



Managing Directive Principles: The Nigerian Experience (1999-2018)

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ABSTRACT

The study set out to explore the justiciability of directive principles in the 1999 constitution of Nigeria. Also, it sought to discover the ways to manage directive principles for orderly progress in Nigeria. The theoretical framework adopted is the social contract theory. The main assumption of social contract theory suggests reciprocal responsibilities between the government and the people. The study is a qualitative research and adopts descriptive cum critical analysis. It was discovered that directive principles are non-justiciable in Nigeria. It was also discovered that directive principles can be managed through legislative enactments, proactive operations, constitutional amendment, derivative interpretations, and active involvement of the people. The conclusion arrived by the study is that making directive principles justiciable will in turn secure the unforced allegiance of the people. Based on the results, the following recommendations were made: Directive principles should be made justiciable in Nigeria so as to ensure responsible and responsive governance. There is need for constitutional amendment that will bring about a Bill of Rights with no distinction between fundamental rights and directive principles. The people should be active through their elected representative in ensuring that the dividends of directive principles get to them.

Keywords: Directive principles, justiciability, non-justiciability, social contract, and socio-economic rights.

1.0 INTRODUCTION

Since the introduction of the 1999 constitution, Nigeria has been facing uncertainties (Nbeta, 2012:268) ranging from her various political experiences as well as growing national disunity and national disloyalty among the citizenry (Morka & Agiri, 2018:23&27). Alluding to this, Nbeta (2012:267) noted that despite the provisions of the 1999 constitution, there are political and ethno-religious crises as well as (militant) agitations across the country.

Lending credence to the above, Nasir (2012) in Nasir & Okolo (2017:7) asserted that the Nigerian condition is not alright as there are agitations from different social groups. Similarly, Duru as seen in Egbewole & Alatis (2017:8) noted that the increasing disagreements among the different social groups in Nigeria have combined to confuse the nation and bedeviled the concerted march to orderly progress.

Amidst the growing cleavage by different social groups, there are also the existence of disturbing level of poverty, infrastructural deficiencies, and unemployment in the country. The likely implication of this situation if not addressed could spell doom for the orderly progress and peaceful coexistence of the country.

1.1 Statement of the Problem

There appears to be an unending argument among scholars on the justiciability or non-justiciability status of directive principles. The anti-justiciability school of thought believed that directive principles are unnecessary constitutional promises devoid of practicability and should be removed from the constitution (Gebeye, 2015:6; Duru in Egbewole & Alatis, 2017:10). While the pro-justiciability school of thought

contended that directive principles are legal moral provisions whose enforcement is a moral obligation on the government and therefore should be retained cum enforced by the courts (Odiye, 2008:27; Duru as cited by Egbewole & Alatis, 2017:10).

Another cause for interest is the assumption that directive principles are useful for the attainment of orderly progress in a given society (Fagbohun, :152). This suggests that an orderly progress of a society can be attained via directive principles. In view of all these, an objective study seems compelling. These questions will guide the study:

- 1) How justiciable is directive principles in the 1999 constitution of Nigeria?
- 2) What are the ways to manage directive principles for orderly progress in Nigeria?

1.2 Objectives of the Study

The general focus of the study is on managing directive principles: the Nigerian experience (1999-2018). The specific aims will be to:

- 1) Critically explore the justiciability of directive principles in the 1999 constitution of Nigeria.
- 2) Discover the ways to manage directive principles for orderly progress in Nigeria.

2.0 LITERATURE REVIEW

2.1 Theoretical Framework

The study employed the Social contract theoretical approach as a framework for analysis. Social contract is traceable to the efforts of contractarian scholars like Thomas Hobbes, John Locke, and Jean-Jacques Rousseau among others. The theory is one among other theories that explain the existence of a political society (Nbeta, 2012:267). The social contract implies a reciprocal exchange between the people (who give their unforced allegiance) and the government (that works for their common good). Thomas Hobbes advanced an idea called the “state of nature”. In that his state of nature, man lived with fear as well as selfishness (Elahi, 2005:1) and therefore making the situation of life to be “solitary, poor, nasty, brutish, and short” (Elahi, 2005:1; Nbeta, 2012:270; Shaapera, 2015:37). Hobbes and Locke believe that people were better off in a properly constituted state than in the state of nature.

Furthermore, the apostles of social contract agreed that social contract was as a result of experience from the state of nature (Shaapera, 2015:36). Nbeta (2012:277) noted that the social contract is a satisfactory framework for balancing the authority of the government and the obligations of the citizens based on the assumption that they are parties to an agreement. The strength of social contract theory to this study lies in the sense that the theory can be used to analyse the transformation of a federation (like Nigeria) into a united nation-state without forced allegiance.

It is in this context that the basic postulates of the social contract theory become very relevant as a framework for this study.

2.2 The Concept of Socio-Economic Rights

Socio-economic rights have been referred to as second generation rights, promotional policy or rights that are vaguely worded. Robertson & Merrill (1992) in Egbewole & Alatis (2017:5) posited that socio-economic rights are mere promotional policy which government pledges to secure progressively, having regard to their resources. Identifying socio-economic rights to include rights to education, food, work, social security, shelter, and decent living, Egbewole & Alatis (2017:2,5&12) noted that though socio-economic rights are campaign points during electioneering period which usually motivate the electorates to vote, they are generally described as second generation rights, promotional policy of state, rights that are vaguely worded and requiring affirmative action by the government for their realisation (see also, Fagbohun, :160-161).

Related to this is the connection between socio-economic rights and fundamental rights. According to Nwuta (2011-2012) cited in Egbewole & Alatis (2017:5) the connection between socio-economic rights and fundamental right is that they both have something to do with human rights. Making a distinction between them, Egbewole & Alatis (2017:11) pointed out that fundamental rights impose immediate duty on the states, while socio-economic rights are merely achievable on the basis of progressive realisation.

Comparatively, Atupare (2014:85) remarked that socio-economic rights have a greater ability to be worked out in the political forums of the developed countries because of their political experiences and progress. While socio-economic rights in the developing countries are faced with weak institution thereby

manifesting both in their political and judicial forums (Atupare, 2014:85). In this study, socio-economic rights specifically refer to the provisions of the constitution that aims to better the life of the people which include rights to decent living, education, food, shelter, social security, and job among others.

2.3 The Concept of Justiciability

According to Oyeniyi (2014) as cited by Egbewole & Alatise (2017:4) justiciability implies those issues that can go through the scrutiny of the judicial cum quasi-judicial entity. To Fagbohun, (:164), justiciability concerns the extent upon which a court can exercise its judicial authority by judicially giving force to the law. Also, Ronald Dworkin (2011) as quoted by Atupare (2014:74-75) remarked that justiciability encompasses legal rights. Supporting this view, Atupare (2014:86) stated that justiciability deals with what is judicially enforceable.

Relatedly is the concept of non-justiciability. Egbewole & Alatise (2017:4) commented that non-justiciability means that the machinery of judiciary is not capable to consider a matter, even when certain rights have been infringed. Also, Morka & Agiri (2018:22) asserted that non-justiciability means not enforceable by any court of law. This simply implies that a person cannot go to the Court for the settlement of the given issue. To Atupare (2014:88) & Fagbohun, (:164) non-justiciability borders on issues that are not suited to court for settlement.

Connected to this is the reason for the non-justiciability of some matters. Fagbohun, (:163 & 165) wrote that the allocation and commitment of state resources is the exclusive preserve of the elected legislature who are directly accountable to the electorate, and that non-justiciability relate to matters that should be left to the public opinion cum electorates in order to shield the judiciary from breaching the doctrine of separation of power. In this study, justiciability relates to issue with legal entitlement suited to judicial settlement.

2.4 The Concept of Directive Principles

Discourse on the directive principles have attracted different reactions from scholars (Yaqub, 2016:9). Some scholars link directive principles to fundamental rights. For example, Paramjit (1996:149) seen in Atupare (2014:85) stated that directive principles direct the state to cultivate certain minimum socio-economic conditions which have connection with fundamental rights. Alluding to this, Justice William Atuguba, CIBA (1997) in Atupare (2014:97) affirmed that directive principles indeed relate to the fundamental human rights.

Other scholars opined that directive principles help to ensure just society. Ben Kunbor in Atupare (2014:94) & Fagbohun (:152-53) liken directive principles to the barometer against which the people could measure the performance of their government with the objective of ensuring a just society. To Odike (2008:14-17), directive principles do not only serve as social charter prescribing fundamental obligations of the state to its citizens and the duties of the citizens to the state, but also stand as a scale of measurement by which the success or failure of any government can be determined. Similarly, Atupare (2014:89-90) submitted that directive principles serve as guidelines for the governance of the society.

On the evolution of directive principles, Olaiya (2015:24) noted that the principles did not appear on the constitution by default but as a result of human struggles and successes. He traced the root of directive principles to the Universal Declaration of Human Rights in 1948. The declaration did not only make distinction between fundamental rights and directive principles, it also affirm their equal importance as conjoined entitlements (Olaiya, 2015:24). However, Awolowo (2017:26) noted that the attention has mainly been focused on the fundamental rights, adding that directive principles constitute an attempt at bringing second generation rights into the constitution. Supporting this, Ogun (2004) in Morka & Agiri (2018:22) asserted that directive principles came as result of innovation in the constitutional making.

Relatedly is the justiciability of directive principles. Noting that scholars are divided on the justiciability of directive principles, Duru in Egbewole & Alatise (2017:10) asserted on one side of this divide is the anti-justiciability school of thought who argued that directive principles are a mere collection of manifesto of aims and aspirations, a moral homily and toothless bulldogs that should be eliminated. He added that the pro-justiciability school of thought on the other side were of the view that directive principles should be retained and that the courts should be proactive in its enforcement. In his contribution, Odike (2008:27) stated that directive principles are legal moral provisions whose enforcement is a moral obligation on the government.

Juxtaposing the developing African democracies with the developed Western democracies, John Cantius Mubangizi (2006) in Atupare (2014:94) stated that some African countries, Nigeria inclusive, appeared to have explicitly denied the justiciability of the directive principles. In all, what can be deduced from this section is that the directive principles and socio-economic rights suggest the same thing. Therefore, in the context of this study, directive principles refer to socio-economic rights.

2.5 Managing Directive Principles

Egbewole & Alatise (2017:3) wrote that at a time when many countries have held tight to the historical disadvantage of directive principles to justify their non-justiciability, nonetheless, some countries have managed the situation by establishing an enforceable regime for directive principles. Awoyemi (2017:8&13) commented that making such rights justiciable make the rights worthy of judicial adjudication and to encourage responsive and responsible governance. While making it non-justiciable will effectively strip the people of their rights to good governance and effective service delivery.

Ebobrah (2007) in Egbewole & Alatise (2017:5) remarked that it was possible to interpret fundamental rights in a manner that enhances the realisation of directive principles because by its nature, directive principles may be hidden in the fundamental rights. Alluding to this, Nyerere (1969) seen in Egbewole & Alatise (2017:6) noted that the continued emphasis on fundamental rights will be meaningless without the realisation of directive principles. For example, fundamental right is of no use to a sick and poor person who cannot secure medical attention because of (non-justiciable) directive principles. In this regard, Seevai (1976) quoted by Odike (2008:28) remarked that "If duty were used in a legal sense, then, the persons to whom that duty was owed would have a corresponding right to require that the duty should be discharged".

Commenting on the challenges in the realisation of directive principles, Duru as cited by Egbewole & Alatise (2017:2) noted that governments have continuously taken advantage of phrases like "available resources" or "progressive realisation" to justify their failure to implement directive principles. Supporting this view, Egbewole & Alatise (2017:5) added that the vagueness in the wordings of directive principles make them to be merely promotional and their realisation dependent on the available resources. Contributing on how to manage directive principles, Bhagwati (1980) in Egbewole & Alatise (2017:6-7) suggested the need to ensure favourable condition in all institution of public life in order to secure the preconditions of fundamental liberties for the (ordinary) people who are disadvantaged in the (existing) social order which seemingly is devoid of socio-economic justice.

Awolowo (2017:26) enjoined the courts to be liberal and progressive in their approach by taking bold and decisive steps in the interpretation of the fundamental objectives and directive principles of the state policy. Similarly, Nwuta (2011-2012) in Duru as cited by Egbewole & Alatise (2017:10) enjoined the court to adopt innovative way of interpreting the provisions of directive principles in a way that confer justiciability rights.

Also, Atupare (2014:86) wrote that the legislature can legislate in order to enforce directive principles, and that in most cases, the socio-economic rights embedded in directive principles cannot be fully honoured without legislation. While, Morka & Agiri (2018:23) observed that the ultimate way to manage directive principles lies with the people who should know that directive principles are for their welfare and therefore should use the opportunity of periodic election to pressurise the government to implement them.

3.0 METHODOLOGY

The paper made use of qualitative design. Data collection was done basically through secondary method of data collection. Critical analysis cum descriptive method was adopted to address the research questions. Relevant literatures were gathered from both print and on line scholarly materials. The study basically employed documentary analysis.

4.0 RESULTS AND DISCUSSION

4.1 Presentation and Analysis of Data

The level of unemployment is a key factor in determining whether there are jobs or job opportunities in Nigeria. A cursory look at the baseline data on incidence of unemployment in Nigeria shows that the issue of unemployment is a major challenge confronting the people. Figure 4.1 indicates that in 2008 aggregate unemployment stood at 14.9% while in 2009 it rose to 36.45%; it later declined to 17.62% in 2012 but moved up again to 23.7% in 2013.

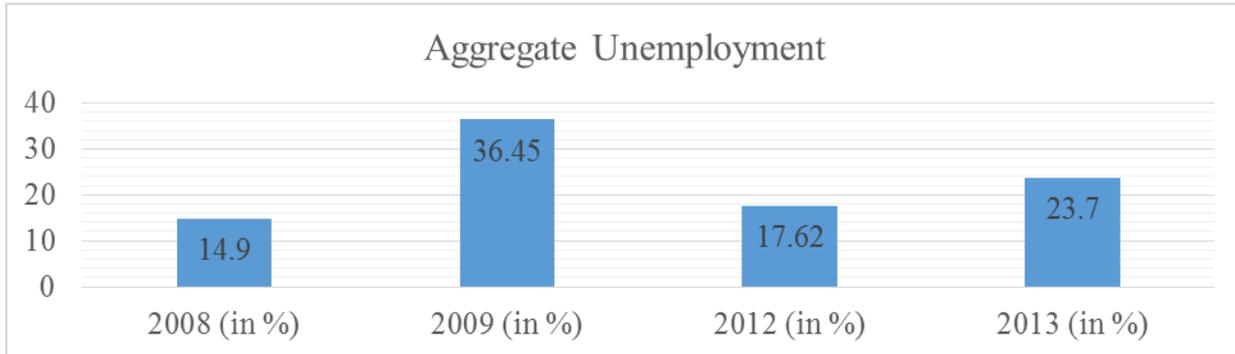


Figure 4.1: Incidence of Unemployment in Nigeria (in Million)

Source: Calculated from NBS as seen in National Human Development Report (2015:35)

Similarly, statistics of health facilities in the country as shown in figure 4.2 indicated a total of 34,174 health facilities with the primary facilities of 30,098; secondary had 3,992; and tertiary having 84; while the population ratio stands at 4,097 people per health facility.

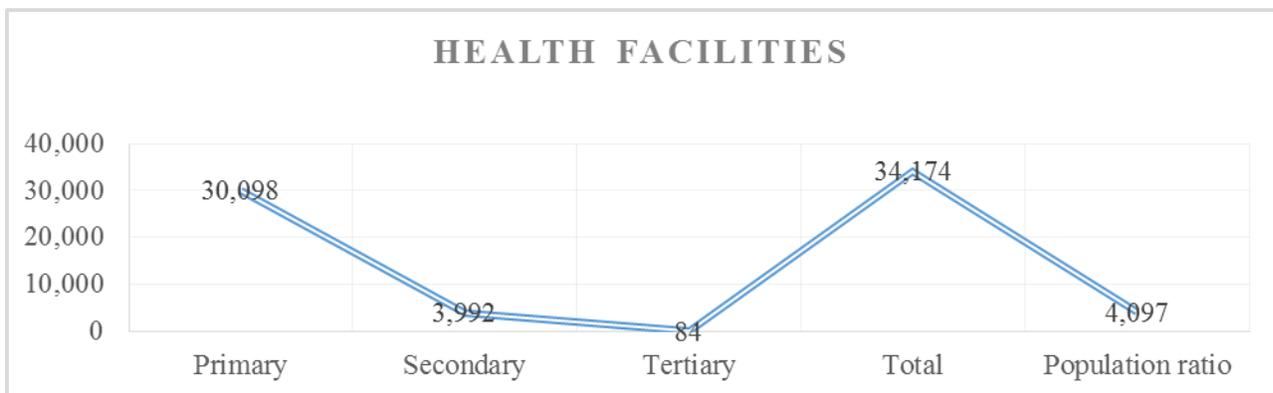


Figure 4.2: Directory of Health Facilities in Nigeria (2011)

Source: Calculated from Federal Ministry of Health, USAID & Measure Evaluation (2011) as cited by National Human Development Report (2015:62-63)

Also, available data on poverty incidence has shown in figure 4.3 indicated that the national average of those who are vulnerable to poverty are 19.6%; those in severe poverty stood at 25.6%; while the destitute had 27.3%.

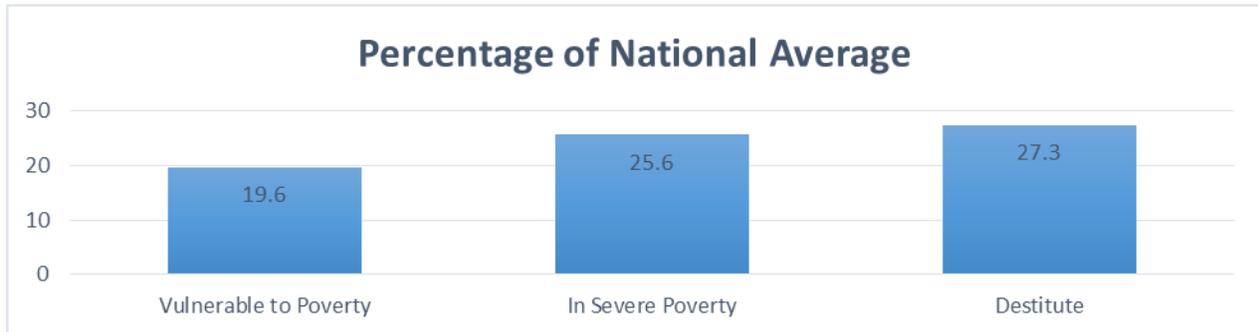


Figure 4.3: Incidence of Poverty in Nigeria (2013)

Source: Calculated from the World Bank (2017) as cited by Oxford and Human Development Initiative (2017:Ch 1:5) in Okoh (2018:46)

In a way to juxtapose the above baseline data with the Oath of Office, in the “Constitution of the Federal Republic of Nigeria 1999” the Seventh Schedule, for the President of the country cum the Governors of the states as it connects directive principles thus

... I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the ...Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria...

4.2 DISCUSSION OF FINDINGS

The aim of the study was to critically determine the justiciability of directive principles in the 1999 constitution of Nigeria. Odike (2008:17) wrote that the Chapter II of the constitution which contained directive principles has 11 profound provisions from sections 13 to 24 covering a variety of socio-political, socio-cultural cum socio-economic nature. Agiri (2012) in Morka & Agiri (2018:22) opined that the chapter is predicated upon the responsibilities of the government to the people on one hand and the duties of the people to the government on the other hand.

Many scholars believed that directive principles in the 1999 constitution are non-justiciable largely due to the provision in section 6, sub-section 6, paragraph (c) of the constitution. Morka & Agiri, 2018:22 & 26) remarked that as laudable as are the directive principles in chapter II of the constitution, there provisions were conveniently relegated to the species of non-justiciable rights due to the 6(6)(c) factor. Making their submission, Egbewole & Alatisie (2017:3,8&15) declared that the section 6(6)(c) was a constitutional tragedy to directive principles in Nigeria. Also, Okeke (2011:176) as seen in Olaiya (2015: 25) termed the provision in the 6(6)(c) as the drawback to the appropriation of the directive principles by the people as of right. To Odike (2008:23), no person can sue for redress in the event of violation of any or all of the directive principles because of the 6(6)(c) killer bug.

Furthermore, experts like Awoyemi, Ogwuegbu, and Atupare have submitted that courts cannot enforce the provisions of the directive principles in the 1999 constitution. Awoyemi (2017:7) pointed out that the people cannot obtain redress from the courts if the directive principles are not implemented by the government. In the same vein, Ogwuegbu in Atupare (2014:91) supported that the judicial arm cannot compel the executive arm to implement any of the provisions of the directive principles. Atupare (2014:88&92) noted that the section 6(6), 13 in the constitution made directive principles unsuited for the judiciary by calling on courts to only conform to but not enforce directive principles.

Focusing on the vagueness of its wordings, CEDAW Coalition on Women, Peace and Security (2017:18) submitted that the Educational policies, which formed part of the directive principles in Nigeria are made pursuant to Section 18(1) of the 1999 Constitution (as amended) but that the use of “as and when practicable” in Section 18(3) precluded time frame, also the word “free” in Section 18(3)(a) did not specify whether it included provision of free exercise books, text books, meals, transportation, and

uniform among others which in many instances have higher financial burden, while the word “compulsory” is technically declared non-justiciable.

Remarking on the effect of the current state of directive principles in Nigeria, Nwuta (2011-2012) in Egbewole & Alatisé (2017:8) noted that this had resulted in the “dislocation of the foundation of the whole edifice of the Nigerian nation-state”. Morka & Agiri, 2018:22 & 26) observed that the non-justiciable status of directive principles in Nigeria have given room for government lackadaisical towards their implementations.

Given credence to the above in a comparative manner, Gebeye (2015:18&19) identified Lesotho, Namibia, Nigeria and Sierra Leone as countries that considered the fundamental nature of directive principles in the governance of their respective countries but excluded them from their judicial reach. He further pointed out that the likes of Ethiopia and Ghana which have both directive principles and fundamental rights in the same section do not say anything about the justiciability or non-justiciability of the directive principles. From the foregoing, it can be deduced that directive principles appeared to be non-justiciable in Nigeria.

Critical of the seeming non-justiciability of directive principles in Nigeria, Olaiya (2015:31-32) argued that notwithstanding the provisions of section 6(6)(c), directive principles are justiciable in Nigerian with reference to the provisions of African Charter containing several articles that confer socio-economic and cultural benefits on citizens and its important domestication in Nigeria via the African Charter on Human and People’s Rights (Ratification and Enforcement) Act Cap 10, Laws of the Federation of Nigeria. This view point will not be ignored given the next aim of the study.

Relatedly, this study also aimed to discover the ways to manage directive principles for orderly progress in Nigeria. Commenting on the purpose of directive principles in the Nigerian constitution, scholars including Ogun (2004), Olaiya (2015), Egbewole and Alatisé (2017) agreed that it was for the realisation of orderly progress in the country. For example, Ogun (2004) in Morka & Agiri (2018:22) submitted that the concern on how the country could be organised and governed to the best advantage of all formed the purpose of directive principles in Nigeria. To Olaiya (2015:24), the directive principles were intended for the realisation of the nation’s national ideals. Also, Egbewole & Alatisé (2017:8) observed that the heterogeneous nature of the country cum the increasing gap between the rich and the poor formed part of the reasons for the inclusion of directive principles in the 1999 Constitution.

Commenting on the need to make directive principles justiciable in Nigeria, Okeke (2011:176) in Olaiya (2015:25) suggested that the realisation of directive principles should become binding governmental responsibilities so as to protect the governed from gross neglect by those in government and to encourage the use of public fund for common good (see also, Okeke, 2011 in Morka & Agiri, 2018:27). Supporting this, Morka & Agiri (2018:27) suggested that making directive principles justiciable will give rise to an era of responsible and responsive government with duty to go for the realisation of directive principles both immediately and in the future.

Legislative enactments as another way to manage directive principles in Nigeria. Duru in Egbewole & Alatisé (2017:9) noted that the

Duty and responsibility on all organs of government is limited to the extent that the judiciary cannot enforce any of the provisions, and thus to that extent, the executive do not necessarily have to comply with any of the provisions unless and until the legislature have enacted specific laws for enforcement.

With reference to section 6(6), 13, Atupare (2014:92) stated that the constitution left the enforcement of directive principles in the hand of the legislative arm to determine whether the executive arm has fulfilled its constitutional responsibilities or not. Similarly, Justice Ogwuegbu in Atupare (2014:91) declared that the National Assembly can take positive steps to enact specific laws for the enforcement of the directive principles. Alluding to these, Olaiya (2015:31) and Egbewole & Alatisé (2017:9) commented that notwithstanding the contentious provisions in Section 6(6)(c), the provision of item 60(a) of the Exclusive list (Part 1 in the Second schedule) gives the National Assembly the power to enact laws to promote and enforce the observance of directive principles.

Need for proactive operation of directive principles. Citing the decision of the South African constitutional court on the famous 2001 Grootboom case with South African Government, Atupare

(2014:72) wrote that Justice Yacoob declared thus “The constitution obliges the state to act positively to ameliorate the deplorable conditions of hundreds of thousands of people... The people have right to demand that this be done.” Alluding to this South African experience, Brand (2005) in Egbewole & Alatise (2017:15) remarked that directive principles were interpreted into legal entitlements for the aggrieved but against the government in order to ensure that necessary action is taken to ease their plight. Relating this to Nigeria, Justice Niki Tobi quoted by Ibe (2010) seen in Atupare (2014:92) asserted that the subsection of the section 6(6) (c) provided a leeway by the use of the words “except as otherwise provided by this constitution”. Meaning that the provision in another section which makes directive principles justiciable should be so interpreted by the courts.

Constitutional amendment to provide for a Bill of Rights with equality for fundamental rights and directive principles is another way that was discovered. Egbewole & Alatise (2017:21) supported this idea that Nigeria can amend her constitution to provide for a Bill of Rights without distinction between fundamental rights and directive principles with an example from the South African Bill of Rights which makes no distinction between fundamental rights and directive principles in the constitution.

Adoption of derivative interpretations by the Courts was also found to be relevant in the management of directive principles. Gebeye (2015:33) submitted that the judiciary, being the guardian of the Constitution, can find a way to give life to the various constitutional provisions. Egbewole & Alatise (2017:3&12) pointed out a case in India between “Unnikrishnan J.P.” and the “State of Andhra Pradesh (1993)”, where the Court invoked the right to life to enforce the right to education. Giving support to this, the outcome of *Minerva Mills Limited versus Union of India*, A.I.R. in Atupare (2014:86) suggested that if the conduct that counts as a violation of a non-justiciable right also affects a justiciable right, it can give rise to indirect justiciability. This simply shows that the adoption of derivative interpretations of fundamental rights can breathe life to directive principles in Nigeria. Furthermore, Egbewole & Alatise (2017:19) noted that the Indian Supreme court had in 1976 declared that both fundamental rights and directive principles are complementary, indivisible and interrelated thereby giving room for the adoption of derivative strategies to break the artificial wall of legal technicalities.

The active involvement of the people is yet another way to manage directive principles in Nigeria. Villiers & Usman as seen in Gebeye (2015:21) submitted that elections and the court of public opinion are the main implementing forces for directive principles. However, Fagbohun (:189) argued that the assumption that elections can be used to enforce directive principles in a developing democracy has its concern. In this regard, Odike (2008:28) noted that election rigging will not allow the electorates to exercise this enforcement function. Bhalla in Odike (2008:27) remarked that the fidelity of the government and the vigilance of the electorates were needed to enforce directive principles. Also, Atupare (2014:88) argued that it was the obligation of the electorates to put pressure on the legislature as well as the executive to enact positive measures that will bring the fruits of the directive principles to them.

5.1 SUMMARY AND CONCLUSION

The overall intention of the study was on managing directive principles: the Nigerian experience (1999-2018). The specific aim of the study is to explore the justiciability of directive principles in the 1999 constitution of Nigeria. The study also sought to discover the ways to manage directive principles for orderly progress in Nigeria. The theoretical framework adopted by this study is the social contract theory. The main assumption of social contract theory suggests an agreement among a given people to form government in which the government and the people have their respective duties cum obligations. The study is a qualitative research and adopted descriptive and critical analysis. Charts, means and percentages were used for descriptive purposes. The result showed that the directive principles in the 1999 constitution of Nigeria are non-justiciable. It was also discovered that directive principles can be managed through legislative enactments, proactive operations, constitutional amendment, derivative interpretation, and active involvement of the people. The conclusion arrived by the study is that making directive principles justiciable will in turn secure the unforced allegiance of the people of Nigeria.

5.2 RECOMMENDATIONS

Following these discoveries, recommendations are made as follow:

- (1) Directive principles should be made justiciable in Nigeria in order to ensure responsible and responsive governance.
- (2) The National Assembly should take positive steps to enact specific laws that will make directive principles justiciable in Nigeria.
- (3) There is need for constitutional amendment that provides for a Bill of Rights without any distinction between fundamental rights and directive principles.
- (4) Adoption of derivative interpretations of justiciable rights by the Courts will enable them to break the artificial wall of technicalities in the current directive principles.
- (5) There is need for proactive operation of directive principles in Nigeria such that any constitutional provision that gives it legal teeth should be explored for the people to maximise its inherent benefits.
- (6) The people (including the civil societies) should be actively involved in demanding that directive principles be treated as legal entitlement of all the people of Nigeria.

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