CONCEPTUAL IMPERATIVES FOR SOCIAL JUSTICE AND POLITICAL STABILITY IN NIGERIA. PART 1

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Abstract

This paper examines the conceptual and theoretical significance and impact of the extrapolation of theories and principles generally in the understanding of the social structure of a society in the quest for social justice and political stability. This is in contradistinction to Saro-Wiwa's (1994) and Nnoli's (1994) analysis of banal, whimsical, emotive and unscientific patterns and approaches adopted by the Nigerian state since independence. The essay will progress in the manner of first taking an over-view of what a theory is and its necessity and relevance in the search for social-political solutions in society. This is accentuated by the observation by thinkers such as Awolowo (1968) that many African leaders in organizing their states ignore the role of theories and social science unlike developed democracies such as Europe and America that pattern their societies in line with social and political theories, models and principles. The notion of theory and its practical usage in society is examined in consonance with arguments on the relationship between theory and practice. The idea of an ideal theory and a non-ideal theory is examined also in relation and reaction to the parameters set by Rawls for his theory. Rawls (1971) wrote that his theory of justice is intended only for a 'well-ordered society' but with possibilities of non-compliance in less ordered social conditions. Rawls believed that perfect conditions are quite possible for the application of his two principles of justice while at the same time he thought that lesser conditions of social order are also possible. It is therefore confusing that he threw up the debate, especially with the belief that he postulated his ideas though as a non-historical and hypothetical contraption but actually in reaction to the social problems of the American society in the 1950s (Audard 2007)

Introduction

Here, we posit that most societies in the world are so diverse and pluralistic that agreements on a public conception of justice are not in existence, a situation that categorizes them as lesser societies in the first place. To this extent the requirement of a well ordered society is too much of an ideal to be attached to the function of a theory of social justice, especially if it is intended to be a practical theory aimed at addressing the age-long problem of injustice in society, well ordered or not. In this direction, it is normal to argue that most theories may look ideal in the first instance, but when they are expected to address social

Problems, then perfect conditions are not possible. It is based on this that I address this issue of ideal and non-ideal theory.

In employing theory for the analysis of the social-political crises in Nigeria, we are guided by the notion that theories are synonymous and emblematic of doors and windows through which we can analyses society and interpret its events and actions with the intention of arriving at policies that can solve problems therein (Joab-Peterside 2004). To this extent, theory is to the social scientist what the software is to the computer scientist (Anikpo 1996), and a theory is not opposed to practice in any way but they are both dialectical in action. A theory gives rise to practice and gives it the basis for explanation while a theory emanates from practice.

Rawls was of the conviction that special cases of conceiving justice in society can be made possible with the application of theory: 'the significance of this special case is obvious and needs no explanation. It is natural to conjecture that once we have a sound theory for this case, the remaining problems of justice will prove more tractable in the light of it' (Rawls 1971, 7). Theory in his view can be used to determine a perfect condition for the selection of his two principles; meaning full compliance of parties in the original position and less perfect conditions aiming at the possibilities of noncompliance with the principles.

Argument for a Social Restructuring through Theory

The agitation for reconstituting the social structure of Nigeria has a long history, dating back to the 1960s when the eastern part of the country led by colonel Ojukwu suggested the theory of confederation. Other ethnic groups such as the Ijaws and Yorubas have since followed up with their own clamour for change. Interesting as the different positions and agitations may be, it is indubitable that since the 1990s several episodes of what Tamuno (2005) terms micro-nationalism have been recorded. They are simply ethnic and cultural agitations. The south-west recorded the advent of OPC (Odua People's Congress), in addition to groups such as Yoruba council of elders and Afenifere; Northern Nigeria espoused ACF (Arewa Consultative Form) while Ijaws had INC (Ijaw National Congress) and IYC (Ijaw Youth Council) and the south-east propagated Ohaneze indIgbo etc. All these groups want better bargains for their people and this makes the argument for restructuring valid (Tamuno 2005).

While there is the possibility of members of society designing their social order, Christiansen et al. (2001) argue that at an abstract level of reasoning, advocates of this way of organizing society are right to claim that indeed there is such a thing as socially constructed reality because social constructivism is a definite idea in the philosophy of social sciences (Jorgensen 2001). Though this claim may not be easily accepted by skeptics, Searle (1995) and Collin (1997) in the same vein argue that contrary to the reality of physical and material existence, social orders and truths exist only by human conventions and agreements, meaning that social realities do not only have the potentials to change but also to be contestable and durable. Christiansen et al. (2001, 3) note that:

> *Constructivism focuses on social ontology including such diverse phenomena as, for example inter-subjective meanings, norms, rules, institutions, routinized practices, discourse, constitutive and/or deliberative process, symbolic politics, imagined and/ or episteme communities, communicative action, collective identity formation and cultures of national security.*

Constructivism as a theory on the process of building and organizing society recognizes the importance of the causal role of ideas and values in the explanation of human behavior as against the more abstract structural features accepted as social facts by social theorists who believe that society is given (Haas 2001). In emphasizing the important function of ethnic groups and individuals in the construction of a society of choice in Nigeria therefore, it is instructive to be consistent in similar thoughts such as one by Haas that: 'actors, whatever their values and interests act deliberately in pursuing what they want. Their preferences do not result from random choice; their selection of means is the result of calculation; they can and do change their minds and hence their preferences and thus whatever passes for the "national interest" of the state' (Haas 2001, 25). The corollary of this idea is that the socio-political life in any society can be constructed by human practice and is subject to change from time to time.

In effect the idea of constructivism in a 'disordered' society such as Nigeria has a legitimate and proper place in social and political philosophy because the organization of society bedeviled by factional, ethnic and personal loyalties and rivalries in a fair and acceptable procedure and pattern gives impetus and legitimacy to the constitution of the society's principles of social justice. If this is not done, our societies in Africa will continue to wallow in crises and underdevelopment. Bayart (1993, 632) asserts that: 'we will simply observe that the structuration of African political societies around factional networks derives from historical continuities and recurrent sociological realities.' Rawls (1993) in his own thinking believes that the constructivist views of justice as fairness have some kind of link and symbiosis with the constructivist idea in the philosophy of Mathematics:

> Before turning to the constructivist aspects of justice as fairness, a
> preliminary remark; while constructivist views have a legitimate place
> within moral and political philosophy, they also have some affinity with
> constructivist ideas in philosophy of mathematics. Kant's account of the
> synthetic a priori nature of Arithmetic and geometry is of course one of
> the historical origins of those view (Rawls 1993, 102).

Rawls' concern and preference for the Kantian conception of justice rooted in constructivism is in response to the impasse in political history which is made clear in the absence of a unified view and agreement over the past two centuries of American history on the way basic social institutions should be arranged to function in achieving the requirements of freedom and equality of citizens (Kukathas & Petit 1990). As it was in the American society, so it is in Nigeria as there has not been any principle or theory on how the structure of the Nigerian society can be arranged to achieve freedom and equality of members of the society. The Kantian approach adopted by Rawls therefore aims to introduce the freedom and ability of members of society to collectively create their social world based on agreement. Nigerians in the same vein can collectively agree to build their social world.

While we see constructivism in Kant through the categorical imperatives, and we see in Mathematics the procedure expressed in the natural numbers being generated from the basic concept of a unit, each number from the preceding; in political constructivism, Rawls' postulation which I find relevant to the process in Nigeria is that the content of political conception of justice is constructed and the content in justice as fairness are the principles of

justice selected in the original position. In Nigeria's case, the parties in the sovereign National Conference or Constitutional Conference have the task of choosing and agreeing to the principles of justice built around liberty, equality and welfare. The reason for this is that the ethnic groups in Nigeria should be given the basis to form a nation from their diversity and as Scarritt (2008, 112) argues:

> *A reasonably strong sense of civic or multi-ethnic nationalism and interactions among politicized ethnic groups based primarily on cooperation and institutionalized competition rather than on conflict tend to moderate economic and religious cleavages, strengthen civil society, and enhance state building, democratization, economic development, and the provision of human rights.*

The process underscores the importance of ethnicity and nationalism in a country. If the fight for independence in Nigeria had been fought as a nation, the social-political situation in the country would have been different, but it was fought within the precincts of ethnic nationalism. Saro-Wiwa (1994) in a similar argument recommends that representation in any conference should be by ethnic nationalities so that the federating units can each have a proper voice with their interests well protected in the absence of national cohesion. If there is to be national cohesion in Nigeria however, he argued that all the constituent parts must be made to find something attractive for themselves in the country. This argument supports the claim that structure and agency are dual in nature (Giddens 1984) and states are made for people and not the other way round. He continues that:

> Historical circumstances, the will of the people, economics, these together determine what happens to any group of people who seek to live together. But perhaps the most important factor in human life is ethnic. That is probably why the Soviet Union and Yugoslavia where different ethnic groups were held together by force as in Nigeria, had to disintegrate. If Nigeria is to avoid the fate of these nations, we must recognize our differences and build that recognition into the constitution. Since Nigeria is composed of several ethnic groups, and all Nigerians owe their first loyalty to the ethnic group, it will be suicidal to evolve a constitution which does not take this fact into consideration (Saro-Wiwa 1994, 529).

The purpose and end of the constructivist view in Nigeria is the attainment of a well ordered society that is accepted and viewed by all persons as a fair system of cooperation between citizens that are not only reasonable and rational but also regarded as free and equal. The argument is that, if the procedure for the achievement of a well ordered society is followed and carried out properly, the deliberations would result in the most appropriate and suitable principles of justice that would govern the socio-political relations between the ethnic groups that make up the country.

Rawls (1993) posits that the assumption upon which political constructivism is built is the nature of the person and the society. One aspect of this assumption is that political constructivism moves from the unity of practical reason of members of society who from their ability to reason believe that they need each other and an appropriate conception of society,

person and the public perception of principles of justice. Here the emphasis that the conceptions of society as a fair system of cooperation and persons as reasonable and rational are complimentary. This mix enables the constructivist notion of society to thrive. It then means that because persons are free, equal, rational and reasonable, they see their limitations and desire to enter into cooperation with others in order to meet some of their needs and at the end of the day this association formed would be viewed as a fair system of cooperation by free and equal persons.

With about 347 ethnic groups with diverse, different and incompatible, comprehensive, moral social, religious and philosophical doctrines, Nigeria is saddled with problems associated with societies envisaged in Rawls' political liberalism and while not limiting his political ideas to any clime in terms of application, he frontally sought to engage the problem of political instability in a modern democratic society. The fact that the inception of the Nigerian state may have been wrong and flawed from the outset does not render the Rawlsian concept of Political liberalism unfeasible. This is against the background that there was no foundation of liberty and rights laced with freedom and equality in the formation of the Nigerian nation by the Nigerian people and this is what political liberalism seeks to do.

Our analysis of democracy in the previous chapter, presupposes the presence of some ideals such as the rule of law, popular consent, political equality, majority rule, popular consultation, freedom of speech and association, open and transparent governance etc. Subsequently, the virtue of democracy in the society is that it ensures the establishment of liberal principles and one thing the Nigerian society lacks are the above in addition to individual liberty, freedom, and human rights. The right thing for any state concerning these is to respect and administer the people with regard to equal rights and freedom of speech. Viewed against some of the ideals of Rawls Nigeria falls short in many respects as social injustice is strongly rooted in the society.

In thinking of how to make Rawls' principles govern the social and political institutions of a real society, Phillips (1985) posits that moral and political ideals have inherent in them, groups of principles and codes that collectively elevate certain goals and this being the case, what can be done is to search for the relevant principles that can lead to the attainment of those goals and achieve them under historical conditions. This means that society needs to look for the kinds of principles that can be adapted to draw the goals latent in an ideal theory to historical and practical conditions.

All moral, social and political theories have values behind them and they go further to dictate the conditions to be met for these values to be attained. A moral theory applied to a political environment in the same vein has a value and the conditions necessary for these values are also stipulated by Rawls in his theory. It therefore behooves society acquainted with the theory to fulfill those conditions. The utilitarian ideal aims at human wellbeing and happiness, the Kantian ideal at rational agency, the Rawlsian ideal at liberty and equality, and various religions in the world have as eternal bliss as their sumon bonum. In all, the different philosophies following this tradition are only out to prescribe codes of action which if obeyed

Promote requisite values. If Kant's ideal prescribes how to act in order to realise the human nature as rational agents and permit others to do the same, then the Rawlsian ideal should mean to prescribe what a society can do to achieve justice whether it is well ordered or less ordered.

A very pertinent point to make at this point is the feasibility of a change in Nigeria's social structure when the ruling elite, accused of perpetrating the unjust structure may not be pre-disposed to it. However, what such a point ignores is the fact that several attempts have been made by the ruling elite in the past to restructure the society. Diamond (1988) believes that the whole essence of the nationalist struggles in Africa by the elite was to seize power. The change came when most of them assumed power in their countries as a result of independence. For Nigeria as an independent nation, attempts at social change began in 1966 when a group of military officers seized power with the intention of changing the social structure in favor of justice but ended up introducing a unitary system of government as against the federal system (Diamond 1988).

In the same year, there was another coup to change the structure followed by yet more in 1975, 1984, 1985, and 1993, and thereafter the enthronement in 1999 of the longest democratic dispensation in Nigeria. All the governments that emerged from these changes argued for change and went as far as introducing some populist programmers such as Ethical Re-orientation in 1981 by Shehu Shagari; War Against Indiscipline (WAI) in 1984 by Mohamadu Buhari; National Orientation Movement (NOM) in 1986 by Ibrahim Babangida, and Mass Mobilization for Social Justice (MAMSER) in 1987 by Babangida. The political leaders at one point or the point emphasized the need to change the social structure of the country, giving credence to the argument that Nigeria is not averse to change. The missing link in my view is a sociological, philosophical, theoretical and scientific foundation for such programmers of change. A former head of state, Gen. Sanni Abacha, before the 1995 constitutional conference asked: 'Given the previous experience, what went wrong, and where should we go from here?'(Saro-Wiwa, 1994, 527).

If we assess Giddens' argument that there is a duality in structure, meaning that it is both 'the medium and the outcome of the practices which constitute social systems' (Giddens 1984, 27), then we can push forward the view that structure shapes and gives form to people's actions and practices while people as agents in their actions constitute and reproduce structure. Rawls (1993) referred to this as the basic structure of society affecting the welfare of the citizens. To this extent, both structure and agency presuppose each other. This means that structure is created by agents, agents are created by structure and agents can change structure (Giddens 1984). How does this translate to changing the social structure of society?

Again we follow Giddens' argument that the social structure of a society is enacted by people who understand their actions and how to take those actions. These people can therefore through the knowledge they have, use the same to affect the society. Sewell (1992), interpreting the concept more, argues that the idea of human agency being knowledgeable means that agents are capable of actualizing their structurally formed capacities to work in creative or innovating ways. Change in society from these views means that it is inherent in humans to aspire to change or effect change when they need to and this is common among

peoples and nations in the world. Sewell (1992, 4) therefore interprets Giddens as suggesting that:

> *If enough people or even a few people who are powerful enough*
> *act in innovative ways, their actions may have the consequence of*
> *transforming the very structures that gave them the capacity to*
> *act. It is no accident that Giddens calls this theory "the theory of*
> *structuration," Indicating by this neologism that structure must be*
> *regarded as a process, not as a steady state.*

The possibility of social change in society may have been enhanced by the studies of Rosaldo (1980) and Sahlins (1981, 1985) who demonstrated that the same ability to reproduce basis of structure which explains the powerful continuities of relations in the society among members also makes it possible to explain the paths followed in situations of change (Sewell 1992). In reflective equilibrium, Rawls (1993, 1971) notes that parties in the original position have the capacity to change their minds based on consensus while the innate nature of man to be rational and reasonable shows the possibility of change also. It is in this regard that Sewell (1992, 20) further argues that:

> *To be an agent means to be capable of exerting some degree of*
> *control over the social relations in which one is enmeshed, which*
> *in turn implies the ability to transform those social relations to*
> *some degree. As I see it agents are empowered to act with and*
> *against others by structures; they have knowledge of the schema*
> *(rules) that inform social life and have access to some measures of*
> *human and non-human resources.*

The situation in Nigeria is not different in the sense that since social structure is dynamic, and continually evolves from the results and dynamics of a process of social interactions among the people, change for a Rawlins society is possible. It has to be emphasized that even a seemingly perfect structure is subject to change as the same agency that sustains the continuity of its just structures also ensures that they are transformed. State and political structures most times are in constant contention, struggle and fight rather than taken for granted as if they are not changeable. States and structures from history change from time to time: 'Compare, for example, Britain and France between 1750 and 1850, the United States and Germany from 1870 to 1950, Costa Rica and Nicaragua, El Salvador or Guatemala since world war two, or India and China over the same span; even the relatively stable United States are subject to periodic structural transformations' (Sewell 1992, 24).

It is almost inevitable that a major restructuring in a scientific mound will take place in Nigeria. Momoh and Adejumobi (2002, 250) in this vein posit that restructuring Nigeria is the most important issue for any administration in the country: 'a national consensus seems to gravitate towards the issue of the restructuring of the Nigerian federation, although there are different views on the approach and strategy to it. Perhaps a strategic, yet simple approach to it is through a process of constitutional engineering that should be inclusive, just and democratic'. Their position is that the restructuring of the country should follow a process that will center on

the re-negotiation of the social pact or have a social contract between ethnic groups in the country and between the citizens and the state.

1.   The Status Quo Theory

To leave things as they are in the country is the position of the apologists of the establishment and it is no wonder that while the majority of the people of Nigeria yearn for the kind of structures that will guarantee social justice, government officials and politicians in power do not see anything wrong with the system. In doing this, they rely on the organs and apparatus of the state especially in suppressing opposition and quelling any revolt. But are there implications for sustaining the status quo? Indeed, every social and political decision has implications and below, I examine some of the likely implications for the promotion of the unjust structures and systems for the Nigerian society. I look at the continued absence of any ideology or Philosophy on the kind of society required, the problem of lack of freedoms and liberty; and the incidence of inequality.

A. Dearth of Political Philosophy/Ideology

Philosophers and sociologists believe that societies that are governed by a political philosophy that gives direction to the structures in society aimed at achieving individual plans and societal goals tend to be more stable than the opposite (Kelly 2001; Brown 1986). It is based on this principle that many societies in the Europe and America operate the capitalist, welfares and the liberal philosophy. It is this political Philosophy that also dictates the type of social system in place and answers questions that border on issues such as justice, rights, property, goods etc. Political philosophy gives a clear direction to both citizens and the State and prompts them on lines of actions and relations. Kelly gives more insight into the role of political philosophy this way:

> *We begin by distinguishing four roles that political philosophy may have as part of a society's public political culture. Consider first its practical role arising from divisive political conflict and the need to settle the problem of order...surely the greatest work of political philosophy in English-is concerned with the problem of order during the turmoil of the English civil war; and so also is Locke's second treatise (Kelly, 2001, 1)*

This lack of ideological foundation in Nigeria's case is more evident in the kind of political arrangement in the country where there are sixty three political parties without distinct political ideologies, leanings, differences or ideas. There are about four major parties with seats in the national assembly with no marked differences between them, neither is there any form of ideological rivalry or competition among them as they all speak the same language and believe in the same things. Philosophy and ideology drive systems and regimes in specific directions and indicate in clear terms what they stand for and where they lean on major issues (Rawls 1971). This much Azikiwe (1979) emphasized when he noted that Nigeria needed to make a choice among capitalism, socialism and welfarism.

Ideology is very vital in politics because it is the basis for the creation of a detailed design of society proposed by the controlling classes of society to all their members. The main purpose of ideology in the Nigerian context is to stimulate change through a process that involves normative thinking and extrapolation. Ideologies are interpretations of abstracts that can be applied to public affairs and governance, making it central to the practice of politics. Inevitably, every political dispensation necessarily attracts an ideology even though it may not have been propounded as an explicit system or thought. Nigeria to this extent needs a political ideology to properly delineate the ethical and political ideas, principles, doctrines, myths, and symbols that explains how the society should work.

Political ideology is necessary in the Nigerian democracy also because it produces the kind of blueprint needed to establish a social-political order. It helps to design the mechanisms and systems that outline how to allocate power and to what ends it should be. In a nutshell, the goals of political ideology in Nigeria are; how society should function or be organized and the most appropriate way to achieve this goal. It is therefore of great importance that efforts are made in the social structure of Nigeria to create a political ideology as a way of setting up permanent institutions that act collectively to protect and promote the direction of the society and its people but the position of the establishment works against this.

B.   Lack of Civil Liberties

From the Rawlsian perspective (1971, 1993, 2001) every member of society has a set of liberties that even the welfare of the entire society cannot undermine. In his two principles of justice he places the first one which concerns liberty in a lexical order above the second which has to do with equality of opportunities. The implication is that social-political rights are more paramount to him than economic rights. Mills (1987), in a similar argument advocated that no central authority or members of society have any right to interfere with the liberty of any individual as individuals are free to protect what rightly belongs to them as long as it is their personal property.

In examining the possibilities of the Rawlsian society in Nigeria, the issue of establishing a liberal state is paramount because at the moment, the country is not a liberal one. The liberal ideology thus has to be established before the two principles of justice can even find room for consideration. The incidence of the liberal ideology in the country would necessarily create ideals such as freedom and equality in the society which enables the citizens through their ethnic groups to reconstruct a new nation that can conform to the requirements of the Rawlsian conditions for justice and political stability.

In Nigeria at the moment, the situation is such that the social structure as argued by Anikpo (2002) has engendered instability in the nation to the extent that citizens have absolutely no liberties. The system is such that it is the state and the political leadership that determine what the citizens are entitled to. The clearest manifestation of this is the gagging of the press, unlawful arrests and detention without charge of political opponents and labour leaders when they tow positions that are at variance with those of the central authorities and the suppression of anti-government protests.

The core of the liberties Rawls advocates in his first principle of justice include social-political liberties such as the right to vote and be voted for; freedom of speech and assembly; freedom of conscience; freedom of thought; right to life; freedom to hold personal property, and freedom from arbitrary arrests. The denial of these liberties can only be justified if it is to raise the level of civilization so that in due course these freedoms can be enjoyed (Efemini 2010). All these liberties and rights are been fought for in Nigeria and Anikpo (2002) argues that the structure that produces these inadequacies is a product of the interplay of institutional configurations of the Nigerian society.

C.   Inequality in the Society

Inequality in Nigeria means the problem of limited opportunity for upward social mobility, few jobs, poor income and low purchasing power for the employed. It also exhibits poor infrastructure and institutional failures in key sectors of the society. In economic terms, the gap between the haves and have-nots is wide. The United Nations revealed that 20% of the population own 65% of the national assets while 70% of the same population are peasant rural workers and artisans (UNDP 2009). The inequality in the society also shows in the area of access to legal justice and the big gap between rural and urban development where rural dwellers lack the most basic social amenities such as electricity, water and roads.

If the advancement of society is measured by the barometer of how its poorest and most vulnerable groups live, then as recent figures released by the United Nations show, Nigeria has a systemic structure of inequality and the situation is getting worse yearly. From 0.43 in 1985, it rose to 0.49 in 2004, ranking the country among the countries with relatively high inequality in the world. Rawls (1999, 1993, and 1971) argued that social and economic inequalities are arbitrary and unacceptable unless they lead to the greatest benefit of the least advantaged members of the society. In a just society, opportunities to rise to higher social, economic and political levels are open to those in the lower levels. Efemini (2010) asserts that equality has a deontological value that is good without regard to consequences.

From the foregoing, it seems that the present social-political structure of the Nigerian society is favorable to both the state/government and the ruling class. Sagay (2004) refers to them as the Pro-establishment group (Sagay 2004)**.** While the structure ensures the continued domination of power and strategic sectors of the state, it deprives citizens of all forms of liberty, equality and welfare. In addition it stifles the development of private initiative and private property in terms of natural resources and turns a section of the country to mere consumers of the national cake and another part producer (Sagay 2004).

In terms of distributive justice and the distribution of revenue from the exploitation of hydro carbons in the Niger Delta, the dominant forces represented by the ruling class abhors and deprecates any move to re-structure the country as this may tilt the pendulum against them (Nwajiakwu-Dahou 2010). This same school made sure that from the pre- independence revenue allocation formula of 100% control of resources, it plummeted to 1.5% and rose again to 13% in post independent Nigeria where it is today. At the 2005 constitutional conference in Abuja, the formula was proposed at 17% but was not concluded and therefore not instituted.

The experience in the country is that major decisions and policies of this magnitude are arrived at unilaterally without any resort to citizens' rights (Maier 2000).

To achieve its continued domination and firm grip on the national till, this status quo school is accused of maintaining an unfettered manipulation of the country's Armed forces and other paramilitary forces therefore perpetuating the Nigerianised colonization of the country akin to the British colonization (Moda 2005). It is a fact that the command structure of the armed forces is within the control of the ruling class and dances to the whims and caprices of those in power contrary to the ideal situation. Critics continue that when it suits the government, they seek to amend the constitution or draw up an entire new one without fundamental changes and without addressing fundamental issues of social justice (Mustapha 2006). The establishment on its own part rejects any kind of sovereign national conference on the excuse that it would break up the country. There is however no reason or evidential need for this fear. Instead of addressing major issues that affect the social-political structure of the society, different cosmetic measures are introduced from time to time. In 1967 the Establishment group created twelve states ostensibly to address the problem of development but really to weaken the position of the Biafra struggle for self-determination (Anikpo 2002). The trend of state creation continued to nineteen in 1976, twenty one in 1987, thirty in 1991 and finally thirty six component states in 1996. All these actions were taken because more and more ethnic groups agitated for more autonomy and sovereignty. The thinking was that state creation would bury agitations for more liberty and equality to be given to these groups and their people (Mustapha 2002). The Establishment also amended the constitution in 1979, 1996 and in 1999 basically changing nothing but creating a false impression of work in progress.

In recognition of the need for reforms in the society, the establishment also set up institutions such as the Federal character commission which is saddled with the responsibility of ensuring that all sections and ethnic groups in the country are well represented in government/public offices and activities (1999 constitution). The issue of distributive justice was equally being resolved through the establishment of the ministry of Niger-Delta and Niger-delta development commission with the sole charge to coordinate the development of the region and address the agitations for control of resources by the people on whose land the resources are being exploited. All these measures are yet to make the desired impact as the agitations persist.

The two principle of justice are incompatible with this school of thought as citizens are left without rights and without basic liberties while inequalities and economic deprivation continue. This status quo has remained recurrent despite the fact that agitation against this dates back many years primarily due to the lack of national consensus and national identity in the country (Mustapha 2006). The lack of a common agenda and a commonality in desire, vision and perspective make it difficult for the situation to be confronted head on and conclusively.

This may be true but current evidence shows that a new movement comprising educated radicals, academics, and civil society groups in the country are rallying round the common desire for social-political reforms and social justice. And the impetus for this may not be unconnected with the common feeling of poverty and squalor among citizens and

squandering of riches by the political class. The implication for the status quo is that social injustice and socio-political instability would continue and a bloody revolution remains a viable threat (Nwabueze 2010).

The firm grip of proponents of the status quo on their position which negates in every sense the principles of liberty and equality faces grave danger. Critics however, warn that a society such as Nigeria striving for bare subsistence should not depart from laws and principles that have been sufficiently proven and avoid social and political routes contracted which empirical and historical verdicts declare to be seriously ruinous (Awolowo 1968). This is worrisome as the ruling class is reluctant for positive action to restructure the society because the strains and tensions such state of affairs is generating will only worsen the socio-political situation in the country.

The supporters of the status quo however react to this kind of thinking by arguing that attempts by various political regimes to amend the constitution and address some of the issues should be seen as worthwhile and should be commended. Apologists point to the different political and social measures ranging from the change from parliamentary system of government in the 1960s to the presidential system in 1979 and war against injustice and corruption aimed at achieving the much needed stability and justice. Critically assessing these would reveal what critics see as measures that are not only cosmetic but do not affect the socio-political institutions responsible for these injustices in the first place. The argument is that only a restructuring of the basic structure can have impact.

The conclusion on the position of the pro-establishment group is that socio-political instability and social injustice persist with all their attendant consequences. Corruption in all sectors of the public service and bureaucracy cripple all sound initiatives while the people continue to suffer deprivation, communities in the oil producing region experience environmental degradation while a big majority also suffers political marginalization (Saro-wiwa 1994). The cancerous problem of tribalism in addition to inter religious and intertribal conflicts would continue with loss of lives. The country continues to suffer international isolation and the much needed national identity remains elusive.

References

Abegunrin,   L.,   (2005).   Sovereign   National   Conference. http/www.utex.edu/conferences/Africa/ads/386.html accessed 13/12/2009

Achebe, C. (1983). The trouble with Nigeria. Oxford: Heinemann Educational publishers.

Ajayi, A., (1985). Factors in the evolution of political culture in Nigeria. Ed. Ikara, B. & Ajayi, A. Evolution of political culture in Nigeria. Kaduna: Council for Arts and culture.

Ake, C. (1996). Democracy and development in Africa. Washington: The Brookings Institution

Akinrinade, S., (2008). Single or multi- party system: what options for Africa. www.Africaeconomic Analysis.org. Accessed on 10/11/2009.

Alagoa, E.J. (1985). 19th century political culture in the eastern states. . Ed. Ikara. B. and Ajayi, J. Evolution of political culture in Nigeria. Kaduna: Council for Arts and culture.

Awolowo, O., (1947). Path to Nigerian Freedom. London: Faber & Faber.

Awolowo, O., (1968). The People's Republic. Ibadan: Oxford University Press.

Babalola. A., (2001). Amayanabo Abbi Memorial Lecture. Port-Harcourt.

Babangida, I., (2010). No alternative to federalism. www. Leadershipnigeria.com/news/cover story/13373-no-alternative-to-federalism-ibb accessed on 2/4/2010.

Barry B., (1989). Theories of justice; A Treatise on Social justice Vol. 1. London: Harvester – Wheatsheaf.

Bello, A., (1962). My life. Cambridge: Cambridge University press.

David-West, T. (2002). Nigeria: The state of the Nation. Gamji Lecture. Kaduna. Http/www. Kwenu.com/Lectures/davidwest-gamji.html accessed on 12/12/2009.

Diamond, L., (1988). Colonial Legacy & Post-colonial Experience in Nigeria. In Diamond, L; Linz, J; and Lipset, S. (ed), Democracy in developing Countries. London: Lynne Reiner Publishers Inc.

Effemini, A., (2010). John Rawls Theory of Justice: Lessons for Nigeria. www. Shalesworthscentre.org/chap 2. Html accessed on 1/6/2010.

Enahoro, A., (2002). The national question: Towards a new constitutional order. www. Nigerdeltacongress.com/articles/national_question.htm. Accessed on 22/12/2009.

Gbeneye, E., (2002). The oil industry and resources control in the Niger delta. AFE, Journal of Minorities studies vol. 5, no. 1. Inoka, V. Ed. Ikot- Ekpene: Anang Minorities studies Association.

Giddens, A., (1984). The constitution of society. Cambridge: Polity press.

Guardian Newspaper. February (2002). Enahoro's group proposes 18 regions for Nigeria.

Habermas, J., (2003). A historical critique of John Rawls Theory of Justice: Failure to communicate the tradition. www. Archive. Org/details/Jurgen Habermas critique of John Rawls. Accessed on 17/12/ 2009

Leadership Newspaper. Do not underestimate the capacity of the North- Atiku. www.leadershipeditors.com/ns/index.php?option=com_content&view=article&id=1590 0:do-not-underestimate-the-capacity-of-the-north. Accessed on 14/09/2010.

Lugard, L. (1965). The dual mandate of British tropical Africa. London: Frank Cass & Co Ltd.

Maier, K., (2000). This house has fallen. London: Penguin Books.

McCormick, J. (2007). Weber, Habermas, and Transformations of the European State. Cambridge: Cambridge University Press.

Miller, D., (1999). Principles of Justice. Cambridge USA: Harvard University Press.

Moda, J., (2008). Micro analysis of Nigeria democracy: Anniversary imprecations. Vanguard newspaper 9/8/2008. http.www. vanguardngr.com/2009/09/08/title-3 accessed on 20/12/2009.

Momoh, A., & Adejumobi, S., (ed). (2002). The national question in Nigeria; Comparative perspectives. England: Ashgate Publishing Ltd.

Nicolson, I., (1969). The administration of Nigeria 1900-1960. Ed. Hargreaves J., and Shepperson, G. Oxford: Oxford University press.

Nozick, R., (1974). Anarchy, state and Utopia. London: Blackwell.

Nwagwu, E. (2006). A proposal for the re-founding of Nigeria. What to do after the total collapse of an African state. New York: The Edwin Mellen press.

Nwajiaku-Dahou, K., (2010). The political Economy of Oil and Ethnic National in Nigeria's Niger Delta. Unpublished Paper presented at "Celebrating Gavin Williams" Programme at the University of Oxford on 9-10 July 2010.

Obadina, T. (2008). The myth of neo-colonialism. African Economic Analysis. http/www.africaeconomicanalysis.org./articles/gen/neo-colonialism.html accessed on 5/1/2010.

Ouma, S., (2009). A Rawlsian Prospect of Political Liberalism in the Post-colonial setting. www. Scribal.com/doc/28626284 accessed on 1/6/2010.

Osowe, T., (2009). Social justice. Compass Newspaper. www.compassnews.net 17/11/2009.

Ozoeze, V., 2000. M.A. Dissertation-Ethnicity and Politics of Exclusion in Nigeria: Employing Rawls' Theory of Justice in Plural Societies. Sweden: Centre for Applied Ethics, Linkoping's University.

Phillips, M. (1985). Reflections on the transition from ideal to non-ideal theory. London: Blackwell publishing. http/www.Jstor.org/stable accessed on 18/12/2009.

Rawls, J. (2001). Ed., Erin K. Justice as fairness, A re- statement. Harvard: Harvard University Press.

Rawls, J., (1993). Political Liberalism. NY: Columbia University Press.

Rawls, J., (1971). A Theory of Justice. USA: Harvard University Press.

Sagay, I., (2004). Re-ordering Nigerian Federalism: Making it more Confederal. In Rotberg, R. (ed) Crafting The New Nigeria. Colorado & London: Lynne Reiner Publishers Inc. Pp 85-98.

Sandel, M. 2009. Justice. London: Penguin Books.

Saro-Wiwa, K., 1994. The Constitutional Conference and national cohesion. In Mahad, A; Kwaneshie, G & Yakubu, M., Nigeria, the state of the Nation and the way forward. Kaduna: Arewa House.

Sewell, W., (1992). A theory of structure: Duality, Agency, and Transformation. In the American Journal of sociology, Vol. 98, No I, pp. 1-29. http://links.jstor.org accessed on 5/6/2010.

Sklar, R., (2004). Unity or Regionalism. In Rothberg, R. (Ed) Crafting the New Nigeria. Colorado & London: Lynne Reiner Publishers Inc. Pp. 39-59

Tukur, M., (2004). Needed: Better Leadership. In Rothberg, R. (Ed) Crafting the New Nigeria. Colorado & London: Lynne Reiner Publishers Inc. Pp. 125-137.

Tukur, M., (1994). What type of Conference? In Mahad, A; Kwaneshie, G & Yakubu, M. Nigeria, the state of the Nation and the way forward. Kaduna: Arewa House. Pp. 243- 252.

Udogwu, E., (2005). Nigeria in the 21st century: Strategies for political stability and peaceful co-existence. Eritrea: Africa World Press.