TRENDS IN CONSTITUTIONALISM AND CONSTITUTIONAL ADJUDICATION IN NIGERIA

(Chapters in Honour of Prince Mahruf Adesegun Ajibola, SAN)



Edited By:
A. O. Sambo, I. Imam & S. O. Jimoh

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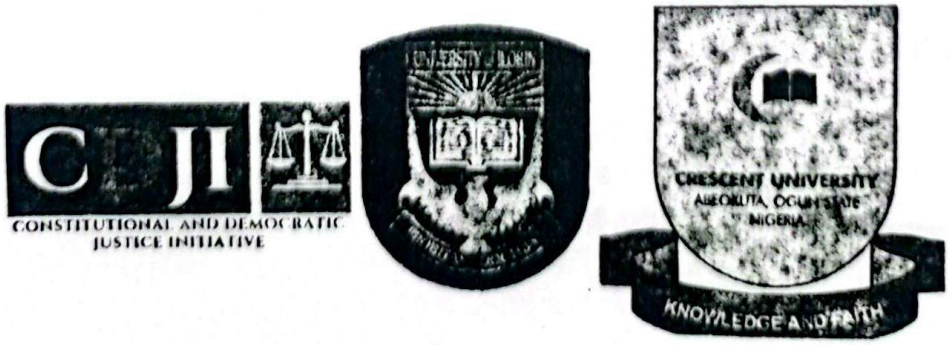
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TABLE OF CONTENTS

Editors' Notes iii
Forewords v
Acknowledgements vii
Abridged Profile of *Prince Mahruf Adesegun Ajibola, SAN, Inst.D, FCIArb)* ix
Notes on Contributors xi

PART ONE: CONSTITUTIONAL GOVERNANCE AND JUSTICE

CHAPTER ONE
Theory and Practice of Constitutional Alteration and Transformation
Ibrahim Imam 1

CHAPTER TWO
Judicial Avoidance Approach to Emergency Proclamation and the Suspension of Democratic Institutions in Nigeria
Abdulfatai Oladapo Sambo 39

CHAPTER THREE
Assessment of the Financial and Political Autonomy of States Houses of Assembly in Nigeria: A charade or Reality?
Amana Mohammad Yusuf 58

CHAPTER FOUR
Judicial Corruption as a Threat to Constitutional Democracy and Stability in Nigeria
Saliu OjoJimoh 80

CHAPTER FIVE
An Exposition of the International Guiding Principles on Constitutional Interpretations
Rose Nneka Adima & Abdulfatai Oladapo Sambo 104

CHAPTER SIX
Women's Participation in Democratic Governance in Nigeria
Saheedat Odunayo Lawal 126

CHAPTER SEVEN
Emerging Constitutional and Administrative Issues on Citizenship and Nationality in Nigeria
Osawaru A. Erimwinorosee 156

CHAPTER EIGHT
Constitutional Lapses and the Implications for the Budget-Making Process in Nigeria
Bakare Adebola Rafiu .& Sanusi Abdulwasiu** 173

CHAPTER NINE
The Challenges and Prospects of Federalism and National Development in Nigeria
Benedicta Daudu 204

PART TWO: HUMAN RIGHTS AND CONSTITUTIONALISM

CHAPTER TEN
Perspectives on Human Rights and Social Justice in Nigeria
Nlerum Sunday Okogbule 216

CHAPTER ELEVEN
Freedom of Speech and Online Defamation in Nigeria
Oyesola Animashaun 235

CHAPTER TWELVE
Fiscal Constitutionalism and Social Justice: Tax Policy as an Instrument for Enforcing Socio-Economic Rights
Lukman L. Akanbi 257

CHAPTER THIRTEEN
A Literary Appreciation of Isa Alabi's Arabic Poem on the Neglect of Socio-Economic Rights and Economic Crimes in Nigeria
Olagunju-Ibrahim, Ridwan Olawale, Hamzat-Umar Kawthar Ayomipo & Ismail Danjuma Yusuf 282

CHAPTER FOURTEEN
A Constitutional Analysis of Xenophobia and Human Rights Protection in Nigeria with an Appraisal of the Cybercrimes Act
Wahab Kunle Shittu, SAN, Wahab Ismail Yinkola, & Abdulkadir Bolaji Abdulkadir 299

CHAPTER FIFTEEN
Gender Equality Vide Reproductive and Property Rights in Nigeria
John O. Ogouno 320

PART THREE: ENVIRONMENTAL CONSTITUTIONALISM 345

CHAPTER SIXTEEN
Advocating the Need for a Constitutional-Based Approach to Environmental Degradation in Nigeria
Bukola Oyaleke 347

CHAPTER SEVENTEEN
Environmental Constitutionalism In Nigeria: From Aspirational Principles to Enforceable Rights
Vivian I. Uzoma 365

CHAPTER EIGHTEEN
Evaluation of Environmental Constitutionalism in Nigeria
Hagler Okorie 393

APPENDIX: SUMMARY OF CHAPTERS 411

INDEX 426

CHAPTER THIRTEEN

A LITERARY APPRECIATION OF ISA ALABI'S ARABIC POEM ON THE NEGLECT OF SOCIO-ECONOMIC RIGHTS AND ECONOMIC CRIMES IN NIGERIA

Olagunju-Ibrahim, R. O., Hamzat-Umar Kawthar Ayomipo & Ismail Danjuma Yusuf

13.1 Introduction

Economic crimes have eaten deeply into the fabric of Nigeria as an entity, thereby affecting nearly all facets of life in the country; political, economic, social, religious, legal, judicial etc. Without any iota of doubt, there is heavy presence of economic crime both in the private and public sectors of the economy. This, in consequence, has continued to diminish the expected high capacity of the government to provide socio-economic welfare services for the citizenry as provided in the current grundnorm of the country, the 1999 Nigerian Constitution (as amended).

This chapter in the book is intended to a examine a literary appreciation of a related Arabic poem having nexus with the focus of this work which is establishment of the evil of economic crimes and neglect of socio-economic rights. The focus is to be further seen in the conviction that restoration of the socio-economic rights is still possible despite the havoc around the so-called fundamental objectives and directive principles of state policy under which these pro-people welfare provisions are contained. The havoc is the constitutional pronouncement of injusticiability of those welfare rights.

The Arabic poem to be literarily appreciated will reflect the factor of Islamic law being a justifying phenomenon on the need for reversal of the economic status quo in the country to the ideal situation. In addition, the paper will analyse some other provisions in the same Constitution to drive home the possibility of realising actualisation of the socio-economic rights. Aside discussing the above, the chapter will, at relevant junctions, delve into the need to clarify some necessary terms such as economic crime

and socio-economic rights. Seriousness of the problem of economic crime shall also be entertained withouts losing sight of the need to see how socio-economic crimes are being handled in few other climes. It is after all these engaging pre-occupations that the treatise shall come to a close by summary and conclusion.

13.2 Seriousness of the Problem

Economic crime can be traced to corruption as its precursor. Right from the time immemorial, corruption had always been known as an inhibition to the political, economic, social and cultural stability of any given state and its people. In the management of public affairs, the term "corruption" rubbishes the spirit of socio-economic development, accountability and transparency in the continent.[1] Because of the many negative effects it has on enjoyment of socio-economic rights of citizens in every country, corruption has been tagged as a sure challenge to good governance.[2]

As for economic crimes, which came as an offshoot of corruption, they are offences having connection with money siphoning but are not traditionally regarded as morally reprehensible by the society. They therefore do not normally attract the type of stigma which other crimes carry.[3] Economic crimes are closely connected with changes in the socio-economic level of any society. With this, a society experiencing transition to the modern from the primitive state will surely undergo increase in the level of economic crimes commission.[4] As a corollary to this, Nigeria was said to have a catalogue of low economic crime rate.[5] Economic crimes such as foreign exchange abuses only became widespread after the country's independence in 1960. It is therefore not surprising that the country through the Federal Government did develop the Exchange

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[1]Bacon F., "Of Judicature", Essays (London: Wordsworth Editions Ltd, 1997), p. 150

[2]See Article 2(4) of the African Union Convention on Prevention and Combating of Corruption

[3]These are offences that are not traditionally regarded as morally reprehensible by the society. They therefore do not normally attract the type of stigma of moral condemnation attachable to other crimes.

[4]Oputa, C.A, "Crime and the Nigerian Society", in Ellas, T.O., et. al. (eds), African Indigenous Laws: Proceedings of Workshop, Enugu, Government Printer, 1975, p. 14.

[5]Ibid. at p.18

Control Act. This got enacted within the neighborhood of two years after independence.

The above apart, the fact that each of the successive governments in Nigeria has always developed its own legal framework or policy against the spread of economic crime is a clear evidence on the geometric intensity of these crimes in our clime. On this note, the ICPC Act and EFCC Act are possibly the most recent legal instruments against graft in Nigeria. Despite these frantic anti-graft efforts, David Cameron[6] still had cause, sometimes back, to refer to Nigeria and Afghanistan as two most fantastically corrupt nations.[7]

Having said this, the highest height at which one notices the prevalence of this criminal involvement nowadays resides in the obnoxious ritual killing making the round, which is aimed at making money for spending at all cost. The yet to die down noisy case of one Ramoni Idi-Isin in Ilorin, Kwara State is among others a reflection of the current state of the seriousness of the problem in the country. Ramoni Idi-Isin was caught and alleged to have singlehandedly killed and dismembered one Hafsah, his so called girlfriend also from Ilorin, Kwara State. He was upon apprehension said to have confessed to the Commission of the heinous crime.[8]

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[6]One time British Prime Minister (2010-2016)

[7]He made the statement publicly at a summit attended by some world leaders on anti-corruption theme. Although, Reuben Abati, the Spokesman to the then President of Nigeria, Goodluck Ebele Jonathan, had to respond at the time rejecting the bad tag, Cameron's statement is truly reflective of the bad economic image of Nigeria at the period and up till now.

[8]He was first brought by First Information Report before a Magistrate Court (Magistrate S.B. Muhammad) in Ilorin, the capital of Kwara State. When the court declined jurisdiction for apparent lack of same, the DPP of the State (Mr. M.I. Idowu) took the matter to a competent State High Court Judge (Hon. Justice Ajayi) before whom a charge was preferred against Ramoni and others. His Lordship later found him guilty as charged on the 31st of July, 2025. He has since been sentenced to some terms of imprisonment and death by hanging.

13.3 Economic Crimes Clarified

Economic Crimes refer to offences committed in the course of lawful duties or transactions but which are given to negative impact on the economy. Although such crimes do not have the tag of social reprehensibility attached to them, they usually have far-reaching adverse effects on the economic health of any nation.[9] By economic crimes or offences, one should understand what is called white collar crimes,[10] corporate malfeasance, rationing violations, smuggling, mismanagement and abuses of economic power that may not run counter to current penal norms, but are nevertheless harmful to the society and perceived as reprehensible in situations of socio-economic change, stress and crises.[11] The jurisprudential response to the Nigeria's need for protection against economic crimes and allied offences culminated in the enactment of a statutory legislation which defines economic and financial crimes as: The non-violent criminal and illicit activity committed with the objectives of earning wealth illegally either individually or in a group or organized manner thereby violating existing legislations governing the economic activities of the government and its administration and includes any form of fraud, narcotic drug tràfficking, money laundering, embezzlement, bribery, illegal arms deals, smuggling, human trafficking and child labour, looting and any form of corrupt practices, illegal oil bunkering and illegal mining, tax evasion, foreign exchange malpractices including counterfeiting of currency, theft of intellectual property and piracy, open market abuse, dumping of toxic wastes and prohibited goods etc.[12]

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[9] Popoola, A. O. and Ajayi, O. O., "The Military and Economic Crimes in Nigeria," *Proceedings of the 27th Annual Conference of the Nigerian Association of Law Teachers* held at Nike Lake Resort Hotel, Enugu, April 9-12, 1989, p. 130, p. 134

[10] This is the term used to describe violations of the law by persons with higher status. Usually, the term refers to corporate or individual crimes in connection with business or occupations regarded as legitimate part of the society. See: Titus Reid: *Crime and Criminology*, 9th ed. (Mc Graw Hill, 2000) p. 248.

[11] "New Dimensions of Criminality and Crime Prevention in the Context of Development: Challenges for Future" 7th United Nations Congress on Prevention of Crime and Treatment of Offenders. A/CO/F. 121/20, 16th April, 1965.

[12] S. 46, Economic and Financial Crimes Commission (Establishment) Act 2004. There are however other legislations against economic and financial crimes in the country, for example, the Criminal Code, Cap 77, LFN 1990 (Cap 38, LFN 2004); the Penal Code, Cap. 345, LFN 1990 (Cap. P. 3, LFN 2004); the Failed Banks (Recovery of Debts) and

One of the major challenges confronting the regulation of economic crimes in Nigeria today is the marked change in the socio-economic condition of the country. Not only has the economy witnessed a serious down-turn in recent times with the attendant consequence, the rate of unemployment has grown to patently unacceptable levels.[13] The result is that a large crop of young men and women who have graduated from colleges and universities are not engaged in productive activities. This has forced a large number of persons into all kinds of economic crime, perhaps as means of survival.

This deplorable condition has regrettably been aggravated by the unfortunate collapse of corporate morality in the country, such that the society is hardly interested in ascertaining the source of wealth of Nigerians. Not surprisingly, it is a common feature in the country to see a clerical officer in the Accounts Department of a government ministry owning several houses in choice areas of the town and cars without questioning from security agencies or even his superiors in office or the entire society. On the contrary, such a person will be hailed and even given chieftaincy titles and other honours either by his community or the state itself.[14] It is a truism that a large proportion of people in this category are either money launderers or those engaged in advance fee frauds.[15]

13.4 Government Efforts So Far

Successive governments in Nigeria have not paid lip service to the concern of anti-graft war in the country. They have been up and doing in

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Financial Malpractices in Banks Act, 1994; the Advance Fee Fraud and other Related Offences Decree 1995; Money Laundering (Provisions) Act, Cap. M18, LFLN 2004, etc.

[13]Amale, S, "The Impact of the Structural Adjustment Programme on Nigerian Workers," in Olukoshi, A (ed) *Crisis and Adjustment in the Nigerian Economy*, Lagos, Jad, 123, 133-134. The economic reform programme of the Federal Government is also having adverse effects on the employment situation in the country: *The Guardian,* Sunday August 21, 2005, p. 1

[14]Okogbule, N.S, "The Nigerian Factor and the Criminal Justice System, 2004, Vol. 7, *University of Benin Law Journal,* 165; Abati, R, "How to be a Nigerian", *The Guardian,* Sunday, November 2, 2003, p. 18"

[15]These are high flier economic crimes that give quick money to the perpetrators.

the enactment of necessary legal instruments to combat the menace. For instance, the second military regime in Nigeria under General Yakubu Gowon promulgated the *Public Officers Investigation of Assets Decree,*[16] which empowered the Head of State to require public officers to declare their assets. In addition, tribunals were set up with powers to investigate corrupt enrichment by public officers.[17] In 1975, General Muritala Muhammad also made several efforts to combat corruption. He set up an *Asset Investigation Panel* to investigate the assets of State Governors, Federal Commissioners and High Ranking Officials. The Defunct *Corrupt Practices (Decree) Act,*[18] was promulgated to extend the scope of the regime's anti-corruption measures to officials of private sector.[19]

Further, Buhari/Idiagbon's regime promulgated the Recovery of Public Property (Special Military Tribunal) Act of 1984 (as amended). The military under this regime believed that draconian anti-corruption measures including long sentences and forfeiture of assets would re-assure the public of its commitment to fight corruption. This regime also launched a War Against Indiscipline (WAI). Generals Ibrahim Badamasi Babangida and Sani Abacha also promulgated various similar policies[20] in their fight against corruption in Nigeria. President Shehu Shagari[21] and President Umar Yar'adua[22] also had their quota of contribution in this context. Having said this as the general preliminary on the various efforts of successive governments, it is imperative to give a list of Nigerian legislations which so far have been enacted or adopted in the country to

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[16] No. 5 of 1966 (repealed). This particular decree and a host of others have suffered repeal, but those others not repealed are now contained in the Laws of the Federation of Nigeria as 'Acts'

[17] Okechukwu E., 'A Critique of the Activities of EFCC vis-à-vis the 1999 Constitution' in *Ife Juris Review: A Journal of Contemporary Legal and Allied Issues,* Vol. 3, Part 1, 2006, p. 104

[18] No. 38 of 1975

[19] Ibid

[20] For Instance, the Structural Adjustment Programme (SAP) and the War Against Indiscipline and Corruption (WAIC) were introduced by Babangida and Abacha respectively during their successive days as some of their anti-corruption policies

[21] Shagari's contribution on this was his 'National Ethical Revolution'

[22] Yaradua's contribution was his 'Policy of Zero Tolerance for Corruption'

checkmate the spread of economic crime and corruption. These are: The Constitution of the Federal Republic of Nigeria, 1999 (as amended), (Cap. C23) LFN, 2004, the Criminal Code Act, (Cap. C 38) LFN, 2004, The Penal Code Law, (Cap P 3) LFN, 2004 and Advance Fee Fraud and other Related Offences Act, (Cap. P. A6) 2006 [23] Others are: Money Laundering (Prohibition) Act. Vol. II, 2011[24], The Independent Corrupt Practices and Other Related Offences (ICPC) Act, (Cap. C31), LFN, 2004 and the Economic and Financial Crimes Commission (EFCC) Act, (Cap. E1), LFN, 2004.

By and large, it can be said that Nigeria has put in some considerably fair and impressive legislative efforts aimed at the fight against the menace of economic and financial crimes. The long list of some of these enactments paraded above is a proof of this assertion. In fact, beyond the above list, there exists an avalanche of other subsidiary legislations enacted from time to time by the National Assembly to forestall the spread of economic crime and corruption. For instance, of about 194 Acts which the National Assembly passed between the years 1999 and 2012,[25] the anti-corruption laws rank eight in terms of the highest volume of concentrated legislations per item of 25 classified legislations.[26] Notwithstanding these efforts, economic and financial crime is still on like wild fire. It seems lack of political will is really the bane of the effective solution to the economic challenge of Nigeria. The problem is not that of lack of legal frameworks at all.

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[23] This is the latest Act on the crime. It repealed and replaced both the Advance fee fraud and other fraud related offences Decree, later Act No. 13 of 1995 and the Amendment Act on the Crime in 2005.

[24] This now repeals and replaces the Money Laundering Decree No. 13 of 1995 as well as the Money Laundering Act, (Cap. M 18) LFN, 2004.

[25] National Assembly Website: www.nassnig.org/nass/votesenate.php accessed on Wednesday, December 10th, 2014

[26] The following classifications show the number of legislations between 1999 – 2012 per subject. Government Agencies/Commissions 45; Fiscal – 34; Appropriation – 17; Acts – 16; professional bodies 12; International Cooperation/Treaties – 12; Electoral – 10; Labour& Wages – 9; Anti-corruption – 8; Judiciary – 6; Energy – 6; Human Rights etc. – 5; Maritime – 4; Education – 3; Insurance – 3; Investment – 3; Constitution – 3; National Assembly and Law Making – 2; Protocols – 1; Environment -1; Aviation – 1; Terrorism – 1; Communication – 1; See: Akinrinmade G.O., Osifeso B.Y. and Ors, 'An Assessment of the Role of the National Assembly' .... pp. 460 – 461

13.5 Socio-Economic Rights in the Nigerian Constitution

The heading of Chapter II of the current Constitution of Nigeria (1999 as amended) comes as fundamental objectives and directive principles of state policy. The phrase is one of the novel inclusions of the 1979 Constitution.[27] Identification of the ultimate objectives of the nation is what the phrase "fundamental objectives" portrays while the directive principles of the state policy describe the ways leading to the actualization of those laudable objectives.[28] On the rationale for including this twin-phrase provision in the Constitution, it is to accord position of primacy to thoughts on political ideals on how best a society can be governed to bring about happiness of all and sundry. This is to operate as a distinct head of concern from the peculiarities of the government concerns for power and its material pre-requisites in developing countries.[29] This phenomenal understanding of the phrase will suggest clearly that Nigeria is quite in need of its similitude so as to attempt bridging the wide gap between the ranks of the rich and the poor thereat.[30] The justification for retaining the same provision in the current 1999 Constitution must have been premised on the same reason hereinabove stated.[31]

Bye and large, there are eleven different head issues[32] found available under the phrase at hand, fundamental objectives and directive principles of state policy. These are; relationship between the government and the people,[33] political objectives,[34] economic objectives,[35] social objectives,[36] educational objectives,[37] foreign policy objectives,[38] environmental

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[27] See Report of Constitutional Drafting Committee, 1978: Ministry of Information, Vol. P.V

[28] Ibid.

[29] Ibid.

[30] Okogie Vs Attorney General of Lagos State (1981), INCLR, p. 218

[31] Akande, J.O., "Fundamental Objectives and Directive Principles of State Policy within the Framework of Liberal Economy: A Note", 2000. See also: Ayua, I.A. Guobadia, D.A. and Adekunle A.O. (eds) Nigeria: Issues in the 1999 Constitution. Lagos: NIALS p. 221.

[32] S. 14 to 24 of the 1999 Constitution

[33] S. 14 of the 1999 Constitution

[34] S. 15 of the 1999 Constitution

[35] S. 16 of the 1999 Constitution

[36] S. 17 of the 1999 Constitution

[37] S. 18 of the 1999 Constitution

objectives,[39] directive on Nigerian cultures,[40] obligation of the mass media,[41] national ethics[42] and duties of the citizens.[43]

Of all the variables above, what concerns the present work most is the set of economic objectives. By the spirit of the provisions therein, the state is to harness and use the resources of the nation to promote national prosperity and an efficient, dynamic and self-reliant economy. By this same constitutional provision, the state shall also control the national economy in such a manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status.

As put by Nwabueze, the set of constitutional provisions above are beautiful and laudable. However, the fact that they are described as non-justiciable aspects of the Nigerian Constitution does not make them less of an important provision.[44] Nwabueze argues that their importance lies in the fact of their enshrinement being a point of ease for the rulers and the ruled, to later develop the desired identification with them.[45]

Looking at the above provisions very critically, one would notice a sort of contradistinction between Section 13 (the opening section of the provisions) which mandates all organs of government including the judiciary to conform to, observe and apply these provisions and Section 6 (6) (c) of the same Constitution. The provision in this latter section of the Constitution has narrowed down the said judicial powers in that they have been described as incapable of being applied to all the eleven provisions under Chapter II of the Constitution except otherwise provided by this Constitution. Without much ado, the contradistinction earlier referred to is now more than clear just like the egg shall rule "the fact speaks for

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[38] S. 19 of the 1999 Constitution
[39] S. 20 of the 1999 Constitution
[40] S. 21 of the 1999 Constitution
[41] S. 22 of the 1999 Constitution
[42] S. 23 of the 1999 Constitution
[43] S. 16 of the 1999 Constitution
[44] Nwabueze, B.O. Ideals and Facts in Constitution Making (Spectrum, Ibadan, 1993) p. 260
[45] Ibid.

itself".[46] As put by the Constitution Drafting Committee, the reason advanced for non-jusciability of this set of provision lies in the condition precedent of the need for government to make available the necessary cost needed before infusing the spirit of mandatoriness and absolute obligation on the government in respect of the said provisions.[47] To this extent, a wall of difference seems to exist between these objectives/principles and the fundamental rights. Lawan has punctured the reason advanced here for the non-justiciabililty on the strength that fundamental human rights too are in need of institutional structures which also require some running costs.[48] In their own case, Nweke and others have equally punctured the same reason against justiciability but on the ground that Nigeria is a signatory to the African Charter on Human and People's Right[49] which contains socio-economic rights which all member states did express readiness to domesticate in their individual jurisdictions.[50]

Having examined the above arguments, the present writers do have distinct reasons with which to dissociate from them both. For Lawan, it is true that fundamental human rights' provisions of the Constitution also require some expenses which the government shall bear to effectuate them. However, the point of difference between the fundamental human rights and fundamental objectives and directive principles of state policy resides in the former being fundamental rights (not mere objectives) while the latter is an expression of objectives (not rights) which mandatorily imply the spirit of strict compliance. For objectives, they must be seen and understood as nothing more than statement of desires, wishes, aspirations and future wants.

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[46] Okere, B.O. "Fundamental Objectives and Directive Principles of State Policy under the Nigerian Constitution (1978-1988)," 1990, NJR Vol. 3 p 74

[47] Report of the Constitution Drafting Committee, Vol. 1, Op. cit, pp. XV – XVI

[48] Lawan, M., "Law and Development in Nigeria: A Need for Activism", 2001, (2011) Journal Of African Law, Vol. 55 p. 63.

[49] See Article 1 of the African Charter of Human and People's Rights, member states recognize "the rights, duties and freedoms" in the Charter and "undertake to adopt legislative and other measures to give effect to them."

[50] Eze, O., Human Rights in Africa: Some Selected Problems, 1984. Lagos: NUA & Macmillan pp 32-33.

On the argument of Nweke and other co-writers, the fact of Nigeria being an integral member state to the African Charter on human and people's rights (containing socio-economic rights) is not as strong as to be immune from critique. It is one thing for member states in a foreign charter to agree on a position over a matter, it is another for each of the member states to come back to its individual country and ensure that such an international resolve is domesticated. The national law making body in each member state (National Assembly in the case of Nigeria) will still have to get fit over the matter for deliberation on propriety or otherwise of domesticating such as law, depending on the peculiarity and other surrounding circumstances of the particular member state.

Having stated the above, the present authors do not wish to be understood as forclosing the possibility of making the said socio-economic rights of the Nigerian Constitution justiciable. Not at all. The very provision of Section 6 (6) (c) earlier paraphrased is sufficient as offering legal backing to this justiceability in the same chapter II. The provision therein which says "except as otherwise provided by this Constitution" implies invocation of the said justiceability whenever there is such exception.

One such exception manifests itself in favour of the National Assembly which is empowered to enact laws or create agencies for the observance of the said fundamental objectives.[51] This same line of thinking was what guided the mind of the court in the case of A.G of Ondo State vs AG of Federation and 36 Others[52] where the court upheld absoluteness of whatever legal instrument enacted by the National Assembly for peace, order and good governance of the Federation as provided in Section 4 (2) of the 1999 Constitution.

Going by the strength of the above analysis, the present chapter submits that the combined effect of Section 15 (5) and Item 60 (a) of the Exclusive Legislative list mandates the country through its law making

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[51]Item 60 (a) of the Executive Legislative List gives the National Assembly the Power of Establishment and Regulation of Authority to Promote and Enforce the Observance of the Fundamental Objectives and Directive Principles of State Policy.

[52] Op. cit., 1972

organ to abolish corruption and thus make socio-economic welfare of people justiceable.

13.6 Neglect of Socio-Economic Rights

Going by an expansive interpretation given to the scope of fundamental objectives in India, right to life in that jurisdiction has been held to include socio-economic rights.[53] These rights in India have been judicially interpreted to include right to means of livelihood as well as other similar rights that make enjoyment of the right to life meaningful.[54]

In Nigeria, the successive governments have never taken care of the citizens' means of sustenance. Everybody will have to sweat and over sweat before getting what could be managed as daily bread. Even at this, many are still in want and abject poverty. The minimum wage that has just been recently increased slightly is nothing to write home about. Despite this, the employment does not go round up to half the number of the Nigerian population. The rate of poverty and unemployment in the country is just too high. In the same token, the cost of education is high and the health care delivery system is also malfunctional as ordinary citizens can hardly afford the high costs chargeable for this. This, if it persists, may aggravate the proclivity of further spread of the crime.

It is this pitiable state of the nation that a Nigerian Arabic poet, Isa Alabi has graphically captured in a number of his poems where he identifies greed and lack of human feeling (mercy) from the side of the government as causes of the imbroglio. In some of these poems, the University of Ilorin retired Professor of Arabic language and literature also suggests some solutions. The writers feel compelled to delve into one of those sets of poems for analysis and literary appreciation. In the process, it shall be let loose that poets (in whatever language) are nothing but societal

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[53] Lawal, L.B., "The Non-Justiciability of the Fundamental Objectives And Directive Principles Of State Policy in Nigeria": A Review being a paper in (Nigeria Judiciary: Contemporary Issues in Administration of Justice-Essays in Honour of Hon. Justice Isa Ayo Salami OFR, PCA, Published by the Nigerian Bar Association, Ilorin Chapter, (eds: Abikan et. al) Sept. 2013) Unilorin Press), pp. 113 to 120

[54] Jain V. State of Karnataka AIR, (1992), Sup Ct, 1858-1864 (APP 6)

reformers with burning concerns for the shaping and reshaping of the country where they belong to or even of the world at large. This is possibly what C.S Lewis has in mind when he writes;

> Literature adds to reality; it does not simply describe it. It enriches the necessary competencies that daily life requires and provides; and in this respect, it irrigates the deserts that our lives have already become.[55]

After having gone this far, what follows is to go through the selected poem and do a literary appreciation of same for readers to see the literary stuff the poet is made of his line of thought towards the challenge of economy in the country.

13.7 The Poet, Isa Alabi

Isa Alabi Abubakr, born in 1953, is a living Nigerian Muslim Arabic poet who started poem composition in Arabic language at a tender age.[56] After passing through the popular Arabic Training Centre (Markaz-Agege, Lagos) of the late sage and Islamic scholar of international repute, Shaykh Adam Abdullahi Al-Ilory for his Elementary, Intermediate and Senior Secondary School strata (Tamhidi, I'idadi and Thanawi/Tawjihi), the poet had both his first and third degrees (B.A and Ph.D) and in Arabic Language at the now better by far University of Ilorin, Kwara State, Nigeria. For his initial Diploma and Masters Degree later – both also in Arabic language, Alabi satisfied the quest for these at the Usman Dan-Fodio University, Sokoto in Sokoto State of Nigeria. Ever before his University education, he taught and served for a while as the Rector of the popular Darul-Ulum Arabic School, Ilorin, Kwara State on the instruction of (Al-Ilory), his teacher, eye opener and super mentor.[57] His experience as a seasoned lecturer of Arabic language and literature started at Usman Dan Fodio University (Sokoto) between 1984 – 1994

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[55]Okolo, C., Understanding Literature-in-English for SSCE/JAMB UTME 2021-2025 (Eden Publishers, Uyo-Nigeria, 2021)

[56]Mashood, M.J. Short Profile of the Poet, Isa Alalbi Abubakr on the last outer page of the poet's first collection of poems (Diwan), Al-Riyad.

[57]Ibid

after which he transferred his service to the Arabic Department of the University of Ilorin where he retired in 2023. He was at a time at the Legon University of Ghana for one year sabbatical leave.

Issa Alabi is a torrential Arabic poem composer on diverse topical issues of both national and international colouration. He also has a manifold of poems on local contents. His style of Arabic poem composition follows the superlative literary poetic pattern of late Shawqi, the King of Arabic poem composition. Isa's high talent and skill in poetry was internationally recognized when his poem was rated the best among many others in the poetry competition in 1991 to compose against the havoc of smoking (Tadkhin). The competition took place in Riyad, Saudi-Arabia. The poet is arguably the best among others in Nigeria today and he now has two additional[58] collections of poem to his credit; The Seven Line Patterned Poem (Al-Subaʿiyyat) or Rhyme Royal and The Voice of the Heart (Sawt al-Khatir). He is happily married with promising children.

13.7.1 Text Of the Poem: the Festival (Eid) in My Community

Here is the Festival (Eid).
It breeds happiness despite all conditions.
The specie of the happiness saddens the hearts
Because worries fill the air.
Leaders show no concern for welfare
Covered up are their garments of deceit.
On every festival day
All they offer is empty promise.

13.7.2 Background

This is Isa Alabi's poem and thus, it is not a ballad. It is also not an ode, panegyric nor lullaby. It is rather a lyric wherein the poet expresses strong personal feelings. The personal emotion here is not that of love or joy, but an expression of utter disappointment in the government of Nigeria. The poem was composed a little over two decades ago and it is still relevant to the current situation in the country.[59] It is available in the

[58]His first Divan is The Garden (Al-Riyad)
[59]Composed on November 23, 2003

poet's collection of seven lines-patterned poems (Suba'iyyat).[60] The poem decries the horrible state of economic conditions of the majority of the Nigerian citizens which have left many wallowing in abject poverty and untold hardship.

The high point message which the poem dishes is majorly to the government whom the poet is rebuking and castigating possibly for widespread corruption which continues as a factor of jeopardizing the socio-economic rights of the citizenry. The poet, to this extent, can be likened in a way to Tithonus, an English poem and poet expressive of hate speech for a discomforting situation.[61] The replica of this pattern in Literature-in-English is Satire. This is specially found in Drama and it is employed to show the ills of the society and the foolishness of human beings in a high hearted way, with the aim of correcting the particular anomaly though.[62] Satire (the like of lyric in poetry) usually finds fault and boldly speaks against it. A good example in the context of Isa Alabi's poem in this treatise is "A Harvest of Corruption by Frank Ogodo".[63]

13.7.3 Analysis

The poem reflects Isa Alabi's boiling mind on the deplorable state of the nation. What makes the poem very accurate in the graphical description of the economic state of the country is its continuous relevance up till now as the country is even going worse in the area than it was at the time of composition. Incidentally, the poem is not arranged in stanzas but in straight lines of seven, so its further analysis will not follow the usual English pattern of Stanza 1 (lines 1-3) also in the conduct of literary appreciation of the Literature-in-English colouration. Incidentally, the seven straight lined-pattern of poem which the poet under reference has employed is not as popular in English poetic works as it is in the Arabic poem. The expression "soonet"[64] is rather popular more with English poems in this context. To this extent, the use of Suba'iyyat by Isa Alabi, a

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[60] Vol. 3, p. 97
[61] Okolo C., Op. cit., p. 12
[62] Ibid., p. 7
[63] Ibid.
[64] Poem of 14 lines

Nigerian Arabic poet is a pointer to his impressive depth in the wide readership of works of renown Arabic poets whose works have greatly influenced the cynosure of all eyes in this paper, Isa Alabi. He it was who came across the content of a rich and well-refined poem of Suba'iyyat (Rhyme Royal or Seven Straight Lined-Pattern) of Muhammad Al-Shahrani.[65] It is possibly the influence of this type of poem that has worked on Isa Alabi who now has many volumes of the pattern containing his own similarly rich poetic lines in the same format.

The first line of Shahrani's poem described above is;
When dark night falls and turns the crescent
into gloom.[66]

Isa follows the above pattern and says:

When looters refuse to return our possessions despite our cries ....[67]

13.7.4 Lines 1 – 7

The poet as a social reformer employs the medium of poetic lines almost throughout the first six lines to descend heavily on the government of the day in Nigeria for maintaining a lackadaisical approach to the economic plight of the country men. The poet, however in line seven, offers a solution-like therapy of spiritualism by calling on Allah for help in the aspect of choice of leadership to direct the course of our affairs. This is indeed a good therapy in the context especially when one considers the Islamic faith of the poet whose divine law encourages resort to Allah for succor in all aspects of human affliction.[68]

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[65] He is Dr. Muhammad Zafir Shahrani

[66] The poem titled Glad Tidings (Tabashir) was published by Al-bayan: Al-Muntada al-Islami Magazine (Issue 197). This sole line of poem is also available in Isa Alabi's Suba'iyyat collection which contains his own emulation of Al-Shahrani pattern in this context. See p. 156 of the collection. The particular emulating poem of Isa Alabi was composed on the 25th March, 2004.

[67] Ibid.

[68] Q25:77

13.7.5 Themes

Anger, Rebuke and Solution are some of the themes which the poem is laced with.

13.7.6 Significant Features of the Poem

Structure, Imagery, Diction, Tone, Mood, Alliteration, Consonance, Repetition, Metaphor and Simile are some of the significant features in the poem under analysis. However, time constraint does not allow indepth analysis of these variables

13.8 Conclusion

The economic plight of the Nigerian citizenry has been described in this treatise in all tones and overtones. Corruption with its economic crime variant has been observed as the major factor upon which the economic problem of the country has been hinged. The chapter commends the anti-graft efforts of the successive Nigerian government but adds that the albatross of our collective victory resides in the lack of political will among others. The writers have stressed the need for the government of the day to be pragmatic and up and doing in its discharge of pro-people welfare duties it has towards the citizens. Isa Alabi's Arabic poem (lyric, just like satire in drama), which decries weakness of the government in this very important responsibility, is quoted in translation with its literary appreciation discharged by the writers following the pattern of Literature-in-English. This choice is a deliberate one as the principal author in this work (Olagunju) has another paper similar to this but in Arabic language. This other paper also borders on some poems of the same Isa Alabi. But in the paper, the literary appreciation follows the Arabic literature style. So, the English style in this paper is by design, not by accident. It is important to also state that the present work reflects a slight touch of Islamic law position in the societal sphere of the matter.