Rule of Law as a Shifting Concept: Stemming the Tide of Socio-Political Crisis in Nigeria

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Abstract

This paper adopts the method of qualitative research in articulating how awareness of the fact of rule of law being a shifting concept can help stem the tide of socio-political crisis in Nigeria. The attraction is that most of the socio-political crisis rocking the country in recent times is premised on the attitude of governmental institutions such as the executive, the legislature and the judiciary not adhering to the rule of law. In the findings presented in this paper, the ideal of rule of law is seen as a necessary ingredient of a democratic government. Thus, Nigerians are right in demanding that the institutions of government adhere to it for proper governance. However, their assessment of the rate at which government adheres to the concept from the perspective of measuring adherence with the attitude of governments of other countries towards rule of law is unfounded. This is because unless there is uniformity in the conception of rule of law, each country can adhere to it based only on how it conceives the concept. Even each countries conception of rule of law can change from time to time in the evolution of that country. Hence, this paper argues that perpetrating socio-political crisis in Nigeria allegedly because perpetrators think that the government has failed to adhere to a perceived conception of rule of law cannot be justified. It then recommends that Nigerians be made aware of the shifting or dynamic nature of rule of law, to enable them make informed decisions concerning their reactions to issues of governance. This could be done using the avenue of teaching students such subjects as History and Government even form the primary school level of education.

Key Words: Concept, Crisis, Law, Political, Rule, Social, Tide.

1. Introduction

The main focus of this discourse is to critically examine how the nature of the concept of rule of law which makes it a shifting concept can aid in resolving socio-political crises in Nigeria. Socio-political crisis in Nigeria manifest in protests, agitations and civil disobedience of various forms, usually emanate from allegations of lack of adherence to rule of law on the part of the government. There is no doubt that the law is dynamic to the extent that it changes in relation to time and other socio-political factors. In other words, rule of law is subject to periodical review which is done in a bid to improve on the provisions of the constitution and thereby making it to suit the peculiarity of a particular legal system. All the same, the concept of rule or law is ultimately a shifting theory because the law can never be static. Hence, the assertion that the rule of law is a shifting concept. It cannot be taken to mean that it is a fixed principle of law from which there cannot be any rapture. The concept 'rule of law' has undergone several modifications in various legal systems at various points in time. An understanding of this fact is crucial for the average Nigerian who keeps hammering on non-adherence to rule of law as justification for disobedience to law.

This paper is divided into six sections with section one as the introduction. Section two will focus on a brief overview of the concept of law. In section three, the concept of rule of law will be exposed. This will be followed with section four, the critical examination of the nature of rule of law as a shifting concept. The next section, section five, will articulate how an understanding of the nature of rule of law can help in curbing socio-political crisis in Nigeria.

2. Brief Overview of the Concept of Law

The term 'law' has varied and divergent conceptions. There are different conceptualizations of law as there are many scholars who are interested in analysing and understanding it. it is indeed an open-ended concept or an umbrella term in legal philosophy. Hornby succinctly defines law as "the whole system of rules that everyone in a country or society must obey... a rule for good behaviour or how you should behave in a particular place or situation" (669). The import of the foregoing is that law is a body of rules and regulations that bind members of a country together. It has binding effect on the citizens to the extent that it sets regulatory

standards or fix boundary for their actions and behaviour. In the same manner, Ekwueme puts it that, "Law is a rule made by authority for the proper regulation of a community or society or for correct conduct in life" (1). In this regard, it is ultimately a machinery or instrument of social engineering in the body-politic. It is a regulatory mechanism that curtails the excessive tendencies in man as a social being in the civil society. On his part, St. Thomas Aquinas, who is one of history's greatest philosophers and theologians of the Medieval Period in his masterpiece entitled, *Summa Theologies* sees the phenomenon of law from a realist perspective. According to him, "Law is an ordinance of reason directed towards common good and promulgated by one who has the care of the community" (Aquinas 55). The implication of the foregoing Thomistic conception of law is that law springs from right reason and is intended to bring about social cohesion and civil order in the society. Thus, the rationale for the establishment or formulation of law is to set the pace for the realization of the ᶜommon good in the civil society. Anyaele submits that:

> Law is a set of government's fundamental rules and regulations that regulate the activities and behaviours of its citizens. These laws that are embodied in the constitution define the rights and obligations of the citizens as well as the government" (10).

In the forging definition, the notions of rights and political obligation are spelt-out. The relationship between government and the citizens is also emphasized.

Furthermore, Alawa informs that, "Laws in the civil society are made to guarantee rights of human beings and to enjoin corresponding duties" (57-58). The essence of law as an instrument of social control is expressed in the foregoing conception. Law serves the purpose of ensuring sanity and protecting human rights in the society. According to Bentham, law is essentially:

> An assemblage of signs, declarative of volition, conceived or adopted by the sovereign in a state, concerning the conduct to be observed in a certain case by a certain person or class of persons, who in the case in question are or are supposed to be subject to his power(1).

The above definition depicts a clear picture of the nature and character of law as an impartial arbiter in the state. Law represents an apparatus of state power. It connotes the harbinger of social order and control in the structure and organization of the civil society. Bentham therefore sees law as essentially the command of a sovereign, backed by sanction to act as coercive motive for compliance (62). Thus, law is a posited reality and good law as the maximization of pleasure and the minimization of pain (Njoku 43). Obviously, the foregoing conception of law represents a utilitarian approach to the concept of law. All the same, law is taken to mean a statutory instrument that promotes pleasure and reduces pain. This, in the main, is a prototype and miniature version of Bentham's utilitarianism which finds expression and climaxed in the Benthamic (Hedonistic) calculus. More so, John Austin, who is a staunch apologist of the command school, notes that, "Law is a command of a sovereign to his subjects and backed by force or threat" (21). The major assumption of the command persuasion is that law imposes a set of commands on the citizens in anticipation of strict compliance from them. It is anchored and hinged on the belief that law evokes a sense of force or threat of sanction.

In another development, Hans Kelson provides a working definition of law from the normative school perspective. According to him: Law is primarily and essentially a norm. As a norm, law commands, prohibits, permits or authorizes certain behaviour... Law is that norm which stipulates the sanction of violation of law itself (Kelson 50). The essential elements embedded in the foregoing definition are command, prohibition, permission and authorization which are all attributes of law as a tool for commanding obedience and compliance from the citizens. In addition, Ekwueme further avers that:

> He (Kelson) stipulated that a theory of law must deal with law as actually laid down, not as it ought to be. He sought to expel ideologies of every description and to present a picture of law austere in its abstraction and severe in its logic...He saw law as the primary norm which stipulates the sanction. Kelson was called a positivist because his theory insisted on law severance from morality. He viewed morality as a subjective preference which could not be objectified (11).

Implicit in the above remark is the fact that law is designed and intended to overhaul and streamline the activities and behaviours of members of the society. Hence, it is an instrument of social control. It places limit and sets normative standards for citizens in the state or civil society. It is that portion of the established thought and habit which has gained district and formal recognition in the shape of uniform rules hacked by the authority and power of government (Wilson 217). In Green's parlance, it is "the system of rights and obligations which the state enforces (96)". In this regard, law becomes a defining attribute of government and state power. It is essential for the enforcement, execution or implementation of government policies. Hence, an apparatus of state power. It ensures obedience and strict compliance on the part of citizens in the state or civil society. Still attempting to offer a working definition of law, Pound defines it as, "The body of principles recognized or enforced by public and regular tribunals in the administration of justice (21)". In what follows, law provides conceptual framework for the administration and dispensation of social justice in a legal system. It provides an action plan, blueprint, and guidelines for practicing and managing justice in a state. No wonder Llewellyn aptly adumbrates that, "what officials do about disputes is ...the law itself (1)". This implies that law is an element of the judicial arm of government whose irreducible minimum responsibility is to adjudicate disputes among competing or contending parties.

It is pertinent to note that without the existence of well-defined and established laws, government would not be able to achieve its lofty aim and overall objective of protection of lives and property of her citizens. This, in our view, constitutes the irreducible minimum responsibility of governance. Thus, law is, at any rate, a proviso for maintaining a just order. It is on the mark of this it is often said that what gives meaning to a state or government as an institution of the state is the existence of extant laws for control and regulation.

Meaning of Rule of Law

The doctrine of the Rule of Law is indeed a key concept in legal philosophy and jurisprudence. It is, no doubt, the hallmark or springboard of every legal system. It is the absolute supremacy or predominance of law over everybody; both the rulers and the ruled and all decisions taken in a country (Unah 71-71).

Historically, Dicey, a Britain and professor of English Law, provided a working definition of the theory when he writes that:
...the absolute supremacy or predominance of regular law as opposed to the influence of arbitrary power, and excludes the existence of arbitrariness, or prerogative or even of wide discretionary authority on the part of government. Englishmen [citizens] are ruled by the law and by the law alone. A man may with us be punished for a breach of the law, but can be punished for nothing else (202).

This definition perceives the rule of law as a principle that seeks to curb governmental powers by insisting that governance should be in accordance with the laws of the land and not according to the arbitrary whims of the office holders. It also implies that no man can be punished except if proven breach of the law. The other major element of the rule of law as administered by the ordinary court, Dicey further writes, is that, "Those entrusted with the administration of a country should rule or exercise their authority in accordance with the established laws of the land; and such established laws should be regarded as supreme" (201). The concept of the rule of law has been expanded beyond the classic formulation provided by Dicey. The doctrine is now recognized to include: (i) The supremacy of the law including judicial decisions over all persons and authorities in a state (ii) The supremacy of the Constitution (iii) The independence of the judiciary (iv)The right to personal liberty. (v) Observance of democratic practices including: the freedom of the press, thought, association and regular, free and fair elections as the bases for assuming power in government. In sum, it may be stated that the rule of law stipulates that government be instituted and be limited in its power according to the law and that it be devoted to the preservation of the liberties of individual citizens, all of whom are deemed equal before the law.

The notion or theory of rule of law is, no doubt, one of the salient themes and topical issues in Philosophical Jurisprudence; constitutional law; law of Tort; Human Rights Law; Comparative politics; Canon Laws; Legal Theory; Criminal and Civil Litigation; Jurisprudence and international Law; etc. Rule of Law simply means the mechanism, process, institution, practice, or norm that supports the equality of all citizens before the law, secures a non-arbitrary form of government, and more

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generally prevents the arbitrary use of power. In general, the rule of law implies that the creation of laws, their enforcement, and the relationships among legal rules are themselves legally regulated, so that no one, including the most highly placed official, is above the law. The legal constraint on rulers means that the government is subject to existing laws as much as its citizens are. Thus, a closely related notion like equality before the law, which holds that no legal- person shall enjoy rights that are not extended to all and that no person shall be immune from legal sanctions. In addition, the application and adjudication of legal rules by various governing officials are to be impartial and consistent across equivalent cases, made blindly without taking into consideration the class, status, or relative power among disputants. In order for those ideas to have any real purchase, there should be in place some legal apparatus for compelling officials to submit to the law. Not only does the rule of law entail such basic requirements about how the law should be enacted in society, it also implies certain qualities about the characteristics and content of the law s themselves. In particular, law is should be open and clear, general in form, universal in application, and knowable to all. Moreover, legal requirements must be such that people are able to be guided by them; they must not place undue cognitive or behavioral demands on people to follow. Thus, the law should be relatively stable and comprise determinate requirements that people can consult before acting, and legal obligations should not he retroactively established. Furthermore, the law should remain internally consistent and, failing that, should provide for legal ways to resolve contradictions that can be expected to arise. Ekwueme opines thus:

> The authority and influence of law in society, esp. when viewed as a constraint on individual and institutional behaviour; (hence) the principle whereby all members of a society (including those in government) are considered equally subject to publicly disclosed legal codes and processes (51-52).

Rule of law implies that every citizen is subject to the law. It stands in contrast to the idea that the ruler is above the law, for example by divine right.

Despite being widely used by politicians, judges and academics, the rule of law has been described as an exceedingly elusive concept. Among legal theorists, two

principal conception of the rule of law can be identified, the formalist or 'thin' definition and a substantive or "thick" definition; One occasionally encounters a third 'functional' conception. Formalist definitions of the rule of law do not make a judgment about the 'justness' of law itself, but define specific procedural attributes that a legal framework must have in order to be in compliance with the rule of law. Substantive conceptions of the rule of law go he and this and include certain substantive rights that are said to be based on, or derived from, the rule of law. Most legal theorists believe that the rule of law has purely formal characteristics. Such theorists, for instance, claim that law requires generality general rules that apply to classes of persons and behaviours as opposed to individuals, publicity (no secret laws), prospective application (little or no retroactive laws), consistency (no contradictory laws), equality (applied equally throughout all society), and certainty (certainty of application for a given situation), but formalists contend that there are no requirements with regard to the content of the law. Others, including a few legal theorists, believe that the rule of law necessarily entails protection of individual rights. Within legal theory, these two approaches to the rule of law are seen as the two basic alternatives, respectively labeled the formal and substantive approaches. Still, there are other views as well. Some believe that democracy is part of the rule of law.

The "formal" interpretation is more widespread than the "substantive" interpretation. Formalists hold that the law must be prospective, well-known, and have characteristics of generality, equality, and certainty. Other than that, the formal view contains no requirements as to the content of the law. This formal approach allows laws that protect democracy and individual rights, but recognizes the existence of "rule of law" in countries that do not necessarily have such laws protecting democracy or individual rights. The best known arguments for the formal interpretation have been made by A.V. Dicey, F.A. Hayek, Joseph Raz and Joseph Unger. The substantive interpretation preferred by Ronald Dworkin, holds that the rule of law intrinsically protects some or all individual rights.

The functional interpretation of the term 'rule of law' coinciding with the traditional English meaning, contrasts the 'rule of law' with the 'rule of man'. According to the functional view, a society in which government officers have a great deal of discretion has a low degree of 'rule of law', whereas a society in

which government officers have little discretion has a high degree of 'rule of law'. Upholding the rule of law can sometimes require the punishment of those who commit offences that are justifiable under natural law but not statutory law. The rule of law is thus somewhat at odds with flexibility, even when flexibility may be preferable.

The rule of law rejects all kinds of arbitrary and discretionary powers of the government or public officials. It implies that a man may be punished for a breach of law but he cannot be punished for anything else. An alleged offence is required to be proved before the ordinary courts in accordance with the legal procedure. According to Dicey, the three principles of rule of law include:
Absolute supremacy of law
Equality before the law
Predominance of legal spirits

Thus, the rule of law, according to Dicey, means that no man is punished or can be lawfully made to suffer in body or goods except for distinct breach of law and no man is above the law. Hence, the rule of law suggests the supremacy of law over government and its institutions.

A summary of the conceptions of rule of law shows that rule of Law is intended to safeguard and advance the political and civil rights of the individual in a free society. To establish social, economic, educational and cultural conditions under which the individual may realize high legitimate aspirations and dignity. There should be an independent judiciary with security of tenure free from legislative and executive interference. The rule of law means that the decisions should be made by the application of known principles and rules, such decisions should be predictable and the citizens should know where he is. It excludes arbitrariness. Its postulates include amongst others, "intelligence without passion and reason free from desire" (Njoku 112).

It should be noted, however, that law does not recognize any special rights for any individual or group of individuals. What is more, law does not recognize any distinction between one indi'tdual and the other on the basis of religion, race, sex, etc (Nweke, 71-72). More so, no one is supposed to be punished without proper trial.

This implies that all will he tried by the same court under the same law. Moreover, the rule of law does not give scope to absolute and arbitrary powers to the executive organ of government

Rule of Law as a Shifting Concept

Law, like all other human institutions, is never static. Within the changing pattern 01 relations resulting from progressive social advancement. the Rule or l aw undergoes an evolutionary and expanding process to meet new and challenging circumstances. This is technically referred to as the 'dynamic aspects of the rule of law'. The applicability of the 'rule of law' is not limited to a specific legal system, from or government, economic order or cultural values. it is, in the main, a dynamic concept. The principle of rule of law can be fully realized only under a system of government that is established by the free will of the people. Nwosu has this to say regarding the rule of Law as a shilling, concept:

> ...that the Rule of Law is a dynamic concept for the expansion and fulfillment of which jurists are primarily responsible and which should be employed not only to safeguard and advance the civil and political rights of the individual in a free society, but also to establish social, economic, educational and cultural conditions under which his legitimate aspiration and dignity may be realized (63).

Okoro stresses the overall importance of an independent judiciary to the proper functioning or the rule of law. He emphasizes the essential roles which lawyers are required to play in any legal system concerning the rule of law. According to him:

> In a changing and interdependent world, lawyers should give guidance and leadership in the creation of new legal concepts, institutions and techniques to enable man to meet the challenge and the dangers of the times and to realize the aspirations of all people (Okoro 44-45).

It is important to emphasize that except in political and legal systems based on the supremacy and overwhelming importance of the state, the underlying principles of the rule of law find expression and realization in vastly divergent societies and cultures. No wonder it is stated that the principles, institutions and procedures, not always identical but broadly similar, which the experience and traditions

of lawyers in different countries or jurisdictions of the world, often having themselves varying political structures and economic backgrounds, have shown to be important to protect the individual from arbitrary government and to enable him to enjoy the dignity of man. Dynamic aspects of the rule of law suggests that the procedure and application of rule of law changes over time in relation to certain prevailing circumstances or peculiarities.

Anyone who holds that what matters most in politics is having the right people in power and not how power should be constrained will be unconvinced of the value of the rule of law. Neither will anyone who believes that institutions of public power are merely instruments of the ruling class that need to be dismantled rather than merely constrained. The majority of modern democratic societies see the rule of law's requirement that both rulers and the ruled he accountable to the law is of unquestionable value. To be sure, in the modern world, it is the liberal tradition that values the rule of law most highly. Liberals who are concerned with ways of protecting (and realizing) liberty in some form and averting threats to it view the rule of law as an overarching source of security. Nonetheless, there is substantial disagreement even among liberals over what exactly counts as a faithful application of the term and, even when that is pinned down, how it is to be accomplished.

In itself, the notion of the rule of law is not a faithful description of any state of affairs but a complex ideal that is even more complex to realize. Thus, there is reason to he skeptical about whether societies necessarily benefit from all that might be invoked under the term. The independence of the judiciary, for instance, is clearly a problem if the independence is misused to foster the sectorial privileges of judicial personnel or to allow unchallenged interpretations of the law. A heavy emphasis on the formal aspects of the rule of law, for example, on procedural justice, may distract from the content and consequences of those laws. Critics of a strictly formal conception of the rule of law argue that too much attention to legal process generates significant vices of its own in the form of exaggerated legalism and neglect of the political or real-v, odd dimensions of legal conflicts. Excessive veneration of the law and legal procedures may be too costly if it inhibits independent social assessments of the merits of a given policy proposal or if the official mandate of 'blindness' gives legitimacy to actions performed 'according to the law' even when most people would oppose such acts. Some writers have charged, moreover, that the increasing domain of judges

and lawyers, indeed, their encroachment into areas previously left to politicians and the electorate, entails the loss of much that is politically and democratically valuable.

In short, too much emphasis on procedures for preventing arbitrariness can lead to subverting the doing of justice according to what might otherwise find support in the rule of law, and the legal strictures then become themselves a film of arbitrariness that is no more legitimate. On the other hand, those who ho defend the negative value of the rule of law object to wore substantive understandings of the ideal on the grounds that morally ambitious aspirations about the rule of law threaten to purge the concept of its specificity and usefulness. They argue that to open the concept to a whole host of extralegal considerations about substantive justice and wider societal goals is to conflate ideas about 'the rule of law' with notions about "the rule of good law." such that a distinction between the two is reduced to nothing. As a consequence, no discussion of the rule of law can be complete without some philosophical reflection on law, including on its purpose and meaning.

Stemming the Tide of Socio-Political Crisis in Nigeria

In the Nigerian State, the lay man understands rule of law in line with John Locke's idea of the civil state, its characteristics and functions. Locke's idea of a civil state is one that can be characterized as classical liberalism. He states that the power of the government is not to extend beyond that required by the common good. According to him, government is one of convenience rather of necessity, hence the citizens dictates the terms of the contract rather than surrendering all their powers and rights for law and order because of desperation as in Hobbes. For Locke, therefore, one of the characters of the civil state is that the power of government was not completely surrendered but was delegated for the mutual lives, estates and liberties. This implies that the government is therefore, the creation of the citizens and is the chief servant of the people. Another character of the civil state is its majority rule, Locke was a firm believer in common sense; hence, he believed that the community of common citizens should have the ultimate sovereignty.

In contrast to Hobbes, Locke states that the government must be ruled by laws and not simply by force or arbitrary will. Here, Locke strangely mixed rationalism and empiricism. In his rationalistic mode, he stresses that the government does not

invent the laws but seeks to discover what the natural laws are and makes its civil laws conform to these natural laws. And in its empirical mode, he emphasizes the need for empirical research to determine what laws and social structures create the best society. In one of his journals, he suggests that public policy should be conducted like medicine - that is whether or not a remedy will work should not be determined *a priori* but as a matter of probability and experience.

Locke also proposed separation of powers - that the government in a civil state be divided into separate branches, each serving as a limit on the power of the other branches. He however, called these branches the *executive*, *legislative* and the *federative* branches. Another influential character of Locke's civil state is his idea of revolution. Hobbes held the danger of anarchy was worse than that of tyranny, hence he did not provide much legitimate grounds for overthrowing an oppressive government. Locke, on the other hand, believes that tyranny is more likely injury the society than anarchy, therefore he insist that the right to rebellion is not the same as anarchy, thereby providing grounds for a right to revolution. If a government should exceed its legitimate authority, the social contract is broken, and the citizens may replace it. Therefore, the socio-political crises in Nigeria which in most times are revolutionary, like the 'Boko Haram' Jihadists' activities, can find support in Locke's philosophy.

According to Locke the single body polity or commonwealth, by which the people put themselves under a political power is meant to be an escape from the state of nature. Appadorai (968) rightly observes that, the inconveniences of the state of nature can be submitted in three spheres:

1. The want of an established, settled known law, received and allowed by common consent to be the standard of right and wrong, and the common measure of deciding all controversies.
2. The want of a known disinterested judge, with authority to determine all differences according to the established law.
3. The want of power to back and support the sentences when right and to give due execution (25).

These three wants are cured in the civil society by the concept of rule of law. However, all civil societies are not alike and Locke may have speculated about the

ideal of rule of law given his experiences with the American society of his time, which has even greatly changed due to her global and international involvements. John Rawls could be heard saying that the legitimacy of the modern state and our obligation to it do not depend on the reality of our consent or voluntary submission as claimed, as no society can be a scheme of cooperation which men enter voluntarily in a literal sense (76) He contends that men find themselves placed at birth in some particular position in some particular society.

As noted above, before the coming of the Europeans, what is now known as the Nigerian state was made up of established and self-subsisting ethnic groups and traditional societies. The Europeans at the Berlin Conference of 1885 arbitrary merged these ethnic communities together without caring whether they were homogenous enough or even whether they wanted to live together. This merger has led to what is now called the problem of the national question. As the years run by ethnic, sectional and religious clashes resulting in numerous loss of lives and wanton destruction of property have become one of the unpleasant features that characterized and still characterizes the post independence Nigeria. Therefore, the idea of social contract should mean for the Nigerian, a hypothetical theory of how the component parts ought to have been merged, which has been overtaken by the event of the amalgamation and subsequent functioning of the Nigeria polity. Consequently, the idea of rule of law for the Nigerian State should not be premised on the idea of a social contract. In fact, critics regard the social contract theory as Nozick (1974) has put it, a 'fact-defective characterizations' (9). They feel the social contract theory is a purely hypothetical construction, an idea of reason that generates the basis of a normative standard for testing laws and social arrangements (Kant 1979, 78). It is not regarded as a real historical event in the least. For these critics of the social contract theory, the basis of these criticisms is not that the theory of contract or agreement is not always relevant to the social and political institutions affecting people. The thinking is that the legitimacy or otherwise of the modern state and man's obligations to it, does not depend on his giving up his consent to be bound, or his voluntary submission to it, rather man really has no choice or say in which society he finds himself. Rawls says it concisely that "no society can be a scheme of cooperation which men enter voluntarily in a literal sense; each man rather finds himself placed at birth in a particular society" (Rawls 1971, 13). Societies invent their laws based on the prevailing circumstances

around them. Their laws change as the prevailing circumstances change. Acknowledging this fact by Nigerians will help stem the tide of socio-political crisis in Nigeria.

Conclusion

In this essay, we have explored how understanding the nature of rule of law as a shifting concept can help stem the tide of socio-political crisis in Nigeria. It is noted that the rule of law being one of the basic fundamental principles of every constitution of the nations of the world, should be an ideal that will drive governance of every democratic nation. Therefore, it is not out of place for the average Nigerian to expect too much from the government in terms of realizing this ideal. However, the fact of the ideal of rule of law being dynamic such that its conception not only varies from one country to the other, but also its application being measurable in degrees, renders absurd the comparison between one country and the other in terms of adherence to rule of law. Most of the socio-political crisis rocking Nigeria as a nation stem from the unnecessary comparison citizens make on how Nigeria and the so-called developed countries like European countries and the United States of America, adhere to the concept of rule of law. Such comparison signifies ignorance of the fact that though certain indices may define every conception of rule of law, such indices only serve as guide for countries to achieve a workable conception of the ideal. This paper then maintains that socio-political crisis will be greatly reduced in Nigeria if citizens are aware that rule of law is a shifting concept that could be pragmatically conceived to suit prevailing circumstances.

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