THE ROLE OF LAW IN PROMOTING SOCIAL STABILITY IN NIGERIA*

Abstract
Consistencies about issues relating to human social interaction, mutual awareness, social norm and social order all smack of social stability. Theories addressing social issues abound and remain crucial for the development and advancement of human society. The social stability of any given society could be the result of a process of which commencement was beak and murky but traversed hurdles of varied social problems. This article aims at analyzing the role that law plays in ensuring social stability in Nigeria. The doctrinal research method was adopted, and the data collected were both primary and secondary comprising of both hard copies and online source materials. It was discovered that the challenges of the Nigeria nation in terms of social instability are not inadequacies of laws but the want of live in the laws and their proper implementation. Thus, it was recommended that for law to play its role in Nigeria in ensuring social stability, State actors must show true commitment towards its implementation. Instilling life on laws that guarantees human rights, welfare of the citizen, equality and justice, food security and poverty alleviation, quality education for the citizenry will not only guarantee security but will also suppress and silence the drums of wars and unrest heralding the Nigeria air.
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Keywords: Law, Social Stability, Conflict, Religion, Society, Insecurity.

1. Introduction

Law is instrumental in ensuring security and social stability. Most nations enjoying relative peace and stability today attribute such stability to law. It is undisputable that the security and stability been witnessed in the United States, Britain, Russia, Germany, Ghana, China, and other developed nations is as a result of the role demonstrated by the implementation of laws. Law as a term is subject to varied meanings and constructions. Thus, many attempts have been made to provide a comprehensive and commonly acceptable definition of law in various intervals in history by persons of significantly diverse backgrounds, age and orientation, but when all these definitions are brought together; they do not present a complete meaning. However, *simpliciter*, law can be defined as a set of rules that regulate human conducts in the society. Relative to our discussion here is the definition propounded by Roscoe Pound, who considered law to be predominantly a tool for social engineering.[1] On the other hand, Social stability is the sociological perspective that states a group always seeks to maintain equilibrium by forcing out ideas and individuals that disagree with popular opinion. This helps keep society in balance and promotes harmonious coexistence. A lack of social stability causes revolution and unrest in the group. The important thing is that such social stability to a large extent can only be controlled through law. Thus, that predicates the role of law in the society. This study tends to give an insight to the role of law in ensuring social stability in Nigeria; its prospects so far and the challenges faced by the law enforcement agencies due to the prevalent and contemporary conflicts in different parts of the country.

2. Concept of Social Stability in Nigeria

The idea of social stability has over the ages been the concern of disciplines of sociology, socio-political philosophy and political science. The famous sociologist, Emile Durkheim worked to show that every society strives to have stability because social stability creates an even society where there is a social solidarity between the people in one society and they work together to make the society better. In the domain of political philosophy, social stability features as a core concern of social contract theories.[2] The government is well-equipped to overcome both social and political turbulence. It is supposed to guarantee citizens its eagerness to create the necessary conditions to improve the quality of life especially social living. Scarce resources, unemployment and unbalanced wealth tend to vitiate a viable social trust but lead to social tensions within political societies and engender loss of credibility to the authority of governments and private organizations. This kind of system failure mostly lends credence to forms of clamour for sociopolitical changes often experienced around the country. Social instability thrives in social conflicts and crises, thereby leaving an affected society to degenerate to the undesired level of socio-political morass. Thus, when a populace begins to project actions that suggest system dejustification, adequate comprehension of the situation should be attempted as the basic step towards forestalling further socio-political predicaments.

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[1] LH Masotti & MA Weinstein, 'Theory and Application of Roscoe Pound's Sociological Jurisprudence: Crime Prevention or Control?' *University of Michigan Journal of Law Reform* [1969] (431) (2).
[2] CC Nweke, *Social Stability with the Nigerian State* (Nnamdi Azilkiwe University Awka, 2013) 147.

3. Theoretical Underpinnings

This study adopted the theory of class struggle as propounded by Karl Marx and Friedrich Engels in its explanation of the topic under focus. The central thesis of this theory is that from known times, there has always been a struggle among the classes of society, the struggle for control of material values in the prices of production and the organization of power as they seek to dominate one another.[3] Karl Marx states that the dominant class usually emerges to protect and guard a particular mode of production, mediates and moderates inter-class and intra-class struggles in order to maintain stability.[4] It is needful to state here that the struggle among social classes for the control of state power has been the propelling force in the development of many societies. Interestingly, the basis of the struggle between the two classes 'the haves' and the 'have nots' is the control of the state to determine social policies particularly the allocation of values and scarce resources. For the 'have nots', the oppressed or proletariats, there is the need for a new social order that would ensure fairly equitable distribution of resources and so they agitate as in the case of IPOB while the 'haves', the bourgeois preoccupies itself with maintaining the new class advantage, by extension the structural inequality which has led to the insecurity currently faced by Nigeria. The case of the Northern oligarchy who believes that they are born to rule Nigeria for life is instructive at this point.[5] The current insecurity in Nigeria is traceable to, among other things, the unwillingness of the ruling class to willingly relinquish power. Consequently, this has led to insecurity in Nigeria as some sects and groups - Civil and human right organizations, OPC, IPOB, Niger Delta militants among others are discontent with the ruling class thereby leading them to engage in intense struggle and violence.

4. Means of Ensuring Social Stability through Law

Law promotes social stability in Nigeria by encouraging social order by defining rules and regulations which direct and guide the conduct of citizens and other persons in the country. Social stability has to do with state of being steady and not changing or being disturbed in anyway.[6] Law promotes social stability in Nigeria by establishing acceptable behaviors as well as prohibitive conducts. Martin Luther King Jnr. stated that 'the law cannot compel a white man to love me, but it can restrain him from injuring me'.[7] Law attaches penalty to violators and rewards conformists. Thus, by punishing law breakers, other potential offenders around the country will tend to refrain from committing offence. The legal order which constitutes the Nigerian Police force and other security agencies instituted to apprehend law breakers and ensure orderly conduct, and the courts which are established to adjudicate between conflicting parties, punish law breakers and reward victims of crime.[8] Offenders are not only punished but are equally corrected by the legal order through the provision of rehabilitation therapy. If law is absent in our daily lives, we will be nothing in this life. For instance, if President Muhammadu Buhari should declare a law free day, such day will be full of calamity and unimaginable things. The animals in we humans will be portrayed as everyone is free to do whatever he/she likes without any form of limitation.[9] In specific terms, the law and legal order ensure stability in Nigeria through: settling disputes and legal backing to contract between individuals and the government; establishing and guiding the relationships between the leaders and the led; coordinating and ensuring the operation of the people; defining the relationships between the social institutions and the types of functions to be performed by each social institution; and identifying with and reflection of the culture and tradition of the people. Thus, where a law identifies with the culture and tradition of the people, it normally has a wide support of the people, unlike laws that are alien to the people.[10]

5. Conflict and Instability in Nigeria

Concept of Conflict

The word conflict is derived from two Latin words *cou* meaning 'coming together', and *fligere* meaning 'to strike'. Therefore, conflict means a state of opposition or hostilities, a flight or struggle. It is a clash of opposing principles, the opposition of incompatible wishes or needs.[11] Conflict, according to Rummel, is the balancing of vectors of powers of capabilities to provide effects.[12] Kirk sees conflict as a state of antagonism,

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[3] O Nnoli, *Introduction to Politics* (SNAPAP Press Ltd, 2003).
[4] EI Obarisiagbon, 'Insecurity Crisis in Nigeria: The Law Enforcement Agents a Panacea?', *Journal of Sociology and Social Work* [2019] (7) (1) 48.
[5] Ibid.
[6] Ibid.
[7] Ibid.
[8] PH Ozo–Eson, Sociology of Law: Liberating the Human Race (Ugwu Printing Publishing Ltd, 2010).
[9] T Ngufwan, Sociology of Law: Social Stability (Faculty of Law, University of Jos, 2013).
[10] Ibid.
[11] M Kukah, Religion, Politics and Power in Northern Nigeria (Spectrum Books Ltd, 1993) 25.
[12] JO Awolalu, The Yoruba Philosophy of Life (Presence Africaine, 1970) 21.

that is, the result of disagreements that arise between two or more people or group of people that have either produced or threaten to produce loss of life, freedom, land, property or livelihood, or cause mental or physical abuse.[13] Conflict represents a condition of disharmony within an interaction process usually as a result of a clash of interest between the parties involved in some form of relationship.[14] Conflicts are common and inevitable in all human societies. Conflicts occur when parties in a state of independence perceive divergent view or believe in that their aspirations or goals cannot be achieved simultaneously. Therefore, it is unnatural that where there is inequality in access to the control of natural resources and political power for instance, there will be discontent, opposition, acrimony and controversy. Nigeria being a multi-ethnic and religious society had experienced massive ethnic, sectional, religious and political violence that has led to grievous socio-economic and political consequences on the psyche of the nation.[15] These conflicts have led to destruction of lives and property and brought untold sorrow on the people in the last 60 years of our nationhood. Today, there is a tragic extinction of credible and charismatic leaders at all levels in every geo-political configuration as a result of violent conflicts and political instability in the political system which has made the country lack nationalistic and patriotic leaders who have the interest of the people at heart.

Dimensions of Conflicts
Conflict has different dimension which may be political, socio-cultural, religious, economic or industrial as expatiated below.

Political Dimension
This dimension is endemic in Nigeria, and it includes issues such as electoral crisis, inter-governmental relation crisis over resource sharing, and others.[16] The present government of Nigeria has severally been accused of ethnic bias and the marginalization of some sections of the country in the distribution of basic infrastructure and these have greatly compounded the security of Nigeria.[17] Key political appointments presently have been given to people of Northern extraction while the South-East has been left in the cold. This perhaps explains the agitation for the Republic of Biafra and several security breaches that have accompanied the agitation. Besides, it is quite glaring that there is great disparity in life chances in Nigeria. A vast majority of the public has a feeling of inequality, unfairness, marginalization and this has led to frustration and loss of hope, especially amongst the youths. These youths now express their disillusion about the situation by any means possible, legal or illegal. The result is growing insecurity.[18]

Socio-Cultural/Religious Dimension
Religious extremism, fanatism and intolerance in some parts of the country are extensions of inter-ethnic, inter-communal conflicts. Inter-ethnic struggles over issues that borders on public office and resource sharing takes coloration in the formation of ethnic militias.[19] For instance, the Oodua People's Congress (OPC), Arewa Youths Forum (AYE), Boko Haram, The Movement for the Actualization of the Sovereign State of Biafra (MASSOB) and the Niger Delta Militants (NDM), and Independent People of Biafra (IPOB) had surfaced over the years. These Sectional groups instigate violence and abuse human rights including illegal arrest, detention and execution of innocent citizens and the destruction of properties. Several reasons have been given for re-occurrence of religious conflicts or violence. Although, a good number of these causes have socio-political, economic as well as governance undertones, yet they are not immune to religious conflicts alone but, they cut across other forms of violence. In Nigeria, among the causes of religious conflicts are marginalization, oppression, and government influence, uneven distribution of wealth and resources, division in government, nepotism and socio-religious bigotry. When values, norms, beliefs and ideologies are tempered with, conflicts are bound to erupt.[20]

Economic and Industrial Dimension
This is caused by incessant industrial resentments by labour over unfavourable government economic and industrial polices. The governments at all levels have very poor records and skills of managing industrial

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[13] AJ Kirk, Mission under Scrutiny: Confronting Current Challenges (Darton, Longman & Todd Ltd, 2006) 114.
[14] AI Afegbua, 'Conflict and Political Instability in Nigeria: Causes, Consequences and Prospects', *Journal of Social Science and Public Policy* [2010] (2).
[15] Ibid.
[16] Ibid.
[17] E Nwadialor, 'Nigeria and Security Challenges', *Vanguard Newspaper* (20th June 2011) 4-9.
[18] FC Onuoha, Nigeria's Vulnerability to Terrorism: The Imperative of a Counter Religious Extremism and Terrorism (Strategy, Peace and Conflict Monitor, 2011) <http://www.monitor.peace.org/innerpg.cfm?id> Accessed on 25th August 2021.
[19] Ibid.
[20] SB Mala, 'Fundamentalism in Religion: A Naughty Child of a Difficult Mother', *Ibadan Journal of Religious Studies* [1985] (27) (2) 3.

disagreements and unrest, between it and labour unions in the country until they escalate into uncontrollable violent levels. A poor economy with high poverty and unemployment rate appears to have been the bane of the Nigerian society.[21] Every year institutions of higher learning produce many graduates who regrettably, are thrown into the labour market with no hope in sight for jobs. To keep body and soul together, some become frustrated and go into violent and criminal acts such as the 'lucrative' kidnapping, militancy and armed robbery. Others have become prey to terrorists and are easily radicalized. The case of Boko Haram, IPOB and Niger Delta militancy easily come to mind. Past governments have failed to put in place measures that will reduce unemployment and poverty, which have been the major causes of insecurity in Nigeria.[22] To a large extent, the Niger Delta region of Nigeria under the late President Umaru Yar'Adua and former President Goodluck Jonathan's introduction of amnesty in which unemployed and poverty-stricken youths who laid down their arms were sent to training centres for vocational and educational purpose brought amazing peace and tranquility in that area.

6. Current Social Instabilities in Different Parts of the Country

Nigeria is today confronted with the tenuous nature of our national polity and the frightening dimensions youth restiveness and social instability have assumed in the country. It is normally from the sporadic exploits of the blood thirsty *Sharia Zealots* of the (North-West) to the terrorism activities in the (North-East) to the bloody clashes between Fulani herdsmen and farmers in the (North-Central) and other parts of the country.[23] From the incessant display of violence by the angry mafia of the *Niger-Delta Militants* in the (South-South) to the hired assassins and kidnappers that paint the political landscape in the (South-East) with blood, operating alongside with the MASSOB and IPOB. There is also a range from the hot-headed ethnic militia known as OPC in the (South-West) to the murderous secret cultist in the higher institutions to the different clashes between ethnic groups or religious groups. It has been an orgy of violence and a season of blood and tears in which the foundation of the nation is now threatened. We have been through a season of madness here in Nigeria, and individuals and groups have often taken care of their security by hiring police escorts, constituting vigilante groups or even forming private armies. In combating all these incessant unrest in the country, the government has to some extent used law in ensuring and enforcing that. Armies and other security personnel have been deployed to different parts of the country experiencing violence and unrest, to ensure and maintain peaceful co-existence and stability. The truth one has come to recognize is that many in the Igbo nation remain resentful of the rest of Nigeria for the coup d'état done against late General Aguyi Ironsi and the injustices of the 1967-1970 civil war: the abandoned property in Broglio, and the alleged post-war marginalization of Igbo people in some vital segments of the national economy. These are the sentiments behind the MASSOB and IPOB.[24] Many in the Yoruba nation remain angry with the rest of Nigeria for the injustices associated with the 'June 12' election annulment, and the alleged post-June 12 persecution and marginalization of Yoruba people.[25] These are the sentiments that sustain the activities of the OPC.

The collocation of small ethnic nationalities we call the North-Central are today vexed by the appendage status accorded them in the power structure of our nation. Many of them alleged that they have suffered numerous injustices because of being falsely associated with the North all this time, while they gained nothing from the Northern hold on political power. These are the sentiments behind the activities of the middle belt. Another prevalent issue in the middle belt is the incessant dasher between the Fulani herdsmen and farmers.[26] This has also spread to other parts of the country. In order to curb this menace, a bill known as the National Grazing Routes and Reserve Bill, 2016 was presented before the National Assembly for consideration.[27] The bill if passed into law will enable the government to establish grazing reserves for the

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[21] D Ogah, et al, 'Expatriates, Some Semi-Skilled Take Over Even Menial Jobs from Nigerians', *Guardian Newspaper* (2nd February 2012) <http://www.guardiannewsngr.com/index.php?> Accessed on 25th August 2021.

[22] CI Nwagboso, 'Security Challenges and Economy of the Nigerian State (2007-2011)', *American Internal Journal of Contemporary Research* [2012] (2) (6) 244-258.

[23] V Abia, *Understanding Nigerian Government and Politics* (Gofa Flash Publications, 2008).

[24] M Benjamin, What Drives the Indigenous People of Biafra's Relentless Efforts for Secession (The Conversation, 2021) <https://theconversation.com/what-drives-the-indigenous-people-of-biafras-relentless-efforts-for-secession-163984> Accessed on 24th August 2021.

[25] A Damilola, June 12 is Now Democracy Day in Nigeria: Why it Matters (The Conversation, 2021) <https://theconversation.com/june-12-is-now-democracy-day-in-nigeria-why-it-matters-118572> Accessed on 24th August 2021.

[26] Wikipedia, Herder-Farmer Conflicts in Nigeria (Wikipedia.com, 2021) <https://en.wikipedia.org/wiki/Herder%E2%80%93farmer_conflicts_in_Nigeria> Accessed on 24th August 2021.

[27] B Strack, National Grazing Routes and Reserve Bill 2016 (PLAC, 2016) <https://placbillstrack.org/view.php?getid=1666> Accessed on 24th August 2021.

herdsmen in all the 36 states of the Federation, but unfortunately it was rejected by majority of Nigerians. The citizens of the oil producing Niger-Delta are poised for a show down with the rest of Nigeria, and if recent dashes are anything to go by, their youths appear to be well equipped for war with the rest of the country, because of the callous exploitation of their natural resources for decade, while they are abandoned in a state of destitution. This has led to bombing of oil and gas pipelines in the region just to force the government to give in to their demands.[28] Many among the Hausa-Fulani Muslim of the core North who desire to live under the supremacy of the Islamic Sharia seem incensed that the rest of Nigeria wants to jettison what they see as their religious freedom. These were the same sentiments behind the 2000, 2001, and 2002 religions riots that rocked Kaduna, Kano and Jos. Also in the North is the Boko Haram terrorist which have been terrorizing Nigeria for more than a decade with no basis other than being religious jihadist movement with an aim of taking control of the country and converting citizens to Islam. Within each group however, there is often bitterness over past hurts and wounds which have never been seriously addressed.

7. Implications and Cost of Conflicts in Nigeria
Some of the implications of conflicts in Nigeria are loss of revenue for the government; loss of human lives and properties; discouragement of foreign investment growth in the country; influx of refugees and displaced persons; and allocation of natural resources for trouble shooting instead of development purposes.

8. Reasons for the Prevailing Rate of Conflicts in Nigeria
Even with the laws in the country, the rate of instability and conflict still subsists due to some of the following reason: increase in the rate of population in the county, which also increases the chances of competing interests; lack of adequate law enforcement mechanism; non-conformity of laws with societal values; material condition of the society, that is, the competition cause due to scarce nature of resources in the society; greed and wickedness of individuals (savagery); and natural propensity of conflict in humans.

9. Practical Solutions towards Ensuring Social Stability in Nigeria
There should be elaborate programme of, and an honest commitment to social reconstruction and moral revolution as the first step towards peaceful co-existence. Enactment of laws that will protect the rights of citizens and ensure justice and fairness to all is imperative. Equitable distribution of natural resources and revenue is needed. There should be adoption of the principles of communalism which tend to bind people together in one brotherhood there by collapsing the politics and social relations of ethnic and religious consciousness. There is also need for heavy investment in conflict resolution and the use of alternative methods of resolving disputes rather that military intervention. Provision of employment opportunities and adequate welfare to citizens is necessary. Obedience to rules and regulations by citizens and respect for the rights of others is a sine qua non. There should be rehabilitation of our educational and moral institutions. There is urgent need for development and mobilization of human and social capacity. There has to be anticipation, control and minimization of social problems. It is imperative for Christians and Muslims in Nigeria to unite and identify what they need, that is, peaceful co-existence, and to join forces to get it, for the good of the nation. The common people in the North should wake up to this reality if they want to rid themselves of violence and develop the region.[29] Every citizen needs to acquire and demonstrate appropriate civic attitudes and skills. There is need for both the male and female citizens to acquire and demonstrate the values and traits of civic responsibilities as a means of ensuring social and political stability.[30]

10. Conclusion
From the discussion so far, the concept of law and social stability has been spelt out and how law is being used as an instrument to ensure social stability in the country. The governments at various levels have employ means of ensuring social stability in the country in reference to the prevalent unrest in different parts of the country. These conflicts are mainly due to competing interests which can be political, social, economic, religions, or cultural. These violence and unrest have caused a lot of loss to the entire country and the citizens through destruction of lives and properties. Regardless of the various measures adopted and put in place to curb the unrest in various parts of the country, conflicts are still currently manifesting in the country. This is mainly supported by the view that conflicts are inevitable in human life, which Nigeria as a country is not an exception. However, I strongly believe and have faith that someday things will become better than now, and Nigeria will be a peaceful and loving place to be.

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[28] E Gupte, Niger Delta Militants Threaten to Resume Attacks on Nigeria's Oil Installations (S&P Global, 2021) <https://www.spglobal.com/platts/en/market-insights/latest-news/oil/062821-niger-delta-militants-threaten-to-resume-attacks-on-nigerias-oil-installations> Accessed on 24th August 2021.

[29]JO Paul, 'Implications of Religious Conflicts on Peace, National Security and Development in Nigeria', *Ilorin Journal of Religious Studies* [2019] (9) (1) 67.

[30] DA Falade and TA Ekundayo, Social Stability and the Effects of Gender Differences in the Demonstration of Some Civic Traits among Secondary School Students in Ondo State, Nigeria, (Tonad Publishers, 2013).