiance to the legal profession, and ensure that the society believes in the equality of all individuals in the inviolability of human rights and in the supremacy of the law. There should be a provision for a court of competent jurisdiction to entertain any action brought before them on government. The judiciary needs both fiscal and administrative independence to be able to function effectively. There recurrent expenditure should come from the consolidated revenue fund and they ought not to hold office at the pleasure of the executive. Their appointment, promotional and disciplines should be a matter for the judicial service commission.

The civil service must be insulated as far as possible from political contamination. The appointments and promotions should be determined at all times by a commission that is responsibly and reasonable independent of the three arms of government. There should be check and balances among the three arms of government. The political parties should reflect the federal characters in nominating candidates for offices. There should be equitable distribution of political powers and appointments in Nigeria. There should also be a calling on the number of political advisers to the president. The government should ensure that all convicted for their political misconduct or other crimes are barred from holding public office or contesting for election in the country for life. The constitutions should be upheld and follow its provision to the last letter.

Finally, the constitution should be allowed to make full acknowledgement of the basic rights, social education and otherwise the right to secure full residence opportunities in any part of the federation.

References