**GOVERNMENT, SOCIETY, AND ECONOMY CONCEPTS**

**GST 108**

**BY**

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**Introduction**

To discuss the concept of government, the following merits further consideration: conceptual and contextual clarification of the term. Types, significance and functions of government.

**Conceptual and Contextual Clarification of the term "Government"**

The term ***"government"*** ultimately originates from the Greek (κυβερνάω) Gubernaculum, which is translated to mean ***steer.***

Government is a political arrangement through which a nation, state, or society's affairs are managed and controlled. According to Max Weber, in his essay Politics as a Vocation, he described government as a human community that enjoys the absolute right to use force within its jurisdiction (Tony & Dagmar, 2015).

Also, Bealey (1999), in his submission, defines government as the vehicle through which a community or society is governed, and this is achieved through the establishment and enforcement of rules and regulations, as well as the provision of social goods that would not ordinarily be available to the citizen or in conflict between and among individuals or groups within the milieu.

**Government as an Institution of the State**

"Government as a state institution" refers to the apparatus that guides the control and direction of a state. Institution refers to the means through which the will of the state is formulated and actualized. There are two basic institutions: formal institutions and informal institutions. Formal institutions refer to the organs of government (legislature, executive, and judiciary) and their ministries, departments, and agencies (MDAs). Informal institutions, on the other hand, include pressure groups, political parties, and trade unions. "Government as an institution has a host of duties and responsibilities, among which are:

1. **Promulgation of laws:** Making laws is the sole responsibility of a legislative institution. They make laws that regularize the relationships of citizens within the political system.
2. **Defense of the country:** Through theinstrumentality of the Armed Forces, the government protects the country from all forms of attacks; banditry, secession, terrorism, and external aggression.
3. **External relationship:** Thestate maintains good rapport with other countries of the world through the institution of embassies and high commissions in other states.
4. **Provision of infrastructure:** the executive institution, through its ministries, departments, and agencies, provides social amenities such as road networks, pipe-borne water, electricity, health care, etc.
5. **Employment opportunity:** also, through the instrumentality of the ministry of labour and productivity, the government provides jobs for its citizens.
6. **Natural resource conservation and exploitation:** the government reserves the right to preserve and exploit natural resources and use the proceeds for the benefit of citizens.
7. **Provision of education:** proceeds from natural resources and other earnings available to the government are used for the provision of education to its citizens.

**Government as a Process or Art of Government**

Government as an art or process of governing implies that management of people's affairs is conferred in the hands of a body of people who are responsible for formulation, implementation, and adjudication of the law in a particular state. Bodies saddled with these responsibilities are known as organs of government (legislature, executive, and judiciary). The ultimate goals of these agencies are to ensure peaceful co-existence, security of lives and properties, maintenance of law and order, protection of fundamental human rights, defense of the country from attacks, etc. It could be inferred that governmental powers are not fused into a single body, but rather shared among organs of government that perform complementary roles for one another (Uruakpa, 1999). Government as an art or process of governing could therefore be defined as the process through which the organs of government (legislature, executive, and judiciary) respectively perform their duties and responsibilities at the federal, state, and local government level.

**Governance as an Academic Field of Study**

Defining government from the lens of academic discipline entails the study of political institutions and agencies that operate in the state and its dynamics. It is concerned with the scientific study of government; its composition, importance, theories, comparative analysis of systems, types, and forms of government in institutions of learning. For instance, in secondary school, government is taken as a subject, particularly for art students, while it is taken as a course in tertiary institutions; among others, the following are examples of government-related courses: Comparative Government, International Relations, Local Government Studies, Political Economy, Political Theory, Public Administration, and Public Policy (Sikiru et al., 2019).

**The Importance of Government as an Academic Field of Study**

1. It enhances students’ scientific and logical reasons for the causes and effects of policies and programmes.
2. It exposes individuals to the Art of governance.
3. It affords one opportunity for comparative analysis of systems, forms, and types of government.
4. It exposes citizens to their fundamental human rights and obligations.
5. It awakens patriotism, loyalty, and national consciousness in its citizens.

**Essential Element of Government**

1. Human population
2. Monopoly of power and sovereignty
3. Legitimate
4. Geographical area or land mass

**The Importance of Government**

President J.F. Kenedy opined that the essence of government is to do for others what they cannot do for themselves. According to Kenedy, the importance of government cannot be overstated because its power and authority regulate, control, protect, and provide for the welfare of the citizen (Uruakpa, 1999). Among the many responsibilities of government are the following:

1. Government is critical to the economic development of all societies, community, state, and nation.
2. The government provides essential services and public goods, such as qualitative education, comprehensive health care services, road network, pipe-borne water, and electricity, which are necessary for the social and economic advancement of a nation, which could not have been possible on an individual basis.
3. Furthermore, the government is solely responsible for the enactment and enforcement of law.
4. The government takes critical and collective decisions for individuals and groups under its jurisdiction, particularly as regards the utilization of proceeds from natural resources and other earnings.
5. It also performs representative roles; the government negotiates and enters into international agreements with other countries around the world.
6. Without the organization of government, we will be agonizing. Consequently, human society will be worse than the animal kingdom, as humanity will be in a state of anarchy.

**Society**

Society is derived from the French and Latin words "Société" and "Societas" respectively in the 12th century, which connotes comrade, friend, or ally. The word is used to describe ties or bonds in relationships that subsist between parties that are friendly or at least civil (Richard, 2002). A society is a group of people involved in an obstinate collective alliance, sharing common qualities or social boundaries, subjected to the same government and cultural heritage. Worthy of note is the fact that the concept "society" could refer to the totality of the human race (Franz, 1922).

Society is used interchangeably with association. In this sense, it is defined as a body of individuals bonded by relative interdependence, having essential futures such as national, ethnic distinctiveness, collaboration, language, and hierarchical structure. Peter L. Berger, 1966, defined society from a sociologist's perspective. He opined that society was a creation of humans and that this creation continuously shaped human interactions. According to Ginsberg, a society is a group of people integrated by certain bonds or modes of conduct that differentiate them from other groups.

According to J.F. Cuber, a society may be defined as an assemblage of people who are well organized and considered themselves as a unit more or less unique from other human groups. Ferdinand contended that social groups can exist as personal and direct social bonds that either bond people who share tenets and credence or impersonal, formal, and instrumental societal links. (Waters et al., 2015). Mike O’Donnell, 1997, defines society as people belonging to a group that contrasts in mass. Anthony Giddens, 2000 defines society as a group of people who live in a specific geographical territory, are subject to a specific government, and have distinguishing characteristics and identities from other groups. According to functional views of society like MacIver and Page, Parsons, Cooley, and Leacock, they opined that society is a multifaceted group in a give-and-take relationship, interacting with one another and carrying on a mutually supporting life and helping each other in fulfilling their wishes. Taking a clue from the aforementioned definitions, society could therefore be defined as a social grouping of people that share the same physical territory and are subjected to the same government and prevailing cultural expectations.

**Elements of Society**

1. **Usage**
2. **Procedure**
3. **Authority**
4. **Mutual Aid**
5. **Division and grouping**
6. **Control**
7. **liberty**

**The Features of a Society**

Every society has essential characteristics, among which are population, interdependence, social institutions, culture, socialization, permanence and dynamism.

1. **Population:** to be regarded as a society, the human population is key. By implication, the human population is the most essential feature of every society. The milieu must be populated by social beings, not animals.
2. **Interdependent:** No man is an island; you rely on one another for sustenance and survival.Each and every member of society depends on one another for the fulfilment of their needs and necessities.
3. **Culture:** Cultureis the total way of life of a given group. It includes but is not limited to language, religion, tradition, dressing, festivities, food, mode of behavior, ethics, philosophies, morals, economics, politics, and other activities (Anthony,1988).
4. **Social Institutions:** social structures through which society's norms, values, and heritage are learned and preserved are of importance in every social setting. These institutions include family, religious peer groups, schools, political, economic, and traditional institutions.
5. **Socialization is** the process of becoming acquainted with the customs, cultural heritage, values, norms, beliefs, and philosophy of a society. Through social institutions, every individual learns to become a functioning and participating member.
6. **Permanency:** society is not a temporal group of individuals. However, it must be permanent in nature, as the death of an individual must not exterminate its existence; ***"soldier go soldier come barracks remains"*.**
7. **Dynamism:** in this future, every society evolves from its ancient culture to a more enduring one. Although the pace of this transformation differs For instance, in the Yoruba culture of ***"Abobaku",*** when a king *kicks the bucket* or passes on, he must be buried with the chief (***Abobaku)***, who enjoys this same power and right during the reign of the king. Because of the dynamism of culture, it has become a thing of the past.

**Types of Society**

Gerhard Lenski classified society based on three principles: technology, communication, and economics. Consequently, they came up with three distinctive societies: the Pre-industrial Society, the Industrial Society, and the Post-industrial Society.

**Pre-Indusrial Society**

The pre-industrial societies were in succession. It started with hunting and gathering to pastoral, followed by horticulture, and next to it were agrarian and feudal societies (Hawkins, 2017).

1. **Hunting and gathering:** this is about the earliest society. Its sustenance is premised on the daily gathering of fruits and plants from natural vegetation and wildlife gaming activities. Members of the society are either related by birth or marriage. Every member of this setting takes an active and equal role in the sustenance efforts. Because the population is so small, they see no reason for permanent construction, especially given that they are constantly on the move. However, the gaming society is a relatively larger, homogenous society with an abundance of resources, a hierarchical structure of chiefdom was instituted. Decisions are based on consensus, as status is relatively equal (Persson, 1988).
2. **Pastoralism** is a more advanced society in relation to hunting and gathering settings. The mainstay of its economy is the grazing of herds, which is large enough to support the society. The grazing activities require a few hands. This affords them the opportunity to venture into craft work, producing tools, weapons, and jewelry. By implication, there exists some level of division of labour in this arrangement. Without a doubt, the production of these goods attracted barter trade, which eventually resulted in inequity in the settings. Consequently, individuals' and families’ relevance is a function of the quantum of wealth at their disposal. Transfer of wealth from one generation to the other brings about centralized wealth and power. Over time, chieftaincy and other forms of government become hereditary.
3. **Horticulture:** During this stage of pre-industry, fruits and vegetables were planted. The society developed simple technologies like hoes and cutlasses. It equally adopted rotational farming and bush burning strategies as fertilization strategies, enhancing bumper harvests. They had semi-permanent or permanent villages of 30–2000 people. Also, this phase witnessed an unprecedented surplus food supply, which necessitated a complex division of labour (craftsmen, healers, and spiritual leaders). Surplus food leads to inequalities in wealth and power within the setting.
4. **Agrarian:** In the agrarian setup, more sophisticated technology, such as ploughs and oxen, are used to cultivate large areas of land. The 15th century was regarded as an agricultural revolution. Surprisingly, this period was a marriage of pastoral and horticulture, resulting in an abundance of food, which resulted in the development of towns and commercial hubs. Social stratification becomes apparent, as women are made to perform lesser roles, like preparing food for the family and other house duties. As villages and towns expanded into neighboring communities, conflict ensued. As such, farmers provided warriors with food in exchange for protection of their lives and properties. Subsequently, the nobility organized the warriors to protect the milieu from external aggression and collect goods in exchange for safety.
5. **Feudalism:** A feudal system is an apolitical and economic arrangement based on land ownership and tenure. The land is regarded as a manor and was in the hand of the king or monarch, who in turn gave out portions of the land to serfs who worked for them for compensation and as a sign of loyalty. The reward for a serf is called a "fief." However, capitalist society sent feudalism into extinction (Hawkins, 2017).

**Industrial Society**

The late 15th century into the 16th century was regarded as the industrial revolution. Capitalist society emerged, rendering feudalism redundant. Capitalism is an economic arrangement and political system where the means of production, exchange, and distribution of goods and services are owned and controlled by private individuals with little or no government interference. Also, the introduction of foreign metals, silk, and spices enhanced commercial activities in European society. The revolution was technologically driven, which led to the effective and efficient mass production of goods and services. Byproducts of this progress include, but are not limited to, increased surplus, population explosion, income inequality, and job opportunities in manufacturing industries. Notable is the fact that the advancement resulted in glaring inequality and the extinction of feudalism, causing many people to flee the countryside in search of work in cities (Ogilvie, 2004).

**Pos**t-**Industrial Society**

Post-industrial society is dominated by sophisticated technology that goes beyond the mere manufacturing of goods to include information and service industries. There was a paradigm shift in society from a production-driven society to a service-driven society, and as a result, service industries such as banking, insurance, and health care flourished in the post-industrial society (Bell, 1974). Notable is the fact that scholars identified the underlining theories of social formation. Among them are divine, force, evolutional, and social contract theories.

**The Importance of Society**

**Mutual benefit:** society enables individuals within a social group to enjoy certain benefits which could not have been possible on an individual basis.

**Economy**

The word **"economy"** originates from two Greek words, οἶκος & νέμω, which mean "***house and manage"*** or "***distribute"*** respectively. Bringing the two words together to form a compound word, it therefore refers to one who manages or maintains a household (James, et al., 2015).

The economy is a man-made organization for the satisfaction of human wants.

**An economy**consists of the production, distribution, trade, and consumption of limited goods and services in a particular community, society, state, country, or region. In essence, the economy is the total value of merchandise and service transactions between two commercial agents in a region, whether they are private individuals, government representatives, cooperative organizations, states, or nations. An economy could also be defined as the status of a society, community, state, or country in terms of its production and consumption of goods and services, as well as its supply of money. A.J. Brown defines the economy as a system by which people make a living. He views the economy from the perspective of sustenance. An economy is the large set of inter-related production, consumption, and exchange activities that aid in determining how scarce resources are allocated. He views the economy from the lens of production and distribution of resources (Micheal, 2021).

**Features of Economy**

1. Economic institutions are products of man; this implies that they are a deliberate creation of man, as they can be modified or destroyed by him.
2. Dynamism: This feature emphasized that the economy is not static; it is constantly changing and transforming over time.
3. Production, consumption, and investment are the core of the economy.
4. Money is the major medium of exchange.
5. Limited government intervention: There is little government intervention: market forces determine the prices of goods and services, and the means of production and distribution are privately owned.

**Types of Economy**

The typology of the economy will be discussed under two headings: ownership and control of production means and level of development.

**Typology on the Basis of Owners & Control of Production Means**

Human and material resources geared toward production, distribution, and exchange of goods and services are either exclusively owned and controlled by private individuals or the state or jointly managed by investors and the government. On this note, three major forms of economies systems are identified; they are: **Capitalist, Socialist, and Mixed Economies.**

**Capitalist Economy**

**A** capitalist economy is an economic arrangement whereby the means of production, exchange, and distribution are ultimately owned and controlled by private individuals with little or no interference by the state. This implies that there exists a laissez-faire economy and free enterprise. Private investors are the determinant of economic activity, and profit maximization is their target. Also, in this economy, there exists sharp competition between and among investors, with the resultant effect of survival of the fittest. However, Karl Marx figured out two major classes in the capitalist economy: "haves" and "haves not."

**Characteristics of a Capitalist Economy.**

1. **Private ownership:**  Individuals have an unrestricted right to acquire and accumulate properties and wealth for their own personal benefit under this economic arrangement. Also, the means of production, exchange, and distribution are in the hands of private individuals.
2. **Free enterprise:** the ability to invest in any sector of the economy, mobilize human and material resources, decide what to produce, and set prices to maximize profit.
3. **Consumers’ independence:** in a capitalist economy, consumers are regarded as kings, as they reserve the right of choice, i.e., to spend their money on goods that give them maximum satisfaction.
4. **Profit maximization: the** capitalist economy is not a charity organization, but the ultimate target is profit maximization. As such, he does everything humanly possible to minimize costs so as to maximize profit.
5. **Cut-throat competition:** competition is a cardinal principle of free enterprise; the absence of a monopoly brings about the existence of close substitutes for every product, which breeds sharp competition among producers, ultimately preventing undue exploitation and ensuring quality products and services.
6. **Price determination:** The primary determinants of goods and services prices are demand and supply. When the demand for a particular good is higher than its supply, it forces the price up and vice versa.
7. **Class economy:** In this arrangement, there are two major classes in a class economy: bourgeoisies and proletariats. The former are the owners of means of production, otherwise known as the haves and exploiters, while the latter are regarded as the workers who sell their labour to get wages as rewards. It is pertinent to mention that there exists a master/servant relationship between these classes (Waters et al., 2010).

The above discussion explains the ideal of the capitalist, but we have established earlier the fact that society is not static but dynamic. It is very important to mention that the fore-runners of the capitalist economy, like the USA, France, the Netherlands, and Spain, have practiced capitalism in recent times with active government participation.

**Socialist Economy**

**Socialist Economy:** Socialism is the direct opposite of capitalism. It is an economic ideology wherein all means of production, exchange, and distribution of goods and services are centrally planned, owned, and controlled by the government. The ultimate goal of producing goods and services is not profit, but rather to meet the welfare needs of the citizen. Karl Marx was the proponent of this ideology, while Frederick Engels, Joseph Stalin, and V.I. Lenin all belonged to this school of thought. This economic system was widely used by former Eastern Bloc countries such as China, Cuba, Poland, Romania, the former USSR, and Bulgaria.

**Features of a Socialist Economy**

1. **Collective Ownership:** The state owns the means of producing, exchanging, and distributing goods and services on behalf of citizens. By implication, private ownership and accumulation of wealth are abolished.
2. **The Centrally Planned Economy:** The ruling socialist party planned the economy, i.e., determining what, how, and for whom to produce.
3. **Welfare Objective:** Productionof goods and services is not profit-oriented rather catering for the well-being of its citizens.
4. **Equitable Distribution of Income:** thedistribution of income is premised on individuals’ contributions to the economic development of the state.
5. **Absence of Competition: The** socialist economy is free from all forms of economic rivalry and unhealthy competition. There is some uniformity in the prices of goods and services.
6. **Classless Society:** the fact that government owns all means of production and exchange on behalf of the citizens, it abolished the bourgessies class and placed everyone on the proletariats (workers).

The above discussion paints the ideals of a socialist economy. However, in practical terms, countries that practice this system of economy have embarrassed a great deal of liberalization to enhance economic development. Among others, Russia, China, and some countries in Eastern Europe are examples of socialist economies.

**Mixed Economy**

A mixed economy is a marriage of capitalist and socialist economy. The offspring of this holy matrimony is a mixed economy. Consequently, it shares the virtues of the two parents and avoids their excesses.

**Features of a Mixed Economy**

1. **Joint Ownership**
2. **Planned Economy**
3. **Freedom**
4. **Price Mechanism**

**Typology on the** **Level of Development**

Based on their level of development, countries are divided into two groups: developed economies and developing economies. Certain indexes, such as real national, per capita income, and standard of living, are the yardsticks to determine to which stratum a country belongs.

1. **Developed Economy:** A country’s economy is said to be developed when real national, per capita income, standard of living, savings and investment are very high; also, such an economy is blessed with qualitative human resources, an abundance of social amenities, qualitative health facilities, a strong financial base, and a low birth and death rate. The following are examples of developed economies: the USA, UK, France, Germany, China, Saudi Arabia, etc.
2. **Developing Economy:** Developing or underdeveloped economies are the polar opposites of developed economies. However, economists prefer to use the term "developing" to give a sense of hope to countries on this path. These countries are notable by low national and per capita income, a low standard of living, low savings and investment, and an economy dominated by unskilled labour, insufficient social amenities, high birth and death rates. Most of the African countries fall under this category, among which are: Chad, Cameroon, Ghana, Nigeria, Somalia, Togo etc.

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**Organization and Structure of Government**

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**Introduction**

The importance of government cannot be over emphasized. Organization of government be it federal, state or local is built upon three interrelated structure; the legislature, executive and judiciary. These three organs operates independently, however complimentary to one another for the overall interest of the country (Johari, 2003). We shall be examining the organ of government, its types and functions.

**Organ of Government**

Organs of government are also refers as arms or branches of government. There exit three organ, of government, which are the: legislature, executive and judiciary. These pillars of government is refers to ***“aro meta, ti ki da obe nu”*** they are the corner stone of governance.

**The Legislature Organ of Government**

The concept of a legislature refers to a group of elected representatives charged with the responsibility of lawmaking for a given state (Salim, 2010). The ultimate or primary assignment of the legislature is to formulate, debate, and pass legislation that is of paramount importance to the smooth running of the country (Sagay, 2010). The concept legislature refers to a group of elected representatives charged with the responsibility of law making for a given state (Salim, 2010). The ultimate or primary assignment of legislature is to formulate, debate and pass legislation which are of paramount importance to the smooth running of the country (Sagay, 2010).

The legislature is the law making body of a political unit, usually a national or sub-national government that has the power to make, amend and repeal public policy. Known as Legislature in Nigeria, Congress in United State of American and Parliament in Britain (Egbobueze, 2016). The legislature as enshrined in the 1999 constitution of Federal Republic of Nigeria, is saddled with the responsibility of law making for the nation. The legislative house is so powerful and superior to other organs; this is so because they can make and unmake, legalize what is illegal and illegalize what is legal (Section 4, subsection 1-9 ’99 constitution). Scholars argued that the major distinction between democratic system of government and military rule is the elective principle and elected legislature (Oko, 2012).

**Types of Legislature**

There are two major types of legislature or parliament: the unicameral and the bicameral legislature.

**A unicameral legislature** is a legislature with a single chamber or house. This system is practiced in unitary states like Greece, Ghana, Kenya, New Zealand, Peru, etc.

**The Benefits of a Unicameral Legislature**

The benefits of the Unicameral Legislature include the following:

1. **Cheaper to run:** One of the major advantages of the unicameral legislature is that it is less expensive. Since only one chamber exits, it eliminates duplication of offices and functions. As a result, the resources spent on salaries and allowances for the legislature and their administrative staff will be minimal, providing the government with a reserve to spend on development projects.
2. **Speedy process of law making:** the process of law making is not cumbersome as it is only debated in a single chamber. As such, law making is faster and easier, thereby making government response to challenges faster, particularly in emergency situations.
3. Reduce friction: In a unicameral legislature, disagreements over supremacy between the upper and lower houses are avoided (Okoosi, 2010).

**Disadvantages of a Bicameral Legislature**

1. A hasty legislative process can result in poor decisions.
2. It is not representative enough.
3. It cannot be practice in a multi-ethnic and heterogeneous society.

**Bicameral legislature:** is a situation whereby two legislative houses make law for the nation (the upper and lower house). This feature is common with federalism as widely practiced by the United States of America, Great Britain, the Federal Republic of Nigeria, India, etc. The process of law making in the aforementioned countries must pass through the two houses, the upper and lower houses. In Nigeria and Britain, for instance, these houses are known as the House of Representative with 360 members and the National Assembly with 109 members, while they are called the House of Common with 900 members and the House of Lords with 900 members, respectively.

**Benefits of a Bicameral Legislature**

1. **Adequate representation:** bicameral legislation gives room for adequate representation of the interests of the populace. Legislation enacted in this type of legislature is a true reflection of public interest.
2. **Thorough scrutiny,** two good heads are better than one says the adage. The bills are critically analyzed in both the lower and upper houses, leaving no stone unturned; this, without a doubt, ensures that their legislation stands the test of time.
3. **Check and balance:** It is a mechanism for checking and balancing legislation, particularly in the lower chamber.
4. Bicamerallegislation averts the emergence of dictatorship, as it is practically impossible to manipulate the two distinguished chambers.

**Disadvantages of Bicameral Legislature**

1. **High Financial Implication:** One of the major criticisms leveled at bicameral legislation is its high financial implications.Offices and functions of legislatures are unduly duplicated as such fortunes are spent on salaries, allowances, and other emoluments.
2. **Open ways for friction:** Adoptionof bicameral legislation sets friction in motion between and among the two chambers, thereby delaying the law-making process.
3. **Difficulties in Emergency Situations:** This system frequently obstructs emergency situations.

**Legislative Functions**

The statutory functions of the legislative arm of government are as discussed below:

1. **Enactment of law:** The legislature is the only organ saddled or empowered to make and amend laws for the state (Ujo, 2002). This is contained in chapter I, part II of the 1999 constitution of the Federal Republic of Nigeria.
2. **Check on the executive:** th**e** legislature is empowered to check the excesses of the executive (President, Governor, and Chairman). If the executive is found wanton they can pass a vote of no confidence or impeach him from office.
3. Ina democratic system of government, the legislature represents the people in their constituencies and senatorial districts. As such, they are the mouthpiece of the people they represent.
4. **Endorsement function:** certain actions of the executive require the blessing and express approval of the legislature. Examples of such endorsement are in the areas of: appointments of Ministers, Commissioners, Service Chiefs, Ambassadors, Chief Justice, Chairmen of Agencies, Declarations of War and State of Emergencies just to mention a few.
5. **Control of Public Expenditure:** Publicexpenditure of the state is presented by the executive to the legislature; such financial statements are subjected to debate on the floor of the house. Consequently, it can be reviewed either upwards or downwards before final approval of the budget.
6. **Educative Function:** Through its debate on the floor of the house, citizens are better educated as to their rights, obligations, and responsibilities towards the government.
7. **Oversight Function:** Sometimes the legislature summons the heads of government agencies, departments, or officials to appear before it to answer questions about their actions and inactions. This is not the core of legislation but an oversight function to put things straight (Williams, 2006).

**Law-Making Process**

In a democratic setting, a bill passes through seven stages before it is considered a binding law. These stages are: first reading, second reading, committee stage, report stage, third reading, joint session, president's assent or veto.

1. **First reading:** this is the first stage of law making; it is merely an acknowledgement of the receipt of the bill. At this stage, hard copies of the proposed bill are made available to members of the parliament, and for the first time, the clerk of the house reads aloud to the honorable members of the house the title of the bill and its initiator. A date will be fixed for discussion by the business committee (Stephen, 2005).
2. **Second reading:** at the appointed date, the initiator or sponsor of the bill tries to convince the house of the importance of the bill. He thereafter moved a motion for its second reading, which must be seconded. Then a vote is taken in favour or against it. If supported by a majority, it can then be debated at the plenary.
3. **Committee stage:** once the bill has scaled through the second reading, it is referred to the appropriate committee for further consideration. Bills that have to do with technicality (ICT, mining, health, aviation, etc) are referred to by a standing committee on the subject matter, otherwise it will be a committee for the whole parliament (Mbaya, 2009).
4. **At this stage,** the standing committee reports to the house its findings, amendments, and modifications it has made to the bill. Copies of the modified bill are circulated for debate at the plenary. Thereafter, a motion for adoption is raised, after which it moves to the next stage (third reading).
5. **Third reading:** at this stage, minor corrections, such as spelling errors, grammar punctuation, etc., are made, while the core of the bill cannot be altered. After the third reading, a copy of the bill is endorsed by the speaker and forwarded to the second chamber for consideration. If the second chamber proposes a certain amendment, the amendment is attached and sent back to the originating chamber. In the absence of modifications, the originating chamber will only be informed appropriately.
6. **Joint session:** In a joint session,the upper and lower houses meet to deliberate on the bill. The harmonized version of the bill is then represented at the joint seating of the two chambers before its presentation for presidential endorsement.
7. **Presidential Endorsement:** A copy of the bill, duly endorsed by the clerk of both houses, the speaker and the senate president, is forwarded to the president for his assent. If the president declines his assent for whatever reason, the house can veto it with a two-thirds majority at the end of the thirty-day deadline (Lawrence, 2005).

**The Executive Arm of Government**

Theexecutive arm of the government is charged with the responsibility of enforcement and implementation of legislation and pronouncements of the judicial organ of government. The executive organ of the government is powerful simply because it enjoys authoritative allocation of resources by the state (Robert, 2002). He who plays the pipe dictates the tune. This sometimes makes the executive turn dictator (power corrupts absolute power corrupts absolutely). The executive is made up of the President, Vice President, Ministers, Ambassadors, Special Advisers, Governors, Deputy Governors, Commissioners, Advisers, Personal Assistance, Local Government Chairmen, and Supervisors, etc.

**Types of Executive**

There exist two major types of executives: monocephaleous and bicephaleous.

**Monocephaleous Executive**: An executive is said to be monocephaleous if real executive power and ceremonial function are combined into a single person (the president).In this instance, the president is the head of state and head of government. This system is operational in Nigeria.

**A Bicephaleous Executive:** A Bicephaleous Executive, on the other hand, is a situation whereby two executive heads exist. In this case, the head of state is different from the head of government. The head of state performs ceremonial functions while the head of government performs the real executive duties. This system is known as the Cabinet system of government, as practiced in Britain; the Prime Minister is the head of government while the Queen is the head of state.

**The Executive's Functions**

The function of the executive, like other arms of government, is enshrined in the constitution. For instance, Section 5 of the 1999 constitution spells out the function and power of the executive. Among others, the following are functions of the executive:

1. **Budgetary Function:** Abudget is a financial statement showing the intended income and expenditure of a country over a period of time, usually for the next fiscal year. It is the statutory responsibility of the executive to put together a budget for the nation.
2. **Security function:** The president is the Commander-in-Chief of the Armed Forces and has the authority to appoint a Service Chief, declare a State of Emergency, and declare war on other countries around the world.
3. **Implementation Function:** Theexecutive arm of the government is charged with the responsibility of enforcement and implementation of legislation and pronouncements of the judicial organ of the government.
4. **Judicial Function:** The appointment and advancement of the Chief Justice of the Federation and Chief Judge of the State is solely the responsibility of the executive (the president and governors, respectively). Also, the executive exercised the prerogative of mercy to pardon offenders serving jail terms.
5. **Ceremonial Function:** The executive performs ceremonial functions such as receiving visiting heads of state and envoys, as well as saluting on national holidays (independence, democracy, and armed remembrance days).
6. **External Relation Functions:** Theexecutive negotiates and enters into international agreements with other countries on health, education, technology, security, and other areas. It also maintains cordial relations with other countries by opening embassies and high commissions.

**Judicial Organization of the Government**

The judiciary is the last hope of the common man, the hope of the hopeless, the defender of the defenseless and upholder of the rule of law. This is so because it is constitutionally empowered to protect fundamental human rights and is the only organ that can declare actions or inactions of the other two organs (legislature and executive) null and void. The judiciary is the sole organ empowered to adjudicate and interpret the laws of the land (Nora, 2011).

According to the Black’s Law Dictionary, the judiciary is defined as the arm of the government responsible for the interpretation of laws and administration of justice. Worthy of note is the fact that the judiciary actualizes its objectives through the court institution.

**Hierarchy of Court Institutions**

Court institutions differ in terms of their composition, jurisdiction, and purposes of establishment. The following are court institution in line with their hierarchy:

1. Customary and Area Court
2. Magistrate and District Court
3. State High Court
4. Federal Courts of Appeal
5. Court of Appeal
6. Supreme/Apex Court

**Functions** **of** **Judicial Organ of Government**

1. **Interpretation of Law:** The interpretation of laws requires a learned person. Because of their training, the jury understands the motivation and meaning of every Marxist of law. For instance, section 36 (6 c) of the 1979 constitution provided that "Every person who is charged with a criminal offence shall be entitled to defend himself in person or by a *legal practitioner of his own choice.*" Relying on this provision, Chief Obafemi Awolowo decided to get a lawyer from Britain to defend him on felony charges. The Bench of Jury interpreted the *legal practitioner or lawyer of your own choice* to mean: a Nigerian lawyer, called to the bar in Nigeria and practicing in Nigeria. Consequently, his case of denial of a fundamental human right was struck out.
2. **Guarantee Fundamental Human Rights:** Fundamental human rights such as the right to life, vote and be voted for, freedom of expression, association, religion, etc. are safeguarded by the judiciary, as an aggrieved person can seek redress in court for violation of their rights (Nora, 2011).
3. **Adjudication:** the judiciary settles disputes between individuals, cooperative organizations, and state versus state, as well as state and federal governments.
4. **Checks and Balances:** this organ equally serves as a watch dog over the executive and legislature to prevent abuse of office. It has the authority to declare actions of both arms that are inconsistent with the constitution to be null and void and of no effect.
5. **Punished Offenders:** This organ is also responsible for the punishment of violators of the laws of the land. As a result, others will be discouraged from committing the same or similar crime. In civil cases such as breach of contract or tortious liability, it awards damages.

**The Challenges of the Judicial Organ**

1. **Poor remuneration:** The judges are not well paid and this sometimes makes them resort to sharp practices so as to make ends meet.
2. **Partisan Politics:** In recent times, most of the judges are actively involved in politics. This is not unconnected with monetary gain, relevance, and influence they stand to gain by romancing the executive and legislature.
3. **Corruption:** This organ is expected to be fair in dealing with all parties. It is pathetic to hear cases of judges involved in bribery and diversion of public funds.
4. **Appointment of judges:** The appointment of judges is not based on merit, but on ethnic, religious, and party affiliation. This will undoubtedly impede justice (Egboueze, 2016).

The aforementioned challenges have hindered the judicial organ from discharging its responsibility without fear or favour.

**Condition Required for Independence of Judiciary**

In order to ensure the independence of the judiciary, the following conditions are of paramount importance:

1. **Appointment of Judges:** The appointment of judges should be based on merit and not partisan politics. Also, a neutral body should be responsible for the appointment and promotion of judges; this will reduce, if not eliminate, the influence of the executive and legislature over the judges, thereby enabling them to discharge their duties without fear or favour.
2. **Fat Emolument:** Judges' salaries and allowances should be attractive enough that they are not easily influenced by monetary and material gifts, bribes, and other unethical practices.
3. **Financial Independence:** They should enjoy some level of financial autonomy; by implication, their salaries, allowances, and other remuneration should come from a consolidated fund, as opposed to being at the mercy of the executive arm of the government.
4. **Job Security:** Their tenure in office should be secure, as against the usual practices in Nigeria and other developing nations, where judges are forced to retire or transit with the government that installed it.
5. **Judicial Immunity:** what is good for the goose is good for the gander; just like the executive and legislature enjoys immunity, the judiciary should also enjoy same for taking wrong decision or judgment.

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**STATE EVOLUTION**

**GST 108**

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**Introduction**

Several attempts were made by political thinkers to explain the origin of the state, i.e., when, where, and how the state came to be. However, there is no convincing evidence or records of how the state came into existence. For our purpose, we shall be considering the following theories of state formation: Force, Evolutionary, Social Contract, and Divine Theories of State Formation. From the womb of yesterday, today was born; therefore, discussing today without recourse to yesterday will amount to putting the cart before the horse, which is consequently misleading. On this note, it is pertinent to define the concepts of state, theory, and theory of state evolution; undoubtedly, this will enable us to sail through the stream of consciousness.

**State:** According to Spencer (2010), a state is defined as a politically centralized territorial polity with internally dedicated government machineries. A state could also be defined as a community of people, perpetually inhabiting a definite territory, legitimately sovereign of external control and having an organized government that makes and implements laws over all individuals and organizations within its dominion.

On the other hand, theories, on the other hand, are sets of hypotheses, prepositions, and assumptions that are testable for the generalization of fact. Theory helps in giving a logical explanation of why and how things happen. As a result, state evolution theories are those tested hypotheses and assumptions prepositions that explain how and why a state evolved.

**Force Theory**

Marxists, Nicolo Machiavelli, Thomas Hobbes, and other conservatives popularized the Force Theory. The postulation of this theory holds that states are formed and maintained by guns. From a historical standpoint, Leacock believed that government is the result of human hostility. The United States came to be as a result of the seizure and enslavement of man by man, in the defeat and suppression of weaker ethnic groups, self-seeking domination acquired by superior physical force. Most of the great empires were established by blood, gunpowder, and iron, and many more that will be established in the near future will inevitably be by the same or similar means (Morris, 1964). From an historical perspective, Jenks affirmed that virtually all political communities in the present day stern from successful warfare. As much as force is required for the establishment of a state, it is equally required for its subsequent maintenance of internal order and protection from external attacks.

The Socialists hold that the state is the outcome of the aggressive exploitation of the feebler by the tougher. The latter are the property owners who have ever staffed administration and directed the government apparatus to their own advantage. They go on to say that states are formed by force, and that government is a subjugating organ that exploits the working class in order to protect the interests and position of property owners. To this end, force is of paramount importance to ensure strict compliance with its order.

As Thomas Hobbes asserted, "covenants without swords are but words." The Marxist believes that states, whether ancient or modern, are established by force with the sole purpose of exploiting the browbeaten, feeble, and pitiful in the environment.

**Instances of the Emergence of States by Force Theory**

1. **United States of American:** The United States of America was founded on the theory of force.History has it that the role of force was very pronounced in the establishment of the US. The aborigines of the USA were defeated by the immigrants who subsequently occupied their land. Also, Texas and Mexico were seized from the Mexican empire. They had to prosecute war in the year 1776 to gain their freedom from Britain. After the independence of the United States from the British, they had to start another civil campaign or war as the North and South wanted to break away from the United States. The history of the United (the promoter of democracy) will be grossly inadequate until and unless the role of force is mentioned in its establishment.
2. **Great Britain:** Theformation of most European countries is not too different from the American experience. The ultimate origin of Great Britain can be traced back to the Norman Conquest of 1066, which was followed by succession battles among the English kings. It is on record that England seized and annexed so many countries that were supposedly independent, like Scotland, Wales, and Ireland, just to mention but a few.
3. **Germany:** The 1448 revolution produced the present Belgium. However, Germany was united in 1887 by the power of force and elusive diplomacy. Later, the country was divided into two sections—Eastern and Western Germany—and reunited by Kaiser, all at the cost of blood and iron.
4. **The** 1848 unification of Italy would not have seen the light of day if not for the defeat of the Austrian forces, which were led by Cavour and other Italian states. The campaign against the Austrians brought Naples, Sicily, and Rome (independent countries) together.
5. **African** **Countries:** Thecolonization of African countries was neither a tea party nor a cocktail party, but a thug of war. The power of the bullet recorded a resounding success in Africa, as only two countries (Abyssinia, now the present Ethiopia and Liberia) escaped colonization; this was not unconnected with the balance of terror. Also, the subsequent independence of most African countries was not attained on the platter of gold. As much as Nigeria did not wage a war of liberation against the imperialists, she nevertheless had a fair share immediately after independence, thirty months into the Biafran civil war of secession (Dent, 1990). Furthermore, colonization was not Africa's first experience of subjugation; the precolonial era was characterized by a series of intra and inter-tribal wars, with the resultant emergence of empires (Ihonvbere, 1987). Abyssinia, Ashanti, Danhome, Mali, Songhay Oyo, and Zulu Empires were all popular. The reign of Shaka was notable for its military might, which afforded him the opportunity to extend the tentacles of his authority. The conquered nation is annexed while their warlords who pledge allegiance to his reign are absorbed into the national army and the rebels among them are put to death. To avert the disaster suffered by Onigbogi, the Alafin of Oyo restructured its military with the mandate of annexing other communities, towns, and villages. The Alafin Ajagbo created the office of Are ona Kakanfo (generalissimo of Oyo’s army), who must not only be war hungry and thirsty, but must win every war within three months or bring home dead. With this new arrangement, Oyo became the largest Yoruba Empire by the mid-18th century (Emmanuel, 2015).

From the foregoing, one can conveniently conclude that the formation of states across the globe is largely a function of force theory. Beyond that, the subsequent maintenance of its internal security and protection from external attacks is premised on force.

**Evolutionary Theory**

Garner opined that the state is neither the creation of God nor the resultant effect of superior force, nor the creation of compatibles or the mere expansion of families. Evolutionary theory, however, holds that states evolve gradually, i.e., a state is a process of continuous development. It is a product of the gradual development of an imperfect beginning.

**Factors responsible for the evolutionary formation of the state**

1. **Social Makeup:** Humansare naturally social beings. This natural instinct compels men to live in a society without which they will be more or less beasts or gods.
2. **Blood Relationship:** Family ties or kinship create society, and society, in turn, develops to a state.
3. **Religion:** Religion not only serves as a unifying factor across generations, but it also acquaints its adherents with authority, discipline, social solidarity, and cohesion.
4. **Economic Factor:** Business activities have in no small measure contributed immensely to the gradual development of the state. Business activities resulted in the development of procedures and rules governing the production, transaction, distribution, and exchange of goods and services.
5. **Development of a state of political consciousness:** this brings about consciousness in the minds of people of the milieu, the need to protect their land, patriotism, loyalty, need for orderliness, feelings of territorial expansion, power, and struggle for control of government machineries.

**Theory of the Social Contract**

A social contract is a hypothetical or actual treaty between a society and a state; these contractual agreements serve as the foundation for our moral decisions and stands (Kevin nd).The ultimate origin of the social contract theory of state formation could be traced to Thomas Hobbes, John Locke, and Rouseau (English and French scholars, respectively).They opined that the state came to be as a result of social agreement between the governing and the governed. Individuals consented, either explicitly or implicitly, to surrender some of their freedom and jointly owned resources to the authorities in exchange for protection of other rights and the maintenance of social order. These theorists identified the existence of two distinctive societies: pre-civil, or state of nature, and political society. Pre-civil society, or state of nature, was a period when the state, laws, authority, and government were not in existent. However, the contract of having a state was concluded by the people in the state of nature, and that constitutes a dividing line between the two societies. The conclusion of that contract gave birth to political society. This postulation was criticized on the ground that the contractual agreement is irrevocable; it allows entrance into the agreement but prohibits subsequent exit. On the other hand, the theory has its golden side, which is the foundation of modern democracy, by declaring the state as a product of popular consent.

**Inferences from Social Contract Theory**

The following could be inferred or deduced from the social contract theory:

1. **State of nature:** First ofall, it could be deduced that at the beginning, man lived in a state of nature. They had no rules, regulations, laws, or government. By implication, there was hardship, oppression, and might was right. This terrible situation led to the need to enter into an agreement.
2. **Selflessness:** All humans are naturally self-centered. In trying to maximize their satisfaction, others may be affected. As such, there is a need for submission to an authority that regulates the relationship.
3. **Contractual relationship:** Man's natural desire for security and order necessitated the establishment of a contractual relationship. To fulfil this desire and get over the hardship characterized by the state of nature, they entered into two types of agreements: Pactum Unionism and Pactum Subjections. **Pactum Unionism:** the first agreement was in respect of the formation of society and the protection of lives and property, i.e., they unanimously agreed to see life as sacred and to live in peace and harmony. **Pactum Subjections:** the second phase of the agreement was that people of the established society pledged their allegiance to the constituted authority and surrendered part of their freedom and rights to the authority. The authorities, in return, guarantee the protection of the lives and properties of everyone.
4. **Principle of Might is always right (Absolutism):** In this sense, the principle of might is always right, implies that the authorities must enjoy absolute sovereignty as regards command and enforcement of laws. This is so because a government without a sword is but a mere word and, consequently, lacks the capability to secure the society.
5. **Enforcement of Laws:** The enforcement of laws by the sovereign aims at limiting the natural liberty of men, so that they might not hurt one another but rather join forces against a common enemy (Manzoor, nd.).

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**The Rule of Law**

**GST 108**

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**Introduction**

The application of the rule of law is an international obligation, accepted by nearly all states or countries in the world, at the European Convention on Human Rights. This principle was equally adopted in the Universal Declaration of Human Rights (UDHR). In this chapter, we attempt to conceptualize the rule of law, its historical development and fundamentals, the universality of the rule of law, its importance and limitations.

**The Concept Rule of Law**

Trebilcock and Daniels (2008) view the rule of law as "thick" and "thin", respectively. They perceive it as a set of sound ideals and a fortification of the institutional framework. In this sense, emphasis is placed on both the conceptual soundness and institutional strengthening of rules. The Rule of Law is a principle of governance in which all persons, institutions, and entities are held accountable to the public law and adjudicated by a competent, independent, and unbiased judiciary. A.V. Dicey submitted that the rule of law implies absolute supremacy of the predominant law as against arbitrary power. In an attempt to define the concept of rule of law, Kleinfeld (2005) divides it into two interconnected categories (the ends and institutional attributes). **The ends** are emphasized as those that the rule of law is envisioned to serve within a community, society, or state, e.g., preservation of law and order and providing efficient judgments to the public at large. **Institutional attributes**: those that spell out the institutional attributes believed necessary to the attainment of the rule of law, e.g., well-functioning courts, comprehensive courts, and well-trained enforcement agencies.

The rule of law is directly related to democracy, not only at the stage of law-making but also vis-à-vis all institutions involved in law-making and implementing processes.

The legal system is not a mere set of rules but a structure which interlaces legal rules with legally regulated state bodies. Only under the democratic rule of law will the various agencies function effectively, without abstraction and intimidation from powerful state actors (O’Donnell 2004).

**The Five Basic Factors of the Rule of Law**

According to O’Donell (2004), the rule of law is based upon five main principles, which are:

1. Constrained governmental power,
2. Equality before the law,
3. The establishment of law and order;
4. The effective administration of justice; and
5. The protection of fundamental human rights.

**The Evolution of the Rule of Law throughout History**

The rule of law can be found in ancient Arab, Greek, Indian, Israeli, and Mesopotamian civilizations. For instance, the acclaimed holy books (Bible & Quran) emphasized the doctrine of the rule of law; in the books Deut. 4:2 & Lev. 19:15, ***God's law was equally binding on all. Nobody was entitled to add or subtract from it, and judges were warned not to discriminate in favor of the mighty.*** "Allah enjoins justice, goodness, and giving to kith and kin. He forbids evil, indecency, and oppression. He instructs you that ye may receive admonition," says the Quran in Chapter 16:90 (Surah An Nahl). Moving away from the divine point of view,it is pertinent to mention the contributions of great philosophers to the development of the rule of law; among others, Aristotle (350BC), Sir John Fortescue (1471), Niccol Machiavelli (1517), James Harrington (1656), John Locke (1689), Montesquieu (1748), and A. V. Dicey (1885) have contributed immensely to the development of the concept.

Aristotle raised the question of whether it was better to be ruled by the *best man or the best laws* (David**,** 1998**).** Sir John Fortescue stressed the *significance of governance through* *established standing laws known to the people.*

Montesquieu's contribution to the rule of law cannot be overemphasized. He stressed the need for separation of power and checks and balances among the organs of government. He asserted these principles will enhance good governance and prevent abuse of office. Power corrupts, and absolute power corrupts absolutely (Peacock, 2010).

During the middle ages, precisely in the 7th century, Islamic Jurisprudence was established so as to prevent the absolute power of the Caliph (Weeramantry, 1997). In the 9th century, Alfred the Great, Anglo-Saxon king, reviewed the law of his empire and formulated a law code (the Doom Books) which was an extract from the biblical commandments. He held that irrespective of status, influence, wealth, political affiliation, every member of the kingdom should be subjected to the same law, which is supreme (Alter, 2004).

In the 16th century, Samuel Rutherford employed the concept in arguing against the celestial right of the royals. This concept further gained relevance in the 18th century as Montesquieu (a French philosopher) extensively discussed the rule of law in his book titled The Spirit of the Laws, published in 1748 (Tamanaha, 2004). Also, the contribution of a 19th century professor (A. V. Dicey) cannot be forgotten in a hurry. He popularized the concept of the rule of law in his book titled "Introduction to the Law of the Constitution," published in 1885. He asserted 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 laws should be regarded as supreme". Albert Venn Dicey held that the Rule of Law was premised on legal equality. He stubbornly opined that all animals are equal before the law and no matter whose head is off, justice must be done. Also, no person is punishable or can be lawfully made to suffer in body except for a distinct breach of law established in the ordinary legal manner before courts of competent jurisdiction (Hostettler, 2011).

**Fundamentals of the Rule of Law**

According to the World Justice Project, the rule of law index is organized on eight basic principles, which are:

1. A government bound by established laws;
2. Absence of corruption;
3. Transparent government;
4. A fundamental human right
5. Order and safety;
6. Regulatory enforcement;
7. Civil justice and
8. Criminal justice.

However, the realization of these principles is only possible in a free society where the law of the land is supreme and the judiciary is independent of other organs.

**Universality of the Rule of Law**

The universality of the rule of law is the fruit of holy matrimony between countries of the world and international conventions. Countries that are party and signatory to these agreements and treaties are expected to live up to their terms and domesticate the declaration in their constitution. For instance, the universal declaration of human rights, which provides, among others, that:

1. When charged with a criminal offense(s), everyone has the right to a fair and public hearing before an independent and impartial tribunal.
2. Arbitrary arrest, detention, or exile are violation of fundamental human right.

Furthermore, the International Covenant on Civil and Political Rights (ICCPR) 1966 provides that an accused person:

1. have right to prepare for their defense;
2. shall be informed of his charges in language he understood; and
3. have right to employ the service of lawyer of his own choice.

Worthy of note is the fact that Nigeria, like other countries, is a signatory to these covenants. As such, the content of these agreements is domesticated in chapter iv of the 1999 constitution as amended.

**The Value of the Rule of Law**

The essence of the rule of law cannot be overemphasized. Among others, the following are the importance of the rule of law:

1. it ensure justice to humanity at large;
2. it enhance good governance;
3. it promotes accountability;
4. it promotes global peace.
5. it significantly reduces global arms conflict;
6. encourages fundamental human rights; and
7. ensure political, social, economic stability and the development of nations.

**Limitations to the Rule of Law**

For every general principle of law, there are exceptions. The following are limitations to the application of principles of the rule of law:

1. Immunities: equality before the law is a cardinal principle of the rule of law. However, immunity cover for serving legislators, executives, and diplomats is a gross violation of the principle. They are immune from being arrested and prosecuted while in active service to the state. This contravention no doubt suggests that all animals are equal, but some are more equal than others (Uruakpa, 1999).
2. Type of government: A dictatorial government like military rule, a one-party system, or a conservative government more often than not violates the principle of the rule of law (Julius, 1996). For instance, the military decree and edict have a retrospective effect, which is a violation of human rights *"where there are no laws, there is no crime."*
3. State of Emergency: In a state of emergency, the government has the power to restrict the movement of people through its declaration of a curfew or state of emergency, thereby violating freedom of movement.
4. Ignorance and illiteracy: citizen ignorance of fundamental human rights is an impediment to the rule of law, and it undoubtedly encourages violations of these rights. For instance, bail is free, but the security agents often charges a variable amount based on the status of the victim. People are deformed and perish because they are not informed and lack knowledge.
5. Dependent Judiciary: A major hindrance to the rule of law is the dependent judiciary. In a situation where the appointment, remuneration, and promotion of judges is determined by either the executive, the legislature, or both, it became practically impossible for it to dispense justice without fear or favour.
6. Delegated Legislation: Govermental powers delegated to its agencies are sometimes misused or abused to the extent that fundamental human rights are violated. For instance, the law enforcement agent saddled with the responsibility of checking recklessness and other traffic-related offences sometimes arbitrarily tortures drivers and other road users, which is a contravention to human dignity.
7. Security of a state: a person whose movement is perceived to pose a threat to the state's security can be detained without trial, property confiscated, and accounts frozen; this action by the state is a limitation to the principle of the rule of law. A very good examples that come to mind are: democracy fighter Chief Moshood Kashimawo Olanrewaju (MKO Abiola) and secessionist fighters Sunday Adeyemo (Sunday Igboho) and Nnamdi Kanu. Remember that the truncated June 12 election in 1992 and subsequent arrest of MKO posed an eminent danger to Nigeria's unity; as such, each time he appears, for whatever reason, he enjoys public sympathy and poses an eminent danger to the state's security (Kenneth, 1993).Consequently, the government detained him without trial for several years. Ditto for Sunday Igboho and Nnamdi Kanu.

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**Social Mobility, Social Change, and Stratification**

**GST 108**

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**Introduction**

This chapter examines the concept of social mobility, its typologies, and its importance. It equally x-rays social change and its historical development and, finally, social stratification, types, societal values, the principle of social stratification, andtypes of stratification were discussed.

**Social Mobility**

**Social mobility** can be simply defined as the alteration or transition of an individual’s social position to another. It could also mean the movement of an individual’s social status within the social structure. This movement or change can be upward or downward, vertical, intra or inter-generational. Social mobility is described as the transition or opportunity to transit between the layers of a social group and the benefits and cruxes associated with it in terms of income, status, security, and opportunities for advancement or retrogression (Stephen, 2001).

**Typologies of Social Mobility**

There are four major types of social mobility: vertical, horizontal, intergenerational, and intra-generational.

**Vertical Social Mobility** is otherwise known as ascending and descending, or climbing and sinking social mobility. It is said to be vertical when individuals or groups move from one lower status to another, or vice versa. This movement is specifically concerned with change in class, i.e., economic, educational, occupational, and political status.

**Horizontal Social Mobility:** Horizontal mobility, conversely, refers to the movement of individuals or groups from one social position to nearly equivalent rank or status. It is a change in social position without a corresponding change in social status (Shankar-Rao, 2006). According to Sorokin, he views horizontal mobility as the transition of an individual or a social object from one social position to another situated at the same level (Sharma 2013). So basically, this refers to a sideways movement. For example, in the event of an inter-ministerial transfer of appointment from the Teaching Service Commission to the Revenue Service, such an officer will maintain his rank or grade level in his previous ministry. Also, the internal reshuffle of administrative officers within a department is a good example of horizontal mobility. This movement comes with no change in social status, but rather a change in social position. Other examples of horizontal mobility in Western societies include individuals changing citizenship, inter-religious circulation, and inter-political party circulation (Sharma 2013).

**Intergenerational Social Mobility:** This has to do with the comparative analysis of one’s social status with that of one’s parents at a particular stage in life. It is concerned with comparing the social status of a person at a particular age in relation to his or her parents when they were at that age (Hughes & Kroehler, 2008). For example, many fathers who are managers have sons who have become manual workers, clerks, etc., and similarly, many sons who are now managers had fathers who were manual workers, clerks, etc. In the former, there was retrogression in the generation, while the latter was characterized by progression (Haralambos, 1980).

**Intra-generational social mobility** involves the appraisal of one’s social status over a prolonged period of time. For example, an individual who has been afflicted with a long-term illness or a natural disaster may be forced to move to the bottom of the stratification ladder, implying that his yesterday was better than his tomorrow. For example, following Hurricane Katrina, many people, particularly the poor, were forced to live on the raised section of the interstate highway as the water level continued to rise (Hughes & Kroehler, 2008). Another good example is a person promoted from the post of messenger to a managerial cadre.

**The Importance of Social Mobility**

1. Social mobility signifies how open or closed a society is.
2. The phenomenon reflects how dynamic a society is.
3. Social mobility also indicates the life chances of the members of a society. For example, we can see how much an individual’s social position influences his/her chances of obtaining a high-status position (Haralambos 1980).
4. Sociologists are also interested in knowing how people respond to the experience of social mobility. People’s perspectives are important as to how they perceive their upward or downward mobility.

**Social Change**

Social change can be defined as the modification of mechanisms within a social structure, as evidenced by changes in cultural symbols, social organization, moral standards, and value systems. For instance, in Yoruba settings, there is a drastic change in their succession system. Unlike in the olden days, the oracle chose the king, while nowadays it is the king makers and elective principle is adopted (popular majority). The Igbo traditional political arrangement transforms from age grade to warrant chief and king (Igwe).

**The Historical Development of Social Change**

Popular opinion among scholars holds that social change navigates through three developmental stages. For instance, August Comte (a French philosopher) came up with the laws of three stages: the theological stage, metaphysical stage, and positive stage. He asserted that the theological stage is dominated by religion. Away from that, to the metaphysical stage, which is characterized by abstract speculative thinking; and to a positive stage, which is fact-based, empirical theories.

Herbert Spencer opined that biological organisms and human societies follow the same universal natural evolutionary law, i.e., a change from relatively homogeneity to relatively heterogeneity. This implies that society must grow in size, become more complex, specialize in functions, and become more interdependent. Ferdinand Tonnies identified two different societies (gemeinschaft and gesellschaft). Gemeinschaft is a primitive or early society in which people are bonded by common traditions and ties of affection and solidarity. Gesellschaft society, on the other hand, is characterized by the division of labour, contractual, rational and non-emotional relations. Emile Durkheim views increasing society as a product of modernization that could lead to moral decadence.

**Social Stratification**

**Social stratification** refers to social differentiation or unequal relations between individuals and groups in a society. Stratification could also be defined as a situation whereby members of society are grouped into socio-economic strata based on their occupation, income, wealth, social status, and derived power. It is important to note that stratification is as old as human civilization. This is so because of the mere fact that society is not static. As such, an egalitarian society is but an illusion and mirage. The movement of humanity from a mere gathering of fruit, fishing, and hunting to the provision of essential services marks the ultimate origin of social stratification (inequality). Subsequently, those who are in the upper strata want the statuesque sustained while the underprivileged are resentful. Social stratification is a concept that is common to all human societies. It refers to the process whereby society is divided into different layers based on a wide range of criteria, such as age, gender, education, income, wealth, power, class, caste, and so on (Sharma, 2013).

**Societal Values**

Three major resources valued by virtually all of human society are power, prestige, and property.

1. **Power:** Power is the ability to influence and impose one's will on others.
2. **Prestige:** It is the earned respect and admiration somebody has because of their social position.
3. **Property:** Property is wealth set aside for the purpose of acquiring more wealth.

It is important to note that wealth and resources are not evenly distributed in all human societies; this fact alone highlights stratification or grouping in all human endeavors. The evaluation of people based on their ascribed and achieved characteristics forms the basis of hierarchical grouping in society.

**Principles of Social Stratification**

1. Social stratification is defined as a property of society rather than an individual within that society.
2. **Reproductive nature:** social stratification is reproduced from generation to generation, which implies that there will always be an upper, middle, and lower class in every generation.
3. **Universality:** social stratification is universal. It exists in every society, but variables differ across time and place. For example, the variable determining richness among the three major ethnic groups (Yoruba, Hausa/Fulani, and Igbo) in Nigeria differ. For the Yoruba, it is determined by the large expanse of farmland and choice building, the Hausa/Fulani flock of herds and the Igbo, which is a big investment and the flipping of cars.
4. Social stratification involves not just quantitative inequality but also qualitative attitudes about social status.

**Types of Stratification**

There are two distinctive types of stratification: open and closed stratification.

**Open stratification refers to** those that allow for mobility between the layers of a grouping, typically by the value of the achieved status characteristics of individuals. For instance, the adoption of positive value will afford one the opportunity to move to a more conducive and enduring stratum, i.e., from illiterate to elite, low income to high income stratum, masses to the ruling class, etc.

**Closed Stratification:** Closed stratification, on the other hand, refers to a situation where there is little or no mobility, even on an intergenerational basis. In a closed society, most children end up in the same positions as their parents were. In this case, all aspects of social status are ascribed, such that one’s social position at birth persists throughout one’s life time. For example, in a monarchical system of government, you can only rise to the throne if you are of noble birth. Also, irrespective of the contribution of a slave to society's development, he cannot rise to the throne simply because of his birth (Tumin 1985).

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**ENVIRONMENT AND CULTURE**

**GST 108**

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**Introduction**

In a bid to do justice to the topic environment and culture, the following merit further elucidation: definition of terms (environment and culture), a brief description of physical environment, and the three dominant cultures in Nigeria. Also, the relationship between culture and environment shall be given utmost priority, the impact of man’s interaction with his environment summary and conclusion.

**The concept environment:**  the word environment originates from the French word *“environ”* which is translated to mean “encompass” “encircle” or “surround”. The environment is the aggregates of things that surround us, such as air, rivers, lakes, mountain, rocks, plants, animals, and other living organisms. It is important to mention that human existence is dependent on these physical features. The environment could therefore be defined as a life support system for humans and animals in the milieu; this is so because our food, water, and air which are essential for our existence are the product of the physical environment.

Environment according to Douglas and Holland (1947) is the collection of all the external forces that influence and conditions which affect life, nature, behavior, growth, development, and maturity of living organisms. Environmental protection Act 1986 conceived environment to include land, water, air, and the interrelationship that subsist between and among these elements and other living creatures, microorganisms, and plants.

**Types of Environment**

Environment are of two types, Abiotic and Biotic. Abiotic refers to non-living things such as rocks, land, rivers, etc. Biotic on the other hand are living organisms which include but not limited to animals, man and plants.

**Component of Environment**

Environment is made up of four components, which are the: atmosphere, hydrosphere, lithosphere and biosphere.

**The Atmosphere** is the gases and vapours zone of the environment.

**The Hydrosphere** comprises the water bodies such as rivers, oceans, streams, lakes, springs, etc.

**The Lithosphere** is the solid part of the environment which include rocks, land, and minerals resources

**The Biosphere** is the combination of atmosphere, hydrosphere, and lithosphere. It is the integrated and interactive zone where life can exist.

**The concept culture:** culture originates from the Latin word *“colere”* which is translated to mean *“to cultivate”*.Culture is the ideas, customs, and social behaviors of a particular people or society. Culture is an umbrella term that encompasses the social behavior and norms found in human societies, as well as knowledge, beliefs arts, laws, customs, capabilities, and habits of the individuals in these groups (Tony, 1871). Culture could also be seen as the acquired knowledge people use to interpret experiences and generate behavior. It codifies acceptable conduct attitudes, customs, beliefs, traditions, and rituals in society; that distinguish a group from another. Duro, 2001 views culture as embodiments of the attitude of people to their traditional values which are essential for factors of development and progress. Culture is transmitted through language, material objects, institutions, and arts from one generation to the next (James et al, 2015).

**Description of Physical Environment**

The physical environment can be described as anything we can experience through our senses of sight, smell, taste, touch, hearing and feeling. For instance the air is abstract i.e. can neither be seen nor touch but can be felt while land, mountains, rocks and other mineral resources can be seen and touch.

**Description of the three Dominant Culture in Nigeria**

Nigeria is a multi-lingual country, with over 240 ethnic groups. However, there exist three dominant ethics groups, which are: Yoruba Hausa/Fulani and Igbo (Wazobia). The Yoruba and Igbo are located in the southern region of the country and they are predominantly farmers and traders. The measure of wealth is determined by the size of farms, merchandised and choice buildings. The Hausa Fulani on the other hand, are domiciled in the northern region of the country, the mainstay of their economy is livestock raising, and wealth in their region is measured by flocks of herds.

**Relationship between Culture and Environment**

There is a symbiotic relationship between culture and environment. The physical environment influences, shapes and modifies the culture of every society. For example geographic location we found ourselves, most often than not determine our complexion, intonation, dress code, food and economic activities. It is an open secret that there is a sharp distinction between European and African in complexion (white and black), intonation or accents, dress pattern (thick and light clothing materials), types of food (light and solid meal) respectively.

**Effects of Environment on Culture**

Culture leans heavily on the environment. The climatic condition and deposit of natural resources in a region directly shape the dress code, eating habits, economic activities, and style of building.

1. Dressing: the weather conditions of a particular region determine the texture and colour of their clothing. For instance, people from the polar region tend to wear very thick clothing because of the coldness of the environment, while people from the dry or desert region wear lighter clothing owning to the warmness of the environment.
2. Types of food: generally people eat available plants and animals that are common in their environment. The fact that the riverine area is blessed with varieties of aquatic animals, their source of protein is basically from fish; while the desert supplement their food with meat, as a result of abundance of cattle. Comparing the nature of African dietary to the European, you will observe a sharp contrast. The former eat more of solid meals like Eba, Amala, Iyan, Pupuru, Apu, Tuwo etc; while the later take more of light food such as Tea, Custard, Tapioca, Cornflakes, Golden Morn etc. When Bright Chimezie a popular Igbo musician travel to Europe and decided to eat Apu and Ogbolo soup, upon sighting him, his white friend call on the police, thinking he is trying to kill himself (commit sucide) . “One man food is another man’s poison” our diet are product of our environment.
3. Economic activities: the prevailing economic activities in community is a function of the topography of the milieu. For example settlers on an island, lakes or riverine region are often than not into fishing and trading activities while the mountainous settlers are more reliant on hunting.
4. Housing: the types of resources available as well as the landscape determines the building culture in a particular human settlement. Environment that is blessed with forest resources like timbers, bamboo, palm front are most likely to build their houses with wooden materials. On the other hand, region that have abundance of clay, lime stone and rock tends to build their houses with bricks.

**Impact of Man’s Interaction on the Environment**

There is no gainsaying the survival and quality of man’s life is premise on the quantum of resources in his environment and ability to explore them (Turner, 1990). Abraham Maslow identified human basic needs to include: food, clothing, shelter, and safety which are the product of the natural environment. Rev. Malthus observed geometric expansion in the human population without a corresponding increase in food production; he postulates that if the population is left unchecked, there will be famine in the world (Malthus, 1789). His postulation informed the industrial revolution and mass production of foods. However Adams Smith observed human numerous wants cannot be fully satisfied, this often results in the over-abstraction of natural resources. The impact of man’s interaction with the environment can be grossly classified under two heading- negative and positive impact.

**Negative Impact of Man on Environment**

1. Over population: when population increase exponentially, it leads to sharp and unhealthy completion over limited resources. Over abstraction of these resources ultimately account for environmental degradation (Malthus, 1798).
2. Ozone layer depletion: the ozone layer which prevents harmful wavelength of ultraviolent from passing through the atmosphere was depleted as a result of excessive fossil fuel generated by heavy-duty vehicles and machinery, industrial waste, and gas flaring; the adverse effect of holes created in the ozone layers are: skin cancer, sunburn, cataract, permanent blindness, and global warming.
3. Erosion and flood: The forest acts as a natural canopy, preventing rain from falling directly on the ground while its roots bind the soil together and absorb much of the rainwater, thereby preventing erosion (Danielsen et al, 2005). The mass removal of these resources without replacement accounted for erosion and flood in many communities across the globe (Diaz, 2006).
4. Water pollution: Pesticide and herbicides contaminate land and water when their remnant outflows from farmland or field and storage chambers. More than 95% of sprayed chemicals escaped to a destination other than their target species, such as air, water, and bottom sediments (Miller, 2004).
5. Earthquake: tremors in recent times are becoming common in Nigeria as a result of over-abstraction of groundwater, the concentration of quarries, and their explorative activities, such as rock blasting & drilling, and extraction of granites & gravel (Alaneme and Okotete, 2018).
6. Weapon of mass destruction: states are created and maintained by weapons. The adverse effect of the exchange of hostilities at the local or international level lives long after them. For example, the atomic bomb dropped on Japan in 1945, killed 140,000 in Hiroshima 74,000 in Nagasaki and for all survivors cancer related to radiation exposure still continues to increase seven decades later.
7. Extinction of certain species: gaming and overfishing have sent many species into extinction. For instance, the elephant is becoming very uncommon particularly in Nigeria and African countries at large.
8. Wildfire: the cultural practice of indiscriminate bush burning does not only destroy the natural habitat of the living organism and forest resources but also causes environmental pollution.

**Positive Impact of Man on Environment**

In spite of the negative effect of man on the environment, they also contribute immensely to balancing the ecosystem in the following ways:

1. Simple Recycle: nature has a way of recycling everything. Dead plants and all living organisms (human and animals) return to the soil, consequently fertilizing the land and reproducing new trees and plants. Also, a deliberate effort of man to reuse nylon, plastic, rubbers, iron, aluminum, etc. One man’s trash is another man’s treasure (turning waste into wealth); offers a positive contribution to the environment without having to take resources from nature.
2. Preservation and conservation of wildlife: government across the globe promulgate laws to conserve and preserve wildlife and forest resources. Within these zones, animals and plant life thrive under laws that keep them from harm (poaching and hunting).
3. Zoo and captive breeding programme: in an attempt to prevent extinction of certain species of animals, zoo and captive breeding were introduce across the globe, particularly in the western world. For instance the California condor (a bird species) was almost in extinction as at 1987 with only 27 birds left. In hopes of keeping them from going extinct, these birds were distributed between The San Diego and the Los Angeles Zoo. The artificial habitat created for these birds, affords them the opportunity to spread their wings and mate. Surprisingly by 1993 their population increased exponentially, such that they were reintroduced back into the wild in Baja California, California and Arizona.
4. Afforestation: the process of tree plantation is of immense benefit to the ecosystem. Aside the fact that trees help to shade our homes and serve as wind breakers; it equally absorb harmful chemicals and pollutants such as carbon dioxide in exchange for oxygen into the atmosphere.

**Summary and Conclusion**

Culture leans heavily on the environment as the physical environment influences, shapes, and modifies the culture of humanity. The climatic condition and deposit of natural resources in a region directly influence the lifestyle of people. Man’s interaction with the environment impacts the milieu both negatively and positively. Conclusively, as much as the survival of humans depends on the environment, caution must be taken in our exploration activities (extract the honey without destroying the hive) to avert environmental degradation and preserve the ecosystem for future generations.

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