The Nigerian Constitution Through the Lens of Nigerian Youths: Matters Arising

Report of Constitution Review

Conducted by

Emerging Nigerian Leaders
Under the Auspices of
The Centre for Social Awareness, Advocacy and Ethics, Inc.

-CSAAEINC-

CSAAE Publications
November 22, 2018

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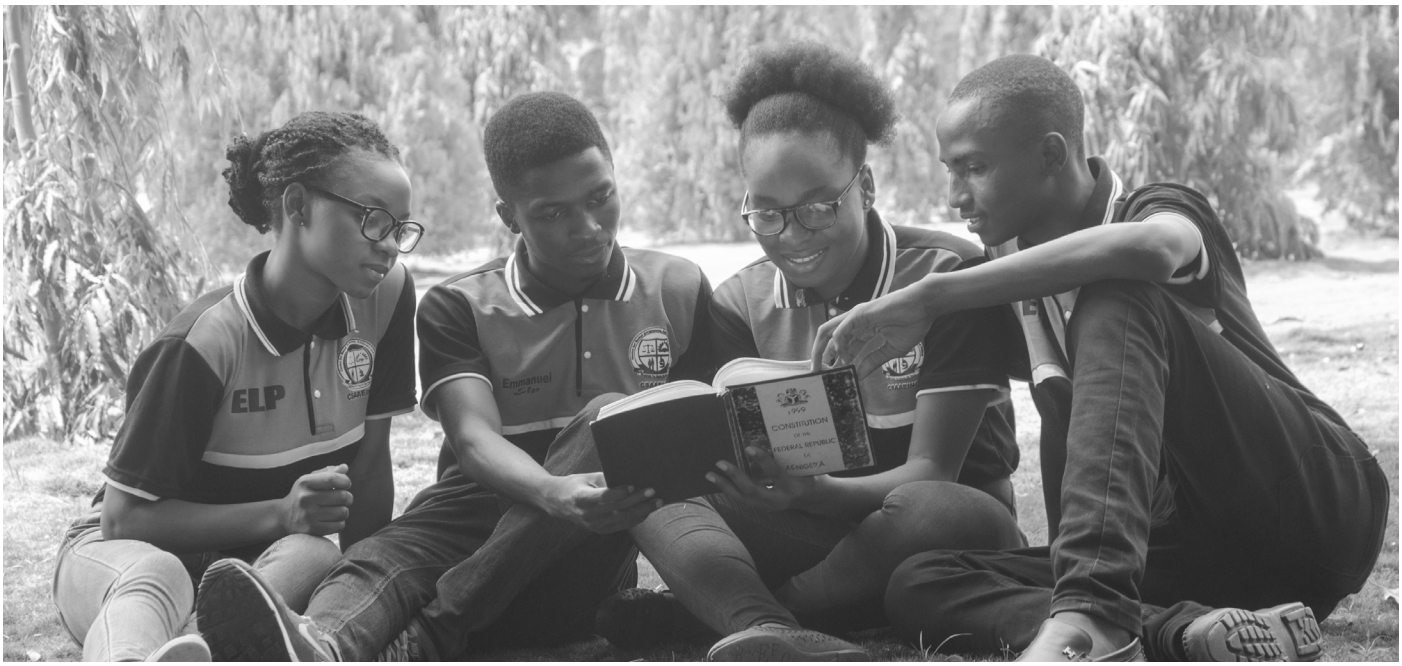

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Compiled by:
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Foreword

In 2013, we launched CSAAE. Our mission was to start healing from the root Africa's failure of leadership, loss of entrepreneurial spirit and loss of moral and social sense – all of which we believe are the causes of poverty and underdevelopment in Africa.

CSAAE is dedicated to harnessing the potential of young people and providing the kinds of tools and trainings that endow them with the capacities, competencies and character necessary to sustain themselves, create opportunities that help others sustain themselves and embrace their roles as critical actors in building a better Africa

A core part of that trainining is weekly three-hour guided group study of literatures critical to development and other trainings necessary for young people to achieve sterling success, help fast-track development and end poverty in Africa.

The Nigerian Constitution, which governs the actions and relationships of the people of Nigeria and determines how the commonwealth is distributed is the most critical piece of literature to development in Nigeria. Thus, from January 1 to March 31, 2018, Emerging Nigerian Leaders, comprising of select Nigerian youths, ages 16-25, being prepared by CSAAE for leadership positions critical to development and nation building, gathered for three hours every Friday to reflect on the provisions of the Nigerian Constitution.

This offered new perspectives especially from the viewpoints of the governed as to the reasonableness of provisions, whether or not they are enforced, and how best to hold the government accountable.

The study group made recommendations on certain provisions of the constitution including placing a moratorium to review the death penalty provision of the constitution, restructuring of the Nigerian federation, adding magistrate courts among courts of superior jurisdiction, tax reforms and much more.

It is our strong belief that these recommendations when implemented will help facilitate development, end poverty and make Nigeria a better place.

Rev. Fr. Dr. Godswill Agbagwa
Founder and President
CSAAE

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Introduction

A society without laws would exist in a state of nature where life would be nasty, brutal and short. A lawless society would exist in imbalance. A society whose people have no knowledge of their laws would exist in a state of ignorance and oppression.

It goes without saying that knowledge is power and if, at all, we are going to effect any positive change in our laws, it is sacrosanct that we have a first-hand knowledge of it. Drawing strength from the preamble of the Nigerian constitution, it is our strong belief that the business of law is not only one for lawyers but for every Nigerian as the phrase "We the People" was implored.

It is to this end that Emerging Political Leaders (EPLs) of the Centre for Social Awareness, Advocacy and Ethics, Inc. (CSAAE) embarked on an intensive study of the Nigerian Constitution, the Supreme Law of the country from December 2017 to February 2018 under the guidance of CSAAE's Founder, Rev. Fr. Dr. Godswill Agbagwa and his team of mentors.

Objectives of the Study:

In his opening remarks on the first day of study, Reverend Agbagwa said instructed the future leaders to pay attention to the following

- Articles of the constitution that you think are not right and why you think so?
- Articles of the constitution that can facilitate attainment of a better Nigeria but have been neglected.
- What can be done to improve inefficient laws and promote efficient ones in the constitution?
- Articles that have implications for Youths.
- Implications of some of the articles in real life.
- What concrete steps can be taken to promote great articles?
- Questions arising from the chapter.

For a clear understanding of this work, we have aggregated most of the opinions and resolutions in the summary. We also provided excerpts of the discussion for originality and clarity.

The work will be arranged in chapters according to the Constitution. Legal, political and social issues as extracted by assigned moderators during the training, reading and brainstorming sessions will be touched with excerpts shown in some instances.

[1] *1999 as amended*

Chapter 1: General Provisions of the Constitution

Brief Overview

This chapter contains the supremacy clause, federal structure, organs of government and powers assigned to each among other major provisions. As expected of a well-drafted constitution, it establishes the framework of government and furthers the application of the rule of Law in Nigeria by stating clearly that the Constitution is the ground norm and final in case of any inconsistency.

EPLs set out to study these laws beyond the words on paper to its practical effects on the populace, deficiencies, and prospects.

First Segment: Section 7(6)

(6) Subject to the provision of this constitution
a. The National Assembly shall make provisions for statutory allocation of public revenue to local government councils in the Federation; and
b. the House of Assembly of a State shall make provisions for statutory allocation of public revenue to local government councils within the State.

Matters Arising

1. Why are statutory allocations of our respective local government councils not paid directly to them?

It was noted that the likely cause is corruption and lack of adequate supervision at the highest level of government in Nigeria despite that we have anti-corruption bodies in place. What obtains in many local governments is that they cannot execute capital projects at the local level due to lack of funds.

2. Do we really need local government set up in Nigeria within the context of section 7?

There arose a question of whether or not we need a local government set up in Nigeria within the context of section 7 of the Constitution as it appears they are just "another arm of corruption" or they are just toothless bulldogs in the face of federal or state government?

It was agreed that the Local Government tier is necessary. The popular rationale being that they are the tier of government closest to the people and also provide job opportunities for the ever increasing unemployed individuals in the country. The majority also believed that it is a form of training ground to prepare individuals for governance at higher tiers of government.

However, it was suggested that for the local government councils to function at an optimum level, there is a need to grant them autonomy especially financial autonomy, and adequate oversight. A line, however, must be drawn between oversight and unnecessary interferences. Such oversight must be done within the confines of the law and it must not undermine their autonomy.

These suggestions are not without their pros and cons. While financial autonomy translates to the availability of funds for the execution of capital projects without interference, it may also lead to non-performance of local council executives due to corruption, massive embezzlement, and poor management. Operational autonomy is reasonably expected to boost operations at the local level but the attitude to work by career and political officers may stifle the expected outcome. However, the pros outweigh the cons and the cons can be reasonably averted.

3. How do we ensure that governors conduct local government councils' elections in their respective states?

It was noted that it is fast becoming customary for state Governors to handpick Caretaker Committee Members rather than holding elections for Local Government Chairmen in flagrant abuse of the law. Proper checks and balances along with responsive citizenry can put this in check.

Recommendations

- Review section 7 of the constitution to ensure autonomy of state and local government for a responsible, far-reaching and effective grassroots government
- Strengthen the system of checks and balances to checkmate excesses of the executive and any other overreaching arm.
-

Second Segment: Section 8

"8. (1) An Act of the National Assembly for the purpose of creating a new State shall only be passed if:
(a) A request, supported by an at least two-thirds majority of members (representing

the area demanding the creation of the new State) in each of the following, namely:

i. The Senate and the House of Representatives,
ii. The House of Assembly in respect of the area,

and

iii. The local government councils in respect of the area is received by the National Assembly;

(b) A proposal for the creation of the State is thereafter approved in a referendum by at least two-thirds majority of the people of the area where the demand for creation of the State originated;

(c) The result of the referendum is then approved by a simple majority of all the States of the Federation supported by a simple majority of members of the Houses of Assembly; and

(d) The proposal is approved by a resolution passed by two-thirds majority of members of each House of the National Assembly."

Matters Arising

1. Will the creation of new states bring about the much-desired socio-economic change? Whether or not the creation of new states will curb corruption in Nigeria.

The creation of new states is not viable considering the economic situation in the country. A careful consideration of the history of state creation in Nigeria and the measure of development achieved shows that it has not been impactful. There are also objections on the basis that it causes further divisions as opposed to cohesion which is really needed at this time in the country.

Many also held the opinion that the creation of new states will not curb corruption but will encourage it. This is premised on the assumption that some politicians are advocating for the creation of new states not because they have the welfare of the people at heart, but they want to enrich their pockets. It can reasonably be predicted as a kind of fallback to politicians who lost elections to public offices in their present states.

It is reasonably predictable that if states are created for agitating groups, we may end up having more calls for the creation of additional States. The end of all this would be the creation of mushroom states and if the calls are denied, might lead to unrest. In order to avoid this undesirable ripple effect of the proliferation of states, it is better to leave the number as it is.

Also, creation of new states will inadvertently lead to an increase in the number of public officers in the country. The financial implication of that is not so desirable, at least, not in the short run.

Instead of creating new states, we should focus on restructuring the Federation by the existing states more autonomy and control over social, economic and security issues in their states. States should have some level resource control and not just wait for monthly allocation from the Federal Government. States should have some control of State security.

The Federal power of the Federal Government should be reduced to give States more control of their social, cultural, educational, economic and human resources as well as security. They group unanimously agreed that true Federalism as obtained in developed countries such as the United States will facilitate the restoration of peace and unity in the country while facilitating economic growth. To effect this, certain provisions of the constitution must be visited including section 7 of the 1999 constitution of the Federal Republic of Nigeria as amended.

Recommendation

- Restructure the current 36 states in Nigeria into 6 regional governments based on geopolitical zone.

Third Segment: Section 5(2)

"Subject to the provision of the Nigerian constitution, the executive power of the state; shall be vested in the government of that state and may, subjected as aforesaid and to the provisions of any law made by a house of assembly, be exercised by him either

directly or through the deputy governor and commissioners of the government of that state or officers in the public service of that state and shall extend to the execution and maintenance of this Constitution, all laws made by the House of Assembly of the State and to all matters with respect to which the House of Assembly has for the time being power to make laws"

Matters Arising

1. Whether or not the governors adhere to this law?

It has been observed that governors are reluctant to handover power to their deputies when travelling out of the country unofficially for medical treatment or other extraneous reasons. During such an absence of the governor, critical executive decisions at the state government level remain stalled pending the return of the governor. This defeats the rationale behind the creation of the office of the deputy governor who is expected to oversee and make decisions in the absence of the governor.

2. What can be done to ensure strict adherence to this provision of our constitution?

Close attention was devoted to a thorough review of the section to interpret the rationale behind the provision and the legislative construction employed.

The word "may" as used confers discretionary powers on the governor to delegate or handover as he deems fit subject to other provisions of law.

The implication of this interpretation is that the failure to handover in such situations is within the purview of the Law if it does not violate other provisions of the law. The only way this can be bypassed is when a court of law construes "may" as used by that section as mandatory and not merely discretionary.

Sadly, there is no such judgment presently. There is a need for a review of the law since it is unfair for a State to be run by an absentee governor when the deputy is well and physically present.

Recommendation

- The section should be amended and the word "may" as used should be replaced with "shall" to impose a duty and not merely a discretionary power.

Fourth Segment: Section 4

4. (1) The legislative powers of the Federal Republic of Nigeria shall be vested in a National Assembly for the Federation, which shall consist of a Senate and a House of Representatives.

(2) The National Assembly shall have power to make laws for the peace, order and good government of the Federation or any part thereof with respect to any matter included in the Exclusive Legislative List set out in Part I of the Second Schedule to this Constitution.

(6) The legislative powers of a State of the Federation shall be vested in the House of Assembly of the State.

(7) The House of Assembly of a State shall have power to make laws for the peace, order and good government of the State or any part thereof with respect to the following matters, that is to say: a. Any matter not included in the Exclusive

Legislative List set out in Part I of the Second Schedule to this Constitution.

b. Any matter included in the Concurrent Legislative
List set out in the first column of Part II of the

Second Schedule to this Constitution to the extent prescribed in the second column opposite thereto; and

c. Any other matter with respect to which it is empowered to make laws in accordance with the provisions of this Constitution

Matters Arising

1. Is bicameral legislative system in the country as provided for under section 4, plausible? Does it positively or negatively affect decision making in Nigeria?

Under this section, one of the major disadvantages of the bicameral system in practice in Nigeria is that it is expensive, encourages bureaucracy and delays decision-making.

Although, the bicameral legislative system encourages adequate scrutiny needed before our laws emerge hinging this on the popular saying that 'two good heads are better than one'. If the 'majority carries the vote rule' is applied, this provision of law should be reviewed as it bears more advantages for the country.

A unicameral system would be better, not because it is perfect but in comparison to the bicameral system, it would address issues faster in a more direct and precise manner.

Recommendation

- A committee be set up with terms of reference including to seek out the most feasible legislative structure for Nigeria with special regard to our economic status, timeliness, efficiency and human resources.

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Chapter 2: Fundamental Objectives and Directive Principles of State Policies

Brief Overview

Chapter 2 of the Nigerian Constitution embodies the fundamental objectives and directive principles of state policies. This is the yardstick or blueprint for national growth and development. Sadly, though subject to certain exceptions arising from judicial interpretations, it is non-justiciable as it is provided under section 6(6)(c) of the same constitution that:

"The judicial powers vested in accordance with the foregoing provisions of this section shall not, except as otherwise provided by this constitution extend to any issue or question as to whether any act or omission by any authority or person as to whether any law or judicial decision is in conformity with the fundamental Objectives and directive principles of state policy set out in chapter 2 of this constitution"

It would then seem that by this provision, they have been reduced to mere guidelines with no means of enforcement by the citizens.

First Segment: Section 16 (2)(D)

the state shall direct its policy towards ensuring that suitable and adequate shelter, food, reasonable national minimum living wage, old age care and pension, sick benefit and welfare of disabled are provided for all citizens.

Matters Arising

1. Does the state provide all these benefits provided in section 16(2)(d) and to what extent have they done same?
2. How can adherence to this provision be ensured and in what manner can all these dividends accruing to the citizens be achieved?

It is not sufficient to merely have legislative measures without administrative measures taken for the welfare of the people. Although there are systems in place for the implementation of these policies as directed by the provision, the government in most cases neglected implementation.

Commissions have been set up with little or no impact on the payment of pensions. The minimum wage has been implemented, albeit very dismal compared to other countries, but the government continues to owe workers' wages and salaries. Despite various interventional initiatives including the recent Paris club refund, payment of arrears in salaries and pensions are yet to materialize.

Notable is the fact that corruption, mismanagement of funds, inadequate allocation of resources among other things are the causes of the failure to implement policies in the direction envisaged by this section of the constitution.

It was also opined that the federal government should set examples for the state government to follow when it comes to implementation of policies towards the direction envisaged under this provision of the constitution. EPLs noted that although there are some policies in place, it is either they are not enforced, or they are bad policies.

Recommendations

- Provisions of chapter 2 of the Nigerian constitution be made actionable wholly. This would make it easier to hold government accountable and thus ensure a responsible government as well as a responsive citizenry.
- People with proven integrity should be at the policy-making corners. A filtering system and background check by anti-corruption agencies were highly recommended.
- Also, citizen awareness should be created with regards to provisions of this section as that will put the government on their toes and forestall neglect of this guideline as we currently have it now.

Second Segment: Section 16(3)

SECTION 16(3)

A body shall be set up by an Act of the National Assembly which shall have power;
(a) to review, from time to time, the ownership and control of business enterprises operating in Nigeria and make recommendations to the President on same; and

(b) to administer any law for the regulation of the ownership and control of such enterprises.

Matters Arising

1. Do the National Assembly review businesses operating in Nigeria? How do they regulate those enterprises?

The fact that there are indeed commissions set up by acts of the national assembly to regulate businesses, review ownership and control of business enterprises operating in Nigeria was recognized in fairness. An example is the Corporate Affairs Commission which is a direct creation of the National Assembly through the enactment of the Companies and Allied Matters Act.

This commission registers companies and regulates the ownership, internal governing, articles and memorandum of association among other functions it performs.

Another example cited is the Federal Inland Revenue Service (FIRS) that ensures companies in the country pay their taxes. This is an indirect form of regulation. However, the system put in place is inadequate to effectively regulate business enterprises currently in operation in Nigeria.

2. What is the importance of regulation of businesses in Nigeria by the National Assembly? How necessary is it?

Indeed, it is important that the National Assembly regulates business enterprises in Nigeria. Revenue generation, ensuring standards and fair business practices are justifications provided.

It is trite that the welfare of the people is the supreme law and the National Assembly has been entrusted with law-making power under the Constitution. Therefore, the laws should be targeted towards seeking the utmost welfare of the people. Enactment of laws regulating business enterprises is, therefore, needed to secure the welfare of the people against fraudulent cabals and businessmen and to keep pace with developments in the international business. This is primarily the role of government in a capitalist society.

However, over-regulation may be disastrous and it may also spring up undesirable reactions as recently stated that one reason Nigeria ranks so low in ease-of-doing business ranking is over-regulation in the business sphere. For instance, the Coca-Cola manufacturing plant in Kwara state recently went out of business as a result of excessive regulations. We may end up killing industrial growth with overregulation. It chokes inventions and SMEs.

Recommendations

- The government should play a reduced regulatory role in the business in such a way that businesses are allowed to thrive and not overburdened with tax.

Proactive policies are largely mooted as opposed to reactive ones.

- Civic education of citizens as to the benefits of registering their businesses.

Third Segment: Section 22

"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 uphold the responsibility and accountability of the Government to the people"

Matters Arising

1. Whether or not the state government gives the mass media the full freedom to bring to the people, the activities of the government?
2. How can freedom of the press be ensured?

The installation of a democratic system of government brings with it the need to ensure freedom of speech and freedom of the press. The press has often been referred to as the third realm of government as they play a huge role in ensuring a responsible government and an aware citizenry.

It was opined that the freedom of the press is not strong in Nigeria. There are recent reports about government arresting journalists. There are also signs that some media agencies are being used by the government to advance government agenda. On the other hand, the limited freedom of the press in Nigeria has also been plagued abuse or misuse of such freedom. There has been a proliferation of fake news mostly on social media/online platforms. There are instances where members of the press have been sued for seditious publications.

Fourth Segment: Section 24(F)

It shall be the duty of every citizen to declare his income honestly to appropriate and lawful agencies and pay his tax promptly.

Brief Overview

The community reading of section 24 of the constitution would ensure an understanding of the duties and obligations of citizens of Nigeria within the purview of section 25 of the constitution. Among the duties listed is the duty to honestly declare income to appropriate and lawful agencies as well as prompt payment of taxes.

Taxes are a vital source of revenue for the government and there are lawful organizations set up to collect taxes for the government. It is to these organizations that one must pay his/her tax to.

Matters Arising

1. Whether or not the payment of tax is necessary for the sourcing of adequate revenue for the government of the day?
2. The plausibility of setting up a body to monitor how taxpayers' money is spent?

Tax is important, and the performance of this civic duty is necessary for growth and development in the country. However, there is the need for tax reforms as the policies should be made to ensure that the government spends taxpayers' money wisely and its dividend visible to all.

Technological trends in tax payment should also be employed by the government to make it easy to pay and receive tax by citizens and government, respectively.

Recommendation

- Technological trends in area of taxation should be embraced by FIRS. For example, an online/ automated system of tax payment.
- FIRS among other watchdog agencies should ensure that the revenue gotten from taxation should be judiciously and prudently spent to ensure accountability and prevent corruption.

[2]*Cap C20 Laws of the Federation of Nigeria LFN 2004*

Chapter 3: Citizenship

Brief Overview

Chapter 3 of the Nigerian constitution contains the provisions on citizenship. Definition of a citizen, modes of acquisition of citizenship, deprivation of citizenship and the power of the president to make subsidiary legislation to regulate citizenship in Nigeria are some of the areas touched by the chapter.

First Segment: Section 29

29. (1) Any citizen of Nigeria of full age who wishes to renounce his Nigerian citizenship shall make a declaration in the prescribed manner for the renunciation.
(2) The President shall cause the declaration made under subsection (1) of this section to be registered and upon such registration, the person who made the declaration shall cease to be a citizen of Nigeria.
(3) The President may withhold the registration of any declaration made under subsection (1) of this section if-
(a) the declaration is made during any war in which Nigeria is physically involved; or
(b) in his opinion, it is otherwise contrary to public policy.
(4) For the purposes of subsection (1) of this section.
(a) "full age" means the age of eighteen years and above;
(b) any woman who is married shall be deemed to be of full age.

Matters Arising

1. Whether or not the construction of married women as persons of full age can be perceived as condoning child marriage with regards to this section?
2. Whether or not child brides should be registered as citizens?

Majority of EPLs believed this will encourage child marriage in some way and suggested that the law should be amended to reflect the age of maturity with regards to married women. That may also appear to deprive those who got married early of their rights to identify with the country of their spouse. It may also appear to be gender sensitive if such law is amended.

Recommendation

- Stringent legislative and administrative measures be taken against child marriage to reflect international standards and conform to international treaties/agreement to which Nigeria is a signatory.

Chapter 4: Fundamental Human Rights of Citizens

Brief Overview

Chapter 4 of the Nigerian constitution makes provisions for the fundamental human rights of citizens. There are 12 rights contained in this chapter and the right to go to court for redress upon breach of any of these rights.

The chapter also makes provision that some rights can be derogated from on grounds of National security, public safety, public order, public morality, public health or for the purpose of protecting the rights and freedom of other persons.

First Segment: Section 33(1)

Every person has a right to life, and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offense of which he has been found guilty in Nigeria"

Brief Overview

This clearly guarantees the right to life subject to the pronouncement of the death penalty by the court. At present, this means the death penalty is legal in Nigeria provided it is pronounced by a court of competent jurisdiction in Nigeria.

Matters Arising

1. Whether or not any crime should carry the death penalty?

Divergent opinions have been expressed as to whether or not the death penalty should be abolished. On the affirmative side, it was argued that death penalty should be abolished on grounds that it is crude; it is retributive; it may cause irreparable punishment of an innocent man; it works counter deterrent effect based on statistics; it is not noble; God gives life and only Him should take.
It has been proposed that a short-term moratorium to review and abolish the death penalty in Nigeria and replace it with life imprisonment in the literal sense without penal code calculations.
Also, retention of the death penalty gained voices of support in the context that there are crimes so grievous that the only penalty that can equate them is the death penalty as opposed to life imprisonment and that the death penalty would also serve as both general and specific deterrents. Of particular interest here is the crime of premeditated and intentional murder and it is for this crime only that the group considered death penalty appropriate

2. Whether or not the death penalty should be abolished in Nigeria.

Going by International standards and trends in global criminal justice, there is now a great shift away from the death penalty especially due to agitations of International organizations like Amnesty International and some others. Abolishing the death

penalty in Nigeria may be even more problematic considering that our legal system is pluralistic in nature with the component of Islamic law which inherently legitimizes the death penalty. Though the State has the power to regulate even the religious sphere, this area is sensitive and may cause an uprising and civil unrest in the country.

Recommendations

- A moratorium must be placed on the death penalty with a committee set up to look into the feasibility of its continued practice with reference to international standards and increased advocacy against the subject.

Second Segment: Section 35(1)(D)

"Every person shall be entitled to his personal liberty and no person shall be deprived of such liberty save in the following cases and in accordance with a procedure permitted by law **-** *in the case of a person who has not attained the age of eighteen years for the purpose of his education or welfare"*

Matters Arising

1. Is this provision being breached today by parents and elders alike?
2. How good can the age restriction stand in light of today's reality?

The discussion brought into perspective the perceived over-protective nature of African parents which tends to deprive the African child of life-changing opportunities.

The provision is good since it helps achieve the educational objective to such extent that it makes legally possible to reasonably compel and confine errant children for the purpose of teaching and learning.

Recommendation

- Constitutional age for the exercise of personal liberty should be reviewed and pegged at age 18, but teenagers ages 16 and above should also enjoy such liberty with supervision from parents. It is believed that from 16 years old, people can make reasonable judgments.

Third Segment: Section 36

Section 36. "Whenever any person is charged with a criminal offense, he shall, unless the charge is withdrawn, be entitled to a fair hearing in public within a reasonable time by a court or tribunal provided that 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."

[3]*Section 46, CFRN 1999 as amended.*

Matters Arising

1. The expediency of this rule as it concerns trials of ministers, commissioners and other public officers?

With respect to the first issue, it was opined that private trials may allow backroom corruption and perversion of justice, however, if public interest is adequately proved then it should be allowed. However, the onus should be placed on the minister or commissioner to prove that by himself/herself or through his/her legal counsel that it is in public interest that the trial should not be made public.

In some instances, it is necessary for the purpose of national security, public safety, or a public morality that a trial be made in a closed door. For example, the trial of a juvenile must as a matter of law be held behind closed doors. The case of public officers would be different except otherwise proven.

2. Whether or not the rule predisposes Nigeria to corruption in case of this leaders being biased in a view to cover any foul play?

The rule, if not adequately monitored by an independent the judiciary, may breed corruption. Therefore, it is important that an impartial and independent court system be put in place to ensure that this particular exception does not breed corruption in the country.

One major rationale for public trial is that justice must not only be done but must be manifestly seen to be done. The objective test of trials is from the perspective of a reasonable observer of the trial. There are a plethora of judicial decisions to that effect.

Recommendations

- Mechanisms and policies geared towards enhancing the independence of the judiciary be adopted and implemented.
- A constant Internal check of judges by the National Judicial Council to ensure they are not engaging in any corrupt practices to the end that trials in closed courts are compromised.
- Pegging the maximum period for awaiting trial to 60 days beyond which accused must be set free.

Fourth Segment: Section 38(1)

"Every person shall be entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom (either alone or in community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice and observance"

Fourth Segment: Section 39(1)

"Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference"

Matters Arising

1. Can it be reasonably said that these sections are evidently in practice in Nigeria?
2. Will the NGO bill, if passed, be in contravention of this law?

It is agreed that these laws are as a matter of fact evident in the practice of law and enforcement in Nigeria. Most submitted that NGO bill if eventually passed, may violate several laws including the freedom to hold opinions and impart ideas and information without interference as provided for under section 39 of the constitution among other rights. NGOs should be allowed a certain level of freedom to run their association as long as their activities do not breach of the law.

Recommendations

- NGO bill with its current content should not be passed into law as it restricts to a large extent the right to freedom of association.

[4]*Heads of court*

Chapter 5: Legislature

Brief Overview

This chapter makes provisions with regards to the legislative practice in Nigeria by the National Assembly as established under section 5 of the Constitution. It makes provision for composition and staff, the procedure for summoning and dissolution, qualifications for memberships and right of attendance, elections, power, and control over public funds. It has a total of 83 sections with provisions governing legislative affairs at the state and federal level.

First Segment: Section 52

(1) Every member of the Senate or the House of Representatives shall, before taking his seat, declare his assets and liabilities as prescribed in this Constitution and subsequently take and subscribe the Oath of Allegiance and the oath of membership as prescribed in the Seventh Schedule to this Constitution before the President of the Senate or, as the case may be, the Speaker of the House of Representatives, but a member may before taking the oaths take part in the election of a President
and a Deputy President of the Senate, as the case may be, or a Speaker and a Deputy Speaker of the House of Representatives.

Matters Arising

1. Level of the functionality of the Code of Conduct Bureau (CCB) and making asset declarations by public office holders public to ensure fair practice and openness.

Indicators point to the fact that CCB is doing their Job although we cannot tell the extent to which it is being done. One of the major issues plaguing the performance of their duties is that most public officers are influential men in the country and so when their cases come up, it is usually high profile.

The media speaks, the bulk of the people speak, and others are torn between two sides. It is believed that efforts should be intensified to achieve a free judiciary to ensure that the judicial arm of CCB (Code of Conduct Tribunal) performs its job without undue influence or interference. It was agreed that thorough investigation should be performed regarding declared assets.

Recommendation

- Declared assets should be properly investigated by the Code of Conduct Bureau to avoid under-reporting of assets by elected or appointed government officials. Collaboration with Intelligence Agencies within and outside Nigeria will go a long way in achieving this.

Second Segment: Section 63
The Senate and the House of Representatives shall each sit for a period of not less than one hundred and eighty-one days in a year

Matters Arising

- Adequacy of 181 days of legislative sitting as mandated by the constitution?

EPLs after critical consideration of the functions of a legislator agreed that 181 days of sitting is sufficient. The functions of legislators are not restricted to sitting at plenary but also expands to oversight and committee functions. However, serious concerns were raised in the mode of attendance at plenaries.

Recommendation

- An open system should be put in place to check the number of sittings done in a parliamentary annually and an electronic tracking of attendance at plenary sessions of the National Assembly adopted

Third Segment: Section 65

Subject to the provisions of section 66 of this Constitution, a person shall be qualified for election as a member of:
(a) the Senate, if he is a citizen of Nigeria and has attained the age of 35 years; and

(b) the House of Representatives, if he is a citizen of Nigeria and has attained the age of 30 years

Matters Arising

1. Appropriateness of the proposed ages in the "Not too Young to run" bill (President: 35years, Governor: 30years, Legislator: 25years)?

The proposed age qualification in the 'Not Too Young to Run" bill is reasonable and very appropriate. Occupying positions of leadership do not only have to do with strength, vibrancy and excellent ideas of a young mind,but experience, maturity, and diplomacy that comes with age cannot be underestimated.

2. What effort are you making as an individual to ensure the bill is signed into Law?

Updates on the states that have assented to the bill and passed into law and individual involvement in advocacy for the bill to be signed were laid bare by EPLs.

Fourth Segment: Section 65(2)(B)

A person shall be qualified for election under subsection (1) of this section if: he is a member of a political party and is sponsored by that party

Matters Arising

1. The implication of this provision with regards to independent candidacy which is now largely mooted among the Nigerian populace?

Diverse opinions were expressed. It was argued that independent candidacy should be allowed to prevent party supported corruption tendencies and "political god-fatherism".

There are very high political figures in the country involved in a web of the party supported corruption scandal.

However, some expressed that independent candidacy might lead to impunity since these candidates are not answerable to any political the party.

Recommendation

- Measures should be put in place to allow equal participation in party politics irrespective of age or social status.

[5]*It has now been passed into an act for the amendment of the constitution*

Chapter 6: Executive Arm of Government

Brief Overview

This chapter of the constitution makes provisions for the executive arm of government in Nigeria. It contains provisions with regards to the office of the president and other executive offices, sets up federal and state executive bodies, public revenue, public service of the federation and state and some supplemental provisions with regards to political parties and Nigerian Police Force and institutions in the state.

First Segment: Section 131

A person shall be qualified for election to the office of the President if -(a) he is a citizen of Nigeria by birth;
(b) he has attained the age of forty years;
(c) he is a member of a political party and is sponsored by that political party; and

(d) he has been educated up to at least School Certificate level or its equivalent.

Matters Arising

1. Adequacy of the educational qualification for the office of the president?

Varying opinions were expressed regarding the minimum qualification for the election into the office of the president. Some felt the educational requirement is okay while majority opined that a bachelor's degree or its equivalent should be required. However, it was agreed that educational qualifications are not a measure of visionary leadership required to drive the country forward.

2. How can we ensure increased active participation of women in politics and governance?

It was opined that active and increased female participation in politics and governance can be achieved through sensitization and increased engagement of women in advocacy and leadership training.

3. What are the prospects of having a youth as a president in Nigeria?

It was pointed out that the "Not Too Young to Run" Bill has not guaranteed increased youthful participation in politics hence a dismal chance of producing a youth president, considering the financial cost of contesting for public offices in Nigeria.

Most EPLs believe that to move the Country through the 21st century, a leader with good morals must be voted in. They were of the opinion that although age doesn't really matter as an old person can also move the country forward, a young person they suggested will be full of fresh ideas and initiative needed to achieve more positive development in the country.

Recommendations

- Voter education and political inclusion of minorities in the society must be a priority, especially during election year.
- Bestowing on INEC, the authority to fix the cost of party nomination forms and election budget for all political parties.

Second Segment: Section 132(1) And 131(2)

1. *An election to the office of President shall be held on a date to be appointed by the Independent National Electoral Commission.*
2. *An election to the said office shall be held on a date not earlier than sixty days and not later than thirty days before the expiration of the term of office of the last holder of that office.*

Matters Arising

1. The independence, effectiveness, and transparency of polls conducted by INEC?
2. Ways to make the electoral process more effectively monitored and transparent?

It is popular opinion that the polls conducted by INEC are not completely free and fair. The electoral processes in Nigeria have been marred by widespread rigging, vote buying and bribing of INEC officials at polling units. EPLs believe that close monitoring by the media and NGOs will improve the transparency and credibility of electoral processes in the country.

However, to effect this there is a limit to which security forces deployed can exercise their powers. In the past, there have been reports of intimidation of media and press officials by security forces to prevent them from observing the electoral process.

Suggestions have been posited regarding the implementation of online voting. It appears as though at present it might be difficult to implement due to uneven level of technological advancement across Nigeria as well as high predisposition to rigging and unfair practices. This system of voting should be considered in the nearest future when we have adequate resources and expertise to secure an online voting system.

Recommendations

- A committee should be set up to look into the plausibility of having an online voting system in Nigeria or at least the most economical voting process the country can run.

Third Segment: Section 135(2)(A)(B)

(2) Subject to the provision of subsection (1) of this section, the President shall vacate his office at the expiration of a period of four years commencing from the date, when -

(a)in the case of a person first elected as President under this Constitution, he took the Oath of Allegiance and the oath of office; and

(b) in any other case, the person last elected to that office under this Constitution took the Oath of Alle giance and oath of office or would, but for his death, have taken such Oaths.

Matters Arising

1. Should the tenure of all public officers be reduced to a single term?

After critical evaluation, one may deduce that most of the elected persons in Government have nothing to offer during their second tenure and cited the South African Hero, Nelson Mandela, who declined the 2nd term offer after transforming South Africa in 4 years. The problem with restricting the office holding period to a single term of four years is that it does not encourage stability.

Individual incumbents' planning and executing capacities are different so they should be allowed an additional 4 years in office to complete the project they might have initiated.

There should be no restriction placed on the number of tenures an individual can seek in office (i.e. not term-limited), we believe it is left for the electorate to determine if such individuals are worthy of a second term or not.

However, EPLs are advocating that a restriction should be placed on the current trend of governors moving to the National House of Assembly after completing their 8-year tenure. A significant number of them are not making a meaningful contribution at the National Legislative House as they see it as "retirement" abode.

Recommendation

- Enactment of laws that limit elected public officers to a certain number of public offices for life.

Chapter 7: Judicature

Brief Overview

This chapter of the Nigerian constitution makes provision for the judicature in furtherance of the provision of section 6 of the constitution. It makes specific provision as to the jurisdiction of courts, heads of courts, the finality of decisions, the appointment of officers of the court and regulations of practice and procedure of the courts.

First Segment: Sections 260(1),275(1)

260(1) There shall be a Sharia Court of Appeal of the Federal Capital Territory, Abuja.

275(1) There shall be for any State that requires it a Sharia Court of Appeal for that State.

Varying opinions were expressed about the establishment of other courts and the Sharia court favoring only Muslims.

Majority of emerging leaders agreed that there is no need to establish courts for other religious beliefs and if there is a need, this can be achieved through agitation from necessary quarters.

It was pointed out that Sharia courts are established to assume exclusive jurisdiction on cases regarding Islamic personal laws. It is not binding on all Muslims and all state governments to establish one. To maintain peace and order in the country, the Sharia court should be allowed to run, as there is no evidence that it affects anyone negatively. But Sharia courts must abide by the provisions of the Nigerian constitution and the United Nations Human Rights.

There is the less likelihood of an uprising in the country if it should be scrapped since it is both a court of justice and a part of the Islamic faith.

Recommendation

- To maintain peace and order in the country, the Sharia court should be allowed to run in so far as they do not breach constitutional rights and human rights.

Second Segment: Section 287(3)

3) The decisions of the Federal High Court, a High Court and of all other courts established by this Constitution shall be enforced in any part of the Federation by all authorities and persons, and by courts with subordinate jurisdiction to that of the Federal High Court, a High Court and those other courts, respectively.

Matters Arising

- Contempt of Court orders is a common occurrence in this Administration such as refusal to release Nnamdi Kanu and Shiekh El- Zakzaky when they were granted bail

by the court. What measures can be put in place to make government obey court orders?

Disobedience to court orders is a crime under the law, and as such government should be charged with contempt. A review of the constitution is expedient which will empower the Attorney general to be able to sue the government in this regard. Also, EPLs believe the National Assembly should be backed constitutionally to effect special punishment to elected officials who fail to obey court orders.

Recommendation

- The national assembly should enact a law or amend the criminal code to provide special punishment for public officers who hold the court in contempt. This is intended to serve a deterrent purpose.

Third Segment: Chapter 7 Summary.

Matters Arising

1. In the entire Chapter VII of the Constitution, the Magistrate Court is neither mentioned nor recognized. Does this mean that the Magistrate Courts are not constitutional?

A close perusal of the entire chapter shows that only courts of superior jurisdiction were mentioned in the constitution. Not mentioning magistrate courts does not make them unconstitutional and therefore they can be regarded as 'courts of lesser jurisdiction'.

Recommendation

- The constitution should be amended to include Magistrate courts as courts of superior jurisdiction.

Chapter 8: Federal Capital Territory, Abuja, and General Supplementary

Brief Overview

This chapter of the constitution makes provisions for the federal capital territory (FCT) of the country; the structure and institutions therein, miscellaneous provisions as to the declaration of a state of emergency and provisions for the resignation of certain public officers; transitional provisions and savings; and interpretation, citation, and commencement sections.

First Segment: Section 318(A), (B), (C) And (D)

"School Certificate or its equivalent" means
(a) a Secondary School Certificate or its equivalent, or Grade II Teacher's Certificate, the City and Guilds Certificate; or

(b) education up to Secondary School Certificate level; or

(c) Primary Six School Leaving Certificate or its equivalent.

(i) service in the public or private sector in the Federation in any capacity acceptable to the Independent National Electoral Commission for a minimum of ten years, and

(iii) the ability to read, understand and communicate in the English language to the satisfaction of the Independent National Electoral Commission, and
(d) any other qualification acceptable by the Independent National Electoral Commission.

Matters Arising

1. Appropriateness of qualification requirement for public offices as provided for in the constitution?

Popular opinion is that possessing only a secondary school certificate is not a sufficient educational qualification to hold public offices in Nigeria.

The other argument, however, dissents on the basis that educational qualification should not be hinged on one's leadership ability, a higher education qualification will in every way equip one with skills needed to be a better and effective leader. Ability to deal with pressure, better exposure, improved communication skills, perseverance, and diplomacy are things that come with getting at least a University degree or its equivalent.

A common ground is that scaling up educational qualifications should not be across all elective offices; EPLs are specific of the offices of the Governor and President. There is a need for a review of this provision.

Suggestion for the maximum number of years that should be accepted by INEC as stipulated in paragraph

(a) above was pegged at 12 years. Qualification metrics should include the ability to read, understand and communicate in English language but they should not be the only criteria.

Recommendations

- Maximum year of service in the public or private sector before acceptance into INEC should be pegged at 12 – 15 years.
- Suggestions on further criteria should include non-partisanship, no record of electoral fraud or crime of any nature, integrity, and ability to uphold the independence and neutrality of the commission in any situation.
- Scaling up the minimum academic qualification in occupying the office of the president and governor to at least a University degree or its equivalent.

Second Segment: Section 308 (1), (2) and (3)

308(1) Notwithstanding anything to the contrary in this Constitution, but subject to subsection (2) of this section -
(a) no civil or criminal proceedings shall be instituted or continued against a person to whom this section applies during his period of office;
(3) This section applies to a person holding the office of President or Vice-President, Governor or Deputy Governor;

Matters Arising

1. The moral justification for granting the above immunity clause to the President, Vice-President, Governor, and Deputy Governor. Is this not the reason for the impunity seen melted out by some individuals occupying these offices?

Diverse arguments were proffered as regards the removal of the immunity clause. Some were of the opinion that immunity granted to occupants of the listed offices allows them to concentrate fully on the business of governance while many were of the opinion that the immunity makes most of them to arrogantly violate the law and with impunity while in office.

Recommendation

- This provision should be scrapped from the constitution.

Second Segment: Section 307

307. Notwithstanding any provisions contained in Chapter IV and subject to sections 131 and 177 of this Constitution, no citizen of Nigeria by registration or under a grant of certificate of naturalization
shall within ten years of such registration or grant, hold any elective or appointive office under this Constitution.

Matters Arising

1. Appropriateness of the 10years time gap in this section?

A critical perusal and dynamics surrounding this issues led to a conclusion that the time gap provision is quite appropriate. It was opined that within this time frame the fellow granted Nigerian citizenship will have adapted, learned and appreciated the culture, values, and morals of the Nigerian people.

Moreover, granting any individual a Nigerian citizenship should not be based on the prospect of occupying an elective or appointive office.

Third Segment: Section 301

301. Without prejudice to the generality of the provisions of section 299 of this Constitution, in its application to the Federal Capital Territory, Abuja, this Constitution shall be construed as if-

(a) references to the Governor, Deputy Governor and the executive council of a State (howsoever called) were references to the President, Vice-President and the executive council of the Federation (howsoever called) respectively;

Matters Arising

1. The necessity of having a Governor and a Deputy Governor to govern the affairs of the FCT?

The FCT is the seat of power where the president and other members of the executives and legislature stay. Having a governor and a deputy is not necessary and will only amount to an increase in the cost of governance and duplication of functions.

Third Segment: Section 302

302. The President may, in the exercise of the powers conferred upon him by section 147 of this Constitution, appoint for the Federal Capital Territory, Abuja a Minister who shall exercise such powers and perform such functions as may be delegated to him by the President, from time to time.

1. The legitimacy or otherwise of the right of the President to appoint ministers to do his work as the Governor of the FCT.

Dissenting views were expressed on this provision of the constitution. Some EPLs were of the view that the role of the President is that of the federation and overseeing the affairs of the FCT should not be difficult. However, the majority feel that it is only reasonable for the president to oversee the affairs of the FCT through the delegation of functions to a minister of the FCT for efficiency in the delivery of dividends of democracy.

Recommendation

- The current governing structure in the Federal Capital Territory should be retained.

Chapter 9: Schedules

Brief Overview

There are provisions in all the chapters discussed earlier that make reference to certain provisions in the schedule. There are seven schedules that serve as an appendage in the constitution. They contain executive commissions, functions of local governments, oaths for public officers among other provisions.

First Schedule

1. The Code of Conduct Bureau shall comprise the following members:

(a) a Chairman; and

(b) nine other members, each of whom, at the time of appointment, shall not be less than fifty years of age and subject to the provisions of section 157 of this Constitution shall vacate his office on attaining the age of seventy years.

4. The terms and conditions of service of the staff of the Code of Conduct Bureau shall be the same as those provided for public officers in the civil service of the Federation.
Matters Arising

1. Appropriateness of the age of appointment and retirement of the members of the CCB?

2. What measure should be put in place to check officials still staying in office after their age of retirement?

The ages of appointment and retirement are set high. EPLs felt that age should not be a criterion but rather qualification in terms of efficiency, experience, incorruptibility, and integrity.

Recommendations

- The age of appointment should be pegged at 35 and retirement pegged at 65 years.
- Also, screening of certificates and age declaration should be done every 5 years to curtail staying in office even after attaining the age of retirement.
- A review of this provision of this constitution.
-

Fifth Schedule

Brief Overview

The fifth schedule of the Nigerian constitution makes provisions for the Code of Conduct of public officers and the role of Code of Conduct Bureau and Tribunal in interpreting and enforcing the schedule.
6. (1) A public officer shall not ask for or accept property or benefits of any kind for himself or any other person on account of anything done or omitted to be done by him

in the discharge of his duties.

(2) for the purposes of sub-paragraph (1) of this paragraph, the receipt by a public officer of any gifts or benefits from commercial firms, business enterprises or persons who have contracts with the government shall be presumed to have been received in contravention of the said sub-paragraph unless the contrary is proved.

(3) A public officer shall only accept personal gifts or benefits from relatives or personal friends to such extent and on such occasions as are recognized by custom and the Code of Conduct Tribunal stated;

18. (1) Where the Code of Conduct Tribunal finds a public officer guilty of contravention of any of the provisions of this Code it shall impose upon that officer any of the punishments specified under sub-paragraph (2) of this paragraph and such other punishment as may be prescribed by the National Assembly.

(2) The punishment which the Code of Conduct Tribunal may impose shall include any of the following -

(a) vacation of office or seat in any legislative house, as the case may be;

(b) disqualification from membership of a legislative house and from the holding of any public office for a period not exceeding ten years; and

(c) seizure and forfeiture to the State of any property acquired in abuse or corruption of office.

Seventh Schedule

The seventh schedule contains the oath of allegiance, oath of office of judicial officers and public officers which include, but is not limited to, the president, vice president, governors, and deputy governors.

Oaths of Allegiance

I, ……. Do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria and that I will preserve, protect and defend the Constitution of the Federal Republic of Nigeria. So help me God.

Oath of Office of President

I, ... do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as President of the Federal Republic of Nigeria, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will to the best of my ability preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria; that in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection or ill-will; that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me as President of the Federal Republic of Nigeria, except as may be required for the due discharge of my duties as President; and that I will devote myself to the service and well-being of the people of Nigeria. So help me God.

Matters Arising

1. Can it be reasonably said that the present government of the federation is abiding by the oath they swore?

It appears our leaders only see the oath of allegiance and oath of office as mere constitutional requirements that are to be fulfilled before they get into office. This is evident in the conviction of past leaders for offenses like corruption and mismanagement of funds. The allegiance and loyalty of our leaders are in serious doubt. Specific lines were pointed out in the oath of office which we feel the president has not fulfilled. Examples include;

"…That I would not allow my personal interest to influence my official conduct or my official decisions"

"...I will do right to all manner of people, according to law, without fear or favor, affection or ill-will; that I will not directly or indirectly communication or reveal to any person any matter which shall be brought under my consideration or shall become known to me as President of the Federal Republic of Nigeria..."

Reference can be made to the farmers/herdsmen clashes in Benue state and the wanton killing of Nigerians in Jos and North eastern Nigeria where it appears the president has shown little or no concern.

Recommendation

- Increased citizen action to hold public office holders accountable. This can be achieved through further civic education of citizens and support of civil society organizations doing same.

Alteration Acts

Brief Overview

The constitution made provisions in section 9 of the mode by which it can be amended which when properly followed involves the enactment of an act of the National Assembly to amend, vary or repeal any of its provisions.

The late Chief Obafemi Awolowo once mentioned that one of the problems facing the enactment of a constitution is that they must be forward thinking. The reality is the constitution can never make full provisions for the future and there will be the need to amend its provisions in the future to fit societal developments.

Hence, the need for these alterations. Among the notable alterations include alteration of chapter 7 to the establish the National industrial court to cater for disputes relating to labour.

First Alteration Act

This Act alters the Constitution of the Federal Republic of Nigeria, 1999 among other things, to provide for the Financial Independence of the National Assembly and Independent National Electoral Commission.

Matters Arising

1. The necessity of this provision and how it encourages or discourages corruption?

Financial independence is not a necessity, and this will only propel the ship of corruption even further. It is believed that the financial independence proclaimed by this Act is not in the sole interest of prudence in spending taxpayers' money. NASS should be compelled to make their budget a public knowledge for proper monitoring by government agencies and interested NGOs. However, financial independence for INEC is not out of place as elections can come up any time of the year and not necessarily every 4 years.

Recommendation

- A serious check should be in place to scrutinize their financial spending yearly.

Second Alteration Act

This Act further alters the Constitution of the Federal Republic of Nigeria, 1999 and the Constitution of the Federal Republic of Nigeria (First Alteration) Acts, 2010 among other things, to provide for new timelines for the conduct of national elections, by the Independent National Electoral Commission.

This act provides for petitions related to an election to be filed within 21 days after the date of the declaration of the election results.

Matters Arising

1. Appropriateness of the 21days time frame provided for in this act?

Twenty-one (21) days is sufficient time to file a petition on the declared results of an election. Nevertheless, it may take a longer time to collect convincing evidence for the proper case presentation before the tribunal, but an initial filling should not be longer than 21 days.

Recommendation

- A time frame should be pegged for the conclusion of cases in election tribunals, having election petitions drag as long as 3-4 years is not healthy for our democracy as a country.

Third Alteration Act

This Act further alters the provisions of the Constitution of the Federal Republic of Nigeria for the establishment of the National Industrial Court under the Constitution.

Matters Arising

1. Has the industrial court so far been able to work to its mandate.
2. It has been noticed that majority are not aware of the existence of this court and if they do, they are not aware of its mandate. How do we enlighten workers especially those in the private sector about this?

It appears the majority of Nigerians are aware of the existence of an industrial court but not of its mandate. Although the court has followed its mandate on issues of illegal dismissal and industrial actions that has successfully been resolved at the national industrial court.

The media needs to focus more on the circumstances where the judiciary has mitigated the hardships of the common man by ensuring justice prevailed through litigation, mediation, reconciliation and arbitration rather than making their news based on political interests and political disputes.

With this, the common man will be aware and confident in the competence of the judiciary system to serve him justice.

Recommendations

- Wider media coverage and reportage to cover the activities of the industrial court. This is beneficial to law students, every Nigerian engaged in Labour and Officers of the court.
- The media needs to focus more on the circumstances where the judiciary has mitigated the hardships of common men by making sure justice is done.

SUGGESTIONS ON HOW TO RAISE AWARENESS ON CONSTITUTIONAL PROVISIONS

One of the findings of the study group is that many Nigerians are ignorant of the provisions of the supreme law of the land. For instance, no member of the study group had read the constitution cover-to-cover prior to the study. To this end, CSAAE is proposing the following to the National Assembly and National Law Review Commission to increase constitutional awareness so citizens can know their rights and duties. This will go a long way in helping the constitution achieve its developmental goal in Nigeria.

- Graphic and video representations on important constitutional provisions. This is targeted towards those who are unable to read, kids and persons who may not want to read. Imagery makes clearer written words and a picture they say, is a thousand words.
- Simplified versions of the constitution can also be made in different languages. It can be made in the three major languages and pidgin. We understand that legislative construction may be difficult to comprehend to men other than lawyers so a reproduction to simple English and native language should increase readability and appeal.
- Sensitization, Awareness walks and street campaign are also encouraged. This is already being done by some Emerging Nigerian Leaders through their Community Development Projects.
- Development of a cartoon project with the target audience being kids.
- "Naija Constitution in 60 seconds" videos and GIFs spanning over a period of time. It can be shared through social networks like YouTube, twitter, Facebook and LinkedIn.
- Bring out all parts of the Constitution that is applicable to students, compile into a cheap flip note, do same for all areas applicable to market women, miners, politicians, civil servants, medical officers, military, etc.
- Playwrights can write plays with scripts directly related to the constitutional provisions although with reasonable similitude. Songwriters can write songs on certain parts of the constitution.
- A Nationwide quiz competition on the Nigerian constitution. The quiz would be inLocal, State, Regional and National levels.

Partnership with the National orientation agency and other governmental agencies to widen our reach.

LIST OF EMERGING NIGERIAN LEADERS THAT PARTICIPATED IN THE CONSTITUTION REVIEW

S/N	NAME	SCHOOL	COURSE OF STUDY	STATE OF ORIGIN	AGE
1.	Onyeulor Paul	University Of Jos, Jos (UNIJOS).	Mathematics	Imo	20
2.	Moses Omo	College of Nursing and Midwifery, Vom.	Nursing	Edo	23
3.	Irene Chiamaka	Ahmadu bello University Zaria	Physics Education	Abia	21
4.	Edenamiuiki Beverlyn	University Of Benin, Benin (Uniben).	Animal Science	Edo	19
5.	Peterson Abuche	Federal University Technology, Minna. (Fut Minna)	Chemical Engineering	Kogi	22
6.	Chukwuebuka Kizito	Federal University of Technology, Owerri (FUTO)	Materials and Metallurgical Engineering (MME)	Imo	23
7.	Ategwu Samson	University of Calabar, Calabar (UNICAL).	Radiography & Radiological Sciences	Cross River	25
8.	Pyendang Dandy	College Of Nursing And Midwifery, Vom	Nursing	Plateau	21
9.	Ayo Bright	National Open University. (NOUN)	International and Diplomatic studies	Lagos	21
10.	Nwoko Queeneth	Federals College of Education Obudu (FCE Obudu).	Chemistry/ Biology	Imo	19
11.	Egbuokporo Charles	Imo State University (IMSU).	Optometry	Imo	21
12.	Yawe Peter	University of Jos, Jos	Medicine and Surgery	Benue	22

13.	Thomas Ashu	Federal College of Education in Affiliation with the University of Calabar, Calabar	Education/ English Language.	Cross River	19
14.	Agagbe Kelvin	Federal University Of Agriculture Makurdi. Benue State.	Agricultural Education	Benue	21
15.	Umar Maryam	Ahmadu Bello University, Zaria	Biochemistry	Niger	22
16.	Ebiale Martha	Cross River University Of Technology	Medical Biochemistry	Cross River	19
17.	Abaziem Victor	Federal University Of Technology Owerri	Civil Engineering	Imo	22
18.	Ogwumah Christopher	Federal University Of Technology, Owerri	Transport Management Technology	Abia	19
19.	TagboIjeoma	Federal University Of Technology, Owerri	Information Management Technology	Anambra	23
20.	Abdallah Sa'id	Northwest University	Economics	Kano	21
21.	Muhammad Sani	Ahmadu Bello University Zaria	Agricultural And Bio-Resources Engineering	Kaduna	20
22.	Ayenson Oyiza	Plateau State College Of Nursing And Midwifery Vom	Nursing	Kogi	20
23.	Emmanuel Egbala	Michael Okpara University Of Agriculture, Umudike, Abia State	Computer Engineering	Cross River	22
24.	Ebri Mary-Jayne	University Of Calabar, Calabar.	Radiography And Radiological Science	Cross River	19
25.	Onwukwe Oluchi	University Of Calabar, Calabar (Unical).	Medical Laboratory Science	Abia	20
26.	Abiji Emmanuel	Cross River University Of Technology	Business Administration	Cross River	22

27.	Ikeanyi Ozioma	Nnamdi Azikiwe University, Awka	History And International Relations	Anambra	20
28.	Caleb Asuquo	Cross River University Of Technology	Human Anatomy And Forensic Anthropology	Cross River	19
29.	Anuchirim Okwukwe	Imo State University Owerri	English Language And Literature	Imo	21
30.	Oladipo Theophilus	University Of Ilorin, Ilorin, Kwara State.	Law	Kwara	21
31.	Akindele Olalekan	University Of Ilorin	Law	Kwara	20
32.	Olatunji Peter	University Of Ilorin	Telecomm. Science	Osun	22
33.	Gegele Taiye	University Of Ilorin	Anatomy	Kwara	23
34.	Abdulsalam Ibrahim	University Of Ilorin	Law	Osun	22

WHY SHOULD I SUPPORT CSAAE?

In Nigeria alone, over 118 million people are under the age of 25. To put this number into perspective, consider this: If these young people formed a country, that country would be the 12th largest in the world; smaller than Japan, but larger than Mexico or the Philippines. As these young people come of age, how well they transition to adulthood and how well they integrate economically, politically and socially will influence whether Nigeria thrives or collapses from greed and factionalism. The future rests with them and in the face of their growing numbers, those who can help guide their efforts, have a responsibility to steer them.

The young people coming of age in Nigeria and Africa have the power to shape more positive futures for themselves and others. However, the continent's long-standing problems: ineffective leadership, endemic corruption, and challenges common to many sub-Saharan African countries: inadequacies in public health systems and income inequalities, undercut the potential of Africa and its young people.

Programs like CSAAE invest in and support the potential of young people by providing the kinds of tools and trainings that endow them with the capacities, competencies and character necessary to sustain themselves, create opportunities that help others sustain themselves and embrace their roles as critical actors in building a better Africa If Africa cannot accommodate the needs and aspirations of its surging population of young people, they could generate waves of migration for decades out of frustration or simply a lack of opportunity. CSAAE is registered as a non-profit organization in Nigeria and a 501(c)(3) in the United States. All donations are tax-deductible.

WAYS TO HELP:

Scholarship award, community project sponsorship, and general donations for training and conferences.

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About CSAAE

Years of ineffective leadership, corruption, poor entrepreneurial spirit and lack of commitment to common good have led to underdevelopment and massive poverty in Africa. In order for Africa to make progress and ensure that its people can enjoy a better quality of life, the continent needs a new generation of leaders who can fast-track development and end poverty in Africa. With youth under the age of 25 comprising 60 percent of the population, much of the hope for Africa's future lies in its young people. They are the agents of change and stakeholders in a better Africa

Launched in 2013, CSAAE is dedicated to harnessing the potential of young people and providing the kinds of tools and trainings that endow them with the capacities, competencies and character necessary to sustain themselves, create opportunities that help others sustain themselves and embrace their roles as critical actors in building a better Africa. CSAAE is registered as a non-profit organization in Nigeria and a 501(c)(3) in the United States.

The Founder, Reverend Father Godswill Agbagwa grew up in Nigeria. While studying abroad as a college student, he was struck by the contrasts he saw between the levels of poverty and under-development in Nigeria compared to Western countries he visited. That experience became the genesis for CSAAE, its programs, and the core values at the foundation of his work, which include:

- Accountability. Accepting responsibility for one's activities and in a transparent manner.
- Solidarity. A commitment to the common good.
- Integrity. Being honest and fair.
- Creativity. Thinking and actualizing new ideas.
- Punctuality. Being prompt and following through on commitments.

CSAAE focuses, in an integrated way, on four programmatic areas designed to channel young people into activities that develop leaders of character; cultivate a spirit of entrepreneurship; promote good governance, transparency, and accountability in government; and encourage mentorship among youth. Though distinct in their areas of focus, they share the common goal of creating positive social, economic and political change one youth at a time.

The Center's longest standing program is the Emerging African Leaders Program (ELP) launched in 2013 to prepare youth for positions in public service that are critical to development including political, media, religious, business and judicial leaders. Graduates of ELP form a Network of Effective African Leaders (NEAL) with one goal of taking over the leadership of Africa for good. Under the guidance of the Centre, Effective Leaders run for offices, serve in government, shape public policies and launch enterprises that enhance the greater good for Africa. They bear on each other on good governance, mentor emerging leaders and champion social impact projects in Africa.

Its Career Building and Entrepreneurship Program (CBEP) began in 2014 and engages youth in discussions about career direction while helping them navigate three paths from college to career: entering the workforce, pursuing a graduate degree, or starting a business. These youths in turn commit to using their careers to enhance the greater good for Africa.

The Youth Ethics and Anticorruption Program (YEAP) launched in 2016 seeks to raise the consciousness of youth to the importance of transparency, human rights and accountability in the work world while teaching them how to identify, resist and fight corruption hindering development in Africa.