

Human Rights Protection in Nigeria: the Past, the Present and Goals for Role Actors for the Future

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ABSTRACT

Since the adoption of the Universal Declaration of Human Rights in 1948, human rights have not only acquired global status and importance but have grown tremendously both in conception and content. While the internationalization of human rights was energized and strengthened by a number of developments, the present status of human rights in Nigeria is also not without any historical antecedents. This article provided a historical development of human rights in Nigeria, starting from pre-colonial, to colonial and post-independence Nigeria. It highlighted the scope of human rights guaranteed in each epoch and the impediments to their full realization. The paper argued that although Nigeria is a signatory to major international human rights instruments, large-scale human rights abuses still exist in the country and the social, economic and cultural rights have become a neglected category of human rights in Nigeria. The paper concluded by prescribing roles which the government and NGOs must play to ensure optimal realization of human rights in Nigeria.

INTRODUCTION

Internationally and nationally, the need for the promotion and protection of human rights is now not only recognized as the foundation of freedom and justice but as an integral and essential element for the preservation of peace not only within the confines of particular states, but universally.¹ It is for this reason that human rights which include such rights as right to life, dignity of human person, personal liberty, fair-hearing and freedom of thought, conscience and religion, have not only engaged the attention of the world community but have, “in the recent past, penetrated the international dialogue, become an active ingredient in interstate relations and has burst the sacred bounds of national sovereignty”².

To demonstrate their importance, the United Nations not only “affirm faith in fundamental human rights, in the dignity and worth of the human person”,³ but declares as one of its purposes, the need to promote and encourage universal “respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,”⁴.

From the “scattered, terse, even cryptic”⁵ references to human rights in the UN Charter to the more elaborate, definitive and authoritative “burst of idealism and enthusiasm”⁶ which the UDHR represents, the United Nations has drafted, developed and adopted many international human rights instruments of promotional and programmatic character, to ensure effective promotion and protection of human rights. Indeed, it is salutary that since the historic adoption of the UDHR, human rights have become central to the work of the United Nations which has consistently emphasized their universality; that is that, human rights are not foreign to no country but native to all nations.⁷

Just as the contemporary conception and contents of human rights have developed and grown over the years at the global level, human rights in Nigeria have been energized and strengthened; and paradoxically, undermined and subverted, by certain historical developments. The primary focus of this paper is to place human rights protection in Nigeria in historical perspective. The relevance of, and rationale for this exercise are by no means far-fetched. It is now generally acknowledged that the past co-exists with the present. History is a study both of change and of continuity⁸. It helps to appreciate the past, understand the present and prepare for the future. In discharging the objective of this paper, the first segment will be devoted to the examination of the state of human rights in pre-colonial era while the second segment will be devoted to the examination of the current legislative and institutional efforts aimed at protecting human rights. Hindrances to the full realization of the global effort at promoting and protecting human rights will also be examined. The last pre-occupation of this paper will be to design a road-map for institutions and bodies which are concerned with human rights in Nigeria.

Human Rights in Pre-Colonial Era

It is noteworthy that the present day Nigerian society is a product of colonialism.⁹ Nigeria, as a nation state, is unarguably the biggest country in African Continent and came into existence with the amalgamation of the Southern and Northern Protectorates in 1914 by Sir Frederick Lugard.¹⁰ Before the advent of the British colonialists, the present day Nigeria consisted of different tribes which ruled themselves separately in fragmentary communities without a central political union.¹¹ These included principalities and ancient kingdoms like Benin Empire, the powerful sultanates of Sokoto, the Emirate systems of Kano and Katsina among others. In the West, the Obas and Chiefs ruled over their kingdoms. In the East, where there was no centralized system of government comparable with what obtained in the West and North, governance was essentially a collective

responsibility of the Chiefs and elders. Consequently, reference to human rights in pre-colonial Nigeria refers to the state of human rights in the various socio-political formations which existed in the present day Nigeria before 1914.

The pertinent question to ask is: Did the pre-colonial Nigeria know of a system of human rights? Put differently, is the notion of human rights alien to the traditional societies which made up the present day Nigeria? To what extent were human rights recognized and protected in that epoch? Some writers, particularly Western writers¹² have doubted the existence of laws in societies which had a level of development comparable to African's. On this premise, they concluded that the notion of human rights was foreign to traditional African societies. To provide justification for their thesis, it was contended that Africa was a land of paganism, fetishism and ignorance which knew neither the notion of state nor written words, two institutions to which the existence and definition of law have tended to be linked.

The foregoing historical account undoubtedly curbed the growth of human rights in Africa generally but that is not to deny the existence of some measure of protection of human rights in traditional African societies. As pointed out by Eze,¹³ few legal studies have been conducted into pre-colonial history of Africa, and as such there are no coherent data, upon which a scientific examination and analysis of human rights promotion and protection in that epoch could be predicated. Nevertheless, the argument that traditional societies did not possess a legal system was based either on inadequate information or lack of appreciation of the true nature of pre-colonial African societies.¹⁴ For instance, many North African countries like Egypt, Algeria, Libya and even Ethiopia were, by all standards civilized nations before the advent of colonialism in Africa. Without doubt, the preponderance of opinion tilts in favour of the thesis that the notion of human rights was not alien to traditional African Societies.

Dankwa¹⁵ was emphatic on this point when he declared that, "long before the advent of colonialism, Africans had a notion of human rights. The rights to life, property and social security evidenced this point. At every libation, on festive and other occasion, prayers are said for the protection and preservation of individual life and life in general respectively." Bello¹⁶ re-echoed this opinion when he stated that "human rights were not alien to traditional African societies." M' Baye,¹⁷ another African legal scholar has also argued that pre-colonial African knew of a system of human rights adopted to the political and legal situation existing in that epoch. Accordingly, "in spite of difficulties in obtaining material, enough information exists to show that there not only existed legal systems but that there was some measure of protection of human right".¹⁸ This argument can be energized by the fact that the African chieftains and empires were more or less "democratic" in the sense that rarely did the will of one man, whether chief or king determine the fate of those societies.

Before examining the content and quality of human rights recognized and protected in that epoch in Nigeria, certain preliminary but important points need be made. First, although the existence of human rights in traditional Nigerian societies cannot be denied, there is, a point of divergence between traditional and Euro-American conceptions of human rights. In the latter, human rights are considered universalistic in nature and therefore applicable to all human beings without distinction as to race, colour, sex, language and religion. In the former on the other hand, human rights existed within the context of particular group or tribe.¹⁹

Secondly, as a result of the rudimentary nature and development of the socio-political relations of that epoch, the catalogue and scope of human rights recognized and protected then were not comparable with those of Euro American society. It was for this reason that Eze maintains that while the existence of human rights in traditional African societies cannot be denied, the degree to which they were protected was comparatively limited.²⁰ Further, the rights recognized in traditional Nigerian societies were remarkably influenced by laws, customs and beliefs of the individual group or tribe. It is for this reason that the notion of human rights in traditional African societies generally did not lend itself to the contemporary barge of universality. Finally, as insightfully noted Eze,²¹ "traditional African societies knew of institutionalized derogations from human rights. Thus, there was slavery, the *osu* system and the caste system epitomized by the untouchables. Also, the practice of human sacrifice and killing of twins in the superstitious belief that they will bring evil was prevalent.

Amongst the human rights that existed and were protected in pre-colonial Nigeria were the right to life, freedom of thought and of expression, limited only by the principle of respect for oneself and others. Freedom of association with one's own kin within the extended family and age groups was also protected. A widow remained a member of the deceased husband's extended family. Right to membership of an extended family was considered a fundamental human right. Thus, a member of a family may not be unlawfully excluded from the family. Individuals could own property and their right to such property was protected by the punishment of an unauthorized trespasser. It has also been asserted that the right to work and right to education were equally recognized and protected.²²

The above list is not exhaustive. Indeed, some of the new generation rights were protected under the traditional systems. For example, freedom from hunger recently espoused by international convention was recognized and protected by the pre-colonial Nigerian societies. Thus, members of a community would be

obliged to provide necessary provisions for a hungry member of the same community.²³

Romantic as the above picture appears, there existed gross denials and violent violations of human rights in traditional Nigerian societies. As earlier noted, traditional African societies generally knew of institutionalized derogations from human rights.²⁴ In some cases, enjoyment of right has to turn on certain criteria like sex, social status, age, and so on. It was on this basis that certain categories of persons; women and children particularly, are barred from belonging to certain traditional cults and organizations. The practice of slavery flourished in this same epoch. There was the *osu* and caste system in *Iboland*.²⁵ Little respect was paid to the value of life. Thus, there existed human sacrifice to appease the gods and servants were killed and buried with deceased kings in the superstitious belief that such servants would minister to the needs of such kings in the great beyond. This practice was prevalent in Yorubaland, a tribe in the western part of the country. In the East, notably, Cross River and Akwa Ibom States, twins were killed in the superstitious belief that they would unleash evil. Apart from these, there existed other limitations and denials of human rights. Women and children enjoyed minimal human rights with women regarded and treated as chattel. Thus, in the event of the death of a man, his widow could be inherited by a close member of his family.

Notwithstanding cases of gross violations of human rights in traditional Nigerian societies, the existence of human right in that epoch cannot be denied. There is nothing strange or contradictory in the foregoing proposition. For instance, the 1789 Declaration of the Rights of Man and Citizen did not keep France from subsequently amassing a vast colonial empire among the people of colour and from enslaving the blacks. Similarly, the 1776 Declaration of Independence did not totally exterminate violations of human rights by the Americans as they continued the practice of slavery, racial segregation and dehumanizing treatment of blacks. At the global level, notwithstanding the various United Nations instruments on human rights, worrisome situations of human rights violations across the globe still exist. Therefore, although there existed practices inconsistent with, and antithetical to, human rights promotion and protection in traditional Nigerian societies, that epoch knew of a regime of human rights.

Human rights in Colonial Era

Colonial administration in Nigeria as in most colonized countries had a dismal record of human rights recognition and protection. The advent of the colonialists, inevitably made the Nigerian societies become subject to the political, economic and social domination and subjugation of the colonial power. Also colonialism engendered an imposition of European education and values. As incisively captured by Eze,²⁶ the essentially exploitative, repressive and discriminatory nature of colonialism itself of necessity, required certain measure of repression of the rights of the natives. Also commenting on the oppressive and repressive character of colonialism, Read²⁷ unhesitatingly declared that:

colonial rule was essentially authoritarian and even the introduction of English law as the basis for local legal systems did not result in the colonial subjects enjoying the full rights of liberty, due process, free speech and the rest which the common law is said to guarantee to the Englishman himself.

Apart from plundering the country like other colonial territories with naked force in search of raw materials and slaves, other human rights such as freedom of speech, freedom of the press and freedom of association and assembly were denied in order to silence critical opinions on the evils of colonialism.

As argued by An – Naim²⁸ “colonial rule... is by definition the negation of (human) rights. However one evaluates pre-colonial African political regimes from the point of view of human rights, it is clear that colonialism was incapable of creating and sustaining the institutions and processes necessary to protect rights.”²⁹ In the same vein, Eze³⁰ posited that “alien rule was a negation of fundamental human rights of self-determination and that the colonial system, in spite of declarations to the contrary, was racist and authoritarian. It encouraged ethnic and class differentiation, and even if it could be construed as a higher level of development than the feudal-slave systems with which it co-existed, it was essentially inegalitarian and antithetical to human rights. From this perspective, it is clear that the British colonialists left a legacy of monumental infraction of human rights in Nigeria.

In 1949 for instance, the right of trade unions to strike was denied the miners in the Nigerian coal mine. The exercise of power of political detention of the natives also constituted a significant infraction on the rights of the natives. In certain situations, the checks and balances surrounding the powers of the traditional rulers were destroyed by converting the ruler into a single native authority reinforcing thereby the authoritarian aspect of the powers of the Chiefs. Consequently, the powers of traditional rulers were frequently abused beyond the limits that would ordinarily have been tolerated in the traditional legal order. It was equally a common practice by the colonialists to exert forced and cheap labour from the local populace to minimize the cost of colonial administration. Perhaps the most serious infraction on human rights in the colonial period was the denial of the right to self-determination as espoused in the various international instruments on human rights, particularly the

Universal Declaration of Human Rights, 1948. The subjugation of people to alien domination and exploitation constituted a very serious denial of human rights. All these denials of human rights were experienced by Nigerians during the colonial period.

The dismal record of the colonial masters on human rights promotion and protection is not to be construed to mean that colonialism had no positive impact on human rights. On the contrary, colonialism also had a profound, admirable and positive influence on human rights. Consequently, the advent of colonialism in Nigeria was not a total curse. In terms of contemporary notions of human rights, colonialism produced some positive impact. The British, like the French and the Belgians recognized and provided for the preservation and application of customary law and institutions in so far as they were “not repugnant to natural justice, equity and good conscience.”³¹ On the basis of this repugnancy rule, many customary practices which were considered objectionable as being inconsistent with civilized standards were abolished. Such customary practices included slave trading and slavery, trial by ordeal, human sacrifices, the custom of killing twins, the *osu* system and witchcraft.³²

The salutary effect of colonialism on human right was brilliantly summed up by Eze³³ when he noted that “there is no doubt that by abolishing certain objectionable practices prevalent in African traditional societies – slavery, human sacrifice, etc, - the colonialists have contributed to a progressive development of human rights”...³⁴

Post Independence Era

Upon gaining full political independence, considerable efforts have been made to promote and protect human rights in Nigeria. The independence and post-independence constitutions, - that is, the 1960, 1963, 1979 and 1999 Constitutions – not only guaranteed human rights but instituted mechanisms to ensure their enforcement. The basic civil and political rights guaranteed in the global instruments are recognized and protected by the constitutions³⁵. These rights include, *inter alia*, right to life,³⁶ liberty and security of persons,³⁷ freedom from slavery,³⁸ torture, cruelty, inhuman and degrading treatment.³⁹ Arbitrary arrest and detentions are also prohibited.⁴⁰ These constitutions also guarantee fair and public hearing within a reasonable time,⁴¹ rights to private and family life,⁴² right to freedom of thought, conscience and religion,⁴³ right to freedom of expression and the press,⁴⁴ right to peaceful assembly and association,⁴⁵ right to freedom of movement,⁴⁶ right to freedom from discrimination⁴⁷ and right to acquire and own property.⁴⁸ Besides, the political, economic and social objectives contained under the Fundamental Objectives and Directives Principles⁴⁹ of State Policy are directed towards the purpose of securing the realization of the economic, social and cultural rights articulated in the Universal Declaration of Human Rights, 1948 and related instruments⁵⁰. Effective institutional device essential for the enjoyment of human rights is equally always established in the constitution.⁵¹ In 1995, the Federal Government also established the National Human Rights Commission⁵² with the mandate to create “an enabling environment for extra-judicial recognition, promotion, and enforcement of all human rights recognized and entrenched in the Constitution...”

Nigeria’s efforts at protecting and promoting human rights are not limited to mere constitutional provisions and establishment of institutional infrastructure to secure the enforcement of the rights. Nigeria played a predominant role in the process that led to the actualization of the dream for an African Charter on Human Rights. Although the Charter came into force in 1987, as far back as 1961, Nigeria hosted a conference in Lagos on the Rule of Law. It was at that conference, convened though by a non-governmental organization, that African jurists for the first time called for the establishment of an African Commission on Human Rights.⁵³ Indeed, Dr. Nnamdi Azikiwe, a Nigeria, has been credited with the first suggestion for an African Convention on Human Right.⁵⁴ Nigeria also actively participated in other conferences and seminars which furthered the realization of an African Charter on Human Rights.⁵⁵

Apart from guaranteeing human rights in its constitution and facilitating the conclusion of regional human rights instrument, Nigeria has shown its commitment to human rights goal by the adoption and ratification of major international human rights instruments. For instance, Nigeria is a member of the United Nations and a signatory to the Universal Declaration of Human Rights, 1948. Other important instruments to which Nigeria is a signatory include, The Convention on the Elimination of All Forms of Discrimination Against Women, Convention on the Prevention and Punishment of the Crime on Genocide, the International Convention on the Elimination of all forms of Racial Discrimination, International Covenants on the Civil and Political Rights; and the International Covenants on Economic, Social and Cultural Rights.⁵⁶

It must be immediately observed and conceded that formal guarantees of human rights in the constitution and the ratification or accession to the international human rights documents is not an index of measurement of the degree of protection of human rights in any given country. Indeed, there exists a wide gap between declaration and actual practice. Thus, in spite of the ambitious, audacious and enthusiastic endorsement of the international human rights instruments, and the apparent commitment to their protection as expressed in

the Constitutions, worrisome cases of infractions on human rights still exist in Nigeria. For purposes of clarity and completeness, it is considered necessary to spotlight human rights regime in post – independence Nigeria under the military and civilian governments respectively.

Human Rights Under the Military Rule

Although Nigeria gained political independence on 1st October, 1960, with Dr, Nnamdi Azikiwe emerging as the first indigenous Governor-General and Sir Abubarka Tafawa Balewa as the Prime Minister, the regime was overthrown by military coup on 15th January, 1966. From 1966 to 1999 when Nigeria returned to democratic governance, there were eight military coups; while six were successful, two were not.⁵⁷

Military intervention in Nigeria politics like in most African countries has undoubtedly had a destabilizing effect on human rights protection. This is because of the autocratic nature of military rule. All the military governments unleashed varying degrees of terror on the populace. The nature of military rule and its negative impact on human rights was brilliantly captured by Hon⁵⁸ as follows:

When military coups take place, constitutional and legal order is replaced by rule of force, suspension of a substantial part of the constitution, and the trampling upon, in a most despicable manner, of fundamental human rights ...Unlike in democracies where the people vote in their leaders, military interveners only force or foist themselves on the people. The imperatives of such imposition range from vindictiveness to rule by might and dictatorship. Military regimes abridge most of the rights of the citizens.⁵⁹

In x-raying the impact of military rule on human rights, another learned author⁶¹ unhesitatingly declared that major sources of human rights abuse are the various military Decrees and Edicts promulgated which oust the jurisdiction of the courts and that since the inception of military rule in Nigeria, there have been flagrant violations of human rights by way of prevention of exercise of basic human rights, ouster of court's jurisdiction, retrospective legislation etc.

A learned author⁶⁰ has also lamented that enforcement of human rights under the military regime has been seriously constrained by a number of problems which included outright suspension of the constitutional provisions on human rights, promulgation of Decrees and Edicts with retroactive effect and nullification of judicial decisions unfavourable to the government.

From the above premise, it is undeniably true that a military regime, no- matter how benevolent, is essentially antithetical to human rights. Thus, virtually all military regimes in Nigeria from Aguiyi Ironsi to Abdulsalami Abubakar, are guilty of monumental infractions on human rights. Characteristically, they promulgated draconian and obnoxious Decrees and repressive Edicts which constitute grave violations of human rights. For instance, under the military government of General Yakubu Gowon, when over 140 Decree were promulgated,⁶¹ not a few negatively impacted on human rights. A good example is afforded by the Armed Forces and Police (Special Powers) Decree⁶² which gave the Inspector General of Police, among others, wide discretionary power of arrest and detention. In exercise of this power, many people were incarcerated for a long time.⁶³ Reference may also be made to the Federal Military Government (Supremacy and Enforcement of powers) Decree⁶⁴ which completely ousted the jurisdiction of the court in matters within its contemplation.

The regime of Generals Murtala Mohammed cum Olusegun Obasanjo was also notorious for its human rights abuse. It was under this regime that many civil servants were compulsorily retired without due process, and private properties confiscated without hearing. The notorious Nigerian Security Organisation detention camp known as Ita-Oko, Lagos was established under this administration and many people were clamped into the detention camp.

Similarly, the regime of Mohammadu Buhari did not fare any better. Indeed, authoritarianism was the hallmark of that regime. The first Decree promulgated by the regime was the Constitution (Suspension and modification) Decree⁶⁵ which suspended and modified some provisions of the constitution relating to human rights⁶⁶. Many subsequent Decrees also impacted negatively on human rights. These included, The Public Officers (Protection Against False Accusation) Decree⁶⁷ which placed the onus of proving innocence on the accused for a publication that brought a public officer to disrepute., The Recovery of Public Property (Special Military Tribunals) Decree,⁶⁸ and Special Military Tribunal (Miscellaneous Offences) Decree⁶⁹ which both had retroactive effect and imposed heavy penalties; State Security (Detention of Persons) Decree⁷⁰ legalized arrest and detention of persons without trial. Many of the Decrees also ousted the jurisdiction of the court and as such, the legality or otherwise of any action taken or purportedly taken pursuant to these Decrees could not be entertained or inquired into by any court of law⁷¹.

Other obnoxious Decrees promulgated by this regime are Public Officers (Special Provisions) Decree⁷² and Civil Service Commissions and Other Statutory Bodies etc (Removal of Certain Persons from office)

Decree⁷³. These Decrees, *inter alia*, empowered the appropriate authority to dismiss, compulsorily withdraw or remove any public officer from office. Under this regime, most of the Decrees have penal implications and made to have retroactive effects. Examples of such Decrees include State Security (Detention of Persons) Decree⁷⁴ which empowered the Chief of Staff, Supreme Headquarters to “detain persons who have contributed to the economic adversity of the nation, and Special Tribunal (Miscellaneous Offences) Decree⁷⁵ which although was promulgated in March, 1984, had as its effective date, 31st December, 1983.

Human rights violations of monumental proportion were witnessed under the regime of General Ibrahim Badamosi Babangida even though on assumption of office, it purported to commit itself to protect human rights in consequence of which the State Security (Detention of Persons) Decree⁷⁶ was amended by the State Security (Detention of Persons Amendment) Decree⁷⁷ to whittle down the seemingly untrammelled powers of the Chief of Staff, Supreme Headquarters to detain any person without trial. Also, Public Officer (Protection Against False Accusation Repeal, etc) Decree⁷⁸ was promulgated to repeal Decree 4 under which two journalists in the Guardian Newspapers – Nduka Irabor and Tunde Thompson were convicted. The journalists were also granted state pardon and the fine of N50, 000.00 paid by their employer, - Guardian Newspapers was refunded. Hundred of detainees were also released in response to public yearnings. These gestures were however a mere subterfuge because like its predecessor, human rights were desecrated in no small measure by the administration. Many cases of arbitrary detention without trial, unlawful entry and arrest; closure and proscription of newspapers and certain institutions were witnessed during the period. The Nigerian Labour Congress, the National Association of Nigerian Students and the Academic Staff of Union of Universities were at various times proscribed. Also, The Punch, Daily Champion, National Concord, The Guardian Newspapers were at various times proscribed, banned, or their publications seized and destroyed.⁷⁹

Human Rights record of the military rule of General Sani Abacha was abysmal. The regime was notorious for its autocracy and totalitarianism. Human rights were desecrated with impunity and in an unprecedented manner. Mohammed, a learned commentator, describes the regime as the “worst and most hated.”⁸⁰ Justifying his conclusion, he painted a gory picture of human rights in that epoch as follows:

Between November, 1994, and June, 1998 which can aptly be described as Nigeria’s years of horror and tyranny, Abacha’s evil regime jailed, murdered, tortured and drove into exile many innocent Nigerians⁸¹

Also commenting on the human rights regime of General Sanni Abacha, an acclaimed human rights activist, Nwankwo lamented the mindless desecration of human rights detailed horrendous cases of extra-judicial killings, torture, assassination and prolonged incarceration⁸²

Like its precursors, the military government of General Abacha preserved and enforced the many draconian decrees promulgated by the earlier military governments. Many of these decrees as earlier pointed out ousted the jurisdiction of the court. However, by reason of the national and international condemnation of his regime, General Sani Abacha, was constrained to establish the National Human Rights Commission in November, 1996 at the height of his human rights violations.⁸³

Human Rights in Civilian Era

Nigeria gained political independence in 1960, on the basis of constitutional democracy. Constitutional democracy is often described as the only form of government which can guarantee the protection, promotion and meaningful enjoyment of human rights.⁸⁴ Between October, 1st, 1960 till date, Nigeria has been under five different democratic governments headed by Tafawa Balewa⁸⁵, Shehu Shagari⁸⁶, Olusegun Obasanjo⁸⁷, Musa Yar’Adua⁸⁸ and Goodluck Jonathan who took over from Yar’ Adua who died in 2010. The imperative question now is: To what extent is the assertion true that human rights thrives in democracy? Put differently, can it be said that human rights protection under the various democratic governments in Nigeria has been adequate?

Unarguably, the human rights record under the various democratic governments in Nigeria is a lot better when compared with military dictatorship. However, it would be misleading to argue that democratic governance necessarily restores and guarantees civil liberties and freedoms. On the contrary, worrisome cases of human rights violations exist under the various civilian dispensations. For instance, the political intolerance and lack of accommodation of dissenting opinions in part exacerbated and ignited the political conflagration which eclipsed the first republic. It was in this political climate of intolerance that Chike Obi was arrested and charged for the crime of sedition⁸⁹ notwithstanding the constitutional right to freedom of speech.

Also, unlawful deprivation of the right to personal liberty and freedom of movement occurred on a large scale during the period as some politicians of the then opposition party were arrested and detained. One celebrated case in which the infraction of this right was challenged is the case of *Williams vs. Majekodunmi*⁹⁰ which was decided under the 1960 Constitution. The Plaintiff who was the Legal Adviser of the Action Group Party during the period of emergency in Western Region had his movement restricted to a radius of two miles from his house pursuant to the Emergency Powers regulations of 1962. The Court unhesitatingly held that the

restriction order constituted a violation of the fundamental right to freedom of movement of the plaintiff.

The civilian administration of Alhaji Shehu Shagari also recorded many instances of unlawful infraction of human rights. Arrests and detentions without trial, unlawful and unjustifiable evasion of the privacy of the individual, denial of freedom of expression, press censorship, etc, were not uncommon. One case which stands out in terms of popularity and mass condemnation was the case of *Shugaba Darman vs. The Federal Minister of Internal Affairs*.⁹¹ In that case, the Applicant, who was a senator of the Federal Republic of Nigeria was forcefully extradited from Nigeria to Chad, ostensibly for political reasons. In an action challenging his forceful extradition, the court awarded compensatory and exemplary damages to the Applicant, holding *inter alia* that the “Deportation Order, 1980 is *ultra vires*, and void and that the same constitutes a violation of his fundamental rights, personal liberty, privacy and freedom to move freely throughout Nigeria”.⁹² The learned trial judge also restrained the Federal Government and its agents from enforcing or continuing to enforce the Deportation Order against the Applicant.⁹³

Another celebrated case in this epoch was the case of *Okogie vs. Attorney General, Lagos State*⁹⁴ in which the Applicant challenged the decision of Lagos State Government to abolish private primary and secondary schools in the state contending that it amounted to an infraction of freedom of expression. The Court of Appeal held that section 36 of 1979 Constitution confers untrammelled right on any individual to establish and run any educational institution as a medium for dissemination of ideas. On the relationship between sections 18 and 36, the Court held that the former cannot, nor is it intended to minimize or abrogate the enjoyment of the right of freedom guaranteed by the latter and that the right of the plaintiffs to own and operate schools must be protected from being abolished by the government.⁹⁵

Human rights regime under the civilian administration of General Olusegun Obasanjo was a sorry tale. As in the inglorious days of military rule, frequent cases of extra-judicial and unresolved killings,⁹⁶ unjustifiable torture of detainees by security agents,⁹⁷ unbridled curtailment of press freedom⁹⁸ and objectionable arrest and detention⁹⁹ reigned supreme. The worrisome cases of human rights abuse during this administration informed the succeeding government of Mallam Musa Yar’ Adua to declare upon its inauguration, that its administration will be anchored on rule of law and due process. Unfortunately and quite regrettably however, this professed commitment turned out to be mere rhetoric as cases of human rights abuse under the administration were not isolated but systemic. The National Human Rights Commission’s presentation during the 9th session of the United Nations Human Rights Council held in Geneva, Switzerland¹⁰⁰ bears eloquent testimony to the massive violation of human rights under the administration. In the Report, the Commission, which, ironically, is a government institution, categorically stated that notwithstanding the constitutional guarantees on the right to life and the right to freedom from torture, cruel, inhuman and degrading treatment or punishment, the Commission continued to receive complaints daily on the use of cruel, inhuman and degrading means to extract “confessions” from suspects. Further, the Commission reported that 40 per cent of complaints received by it related to torture and extra-judicial killings by the Nigeria police.

In apparent confirmation and endorsement of the Report of the National Human Rights Commission, the United States Human Rights Report for 2008¹⁰¹ expressed worry about the human rights record of the administration which it described as “poor.” According to the Report, most significant human rights problems included the abridgement of citizens’ right to change their government...

...abuse of power by the police, deprivation of life and infringement on individuals freedom... extra-judicial killings by security forces, the use of lethal and excessive force by security forces, vigilante killings, impunity for abuses by security forces, torture, rape, and other cruel, inhuman or degrading treatment of prisoners, detainees and criminal suspects, harsh and life threatening prison and detention centre conditions.¹⁰²

In isolating security forces for condemnation, the Report noted that “national police, army and other security forces committed extra-judicial killings and used lethal and excessive force to apprehend criminals and to disperse demonstrators during the year citing the carnage of February, 25, 2008 and November, 27th, 2008 in Ogamina, Kogi State, and Jos, Plateau State respectively as examples.¹⁰³

Human rights protection under the current administration of President Goodluck Jonathan is lamentably appalling as horrendous cases of human rights violations are prevalent especially as the government has demonstrated evident lack of capacity to deal with the menace of Boko Haram, a violent and murderous Islamic sect which has mindlessly killed thousands of people in unprovoked attacks. Places of worship, especially churches have become hunting ground for the sect which has killed many worshippers in cold-blood. Added to the challenges posed by the Boko Haram sect is the malaise of kidnapping, which has grown exponentially and in sophistication. Like in other regimes, cases of extra-judicial killings and unjustifiable arrests and detention have not abated. Amnesty International in its 2012 Report on Nigeria noted that the country’s human rights situation in the year ‘deteriorated.’¹⁰⁴ The Report then chronicled cases of human rights violations, including

extra-judicial killings, torture and other ill-treatment, violence against women and girls, abridgement of freedom of expression among others.¹⁰⁵

It is to be noted that while civil and political rights have enjoyed varying degrees of protection since independence, successive Nigerian governments have done little in the promotion of social, economic and cultural rights. Which was why, these rights have been described as “a neglected category of human rights”¹⁰⁶. The reason for the neglect of these rights is not just because of limited resources but partly because officials of the various governments have been guilty of reckless spending and stealing of public funds.

Nigeria is a country which is blessed with abundant natural resources and is no plagued by the numerous natural disasters which have devastated many nations of the world and rendered them prostrate; yet, the nation has remained peripheral and buffeted by preventable social, economic crises. Majority of her people still live in sub-human conditions- dehumanized, depersonalized and ravaged by poverty and illiteracy. Yet, it is a truism that civil and political rights, social, economic and cultural rights are not only equally important but indivisible, interdependent and mutually re-enforcing.

From the foregoing, it is irresistible to conclude that notwithstanding Nigeria’s adoption of major international human rights instruments, the incorporation of basic human rights in her constitution, and the establishment of institutional infrastructure for their enforcement, human rights protection in Nigeria remains abysmal.

Human rights protection in Nigeria is still hamstrung by potent multifarious and multi-dimensional impediments which include wide derogation clauses, primacy of domestic legislation over international human rights treaties, absence of true judicial independence, problem of disobedience to court orders and weak institutional infrastructure.¹⁰⁷ Against the foregoing background, it becomes imperative therefore to design a road map for role actors in order to guarantee effective human rights promotion and protection in Nigeria. This exercise is of absolute importance not only because human rights subject “has penetrated international dialogue and has become an active ingredient in interstate relations bursting the hitherto sacred bounds of national sovereignty”¹⁰⁸, but because human rights remain the foundation “of freedom, justice and peace in the world”¹⁰⁹.

GOALS FOR ROLE ACTORS

Without doubt, states remain primarily responsible in international law for ensuring adequate protection of human rights within their respective jurisdictions.¹¹⁰ Thus, it has been noted that international protection requires national measures to implement human rights treaties and to strengthen national institutions linked to the full observance of human rights and the rule of law¹¹¹. Crucially therefore the government with its various institutions has a huge role to play to ensure the full realization of human rights. The role of government is particularly crucial because, it is a notorious fact that governments across the globe remain the major human rights predator and paradoxically, the most potent institution and mechanism for human rights protection. However, the goal of human rights cannot be realized without the fidelity and commitment of non-governmental organizations and private individuals. For as noted by Bhagwati,¹¹⁰ ‘it must be recognized that the enforcement of human rights cannot just be the pleasure of the lawyers, judges and courts nor is adjudication by the courts the only method by which human rights can be enforced. A wide range of alternatives has to be explored in order to change some old ways of thinking on this subject and of rooting out deep-seated prejudices in the regard to race, colour, sex, caste, religion, etc... We must accelerate social movements using a multiple range of techniques that human rights can be realized’.

With an eye to the future, it is therefore proposed to set out an agenda for Government both at national and state levels and non –governmental organizations which will guarantee and energize human rights promotion and protection in Nigeria.

The Government

As the primary mandate for the implementation of human rights lies with States,¹¹² it is advocated that government should embark on necessary constitutional and institutional reforms in order to achieve the goal of human rights. Specifically, all necessary legislative, judicial and administrative measures should be taken in order to prevent, prohibit and eradicate all anti-human rights legislation, policies and practices.

Without amplification, the following roles are proposed:

1. The ambit of permissible derogations from human rights must be well defined and severely limited.
2. The dualist model by which domestic legislation have primacy over international human rights instruments should be abolished as it circumscribes the goal of human rights.¹¹³
3. Intensive measures must be taken to encourage and institute human rights education both in formal and informal settings.¹¹⁴ For, as noted by Bhawatti,¹¹⁵ it is essential to embark upon a complimentary programme of education designed to produce new thinking on the part of the people in regard to human rights.

4. Extra-judicial bodies, especially the National Human Rights Commission, must be strengthened to complement judicial enforcement which is characteristically expensive, and protracted.¹¹⁶
5. Meaningful legal aid must be designed and provided to ensure that indigent victims of human rights violations obtain effective redress.
6. Government must strive to promote the rule of law and accountability; and eliminate the culture of impunity.
7. Compliance with judgments and Orders of court in human right cases must be prompt and treated as absolutely sacrosanct. In order to satisfy monetary awards, a dedicated fund should be established from which damages are paid.
8. Judges must demonstrate undisguised judicial activism in human rights litigations. As noted by Lord Wilberforce,¹¹⁷ judges must adopt “a generous interpretation, avoiding what has been called the austerity of tabulated legalism suitable to give individuals the full measure of the fundamental rights and freedoms.”
9. Finally, Government must embark on consistent programme of training of members of the security agencies on the imperative duty to respect human rights. Where breaches occur as a result of deliberate disregard for human rights, the culprits must be promptly and decisive disciplined to serve as deterrent to others.

Non Governmental Organizations

Since the executive agencies established to ensure effective promotion and protection of human rights have largely been unable to discharge their mandate, non-governmental organizations have the following important roles to play.

1. Investigate and expose allegations of human rights violations. The exposure can be in widely read publications. This will not only draw attention to the problem of human rights violations but can provoke national and international actions such as strike, protest and sanction.
2. Complement government efforts in educating the populace concerning their rights and duties. This will not only help the largely illiterate populace to be sufficiently informed about their rights but will empower them to seek appropriate remedies to redress violations.
3. Assist indigent victims of human rights violation to seek and obtain redress. The assistance can be in various forms- such as provision of funds or legal aid.
4. Agitate, either individually or in collaboration with other civil societies, for the abolition of anti-human rights legislation, policies and programmes.
5. Cooperate with National Human Rights Commission to design and execute programmes and strategies which will promote the cause of human rights. The necessity for a close relationship between NGOs and National Human Rights Commission is now well recognized. For example the UN Handbook has recommended such a high level of cooperation.¹¹⁸
6. Engage in energetic and result-oriented lobbying to fashion out human rights friendly legislation and policies.

Conclusion

In this paper, a historical perspective of human rights in Nigeria has been provided; considering the developments at different periods of Nigeria’s history. The central thesis of the paper is that although human rights have always enjoyed some measure of recognition and protection in Nigeria, even in traditional societies that existed prior to the advent of colonialism, the scope of these rights and the extent of their enjoyment has always been limited.

Attention was drawn in the paper to the factors which inhibit the concrete realization of these rights to include underdevelopment, executive recklessness and absence of true judicial independence among others. Consequently, since human rights, which find expression in international and regional human rights instruments are so fundamental that they lay at the root of human existence, the paper provided an agenda, of programmatic and pragmatic character, which will facilitate the achievement of the goals of human rights in Nigeria. It is imperative to re-examine and wholly restructure national laws in such a way as to confer primacy over on international human rights instruments. It is also important that human rights be viewed in their integrative and holistic context, without allowing for skewed emphasis on one category of rights at the expense or to the neglect of others.¹¹⁹

While faithful implementation of this agenda is crucial, it is significant to stress that they cannot be divorced from the imperative need for sustainable democracy in Nigeria. Although it is conceded that democracy does not necessarily guarantee human rights, without doubt, human rights can no longer be meaningfully discussed outside democratic environment. Indeed, it is axiomatic that the more democratic a State

is, the less violation of human rights the citizens of that State experience. The current democracy in Nigeria with all its imperfections is undoubtedly more clement for the protection and development of human rights than military rule which is characteristically associated with autocracy and totalitarianism. As the Vienna Declaration succinctly states, democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing.¹²⁰ Democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives. Accordingly, it is irresistible to advocate that Nigeria's nascent democracy must be strengthened through meaningful electoral reforms, transparent, all inclusive and responsible governance with the overall objective of advancing the cause of human rights.

END NOTES

1. See, Article 1 (3) Charter of the United Nations; Preamble, Universal Declaration of Human Rights, 1948; V.Sharma, *Human Rights Violation A Global Phenomenon* New Delhi, A P H Publishing Corporation, 2011, at 209
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3. Preamble, UDHR, 1948
4. Article 1 (3) Charter of the United Nations,
5. H. J. Steiner & P. Alston, *International Human Rights in Context*, Law, Politics, Moral, Oxford, Clarendon Press, 1996 at. 118
6. Ibid. at 120
7. Kofi Annan on the occasion of the 50th Anniversary of the Declaration, quoted by D. B. Rao, *Human Rights Education*, New Delhi: Discovery Publishing House, 2004, at 236.
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10. Ibid. at 2.
11. B.O. Nwabueze, *A Constitutional History of Nigeria*, Burnt Mill, Harlow, Longman Group Ltd., 1982, at 116 at 2023; See also, P. U. Umoh, *The Nigerian Constitution Today*, Uyo Modern Business Press, 1985 at 1.
12. See D. Lloyd, *Introduction to Jurisprudence*, London: Stevens & Sons, 1972 at 566.
13. Eze, O. C.; *Human Rights in Africa*, some selected Problems, Lagos: Nigeria Institute of International Affairs, 1984.
14. Ibid. at 10
15. V. Dankwa, "The African Charter on Human and Peoples' Rights: Hopes and Fears" in *Human Rights and Development in Africa*, Welch and Meltzer, (eds) 1984 at 3.
16. M. Bello, "Human Rights, African Development" in *Encyclopedia of Public International Law*, R. Bernhardt (ed), vol. 8 at 285.
17. K. M'Baye, '*Organization de L'Unite-Africane*' *Les Dimensions Internationales Des Droits De L'Homme*' Paris: UNESCO, 1978, at 650-1
18. L. Marasinghe, "Traditional Conception of Human Rights in Africa"; in *Human Rights and Development in Africa*, Welch and Meltzer, op. cit. at 39.
19. Eze, op. cit at 13 .
20. Ibid.
21. M'Baiye, Op. Cit. at 652-654.
22. For a detailed analysis of human rights in traditional African Societies, see Marasignhe loc cit. 39
23. Eze, Op. Cit. at 13.
24. Ibid.
25. Eze, Op. Cit. at 20.
26. J. Read, "Bills of Rights in The Third World-Some Commonwealth Experiences" in *Verfassung and Recht in Ubersee* ed: H. Kruger, I. Heft, I Quartal, 1973 at 29. cited by Eze, op. cit. at 20.
27. Eze, Op' cit
28. A. An-Na'im, "The Legal Protection of Human Rights in African: How to do more with Less" in A. Savat and T.R. Kearns (eds) *Human Rights Concepts, Contexts, Contingencies* 2001 at 89 cited by Odinkalu, op. cit. at 3.
29. Ibid.
30. O'Eze, "African Concept of Human Rights", in A.U. Kalu & Y. Osinbajo *Perspectives on Human*

- Rights*, Lagos Federal Ministry of Justice, 1992 at 17.
31. S. 19 Native Law Ordinance, Cap. 211 of 1948, Laws of Nigeria.
 32. Eze, Op. Cit. at 20.
 33. Op. Cit. at 22.
 34. Ibid.
 35. For instance, Chapter iii that is, sections 18 to 33, 1963 Constitution; Chapter iv, that is sections 30 to 42, 1979 Constitution and Chapter iv, that is, sections 33 to 46, 1999 Constitution guarantee fundamental rights. This is in addition to the Provisions dealing with fundamental objectives and directive principles of state policy in Chapter 11 of both the 1979 and 1999 Constitutions.
 36. Sections 18, 1963 Constitution, 30, 1979 Constitution, 33, 1999 Constitution.
 37. Sections 21, 1963 Constitution, 32, 1979 Constitution, 35, 1999 Constitution.
 38. Section 20, 1963 Constitution, 31, 1979 Constitution, 34, 1999 Constitution
 39. Sections 19, 1963 Constitution, 31, 1979 Constitution, 34, 1999 Constitution.
 40. Sections 21, 1963 Constitution, 32, 1979 Constitution, 35, 1999 Constitution.
 41. Sections 22, 1963 Constitution, 33, 1979 Constitution, 36 1999 Constitution.
 42. Sections 23, 1963 Constitution, 34 1979 Constitution 37 1999 Constitution.
 43. Sections 24, 1963 Constitution, 35, 1979 Constitution 38 1999 Constitution.
 44. Sections 25, 1963 Constitution, 36, 1979 Constitution 39 1999 Constitution.
 45. Sections 26, 1963 Constitution, 37, 1979 Constitution 40 1999 Constitution.
 46. Sections 27, 1963 Constitution, 38, 1979 Constitution 41 1999 Constitution.
 47. Sections 28, 1963 Constitution, 39, 1979 Constitution 42 1999 Constitution.
 48. Sections 40, 1963 Constitution, Constitution 43 1999 Constitution.
 49. See, Chapter ii, 1979 and 11 1999 Constitutions.
 50. Eg, The International Covenant on Economic, Social and Cultural Rights, 1966.
 51. See, Sections 32, 1963; 42, 1979 and 46, 1999 Constitutions.
 52. Pursuant to the Provisions of Decree 22 of 1995 to deal with all matters relating to the protection of human rights as guaranteed by the Constitution, the African Charter on Human and Peoples' Rights, the United Nations Charter, the Universal Declaration of Human Rights, 1948 and other international treaties on human rights to which Nigeria is signatory.
 53. Dankwa, Op. Cit at 7; Bello, op.cit. at 287.
 54. K. Mbaiye, Keynote Address: Introduction to the African Charter on Human and Peoples' Rights, Report of a Conference held in Nairobi from 2nd to 4th December, 1985 convened by the ICJ Geneva (1986) P. 20.
 55. For a list of such conferences, see Dankwa, . Op.Cit. at 7 – 8.
 56. Human Rights: Status of International Instruments (ST/HR/5) United Nations Publication series No. 687 xiv 2.
 57. The successful military coups were staged by Chukwuma Nzeogu, 15th January, 1966; (Although General Aguiyi Ironsi, formed the new Military Government); Lt. Col (later General) Yakubu Gowon, 29th July, 1966; General Murtala Mohammed, 29th July, 1975; General Muhammadu Buhari, 31st December, 1983; General Ibrahim Babangida, 27th August, 1985 and General Sanni Abacha, 17th November, 1993. The unsuccessful military coup were headed by Major Gideon Orka (1990) Major – General Dimka, 1976. There were other phantom coups allegedly staged by Majors General Maman Vasta, -General Oladapo Diya; and General Olusegun Obasanjo. For a historical sketch on military intervention in politics in Nigeria, see, S.T. Hon, *Constitution Law and Jurisprudence in Nigeria*, Port – Harcourt, Pearl Publishers 2004 at 13-14; E. Otoghagua, *Trends and Contemporary Issues on Regimes of Nigerian Heads of States, Policies, & Politics, Achievements and Failures*. Benin City' Otoghagua Ent. (Nig), (BR), 2007
 58. Hon; Op. cit. at 362.
 59. See also, Aduba, op. cit. at 127-132.
 60. I. H. Chioma, "Human Rights and Military Rule in Nigeria, Issues and options" in *Text For Human Rights . Teaching in Schools*, op. cit.
 61. O.A. Mojeed, "Military Rule, Human Rights and The Judiciary in Nigeria" at 2005 cited by Chiroma, op. cit. at 145. Otoghagua, Op. Cit. at 77
 62. Decree No. 24 of 1967, Section 3(1)
 63. Example of some of the cases which arose under this Decree include, Chief Agbaje vs. COP. Suit No. CAW/81/69 of 27th August, 1969, *Re Mohammed Olayori* (unreported) suit No. M/196/69 of 17 November, 1969. Both cases are cited in J. A. Yakubu, *Constitutional Law in Nigeria*; Ibadan: Demyaxis Law Books 2005 at 500-511.

64. No. 28 of 1970.
65. Decree No. 1 of 1984.
66. The Provisions of Section 32, 37 and 40 of the 1999 Constitution dealing with personal liberty, freedom of association and right not to be expropriated of property.
67. No. 4 of 1984.
68. No. 3 of 1984
69. No. 20 of 1984
70. Decree No. 2 of 1984
71. For instance, Section 2(b)(1) of the Federal Military Government (Supremacy and Enforcement of Powers) Decree No. 13 of 1984 re-affirmed the supremacy and power of the military government over the 1979 constitution and unequivocally excluded all civil proceedings in respect of any act, matter or thing done or purported to be done under or pursuant to any Decree or Edict. See also, section 4(2) of Decree No. 2 of 1984.
72. No. 17 of 1984
73. No. 16 of 1984.
74. No. 2 of 1984
75. No. 20 of 1984
76. No. 2 of 1984
77. No 2 of 1986
78. No. 20 of 1986
79. See for instance; Guardian Newspapers and African Guardian Weekly Magazine (Proscription and Prohibition From circulation) Decree No. 8 of 1994. For an x-ray on human rights regime in Babangida's military era, see E. Biakolo, "The Seven Lean Years" Guardian Newspaper, Saturday, 29th August, 1992. See also, C. Nwankwo, "Human Rights and the Challenges of NGOs in Nigeria", in *Text For Human Rights Teaching in Schools*, op. cit. at 258.
80. A.O. Mohammed, "Human Rights Abuses in Africa, The position of Human Rights Organisations" Paper presented at Amnesty International symposium (Unilloin Pre-Group) 16th June, 1999 at 8.
81. Ibid.
82. Nwankwo, Op. Cit. at 260.
83. N.H.R. Commission
84. See, C.O. Oputa, Democracy, what is it All About?" in *Democracy and the Law*, eds Y. Osinbanjo & A. Kalu, Lagos: FMJ, 1991 at 32.
85. October 1st 1960-January 15th 1966.
86. October 1st, 1979 to December, 31st, 1983.
87. May, 29th 1999 to May, 29th, 2007.
88. May, 29th, 2007 but died in office in 2010 and was succeeded by the current President, Goodluck Jonathan.
89. D.P.P. vs. Chike Obi(1961) All NLR 186. See also, *Amalgamated Press of Nigeria Ltd & Anor vs. The Queen* (1961)1 All NLR 191.
This provision is in *pari materia* with section 39(3) of the 1999 Constitution.
90. (1962)1 All NLR 413.
91. (1981)2 NCLR 459 see also, 1980 FNLR 302.
92. Ibid. at 520.
93. Ibid at 515
94. (1981)2NCLR 337. See also, *Adikwu vs. Federal House of Representatives* (1982)3NCLR 394.
95. Ibid at 353.
96. Case of unresolved high profile murders include that of Chief Bola Ige then, Attorney-General of the Federation and Harry Marshall.
97. See Amnesty Report, WWW.amnestyinternational.com. See also Saturday Punch, September, 13, 2008 at 2 & 49.
98. Many newspaper houses, notably *Insider* and the *week* were raided and their publications confiscated.
99. For example, some labour leaders arrested in consequence of their, organisation of and participation in strike action.
100. On Monday 9th February, 2008. The Report was presented by the Executive Secretary of the NHRC, Kehinde Ajoni. By reason of the damning and scathing nature of the report, she was summarily removed and redeployed to Federal Ministry of Justice and Roland Ewubare was appointed in her stead.
101. The Report, titled human Rights Report for 2008 was signed by Hilary Clinton, the US Secretary of State. For excerpts, see Tell Magazine, No. 16, April, 20, 2009 with the Caption, Nigeria: Great Nation,

- Poor Human Rights, at 22-24.
102. Ibid.
103. The above reports have been corroborated by many non-governmental organizations including Amnesty International. see Tell Magazine, No. 16, April, 20, 2009 at 24-26.
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105. Ibid. See also, edition.cnn.com/2012/11/01/world/Africa/Nigeria-amnesty-report; www.thisdaylive.com/articles/amnesty-international=slams-nigeria.
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112. Un Charter art 56; Vienna Declaration and Programmes of Action, Preamble 91. U.N Doc. A/CONF.157/24. July 12 1993.
113. Dada, Op. Cit. at 92.
114. Dada & Ibanga, op. cit. at 97
115. Bhagwatti, op. cit. at xxiv
116. Dada & Ibanga, op. cit. at 98
117. Minister of Home Affairs v Fisher (1980) A.C. 319. See also, A.G. Gambia v Momodu Jobe (1984)1 A.C 689; Nafiu Rabiu v The State (1980) NSCC 291.
118. See, UN Handbook at 14 108 -11
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