

SOME SELECTED GOVERNANCE ISSUES IN NIGERIA'S FOURTH REPUBLIC

A FESTSCHRIFT IN HONOUR OF LATE PROFESSOR A.E. DAVIES

VOLUME II

Editors
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ISBN: 978-978-574-213-8

Designed and Published by
College Press
Lead City University
3, Baale Mosaderin Road
Jericho G.R.A., Ibadan.
08036694838, 08022900793
E-mail: collegepress100@gmail.com

Foreword

Based on the renewed emphasis of donor agencies in underscoring the relationship that exists between governance and development, there has been a heightened level of concern for the governance environment in Nigeria. This has underscored the series of appraisals that have been carried out in determining the impact level of the democratic order after twenty years of its return. In the literature, scholars, policy makers, activists and Civil Society Organisations have all stepped up their engagement of governance issues in the country to the extent that none of its concerns or aspects has escaped the scrutiny of these critical stakeholders. Aspects such as the rule of law, separation of powers, legislature, economic management, infrastructural development and others have attracted the sustained interest of Nigerians and their foreign friends.

On the issue of rule of law, there are people who believe that the democratic order in the country needs to do more work in order to improve its image on this score. Both the Nigerian Bar Association (NBA) and a section of the judiciary have frowned at the idea of subjugating the rule of law to the dictates of national security, leading the Punch Newspapers in Nigeria to symbolically brought back the military title of the Nigerian president (Muhammadu Buhari) in reflecting what the newspaper believes reflects the little respect that his administration has for the of rule of law. The spate of insecurity in the country is very alarming with herders-farmers conflicts, Boko Haram insurgency, kidnapping, among others, are showing no signs of abating. While the Federal Government under the leadership of President Muhammadu Buhari believes that it has brought the insecurity situation under control, there are Nigerians who still believe that the government is not doing enough to guarantee life and properties of Nigerians.

No doubt, the country since the return to democracy in 1999 has declared war on corruption with many court sentences secured and humongous amounts of money recovered from Nigerians with itching fingers. Notwithstanding, the war against corruption remains a contentious issue which the nation has to do

more in re-invigorating. There are some other issues that have been covered in the book especially in the sphere of external relations which I believe would be of interest to reader. I therefore recommend the book for its bold effort at examining some critical governance and external relations' issues that have cropped up in the first twenty years of the Fourth Republic in Nigeria. May the soul of Professor A.E Davies in whose honour the book has been published, rest in perfect peace.

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Acknowledgments

All praises and adoration are to God, the Almighty for His blessings on the staff of the Department of Political Science, and the entire Faculty of Social Sciences, University of Ilorin. The initiative for the publication of this book, the second in a two volume series to honour the memory of the late Professor Arthur Ebunoluwa Davies emanated from a discussion with Professor Hassan A. Saliu and Dr. F. A. Aremu. The late Professor A.E. Davies in whose memory this book was published joined the service of the University of Ilorin as a lecturer in the Department of Political Science in 1984, attained the professorial position in 1995, and retired from the service of the university in 2017. Professor A.E. Davies passed on in April 15th, 2018. We pray unto the Lord to grant his soul eternal rest. In bringing forth this volume, sincere appreciation is due to academic members in the Department of Political Science, University of Ilorin for their support for the realisation of the publication of this book. In particular, the efforts of Professor H.A. Saliu and Dr. F.A. Aremu is highly appreciated. Drs. A.R. Bakare and O.M. Adebiyi efforts in effecting corrections after the copy editing and proof reading are highly appreciated too. The editors also offered their sincere appreciation and thanks to the editorial desk at College Press, Lead City University, Ibadan and Prof A. Abubakar of the Department of English, University of Ilorin, for his assistance in proof-reading the edited manuscripts. We sincerely appreciate the commitment, timeliness and steadfastness of all the chapter-contributors. Once again, the editors sincerely appreciate the staff of the Department for their support and contributions to the success of the book project.

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CHAPTER TEN

DEMOCRACY AND ISSUES OF HUMAN RIGHTS IN NIGERIA: PROSPECTS AND CHALLENGES

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Introduction

The history of political thought points to a persistent belief among men that states ought to guarantee individuals the enjoyment of a certain number of basic human rights which constitute the essential conditions of a good life. Rights are those conditions of social life without which man cannot be at his best or give of his best what is needful to the adequate development and expression of personality. Rights are those opportunities, the absence of which deprives man of something essential. A man without rights, absolutely dependent on a superior authority is a slave...All doctrines of freedom therefore assures the existence of rights and, as Laska (1947) has correctly puts it, "every state is known by the rights that it maintains".

However, there are certain rights which are primary and natural, therefore inalienable. The right to live, to see, to hear, to move, to say and all other associated rights are primary and natural to human beings. Human rights are universal; they are the same for everyone everywhere (Aduba, 2012). Nigeria's history of human rights practices dates back to the colonial era, most especially the period of amalgamation in 1914. Since 1922, when the first constitutional development set in, successive Nigeria governments have made it a cardinal objective to inculcate in the constitutional provisions the guarantee of fundamental human rights of citizens. Sadly, the insertion of this provision in the constitution does not fore-close the violation of citizen's fundamental human rights by both the government and the citizens alike. Violations range from women's rights violation, religious

rights violation; oil resources control violation and the impediment to freedom of speech, expression and movement by the security agencies, most especially during the military era. The international community had tagged the nation a non-compliance entity on the protection of human rights. The main focus of this chapter is to assess Nigeria's trajectory on the promotion and/or violation of human rights. The chapter is divided into four main sections. Following the introductory section, is the second section which captures Nigeria historical antecedent on human rights. Section three encapsulates the challenges and prospects of human rights practices and its protection by the Nigerian state, while section four is the concluding part.

Nigeria's Historical Antecedents on Human Rights

The United Nations defines Human Rights as those rights without which we cannot function as human beings (UN Act, 2004). Human Rights occupy a central position in the affairs of state. This explains why virtually all States in the World captures the provisions on human rights, either in the preamble or in the substantive provision. The situation was not different in the case of Nigeria, as Dada (2012: 35) aversed:

> in Nigeria's constitution, beginning from the post-independence constitution, due attention has always been given to the issue of human rights. In the 1960 Independence constitution and 1979 constitution, provisions were made for human rights protection. Further, in the 1999 constitution (as amended) two chapters spanning 26 (twenty-six) sections are devoted to human rights subject.

Indeed, the issue of human rights occupies a central position in the context of international politics and thus attracts global concerted efforts on its promotion and enforcement. Dada (2012), captures the trend when he notes that:

> today, human rights issues have not only become a global concern but remarkable interest aimed at protecting and promoting universal respect for, and

> observance of, shuman rights has continually been shown at the international, regional and national levels. Indeed "the issue of human rights in the recent past, has penetrated the international dialogue, become an active ingredient in Interstate relations and has burst the sacred bounds of national sovereignty.

The 1948 Universal Declaration of Human Rights represents a milestone in the history of international attempts to give authoritative expression to the imprecise and ambivalent deformation of human rights as contained in the UN Charter. This singular effort of the UN did not only pave the way for awareness of constituted human rights but gave impetus to human rights movements among the then colonial territories. Indeed, Nigeria's human rights antecedents were laid through the instrumentality of the struggle championed by nationalist movements. The culmination of these efforts was the granting of independence by the British in October, 1960.

Since Nigeria's attainment of independence, human rights practices, enforcement and violation have been on the front burner of public discourse in the country, especially in relation to incidences of rights violations by the nation's security apparatus. The invasion of Baga by the Military Joint Task Force, in the context of the ongoing war against the Boko Haram, the massacres in Odi 1999 and Zaki Biam 2001, the killing of Dele Giwa with a parcel bomb in 1986 and Abayomi Ogundeji in 2013 are a few examples of Nigeria's monumental (record of) human rights violation. While the establishment of the National Human Rights Commission was directed at advancing the protection of human rights, the commission has made little progress in relation to the promotion and advancement of the rights of Nigerians. The ranking of Nigeria as Number 132 in human rights violation by the Global Human Rights Commission in 2018 is a clear representation of the poor state of human rights protection in Nigeria.

Incidences of Human Rights Violations in Nigeria

Human rights issue has become a global phenomenon. Countries in the world have been working round the clock at promoting and protecting their citizens against any form of injurious act and respect individual rights. As rightly observed by Jacob (2012), the idea of human rights, which became continual global concern, has penetrated the international dialogue. Not only that, it has become an active ingredient in interstate relations.

However, with the democratic advancement across the globe, African countries have been committed to human rights respect. In order to expose their level of commitment to human rights, both at the international and regional levels, all African countries throw their weight behind the manifestation of Universal Declaration of Human Rights (UNDHR), the International Covenant on Civil and Political rights (ICCPR), and the International Covenant on Economics, Social and Cultural Rights (ICESR). All these associations belong to African system of human rights which was built on the African Charter on Human and People's Rights (ACHPR) (Kabange, 2012). Indeed, to keep the hope of African citizen rising, and also to ascertain the protection of their fundamental human rights, several legislations have been passed into law, to prevent the violation.

It is a stark reality that for good governance to be attained in any democratic society, the protection of fundamental human rights must be paramount and should be given priority, as this forms an essential part of conducive living on the part of the citizens. This is why it is regarded as inalienable rights.

Be that as it may, despite all the institutional mechanism put in place to safeguard human rights for decades, especially universal declaration rights challenges, as rightly observed by Akhaine and Chizea (2011), cited in Adetoro and Omiyefa (2014), over a decade of democratic governance and endorsement of Universal Declaration of Human Rights Charter, Nigerians still face a lot of human rights abuses which have been linked to Authoritarian leadership style and security operatives. Ojo (2006) also adds that, before the return of the country to Civil rule in May 1999, Nigeria's human rights record was nothing to write home

about, because of the long period of military in power. Immediately Chief Olusegun Obasanjo assumed office in 1999, a strong panel of enquiry was constituted to investigate all forms of human rights violation dating back to the 1960. The panel was named Human Rights Violation Investigation Panel (HRVIP) under the leadership of the retired Justice Chukwudifu Oputa (Ojo, 2006). The panel was saddled with the responsibility of reviewing all cases relating to human right violation.

Several petitions were forwarded to the panel on the ground of human rights violations. The cases of human right violations in Nigeria were described as culture of impunity, these include; extra judicial killing of the citizens, illegal detention by the security forces, destruction of property, amongst others (Adetoro and Omiyefa, 2014). They submit that Nigerian citizens, especially the civilians are paying heavy prices as the cycle of human rights violations and reprisals gather momentum, this is linked to the report of the Amnesty International in 2014; that over 1500 died in 3 months indicate an alarming deterioration in the face of extra judicial executions, attacks on civilians and other crimes committed on a mass scale. This report is buttressed by Ojo (2006) position that, between 1999 and 2006, the government record on human rights violation was still poor, as respect for the integrity of the citizen, including freedom from political and other extra judicial killings was at its peak. The situation was tied to the strategies adopted by the security operatives to safeguard human rights in Nigeria. It would be recalled that civil society organisations, press and international human rights declaration have been condemning the rate at which heads have been rolling day by day in Nigeria. In an attempt to wake up to the call of both the international community and the citizens, Nigeria Government opted to change the head of security operatives in Nigeria.

Immediately, new heads began to adopt strategies by consulting different Task Force to combat human rights violation in the country. Some of these Task Force include; Special Anti-robbery Response, Fire for Fire Squad, Operation Python Dance Joint Task Force, amongst others.

Indeed, all attempts to protect human rights violation by the different Task Forces constituted by the National Police, Army, Civil Defense and other security agents led to extra-judicial killing of innocent citizens. As rightly observed by Ojo (2006) that Police and military personnel used excessive and sometimes deadly force in the suppression of civil unrest, property vandalization, and inter-ethnic violence, though the situation was restricted to oil and gas regions of the country. The present situation has escalated beyond regions. *The Nation Newspaper* (2018) reported the killing of seventeen years old boy by a police officer, although the police officer was dismissed from service, and later tried by its court martial. Not only that he was taken to the court without much ado, the judgment was passed that the officer be hung to death.

Ero (2009), submits that more than 20,000 civilian were killed, while over 50,000 people were displaced from their homes as a result of the Government security brutality in Niger-Delta in the course of quelling crises. Not only that, it was reported that on the 25th February, 2008, fifty persons were killed by Nigerian Police in Ogaminana in Kogi state (Ero, 2009). Another shameful report of Police brutality as captured in the *Daily Trust Newspaper* of 20th & 21st November, 2013, was a prolonged detention of innocent election observers of Anambra state Gubernatorial Election. These Election observers who were numbered up to 182 were picked up and detained by the Anambra State Police Command (Adebayo, 2013 and Ezibo 2013).

Investigation gathered that in September, 2016, there were clashes between the Indigenous People of Biafra (IPOB) and the Joint Task Force (JTF) in Abia state. The clashes resulted in the killing of one police officer and over 150 IPOB supporters. Many were also injured and several others were arrested (Amnesty International, 2016). The National Human Rights Commission accused the security operatives of extra-judicial killings and should bring to book the officer behind the killing.

Also, in September, 2017, the Amnesty International lamented the killing of 12 IPOB supporters during non-violent gathering in Umuahia. The National Human Rights Commission accused the law enforcement Agency for extra-judicial killings and

requested that the perpetuators be brought to book. The Army set up a panel of inquiry, but no report was made public, not to talk of prosecuting the officers behind the killings.

The clash between the supporters of the Islamic Movement of Nigeria (IMN) started long ago. It became pronounced in 2015 when Nigerian Soldiers killed more than 350 supporters of the Islamic movement of Nigeria popularly known as Shiites in Zaria (Kaduna state) (Amnesty International, 2018). The Organization lamented that the killing of the Shiites members was as a result of the barricade placed on a section of the road in front of the IMN headquarters, which deprived the military convoy from passing the road. This led to the arrest of the leader of the IMN, Ibrahim EL-ZAKZAKY and his wife in 2015. The entire international community condemned the killing. The state authority constituted a commission of inquiry to look into the matter and those behind the killings be brought to book and prosecuted. The outcome of the recommendations till date has been swept under the carpet.

Not only that, since 2015, the leader of IMN El-Zakzaky and his wife have been in detention without trial. Despite the court ordering for their release and compensation, the Nigerian Government has remained adamant. In 2016, Kaduna state government banned the IMN (Amnesty international, 2018).

The recent clash between the same group (Shiites) and the Nigerian security Force started on 27th October, 2018, which lasted for 3 days. The report gathered that Shiites have been holding procession to secure the release of their leader, El-Zakzaky and his wife. In the process of the protest, the Joint Task Force (Police and Army) used life ammunition on the protesters and 40 people lost their lives, 1000 people got missing, 106 were reported to have sustained injuries, receiving treatment at various hospitals in Abuja, while 156 were in Prison custody (Daily Post, November, 4, 2018). This report was denied, by the commander of Army Headquarter, Garrison, that members of Shiites mounted a road block and tried to attack a convoy carrying ammunitions to their headquarter at Kaduna. The supporters of the Shiites laid ambush on the convoy. In the process of the encounter between

the members of Shiites and the Nigerian Army, 3 members of Shiites lost their live and 4 sustained injuries (Vanguard Newspaper, 27 October, 2018). Meanwhile 156 members of Shiites were also reported to have been remanded in prison custody.

Another gross human rights violation in Nigeria is the manner and degree at which prisoners and detainees were subjected to various human right injuries. Researches clarify that prisoners and detainees were subjected to torture, gross overcrowding, inadequate food and water supply, inadequate medical attention, infrastructural deficiencies, inadequate sanitary conditions that could result in untimely death of inmates and detainees. (Country Reports on Human Rights Practices, 2017). To corroborate the above assertion, prisoners in local areas sometimes engage themselves in communal labour for them to meet up with better feeding and other material needs. In other areas, prisoners turn themselves to roadside beggars all in the name of meeting their daily needs. These, also violate the rights of the inmates. According to Ojo (2006) quoted a human organization, that from1999 to 2006, government's human rights record is still poor. To corroborate the assertion, the situations have not improved up till date.

In accessing some of the challenges confronting the actualization of human rights in Nigeria, Nwabueze (1999) cited in Ojo (2006) reports that the making of Nigeria constitutions are rather too elitist and that in most cases, are imposed on the civil society either by colonial masters or Nigeria military oligarchy and their civilian cohorts. International Institute for Democracy and Electoral assistance (IDEA) corroborate the above argument thus:

> the process of making the constitution allowed only a very limited consultation with populace. Even after the Committee set up to collate the views of people on the draft had submitted the document, the provisional ruling council still made many amendments which it justified on the basis of public interest of the people of Nigeria; No room for little or much debate was given (IDEA, 2003).

Away from the constitutional problem, the issue of human rights abuses has posed many effects on Nigeria, socially and economically. Some of these effects asserted by Adetoro and Omiyefa (2014) are:

- Human rights abuses leads to poverty due to massive abuse of public fund, which degenerate in high rate of unemployment, which resulted to youth involvement in robbery, Kidnapping, Thuggery, Internet scam, among others.
- It breads high level of insecurity in the country. This situation resulted to the state of anarchy; which does not provide for adequate .security of lives and properties.
- Human right abuses make people unpatriotic as most Nigerians are not proud of their fatherland.

It is sad to state that despite all the human right abuses Nigerians have been facing home and abroad, no regime has proffered a lasting solution to address the issues of human rights violation in Nigeria.

Conclusion

Human rights are the cornerstone of state sovereignty; they are a tool to help states and societies grow and become resilient. They help empower women and girls. They help to advance development. They help prevent conflict and ensure a just, equitable and prosperous world. But much remains to be done to make human rights a reality for all. Today, human rights and their defenders are under increasing pressure in all regions. This will not solve any of the challenges the world faces. The solution to society's problems lie in staying bound to our shared commitment to uphold the human rights and the inherent dignity and equality of each human being.

Furthermore, Human Rights are natural rights and none should be deprived of them by the State or her agents. However, it is also observed that since independence, the Nigerian Government and the citizens have not been oriented properly on

what constitutes human rights and the practice which can aid smooth political-economy development of the nation thus, the frequent tramping on fundamental human rights of the citizens by the government and the citizens alike. Factors such as lack of proper orientation, poverty, illiteracy, legal framework and religious sentiments among others, have to some extent accounted for the violation of human rights in the country.

Both the colonial and military mentalities have greatly shaped the orientation of the state towards the practice of human rights in the country. The police is most culpable among the agencies of the state that consciously or unconsciously violate human rights of citizens. The state, through the government, must embark on a robust and proactive literacy advocacy on what constitute human rights and when the parties involved cross the limit of their rights. Sensitization and enlightenment must be embarked upon. Also, a working and an efficient administration of justice must also be put in place. While the establishment of the National Human Rights Commission was in good direction, adequate resources and political will must be given to this commission, to enable it track and prosecute human rights violations in the country. A synergy must also be established between and among other stakeholders in the enforcement of human rights in the country. Collaboration among both local and international actors on human rights practice is germane to the sustainability of human right activities in the country.

References

Asch, R. (2010) Religious Toleration, the Peace of Westphalia and the German Territorial Estates. *Parliaments, Estates and Representation* 20: 75-89.

Adetoro, R.A & Omiyefa, M.O (2014): Challenges of Human Rights Abuses in Nigeria Democratic Governance- which way forward, Journal of Social Economic Research, 1(5)87-96.

Amnesty International (2018): Nigeria; still no accountability for Human Rights Violations. The UN Periodic Review 31st session of UPR working group (November, 2018).

Amnesty International. (2015) Shell in Nigeria: http://www.amnesty.nl/shell-in-nigeria, assessed 18 April 2015.

Bauer, J. and Bell, D. (1999) *The East Asian Challenge for Human Rights*. Cambridge: Cambridge University Press.

Beitz, C. (2009) *The Idea of Human Rights*. Oxford: Oxford University Press.

Besson, S. and Tasioulas, J. (2010) *The Philosophy of International Law*. Oxford: Oxford UniversityPress.

Braham, M. and Van Hees, M. (2012) An Anatomy of Moral Responsibility. *Mind* 121: 603-634.

Brownlee, K. (2013) Civil Disobedience. The Stanford Encyclopedia of Philosophy, online publication 21 December,http://plato.stanford.edu/cgi-bin/encyclopedia/archinfo. cgi?entry=civil-disobedience.

Buchanan, A. (2004) *Justice, Legitimacy, and Self-Determination*. Oxford: Oxford University Press.

Buchanan, A. (2013) *The Heart of Human Rights*. Oxford: Oxford University Press.

Crisp, R. (ed.) (2014) *Griffin On Human Rights*. Oxford: Oxford University Press.

Ernst, G and Heilinger, J. (eds.) (2012) *The Philosophy of Human Rights*. Berlin: Walter de Gruyter.

Ezibo, O (2013); Nigeria, APC deries continued detention of election observers. This day November, 21. Available from

Ero, A (2009); Gun Power Diplomacy; Niger Delta – A return to the trenches. Tell June, (20-25).

Fan, S. and Zhang, X. (2007) *Welfare Comparison Beyond GDP*: An Illstration from China and India.

Jacob, A,D. (2012); Human Rights under the Nigerian constitution; Issues and problems, International journal of Humanities and solid science 12 (2) 33 - 43.

Kabange, C.N. (2012); The challenge for the Advancement of Human Rights and Democracy in Africa in the 21st Century; Sacha Journal of Human Rights 1 (2) 15-32http//allafinea.com/stories/201311210537hum1 Accessed 21st November, 2013.

Mayr, .E. (2012) 'The Political and Moral conceptions of Human Rights – A Mixed Account. In G. Ernst, and J. Heilinger (eds.)

The Philosophy of Human Rights, Berlin: Walter de Gruyter, pp. 73-106.

Nickel, J. (2007) *Making Sense of Human Rights*, 2nd edition. Malden, MA: Blackwell.

Nussbaum, M. (1993) Social Justice and Universalism: In Defense of an Aristotelian Account of Human Functioning. *Modern Philology* 90: 47-73.

Nussbaum, M. (1999) *Sex and Social Justice*. Oxford: Oxford University Press.

Nussbaum, M. (2006) *Frontiers of Justice: Disability, Nationality, Species Membership*. Cambridge, MA: Harvard University Press.

Nussbaum, M. (2007) Human Rights and Capabilities. *Journal of Human Development 6: 21-23*.http://plato.stanford.edu/archives/win2011/entries/naturallaw-ethics/.

Ojo, E.O (2006): Human Rights and Sustainable Democracy in Nigeria (1999-2003) Journal of Social Sciences. 13(1)15-29.

Pogge, T. (2008) *Wold Poverty and Human Rights*. 2nd edition, Cambridge, UK: Polity Press.

Ratner, S. (2001) Corporations and Human Rights: A Theory of legal Responsibility. *The Yale Law Journal* 111: 443-545.

Rawls, J. (1964) Legal Obligation and the Duty of Fair Play. In S. Hook (ed.) *Law and Philosophy*, New York: New York University Press.

Rawls. J. (1999) *The Law of Peoples*. Cambridge, MA: Harvard University Press.

Raz, J. (2010) Human Rights without Foundations. In Besson and Tasioulas (eds.) *The Philosophy of International Law*, Oxford: Oxford University Press, pp. 321-338.

Washington DC, USA: *International Food Policy Research Institute*. HEI Working Paper No: 08/2007.