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Re-examining human rights abuse in Nigeria from the lenses of the social contract theories

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Abstract

Political theories are a set of intellectual constructs and propositions that attempts the explication, analyses and prediction of political phenomena. Political theories are products of political philosophy, which itself finds essence in raising ideas that serve the needs of man in a political society. Social contract theories are therefore constructs and propositions which retrieve the nature of human existence in a pre-state historic society, and his better resolve to submit to constituted authority, for the purpose of peace, human rights and avoidance of man's inhumanity to man on the premise of comparative muscular superiority. The paper is saddled with the responsibility of x-raying the various theories of social contract to answer the question of the essence of the democratic state with the social contract, and its capacity to guarantee fundamental human rights, especially right to life in Nigeria. The paper employed documentary methodology and accessed secondary sources such as textbooks, and relevant online materials. The theoretical focus was the classical social contract theories of Thomas Hobbs, John Locke, and Jean-Jack Rousseau. Findings showed inter alia, that the Nigerian state, since the country's return to democracy in 1999, has dishonoured its own role in the social contract with its citizens. This has synthesized in flagrant abuse of fundamental human rights and consequently, increased insecurity extrajudicial killings among other forms of rising insecurity. We recommended among other things, leadership accountability and fulfillment of campaign promises as a means of reclaiming the confidence of the masses in the Nigerian state.

Keywords: Social contract, human rights, the state, constitution, constitutionalism

Introduction

Social contract and Human Rights are two joint and complementary variables. They are complementary in the sense that the fulfillment of the former is a means to the later; and the both variable if fully observed, combine to give a stable and peaceful political society. The history of the social contract dates back to the evolution of social history and human formation and quest for an organized society. Thus, as man's social history evolved from wandering band to settled band, man's quest to live in a settled social community increased. This need as well necessitated the human need to live under an authority to which he yielded his personal power in anticipation of common good. Therefore, social contract was ideally meant to serve as a means to man's common good which implies his natural rights such as Right to Life, human dignity, property, among others. The history of human right can be based on natural law, which upholds the primacy of human life over all other rights of man in the society. Hence, Right to Life is the foremost; and the responsibility of the state to uphold and guarantee it is not subject to negotiation. Nigeria, as a sovereign entity, and member of the United Nations, is a signatory to the Fundamental Human Rights, as Cyprian (2018) rightly noted. The various submission of the social contact theorists, serve among other needs the purpose of epistemic edification on the emergence of the political society climaxed with the institution of the state as a mediator of the intrinsic class struggle which definitively underlies the capitalist political society. Hence, man's choice of an institution of power (the state) that guarantees his protection and provision of an enabling environment for his daily survival, was based on the hope that such an institution would be up to responsibility, which among other vital needs include the guarantee of fundamental human rights; hence, the social contract theories.

Ugwuzor (2015) ^[9] rightly posited that: The most accepted concept today about the state is that it is a legal creation of the individual will. In other words, human beings originally created the state by means of contract in which the individuals for their mutual benefits came together and consented to transfer individual power to a political body or the state to govern them. (Ugwuzor, 2015, p.7) ^[9].

From the above observation of Ugwuozor, (2015) ^[9], it can be understood that the emergence of the state at a point in the course of social history was a deliberate will. Also, one main effect of the social contract is a transformation and birth of new human society and social experience in which there exists a central power over the individual, on the premise of contractual political covenant in which the two parties: the state and the masses, have their responsibilities and role.

Ogbonna, (2019) ^[3] sees the social contract as a conditional agreement between two parties: the political leaders and the masses or the government and the governed. Thus:

Social contract in a plain form is the conditional agreement between the leaders of the society or a given territorial entity and its members. The agreement or contract is such that as long as the leaders perform their own part of the agreement, they would continue to enjoy the solidarity of the people. Also, social contract is the agreement between the government (*the state*) and the people (*the governed*) in which the people surrender those raw powers to rule themselves to an organized institution or a leader, who represents the people and works in accordance with their wishes. (Ogbonna, 2019, p. 65-66) ^[3].

The various social contract theories, especially the views of Locke (1632-1704) and Rousseau (1712-1788), long after they were propounded and published, have remained relevant to the framing of contemporary socio-political world of expansive democracy for global democratization, the bill of rights, constitutionalism and the political landmarks of the French and American revolutions. The effect of which is the framing of the American political system as a standing political sample for other countries of the world. Nigerian political system claims counterpart with that of the United States American. However, the effects and utility of the Rousseauan and Lockean social contract theories on not just the constitution, but the constitutionalism of the United States, of which the guarantee of Fundamental Human Rights is sacrosanct, are not the experience in Nigeria. This necessitates our examination of the Nigerian democratic government as an indicator of social contract and its observation and guarantee of the Fundamental Human Rights to its citizens.

Conceptual clarification

The State

The state is the product and subject of the discourse of social contract theories; as well as a concept of utmost centrality in the study of politics and political science. The initial necessity of the state is the emergence of the political society, which came up at stage in the course of social history, consequent upon change in the social mode of production at a historic epoch. Hence, Onuoha (2020) ^[5-6], on his view of the state from the political economy perspective, has seen the state as product of any society that has transcended communal mode of production. Therefore, the state is a specific modality of class relation which guards and determines the prevailing mode of production and so mediates inter and intra-class struggle. It is important to

note that this definition of the state is as limited to the subject of social contract; as other views and perspective to the meaning of the state exists.

Constitution and Constitutionalism

These are essential codes, codification and principles of social conducts according to which an organization or a country operates. The concept of constitutionalism is the expression of the letters and spirit of the law and the rule of law as codified in the constitution. Ugwuozor (2020) ^[8] explained that:

The rule of law is a constitutional concept which holds that everything must be done according to the law. It also upholds the principle of equality of all before the law and the independence and autonomy of the judiciary. The second meaning of the rule of law is 'no man is above the law.' (Ugwuzor, 2020, p.1-2) ^[8].

Constitutionalism therefore interrogates the legitimacy of government action as against the clauses of the constitution. Constitutionalism is the doctrine of obedience to the letters of the constitution. Gives primacy to constitutionalism over constitution, as he rightly states that having a constitution is not nearly as vital as constitutionalism. Defining constitution, states that: the principle that determines whether a government activity is legitimate, and it indicates something much more significant than the notion of legality, which calls for official behavior to be in compliance with defined legal norms. In other words, constitutionalism determines if a government's actions are lawful and whether its representatives carry out their public obligations in line with previously defined or predetermined rules.

In a democratic society, the observation of social contract and the guarantee of human right by the state is an act and expression of constitutionalism. Constitutionalism therefore upholds the constitution and either justifies or nullifies the character of the state to towards the letters of the constitution.

The Nigerian State and the Insecurity of Human Rights

The Nigerian state and human rights abuse has been a matter of scholarly attention, in extant literature. The high rate of insecurity in the country has made Nigeria a multifaceted phenomenon that could be analyzed from different perspectives. Hence, while one can choose to see Nigeria from the perspective of symbolic corruption, another can focus on the dimension of kidnapping, while yet someone else can look at the same country from the angle of unjustifiable police brutality, intimidation and killing, and judiciary failure. In fact, Nigerian environment is a setting where anything can happen in the night and even in clear day times. Every day in Nigeria, if it is not the news unknown gunmen in an open destruction of lives on the streets, roads or markets, it is that of Fulani herdsmen invasion of innocent and unsuspected host communities while sleeping in the nights and killing men, women, children and even newborn babies. All these are experiences in a so-called democracy founded on social contract. Onuoha (2020) ^[5-6], corroborated the foregoing observations and explicitly posited that:

In Nigeria, there is never a day that goes by without hearing of murders, kidnappings, or community invasions by criminals. Nothing will happen despite the harassment, rape, attack, murder, and robbery that you endure. Police will ask for payment before they do their job if you report something to them. As a result, Nigeria today represents a Hobbesian

state of nature, where life is lonely, destitute, repulsive, and brief. (Onuoha, 2020, p.37) ^[5-6].

Same laws that are bases of social order, peace and development in some other countries from which Nigeria claims to copy its constitution and political system, also exists in Nigeria. Similarly, same Fundamental Human Rights universally declared in 1948; and enshrined in the constitutions of other countries, also, exists in the Nigerian constitution. The question is; why has Nigeria's experience and experiment with these sacred codes of order and social conducts, been a paradox and irony of itself with flagrant abuse and violation of human rights? Onuoha (2020) ^[5-6], responds as follows:

There is little doubt that the atmosphere in Nigeria, with all of its uncertainties, injustices, lax laws, and inability to punish or hold anybody accountable for their actions, has over time generated generations of people with psychopathic inclinations. Antisocial conduct is present in both the leaders and the populace.... (Onuoha, 2020, p.21) ^[5-6].

Human Right abuse either by the Nigerian state agents is boldly committed in most cases with impunity, while non-state agents openly invade houses, streets, schools and even churches and mosques at choice times and successfully bomb such places, kill and kidnap innocent citizens. Violation of Right to Life in the forms of either abuse of fire instruments by the security agents or heightened spate of societal lawlessness and social insecurity across the country, cannot be overemphasized. Again, Onuoha (2020) ^[5-6], succinctly painted the picture of lawlessness in Nigeria, and pointed out that:

A typical Nigerian personality today, at least observably, suffers from a depleted moral conscience, broadly enjoys not adhering to social norms with respect to lawful behavior, loves deceiving others for personal gain and pleasure, carelessly disregards the suffering of others, especially non-family members, repeatedly and consistently has no remorse for hurting anyone, and buys into mistreating everyone through acts of venality and deceit. (Onuoha, 2020, p.19) ^[5-6].

The worrisome state of depreciating security situation in Nigeria and the disposition of indifference on the part of the Nigerian state has been widely observed. Thus, Onwuazombe, (2017) ^[7] decrying the poor attitude of the Nigerian state towards right to life in the country posited that:

It is worthy to note that, cases of police and other security agencies brutality and abuse of powers are rarely investigated and perpetrators are hardly brought to justice. Where investigations occur, they fail to comply with international standards and officers suspected of extrajudicial executions are usually sent out on training or transferred to other states instead of undergoing prosecution. Also, reports of highly publicized state or federal panels of inquiry investigating suspicious deaths remain unpublished. In most cases charges brought against the perpetrators of human rights abuses and violations filed by private citizens, groups and even the government suffer interminable delays in the court of law and end up being unresolved. (Onwuazombe, 2017, p.10) ^[7].

Killing has become an everyday experience in Nigeria that all over the country, there are daily cases of losses of lives in the hands of non-state armed agent, while untraceable cases of kidnapping with irrecoverable victims, thrive in various bushes in both urban and remote place in Nigeria. In

all these, the state is incapacitated and helpless in the face of rising insecurity in the country; while innocent citizens are left daily to their fate. These sustain the question of the responsibility and responsiveness of the state to the social contract and Fundamental Human Rights with Nigerian citizens, more importantly, Right to Life. Onwuazombe (2017) ^[7], clearly posited that human rights are those rights of all human beings based on the fact of their humanity, such rights among others include, the right to life, dignity of human person, and personal liberty. Hence:

The right to life is a substantive right and is among the most important of all the rights guaranteed and protected by contemporary international law. It is universal and obligatory; without it, no other right would make sense. This right shall be protected by law. No one shall be arbitrarily deprived of his life. (Onwuazombe, 2017, p.6) ^[7].

The essence of social contract is the fulfillment of the terms of the contract by the both parties. If any gap exist in the observation of the stated agreement, in most cases, it can be traced to the state. One danger of the capitalist society is that in the pursuit of profit maximization via primitive accumulation, every variable including human being and precisely the have-nots, can commoditized and commercialized into a means of production. In such a market situation, there is a high rate of corruption; and the state cannot control the spate of general insecurity and abuses of fundamental rights of citizen. This is the situation in Nigeria. Validating the above, Onwuazombe, (2017) ^[7], posits that:

In Nigeria today, the dignity and purity of human life have mostly lost their true significance. Numerous thousands of people living in oil-producing regions have had their fundamental and inalienable right to life violated in ways that are not permitted under the supreme law of the land and other relevant international treaties (Onwuazombe, 2017, p.8) ^[7].

The foregoing literatures, clearly picture the nature of security in Nigeria, and how the state has flagrantly shown indifference to the security need of Nigerian. The purpose of this section was to see the submissions of relevant literatures on how the Nigerian state has played its role in the social contract pact with citizens with the fundamental rights of Nigerians. The resultant effect is the flagrant abuse of human rights and wonton destruction of life. From what this review has shown, the paper aligns with the view of Onuoha (2020) ^[5-6] that the Nigerian society today typifies the historic Hobbesian state of nature.

Theoretical Framework

This paper is anchored on a medley of the social contract theories, precisely the theories of social contract as theorized by Thomas Hobbs (1588-1679), John Lock (1632-1704) and Jean Jack Rousseau (1712-1788). These are ancient socio-political thoughts, who gave philosophy to the society with focus on the best form of human existence in the society. The social contract theories are relevant in understanding the submissions of the above three social contract theorists on the organization of the society with the aim of ensuring social control for an orderly society. In the theories, as Taieb (2020) ^[10], noted, one common factor the three theorists have is that, though different in some areas and similar in others, their theories all share the same title: social contract." Where they have difference is in their conception of the state of nature and man's condition.

Prior to the Social Contract, in Hobbes' view, man existed in

the State of Nature. His existence in the State of Nature was characterized by terror and egotism. There was a persistent fearful atmosphere. The State of Nature offered a lonely, substandard, repulsive, brutal, and brief way of life. But Man naturally craved safety and order. He made a covenant so that he would have self-defense and self-preservation from suffering. Man's natural instinct is to defend and preserve himself, and in order to do so, he willingly gave up all of his liberties to a legitimate power that must compel everyone to submit to its authority. Therefore, it is the duty of this most powerful authority to safeguard their lives and property. This was the account of how the institution of the ruler or king, who ruled with unlimited power, came to be. According to Laskar (2014) ^[2], the sovereign is to be followed at all times and subjects have no rights against him. However, Hobbes imposed moral duties on the ruler who would be subject to natural law.

John Locke presented a theory of social contract, which has similarities with; and some elements of difference from that of Hobbes. Locke thought that since man had free access to nature and the freedom to use it for his livelihood, nature was not inherently cruel and hostile. He observed that nature was in a largely positive and joyful state. It was a time of harmony, goodwill, cooperation, and survival. Men had all the rights that nature could grant them in that state of nature. Locke continued by saying that under the State of Nature, man's natural state was one of perfect and unrestricted freedom to live his or her life as best it could be. Hence, man's private property was a function of his ability to mix his labour power with nature in a creative enquiry. Therefore, while man had the right to life, liberty and property, he only needed a central authority that will enforce a general command for the protection of his private property in the state of nature. It can be stated that private property and its protection was what informed Locke's theory of social contract, as such property in the absence of established law, impartial Judge and neutral power to execute natural laws, was subject to insecurity; hence, the social contract. However, man never submitted all his right to a sovereign. He only entrusted the right to protect himself, his property and punishment to the transgressors of the law to the state in the social contract. Laskar (2014) ^[2] noted Locke's view on the essence of the state and government to citizens as follows:

The goal of the legal system and the government is to safeguard and defend men's natural rights. Laws passed by the government are legal and enforceable as long as it continues to pursue this goal; however, if it stops pursuing this goal, the laws become invalid and the government may be removed from office. Unlimited sovereignty, in Locke's opinion, is in conflict with natural law. (Laskar, 2014, p.9) ^[2].

It is important to state that the natural rights of men as noted by Locke above are the Right to Life, Right to Freedom of Liberty and Right to Property. One empirical importance of John Locke submission on Social Contract was its influence in declaration of American Independence in 1776, the framing of the American Constitution and the enthronement of liberal democracy and economic liberalism.

Jean Jack Rousseau, a French philosopher, gave a new dimension to the theory of social contract. He pointed out that the social contract was an imagined product of reason rather than an actual historical actuality. He made the same observation as Locke that man was content and free in nature, and that all men were treated equally. From

Rousseau's idea of social contract, it can be understood that change in the social mode of production, necessitated the establishment of social contract. This is based on his notion that prior to social contract, the society was egalitarian in nature as life in the State of Nature was happy and there was equality among men. From Rousseau's view, man's sense of social contract came due to personal property as the society grew. He noted that due to social change, man began to live in families, and from families to communities; hence, social expansion. These forms of societies resulted in leisure time which gave rise to discourses and comparison of property ownership. The need for the security of property, gave rise to the consensus of all men to surrender their rights to self-protection to a common assembly and not to an individual.

The submissions and views of the social contract theorists: Thomas Hobbes, John Lock and Jean Jack Rousseau, are relevant in explaining the foundation of contemporary political society, characterized with the existence of the state, capitalism, liberal economy and democracy, social freedom and Fundamental Human Rights. The theories of social contract, therefore gave a historic influence on the 1948 universal declaration of Fundamental Human Rights by the United Nations and the adoption of the rights by members states.

With respect to Fundamental Human Rights vis-à-vis the social contact theory in Nigeria, the application is that indeed, from the theory of social contract as idealized by Thomas Hobbes, the Nigerian state exists as an institution with monopoly of the use of the instruments of force and coercion, as the citizens in a social contract with the state have entrusted it with the protection of their rights, especially Right to Life. However, the state in reality, has failed in its responsibility to guarantee and fulfill its avowed role in the social contract to the citizens. This explains the bases of the increasing non-state armed militia and the numerous cases killing the paper empirically details.

The relevance of John Locke's the theory of social contract to the subject of this paper is that it specifies the fact that as human beings, individuals have certain rights which must be retained to them and surrendered to someone or an institution. One of such rights is Right to Life. John Locke therefore highlighted right to life as the most important of all other rights. Hence, constituted authorities should give primacy to its protection as all other rights of man anchor on it. Locke also mentioned property right as next to Right to Life. This is because, life exist on the material essence. Hence, protection of life is also the protection of the economy (property) that sustains life. Unfortunately, in the context of the Nigerian state and its approach to these rights to Nigerians, there is state failure in maintenance of these rights. Consequently, lives and property of citizens are wasted innumerable in the country, and the state is flagrantly incapacitated in the face of rising abuse of Fundamental Human Rights.

Jean Jack Rousseau's view largely aligns with that of John Locke, especially in his notion of property right of citizens and the need for its protection. Rousseau therefore argues that the state has the duty of protecting the natural rights of the citizens who have surrendered their rights to the general will. However, in Rousseau's social contract theory, he believes the individual retains property rights and only needs the state the protection of property and punishment of offenders. In the context of Nigeria, Jean Jacke Rousseau's view of social contract clearly shows a society characterized with inefficiency on the part of the state to protect the rights

of the citizens. Consequently, cases of killing and all other forms of human rights abuse are premised of the fact of state failure.

Methodology

The paper utilized documentary method of data collection and made use of content analysis. This gave access to secondary sources such as relevant textbook and journals internet materials. We therefore used tables and charts to explicate the cases of state failure and forms of human rights violation, especially abuse of Right to Life and the destruction of property owned by the citizen of Nigeria. As can be seen in the pie chart and the table above, cases of killing in Nigeria has been on the rise, with the highest record of 233 people killed on the 23rd and 24th of June, 2018.

Data Presentation and Analysis of abuse of Right to Life in Nigeria

This section of the paper presents concrete facts of our notion that the present Nigerian society is another state of nature theorized by Thomas Hobbs. For the purpose of precision, the paper is limited to the cases of herdsmen attacks and kidnapping in Nigeria. These two are just few of

the numerous forms of insecurity to which Nigerians are left to their own fate daily.

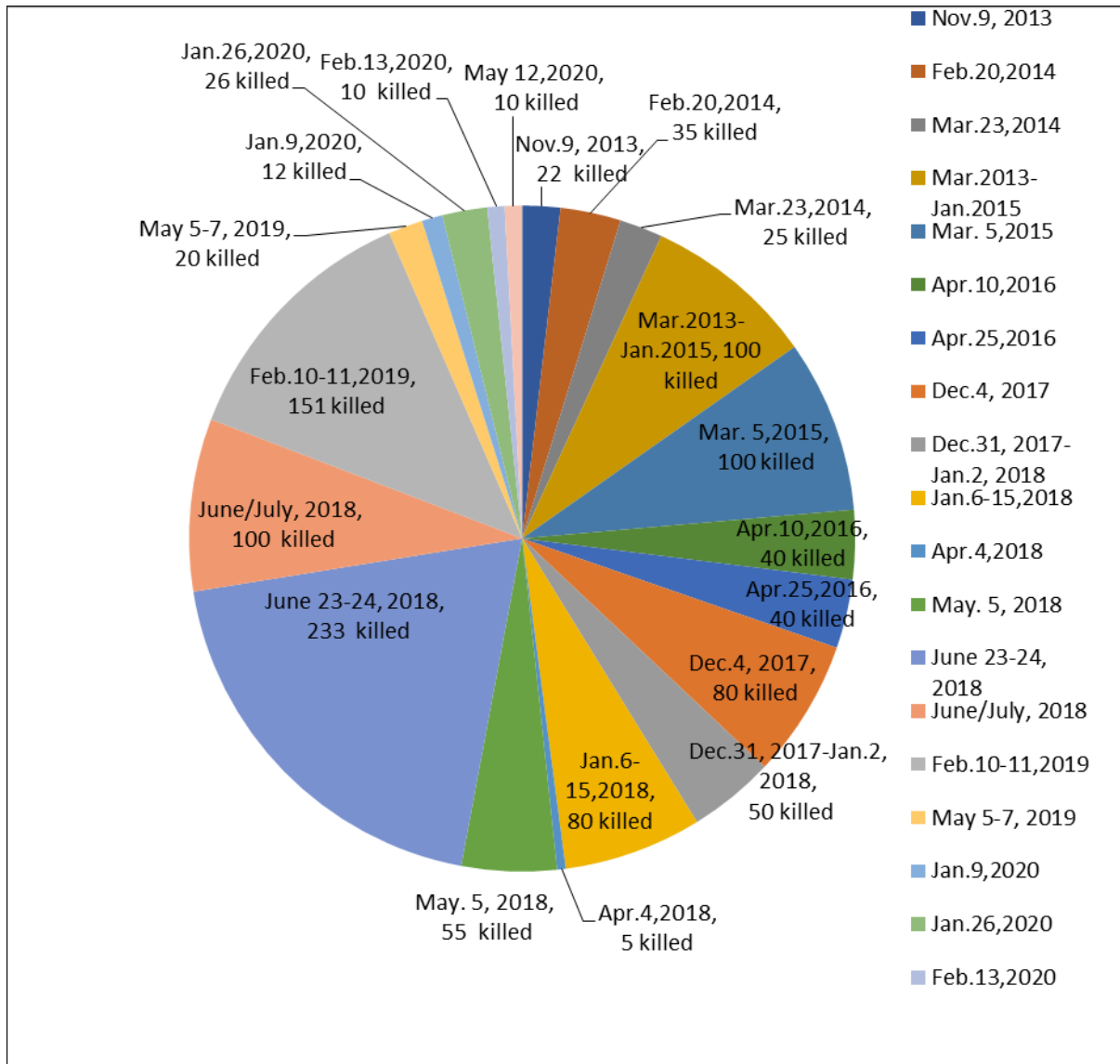
Herder-farmer clashes

In recent times, the activities of herdsmen in their host communities in Nigeria are increasing drawing the attention of local and international observers, including scholarly researches, trying to unravel the increasing rate of deadly clashes between the Fulani Herdsmen and their host communities in various regions and locations in Nigeria. The North-Central, example Benue State, North-West, example Kaduna State and South-East, example Enugu State, among other areas in the country, have been constantly ravaged by herdsmen who in the course of pastoral exploration for their cattle in greener parts of the country, constitute damage to farms in their destinations resulting in controversies between the herdsmen and their host communities. The herdsmen in Nigeria have been a source of insecurity in Nigeria as they move about with sophisticated weapons with which they perpetrate varying degrees of crime ranging from destruction of the economy of the rural dwellers, raping of young girls and old women, kidnapping of innocent villagers, and invasion and massacre of villagers in their host communities.

Table 1: Some attacks of the herdsmen in Nigeria; 2013-2020

S/n	Date	Location	Nature of Attack & Consequences
1	Feb 2013	Agatu LGA of Benue State	Communities attacked by armed-herdsmen in military uniform, killing about 500 persons, several injured, houses and food items burnt down.
2	09/11/2013	Guma LGA of Benue State	Several communities in Guma LG were attacked by armed-herdsmen killing 22 persons & property worth millions of Naira destroyed.
3	20/02/2014	Gwer West LGA of Benue State	Attacks on farmers in 6 wards by armed-Fulani herdsmen killing 35 & displacing many.
4	23/03/2014	Gbajimba, Guma LGA of Benue State	Attack by armed-Fulani herdsmen, killing 25 persons & injuring 50.
5	March 2013 to Jan 2015	Communities in Wukari LGA of Taraba State	Attacks on farming communities by armed-Fulani herdsmen, killing more than 100 persons & over 5000 displaced. Homes & farms destroyed.
6	24/05/2015	Ukura, Gafe, Per & Tse-Gusa in Logo LGA of Benue State	Attacks on these communities by armed-Fulani herdsmen killing 100 persons & displacing many.
7	10/04/2016	Dori & Mesuma Villages in Garbabi Ward Gashaka LGA of Taraba State	Attacks on the communities by armed-Fulani herdsmen, killing 40 persons, injuring many & burning of houses.
8	25/04/2016	Nimbo, Enugu State	Attack on the community by armed-Fulani herdsmen, killing 40 persons, destruction of homes & farms.
9	04/12/2017	Numan & Demsa LGAs of Adamawa State	Attacks on farming communities in the two LGAs, killing over 80 persons, many injured, burning of houses and food items. Many displaced.
10	31/12/2017 to 02/01/2018	Benue Communities of Gaambe Tiev, Ayilamo, & Turan in Logo LGA; Umenger, Tse-Akor & Tomatar in Guma LGA	Attacks on these communities by armed-Fulani herdsmen, killing over 50 persons, several others injured & displaced. Property (houses) & farm land destroyed.
11	06-15/01/2018	7 Communities in Lau LGA of Taraba State	Attacks on farming communities in Lau LGA of Taraba State by armed-Fulani herdsmen, killing over 80 persons, destruction of homes & farms; displacement of high number of persons.

Source: (Agbu, Musa and Zhema 2020, p.70)



Source: Authors' computation

Fig 1: A pie chart illustration of some attacks of the herdsmen in Nigeria, 2013-2020

The chart above is a further empirical illustration of incidences of some herdsmen attacks as seen in table one above.

Kidnapping

Currently in Nigeria, there is a selective shift in the pattern of crime, especially theft or stealing in the country. The sense in the shift is such that while possibly some criminals now discover a more lucrative path, there is a sharp decline in the crime rate of burglary; while concentration is kidnapping of people on the streets, at their homes, work

places and on the roads, by the frustrated and jobless Nigerian youth, Fulani herdsmen and other crime atavists. With the aid of the globalized electronic systems in communication, businesses and banking, victim are at first compelled to check, and transfer all they have in their bank accounts to that of the criminals, and then call their friends and family members to pay ransoms in millions as a life or death condition. Ezeibe and Onyema (2014) ^[11] in the following table show cases of kidnapping in Nigeria, to mention but a few.

Table 2: Excerpt of empirical cases of kidnapping in Nigeria

S/N	Date	Place and State	Victim
1	Jan.27,2007	Nsugbe, Anambra State	Ego Cordelia Uz uezie, the then Anambra State Commissioner for Women Affairs alongside her son Kenechukwu on her way from Nwafor Orizu College of Education Awka where she had been a lecturer. The kidnappers demanded N50 Million ransom
2	Jan.27,2007	Nnewi, Anambra State	Pius Ogbuawa, a businessman from Nnewi, Anambra State was kidnapped and N20 million was demanded as ransom
3	Apr.26,2007	Njikoka LGA, Anambra State	Patrick Mbamalu Okeke, a 73 year old traditional ruler of Abagana was kidnapped.
4	Apr. 30,	Ubima, River	Cecilia Omehai, 70-year old mother of Celestine Omehai- the ex-governor of Rivers State was

	2007	State	kidnapped
5	May 1, 2007	Port Harcourt, River State	Six expatriate staff of Schlumberger in Rivers State, kidnapped
6	May 19, 2007	Port Harcourt, River State	Two Indians based in Port Harcourt were kidnapped
7	June 2, 2007	Port Harcourt, River State	Four expatriate staff of Schlumbeger in Rivers State, were kidnapped
8	June 26, 2007	Port Harcourt, River State	Michael Stewart, son of female member of River State House of Assembly was kidnapped
9	July 5, 2007	Port Harcourt, River State	Margret Hill, three-year-old British girl in Rivers State was Kidnapped
10	July, 2007	Iriebe, River State	Samuel Amadi, son of Chief Francis Amadi, an Iriebe community leader in Rivers State was kidnapped.
11	August 25, 2007	Yenegoa, Bayelsa State	Hansel Seiborugu, 70-year old mother of Werinipre Seibaragu, ex-speaker of Bayelsa State House of Assembly was kidnapped.
12	Sep. 8, 2007	Ese-Odo, Ondo State	About 11 members of PDP in Ese-Odo, Ondo State were kidnapped.
13	Sep. 2007	Port Harcourt, River State	David Ward, a Briton and worker with Hydro-Drive Limited of River State was kidnapped.
14	Oct. 9, 2007	Yenegoa, Bayelsa State	Jiffy Kolomonibo, 82, blind and father of Ebioudu Kolomonibo a member of Bayelsa State House of Assembly was kidnapped
15	Oct. 29, 2007	Calaba, Cross River State	Joseph Edem, ten-year old boy at his school in Calabar, Cross River State was kidnapped.
16	Jan. 8, 2008	Port Harcourt, River State	15-year old son of Ogochukwu Onyiri, secretary, PDP Rivers State chapter was kidnapped.
17	Feb. 7, 2008	Port Harcourt, River State	Seinye Briggs, wife of Lulu Briggs the Executive Vice-Achirman, Moni Pulo was kidnapped.
18	Mar. 23, 2008	Okirika, River State	Stevenson Odemwingiek, Luky Martins and two staff of Mamatan Oil Company, Okirika, Rivers State were kidnapped.
19	Mar. 29, 2008	Awoye, Ondo State	Five staff of Express Oil, Awoye Ondo State were kidnapped
20	Apr. 2008	Umuahia, Abia State	Sarah Nwachukwu, a 75-year old woman from Umuahia, Abia State, was kidnapped
21	Apr. 2008	Port Harcourt, River State	Patricia Asoita, wife of a member of House of Representative from Rivers State and Chidi Nzerim, 11, a student of Brookstone International School, Ikwere, in Rivers State were kidnapped at different locations.
22	Apr. 20, 2008	Oweri, Imo State	Ngozi Nneji, wife of Frank Nneji, ABC transport boss in Imo State was kidnapped.
23	Apr. 26, 2008	Abagana, Anambra State	Patrick Mbamalu Okeke, 73-year old traditional ruler Abagana Njikoka LGA, Anambra State, kidnapped.
24	May, 2008	Abagana, Anambra State	Patrick Mbamalu Okeke, 73-year old traditional ruler Abagana Njikoka LGA, Anambra State, kidnapped again
25	May, 2008	Oweri, Imo State	Celestine Ngobiwu, member of Imo State House of Assembly, representing Obowo constituency in Imo State was kidnapped
26	May, 2008	Oweri, Imo State	Simon Iwunze, a member of Imo State House of Assembly, representing Mbano constituency in Imo State was kidnapped.
27	June 14, 2008	Yenegoa, Bayelsa State	Two Germans and four Nigerians at Dodo Creeks, were kidnapped.
28	June 8, 2008	Benin, Edo State	Bob Izua, Managing Director of Bob Izua, Benin City, in Edo State was kidnapped. He was released after N5 million naira ransom was paid.
29	June, 19, 2008	Oweri, Imo State	Ginikachi Udeagu, daughter of Ebere Udeagu, former Deputy Governor of Imo state was kidnapped.
30	July 21, 2008	Asaba, Delta State	Arthur Okowa, 75, father of Ifanyi Okowa, the then secretary to the Delta State government was kidnapped.
31	Aug. 1, 2008	Rumolumeri, River State	Ndubueze, a traditional ruler of Rumolumeri, River State was kidnapped.
32	Aug. 2, 2008	Uli, Anambra State	Two-year-old son of the bursar of the Anambra State University of Science and Technology was kidnapped.
33	Aug. 13, 2008	Abeokuta, Ogun State	Wife of Wole Adekoya, the permanent secretary in the Ministry of Water Resources in Ogun State was kidnapped.
34	Aug. 15, 2008	Port Harcourt, River State	Barineme Fackae, a professor and Vice Chancellor of River State University of Science and Technology was kidnapped.
36	Sep. 9, 2008	Warri, Delta State	Two expatriates, a Briton and an Irish National working with Pan Oceanic Oil Corporation in Warri, Delta State were kidnapped.
37	Nov. 15, 2008	Awka, Anambra State	Joseph Dimobi, a member of the Anambra State House of Assembly representing Aniocha 2 constituency was kidnapped.

38	Nov.21, 2008	Amaise, Abia State	Eze Eberechi Dick, Traditional Ruler of Mgboko Agwa Amaise Autonomous Community I Abia State, kidnapped.
39	Jan.6,2009	Uyo, Akwa Ibom State	Effion Nelson, former Akwa Ibom State House of Assembly, Uyo, Kidnapped.
40	Feb. 1, 2009	Port Harcourt, River State	Abule Adiele, former Attorney-General of River State, kidnapped.
41	Aug.16, 2009	Onitsha, Anambra State	Pete Edochie, a movie star was kidnapped in Onitsha, Anambra State.
42	Aug.20,2009	Nsukka, Enugu State	Grace Mamah, wife of James Mama, a multi millionaire transport mogul, kidnapped at Natonal College of Education, Nsukka, Enugu State.
43	Aug.23,2009	Enugu, Enugu State	Nkem Owo, popular Actor and Comedian, popularly known as Osuofia, was kidnapped along Enugu Port Harcourt expressway.
44	Aug.23,2009	Onitsha, Anambra State	Godwin Okere, Chairman, GOU Motors, kidnapped at the All Saints Anglican Church, Onitsha, Anambra State.
45	Sep.2009	Kaduna, Kaduna State	Waje Yayok, the Secretary the Secretary to the Kaduna State Government, kidnapped from his residence in Kaduna.
46	Oct.28,2009	Isofia, Anambra State	Simon Soludo, 78, father of Chukwuma Soludo, the then Governor of the CBN was kidnapped.
47	Jan, 2010	Orodo, Imo State	Nze Samuel Ohiri, Tradition Ruler of Orodo in Mbaitolu LGA of Imo State and cousin- Joseph Ohiri were murderd by kidnappers.
48	Mar. 2, 2010	Oweri, Imo State	Justice ABC Egu, President of Customary Court, Ugoeze Pauline Njemanze, the Ozuruigbo of Oweri, Professor Sam. Omenyi, Deputy Vice Chancellor (Academics), Nnamdi Azikwe University, Awka, Professor Egwuatu, Director of Academics, the Dean of Studies of same Univeristy, and three journalists working for a South African-based sports television outfit, were kidnapped along the Sam Mbakwe Airport Road Oweri, Imo State.
49	Mar.15,2010	Ubirilelem Imo State.	Stella Odimegwu, wife of Chief Festus Odimegwu, the Chief Executive Officer of, Nigerian Breweries, kidnapped in Assah Ubirilelem LG in Imo State.
50	May 21, 2010	Osina, Imo State	Polycarp Ndubueze, Medical Director, Chika Medical Centre, Osina Ideato South LGA, Imo State, kidnapped.
51	May 26, 2010	Benin, Edo State	Osaro Osifo, a Dentist at The Central Hospital, Benin City, Edo State, kidnapped.
52	July 13, 2010	Umubulu, Rivers State	Sunday Njoku, the Traditional Ruler of Umebulu Community in Rivers State was kidnapped in a church.
53	July 11,2010	Obingwa LG, Abia State	Whab Oba, Chairman, Nigerian Union of Journalists, and three of the members of the union and their driver were kidnapped at Obingwa LGA of Abia State.
54	June 21, 2010	Eket,Akwa Ibom State	Utieabasi Ikwoiwak, daughter to Anedi Ikwoiwk Rivers State Independent National Electoral Commission was kidnapped.
55	June 29, 2010	Enugu State	Professor Ben Mba, Provost, Ehamufu College of Education was kidnapped in school premises in Isiuzo LGA, Enugu State.

Source: (Ezeibe and Onyema, 2014, p. 31) ^[11].

One of the functions and expectations of social contract and the state is to guarantee Fundamental Human Rights to citizens. Hence, there are essential factors that reasonable governments must guarantee as the bases of human capital and material developments. For a sample study, the paper focused on Right to Life which is the first and most important of all rights. In a case study of this right and vis-à-vis the Nigerian state, the study therefore found as follows:

- The Nigerian state in its social contract with Nigerians since 1999, has not effectively observed its submissions to Nigerians in the contract. This is evident in the rising cases of insecurity in the country.
- Social right, economic right and political right are inextricably intertwined. An abuse of social right of which Right to Life is one, results in the abuse of the both economic and political rights which can be summarized as material rights of man. These rights have been abused in Nigeria.
- Right to life in Nigeria, has not received adequate protection by the Nigerian state. This is manifest in the illegal cases of killing in Nigeria, as the tables and charts above show.
- There is a high rate of security failure in Nigeria. This is traceable to the inability of the state to successfully

manage and integrate the various ethnic and religious diversities in the country. Hence, each of these groups from their militias to enforce opposition to the state and various policies.

- That the Nigerian state is losing in struggle for the monopoly of the use of the instruments of force and coercion. This has resulted in numerous groups of non-state and illegal arm possessor in the country. The consequence of this is direct war between the state and non-state armed group. This further bears on innocent citizens who are killed daily by the non-state armed groups in Nigeria.

Conclusion and Recommendation

The study made an in-depth examination of the social contract theories and human rights in Nigeria. While the study does not claim a holistic assessment of all the items of human rights and how they have been observed by the state at various times in the country, we made a case study of the first in the items of human rights which is Right to Life. The study therefore looked into the theories of social contract and how the Nigerian state has so far guaranteed the Fundamental Human Rights in Nigeria with focus on the Right to Life. Hence, relevant literatures were reviewed to

see the character of the Nigerian state vis-à-vis the maintenance of Right to Life. This showed the weakness of the Nigerian state in the face of rising security challenges in Nigeria. This weakness results in the various cases of threat to life in the forms of kidnapping for ransom and killings in the country. From the various reviews made, we gathered data and analyzed the data in chart and tables. The paper, among other findings, revealed that the three forms of human rights: Social Right, Economic Right, and Political Rights have been flagrantly abused in Nigeria. Also, the paper showed that there is multiplicity of illegal non-state armed possessors in the country which results in the struggle of the state for the monopoly of the use of the instruments of force. This struggle has transformed Nigeria into the Hobbesian description of the society in a state of nature where life is poor, nasty, brutish and short.

Recommendations

Arising from the above findings, the study therefore recommends that:

- The Nigerian state should review of the state of security in Nigeria since 1999 and give concentration to tackling the issues of insecurity in subsequent contracts with Nigerians. This executive arm of government in Nigerian should therefore increase effort in the duty of implementing security laws in the country.
- Adequate mechanisms should be put in place to ensure adequate protection of the economic, social and political rights of man in Nigeria. Hence, the legal institution, should be strengthened to guarantee justice in cases of the abuse of these forms of human rights.
- The various ethnic and religious diversities in the country should agree on the way forward in tackling rising cases of insecurity in the country. This will result in a consensus on how the reform of the polity for equitable benefit of the gains of governance in the country. For this, the 2014 national conference resolutions should be implemented.
- Finally, as the cases of illegal possession of arms continue to arise, the state should adopt flexible mechanism in its approach to the masses to surrender arms in their possession. For this, the strategy of former President late Umaru Muse Yaradua in handling the dreaded cases of insecurity in the Niger Delta, should be reviewed, improved and adopted.

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