

1: Abuja Declaration () - Politics - Nigeria

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It assumes also that political and constitutional experience and developments, though connected in several ways, are distinct and so can be isolated. Furthermore, it suggests, as Elias, Aguda and others explained, that political and constitutional experience and developments in Nigeria took a modern and new departure from the past. For Elias, the Nigerian Constitution of 1979 was "an epoch-making Constitution. Some aspects of this development will be discussed briefly here. The Constitution was not promulgated. The Constitution has given birth to the Fourth Republic, though with problems for which it faces demands for a revision or amendment. The first two of these constitutions were drawn up during civilian regimes while the last three were made or promulgated during military regimes. Some of the lessons learned by Nigerians during these exercises are enduring. The lessons have been taught and learned that no constitution is perfect; that ineffective constitutions can be amended or completely altered; that constitution-making, whether under a military or civilian regime, calls for adequate consultations and experimentation. Furthermore, as was the experience with the 1960 and 1979 Constitutions, any constitution that is hurriedly drawn up and not tried, stands the risk of failure when subjected to the pressure of political, legal, economic and social forces in and outside the society. Nigeria learned some lessons from the Western Region crisis of 1966 during which the Premier, late Chief S. Akintola, was removed from office by the Governor of the Region, Sir Adesoji Aderemi, through the exercise of executive powers. Also very instructive were the three important court cases that resulted therefrom: Nigeria has learned that political and constitutional conventions should be applied with restraint and, if possible, carefully guided by means of constitutional provisions; that no single individual, however dignified and trusted, should have the power to appoint or remove the Head of State or Head of Government; and, that a strong Republican Constitution should replace the old Monarchical Constitution inherited from Britain. These lessons served as the backdrop against which the Republican Constitution was drawn. The majority decision in *Akintola vs Aderemi* went in favour of Chief S. The Republican Constitution of 1979 was contemplated and later introduced to replace the Governor-General with a President. This further severed the links between Nigeria and Britain in political and constitutional matters. Subsequently, the Nigerian Supreme Court was fully Nigerianised. The abolition of the Parliamentary system of government in Nigeria on 1st October, completed the process of change from the old monarchical order, inherited from Britain, to a republican order. Thus, there is a departure from the British unwritten political and constitutional principle. She has also maintained two and as from 1979, three separate lists staling the functions of the Federal, State and Local Governments. In order to strengthen the hands and position of the Federal Government for purposes of legislation and control, Nigeria has adopted from America the doctrine of Repugnancy and from Australia, the doctrine of Covering the Field. By the doctrine of Repugnancy, the Nigerian Constitution maintains that any law which is inconsistent with the provisions of the Constitution, shall be void to the extent of the inconsistency. By the doctrine of Covering the Field, it is maintained that the Federal Government can legislate on any matter which it has legislative competence. Any State laws which are inconsistent with a Federal legislation on the same subject shall, to the extent of its inconsistency, be void and inoperative. Thus, politically and constitutionally, the Federal Republic of Nigeria is a strong Federation. From 1960 to 1979, the Prime Minister and his ministers sat in the legislature and formed the Government. They helped in making and enforcing the laws. Premiers and their ministers did likewise in the Regions. The parliamentary system in Nigeria took the form of the "Split Executive System". By 1979, she moved towards the American practice where stricter principles of separation of powers are practiced. They no longer sit in the legislatures. The independence of the judiciary has been reinforced in several cases, including *Kalu Anya v Borno State House of Assembly and Other*. The principle of Separation of Powers and the doctrine of Repugnancy were also reinforced. In *Balarabe Musa v Kaduna House of Assembly*, the principle of Separation of Powers and judicial respect for the Legislatures and their privileges were sustained. Nigeria has also maintained the concept or principle of the Rule of Law inherited

from Britain. Legislative supremacy is limited by the Constitution. Legislation declared by the courts to be in violation of the constitution are null and void. Adequate provision for the enforcement of the fundamental human rights of Nigerian citizens is made in the Nigerian Constitution and are regularly upheld by the courts when they are breached. The Nigerian Constitution also guarantees to Nigerian citizens the right to fair hearing and representation by counsel of choice. The Constitutional right to freedom of conscience and religion has been upheld by the courts. The Constitutional right to freedom of expression, movement and to hold opinions has also been upheld by the Courts. An attempt by the Minister of Internal Affairs to deport Shugaba Darman, purporting him to be a non-Nigerian, was declared null and void. Arbitrary executive action was, thus, successfully challenged and kept in check in line with the principles of the Rule of Law and supremacy of the Constitution. In addition, scandalous abuse of the constitutional rights of citizens has been frowned upon by the courts. The conduct of the Census was carefully planned and executed to the admiration of the majority of well-meaning Nigerians. The principle has been upheld that political, constitutional and socio-economic planning and development without a sound census or realistic population basis is doomed to fail. The issue was largely responsible for most of the political and constitutional problems between and . Efforts have been made to address the problem since through the process of creation of states and local governments, and the observance of the principles of Federal Character and Local Government spread as political and constitutional principles. The Murtala Mohammed regime created seven more States in , thus bringing the total number of states in the Federation then to nineteen. It also created a new Federal Capital Territory in Abuja. The Babangida regime raised the total number of states to twenty-one in and then to thirty in . The Abacha administration raised the number of states to thirty-six in October, . Since , the Local Government System in Nigeria has undergone radical reforms. The Babangida regime raised the number to in and to in , while the Abacha regime raised the number further to in . It received a boost consequent to the celebrated Foster-Sutton Commission of Inquiry in . Since then, the concept has been reinforced in practice. This is exemplified by the following: Decree No 43 of now abrogated on Civil Service Reforms had a schedule which dealt with accountability as a national issue with appropriate sanctions. The rules concerning accountability are now protected by several other laws and revised Civil Service Rules. In , the Obasanjo Administration introduced an Anti-Corruption bill to the Legislature in furtherance of the objective. The first was the Machiavellian model, characterised by uncertainty, prevarications and inability to fix a consistent handing over date. The second was a modified Egyptian or Abdul Nasser model, characterised by a tendency towards self-succession by the incumbent ruler or President. In the latter case, Babangida had, allegedly, hoped to obtain his endorsement as a civilian President for the Third Republic by an Act of the National Assembly. His choice was, obviously, the Egyptian model with a bid for self succession, this time around, by means of an election in which he was to be declared legally a "Consensus Candidate", adopted by the five government-approved political parties. He had almost achieved his aim, but on 8 June, , he died. General Abdulsalami Abubakar was the successor to General Abacha. He planned and implemented a programme that eventually brought in the Fourth Republic with Chief Olusegun Obasanjo as the President. This predisposed him to three obvious choices among the prevailing presidential power theories: He seemingly chose the inherent power model by which he hoped to return stability to Nigeria, do away with crippling redundant and conflicting laws; place the military in the barracks; retire the old guards; and maintain national boundaries within peaceful limits. There is every sign of success on its way, nationally and internationally. A National Rebirth Programme has been launched and its success demands the committed participation of all Nigerians. It is hoped that democratic government has, indeed, come to stay in Nigeria, with this Fourth Republic. The experience of constitution-making in Nigeria, though almost a generation and half old, still faces various problems. Among these are the controversies over the distribution of powers between the Legislature, the Executive and the Judiciary; Executive or Split Executive of the Presidential system; operation of the party system in its new form; the role of the Independent National Electoral Commission and the limits of its powers; and the choice of a satisfactory formula for political party formation that can guarantee stability and progress in the election of a President. In the last case, between and , Nigeria was ruled by a coalition between the dominant political parties in the North and the East to the exclusion of that in the

West. Between and , the Federal Government was largely a coalition between the North and the West, to the exclusion of the East. Furthermore, between and , the formula of the North-East coalition was revived with some recognition for the eastern minorities. With respect to the Third Republic, however, the formula was not clear until the collapse of that Republic. In the Fourth Republic, the formula of coalition between the West and the North has been revived but with considerable recognition for the East and the Minorities. In her political and constitutional experience and developments, Nigeria has passed the classical phase. She is now making progress, though not without considerable difficulties, through the later years of the human relations phase. Hopefully, in no distant future, she will reach the dawn of the systems phase, now in vogue in the industrialised countries of the world. Hurst and Company, Pp I I -

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Provided that the President shall within seven days of actual combat management obtain the consent of the Senate. Provided that nothing in this section shall be construed as conferring on the National Assembly power to remove the Governor or the Deputy Governor of the State from office. It shall be the duty and responsibility of all organs of government and of all authorities and persons, exercising legislative, executive or judicial powers to conform to, observe and apply the provisions of this Chapter. The foreign policy objectives shall be - a promotion and protection of the national interest; b promotion of the total liberation of Africa and support of African unity; c promotion of international co-operation for the consolidation of universal peace and mutual respect among all nations and elimination of racial discrimination in all its manifestations; d respect for international law and treaty obligations as well as the seeking of settlement of international disputes by negotiation, mediation conciliation, arbitration and adjudication; and e promotion of a just world economic order. The State shall protect, preserve and promote the Nigerian cultures which enhance human dignity and are consistent with the fundamental objectives as provided in this Chapter. The press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in this Chapter and highlight the responsibility and accountability of the Government to the people. For the purposes of this Chapter, a parent or grandparent of a person shall be deemed to be a citizen of Nigeria if at the time of the birth of that person such parent or grandparent would have possessed that status by birth if he had been alive on the date of independence; and in this section, "the date of independence" has the meaning assigned to it in section 25 2 of this Constitution. Provided that a judicial inquiry to determine the cause of the death of such person shall be held within one month. Provided that a person who is charged with an offence and who has been detained in lawful custody awaiting trial shall not continue to be kept in such detention for a period longer than the maximum period of imprisonment prescribed for the offence. Provided that - a a court or such a tribunal may exclude from its proceedings persons other than parties thereto or their legal practitioners in the interest of defence, public safety, public order, public morality, the welfare of persons who have not attained the age of 18 years, the protection of the private lives of the parties or to such extent as it may consider necessary by reason of special circumstances in which publicity would be contrary to the interests of justice; b if in any proceedings before a court or such a tribunal a Minister of the Government of the Federation or a Commissioner of the Government of a State satisfies the court or tribunal that it would not be in the public interest for any matter to be publicly disclosed, the court or tribunal shall make arrangements for evidence relating to that matter to be heard in private and shall take such other action as may be necessary or expedient to prevent the disclosure of the matter. The privacy of citizens, their homes, correspondence, telephone conversations and telegraphic communications is hereby guaranteed and protected. Provided that no person, other than the Government of the Federation or of a State or any other person or body authorised by the President, shall own, establish or operate a television or wireless broadcasting station for any purpose whatsoever. Every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any other association for the protection of his interests: Provided that - a the provisions of this section shall not derogate from the powers conferred by this Constitution on the National Electoral Commission with respect to political associations to which that Commission does not accord recognition; and b a person elected to a legislative house on the platform of a political party shall not be entitled to join or declare himself to be a member of the other political party until the general election next following his election. Provided that there is reciprocal agreement between Nigeria and such other country in relation to such matter. Provided that nothing in this section shall authorise any derogation from the provisions of section 32 of this Constitution except in respect of death resulting from acts of war or authorise any derogation from the provisions of section 35 7 of this Constitution. Subject to the

provisions of Chapter 1X of this Constitution, the House of Representatives shall consist of members. There shall be a Clerk to the National Assembly and such other staff as may be prescribed by an Act of the National Assembly, and the method of appointment of the Clerk and other staff of the National Assembly shall be as prescribed by that Act. The business of the National Assembly shall be conducted in English, and in Hausa, Igbo and Yoruba when adequate arrangements have been made therefor. Any person who sits or votes in the Senate or the House of Representatives knowing or having reasonable grounds for knowing that he is not entitled to do so shall be guilty of an offence and shall upon conviction be liable to such punishment as shall be prescribed by an Act of the National Assembly. Subject to the provision of this Constitution, the Senate or the House of Representatives shall have power to regulate its own procedure, including the procedure for summoning and recess of the House. The Senate or the House of Representatives may act notwithstanding any vacancy in its membership, and the presence or participation of any person not entitled to be present at or to participate in the proceedings of the House shall not invalidate those proceedings. The Senate and the House of Representatives shall each sit for a period of not less than days and not more than days in a year. Subject to the provisions of section 70 of this Constitution, the National Electoral Commission shall - a divide each State of the Federation into 3 Senatorial districts for purposes of elections to the Senate; and b subject to the provisions of Chapter 1X of this Constitution, divide the Federation into Federal constituencies for purposes of elections to the House of Representatives. No Senatorial district or Federal constituency shall fall within more than one State, and the boundaries of each district or constituency shall be as contiguous as possible such that the number of inhabitants thereof is as nearly equal to the population quota as is reasonably practicable. Where the boundaries of any Senatorial district or Federal constituency established under section 69 of this Constitution are altered in accordance with the provisions of section 71 of this Constitution that alteration shall come into effect after it has been approved by each House of the National Assembly and after the current life of the Senate in the case of an alteration to the boundaries of a Senatorial district or the House of Representatives in the case of an alteration to the boundaries of a Federal constituency. For the purposes of section 70 of this Constitution the number of inhabitants of Nigeria or any part thereof shall be ascertained by reference to the census of the population of Nigeria or the latest census held in pursuance of an Act of the National Assembly after coming into force of the provisions of this Part.

3: Constitution of the Federal Republic of Nigeria | ConstitutionNet

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The rights and duties of citizens are enshrined in the constitution. No country in the world can function without constitution. A constitution can be written or unwritten, rigid or flexible, unitary or federal. In Nigeria, our constitutional developments are in two phases. The first phase was the period of colonial rule British rule and the second phase was when Nigerians gained independence post independence era. Lagos was made a crown colony. It was regarded as British territory and was directly controlled from Britain. The Nigerian Coast Protectorate was formed in and this marked the formation of real government by the British. The Royal Nigerian Company was given a charter to trade and administer this area. The charter was withdrawn in Lagos colony was added to the Niger Coast Protectorate. In , the Northern and Southern protectorate were joined together and the name Nigeria was given and Lord Lugard became the first Governor General. Nigeria gained independence from the British government on October 1st and became a republic in The Nigerian council was the first body established to discuss the affairs of Nigerian and Nigerians could freely express their views on matters of interest they could not achieve much because it was dominated by British people. Fifteen of these non-officials were Nigerians and non-Nigerians nominated by the governor represent various commercial and mining interest. It is to date, that Clifford constitution is the longest lasting constitution in Nigeria. Bernard Bourdillon, the governor of Nigeria between and , prepared room for the constitution. He appealed to the northern leaders to join the southern leaders in the legislative council in Lagos. He left Nigeria in , and it was his successor, Arthur Richards who continued the work and presented a new constitution in which took effect from January Consultations were made at various level and the draft of the new constitution was approved by regional assemblies and central legislative council before final submission to the governor. The new constitution came into effect in These decisions made up most of the new constitution which came into effect in October The conference took place in London between May 23 and June 26, and came out with the following resolutions. The independence constitution of , though still a colonial constitution put Nigerians in charge of their own government Feature of the independence constitution of 1. The constitution introduced a parliamentary system of government 2. It established two legislative houses at the federal and regional levels 3. It retained the federal structure with the regions having residual powers 4. The governor " general was made the ceremonial head of state 5. It included fundamental human right in line with decisions at the constitution conference. The independence constitution made Nigeria an independent state 8. Her majesty, the Queen of England remained the Head of state but was represented by Nigerian Governor General while the prime minister was head of government. The Republican Constitution of on 19 September , the Republican constitution was passed into law by the federal parliament and became operational on 1 October 1st, , the government in Nigeria was a constitution monarchy government under a king or queen according to constitution and not tradition. The Queen of England was the recognized Head of state of Nigeria. After the military took over governance in and the Republic. Constitution was set aside there were many steps taken towards the drafting of a new constitution for Nigeria. It was the Murtala- Obasanjo regime which came in that established a 49 members constitution drafting committee chaired by F. It was completed by and approved by Obasanjo regime. It was adopted as the constitution of the second republic on the 1st of October , the same day the military handed overpower to the civilians. The constitution adopted the constitution with some amendment. Main features of presidential constitution. Features of post independence constitution in Nigeria. Independent Nigeria has so far experimented with five constitution, the , , and constitutions. The constitution has given birth to the fourth republic the first to of these constitutions were drawing up during civilian regimes while the last three were made or promulgated during military regime. They were all written by Nigerians, in Nigeria and for Nigeria people. In Nigeria, the constitution is the highest authority that determines the constitution also means that the provisions apply to all states and all individuals. The federal states and local government abide by the provisions of the constitution and are subject to it. No Citizen of

MAKING OF THE 1989 CONSTITUTION OF NIGERIA pdf

Nigeria. Is above the constitution no matter his ethnic, origin, religion, status, age or connections. Everybody is equal and subject to the constitution. No one is superior to others before the law of the land. The supremacy of the constitution is binding force on all persons in the country. Our constitution is a mark of identification as a sovereign nation. Your use of any of these sample documents is subjected to your own decision NB:

4: African Heritage: History of Constitutional Development in Nigeria, An Overview

The Constitution of Nigeria is the supreme law of the Federal Republic of Nigeria. Nigeria has had a series of constitutions. The current constitution was enacted on 29 May, inaugurating the Nigerian Fourth Republic.

Make I c their legs for ala ndigbo. Dem go hear am. Abuja Declaration by abfirstlady: They wan islamise africa abi? Pls try and listen to the tape nd find out the way ndigbo will be islamised i. The east should xpect naira rain nd nt bomb. Besides, some ebony boys accepted islam in Abuja recently after been given N5million each by northern govns. Abuja Declaration by iconize m: Just listened to the message. Christians should be vigilant and also strong in prayer. Visit this site www.abuja.declaration.com. Abuja Declaration by mez m: The page this guy based is arguments on wikipedia. All the ref pages and domain are not working Abuja Declaration by Nobody: This ia a serious lie and propaganda by the political machine ahead of plan for GEJ We started the agitation before Jonathan came! Islam has been a problem in Nigeria ever since I was a kid! What caused the "Reihnhard Bonke" riots in Kano? Christian were killed in hundreds just because they were planing for a crusade. Check the history of the killings and riots in Northern Nigeria, then you will know that Islam is darkness personified. You guys should stop living in denial! Before you talk like this, refer to ISIS and how they overran a whole country. Ala ndigbo cannot protect you o! Abuja Declaration by sademola: All ya should use your heads well. Leave religion and ethnicity alone be your self. Enemies of Nigeria want to use divide n rule. Abuja Declaration by dealslip f: Be wise That is why there is so much violence in the country. Abuja Declaration by sijinius m: They also believe a Northerner should always rule. What the name of that new entity will be, i dont know. Abuja Declaration by Nosu m: If u have brain, then you will know that they is something truly fishing abt this islamic people and the article. Anyway sha, I knew long ago that they want to islamise the country and I am glad this is coming at this time. Abuja Declaration by Yujin m: Their desperate attempt at hiding the truth is useless as we have clear evidence of their intents. To my Igbo brothers, it is not about ethnicity alone. From western Nigeria to the middle belt, when the clarion call is heard do not be found wanting. The joy of the Lord is our strength and if we stand together, victory is certain. Abuja Declaration by olu4life m: Its been truly deleted. Well its here Re: Abuja Declaration by SkySpirit m:

5: Third Nigerian Republic - Wikipedia

CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (PROMULGATION) DECREE Decree No. 1 WHEREAS the Federal Military Government of the Federal Republic of Nigeria in compliance with the transition to Civil Rule (Political Programme) Decree , set up the Constitution Review Committee to review the Constitution of the Federal Republic of Nigeria in line with the accepted recommendations.

History of Constitutional Development in Nigeria, An Overview Constitutional History of Nigeria, an Overview Many centuries before European imperialism in Africa, the unlettered people of Africa had been governing their societies through unwritten constitutions derived from their cultures, customs and tradition. The constitutional history of Nigeria began with the conquest of Lagos in by the British. A Legislative Council comprising a Chief Justice, Colonial Secretary and a senior military officer commanding the imperial forces, was introduced Olusanya: The Legislative Council was charged with the responsibility of advising the governor in framing legislation for the colony Coleman: Until , the Legislative Council was dominated by the repatriates. One major factor that determined the exclusion of the indigenous people from the Council was the Western education which was the necessary prerequisite for effective participation. Even, the few educated Africans [1] that made appearance between and in the Legislative Council were all repatriates Olusanya: For instance between and , the unofficial members of the Legislative Council, A. Porter, an English merchant, G. Hutchinson and Captain J. Davies were wholly expatriates. Between and , the colony lost its unofficial nominations into Legislative Council as a result of the British administrative strategy in which Lagos was merged administratively with the Gold Coast. The coalescing of both Lagos Colony and the Southern Nigeria Protectorate in extended the jurisdiction of the Legislative Council to the latter. Significantly, the amalgamation of the Colony and the Southern Nigeria Protectorate meant increase membership of both official and unofficial representatives in the Legislative Council. The official members became ten while the unofficial members were six. Despite growing number of the membership, the function of the Council did not extend beyond advisory role. Still, the amalgamation of Northern and Southern Nigeria Protectorate in did not usher in any improvement on the function of the Legislative Council. In fact, the competence of the Council which covered the Southern Nigeria Protectorate before was truncated by Governor Lugard Olusanya: The creation of the Nigerian Council for the rest of the country, i. The Nigerian Council consisted of twenty four official members and twelve unofficial members. Of the twelve unofficial members, six were Europeans representing economic interest of colonial government; the remaining six were first class Nigerian chiefs Tamuno: By , the Council was abandoned due to the perpetual absence of traditional chiefs who because of language barrier found the legislative proceeding boring Coleman: A few points could be observed from the Constitutional History of Nigeria before First, the Legislative Councils established by the colonial administration were not true representations of the people of Nigeria as they were dominated by official members. Even those Africans that were later allowed to participate were not only repatriates but also nominees of the governor. The inclusion of the traditional chiefs in the Nigerian Council, though a welcome idea, was no more than a cosmetic measure as they were unable to understand, least contribute to the legislative debate. More importantly, the legislation by the Council was no more than window dressing as no resolution passed by the Council could take any effect without the ratification of the governor. Hence, in reality, the Legislative Council and the Nigerian Council were advisory boards to the governor. Finally, the people for whom legislations were been enacted were not informed, and were least involved. Thus, whatever constitutions handed down by the British colonial administration before violated the true principle of constitutionalism which places people at the centre of law. But in fairness to the colonial administration, the western-style constitutional process was at that nascent stage strange to Nigerians and required gradual learning and training. Nevertheless, the pre colonial legislation was not without advantages. First, the introduction of the Nigerian Council in was an indication that the colonial government was not unaware of the need for public opinion. Hence, the advisory role played by the Council. Second, the increase in the number of unofficial members of the Legislative Council started from represented an increase of African participation in

their domestic affairs. The Clifford Constitution of 1914, having recognized the failure of both the Legislative Council and the Nigerian Council in providing criticism of government policies and a check upon official extravagance, Sir Hugh Clifford proposed substitution of Nigerian Council with a new Legislative Council whose jurisdictions would at least cover the whole South. The difficulty involved in the size of the country, poor transportation and communications, cultural diversity and legal differences between the colony and the Islamized North were among reasons for the exclusion of the Northern Province from the Legislative Council. However, the annual budget, expenditure and custom duties that concerned the North were also discussed by the Council. The Clifford constitution was important in that it embodied for the first time the principle of election in Nigeria. Of the 46 members of the Legislative Council- 27 unofficial and 19 official - four of the unofficial members were elected through limited male adult franchise; three from Lagos and one from Calabar. The Clifford constitution also established an Executive Council to advise the governor. It was not until after that the first two unofficial Africans were appointed into the Executive Council Okonkwo: Another major effect of the constitution was that it stimulated the formation of political organizations in the country such as the NNDP. This constitution remained operative for 25 years. The constitutional proposal was in response to the demand and agitation by some sections of the country, particularly the more educated south for either self-government or more participation in government. The proposals for the new constitution which was already been prepared by the previous Governor, Bernard Bourdillon, was presented to the Legislative Council of Nigeria on March 6, 1914. Perhaps the most distinguished feature of Richard constitution was regionalism. It has been argued that the inclusion of the principle of regionalism in the constitution was a compromise between the radical regional separatists who preferred three strong states and the federalists who wanted the Native authority system linked with the central parliament Coleman: Nevertheless, the stated objectives of the constitution as presented in the white Paper were: As observed by Coleman First, the idea of regionalism would at least partially assuage the nationalist agitation. Second, it would ensure that the Legislative Council did not grow too large and unwieldy. The composition of the new Legislative Council included the Governor, 16 official members and 28 unofficial members, 24 of whom were nominated by the Governor and the remaining 4 elected. In addition to two official members, the Northern Province was represented by nine unofficial members. The Western and the Eastern Provinces were equally represented by two officials each and six unofficial and five unofficial respectively Okonkwo: Unlike previous constitutions, the Richard Constitution had a few advantages. First, the constitution integrated both North and South for legislative purpose. It was also a constitutional advance for Nigeria as the Central Legislative Council was empowered to legislate for the whole country. The constitution also introduced Regional Councils. Lastly, the creation of Regional Council brought government closer to the people of Nigeria. The constitution was criticized for a number of reasons. First, the claim that the constitution increased the participations of Nigerians was a false claim as majority of unofficial members were nominated by the Governor and even in reality were traditional chiefs who had problem to communicate in English language. Second, the election principle under the constitution did not extend beyond limited franchise even though income qualification was reduced. Third, the elections of the four unofficial members were limited to Lagos and Calabar. Also, there was no proper consultation of the indigenous people as promised by the previous Governor, Sir Bernard Bourdillon. Perhaps the worst criticism came from the educated nationalists who claimed that they were excluded from the process and that the constitution was an imposition on the country. Not only that, the restriction of election to Lagos and Calabar was probably because the level of literacy in other part of country was still rather low. The numbers of the northerners in the parliaments exceeded that of the southerners, this of course became the reference point for establishment northern hegemony or domination of the country. Macpherson Constitution of 1946 By March a Select Committee of Legislative Council was set up to make recommendations on the proposed new constitution of Nigeria. Having examined the problems emanated from Richard constitution, a wide consultation was made even to village level Olusanya: This was followed by an all Nigerian Constitutional conference in January 1947. Among other things, the conference agreed to federal system and transformation of the three regions from administrative to political regions. The new constitution came into effect in 1947. The constitution introduced a single chamber central Legislative House

known as the House of Representatives and the executive Council for the entire country. The constitution introduced bi-cameral legislature, the House of Assembly and the House of Chiefs- into the Western and the Northern regions but only House of Assembly for the Eastern region. Besides division of the country into three, the constitution also established regional executive council for each region. The composition of the House of Representatives comprised of the President the Governor , six ex-officio members, One hundred and thirty six elected members and six special members appointed by the Governor to represent interests not adequately represented Okonkwo: Of the one hundred and thirty six elected members, sixty eight were to come from Northern House of Assembly, thirty one from the Western House of Assembly and three by the Western House of Chiefs. The remaining thirty four were members of the Eastern House of Assembly. One major advantage of Macpherson Constitution was that it increased the level of participation of indigenous people in the government. For the first time, the number of unofficial members in the House of Representatives was overwhelming. It is significant to note that the number of unofficial elected members was far greater than unofficial nominated members. More importantly, the constitution provided much longed opportunity for Nigerian nationalists to learn the art of constitution making. Lastly, the constitution ushered in the formation of new political parties. Yet, the constitution was not without a few shortcomings. First, it is true that the constitution granted election principle; the franchise granted was limited by economic status and sex. Second, the election into the Federal Legislative Council was through electoral process. This was unsatisfactory to some politicians. The Governor still had power to veto any bill he deemed inconsistent with general interests. Lastly, the constitution as argued by some disgruntled politicians, further widen the ethnic relation gap in the country. But it should be noted that the spate of ethnic chauvinism and regional divisions that followed the Macpherson Constitution was orchestrated by the selfish politicians who bent on acquiring powers by all means. Hence, the creation of the Action Group and Northern Peoples Congress were forged along ethnic lines. Two major factors were responsible for the failure of the constitution. First, in , a member of House of Representatives, Chief Anthony Enahoro of Action Group party moved the motion for self-government in This generated crisis in the House as Northern delegates opposed the motion on the ground that the North was unprepared for such sudden decision. Second, both the North and the West were critical and unsatisfactory of the concentration of power in the Central Government in Lagos. The consequence of this was the Kano riot of and the threat of secession by the North. More importantly, the crisis stimulated London Conference where the decision to review Macpherson Constitution was made Ibid. After protracted deliberations in London and Lagos between and , the conference granted self-government to the regions the west and the east which desired it.

6: Adedeji Olowe - The Nigerian Constitution (, , and)

Topic: Presidential Constitution and the Constitution The constitution was carried out by three bodies set up by Babangida's administration. The constitution review committee was to review all past constitution and make recommendations.

The constitutions enacted during this period were those of which came into effect on 1 January , , , and In a new constitution was approved by Westminster and promulgated in Nigeria. Although it reserved effective power in the hands of the Governor-General and his appointed Executive Council , the so-called Richards Constitution after Governor-General Sir Arthur Richards , who was responsible for its formulation provided for an expanded Legislative Council empowered to deliberate on matters affecting the whole country. Separate legislative bodies, the houses of assembly, were established in each of the three regions to consider local questions and to advise the lieutenant governors. Although realistic in its assessment of the situation in Nigeria, the Richards Constitution undoubtedly intensified regionalism as an alternative to political unification. The pace of constitutional change accelerated after the promulgation of the Richards Constitution. It was suspended in against a call for greater autonomy, which resulted in an inter-parliamentary conference at Ibadan in The conference drafted the terms of a new constitution. The so-called Macpherson Constitution, after the incumbent Governor-General, John Stuart Macpherson , went into effect the following year. The most important innovations in the new charter reinforced the dual course of constitutional evolution, allowing for both regional autonomy and federal union. By extending the elective principle and by providing for a central government with a Council of Ministers, the Macpherson Constitution gave renewed impetus to party activity and to political participation at the national level. But by providing for comparable regional governments exercising broad legislative powers, which could not be overridden by the newly established seat federal House of Representatives, the Macpherson Constitution also gave a significant boost to regionalism. Subsequent revisions contained in the Lyttleton Constitution, named for Oliver Lyttelton, 1st Viscount Chandos and enacted in , firmly established the federal principle and paved the way for independence. To avoid the pitfalls of the First Republic, the constitution mandated that political parties and Federal Executive Council Nigeria cabinet positions reflect the "federal character" of the nation: In January , two amendments of the constitution were signed by President Goodluck Jonathan, the first modifications since the document came into use in Provided that a person who is charged with an offence and who has been detained in lawful custody awaiting trial shall not continue to be kept in such detention for a period longer than the maximum period of imprisonment prescribed for the offence. Provided that - a a court or such a tribunal may exclude from its proceedings persons other than the parties thereto or their legal practitioners in the interest of defence, public safety, public order, public morality, the welfare of persons who have not attained the age of eighteen years, the protection of the private lives of the parties or to such extent as it may consider necessary by reason of special circumstances in which publicity would be contrary to the interests of justice; b if in any proceedings before a court or such a tribunal, a Minister of the Government of the Federation or a commissioner of the government of a State satisfies the court or tribunal that it would not be in the public interest for any matter to be publicly disclosed, the court or tribunal shall make arrangements for evidence relating to that matter to be heard in private and shall take such other action as may be necessary or expedient to prevent the disclosure of the matter. The privacy of citizens, their homes, correspondence, telephone conversations and telegraphic communications is hereby guaranteed and protected. Provided that no person, other than the Government of the Federation or of a State or any other person or body authorised by the President on the fulfilment of conditions laid down by an Act of the National Assembly, shall own, establish or operate a television or wireless broadcasting station for, any purpose whatsoever. Every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any other association for the protection of his interests: Provided that the provisions of this section shall not derogate from the powers conferred by this Constitution on the Independent National Electoral Commission with respect to political parties to which that Commission does not accord

recognition. Provided that there is reciprocal agreement between Nigeria and such other country in relation to such matter. Subject to the provisions of this Constitution, every citizen of Nigeria shall have the right to acquire and own immovable property anywhere in Nigeria. Provided that nothing in this section shall authorise any derogation from the provisions of section 33 of this Constitution, except in respect of death resulting from acts of war or authorise any derogation from the provisions of section 36 8 of this Constitution.

7: Formats and Editions of The making of the constitution of Nigeria [www.enganchecubano.com]

HISTORY OF NIGERIAN CONSTITUTIONAL DEVELOPMENT INTRODUCTION: The importance of a constitution in any given society cannot be overemphasized. The constitution, in Nigeria's situation, is the supreme law of the land which all acts of individuals and of parliament must not contravene.

The importance of a constitution in any given society cannot be overemphasized. It is the fundamental and organic law of a nation or state that establishes the institutions and apparatus of government, defines the scope of governmental sovereign powers, and guarantees individual civil rights and civil liberties. It is trite that one of the sources of a constitution is other constitutions. This is the major concern of this present work. This will help us to understand better, how previous constitutions have been fashioned for Nigeria and will go a great length in making us understand the source of our present constitution from the looking glass of constitutional history. After the annexation of Lagos by the British in 1843, a legislative and executive council was constituted for it. However, they each had separate legislative councils. In 1844, the Gold coast and Lagos were formed into a separate colony with a governor and legislative council based in the Gold coast. In 1849, Lagos became a separate political entity with its own Governor, executive and legislative councils. In 1861, the protectorate of Southern Nigeria and the colony of Lagos were amalgamated and called the colony and protectorate of Southern Nigeria. In 1884, the Colony and Protectorate of Southern Nigeria was merged with the Protectorate of Northern Nigeria and they were referred to as the Colony and protectorate of Nigeria. The legislative council was this time allowed to make law for only the colony. The governor made laws for the protectorates. This was due to the large size of the country. In place of a legislative council for the country, there was established an advisory body called the Nigerian council. It had 30 members of whom 17 were officials and 13 non-officials. Of the non-officials, four were nominated by the governor to represent commercial, shipping, mining and banking interests. The remaining members were Nigerians appointed by the governor. This led to the making of the Clifford constitution of 1890. It introduced the first electoral system in Nigeria. The first election was conducted into the legislative council with four slots: However, the election was based on limited franchise which restricted the election to those that earned a minimum of pounds annually, which was very expensive for most Nigerians. It also introduced a legislative council which replaced the Nigerian council. It consisted of 46 members with the governor as the head. Out of the 46, 23 were official members and 19 were unofficial members. The remaining four were elected as previously stated. However, the council could only legislate for the South. The governor legislated for the North via proclamation. There was also an executive council, however, it had no Nigerians. It consisted of the governor, chief secretary, lieutenant governors, an administrator for Lagos, attorney general, commandant of the Nigerian regiment, director of medical service, Comptroller general and Secretary for native affairs. This was the bedrock for future regionalism. This was as a result of pressure being mounted on him by the educated elites. They felt that the Clifford Constitution did not represent the indigenous population. Therefore, the governor introduced the constitution which had the following aims: The constitution provided for a new legislative council, it had: The governor, 16 official members, and 28 unofficial members. Of the 28, two were nominated by the governor while 4 were elected. The North had 11 members, the West had 8 members while the East had 6 members. The elected 4 were from Lagos and Calabar. Also, the constitution made the council legislate for the whole country. The constitution also provided for regional houses of assembly. The members of the regional assembly were nominated by the native authority. They were just grounds for discussing national issues. Also, it was from the house of assembly that members were nominated to the legislative council. The East and West had unicameral legislature while the North, in addition to a house of assembly, had a house of chiefs. Also, the constitution reduced the amount of the limited franchise from pounds to 50 pounds. This is considered as a plus because more people could vote and be voted for. However, it was still too expensive for most Nigerians. The executive council in Lagos also had for the first time, Nigerians. Despite all these improvements compared to the Clifford constitution, the constitution still had some defects. First, it limited franchise to only Lagos and Calabar. Also, the money required for the right to vote was still too expensive for most Nigerians. Also, the

regional houses of assemblies could not make laws, they were merely grounds for public discussion. The constitution also did not include the elites. This is because those nominated into the regional houses of assembly and the legislative council were nominated by the native authority. The governor, Sir John Macpherson, not wanting to make the mistake his predecessor made, decided to include Nigerian in the constitutional making process. There was wide consultation of Nigerians even to the village levels. Also, there was the Ibadan conference of 1954. The result of all these was that it led to the creation of the Macpherson constitution. The constitution provided for a federal legislature called the house of representatives. It had elected representatives, 6 ex-officio members and 6 nominated by the governor. It also provided for regional legislatures that could make laws for their regions. The legislatures in the West and North were bi-cameral, each having a house of chiefs alongside the regional legislature. In the East, it was a unicameral legislature. It was also from the regional legislatures that members were nominated to the legislative council. It collapsed soon due to problems from the legislature. In 1956, Anthony Enahoro of the A. G proposed on the floor of the house that Nigeria should be given independence in 1960. The Northerners, who felt they were not ready for independence, opposed this. This led to been booed in Lagos. This led to a riot in Kano in reaction to what happened in Lagos. Also, the North threatened to secede. In order to calm things down, the then colonial secretary, Oliver Lyttleton called the leaders for a conference in London. Some issues were discussed during the conference and committees were set up. Their reports were to be considered in the Lagos conference of 1958. It was the conference that led to the Lyttleton constitution. The constitutional conferences of 1954 and 1958 held in London and Lagos respectively gave birth to the Lyttleton constitution. While the Federal capital territory was in Lagos. Judicially, the West African court of appeal was abolished. There was a supreme court for Nigeria and individual high courts for the regions. However, the highest court of appeal was the judicial committee of the privy council. The Eastern and Western regions became self-governing in 1960 while the North became self-governing in 1961. Southern Cameroon through a referendum opted out of Nigeria. This meant that Nigeria was a sovereign state independent of colonial influences. However, this was not fully the case. The Queen was still the head of state, although she was represented by a Nigerian in the person of Dr Nnamdi Azikiwe who was the Governor-General while Tafawa Balewa was the Prime minister. The constitution was like the constitution but with some changes. There was the inclusion of provisions for acquiring citizenship of the country. There was also included in the constitution provisions for the procedure for amendment of the constitution. Judicially, Judges of the courts were appointed through nomination by the judicial service commission upon the assent of the privy council. The privy council was also the highest court of appeal in the country. The constitution divided legislative powers between the center and the regional legislature. It made provisions for an exclusive legislative list. It also made provisions for a concurrent list. Items in the exclusive list were to be legislated by only the central legislature. Items in the concurrent list were to be legislated upon by the central legislature and the regional legislatures. Items not included in any of the lists were regarded as residual lists which were within the sole purview of the regional legislature. It also provided for a dual executive. This meant that we had the Head of State and the Head of Government in two different people.

8: HISTORY OF NIGERIAN CONSTITUTIONAL DEVELOPMENT - The Jet Lawyer

The current Constitution of the Federal Republic of Nigeria was adopted in It is the fourth constitution since independence from the United Kingdom in October after those of , and

The AD groups most of the pro- democracy advocates who have chosen to participate in the electoral process, although others have joined other political parties or continue to campaign outside the party system for more fundamental reforms in the political system. For more news and commentary on current events, see Africa News [http: Additional background discussion on constitution-making in Nigeria can be found at the web site of the Association of Nigerian Scholars for Dialogue](http://www.africanews.com) [http: The expert group meeting was convened in part, as a follow up activity to the meeting of the leaders of Nigeria s pro- democracy and human rights community facilitated by CDD last August, after the announcement of General Abubakar s transition programme. That meeting urged democracy activists and other civil society workers to participate actively in the constitutional debate. CDD was therefore motivated to organise the workshop on the conviction that the exclusive concentration on elections to the neglect of a constitutional framework poses a major danger to the sustainability of the democratic project. At another level, the idea of bringing together experts from other settings into direct contact with Nigerian activists and academics was informed by the singular need to draw on comparative knowledge from others parts without reinventing the wheel and mindful of the unique situation every country is in. We were by no means expecting the invited participants to offer a panacea to the problems Nigeria is currently grappling with. Instead, the team was put together to interact and advise civil society and government on some of the real and perceived inadequacies in the draft constitution and suggest a process based institutional mechanism for managing ethnic, religious, gender and other forms of polarisation among the constituent parts of the Nigerian political unit. These experts, particularly those invited from abroad, were nominated on the basis of their individual participation as civil actors in constitution-making in circumstances, at times, more trying than Nigeria s in which pragmatic and innovative solutions have been found to resolve deep-seated conflicts. The two-day workshop examined specific issues in relation to the content of the constitution, but concentrated mainly on process and best practice mechanisms especially as it relates to the production of an inclusive document and strengthening constituencies whose support is critical to the attainment of the overriding goal of a living document owned by the people. Workshop participants enjoin Nigerians to emphasise openness, consensus and restraint during the debate on the constitution since the overriding goal of this initiative is to assist in producing a constitution that advances democratic governance. On the strength of this, the workshop identified the fundamentals of constitutionalism, highlighting the key areas that require institutional changes for the Nigerian political system to be equitable, transparent and accountable. The proposed areas for reform include: PROCESS In recognition of the above as the areas in need of enduring reforms in a functioning and people oriented constitution, the workshop then focussed on issues of structure and process. The workshop notes that there are objective practical problems to be encountered, if civil society insists on comprehensive changes to the current constitution. In the view of the participants, the time-table guiding the current transition programme makes it almost impossible to achieve any comprehensive changes to the flawed draft constitution document. However, participants from Southern Africa and Asia emphasise that this need not affect the quality or legitimacy of the eventual product, provided broad-based, constitutional principles are negotiated and agreed by all interested parties in the military, civil society, among politicians and the business community from the outset. A comparative assessment of constitution-making process in other parts of the world indeed reveals that such principles have a high chance of success when they emphasise process over content. For example, the recently agreed Thai constitution started life with the National Assembly and Government elected under the Constitution agreeing to a significant amendment of the constitution or the preparation of an entirely new constitution by an indirectly elected Constitutional Drafting Assembly of several actors in civil society and across-section of the Thai population. In South Africa, participants note the adoption of an interim constitution containing 30 constitutional principles, which built in the process of consultation and constitution making into the interim](http://www.ansd.org)

document. Participants were unanimous that if the process of constitution making is to be inclusive and successful, this must begin with a number of steps. That the Constitution be promulgated as an Interim Constitution after which the government that emerges in May will begin a full process for the making of the Constitution; That the process for the Constitution and the consultation should be written into the Interim Constitution to ensure an inclusive, participatory approach in which public input is paramount; That the process must adopt a specified series of benchmarks to ensure openness and reflect the demographic character and gender complexion of the Nigerian state; and That the Constitution should be amended in some specific areas immediately so that it can serve as a workable Interim Constitution for the newly elected representatives of the people. That is why the need to compromise by sometimes accepting a weaker version of a reform in order to secure the precedent for future efforts to strengthen the reform process is crucial. South African participants cited, as an example, the multi-track nature of negotiations they had to engage in with the military, with extremist Afrikaner organisations and even smaller players despite the overwhelming fact that the ANC could impose its will as a controlling majority. Whilst this created problems within the ANC constituency that were eventually overcome, the constitution enjoys a high degree of legitimacy even amongst people who are not supporters of the ruling party. Therefore, a set of general principles is not only important to the Interim Constitution, they may also form the basis of the comprehensive document. The general principles that should guide the amendment of the Constitution and indeed the process for a final Constitution should include the following: The issue of over-concentration of powers at the Federal level should be addressed. The government should be concerned, for example, about power sharing, revenue allocation, amongst other things, with a view to significantly increasing the allocation of resources to local and mineral producing areas. The workshop suggested the need for the de-centralisation of the Police, not as it is presently constituted but one that will derive final authority from the local authority and not the central government. A consideration for Gender Equality has become particularly urgent, because society, by discriminating against women, was ultimately under-developing its own foundation too; The promotion of Independent Commissions with broad investigatory powers and prosecutorial authority to promote accountability and transparency in government; The Enforcement of fundamental rights should be reserved in the High Court. The attempt to transfer such to a constitutional court, with only zonal representation, will amount to depriving citizens an easy access to enforcing their constitutional rights. Review of the fundamental principles of party formation is crucial. The electoral process should be specifically dealt with. This should not be construed as an interim process. For example, Section 41a of the draft Constitution is a breach of the right of association and should be amended. The membership of the National Electoral Commission should reflect a balance of interest in the political parties and the geographical spread. The Authority of the Federal Government with reference to section 12 of the Constitution should be dealt with. The Federal Government should not have the powers to take over a state government at will. The criteria, which constitute an emergency, should be highlighted. Participants cite as examples the four pages of clauses guiding emergency powers in the South African constitution and similar clauses in the Thai and the Eritrean Constitutions. Provisions should be made for the judicial review of the validity of any such attempt to impose emergency powers by the Constitutional Court. Land and Mineral Rights should be addressed with the view to arrive at a just and equitable revenue allocation formula.

CONCLUSION Since the constitution represents an important benchmark in the political reform process in Nigeria, participants believe the domestic and international environment should be sensitised to the need for an enduring constitutional reform as the bedrock of the on-going elections. In addition to the current campaign for constitutional reforms in civil society and the media, participants urged that autonomous centres of influence be encouraged to advise the military regime not to construe the emergent document as a final product. It will neither succeed in regulating the conduct of politics in an accountable and transparent manner nor produce equitable, gender sensitive or sustainable democracy. In order for the eventual product to reflect more than the struggle among competing elites to control the political system and national wealth with little regard for the rest of the population, the process and principles highlighted above represent the minimum irreducible benchmarks for permanent military disengagement and sustainable, meaningful democracy. Mon, 7 Dec

9: Nigeria: Constitution of the Federal Republic of Nigeria

THE CONSTITUTION OF THE FEDERATION OF NIGERIA ARRANGEMENT OF SECTIONS CHAPTER I THE FEDERATION AND ITS TERRITORIES Section 1. Effect of this Constitution.

Studying university Reform, reaction, and resources Little Polar Bear Mini Book and Audio Package (Little Polar Bear (North-South Books)) Faith in God (What Is God Like Series) Smythe Sewn Dayplanners 2006 Foiled Wrap Clothed in Integrity Trekking on a Trail Lets look at this the right way D&d 5e players book Druidic Theology And Ritual The Supra Consciousness Under the Red Duster An Introduction to the Literature of Equatorial Guinea Poems of sixty-five years Advanced web design tutorial O to ue stem changing verbs worksheet Manual active directory windows server 2008 r2 WBC and RBC counts : manual procedures Nonoperative fracture treatment John F. Connolly Extension brain development sudden death Instilling time management Real book jazz gratis Loan Guarantee Program to Promote the Delivery of Direct-To-Home Satellite Services to Rural America Phantom Tiger Mountain Leaf-cutting ants Latino Health in the U S Spatial Models of Parliamentary Voting (Analytical Methods for Social Research) The power to veto Japanese Lacquer Box-Blank Book-Lined 3 3/4 X 5 Making teddy bears in minature Love poems from God Thinking goes to school An unholy history (Ezek. 20:1-44) Margarets influence Dissolved nutrient and suspended particulate matter data for the San Francisco Bay estuary, California, O Us Assistance to Dominican Republic Handbook Updated figures (based on 1995 prices) Total quality in the construction supply chain Las glorias de maria Booming steel town