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Justice and the Politico-Economic Development of Nigeria: A Philosophical Analysis

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Abstract

The importance of the virtue of justice for peace and progress of a nation cannot be overemphasized. Justice is beneath the foundation of how we relate with one another, the kind of society we have and one we would expect to have in future, as well as how best to organize it. It has profound effect on the lives of citizens, influencing not only their prospect but more deeply their goals, attitudes, relationships and character. It also influences the economy, politics and every other aspect of our being so much so that we consider it central for the achievement of social order and the development of Nigeria. From the issue of legitimate use of political power, to Niger Delta agitation, true federalism, marginalisation and inequality, justice answers the demands of all. This paper therefore examines the notion of justice with consideration on social and distributive justice *vis-à-vis* the implication for the development of Nigeria, which requires that the basic structure of Nigeria be organized in order to bring to an end all the social and economic inequalities and marginalization that stunt or limit citizens' progress and the expectations of the less advantaged members of the society. The paper argued further that in a heterogeneous society like Nigeria, the principle of justice must be employed in the distribution of social and economic goods so that everyone and not a privileged few, gets a fair share in order to promote the happiness of all and enthrone a harmonious and well-ordered society anchored on the principles of fairness and equity.

Introduction

The notion of justice is very important in socio-political, economic, moral and philosophical discourses. It is seen by philosophers and many other scholars as a veritable tool for the promotion of harmonious relationship and a well-ordered society. This is because whenever we reflect on the nature of justice, it is usually in relation or consideration of the factors that bring about its absence such as economic inequality and marginalisation, political and religious radicalism, acute nationalism, insecurity, social injustice and moral decay. Justice serves as a veritable antidote for several social ills and a measure for correcting all forms of imbalances, thus accelerates socioeconomic development of a country. It brings about peace and order and provides a solid framework necessary for the legitimate use of political power in society. Everyone understands the importance of peace, that is, the absence of manifest violence or hostility to economic prosperity and national development. No reasonable national development can be achieved in a state of disharmony, violent conflict and unhealthy agitation. Peace and order are characterised by mutual respect, goodwill and more importantly justice, and justice being “the palm oil sauce with which we can eat the roasted yam of peace” renders the possibility of authentic national development inevitable. No justice, no peace! No peace, no national development! This idea rests behind the thought of Saint Augustine of Hippo that peace and health go hand-in-hand in the sense that the peace of the body consists in the duly proportioned arrangement of its parts. The peace of the body and soul is the well-ordered and harmonious life and health of the living creature. This means that society can be healthy, flourish and develop when there is peace, which is an aftermath of justice. Justice constitutes the tool for the achievement of a peaceful and harmonious society which is what is required for national development and its sustenance.

Despite the virulent and destructive nature of injustice, Nigeria has continuously witnessed its boil and colossal consequence on national peace and development. There is no doubt that as a country, Nigeria is in dire need of a practical guide for the restoration of social order since it cannot be true that the Nigerian society is a well-ordered society. A society is not well-ordered unless its members “know and accept the same principles of social justice, and the basic social institutions generally satisfy or are generally known to satisfy these principles (Rawls 1993:5). In a well-ordered society, different motives in the society must be reasonably balanced and satisfied otherwise there will be agitations and crises leading to instability and destruction of lives and property which are not different from the Nigerian situation. Although Nigeria is not self-sufficient just as no clime anywhere in world would claim, but it is blessed with enormous material resources for the possible satisfaction of the basic needs of its citizens but the paradox of which is that it is still one of the poorest countries in the world with many poor citizens; where dozens of thousands of its citizens are dying daily of hunger, starvation, malnutrition, and lack of basic essential necessities for human survival. There is almost nothing to show for the abundance of resources in the country as a result of selfishness, imprudence, corruption and leadership insensitivity.

Justice influences the economy, politics, and conditions how the institutions of society can be properly arranged. For instance, national economy thrives better when national wealth circulates among the people and not when it is only in the hands of the privilege few; this is the demands of justice. Injustice is the consequence of lack of mutual trust, unstable polity and un-

prosperous Nigeria. The development of Nigeria is impossible without social order which is essentially characterised by peace and stability, and achieved through justice.

What is Justice?

The sense of justice is conveyed in such expressions like: “to each his own due”, “live and let me live” and “may each person have his share”. As a politico-philosophical concept, justice finds its then etymological derivation in the Greek root word *diokaisune* which means *doing right*. It also has an origin in the Latin word *justicia*, meaning *righteousness, uprightness and equality*. According to Bakewell, justice can simply be defined as the quality of being just and fair. This view explains why the concepts of *rightness* and *fairness* have been consistently used by various philosophers to explain the idea of justice. They believe that justice constitutes part of human nature in such a manner that injustice done to anyone is a deliberate violation of his human nature or right and thus, evil. What this means is that justice implies doing what is good and right while its opposite is wrong, bad and evil. Plato view corroborates with the above especially when he sees justice as virtue which essentially emanates from good personal character which results to a good political society. He is not alone with this view. In fact, similar idea has already been echoed by his master and teacher Socrates when he says that justice gives rise to order and harmony in society while injustice breeds chaos and anarchy. This Socratic view cannot be faulted especially in juxtaposition with the Nigerian experience.

Aristotle opens up yet another intellectual space when he conceives justice as consisting in what is lawful and fair. This conception tries to take our mind to what we shall investigate almost immediately in this research, that justice and law are inseparably married together wherein divorce is a treasonable offence. What is lawful according to Aristotle is simply that which corresponds to the rules and regulations of the state that makes it possible and conducive for the attainment of the common good and happiness of the people. On the other hand, what is fair involves equitable distribution and the correction of what is inequitable. Aristotle goes further to define justice as “giving equal measures to equals and unequal measures to unequals”. The problem with this definition is that it leaves open the question of who or what constitutes equals and who or what constitutes unequals. Some commentators have argued that this Aristotelian definition seems to be deliberately identified with self-interest, partiality and arbitrary disposition, opportunity or distribution of resources. On the one hand “IF” such is what Aristotle wants to achieve then we do not think that the requirements and demands of justice can be achieved under such circumstances, since such will itself constitute injustice. The idea of arbitrariness and self-interest in the conception of justice undermines the very standard of justice and fraught it with unspeakable consequence of chaos which is the result of injustice. When justice is done everyone is happy; no one wins or loses, but justice itself wins.

J.J. Glen on his own part sees justice as the constant and perpetual will to render to everyone what is due to him (1961, p. 222). This actually is the demand of justice, for instance, if two students present essays of identical quality, they should each get the same grade or score. Their work is equal and so their reward or grade should be equal too. But if they present essays of different quality, they should get different grades which reflect the differences in their work. This clearly contradicts the definition of justice as “equal measures and fairness to all”.

Justice without Law: Any Possibility?

Before we attempt to answer this question, let us in a few paragraphs make some useful points with regards to law. The essence of this is to provide an enabling hints or foundation upon which our position will be anchored. Law as a great restraining force in the political community represents dispassionate reasoning, wisdom and social conscience. It gives the ruler a moral quality which he cannot otherwise have. In this sense, law determines morality of the political community in such a way that there is no supreme power over law in the state. This is why Aristotle argues that political society or government that is based on law will have lesser evil in contrast with arbitrariness and rule of man. In the words of Sabine, “The supremacy of law is accepted by Aristotle as a mark of a good state and not merely as an unfortunate necessity.” According to him the wisest person cannot replace rule of law because whereas law is impersonal, even the most passionless ruler cannot become impersonal. Hence, law or put accurately, rule of law conceived as some apolitical arbiter, is mostly a fiction. The special property of law anywhere including in political society is that it is a neutral judge as opposed to an interested party. Aristotle remarks that “when men seek for what is just, they seek for what is impartial; for law is that which is impartial (*Politics* 1287b3-5).

No state can thrive or function without a formidable legal framework otherwise such state could be described in Hobbesian perspective as heading back to the state of nature. Law is helpful for good governance which is the centre of national development. It conditions and shapes governance through its role or practice of justification, legislation and structure of obligation. According to Aristotle, the sovereignty of the state should be vested in the laws alone. For if it is vested in the poor, they will be tempted to distribute the wealth of the wealthy among themselves and can do so being in majority. If the sovereignty is vested in the tyrant, he can coerce and dominate the citizens in order to get his personal agenda or intentions achieved. Aristotle does not also favour the idea of vesting the sovereignty in the rich because they can always be tempted to amass more and more wealth for their personal use. He does not also favour the idea of giving sovereignty to few selected persons on the ground that those who are debarred from getting their honour or what are due to them from the state can feel disgusted and thus create problems, which is most improper. Hence, the most appropriate and desirable thing to do is to allow sovereignty to be vested in the law and nothing but the law. By this, we do not however mean that sovereignty should reside or be vested on abstract law in the strict sense, this will be quite impossible. It rather means that legal stipulations should squarely be the guiding principles for rulers in the discharge of their responsibilities at all times. For law can be no better than the people who make it, having been legislated by one class or another, law will likely reflect their interests and biases (*Politics* 1982b pp. 6-13).

Law is always greater than the statesman, the politician. It is very essential to political society in such a way that to allow a will or power above it is to abrogate it. A good law is one which is not affected by desire; it is exclusively based on reason. The law therefore contains rational elements; it is always objective rather than subjective. It offers by the neutrality of its procedures, the best guarantee that judgments will be rational, objective and fair and therefore just. Once made, it does impose restraints and does generally ensure the reasonable impartiality of due process. Political power and leadership must be exercised in accordance with the law since the rule of law is one of the reasons for politics and political association. Put differently,

when the supreme power in man coincides with the greatest wisdom and temperance, then the best law and the best constitution comes into being.

Drawing from the above, it is not unclear that while justice without law is impossible; law without justice is unjust. Law and justice ought to be mutually inclusive or interdependence because the very idea of justice implies the presence of law and the essence of law is to do justice to all manner of people. What is meant is that it is impossible to do justice without law. Justice is fairness, equity and good conscience. It upholds public policy and good governance. These ideals depict law as it is, because law is regulatory in the sense that it conditions human conduct and activities so much so that it is equally based on fairness and equity. This is so because anything devoid of fairness and equity will eventually give rise to anarchy. Therefore, justice connotes the implementation of what is lawful. It expresses itself through law, and law manifests itself in it. In fact, “the penalties of the law make injustice unprofitable” (Sabine 134). Justice and law are co-causal or Siamese twins, for the presence of law is the absence of injustice and the absence of injustice is the presence of law. The poser here therefore, is: what cause will the law pursue? Of course, peace and order which is in tandem with the essence of justice.

Now, the question that may arise from our explanation above is: are all laws necessarily just? The answer is NO! There are unjust laws. In this sense law and justice could be mutually exclusive. This mutual exclusivity will depend on the level of impact of the law on the people, that is, in terms of expediency or application. What this means is that laws that do not have any positive impact on the wellbeing of the people are unjust. Sabine puts it thus:

Whatever in conventional law is attested to be expedient in the needs arising out of mutual intercourse is by its nature just, whether the same for all or not, and in case any law is made and does not prove suitable to the expediency of mutual intercourse, then this is no longer just. And should the expediency which is expressed by law vary and only for a time correspond with the notion of justice, nevertheless, for the time being, it was just, so long as we do not trouble ourselves about empty terms but look broadly at facts (1973, p.134).

Another clear instance of unjust law can be seen in the constitution of Nigeria especially with the issue of immunity which protects some privileged few while excluding others. The implication of immunity clause in the Nigerian constitution is quite unprecedented; it means that when those who are covered by it steals or commits egregious crimes against humanity while in office, they are protected even from civil suit, but when ordinary citizen does the same, he will be jailed to the full intent of the law. This is injustice in its crudest form. Immunity is an illusion and a mirage on the achievement of rule of law, equality, accountability and justice. In a self-quoted- lines the issue is captured thus:

The immunity granted to some public office holders from prosecution and civil suit, to our mind, violates the principles of justice and equality. It is a way of shielding them from accountability. Justice demands that everyone is equal and equality implies that everyone must be treated without any considerations (Elechi 2010, p. 135).

Immunity sets those who are covered by it above every other individual in the country including the constitution itself. It sets the people while in office free from legal obligations. It negates the principle of rule of law. It gives the leaders the opportunity of stealing and of being corrupt. It could become an instrument of impunity of actions and impurity of outcomes, especially in the hands of public officials who seek to formulate and impose fraudulent policies on the Nigerian citizens. It could become a dangerous tool in the hands of those who possess a perverse sense of law, ethics and political decency. It is therefore not only absurd to use immunity to protect criminality, but it is also criminal in its intent. Just as Rawls avers that: "Justice is the first virtue of social institutions, as truth is of systems of thought... Laws and institutions, no matter how efficient and well-arranged, must be reformed or abolished if they are unjust" (1971:3). Injustice is the bane of development in Nigeria.

Justice as the Hallmark of Social Order

Justice is founded on human Nature as free, rational and social beings. This is to say that justice is a natural phenomenon. It is a natural right which finds expression in the being-ness of the human being. "Each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override.... As regards this; justice ensures that individuals' rights and freedom are not sacrificed for the greatest good of the greatest number" (Rawls,1993:3). Justice is the linchpin of good governance and national development. It provides adequate grounding for the development of society through making a well-ordered society possible. A society that needs to be well-ordered is one that neglects or jettisons rules or conduct for proper behaviour; one that has abundant resources and yet its citizens still suffer deprivation and lack as a result of corruption, embezzlement and mismanagement of resources. This means that a just society is one that establishes for mutual benefits of its members. The irony of this understanding is that when viewed against the backdrop of the Nigerian situation, it is self-evident that mutual interest and wellbeing is seldom pursued. Rawls puts it thus:

... although a society is a cooperative for mutual advantage, it is typically marked by a conflict as well as by an identity of interest. A society must have a set of principles for assigning basic rights and duties and for determining the appropriate distribution of the benefits and burdens of social cooperation. These are the principles of distribution or social justice (1993, p. 4).

In a well-ordered society, different motives in the society must be reasonably balanced and satisfied otherwise there will be unhealthy agitations and crises which will lead to instability and destruction of lives and property.

Justice as an indispensable moral virtue constitutes the basis of politics, human relationship and personal integrity. This virtue consists in the constant disposition of the human will to attribute to each person his due and to do no injury to anyone. Justice is a complete virtue; and it is a complete virtue because he who possesses it can use it also towards another and not only for himself (Aristotle, *Nicomachean Ethics* 1129a30). Social justice regulates interpersonal and social relations and the external conduct of human beings. Parallel to Aristotle's postulation is Nelson's view that:

Social justice deals with how social institutions are to be arranged, as well as how just social institutions can be established...understanding the meaning of a just society facilitates the understanding of the interconnection between individual responsibilities and mutual expectations (1996, p. 85).

Social justice enhances the growth and development of both the one who practices it and the one who receives it. It is on the account of this that Aristotle strongly concludes thus:

And for the same reason justice alone of the virtues by affecting others, is thought to be another's good; for the just man acts for what is expedient for someone else, whether for the ruler or a member of the community. The worst man, then, is the one whose evil habit affects both himself and his friends... (*Nicomachean Ethics* 1130a p. 5).

Social justice needs to be upheld in order to ensure that there is peace, order and stability in the society. The consistency and commitment with which a society seeks peace will determine to what extent it will guarantee the survival and wellbeing to the people. Rawls' analysis in his *A Theory of Justice* that justice implies equality in such a way that social and economic inequalities are to be arranged so that they are both reasonably expected to be everyone's advantage, and attached to positions and offices open to all with all social values like liberty and opportunity, income and wealth, and the bases of self-respect distributed equally to everyone's advantage (1971, pp. 136-7) clearly help in synthesizing Aristotle's postulation on social justice.

In social life, justice is the only sure and dependable ethico-political foundation of the society. It is specifically in the sense of social justice that justice is acknowledged as the foundation of any polity. In its social operation, it is concerned with the regulation and harmonization of the relations of the citizens, the observance of human rights, the equitable sharing of social rewards and the impartial discharge of civic duties. Honesty, fidelity and legitimate loyalty are ethically potential aspects of social justice. Thus, they constitute the basis of civic and political intercourse among members of the society. The inculcation of healthy sense of social justice in any political environment is rendered imperative by the urgent need to fight the massive and rising wave of corruption in the public life of a people. No one is unaware of the corrosive effects of corruption in the social, political and economic systems of any country. It is, therefore, the duty of the politicians and leaders to engage in combat against corruption and other socio-political vices by assisting the political society to lay solid foundations for social justice, through the inculcation and transmission of sound and acceptable social and political values. In the actual sense and practice, politics and its institutions must be animated, motivated and guided by the requirements of social justice, for social justice is the hallmark of politics and true political practice.

Justice for Political and Economic Development of Nigeria

Distributive justice for Aristotle is concerned primarily with the distribution of political authority and secondly with the distribution of wealth. It means that offices and wealth, rewards and dues should be distributed among different social classes according to their contributions based on merit. It means proportionate equality where each person would be rewarded financial

benefits and responsibilities in proportion to one's just deserts. According to Omoregbe, social and economic equality implies that social and economic rewards should be arranged in such a way that will bring about the greatest benefit of the least advantaged. Offices and positions are made open to all under condition of fair equality of opportunity (2007, p. 55). He further argued that,

If the world builds a more equitable wealth distribution system that will dismantle the current uneven economic castle system of few "haves" and majority "have not", a greater aura of increase will attend many people's feelings regarding their sense of dignity and achievement... (p. 40).

In corroborating with the above view, Udoidem (2006) argued that the absence of honesty and justice as an intrinsic national value has resulted in the dishonest practices, and corruption in the economic and political life of the nation. He further recorded that:

There is need therefore for a trans-valuation of norms, as a result of which current national values of tribalism, nepotism, ethnicity and clannishness which foster corruption, mediocrity, inhuman tendencies, violence, degeneration and malaise, will be trans-valued so that the more positive values of patriotism, self-discipline, tolerance, probity, integrity, honesty and justice will become individual and national preferences (p. 64).

A just society can only be achieved when new value orientation adumbrated above becomes a way of life of the people in Nigeria. Justice vis-à-vis distributive justice is a way of encouraging the exercise of the rights of the citizens without neglecting the respect for demand for proportionality. The society is a sphere of mutual advantage, so the principle of social justice will ensure that rights and duties, benefits and burdens in the basic institutions of society are appropriately distributed to reflect social cooperation and participation. Justice as the virtue of social institution is the hallmark of politics and good governance. Its centrality in politics is with the aim to enhance the wellbeing of the people such that any socio-political arrangement that will improve the living condition of a group of people at the expense of another is unjust.

The search for distributive justice in Nigeria is typified by the demand for resource control. The Niger Delta issue will be mainly considered here because of the excruciating poverty and unemployment in the region despite the enormous volume of resources taken by the Nigerian state from the soil of the region. We crave at this point to be permitted to search briefly into history; when for instance, Nigeria was purely an agrarian country with cotton, cocoa, palm kernel and groundnut pyramids as sources of earnings, the principle of derivation was meticulously practiced. It was the swan song of the day. It meant that wealth should go to where it is derived. Today, the Nigerian economy is well over 70 percent dependent on crude oil from a minority region with little or nothing to show for it in terms of the development of this region by the federal government.

During the era of British colonial rule, the principle of derivation was applied in the distribution of income from minerals and other export products. From 1946 to 1966, the average was 50

percent of derivation to regions in which minerals were mined. The federal government received about 20 percent on the average. This fair principle of derivation favoured the regions, encouraged healthy competition, and offered adequate funds for the implementation of ambitious development projects. The old Western Region made rapid advances in the area of education and social welfare on account of the regular large proportion coming to the government coffers. The principle of fiscal federalism was abolished by the military during the civil war. The obnoxious law that did this was the petroleum Decree 51 of 1969 which gave exclusive ownership of oil resources to the federal government. Although the Nigeria-Biafra war ended in 1970, forty-three years after, the law has remained intact.

Over the years, successive governments have enacted some drastic and arbitrary laws to deprive the Niger Delta people of their God-given rights and resources. Some of these oppressive laws include: The Offshore Oil Revenue Decree of 1971 by which the Federal Government appropriated all minerals in the continental shelf of the coastal or littoral states. The National Inland Waters Authority Decree 13 of 1977 which makes all navigable waters the property of the Federal Government. About half of the territory of the Niger Delta is made up of water. Indeed, the Niger Delta, with the largest number of rivers in the world, is the prime loser in all these marine laws. The Federal Government has not only taken over ownership of all oil minerals, it has also taken over the water resources in their territory. Clearly, these repressive laws must be repealed if the leadership of Nigeria is serious about addressing the imbalance in the structure of the country as it presently stands and uphold true federalism.

Back to the point of our argument, as regards revenue allocation based on the principle of derivation, Nigeria has not actually done well enough to reflect the tenets of distributive justice. As we have stated earlier that before now derivation was 50 percent in 1960, later it went down to 1.5 percent, 3 percent, and currently to 13 percent. This is unjust and inadequate; a fair of increase up to 50 percent as it obtains in 1960 is adequate and just. Let us be specific in the area of the sharing of oil money or revenue, the North-East contributes zero percent but receives 16 percent; North-Central receives 20 percent but contributes zero percent; North-West contributes zero percent but receives 21 percent. In every month, the 19 Northern states of the country receive a minimum of 57 percent of the total oil revenue to which they contribute zero percent. The South-West receives 16 percent but contributes 3.97 percent; South-East receives 11 percent but contributes 25.07 percent, while South-South receives 15 percent but contributes 70.64 percent. Is this the true meaning of justice?

There is no trace of distributive justice in the creation of states and local government councils in Nigeria. All there is, is a lopsided politics of imbalance where areas in the country which contribute little or nothing to government income get more states and councils. The ultimate goal is to divert oil money from the Niger Delta to develop the power zones of the country. Kano state for instance has 44 councils and Bayelsa state has only 8 local government councils. And at every revenue sharing exercise, Kano state is entitled to 44 portions as against Bayelsa entitled to only 8 portions. Nigeria has 774 local government councils, out of which the Northern part of the country has 419 local government councils while 357 local government councils are for the Southern part of the country. In state creation, the Northern part of Nigeria has 19 states, while the South has 17 states. In fact, it is quite unfortunate that this country has not been just to the Eastern part of the country. It is on record that while other geopolitical zones

of the country have six states or more each, South Eastern geopolitical zone of Nigeria is the only zone with five states. This is clearly a serious imbalance and injustice that needs to be corrected urgently to reflect the principles of justice and fairness.

Nigeria is about the only federation in the world where the constituent states are allocated revenue from the centre, rather than the states generating their own revenue and paying royalties and taxes to the central government. This should be reversed and the principle of derivation, which is a cardinal principle of federalism enshrined in our constitution, should be practiced. Since derivation was the main principle of sharing revenue before the discovery of oil in exportable commercial quantities, it should equally be the operating principle for the Niger Delta and other regions of the country that contributes to the economic wellbeing of the country.

Again, power sharing is also at the heart of distributive justice. Unfortunately, the issue of power sharing had been part of the larger political problem in Nigeria. It is normally supposed to be a good political agenda designed to open up opportunities to the disadvantaged communities, and give all ethnic nationalities almost equal opportunity to manage the affairs of the nation. But it seems there is no balanced polity in the structure of political power in the country. In the House of Representatives for instance, there are total of 360 members, out of which only 169 represent the entire South, while the North has 191 representatives. The question therefore is, how possible can the North be upstaged in an issue of voting especially during the election of principal positions. The issue is also not different with the Senate. Rotational presidency and other key positions will help to restore peace and trust in the country. Even Aristotle says it that it is a very risky mistake and morally unacceptable to allow power to always recycle between and among the same people in government, and that the appointment of office holders should not always be the same people. He puts it thus: “Risky too is Socrates’ way of appointing the rulers; they are not to be the same people. This is a sure source of faction, even among those of no standing – the warlike and spirited” (*Politics* 1246b2). But in Nigeria, power is retained in circular turns by the same people in government, and the appointment of office holders always come from among the same people. This makes it possible for those at the helm of affair to exploit the instrument of state power to promote their personal agenda, making corruption a norm thereby profiting from their office. It is wrong for public office holders to take advantage of their position to enrich themselves, rather they should use their office or position to serve humanity and engender development without holding it to a standstill (*Politics* 1308b32).

The point is that justice, especially distributive justice lies in the foundation for the achievement of a well-ordered society because it provides a mutually acceptable point of view from which citizens’ overall claims can be adjudicated. It provides a framework for the legitimate use of political power in society.

Conclusion

Justice and rule of law will enhance the re-ordering of politics in Nigeria and strengthen our democratic governance. The significance of this research rests on the fact that even with the institution of democracy in the country; Nigeria seems to function as though there is no law in existence. The country seems to be lawless and lawlessness seems to be lawful in the hands of the top political class, the rich and powerful; and her law courts seem to be afraid to dispense

justice despite their role to ensure that justice is done. When law, justice and equity are dethroned the twin evils of bribery and corruption must surely be enthroned. Human actions must be regulated by law and sustained by the idea of justice. This means that the sense or idea of law and justice are inevitable in human political society for development and preservation. Law is politically constitutive. In modern Nigeria, where politics has been given a distinctive form, practice and content, where the political actors have created a realm in which the politics of power and interests is subordinate to the politics of norm, rule of law will structure, condition checkmate and constrains them and their actions. Law shapes politics through its role of justification, legislation and structure of obligation, and serves as a discursive medium in which political actors are able to make, address and assess political issues and claims.

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