

## **Rule of Law: Elixir for National Development in Nigeria**

**Yusuf Oke LAWAL, PhD**

Faculty of Law

Olabisi Onabanjo University, Ago Iwoye

Email: [jega777@yahoo.com](mailto:jega777@yahoo.com)

### **Abstract**

*The preponderance of arbitrariness of government functionary in Nigeria is an abeyance of the rule of law. No doubt, constitutional adherence of the rule of law protects rights and privileges of both the leader and the led as contained in chapter IV of the 1999 constitution of Federal Republic of Nigeria 1999(as amended). But, abnegation of the supremacy of law results in high wave of corruption, injustice, inefficiency and infringement of fundamental rights where laws are subjugated to the whims and caprices of political leaders and bureaucrats thereby engendering socio- economic well-being imbalance and political instability. This study examines the role of the rule of law on national development in Nigeria. It employs content analysis and relied on information from archives. The study concludes that absence of tranquility and orderliness are dynamics of arbitrariness of the rule of law. The study therefore recommends that law makers and top government functionaries should be subjected to the rule of law to facilitate stability, peace, orderliness and good governance which are veritable tools for national development*

**Key words:** *Rule of law, National Development, Constitution, Supreme Court Judgment*

### **1. Introduction**

Rule of law is expected to be a prevailing concept and guiding principle in governance, particularly in Nigeria with practice of federal system of government. In a democratic entity, the utility value of the rule of law cannot be overemphasized otherwise; there would be stagnation and disorderliness. Nigeria being a heterogeneous society has a strong covariance with preponderance of arbitrariness of government functionary in discharging their duties. Rule of law which is observance and supremacy of civil laws, and reasonably justifiable in a democratic society is in abeyance. According to Professor Wade, it is expected that all activities of government must be conducted within the frameworks of defined rules and regulations. And, for any enacted acts or laws to be valid, it must be consistence with the groundnorms(constitution), otherwise such acts or laws shall, to the extent of inconsistency be void (section 1(3) of the 1999 constitution).

Rule of law means law rules and reigns with absence of arbitrary action (Nwabueze,2007). Where there is proliferation of arbitrariness, it then implies “rule by force”. This arbitrariness and instances of breach of the rule of law is traceable to the military regime (Akanbi & Shehu 2012). Over the years, Nigeria has experienced tyrannical rule. Suspension and modification

of some parts of the constitution via decree ousted the supremacy of the constitution. Today, the experience was perceived responsible for insecurity that transcended all levels of government (Federal, State and local government).

In 20<sup>th</sup> October, 2020, the entire nation unanimously protested against bad governance tagged “ENDSARS” where Nigeria youths across the cardinal compass of the country resolved to put an end to all forms of Police brutality, wanton killing and high insecurity in the system, but were massacred in the process. This was a practical display of rule by force and outright suspension of rule of law. Contrary to Section 14(1)(b) of the constitution of Federal Republic of Nigeria 1999 (as amended) which states that “the security and welfare of people shall be the primary purpose of government”. Abeyance of the rule of law brings about a chaotic situation, while, understanding the basic principle of rule of law is the beginning of freedom, peace and stability. The Supreme Court decision in **AOKO V FAGBEMI (1969)1 ALL N.L.R. 400**, gave credence to the constitutionality of the rule of law, and more importantly chapter four of the constitution of the Federal Republic of Nigeria 1999 (as amended). It ruled out the possibilities of ultra vires in the administration of justice. Thus, “injustice everywhere is a threat to justice anywhere”.

According to Max Weber, rule of law is described as a rational legal system. Every rational nation must therefore uphold the rule of law as a key principle of the legal system and national development. However, the principle of rule of law has generated a lot of controversy amongst researchers as a panacea for national development. This controversy emanates from divergent standpoints: theoretical standpoint and the practical standpoint. The theoretical facet is linked with explanations offered by Albert Venn. No doubt, the full application of the concept is likely to send jitters into governments spines because the central point there is succinctly put by Stone as being that state officials and ideally state organs themselves must be answerable in the courts like all other persons and bodies Dicey (Sokefun, Oyakhiromen, Ige and Obayemi, 2008)

The experience in Nigeria is to the contrary as successive administration in the country often violates the concept with carelessness and recklessness (Akanbi & Shehu 2012). Law means the rules and regulations of a particular country. Thus, these rules are usually made by the government to regulate the behavioral pattern of a society, given a legal principle. It then implies that law refers to holistic system of rules and regulation of a country.

Most developed nations operate a very strong rule of law, while the developing nations often find it difficult to adhere to the rule of law because of the weak nature of adherence to the rule of law. For instance, quite a number of people in Nigeria do not have confidence that the law will take proper care of the society to engender the desirable development. Hence, tends to disobey the law.

Researches have shown that there are two schools of thought in the interpretation of the rule of law –formalistic and substantive interpretations. The formal conception of rule of law averred the actual stipulations of the law and the generally accepted legal procedures in the interpretation of laws. The formalistic school emphasized how laws are interpreted in consonance with the formal criteria in legal system which must be universal, public, objective, and pre-established (Anyaehe, 2012).

In the legal parlance, three canons of interpretation were identified: Literal rule, Golden rule and Mischief rule. Application of these canons establishes the fact that there should be no consideration of factors beyond the facts and procedure of the legal system. The ethical and other values not explicitly recognized by the legal system are not considered in the interpretation of the law. It disallowed personal discretions; passion and emotional attraction in taking decisions, as the legal system embraces the principle of common law. The central point in this concept of rule of law is establishment of formal and procedural justice and application of rule of law which shape the institutional order of a legal system (Shen, 2000).

Conversely, substantive conception of rule of law focuses on justice and fairness. It is synonymous to equity. It establishes the spirit of the law in any given situation. The concept appreciates the fact that there are no situations that are exactly the same; therefore, the peculiarity of prevailing situation should be considered in the interpretation of the law. When a nation does not uphold the rule of law and gives right interpretation to its laws, arbitrariness in the decisions making of the officers may set in, thereby creating room for corrupt practices, particularly, in form of abuse of office, violation of people's rights, injustice, marginalization of minorities and inconsistency of government policies and actions which are social evils endemic.

Admittedly, the rule of law is expected not to be exclusively preserved for any single government (Akanbi & Shehu, 2012). It must transverse all actions and jurisdiction as a universal concept; this is because the International Commission of Jurists has on three occasions attempted to throw light on the doctrine. Firstly, in Athens 1955, where the Commission declared that “the rule of law means that law must bind the state like the governed, and all governments must respect individual rights, provide effective means of enforcing such that judges must adhere to the rule of law and adjudicate without fear or favor” (Akanbi & Shehu 2012). They must resist attempt from any quarter to jeopardize their independence in the performance of their function and duties. Globally, Lawyers must guide the independence of their profession and uphold the rule of law in their professional practice. Both the three arms of government (Legislature, Executive and Judiciary) must adhere strictly to the rule of law including the government functionaries no matter important or highly placed in the society.

Secondly, 1959 conference in Delhi, India, was a turning point where the meaning and scope of concept was re-evaluated. Thus, “the rule of law is recognized as a dynamic concept for the expansion and fulfillment of which jurists are primarily responsible and which should be employed not only to safeguard and advance civil and political rights of individual in a free society but also to establish social, economic, cultural and educational conditions under which his legitimate aspiration and dignity may be realized” (International Commission of Jurists, 1959).

Lastly, the 1961 conference held in Lagos, Nigeria, where Delhi declaration was re-examined and communiqué documented and captioned “The Law of Lagos” it was declared that “the concept is a dynamic concept which should be employed to safeguard and advance the will of the people and the political rights of the individuals to establish rights of the individual and to establish social, economic, educational and cultural condition under which the individual may achieve his dignity and realize his legitimate aspirant or independent.” (International Commission of Jurists, 1961).

Therefore, rule of law demands equality before the law where law is no respecter of institution or persons. Administration of governance must be in accordance with the law and not by the whims of any person. Hence, law is supreme and governs even the, president, governors, legislatures and judges whose powers and functions are to ensure security, orderliness, peace, unity and administration of fair justice. Unfortunately, there is a limitation in the cross fertilization of the key actors in the economy viz: household, industry and government through non-performance of the centripetal force-government at optimal level to propel the synergy among the actors It is against this background that the study examines rule of law as a veritable instrument for national development.

## **2. Conceptual Framework**

### **Rule of Law**

The concept of the rule of law wouldn't be succinctly appraised without background of law. The definitions of law possess philosophical questions such as; what distinguishes law from another social rule? What is the interrelationship between law and other social factors in the society? To provide answers to the questions, it would be sufficient to consider the features of law.

Law is a body of rule as it contains in several sources such as constitution (Sanni, 2006). It is man-made and adopted by the society itself to govern. Law is Normative in character as it is a system of rules. It has element of coercion where breach of legal rules is usually enforced by means of sanction via organized institution such as Police force. Law has a territorial limitation to guide the conduct of the people of a particular society. Hence, law is not static but dynamic since it is meant to regulate the behavior of man in the society (Sanni, 2006). Law is a

command that is definite, public, predictable, authoritative, obligatory, and universally applicable with element of sanction. It allows orderliness, and justice system of administration. Law is established to create enabling environment for peaceful co-existence of members of a society by stating the guidelines for acceptable interpersonal relationship. It is codified to ensure maintenance of social justice, harmonious peaceful co-existence and progress of the society. More importantly, once law is established, it has to be obeyed by both the leader and the led to achieve a desired national development.

The positivist school such as John Austin, who propounded command theory of law, defines law as a command sets by superior being to inferior beings and is enforced by sanctions. In this wise, the superior being is the sovereign, while the inferior beings are his subjects. While the naturalist school, such as Zeno, Thomas Aquinas and Grotius perceived law from natural point of view that law is a principle inherent in human existence that pave way for fairness, just or right. These scholars hold the view that there is certain objective principle in man, no matter his race or colour telling him what is fair, just and right. Thus, such instinct motivates him to do what is good and abstain from what is evil (Sanni, 2006).

Therefore, the principle of rule of law is as old as man. After creation, Man was mandated to obey God's ordinances from the Garden of Eden. Mosaic Law was instituted for man to be subjected to the natural law of the land. According to A.V. Dicey cited in Dayal (1981), the principle of the rule of law was described as one of the two basic principles of the English Constitution. Thereto, rule of law was described as the equality before the law or equality subjection of all classes to the ordinary law of the land administered by the ordinary law courts.

Rule of law means; no man is punishable or can be lawfully made to suffer in body or goods except for distinct breach of law established in the ordinary legal manner before the ordinary courts of law. This further implies that no man is above the law, every man in whatever rank or condition is subject to the ordinary law of the realm and amenable to the jurisdiction of the ordinary tribunals. Also, the general principles of constitution for example, right to personal liberty and right to public meetings are the results of judicial decision determining the right of private person in particular cases brought before court. This spirit of the Rule of law permeates the constitution with basic difference that the fundamental rights are as a result of written constitution and not judicial decision as in England.

Aristotle cited in Allen and Thompson (2011) postulated that "The Rule of Law is preferable to that of any individual". Adopting this theory to the Middle Ages periods, Bracton, in the 13th century noted that, "the King himself ought not to be subject to man but subject to God and the law because, the law makes the king". What this implies in essence is that government wields considerable powers while constitutions are concerned with the allocation of power and the control of its exercise.

Sokefun, Oyakhiromen, Ige and Obayomi (2008) argued that Rule of law means that law rules or reigns. This presupposes a situation where everything is done in accordance with law thereby excluding any form of arbitrariness. It argued further that the concept of the rule of law is of great antiquity. This is because, for many centuries, it was recognized that the state usually possessed enormous power which may be used to oppress individuals which has been a point of concern for both political and legal philosophers, who are in a continuous search for a suitable and somewhat permanent means of subjecting governmental power to control.

Lord Gardiner cited in Bradley and Ewing (2007) holds the view that rule of law is the maintenance of fundamental recommended procedure for interrogating person suspected of terrorism. He held the view in 1971 in Northern Ireland when the total arrested persons suspected of having acted prejudicial to the preservation of peace. About 342 men were arrested. Subsequently, the total rose to 980, while 299 of those arrested were interned indefinitely while the remainder were held under temporary detention orders or had already been released. After the review of the process of interrogation, he submitted that the interrogating procedure was faulty and needed to be changed because of the absence of rule of legality.

Lord Diplock (1975) submitted that the acceptance of the rule of law as a constitutional principle requires that a citizen, before committing himself to any course of course of action should be able to know what are the legal consequences that will flow from it. But however, desirable it may be that discretionary powers of government should be controlled by rules, this is not attainable so long as the state has responsibilities for economic and social affairs. Malemi, (2017) argued that rule of law is the observance and supremacy of civilized law and absence of arbitrary laws and arbitrary actions. It is a rule of right and not rule of might where decisions are made by the application of known principles of civil laws without arbitrariness. This rule of law is applicable when a country is governed by civil laws which are reasonably justifiable in a democratic society with exclusion of arbitrary laws or arbitrary exercise of power by government. Thus, rule of law is the existence of principles of equality of citizens before the law, action according to law, respect for the decisions of the courts, respect for human rights where government powers and actions are based on law.

### **3. Evolution of Rule of Law**

The genesis of the rule of law presupposes the absence of arbitrary and capricious law, and traceable to the theories of early philosophers. Prominent jurists have devoted much attention to the study of the ideals of the rule of law. The Aristotle noted that: "The rule of law is preferable to that of any individual". Applying this theory to the Middle Ages period, Bracton, argued that, the King himself ought not to be subject to man but subject to God and the law, because the law makes the king. This was the extent to which the early philosophers could stretch the rule of law. Much later, John Locke on the same concept added that; "Freedom of men under government is to have a standing rule to live by, common to everyone of that

society, and made by legislative power created in it and not be subject to the constant and unknown arbitrary will of another man.

However, in the late nineteenth century A.V. Dicey described the principle of the rule of law as one of the two basic principles of the English Constitution. During the last three decades, prominent jurists have devoted much attention to the study of the ideals of the rule of law.

The Universal Declaration of Human Right, adopted in 1948 which was followed by the European Convention on Human Right, signed in 1950 recognized that, European countries have a common heritage of political traditions, ideals freedom and rule of law. The convention held that a convicted prisoner in the United Kingdom has a right to access a legal advice regarding a civil action against the prison authorities. It was held at the European Court of Human Right that in a civil matter, one can scarcely conceive of rule of law without there being a possibility of having access to the court. Both the convention and the case law of Strasbourg Court supported the analysis of the rule of law. They seek to protect individuals against the arbitrary or unlawful exercise of State power, and it requires national legal system to bear the primary burden protecting convention rights.

In Nigeria, the Supreme Court has emphasized on several occasions the importance and continuing relevance of the idea of the rule of law even in the context of a military government. A very careful analysis of this idea is topical in Nigeria going by its implication as provided in the 1999 Constitution Federal Republic of Nigeria. Rule of law upholds exercise of fundamental human right. It is the freedom of every law abiding citizen to think what to say at will on his lawful occasions without let or hindrance from any other person (Mowoe, 2008). The submission pointed to the facts that man must fall under one of the principles of the rule of law.

The right to personal liberty is one of the most basic of all human rights which also includes rights to movement and right to assemble and associate. No doubt, what constitute personal liberty varies from nation to nation, depending on constitutional provisions which have been variously interpreted in the United States. For example, in the case of **Adewole V Jakande (Alhaji) Governor of Lagos State**, rights were defined including right to personal liberty which means privileges, immunities, or merely freedom from bodily restraint. Also, it includes right to contract, occupation, acquire knowledge, worship, enjoy and have privileges recognized at law for happiness of free men. Freedom of men under government is to have a standing rule to live by common to everyone of that society, and made by legislative power created in it and not be subject to the constant and unknown arbitrary will of another man.

#### **4. Principles of Rule of Law**

Rule of law means the existence of several important principles in a country which includes:

- a. The Supremacy of the Law: Under this principle, Rule of law means the observance and supremacy of civil or regular laws, which are reasonably justifiable in a democratic society. John Locke (1632-1704) noted that “Freedom of men under government is to have a standing rule to live by, common to everyone of that society and made by the legislative power created in it, and not to be subject to the inconstant, unknown arbitrary will of another man”. Herring CJ Arthur Yates & Co Pty Ltd v Vegetable Seeds Committee averred that principle of English law is that what is done officially must be done in accordance with the law.
- b. Equality before the law: This principle of law holds the view of equality of citizens before the law, and not by favoritism. That is all persons in the society should be equal and subject to the law of the land. In **Gouriet v Union of Post Office Workers**, Lord Denning the position of the law on equality said that “To every subject in this land, no matter how powerful, I would use Thomas Fuller’s words of over 300 years ago: Be you never so high, the law is above you”.
- c. Action according to law: This principle holds the view that all policies, actions and things in society whether they are done by individual or government should be done according to law and governed by law.
- d. Respect for the decisions of Court: This principle holds the view that there should be respect for the orders, decisions and processes of the courts. This implies that a decision of the court must be obeyed. Nnamdi Azikiwe, the first President of Nigeria noted that “The judiciary is the bulwark of liberty of the citizens. That is, courts are meant to protect every citizen of their rights.
- e. Government according to the Civil law: This principle holds the view that government powers and actions should be based on law where its policies and actions are regulated by law. In **Okoroafor v The Miscellaneous Offence Tribunal & Anor(1995)4 NWLR Pt 387, P.59 at 73**, where it was held that in the realm of jurisprudence, statutes are binding on all citizens and the government unless there is a special provision that it does not bind the latter. Others include; (f) Respect for human rights and (g) Operation of a Constitutional and Democratic system of Government.

## **5. National Development**

National development is the capacity of the country to raise standard of living of its residents. This can be achieved by providing individuals with basic livelihood requirements and supplying them with employment. Development therefore means growth that creates positive and structural change in the economy. Economically speaking, a nation is classified to have experienced national development if it performs the following functions:

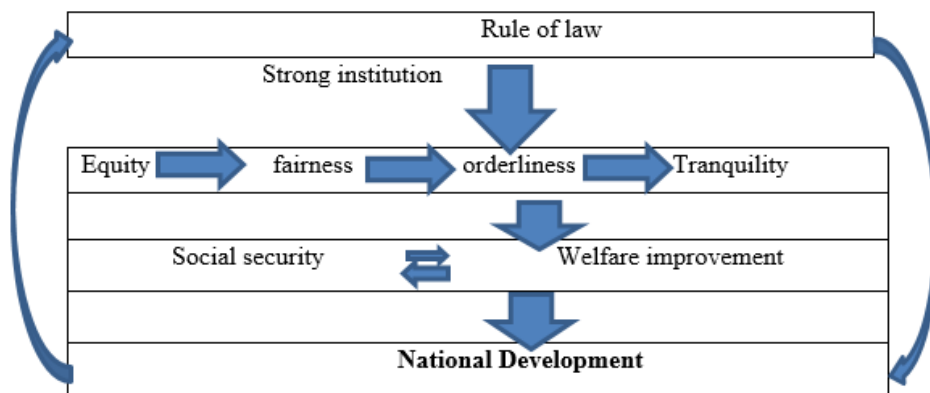
1. It provides social amenities to the people
2. It enhances even(equal) distribution of income
3. It enhances equal distribution of wealth.
4. It enhances security of lives and properties
5. It provides enabling environments for economic activities to thrive.

## **6. Rule of Law and National Development**

Several arguments have trailed globally that rule of law is not the only panacea for national development. For instance, the pedestal of China advancement in national development has not been attributed to the rule of law. Their development is perhaps attributable to investment in technical and vocational education. It has been argued that China has sustained continual development for over twenty years despite her poor record of rule of law (Anyaehe,2012). There is a crystal synergy among household, industry and government in terms of enabling environment.

Further arguments have advanced that, instead of rule of law leading to development, it is rather development that brings about rule of law. The argument circumnavigates around the position of Thomas Carothers that, until when people are developed that they can crave for sustenance of rule of law. This line of argument is rebuttable considering the relevance of rule of law for national development. It is irrefutable that rule of law is a key and essential ingredient of national development. To establish the significance of the rule of law, a critical evaluation of a tragic incident that is worth remembering of the arbitrariness of government in Nigeria was the Ogoni case which involves the late playwright Mr. Ken Saro Wiwa and 8 others, who were tried by the Ogoni civil disturbances tribunal. The defendants were sentenced to death by the tribunal in November 1995 and a few days to the expiration of their period of appeal, they were executed unexpectedly (Akanbi & Shehu 2012). The judicial responsibility of the courts was usurped by extra- judicial institutions. This clearly negates the concept of the rule of law. Thus, a situation whereby the chairmen and members of the tribunal oust their allegiance to secure conviction against the defendants brought before them in order to please the government of the day and flouted the environmental rights of Ogoni people created a huge injury to the rule of law.

Admittedly, it is not unusual in times of national emergency for government to make laws curtailing the civil liberties of the citizen for safety and security of the state, but exercising such power must be in accordance with the law and not to oust the principle of law. The arbitrariness of the then government, both local international organizations saw the need to advocate supremacy of the law and embrace the rule of law as one of drivers for national development.



Author’s design, 2022

### **7. Importance of Rule of Law**

- a. Rule of law provides an enabling environment for development. It brings about good governance that is characterized by accessibility, accountability, predictability, transparency and participation of the people (Morita and Zaelke,2008). Such a government maintains an open system that accommodates and harnesses criticisms and active participation of the people.
- b. Rule of law ensure security of life and property.
- c. Rule of law ensures prudent and thoughtful planning of government policies within the established laws which will bring about effective and efficient management of human, natural, economic and socio-political resources for equitable, balanced growth and development.
- d. Rule of law enthrones freedom as the demands of the law at public, commercial activities and people’s liberties are protected.
- e. Rule of law provides enabling environment for business to thrive where people can confidently engage in business and invest their resources.
- f. Rule of law improves investors’ confidence in a society and guide against apprehension of colossal lost.
- g. It embraces judicial procedure and defines rights and privileges of citizens.
- h. It promotes fairness, just and proper administration of justice system.
- i. It promotes equality of rights irrespective of status and sex

### **8. Conclusion**

Nigeria as a heterogeneous society with strong sectional loyalty in nation building needs a strong rule of law. The cleavages currently experiencing amongst the ethnics’ groups resulted from injustice occasioned by corruption, misappropriation of national heritage and arbitrariness in the government system. Adherence of the rule of law will no doubt, reduce the tendency of government functionaries to abuse their office for ethnic favoritism considering their allegiances to the constitution and rule of law. The supremacy of law prevails; any

disobedience to the constitution attracts severe punishments. Citizens must operate by the dictates and principle of law with zero tolerance to arbitrariness. Rule of law is opposed to rule of person. It allows a dictate of reason for maintenance of social order, harmonious co-existence, progress of the society and enhancement of human welfare. Hence, rule of law is a rule of reason, and the reasonability in the rule brings out the best in man with limited arbitrariness.

### **9. Recommendation**

Supremacy of law begets transparent, equality of rights and abridge the wide dichotomy between vocational and technical education and other higher institutions, accountable and inclusive government; thereby eliminates corrupt practices, injustice and arbitrariness of law which paves way for national development. Rule of law also upholds fundamental rights of citizen as enshrined in chapter four of the constitution of the federal republic of Nigeria, 1999 as amended. It removes fear of abuse of people's rights and uncertainties associated with rule by arbitrariness. It creates an enabling society where people know their rights and duties, and mode of operation of the government. It enthrones good and efficient governance which encourage people to invest in the society thereby promoting growth and development. Therefore, given the aggregated advantages of the rule of law, and totality of evidence adduced in the study;

1. Government is advised to uphold and strengthen the rule of law to foster secured environment for growth and development.
2. There is need for policy shift and legislation that will put vocational and technical education at the fore front, with certain percentage of the budgetary allocation to fund the vocational and technical institutions and provide enabling environment for entrepreneurial skill to thrive
3. There should be a synergy between the industry and vocational education institutions.
4. Parents are advised not to discourage practical skill acquisition of their children While policy makers are advised to encourage entrepreneurial skill at all levels

### **References**

- Akanbi, M.M. & Shehu, A.T.(2012). Rule of law in Nigeria. *Journal of law Policy and Globalization*; ISSN 2224-3259 (3), pp 1-9.
- Anyahie, M.C.(2012). Rule of law Panacea for National Development in Nigeria. Department of Philosophy University of Nigeria, Nsukka. Pp 1-9
- Allen, M. & Thompson, B.(2011). *Cases and Materialson Constitutional and Administrative law*. Tenth Edition, Oxford University Press. P.92&116.
- Bradley, A.W.& Ewing, K.D.(2007). *Constitutional and Administrative law* ; Fourteenth Edition, University of Oxford, London. Pp.93-94 &103.

- Bohannon, Paul, "Law and Legal Institutions" *International Encyclopedia of Social Sciences*, David L. Sills (Editor)(New York: The Macmillan Company and The Free Press, 1968, Vol.9
- Canivet, Guy, "Force of Law", [www.unep.org/Our\\_Planet/imgversn/153/canivet](http://www.unep.org/Our_Planet/imgversn/153/canivet), Retrieved, November, 2008
- Carothers, Thomas, "Promoting the Rule of Law Abroad: The Problem of Knowledge" *Rule of Law Series*, (No.34, Democracy and Rule of Law Project by Carnegie Endowment for International Peace. January, 2003), [www.carnegieendowment.org/publications/index.cfm?fa=view&id=1169](http://www.carnegieendowment.org/publications/index.cfm?fa=view&id=1169), Retrieved, August, 2008
- Diyal, S.(1981). *The Constitutional Law of India*. Department of law; Panjab University Chandigrh. Twelfth Edition, pp.52.
- Internet, "Rule of Law," *Wikipedia, The Free Encyclopedia*, [en.wikipedia.org/wiki/Rule\\_of\\_Law](http://en.wikipedia.org/wiki/Rule_of_Law), Retrieved, August, 2008
- Li, Bo, "What is Rule of Law?" *Perspectives* (Vol.1, No.5), [www.doge.us/govecon/what\\_is\\_rule\\_of\\_law](http://www.doge.us/govecon/what_is_rule_of_law), Retrieved, August, 2008
- Morita, Sachiko and Zaelke, Durwood, "Rule of Law, Good Governance, and Sustainable Development," [www.inece.org/conference/7/vol.1/05/Sachiko\\_Zaelke](http://www.inece.org/conference/7/vol.1/05/Sachiko_Zaelke), Retrieved, August, 2008.
- Malemi, E.(2007). *The Nigerian Constitutional law with Fundamental Rights: Enforcement of Procedure Rule-2009*. Third Edition, Faculty of Law, University of Lagos.p.107-111.
- Mowoe, K.M.(2008). *Constitutional law of Nigeria*. University of Lagos, Nigeria.pp319-320
- Sanni, A.(2006). *Introduction to Nigerian Legal Method*. Obafemi Awoloo University press limited, Ile-ife. Pp 4-15
- Shen, Yuanyuan, "Conceptions and Receptions of Legality: Understanding the Complexity of the Law Reform in China," *The Limits of the Rule of Law in China*, Edited by K.G. Turner, J.V. Feinerman and R.K. Guy, (Seattle: University of Washington Press, 2000).
- Stephenson, M(2008). "Rule of Law as a Goal of Development Policy". *Law and Justice Institutions*, [web.worldbank.org/.../EXTLAWJUSTINST/o,,contentMDK:20763583~menuPK:1989584~pagePK:210058](http://web.worldbank.org/.../EXTLAWJUSTINST/o,,contentMDK:20763583~menuPK:1989584~pagePK:210058), Retrieved, August, 2008
- Sokefun, J.A; Oyakhiromen, I. Ige, A. & Obayomi, O.(2008). *Constitutional Law*. First Edition; National Open University of Nigeria

- Thomas, Melissa, "Rule of Law in Western Thought," *Law and Justice Institutions*, [web.worldbank.org/.../o,,contentMDK:20763590~menuPK:1989584~pagePK:210058~piPK:210062](http://web.worldbank.org/.../o,,contentMDK:20763590~menuPK:1989584~pagePK:210058~piPK:210062), Retrieved, August, 2008
- Ademoyega, A. (1981), "Why We Struck, Nigeria", Ibadan: Evans Brothers, 8-32,
- Agbaje, F. (1995), "The Rule of Law and the Third Republic", In *Fundamental Legal Issues in Nigeria.N.L.R.ED. P Series No. 1*), 45
- Alexander A. Madiebo (1980), "The Nigerian Revolution and The Biafran War", Enugu: Fourth Dimension, Publishing Co., Ltd., 3-14.
- Anthony, M. (1988), "Freedom, State Security and the Rule of Law – Dilemmas of the Apartheid Society", London: Sweet & Maxwell, 219.
- Jegade, J.K. (1999), "The Rule of law in a Military Government: An appraisal". *Nigerian Law and Practice Journal*, 19.
- Kirk Greene, A.H.M. (1971), "Crisis and Conflict in Nigeria", vol. 1, London: Oxford University Press, 13-24.
- Nwabueze, B. (1985), "Nigeria's Presidential Constitution, 1979-1983", Ibadan: Longman Nigeria Ltd., 205.
- Shehu, A.T. (2009), "Constitutional Crises between the Executive and the Legislature 1999-2003", Unpublished Ph.D. thesis, Faculty of Law, University of Jos, Nigeria, 175-183.