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Welcome Notes from the Editor-In-Chief

My Dear Colleagues and Friends:

I am very delighted to bring you this edition of KIU Journal of Social Sciences. Many African countries are facing tremendous economic pressures as globalization continues to be an important factor to contend with in the modern world. The integration of the economic, environmental and socio-cultural systems of the countries of the world is a reality that must be taken seriously. African countries are scrambling to partner with each other and with other countries around the world in order to achieve significant economic development.

In this issue, the authors of the articles focus on a number of concerns germane to economic development. Some of these include health psychology, social psychology, entrepreneurship studies, governance, development, creative writing, legal studies and educational administration. Human behaviour plays a significant role in most of the leading causes of death. Psychological science has the potential to enhance health outcomes through a better understanding of health promoting and health damaging behaviours. This is why some of the papers dwell on health and social psychology.

It must also be mentioned that in the search for an economic development agenda/program that empowers people, entrepreneurial education is very important in order to achieve a sustainable development. Against this backdrop, some of the papers in this issue amplify that central tenet. Economic transformation is enhanced by investment in technology and industrialization. Many African countries are investing in infrastructures that connect the rural and urban areas and they are diversifying their economic bases. The countries that depend on one resource such as raw material or commodity for their foreign exchange are experiencing a great deal of set-back in their development attempts. Oil rich nations around the world are experiencing economic problems and African countries can learn something from the case of Venezuela in South America. Countries such as Nigeria, Gabon and the Congo should embank on macro-economic reforms for financial sustainability. Solid planning which embraces the findings of comparative and entrepreneurial analysis must become part and parcel of sustainable development across Africa. Sustainable development is impossible without investment in capacity building of citizens. Having a workforce grounded in the understanding of critical thinking and with skills and competencies necessary in the management of companies and businesses is very significant in sustainable development.

A few papers in this issue highlight ideas which focus on Africa's "Achilles Heel" and that is the question of leadership. African Countries are inundated with a lot of corrupt leaders and if sustainable development is to be achieved, committed leadership is an imperative.

On behalf of the editorial board of the journal, I would like to thank our readership and most all the authors who have worked so hard with us to get the articles to the academic and scholarly communities across the globe.

We look forward to your continued support.

Sincerely,

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Part One
Health Psychology

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A Comparative Study of the Physiological Variables Associated with Cardiovascular Disease Risk Factors Among Retirees in Ile-Ife, Nigeria

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Abstract. The study determined cardiovascular disease (CVD) risk factors, assessed Physiological variables and established the relationship between physiological variables and cardiovascular disease risk scores among retirees. Two hundred and three (203) apparently healthy adults, aged between 54 and 89 years with a mean age of 63.99 ± 6.70 years participated in the study. One hundred and four (104) retirees and ninety nine (99) age-matched self-employed adults were recruited. The subjects were selected from the Association of Pensioners of ObafemiAwolowo University (OAU) and OAU Teaching Hospitals Complex, Ile- Ife using purposive sampling technique. The control subjects were non-retirees but age-matched adults they were recruited from different shops, workshops and market places within Ile-Ife. Weight, height, waist circumference, systolic blood pressure (SBP) and diastolic blood pressure (SBP) were measured using standard equipment and procedures. The subjects CVD risk scores were measured based on the information from the questionnaire given to them, they were classified into high, medium and low risk based on the scores calculated from the questionnaire. Both descriptive and inferential statistics were used to analyze the data.The study concluded that the physiological variables; systolic and diastolic blood pressure had significant relationship with the CVD risk scores, that an increase in the value of physiological variables leads to an increase in CVD risk scores, The retirees had significantly higher CVD risk scores than the controls.

Keywords: cardiovascular disease, physiological variables, retirees

1. Introduction

Cardiovascular diseases are caused by disorder of the heart and blood vessels, and include coronary heart disease (heart attacks), cerebrovascular accidents (stroke), high blood pressure [hypertension], peripheral artery disease, rheumatic heart disease, congenital heart disease and heart failure. The main causes of cardiovascular disease are tobacco use, physical in-activity and an unhealthy diet. According to World Health Organization, (WHO, (2008), cardiovascular disease (CVD) is the major health problem in the industrialized world and is the most popular cause of death in these developed nations ((Kristiansen, 2006; Petersons, 1999). In sub-Sahara Africa (SSA), CVD is not yet a major killer but the trend is changing, particularly in urban areas (Mensah, 2003; Rutledge 2003).

Cardiovascular Disease risk factors are usually traits and lifestyle practices that increase a person's chances of having coronary artery and vascular disease. Some risk factors cannot be changed or controlled (non-modifiable), while other risk factors are controllable (modifiable) such as high blood pressure, obesity, cigarette smoking, alcohol, high blood cholesterol, sedentary life style or lack of regular exercise, diabetes mellitus and wrong diet. The uncontrollable ones are age, gender and heredity. The most important risk factors are high blood pressure; high blood cholesterol and cigarette smoking (Cardiovascular Rehabilitation Program (CRP), 2008). Other factors that may increase risk for cardiovascular disease are diabetes, obesity or overweight being inactive and having an unhealthy reaction to stress (CPR, 2008).

According to Torpy (2003), a risk factor is something that makes one more likely to have a disease, illness, or medical problem. Some risk factors are modifiable (can be made better) other risk factors, such as age and genetics (family history) are non-modifiable (cannot be changed).

Retirement is the point where a person stops work completely (or decides to leave the labor force) after attaining certain age (60 years above)(Ogunbameru&Bamiwuye,2004). A person may also semi-retire by reducing work hours or keep some sort of retirement job out of choice rather than necessity. Many people choose to retire when they are eligible for private or public pension benefits, although some are forced to retire when physical conditions do not allow the person to work anymore (by illness or accident). Previously life expectancy was low and the absence of pension arrangements meant that most workers continued to work until death (Raphael, 2011). Nowadays most developed countries have systems to provide pensions retirement in old age, which may be sponsored by employers and/or the state. In many poorer countries, support for the old is mostly provided through family. Today retirement with a pension is considered a right of the worker in many societies, and hard ideological, social, cultural and political battles have been fought over whether this is a right or not. In many western countries, this right is mentioned in national constitutions (BBC News, 2010;Bucci, 1992).Ogunbameru et al (2004) view retirement as a passage that can result in psychological, physiological and economic problems.

Retirees in Nigeria are known to be less catered for by the employers in terms of payment of benefits after retirement. It is generally observed that they are usually made to pass through intense verification exercises, which are stressful to elderly persons. It is not known which factors place the retiree to high CVD risk among the retirees in Ile- Ife Nigeria.

2. Statement of the Research Problem

The researcher observed a constant increase in the incidence of CVD conditions among retirees unlike their age-matched adults and he desire to know what factor is responsible. It is also documented that the incidence of CVD in Sub-Sahara Africa is going higher daily (Yusuf et al 2001), it is a fact that retirees in Nigeria are faced with many thought-provoking and emotional disturbances, which can be due to delay or denial of their retirement benefits after an active service and accentuated by age. Sonja, Jan and Seven-Erik, (2000) stated that retirees have a disadvantage risk profile for cardiovascular disease among elderly migrants in Sweden. Adedoyin et al (2006) assessed cardiovascular risk among the people of a Nigeria University community and that study was focused on the staff and students of the University community and found that staff of the university was at higher risk of CVD than the students, hence the need to assess CVD risk among the retirees in the same community. The incidence of cardiovascular disease (CVD) among retirees in Ile-Ife is rising (Adedoyin et al 2005). Murray and Lopez (1997) stated in their study that while the incidence of CVD is decreasing in many high income populations, its incidence in low income populations is growing.

Furthermore studies have shown that sedentary life-style has harmful effect on the cardiovascular system (Warren, Barry, Hooker, Sui, Church, & Blair, 2010). It is not known

what effect sedentary life-style coupled with the stress of mandatory retirement verification exercises has on the retiree's population. Also physiological variables may also have relationship with the risk for CVD. Studies on the risk of CVD among retirees may provide outcome that could be useful to combat CVD among this particular group. This served as impetus for this study. This study was therefore designed to establish the relationship between physiological variables and the risk of CVD among the retirees in Ile- Ife.

3. Hypotheses

(i) There will be no significant difference in the risk factor score of the retirees and control subjects.
(ii) There will be no significant relationship between physiological variables and the cardiovascular parameters of retirees.
(iii) There will be no significant difference in the risk factor score between male and female retirees.
(iv) There will be no significant relationship between cardiovascular risk score and age of retirees.

4. Materials and Methods

This study was conducted among retirees of Obafemi Awolowo University [OAU] Ile-Ife and Obafemi Awolowo University Teaching Hospitals Complex [OAUTHC] Ile-Ife. One hundred and four (104) retirees participated in this study. The sample consisted of 53 males and 51 females whose ages ranged from 55 to 89 years. They are retirees resident in Ile-Ife. The control group consisted of ninety-nine (99) age matched individuals that is either self-employed or still in active service. They were recruited from different shops, workshops, business centers and trading places within Ile-Ife.

5. Site of the Study

The study was conducted at the ObafemiAwolowo University Teaching Hospital Complex and ObafemiAwolowo University campus Ile-Ife. All measurements were taken within the premises of Pensioner Association Secretariat, OAU chapter at Lagere and OAUTHC, Ile-Ife.

6. Procedure

Ethical clearance for the study was sought and obtained from the Ethical and Research Committee of ObafemiAwolowo University Teaching Hospitals Complex, Ile Ife.

All measurements were taken within the premises of Pensioner Association Secretariat of O.A.U retirees at Lagere Ile-Ife and OAUTHC Ile-Ife. Collection of data was obtained through various visits to the retirees meeting places. Visits were made between the hours of 10am – 12 noon. 53 male and 51 female retirees participated in the study. The control participants were recruited using purposive sampling technique within Ile-Ife town. They were recruited from various business centers in Ile-Ife.
Each of the participant's consent was sought and obtained before taking the measurement. Questionnaire was administered to the participants. Blood pressure was measured using the electronic blood monitor kit (Omron; Omron Healthcare, inc, 300 Lake view Parkway, Vernon Hills, IL 60061, USA) (Plate 2). Measurements were taken using standard procedure. In a pilot study, there was good agreement between the readings of the automatic device and the measurement obtained from the conventional mercury sphygmomanometer.($r = 0.99$)

Height was measured using a validated standiometer. Weight was measured with a weighing scale in kilograms. Waist circumference was measured using tape measure; the level of navel was used as the reference point. Age, sex, medical history (history of diabetes), physical activities and lack of leisure time were also recorded.
Data collected were analyzed using appropriate statistical analysis such as descriptive (range, mean, median mode and standard deviation), Also inferential statistics were used which are Student t-test to compare the Physiological variables and CVD risk scores obtained from the

retirees and control participants. Spearman's correlation coefficient was used to find the relationship betweenthe Physiological variables and CVD risk scores. The Statistical Package for the Social Sciences (SPSS) statistical software (version 16) was utilized for data analysis on a Microsoft windows Delllaptop. Significance was set at 0.05 confidence level.

7. Results

7.1 Description of the Physical characteristics of the participants

The participants were between the ages of 54 and 89 years. The mean age of the experimental group (retirees) was 63.06(±6.1) years while that of the control group was 63.8(±5.9) years. The number consisted of 53 male retirees, 49 female retirees and control group consisted of 51 males and 48 female adults total number of participants were 203. The result of independent t- test shows that there was no significance difference between the experimental group age and the control (t- cal=-0.94;pvalue= 0.07)

The height of the subjects ranged from 1.30 to 1.87 meters. The mean height was 1.65(±0.075) meters. The mean height for male and female experimental group (retirees) are 1.70(±0.09) meters and 1.65(±0.08) metersthe mean height was 1.65(±0.08) while that of control male and female are 1.67(±0.06)meters, 1.62(±0.07)meters respectively. Their weight ranged from 48 kilogram to 120 kilogram (kg) and the mean weight was 73.90(±10.55). The mean weight for male and female retirees was found to be 70.55(±10.95) kg and 78.37(±8.77) kg and the control male and female were 74.25 (±9.75) kg and 72.77 ±(11.43) kg respectively. Their body mass index (BMI) ranged from 15.6 to 43.5 kilogram/meter^2 (kg/m^2) and the mean was 26.82(±4.2)(kg/m^2). The average BMI for male and female experimental group(retirees) were 24.35(±4.26) and 28.86(±3.50) respectively while that of control male and female were 26.66(±3.77), 27.54(±4.20).The waist circumference (Wst.cir) of the subject ranges from 57.0 to 117.0 centimeters also the mean waist circumference is 89.45(±12.4). The experimental group male and female waist circumference was found to be 90.52(±12.31) and 95.58(±13.58), while that of the control male and female to be 86.79(±11.97) and 84.97(±11.40) respectively.

TABLE 1

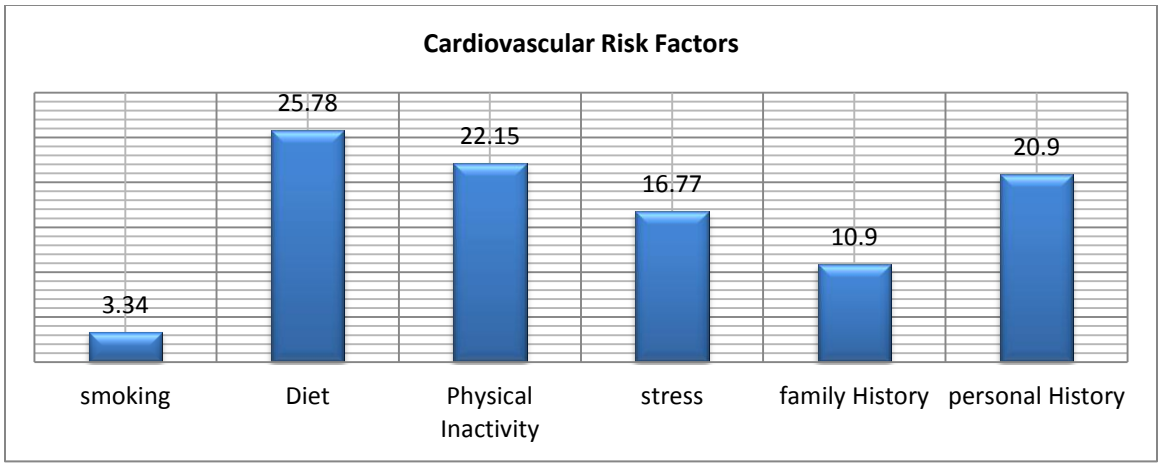
Mean Score and Percentage of Cardiovascular Risk Factors

Variable	Low	High	TRscore	Average Rscore	Percentage
Smoking	3	6	59	3.68	3.34%
Diet	2	8	455	4.6	25.78%
Exercise	2	4	391	3.10	22.15%
Stress	2	4	296	2.9	16.77%
Family Hx	6	12	194	10.2	10.9%
Personal Hx	10	20	370	14.8	20.9%

Hx= History High= High risk
TR score= Total risk score. Low = Low risk

Factors Associated With Cvd Risk

Table 1 Shows that diet had the highest total risk scores (TRS) 455(25%) followed by lack of regular exercise TRS=391(22.15%), personal history of CVD TRS=370(20.9%), stress TRS=296(16.77%), family history of CVD TRS=194(10.2%) and smoking TRS=59(3.34%).



COMPARISON OF PHYSIOLOGICAL VARIABLES AND CVD RISK SCORES OF ALL SUBJECTS (EXPERIMENTAL AND CONTROL GROUPS)

Table 2

Variables	Experimental grp. Mean (SD)	Controlgrp. Mean(SD)	t- cal	p value
SBP(mmHg)	142.79±16.69	130.15±14.49	5.74	0.001**
DBP(mmHg)	88.99±11.53	78.97±11.60	6.16	0.001**
CVRscores	22.31± 3.21	10.09± 7.76	1.49	0.010**

SBP= Systolic blood pressure; DBP=Diastolic blood pressure; CVRisk=Cardiovascular Risk
mmHg= millimeter mercury.** **Significant at P≤0.05**

Table 2, shows the result of t-test comparison among retirees and control group. , SBP, DBP, CVrisk differed significantly between the retirees and control group with the retirees having higher values in SBP,DBP, and CVD risk scores. (SBP t=5.12;p=0.001), (DBP t=5.74;p=0.001), (CVDrisk t=7.54;p= 0.001).

TABLE 3.

RELATIONSHIP BETWEEN CARDIOVASCULAR VARIABLES AND CARDIOVASCULAR RISK SCORE OF ALL THE SUBJECTS

Variables	Correlation	P-value
For Experimental group		
SBP (mmHg	0.558	0.001
DBP (mmHg)	0.510	0.001
For Controlgroup		
SBP (mmHg)	0.448	0.02
DBP (mmHg)	0.395	0.003

*Correlation is significant at P≤0.05 level.
Correlation is significant at P≤0.01 level.**
SBP-systolic blood pressure; DBP- diastolic blood pressure

The result of correlation table 3 shows a significant relationship between diastolic blood pressure and CVD risk scores of retirees. ($p=0.001$); also with systolic blood pressure ($p=0.001$) among the retirees .Among the non-retirees there was a significant relationship between SBP, DBP and CVD risk score ($p=0.02$ & $p=0.003$) respectively. The analysis revealed significant differences among the participants in the four groups ($p<0.05$) compared.

8. Discussion

The main objective of this study was to explore the relationship between Physiological variables and CVD risk among retirees in Ile-Ife. The result reported a significant relationship between the various physiological variables and CVD risk score. A significant increase in physiological variables (systolic and diastolic blood pressure) resulted in an increase of CVD risk scores generally among retirees and their age match control which is in line with the findings of Adrian et al, (2010) who reported that people with occasionally high blood pressure are more at risk of stroke which is a cardiovascular disease.

There was a significant difference in the CVD risk scores between retirees and control (non-retirees) subjects; the retirees were found to have higher CVD risk scores. This was probably due to the reduction in the activities of most retirees after disengaging from active public service unlike the controls that were the same age but were more active in their personal businesses. It agrees with the findings of Sonja et al (2000). In their study, it was discovered that retirees have a disadvantage risk profile for cardiovascular diseases.

This study revealed that there was significant difference in systolic and diastolic blood pressure (SBP and DBP) of male and female retirees. The female retirees having higher mean values than the male retirees. This disagrees with the findings of Craig (2007), that women developed high blood pressure less frequently than men. Also in Daniel (2006) study, it was stated that men normally have slightly higher BP than women. Meanwhile, the control male SBP and DBP were significantly higher than those of their female counterparts in agreement with the study of Craig (2007) and Daniel (2006). This may be interested to mean that retirement reduces the female physical activity, while male may continue.

Result of this study also showed a significant difference between the Physiological variables (systolic and diastolic blood pressure) of retirees and non-retirees. This was likely due to more active lifestyle of non-retirees compared to the retirees who are the same age but were less active. The retirees had higher systolic and diastolic blood pressure (physiological variables) . This agrees with the study of Ekerdt et al (1984) that there is a relative significant difference in the blood pressure of retirees compared with their age-matched peers who remained employed at both measurement times.

Furthermore, in this study, the result showed significant relationships between the systolic, diastolic blood pressure and CVD risk scores of all the participants, a relative increase in blood pressure led to an increase in CVD risk factors score. Adrian et al, (2010) reported that people with occasionally high blood pressure are more at risk of stroke.

The result of the study shows that few of the retirees were in the high-risk category (14.6 %) while many were in medium risk (41.3%) and low risk (44.1%). The percentage of high-risk category found in this study was higher than the one reported among the workers in similar environment (Adedoyin et al, 2006). Generally, large numbers of non-retirees (87.9%) are at low risk while some (11.1%) are at medium risk category. Only 1% is in the high risk. The reason for the reduced high risk may be that they were more active with physical activity.

The most common cardiovascular risk factor was poor diet (25.78%). This study revealed that many participants had CVD risk due to wrong diet and bad cholesterol in their diet followed by lack of regular exercise (22.15%).Exercise being one of the major ways to burn excess fat and bad

cholesterol was lacking this could explain why 58% of theretireeswere in high and medium risk category unlike their age-match non-retirees counterpart.

9. Conclusion

This study concluded that there was a significant relationship between physiological variables (Systolic and diastolic Blood Pressure) and cardiovascular risk scores which was showed in the study that an increase in the value physiological variables leads to an increase in CVD risk scores, so physiological variables such as systolic and diastolic blood pressure can be used to predict if someone is at risk of having CVD.

1. Study Implication

The implication of this study is that retirees tend to be less physically active and tends towards sedentary lifestyle, a major factor for hypothetic disorders. There is the need for retirement physical literacy (education) in order to prevent development of cardiovascular risk factors leading to diseased / aging.

2. Recommendations

(i) Physiological variables (systolic and diastolic blood pressure) should be used to evaluate cardiovascular disease.
(ii) Retirees should be encouraged to be checking their blood pressure regularly.
(iii) Retirees and elderly Nigerians should be educated on the right diet to take.
(iv) More studies that will cover large number of participants are recommended.
(v) Other factors that contribute to the risk of having CVD should be explored by interested researcher.

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Prevalence of Five-Child-Killer Diseases and Under-Five Mortality in Adamawa State, Nigeria

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Abstract. This study investigates the prevalence of the five-child killer diseases and its cause effect on under-five mortality. It uses an entirely quantitative approach with secondary data between 2001 and 2015 obtained from the data bank of Adamawa State Primary Health Care Development Agency (PHCDA). Data was collected regarding the number of children immunized and number of children that were infected but later died due to Pneumonia, Diarrhoea, Measles, Tetanus, Polio and the overall under-five mortality irrespective of diseases within that time frame. The study measures prevalence rate per a thousand live birth and uses Newey-West regression tool for analysing and developing a model. The results indicate that the prevalence rates have generally been decreasing with Pneumonia recording the highest prevalence and Tetanus recording the lowest prevalence. Polio was excluded from the analysis because it did not register any incidences or deaths. The regression model shows that there is a strong positive and significant relationship between Pneumonia and under-five mortality. The model also shows a weak positive and non-significant relationship between diarrhoea and under-five mortality. Furthermore, there was a strong positive but non-significant relationship between measles and under-five mortality and a negative non-significant relationship between tetanus and under-five mortality. The child killer diseases explained 60.92 percent cause effect on overall under-five mortality and the model is statistically significant. The study recommends that government needs to implement the Global Action Plan for Pneumonia and Diarrhoea (GAPPD) as campaigned by WHO and UNICEF, adequate nutrition should be given to these children and children infected with HIV/AIDs should be given daily vaccines to reduce the risk of contracting these five-child-killer-diseases.

Keywords: Five-child killer diseases, prevalence, nutrition, mortality and under-five children.

1. Introduction

The term mortality comes from the Latin word mortalitas. Mortality rate is a parameter in epidemiology for characterizing the deaths within a given population. Under-five mortality rate is the number of deaths in children 0-5 years of age per time, usually expressed per 1,000 or 100,000 persons per year (Norman, Spilsbury & Semmens, 2011). The five child-killer diseases used in this study are pneumonia, measles, diarrhoea, polio, and tetanus. These are grouped classification of the five diseases that are frequently responsible for the death of under-five children in Yola Adamawa State, Nigeria.

Globally, under-five mortality have dropped from 12.7 million per year in 1990 to 5.9 million in 2015; this being the first year the figure has gone below the 6 million mark; according to the 9th September, 2015 World Health Organization (WHO) report. New estimates in "Levels and trends in child mortality report 2015," released by United Nations Children's Fund (UNICEF), WHO, the World Bank Group, and the Population Division of United Nations Department of Economics and Social Affairs (UNDESA), indicates that although the global progress has been substantial, 16 000 children under-five still die every day. The 53% drop in under-five mortality however is not enough to meet the Millennium Development Goal (MDG) of a two-thirds reduction between 1990 and 2015 (Adebayo, Fahrmeir & Klasen, 2004).

The risk of a child dying before completing five years of age is still highest in the WHO African Region (81 per 1000 live births), about 7 times higher than that in the WHO European Region (11 per 1000 live births). Many countries still have very high under-five mortality – particularly those in WHO African Region, with an under-five mortality rate above 100 deaths per 1000 live births. In addition, inequities in under-five mortality between high-income and low-income countries remain large. The under-five mortality rate in low-income countries was 76 deaths per 1000 live births – about 11 times the average rate in high-income countries (7 deaths per 1000 live births). Reducing these inequities across countries and saving more children's lives by ending preventable child deaths are important priorities (Adetunji, 1995).

Nigeria, in the past few years has experienced some worsening of under-five mortality. The under-five mortality rate was evaluated at 100 per 1000 in 2003 and at 87 per 1000 in 1990. This can be in part explained by the persisting low numbers of births occurring in health centres and the low number of births attended by trained healthcare service providers. In 2003, two third of the births in Nigeria still occurred at home. In addition only slightly more than one-third of births are attended by doctors, nurses, or midwives (Mathews & Mac Dorman, 2011).

In Adamawa State, among other states in Nigeria, there are about 31 under-five die daily in 2003, and 147 die daily in 2008 (Okechukwu, Benedict & John, 2015). The prevalence of tetanus among children investigated in Adamawa State were found to be 4% in 2008, 8% in 2009 and 12% in 2013 (Jalal-Eddeen, 2014).

2. Objective of the study

The objective of this study is to determine the prevalence of the five child-killer diseases and its cause effect on under-five mortality and to establish a measure of controlling the mortality in the studying area.

3. Literature Review

Liu *et al.* (2012) updated total numbers of deaths in children aged 0–27 days and 1–59 months were applied to the corresponding country-specific distribution of deaths by cause. They applied the multinomial logistic regression model to vital registration data for low-mortality countries without adequate vital registration. The results of their study indicate that between 2000 and 2010, the global burden of deaths in children younger than 5 years decreased by 2 million, of which pneumonia, measles, and diarrhoea contributed the most to the overall reduction. However, only tetanus, measles, and pneumonia (in Africa) decreased at an annual rate sufficient to attain the Millennium Development Goal 4.

Scott *et al.* (2008) note that historically, pneumonia was the main cause of under-five mortality in developed countries, and in the United States in 1900, it is estimated that pneumonia killed 47 of every 1,000 children before the age of 5 years. In Nigeria, Esangbedo (2010) explained that pneumonia kills nearly 1.6 million children under five annually worldwide. An estimated 98 percent of children who die of pneumonia live in developing countries and according to 2008 estimates, about 177,000 children under the age of five died of pneumonia in Nigeria. This means that within an hour, 20 children across Nigeria will die from pneumonia. This number is the highest in Africa and second highest overall in the world.

Diarrhoea is second to pneumonia as a killer in children. Before the age of 5 years, practically every child in the African environment has had at least one episode of childhood diarrhoea with some having up to three episodes per year (Okoro & Itombra-Okoro, 1996). The introduction of oral rehydration therapy (ORT) in 1975 has significantly reduced the mortality from this disease condition. This mode of treatment is cheap, acceptable, affordable, safe, and can be applied in virtually any environment (Grant, 1993).

In Nigeria a study conducted by Onyiriuka (2011), revealed that measles accounted for 3.1% of all admissions in the Paediatric Department, with different age distribution. Although 22.1% had vaccination against measles, 77.9% were not vaccinated against the disease. It was further observed that a significant number of the cases occurred in the dry season as compared to the wet season

Fagbule & Orifunmishe (1988) investigated measles vaccination in two hundred and sixty-nine children who presented with measles between April 1983 and March 1986 at the University of Ilorin Teaching Hospital, Nigeria. Lack of vaccination, high vaccination failure rate, early age of contracting the disease, malnutrition, prevalent bacterial infections and a delay in seeking medical attention were the main factors identified as the probable causes of high morbidity and mortality in measles in Ilorin.

4. Methods and Materials

Ex post facto design with quantitative approach was used involving the use of secondary data on five-child-killer diseases and under-five mortality across the study area from 2001 to 2015 from Adamawa State Primary Health Care Development Agency (PHCDA), Yola.

Despite the fact that preliminary investigation from descriptive statistics showed that the data is not stationary, diagnostic tests were carried out to confirm the normality, multicollinearity, homoscedasticity and auto-correlation of data to see how fit is the data for analysis. A graphical tool for assessing normality was used to test for the normality in this study. The data were entirely heteroscedastic based on the Breusch-Pagan / Cook-Weisberg test for heteroscedasticity

The method used to determine the prevalence rate of the five-child- killer diseases in the study area is given by equation (1):

$$Prevalence\ rate = \frac{Number\ of\ all\ cases\ of\ disease\ at\ time\ t}{Number\ of\ persons\ at\ risk\ at\ time\ t} \times 1000 \quad (1)$$

In order to examine the cause effect of the five child-killer diseases on under-five mortality, a Newey-West regression model was established between the dependent variables, the Total Deaths Irrespective of Disease ie the under-five mortality and the remaining four-child killer diseases; Measles (Mea), Pneumonia (Pne), Diarrhoea (Dia), Tetanus (Tt) and immunization level. The coefficient of determination denoted by R^2 was used to examine the percentage of the variation in the dependent variable that is explained by the four independent variables and immunization level that are included in the model. The four independent variables, immunization level and the one dependent variable were joined together in a multiple regression model is given in equation (2);

$$TDIOD_t = \alpha + \beta_1 Iml_t + \beta_2 Mea_t + \beta_3 Pne_t + \beta_4 Dia_t + \beta_5 Tt_t + \varepsilon_i \quad (2)$$

Where;

$TDIOD_t$: The $under-five$ mortality at a time, t of the study.

Iml_t: The Immunization level of children in the study at a time, t.

Mea_t : The deaths recorded due to Measles in the study at a time, t.

Pne_t : The deaths recorded due to Pneumonia in the study at a time, t.

Dia_t : The deaths recorded due to diarrhoea in the study at a time, t.

Tt_t : The deaths recorded due to tetanus in the study at a time, t.

ε_i : The error term (stochastic)

t: the time component in the regression model

$\alpha\ and\ \beta$: These regression coefficients

STATA software was used to run the analysis.

5. Results

Table 1: Prevalence rate for the five child-killer diseases

Years	Children Immunized	Pneumonia Prevalence Rate	Diarrhoea Prevalence Rate	Measles Prevalence Rate	Tetanus Prevalence Rate	Polio Prevalence Rate	Overall Prevalence rate
2001	4554	87	64	20	3	0	174
2002	4845	59	91	4	0	0	154
2003	5843	59	81	12	2	0	154
2004	6342	75	56	11	0	0	142
2005	6431	54	75	16	1	0	146
2006	8922	15	52	0	0	0	67
2007	9469	10	43	0	0	0	53
2008	10821	13	36	4	0	0	53
2009	9113	14	45	0	0	0	59
2010	10544	11	34	0	0	0	45
2011	11898	13	26	2	1	0	42
2012	19050	4	13	0	0	0	17
2013	18530	5	11	1	0	0	17
2014	14428	3	2	1	0	0	6
2015	18553	3	4	0	0	0	7

Source: Researcher's Results (2017)

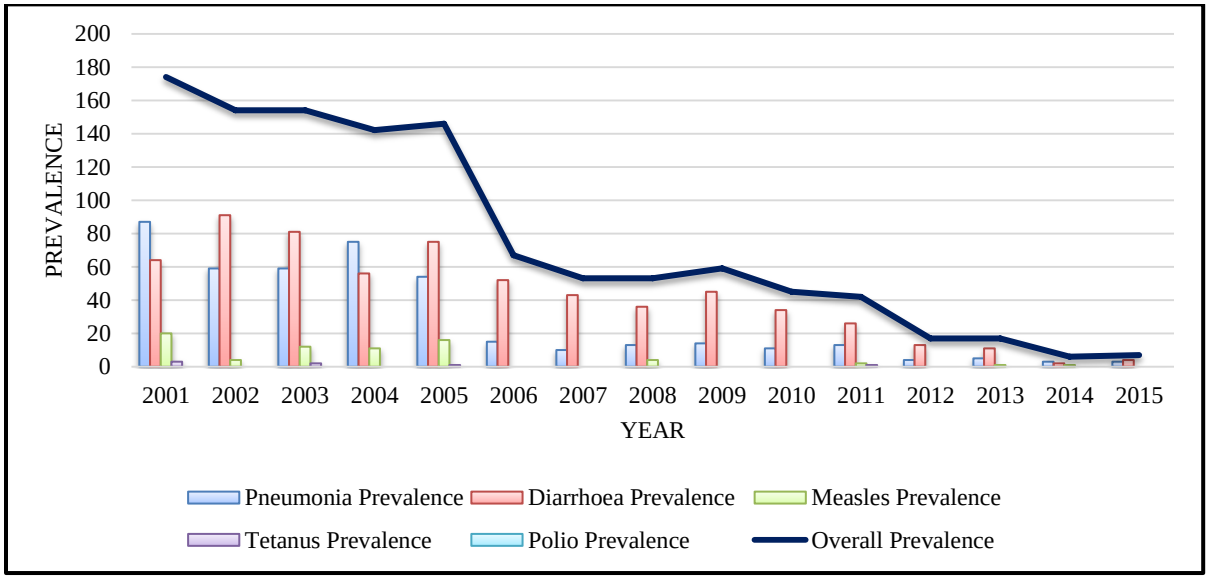

Figure 1: Prevalence rate for the five child-killer diseases
Source: Researcher's Results (2017)

Table 1 and figure 1 show the overall prevalence rate of the five child-killer diseases in Yola, Adamawa state. The data shows that the prevalence decreases throughout the 15-year period this study was carried out. There was slight decrease in the prevalence rate of the five child-killer diseases from 174 to 146 persons per thousand live births between 2001 and 2005. This was followed by a sudden decrease to 53 persons per thousand live births in 2008. Then the prevalence increased to 59 persons per thousand in 2009 and continues decreases to 2015. Individually, the largest contributor of prevalence rate among the five child-killer diseases in the data was diarrhoea with 91 persons per thousand live births in 2002, followed by pneumonia with 87 persons per thousand in 2001; measles with 20 persons in 2001, tetanus with 3 persons in 2001 and polio did not register any deaths for the 15-year period the study was conducted.

In order to examine the cause effect of the child-killer diseases on under-five mortality in Yola, a regression model that incorporates four independent variables and immunization level against the total mortality in Yola was run. In this analysis, the deaths arising from pneumonia, those arising from diarrhea, deaths arising from measles and the deaths arising from tetanus and immunization level were considered in the study. The deaths arising from polio were inherently dropped in this analysis since the data has no deaths or incidences associated with polio. However, since it was shown from the preliminary plots that most of the data for these variables is not stationary, a different form of regression, Newey-West, which adjusts the coefficients for stationarity was run to avoid over estimation of the standard errors associated with the regression model at 90% level of significance.

Table 2: Newey West regression output for five-child-killer diseases and immunization level.

Regression with Newey-West standard errors

Number of obs = 15
F(5, 9) = 5.36
Prob > F = 0.0146
R-squared = 0.7487
Adj R-squared = 0.6092

tdiod	Coef.	Std. Err.	t	P>|t|	[90% Conf.	Interval]
childrenimmunized	.0033768	.0033677	1.00	0.342	-.0027965	.0095501
pneumonia	3.233354	1.709158	1.89	0.091	.1002738	6.366435
diarrhoea	1.037913	1.092317	0.95	0.367	-.9644273	3.040252
measles	5.1977	4.000176	1.30	0.226	-2.135074	12.53047
tetanus	-3.50461	14.60273	-0.24	0.816	-30.27307	23.26385
_cons	32.40969	68.41351	0.47	0.647	-92.99999	157.8194

Source: Researcher's Results (2017)

The analysis above shows that there exists a strong relationship between the deaths due pneumonia and the total under-five mortality in Yola ($\beta = 3.233, p - value < 0.1$). This results shows that such a relationship was significant enough because it was associated with a relatively low level of significance as shown in table 2. The analysis also shows that there exists a positive relationship between the deaths due diarrhea and the total under-five

mortality in Yola ($\beta = 1.038, p - value > 0.1$). This results shows that such a relationship was not significant enough because it was associated with a relatively high P- value.From the analysis there exists a strong positive relationship between the deaths due measles and the total under-five mortality in Yola ($\beta = 5.197, p - value > 0.1$). This results shows that such a relationship was not significant enough because it was also associated with a relatively high P- value.

The analysis further shows that there exists a negative relationship between the deaths due to tetanus and the total under-five mortality in Yola ($\beta = -3.505, p - value > 0.1$). This results shows that such a relationship was not significant enough because it was also associated with a relatively high P- value as shown in table 2. The analysis also shows that there exists a weak positive relationship between the immunization level and the total under-five mortality in Yola ($\beta = 0.0034, p - value > 0.1$). It shows that such a relationship was not significant as it associated with a relatively high P- value.

A closer look at the model in table 2 implies that the overall model was significant. Such a conclusion was arrived at by assessing the F-statistic ($F = 5.36, P - value < 0.1$).The result of the Newey-West regression analysis also shows that the four explanatory variables and immunization level explain at least 60.92 percent cause effect on overall under-five mortality.

Regression model for future forecast of under-five mortality

Based on Newey-West regression model in Table 2, the regression model for future prediction of under-five mortality in the study area is given by:

$$TDIOD_t = 32.409 + 0.0034Iml_t + 3.233Pne_t + 1.039Dia_t + 5.198Mea_t - 3.504Tt_t$$

6. Discussion of Results

Prevalence rate is one of the determinants of the rate at which a given disease spreads through any given population as well as the efficacy of any sought programs to alleviate its spread. Jalal-Edden, (2014) reported that in Adamawa State, the prevalence rate of tetanus among children investigated while this study confirmed the prevalence to be 0% during the respective years. This can be acceptable due to the fact that this study considered only Yola Metropolicy city of Adamawa State, while Jalal-Edden considered the whole area of Adamawa State, Nigeria.

The finding is not in agreement with WHO(2011)which indicated that the prevalence rate of tetanus, pneumonia, and diarrhoea in 2004 among children below the age of five years are 49, 13, and 21 per 1000 live births respectively due to civil war in Somalia for many years which lead to unstably governance to fight diseases and poverty. In Yola, the prevalence of child killer disease has been decreasing irrespective of the kind of disease under consideration. The reason highlighting the explanation why Pneumonia and diarrhoea recorded the highest prevalence amongst all the other five diseases under consideration is that these diseases have strong attribution to environmental conditions for instance, diarrhoea is heavily related to hygiene and pneumonia has an association to cold climatic and whether conditions. This implies that other factors like relatively high congestion in most health centres in Yola, coupled with the high level of poverty and or inadequacy of drugs could explain such high figure recorded for Pneumonia and diarrhoea as compared to the other three diseases. For polio, the zero incidence rates across the 15-year period is due to the fact that polio is regarded as a pandemic and as such it was eliminated due to worldwide efforts to combat the disease as it has threatening effects on human growth and physical appearance.In a related study by Peter (2011), the child-killer diseases account for than 70 percent under-five mortality while this study revealed that the child-killer diseases account for at least 60.92 percent of the overall variation in the under-five mortality. This can be acceptable due to the fact that the Adamawa state government is succeeding in reducing the under-five mortality due to child-killer diseases in Yola. The overall model resulting from the overall under-five mortality due to these child-killer diseases is significant.

7. Conclusion

In Yola Adamawa State, Pneumonia, diarrhoea, measles, tetanus and polio were considered as the greatest child killers, polio needs to be excluded since the investigation showed no diseases and deaths were recorded for a period of 15 years considered by this study. The study also shows that the child-killer diseases considered in this study explain 60.92% cause effect on overall under-five mortality and it is statistically significant. The model in the study explains that at zero child-killer diseases, the under-five mortality is 32 deaths.

8. Recommendations

Based on the conclusions, the study recommends that:

(i) government needs to implement the Global Action Plan for Pneumonia and Diarrhoea (GAPPD) with immediate effect as campaigned by WHO and UNICEF.

(ii) both government and individual should promote adequate nutrition as a key factor in improving children's natural defenses against child-killer diseaseswith exclusive breastfeeding for the first 6 months of life.

(iii) children infected with HIV/AIDs should be given daily vaccines to reduce the risk of contracting the child killer-diseases like pneumonia and diarrhoea.

(iv) policy makers should make adequate provision for transportation and storage of vaccines and revise the immunization policies so that a significant number of children at risk receive unexpired and genuine vaccines against the child-killer diseases for the recommended number of dosage to reduce the incidences.

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Factors Influencing the Choice of Family Planning Among Couples in South West Nigeria

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Abstract. The study investigated factors influencing the choice of family planning among couples in south west Nigeria. Six hundred (600) couples were selected from five (5) south western states in Nigeria through a multistage sampling technique. Questionnaire was used to collect information from the subjects. Five research questions were raised and five hypotheses were formulated, chi-square statistics was employed for the purpose of data analysis at 0.05 alpha level of significant. The findings revealed that socio-economic status, religious factors and cultural norms do not influence couples' choice, whereas, educational background of the couples, and involvement of partners toward the choice of family planning significantly influence the choice of family planning among couple. On the basis of findings, it was recommended among others that, every couple should be well informed about the importance of family planning's choice so as to improve their reproductive health and economic standard of living, to reduce maternal mortality, morbidity and reduce unwanted pregnancy.

Keywords: Family planning, Couples, Socio-economic

1. Introduction

Child bearing and contraceptive use are among the most important reproductive health decision that many have to make (Gertner 2009). Family decision and choices are most likely to meet based on accurate, relevant information, and are medically appropriate that is, when they are informed choices (AUSC International 1998).

2. Concepts of Family Planning

Family Planning is the planning of when to have and the use of birth techniques to implement such plans. Other techniques commonly used include sexuality education, prevention and management of sexually transmitted diseases, pre-conception counseling, management and infertility management (Olaitan, 2009).

However, Family Planning is usually used as a synonym for the use of birth control. It is most adopted by couple who wish to limit the number of children want to have and control the timing of pregnancy, also known as spacing of children (Olaitan, 2009). Family planning may encompass sterilization as well as pregnancy termination. It also includes raising a child methods of which require significant amount of resources viz time, social, financial and environmental. Family planning measures are designed to regulate the number and spacing of children within a family, largely to curb population growth and ensure each family has access to limited resources. The first attempt to offer family planning services began with private groups and often aroused strong

opposition. Activists such as (Margaret Sanger in the U.S., Marie Stopes in England and Dhanvanthis Rama Rou in India) eventually succeeded in establishing clinics for family planning and health care. Today many countries have established national policies and encourage the use of public family services (The United Nations and World Health Organisation offer technical assistance, 2006).

The concept of informed choice in family planning can be applied to a wide range of sexual and reproductive health decisions. It focuses on whether to seek, to avoid pregnancy, whether to space and time one's childbearing, whether to use contraception, what family methods to be used, and whether or when to continue or switch methods. The term family planning choice could also refers to a family decision making (Diaz et al., 1999).

The principles of informed choice focuses on the individual, however it also influences range of outside factors such as. social, economic and cultural norms, gender roles, social networks, religious and local beliefs, (Bosveld, 1998). To a large extent, these community norms determine individual childbearing preferences and sexual and reproductive behaviour. It is usually thought that community and culture affect a person's attitudes towards family planning, desire for sex of children, preferences about family size, family pressures to have children and whether family planning accords with customs and religious beliefs (Dixon – Meuller, 1999, Greenwell, 1999; and Vickers, 1994).

Community norms also reflect how much autonomy individuals have in making family planning decisions. The larger the differences in reproductive intentions within a community, the more likely that community norms support individual choices (Bosveld, 1998 and Dixon – Mueller, 1999).

Household and community influences can be so powerful that they can obscure the line between individual desires and community norms. For instance, in some culture, many women reject contraception because bearing and raising children is the path to respect and dignity in the society (International Planned Parenthood Federation, 1996, Cherkaovi, 2000 and Berneth, 2001). In either country most women use contraception because having small families is the norm (Mkangi 2001 and Lutz 2003). People are often unaware that such norms influence their choices. In other cases, they are particularly aware. For examples, young people often decide not to seek family planning because they do not want their parents or other adults to know that they are sexually active. Many fear ridicule, disapproval and hostile attitude from service providers and others (Jejebhoy, 2004).

A person's social environment usually has more influence on family planning decisions that influence the attributes of specific contraceptives. In Kenya, for examples, when new clients were asked to give a single reason for their choice of a specific family planning method, most cited the attitudes of their spouse or their peers, or their religious value (Kim, et al., 1998). In many countries, family planning programmes are part of the national economic and social development efforts. Efforts to foster equity in decision making and raise awareness about reproductive right of the family, community and society also promote informed choice of family planning (Joconson 2000). As a woman gain more autonomy, they are better able to claim their rights as individuals including the right to act and protect their own reproductive health (Heise et al, 1999).

People chose contraceptive methods that are commonly used in their community because they know that, it is socially acceptable to do so, and they tend to know more about these methods (Rogers and Kincaid, 2004, Valente et al 2000). Many women use the same family planning methods that others in their social network use, (Godley, 2001). A 1998 study in urban Nigeria found that the more widely used method was the one that was popular in other cities and villages (Entusile et al.,1999). Entire community may be encouraged to one type of contraceptive based on the choices of early contraceptive users, rather than individual needs (Potter 1999).

3. Factors Influencing the Choice of Family Planning

A myriad of different factors affect a person's personal decisions about what types of family planning method to be used:

(i) Effectiveness:

People who are not in a financial or emotional situation to have children might opt for the most effective type of family planning in order to avoid pregnancy. A couple or woman with a casual approach towards parenthood, such as not actively pursuing it but not unwilling to take it on, might choose a less certain form of contraception, such as natural family planning.

(ii) Religion:

Some religions such as Catholicism, have restrictions on contraception based on the belief that, it is God's will to bring children into the world, according to Dixon-Muller (1999), Religious believers or observers might choose to avoid certain methods of family planning, such as birth control pill, in an effort to live their lives according to the teachings of their religion.

(iii) Cost:

Some forms of contraception, such as minor surgery like vasectomy, carry a fairly significant amount of one's time and cost so other options, such as condom or the calendar cycle methods which are less expensive and hence couples engage in it.

(iv) Health Risk:

For people with multiple sexual partners the choice to use family planning devices helps them to keep healthy. For example, using condoms can reduce the chance of contracting sexually transmitted diseases.

(v) Permanence:

Some contraception choices, such as vasectomy, are usually permanent. So couples who don't want to have children at present but would like to have one in the future might want to choose a less – permanent option such as condoms or birth control pills.

(vi) Partner Involvement:

One has to consider the preferences of his or her partner when choosing a birth control option. For example, some men don't like to have sex using a condom in that case birth control pills might be a better choice for preventing an unwanted pregnancy, according to the National Institute of Health (Olaitan 2009).

3.1 Socio-Economic Factors

There are some contraceptive methods of family planning that are expensive, and some couples cannot afford to use or purchase them due to their financial situations in the society.

For instance, people in rural areas cannot afford to use the expensive contraceptive methods of family planning such as vasectomy, Intra-uterine devices (IUD which are small, flexible, plastic frame inserted in the vagina of women), female sterilization method.

3.2 Cultural Norms Factors

This is the most important factor influencing the choice of family planning among couples. These include:

(i) Community norms
(ii) Religious belief
(iii) Gender role

a. Community Norms

Community norms also prescribe how much autonomy an individual has in making family planning decisions. The larger the differences in reproductive intentions within a community, the more likely the community norms support individual choices.

Household and community influence can be so powerful that they can obscure the line between individual desires and community norms. For instance, in some culture, many women reject contraception because bearing and raising children is the path to respect and dignity in the society. People are often unaware that such community norm influences their choices. In other cases they are particularly aware. For example, young people often decide not to seek for family planning because they do not want their parents or other adult to know that they are sexually active. Some couples in the community feel that bearing children is the major aim of their marriage, as tradition, customs and beliefs. In some Northern part of Nigeria especially the Islamic religion, they believe that bearing more

children will indicate how wealthy they are, in which they tend to withdraw themselves from use of family planning.

b. Religious Factors

Family planning choice depends on the religion of the couple. It may be Islam or Christianity that calls for raising and bearing of more children in the society. Some religions, such as Catholicism, have restriction on contraception based on the belief that it is "God's will to bring children" into world.

c. Gender role

Some couple want to have a male child, however the child born to them may be female in which the family is not happy. Therefore the couple may wish to have another child in order to have a male child.

4. Research Questions

(i) Does the socio-economic status of the couples influence the choice of family planning pertaining to the cost of the choice of family planning method?
(ii) Do the religious factors influence the choice of family planning among couples?
(iii) Do the cultural norms of the society influence the choice of family planning among couple?
(iv) Does the educational status of the couple influence the choice of family planning?
(iv) Does the involvement of the partners (i.e. couple) influence the choice of family planning methods?

5. Research Hypotheses

(i) The economic status has no significant influence on the choice of family planning among couples.
(ii) The religion of the couple has no effect on the choice of family planning method.
(iii) The cultural norms of the society have no significant influence on the choice of family planning among couples.
(iv) The educational status of the couple has no significant influence on the choice of family planning method.
(v) The involvement of the partners has no significant influence on the choice of family planning method among couples.

6. Research Methodology

The study employed descriptive survey and the population for this study comprised of couples across south west Nigeria. Questionnaire on factors influencing the choice of family planning among couples in south west Nigeria which include socio-economic status, religious factors, cultural norms, educational status and the involvement of partners was developed by the researcher. The questionnaire was validated and tested for reliability using a test retest method, reliability coefficient "r" level of 0.89 was obtained, which indicated that the instrument was reliable. For the purpose of data collection, researcher with the help of ten trained research assistants distributed the questionnaire to the respondents. The copies of the questionnaire were collected and score on the data obtained from the respondents. The data were analysed using descriptive and inferential statistics of frequency count, simple percentages and chi-square (X^2).

7. Results and Discussion of Findings

The result of the data analysis is presented in a way as to highlight the background variables of the respondents, test of hypotheses and discussion of findings.

Table 1: Bio-data of Respondents in Percentages

Sex	**No of Respondents**	**Percentages (%)**
Male	240	40
Female	360	60
Total	600	100
State	**No of Respondents**	**Percentages (%)**
Lagos	115	30
Oyo	100	20
Osun	90	17.5
Ogun	105	21
Ondo	100	11.5
Ekiti	90	0.99
Total	600	100

Religion	No of Respondents	Percentages (%)
Christianity	288	48
Islam	252	42
Traditional	60	10
Total	600	100
Age Range	**No of Respondents**	**Percentages (%)**
≤ 30yrs	80	40
31 – 39yrs	70	35
≥ 40yrs	50	25
Total	200	100

Table 1 reveals the distribution of Gender Respondents. 40% of the respondents are male, while 60% are female respondents. This indicate that majority of the respondents are female.
The distribution of States of respondents shows that. 30% of the respondents are from Lagos, 20% of the respondents are from Osun, 21% are from Ogun, X% from Ondo and 11.5% are from Ekiti.
In the distribution of Religion respondents, 48% of the respondents are Christianity, 42% of the respondents are Islam and 10% of the respondents are Traditional. This indicates that the majority of the respondents are Christianity.
In the distribution of Respondent Age Range, 40% of the respondents are Age 30 years old and below, 35% of the respondents are 31 years – 39 years old and 25% of the respondents are 40 years old and above. This shows that the majority of the respondents are age 30 years and below.

8. Testing of Hypotheses

There are five (5) research hypotheses in this study.

Table 2: X^2 result of the respondents on factors influencing family planning's choice
N=600

Variables	X2 Cal.Value	Df	Critical Value	Decision
Ho.1: Socio-economic status on the choice of family planning among couples	6.32	9	16. 92	Accepted
Ho.2: Religious factors influence the choice of family planning	8.53	9	16.92	Accepted
Ho.3: Cultural norms of the couples	8.53	9	16.92	Accepted
Ho.4: Educational Status of the couples influence family planning	21.26	9	16.92	Rejected
Ho.5: Involvement of partners on the choice of family planning	23.26	9	16.92	Rejected

p≤0.05

Table 2 indicates that the calculated value of 6.32 is less than the critical value of 16.92, therefore the hypothesis which states that there would be no significant influence on socio-economic status of couples in the choice of family planning in south west Nigeria, so therefore, it is accepted.

It is seen that the calculated value is 8.53 while the critical value is 16.92. The calculated value is less than the critical value at 0.05 alpha level of significant. Since the calculated is less than the critical value, the hypothesis which states that there would be no significant influence toward religious factors of the couples on the choice of family planning in south west Nigeria is therefore accepted. In this case, religious of the couples discussed fully on the choice of family planning.

From the result obtained therefore, the hypothesis stating that there is no significant influence the cultural norms of the couples toward the choice of family planning in south west Nigeria is accepted. So therefore, cultural norms of the couples do not neglect the choice of family planning.

From the above table, this reveals the calculated value of 21.26 while the critical value is 16.92. Since the calculated value is greater than the critical value, so therefore the hypothesis should be rejected. In this case, there is a significant influence on the level of educational status of the couples toward the choice of family planning in south west Nigeria. The study also reveals that there is a change or differences between educated couples and non-educated couples toward the choice of family planning.

The above table reveals that the calculated value (X^2) is 23.26 while the critical value is 16.92 at 0.05 alpha level of significant. Since the calculated value is greater than the critical value. So therefore, the hypothesis is hereby rejected. In this case, there is a significant influence on the involvement of partners toward the choice of family planning in south west Nigeria. In this study it was also reveals that the agreement and involvement of partners is very important or crucial when choosing the method of family planning among couples. Also family planning method should not be only one side of the couples, it involve both couples when deciding decision on family planning method.

The study was conducted to investigate the socio-economic factors and norms influencing the choice of family planning among couples in south west Nigeria. The result of the hypothesis one which states that there is no significant influence on socio-economic status of the couples toward the choice of family planning in south west Nigeria is accepted. In agreement to this, the cost of family planning choice is very cheap to the need of the couples in terms of affordability, availability and accessibility. The common choice of family planning is located in our various societies such as use of condoms for both male and female, calendar based method in terms of sexual intercourse, etc. It is also reveals in my findings that both upper class level and lower class level, rural and urban area has equal chance to the accessibility, affordability and availability of family planning choice stated by the researcher.

The result of the hypothesis two which states that there is no significant influence on the religious factors of the couples in the choice of family planning in south west Nigeria is accepted. Rasheed (2010) said that the Qur'an actually states the limitation of children, which is having not more than four children with a stated age of marriage. Also states that father should take proper care of the children in terms of responsibility. Bible also confirms the statements that family planning is very crucial in couples's life so as to adjust favourably to economic demand of life (Schonfield, 2008).

The result of hypothesis three which shows that there is not significant influence on the cultural norms of the couples toward the choice of family planning in south west Nigeria is accepted. Habiger (2007) reveals that cultural norms of the couples should not neglect the choice of family planning. It was also indicates that family planning method should be encourage among couples.

The result of the hypotheses five which reveals that there is no significant influence on the educational status of the couples toward the choice of family planning in south west Nigeria is rejected. This is supported by Olaitan (2009) who opined that level of educational status of the couples determines their attitudes toward the choice of family planning. For instance, ignorance and illiterate will not know the benefit of family planning method, even though if the family planning service provider comes to visit the person on the importance of family planning method, he/she will be confused and will not listened to the service providers, especially those couples in the Northern part of Nigeria. Most of them said that family planning service providers want them to be barren for life which they tend to withdraw from the services.

Finally, the result of the hypothesis five showed that there is no significant influence on the involvement of partners toward the choice of family planning among couples in south west Nigeria was rejected. i.e. there existed a significant influence on the involvement of partners toward the choice of family planning among couples in south west Nigeria. It is supported by Potter (1999) that shows that the agreement and involvement of partners is very crucial when determining the choice of family planning among couples. Also, both couples should make right decisions on family planning's choice.

1. Conclusion

(i) Couples of south west Nigeria are not significantly influence on the socio-economic status toward the choice of family planning.

(ii) Religious of the couples in south west Nigeria are not significantly influence on the choice of family planning.
(iii) Cultural norms of the couples in south west Nigeria are not significantly influence on the choice of family planning.
(iv) Couples educational status in south west Nigeria are not significantly influence on the choice of family planning.
(v) There are significant influences in the involvement of partners on the choice of family planning in south west Nigeria.

10. Recommendations

Having studied the factors influencing the choice of family planning among couples in south west Nigeria, the following recommendations were made
i. Every couple should be encouraged to visit the family planning service providers so as to enlighten the couples on various family planning choices that will meet up their economic status.
ii. Society and community should be given a couple of advice to their neighbourhood on the importance of family planning.
iii. Religion leaders should encourage their followers on the needs for family planning choice as related to their holy book.
iv. Community leaders should discourage the habit of not having family planning choice in their cultural norms.
v. Federal Government should build Reproductive Health Centre where family planning education for the couples on the choice of family planning for both educated couples and non-educated couples.
vi. Family planning service providers should educate the couples on the effectiveness of family planning choice.
vii. Every couples should be discourages about their thought in the health risk of family planning choice.
viii. Couples with one baby and new couples should be discourages on the use of the permanent surgical method (vasectomy) of family planning.
ix. Every couple should agree and involve when deciding the family planning choice.

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Assessment of Stigmatization and Coping Strategies of People Living with HIV/AIDS in Taraba State, Nigeria

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Abstract. The study assessed Stigmatization and coping Strategies of People Living with HIV/AIDS in Taraba State, Nigeria. Two objectives, two research questions and one hypothesis guided the study. Descriptive cross-sectional survey design was used for the study. The population for the study comprised all people living with HIV/AIDS in Taraba State. A sample of 749 people living with HIV/AIDS was selected using proportionate sampling technique. The instrument used for data collection was a 30 item self-developed questionnaire. Analysis of data was done using frequency count, percentages, and inferential statistics of chi-square was used to test hypothesis. Results showed that People Living with HIV/AIDS experienced different levels of Perceived 42 (5.6%) internalized 452 (60.3%) and enacted stigma 255 (34.0%). Majority of PLWHA were Coping well 426(56.9%), 317(42.3%) were coping very well and lastly 6(0.8%) are coping with difficulty. Significant relationship exists between stigmatization and coping with HIV/AIDS χ^2 (111.079) df (4) $p<0.05$). The study recommended that PLWHA and their relations require education on the consequences of stigmatization and means of coping with the disease. There is need for provision of HIV/AIDS counseling and testing with other HIV/AIDS services in all health facilities in Taraba State.

Key words: Assessment, Stigmatization, People living With HIV/AIDS and coping strategies

1. Introduction

Stigmatization in the concept of this study is a mark of shame, disgrace or disapproval that results in an individual being shunned or rejected by others. Stigmatization is a hidden burden because PLWHA who experienced stigma are often rejected by friends, relatives, neighbors and employers leading to aggravated feelings or rejection, loneliness and depression. PLWHA experienced denial of equal participation in family life, normal social networks and productive employment. Stigma has a detrimental effect on PLWHA as regards to disclosure of diagnosis, finding access to care and acceptance in the society (Boyd, 2008). Boyd (2008) further reported and ascribed the cause of stigmatization experienced by PLWHA to include myths, misconceptions and negative stereotypes about HIV/AIDS held by many people in the communities. Stigma are in three levels, they are (1) felt or perceived stigma (2) Internalized and (3) enacted stigma. Felt or perceived stigmatization is the mental process of becoming aware or recognizing an object or idea, is a primary cognitive rather than affective. Internalized is an aspect of being cautious by an individual with the ailment, while enacted stigma is the aspect of people in the community knowing the problem and thus employing all

sorts of stigmatization. These levels make PLWHA become secrecy, develop depression and thus withdraw from social activities. Stigmatization is a significantly discrediting attribute possessed by a person with an "undesired difference (Goffman, 1963) in the concept of this studyis a powerful means of social control applied by marginalizing, excluding and exercising power over PLWHA who display certain traits as seen by the stigmatizers. Jacoby (1994) reported that enacted stigma is an actual experience of stigmatization, that Felt stigma often precedes enacted stigma and may limit the extent to which the later is experienced; for example PLWHA are aware that PLWHA have been treated badly by others and so will conceal their serostatus this will free them from been stigmatized and discriminated in certain events and issues; at least for certain period. The impact of psychosocial challenge in form of stigma experienced by women in many developing countries is particularly acute. Women are often economically, culturally and socially disadvantaged and lack equal access to treatment, financial support and education. In a number of societies in the study area, most times women are mistakenly perceived as the main transmitters of sexually transmitted diseases (STDs) together with traditional beliefs about sex, and transmission of other diseases. These beliefs provided basis for further stigmatization and discrimination of women (Jacoby,1994) Network of People Living with HIV/AIDS in Nigeria, (NEPWHAN) (2011) reported that psychosocial challenge in form of HIV- related stigma is a barrier to accessing HIV prevention, treatment and care services. The study reported that stigma is prominent and persistent part of life in people living with HIV/AIDS. The survey involved 706 PLWHA in rural areas and villages (60%, n = 424) and urban area (40%, n = 282) across 12 states of Nigeria. One in three respondents had been excluded from social, religious or family meeting in the past year. Half of the population felt that stigma and discrimination faced by PLHWHA is due to fear of infection through casual contact. In a study conducted by NEPWHAN (2011) reported that some forms of psychosocial challenges experienced by PLWHA originated from stigmatization; that 28% (n= 202) of respondents have been refused accommodation, while 29%, (n = 185) have lost job or source of income. Most of these people attributed this to their HIV status. Fear of being the subject of gossip was mentioned by 54% (n = 381) of respondents, with 35%, (n = 244) fearing harassment and 28% (n =196) fearing physical assault. Feeling ashamed 53% (n = 376) feelings of low self-esteem because of HIV status and guilt about being HIV positive affected 44% (n= 311) with 39% (n = 244) avoiding clinic while 12% (n = 84) avoiding hospitals. Additionally 29% (n= 204) decided not to have children. Adeyi, Kanki and Odutolu, (2006) stigmatization is the sign or mark placed on a person or group that sets them apart as different from the rest of the society. The stigma attached to individuals can be extended to those who associate with them. The stigma that a person with HIV carries becomes a liability only when the society declares it so. Brown (1999) explained the reasons for stigma in AIDS: that AIDS was considered invariably fatal, the predominant impression was that HIV infection was as a result of deviant and stigmatized behaviors such as homosexual practice, sex work, drug use as well as sex outside marriage and promiscuity. The identification of already stigmatized group as „"high risk"" increased their vulnerability to stigmatization. Green, (2003) stated that stigmatization associated with HIV/AIDS prevents PLWHA from seeking evaluation and treatment, disclosing the diagnosis to the people most likely to provide support and in following treatment guidelines. While there are many illnesses such as leprosy that have been severely stigmatized in the past, it is generally agreed that HIV/AIDS is the most stigmatized psychosomatic medical condition in the history of mankind. Oruonye, (2011) reported that while some societies elevate the status of those receiving treatment for some conditions such as cancer or serious injuries as heroes, those infected with HIV are subjected to layers upon layers of stigma with assumptions that PLWHA deserve punishment for their "assumed behaviors that led them to get HIV" and they are often shunned in Taraba State. Bakari, (2014) reported that stigmatization prevents women living with HIV/AIDS in Nigeria and

particularly in Taraba State, (the study area) from disclosing their HIV status, seeking medical care and other HIV/AIDS preventive services, it also prevents adhering to treatment follow up. Fear of divorce, social abandonment and losing intimate partners prevent many PLWHA from sharing the diagnosis with their loved ones and sexual partners. Stigma has become a major reason why HIV epidemic continues and many more people are getting infected, some are dying with HIV every year not because of the disease but because of stigmatization (John, 2014). Brown, (1999) reported the reasons for stigma in HIV/ AIDS as in their research finding: that it was considered invariably fatal, the predominant impression was that HIV/AIDS infection was as a result of deviant and stigmatized behaviors such as homosexual practice, sex work, drug use as well as sex outside marriage and promiscuity. Human Immunodeficiency Virus and Acquired Immune-Deficiency Syndrome (HIV/AIDS) is one of the most challenging public health issues facing the world today because of its morbidity and mortality fears created in the minds of People Living With HIV/AIDS and their relations such as anxiety, feelings of insecurity, and guilt lead to experiencing psychosocial challenge such as stigma (lliyasu, Abubakar, Kabir and Aliyu, 2007) Infection by HIV leads to Acquired immune Deficiency Syndrome (AIDS) which is the clinical name of the disease resulting from the infection of HIV, with symptoms that are non- specific and can include constant fatique, night sweats, weight loss, constant diarrhea and colouring of the hair. This stage of the ailment (AIDS) is the most difficult stage when People Living With HIV/AIDS (PLWHA) think deeply as whether they will survive, will they be accepted by family members, friends or colloquies in work place this often results to self-stigma and stigmatization from the society (TASACA,2013). Stigma is a psychosocial challenge that refers to unfavorable attitude, beliefs and policies directed towards people living with HIV/AIDS as well as their loved ones, associates, social groups and their communities. People living with HIV/AIDS in Taraba State experience sadness, because they face stigmatization from their families, other people around and also at health facilities by health workers (Okembo & Odimegwu, 2004)

Folkman and Lazarus (1984) Coping refers to cognitive and behavioral efforts to master reduce or tolerate the internal or external demands that are created by stressful situations. In this study, forms of coping strategies like emotion focused and problem focused coping strategies help to reduce or tolerate psychosocial challenges like stigmatization, rejection and shame that people living with HIV/AIDS encounter. The two types of coping strategies serve two major functions in people living with HIV/AIDS they perform regulatory and management functions. Patterson, Semple ,Temoshok, Atkinson, McCutchan, Straits-Troster, Chadle, and Grant (1993)defined coping as conscious rational ways of dealing with the anxieties of life, in their finding they identified two major ways of coping which include: (i) Problem- Focused-Coping: which are efforts to do something active so as to alleviate stressful circumstances. (ii) Emotion-Focused Coping involves efforts to regulate the emotional consequences of stressful or potentially stressful events. Researches indicated that people use both types of coping to combat most stressful events (Folkman and Lazarus 1980, 1988; Carver, Scheier and Weintraub, 1989). The predominance of one type of coping over another is determined, in part by personal style (for example some people cope more actively than others) and also by the type of the stressful event; for example, people typically employ problem-focused coping to deal with potential family – related problems (discrimination and stigmatization of PLWHA in a family). Whereas stressors perceived as less controllable such as certain kinds of physical health problems (withdrawal) prompt more emotion-focused coping. Reeves, (2001) reported that self-help group is both problem-focused and emotion focused coping as the principles and functions of both strategies are applicable. PLWHA who joined self-help support benefits from it as it provides edification of the public and less and less depression will be recorded. Most research on coping with chronic stress tends to focus inquiry on strategies that help the person manage stressor-related demands. In the case of coping with a

debilitating illness like HIV/AIDS, the search often focuses on strategies that are related to managing the primary consequences of the illness, including disease-related limited mobility, pain, or dysphonia, and the secondary consequences of the illness, including disrupted family relationships or changes in role functioning. NEPHWAN (2011) reported that the lives of people with a debilitating illness consist of more than just their illness. They may have warm family relationships, friends with whom they talk, or work or other activities that interest them. These other aspects of people's lives may play an important role in sustaining their well-being while they are coping with their illness. NEPHWAN (2011) further added that a full understanding of the coping process in the context of this study may need to take into account aspects of people's lives that impose new habits such as: frequent visits to doctors, undergoing long treatment, medication intake, undergoing several examinations, difficulty in dealing with the disease, as well as changes in family life. What is required by PLWHA in order to cope with the situation includes: creating conducive atmosphere and good inter personal relationship, encourage PLWHA to join associations, involve them in communal activities, encourage them to participate in recreational activities, browsing, reading newspapers, watching television, are therapies that have immediate coping effect (Brown, 1999).

2. Objectives

The objectives of this Study were to determine:

(i) Levels of stigmatization of people living with HIV/AIDS in Taraba State, Nigeria?

(ii) Coping strategies of people living with HIV/AIDS in Taraba State, Nigeria?

3. Research Questions

The following research questions were answered:

(i) What are the levels of stigmatization of people living with HIV/AIDS in Taraba State Nigeria?

(ii) What are the coping strategies of people living with HIV/AIDS in Taraba State, Nigeria?

4. Hypothesis

There is no significant difference between stigmatization and coping of people living with HIV/AIDS in Taraba State, Nigeria.

5. Materials and Method

The research design for this study was descriptive cross- sectional survey that involved administration of questionnaire designed by the researchers. Njodi and Bwala (2010) explained that descriptive cross-sectional survey is used to gather data at a particular point in time with the intention of describing the existing conditions or identifying standards against which existing conditions can be compared. Burns and Grove (2001) explained that descriptive cross-sectional survey provides accuracy in that it describes what exists and the frequency with which it occurs, assigns new meaning to phenomenon, and add information into categories. The researchers adopted descriptive cross-sectional survey because of its appropriateness to the topic as it revealed current challenges and issues related to HIV/AIDS such as; stigmatization and means of coping with HIV/AIDS used by people living with HIV/AIDS in Taraba State, Nigeria.

6. Population and Sample

The population for this study was made up of all people living with HIV/AIDS in the sixteen (16) Local Government Areas of Taraba State, Nigeria. It is assumed that this set of people living with HIV/AIDS who have reached the AIDS stage and have experienced stigmatization in the family, community, health facility, and in places of work. Respondents for the study who formed the sample are registered members of people living with HIV/AIDS, selected from eight (8) Local Government Areas (LGAs) out of sixteen LGAs in the state attending fourteen health facilities. . The sample for the study was 750 which are 15% of the 4996 of PLWHA in the eight sampled LGAs. The sample was drawn through the use of probability proportion to size sampling technique (the probability proportion to size depends on the population of people living with HIV/AIDS). The selection of the sample was based on Ogbazi and Okpala"s, (1994) assertion that 15% of a population was to be selected if it is up to 1,000 and will serve as representative sample in a study. The

instruments (questionnaire) were administered and retrieved on that day by the researcher and research assistants who were focal persons at each health facility. Before the administration of the questionnaire at each health facility, respondents were informed of the purpose of the research and the ethical issues to maintain.

7. Results

Table I: Levels of stigmatization of PLWHA in Taraba State (n = 749)

VARIABLE				TOTAL
Levels of stigmatization	Perceived	Internalized	Enacted	
	42(5.6%)	452(60.3%)	255(34.0%)	749(100.0%)

Table 1 is a summary of frequency and percentage distribution on stigmatization of people living with HIV/AIDS in Taraba State, Nigeria. The result showed that452 (60.3%) majority of PLWHA had internalized stigmatization, 255(34.0%) suffered from enacted stigmatization while 42(5.6%) experienced perceived stigmatization. The implication of the result is that PLWHA in the study area require more education, integrated care and strategies to prevent further spread of HIV among the populace.

Table 2: Stigmatization and coping with HIV/AIDS by PLWHA in Taraba State (n=749)

Levels of coping	Levels of stigmatization					
	Perceived	Internalized	Enacted	df	χ^2 value	p-value
Coping with difficulty	2(33.3%)	3(50.0%)	1(16.7%)	4	111.079	0.000
Coping well	12(2.8%)	324(76.1%)	90(21.1%)			
Coping very well	28(8.8%)	125(39.4%)	164(51.7%)			

Table 2 above is a chi-square analysis on the association between stigmatization and coping with HIV/AIDS among PLWHA in Taraba State. Based on the result of the analysis the null Hypothesis which states that there is no significant difference between stigmatization and Coping with HIV/AIDS by PLWHA in Taraba State was rejected ($p<0.05$).

8. Discussion

The finding of this study on stigmatization is in agreement with Adeyi, Kanki and Odutolu (2006) who reported that PLWHA experienced stigmatization. The finding also conformed to the work of Green (2003) who reported that PLWHA face stigmatization and that it prevents them from seeking evaluation and treatment, and disclosing their diagnosis to husbands for fear of divorce. The result of this finding on stigmatization is in line with Jacoby (1994) who reported that women are denied access to care and other HIV/AIDS preventive services for fear of been stigmatized. This finding also agreed with that of Bakari (2014) who reported that stigmatization prevents women in Nigeria and the study area from seeking medical care as they are accused and perceived as transmitters of AIDS. Regarding stigmatization of PLWHA, the study found that perceived, internalized and

enacted stigma was faced by PLWHA in Taraba State, Nigeria. This finding agreed with the study conducted by Boyd (2008) who reported on three levels of stigma. The result of this finding concurred also with Taraba State Agency for the control of AIDS (2013) who reported that stigma act as a barrier to HIV/AIDS prevention. The result of this finding on coping used by PLWHA, found that Emotion focused and problem focused coping were the two types used, some PLWHA used the two types together. This study is an agreement with Folkman and Lazarus (1984) who reported the use of the two types of coping. The finding of this study on coping is in line with that of Reeves (2001) who reported Joining self-help support group, browsing, watching television, Reading newspapers, joining association of PLWHA, and recreational activities are useful coping strategies for PLWHA, th report continued that they are combination of emotion focused and problem focused coping strategies. Likewise Jacoby (1994) who reported that denial, concealing HIV/AIDS status, participation in recreational activities are coping used by PLWHA.

9. Conclusion and Recommendations

This study concludes that stigmatization is a psychosocial challenge faced by PLWHA and has consistent and clinical influence on HIV/AIDS progression. The effects of stigma on both PLWHA, their relations and associates requires mediation through education and positive behaviors change to enable PLWHA cope with the situations they find themselves.

It is recommended that: 1. PLWHA, their relations and associates require to be educated on stigmatization and its affects 2. Provision of more HIV/AIDS services in all health facilities in Taraba State.

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Socio-Cultural Factors Influencing Choice of Bilateral Tubal Ligation Among Women Attending University of Ilorin Teaching Hospital

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Abstract. The study examined socio-cultural factors influencing choice of bilateral tubal ligation among women attending University of Ilorin Teaching Hospital. Increase in child bearing subject women to reproductive health problem of ruptured uterus, miscarriage and abortion due to unwanted pregnancy which leads to high maternal mortality. A descriptive research design of survey type was used for this study. The population for this study comprised all child bearing age women attending Family Planning Clinic in University of Ilorin Teaching Hospital. Multistage sampling technique was used to select 300 respondents from749 women attending the Family Planning Clinic, University of Ilorin Teaching Hospital. Researchers' structured questionnaire was used to collect data. The questionnaire was validated by three experts. A correlation co-efficient of r= 0.73 was obtained through test re-test method using Pearson Product Moment Correlation. Questionnaire was administered by the researchers and three (3) trained research assistants. The three null hypotheses were tested using inferential statistics of chi-square at 0.05 alpha level of significance. The results revealed that educational status, psychosocial factors and religious belief have significant influence on the choice of bilateral tubal ligation among women attending family planning clinic, in University of Ilorin Teaching Hospital. Therefore, it was recommended that there should be health education programmes for women through seminars to improve their knowledge on choice of bilateral tubal ligation. Women should be provided with adequate information by health care provider to be guided on psychosocial issue(s) such as fear of surgery and anesthesia complications.

Keywords: Bilateral Tubal Ligation, socio-cultural factors, educational status, psychosocial factors, religious belief

1. Introduction

In this modern era women are saddled with a lot of responsibility both home and in the circular world. Therefore, the reproductive health need of women cannot be over emphasized. Women that handled their reproductive health issue(s) with levity encounter problems later in life and some do not even live to tell the story. Women are faced with reproductive health problems of pelvic inflammatory diseases, ruptured uterus, miscarriage, cancer, fibroid, abortion due to unwanted pregnancy among others. In particular, abortion and miscarriage which can be traced to

increase in number of child bearing. These can be salvage or prevented through bilateral tubal ligation (Omokanye, Salaudeen, Jimoh, Panti, Saidu & Balogun, 2012).

According to the World Health Organization (1999), bilateral tubal ligation is safe, cost effective and widely used method of family planning in the world especially in developed countries such as United States of America and Europe. Engender Health (2002) stated that approximately222 million women of reproductive age in the world are protected from unintended pregnancy through bilateral tubal ligation. In Africa, bilateral tubal ligation uptake is low because of deep rooted socio-cultural and religious hindrances, poverty, inadequate counseling and limited facilities and trained personnel (Omole, Ohonsi, Ashimi & Attah, 2010; Igwigbe, Ugboaja & Monago, 2009). Bilateral tubal ligation is not popular method of family planning in Nigeria, for instance, in Kwara State; only0.6percent of women of reproductive age15-49 years used bilateral tubal ligation (Nigeria Demographic HealthSurvey,2013). Also University of Ilorin Teaching Hospital (UITH) only 6 bilateral tubal ligation was performed from January, 2008 to June, 2015 (UITH, Ilorin, 2015).

World Health Organization (2012) affirmed that Nigeria maternal mortality ratio of 630 deaths per100,000 births is among the ten highest of such rates in the world. United State Agency for International Development (USAID) (2013) pointed out that one out of eighteen women die each year due tocomplication during child birth. Nigeria has more than42 million women of reproductive age is 15-49 years with high total fertility rate of 5.7 life time birth per women (USAID, 2013) while the North central has total fertility rate of 5.4 and Kwara State has total fertility rate of 4.5(Nigeria Demographic Survey, 2013).Many of these women are at risk of poor maternal health outcomes due to increase in child bearing (USAID, 2013).

Omokanye, Salaudeen, Jimoh, Panti, Saidu and Balogun (2012) reported that bilateral tubal ligation is not a common method of family planning with the ratio of0.8 per1,000births out of which incidence of 0.37 is through minilaparotomy while 0.43 per1,000deliveries through caesarean section from January 2002 to December2011 in University of Ilorin Teaching Hospital. Attah and Omole-Ohonsi (2014) reported likewise that bilateral tubal ligation uptake is low especially postpartum and interval bilateral tubal ligation in Kano teaching Hospital from January 2008 to December 2012.

Monjok, Smesny, Ekabua and Essien (2010) pointed out that male children in Northern Nigeria, as key influence of uptake of modern contraceptive especially bilateral tubal ligation. Swende and Akinbuwa (2009) claimed that bilateral tubal ligation low utilization may be as a result of low awareness in additional with socio-cultural and psychological aversion such as fear of re incarnation without fallopian tubes. Also, death of spouse and fear of surgery involve in bilateral tubal ligation and because of regret encounter by those individual after death of a child (Swende & Hwande, 2010). Adeyemi, Loto, Ijadunola, Asa, Ajenifuja and Ofili (2011) stated that fear of going through the operation couple with the use anaesthesia lead to low utilization of bilateral tubal ligation. Adeyemi, Loto, Ijadunola, Asa, Ajenifuja and Ofili (2011) further explained that increase in child bearing are related to extreme poverty, early marriage and early child bearing, intense social pressure to bear male children, polygamous competition that exist among wives to bear more children and poor level of education.

Mairiga, Kullima, Bako and Kolo (2010) claimed that women objection to bilateral tubal ligation as a modern family planning method is due to disapproval by their husbands, damage to reproductive organ (s) and the belief that modern contraceptive was introduced to reduce Muslim populations. Likewise Salako (2013) stated that Islam does not support bilateral tubal ligation because is seen by Islamic Jurists as permanent hindrance to fertility. Coupled with Christian faithor believe like the Catholics, who are against the use of barrier methods of modern family planning (Engender Health, 2002).

World Health Organization (1999) defined bilateral tubal ligation as the blockage of the two

fallopian tubes, so that eggs cannot reach the uterus (womb).International Parenthood Federation (2012) affirmed that in most cases, bilateral tubal ligation is more than 99% effective and only one in200 women will become pregnant after the operation. The operation involves cutting or blocking of the fallopian tubes, which present eggs from being fertilized by the sperm. It is a fairly minor operation with many women returning home the same day.

Ikojo, Ezegwwu and Nweze (2009) asserted that bilateral tubal ligation is a one- time procedure that can be carried out either as an out-patient or in-patient basis, it is usually post partum during caesarean section. Ikojo, Ezegwwu and Nweze (2009) further explained that it is usuallyconsidered a permanent method of contraception often done by minilaparotomy under local anesthesia for post partum which is usually within48 hours after delivery procedures. Minilaparotomy performed for bilateral tubal ligation is a safe procedure and cost-effective (Abiodun, Esuga, Balogun, Fawole & Jimoh,2010).

Omole-ohonsi, Ashimi and Attah (2010) stated that bilateral tubal ligation results in blockage or interruption of the two fallopian tubes to prevent sperm from fertilizing the egg. Isah and Nwobodo (2009) reported that it is ideal for women who want a permanent method of contraception and are free of any gynecologic pathology such as history of bladder cancer. Campbell, Sahin-Hodogylugil and Potts (2006) pointed out that bilateral tubal ligation is also ideal for women in whom a pregnancy could represent a high social and medical risk.Family planning refers to actions to actions by individuals and couples do plan the number, timing and spacing of the children they want so as to promote the health and well being of the family group (Sheu & Burodo, 2013). Bartzand and Greenberg (2008) affirmed that bilateral tubal ligation offers effective protection against pregnancy, eliminates the need for long-term contraceptive supplies, and has a low riskof exposing women to complications when carried out according to standards. Swende and Akinbuwa (2009) claimed surgical complications of bilateral tubal ligation include wound infection, excessive intraperitoneal bleeding and these occur in less than1% of the procedures. Minor complication such as wound infection occurred in 7.5% of patients in University of Ilorin Teaching Hospital (Aisen & Oronsaye, 2007).

Women are the most vulnerable group when it comes to issues associated with pregnancy and childbirth. These have adverse effects on the reproductive health status of women such as rupture uterus, abortion due unwanted pregnancy and pregnancy related hypertension among others. These can be avoided or prevented through limiting the number of child bearing by the use of bilateral tubal ligation which is an effective long acting contraceptive method especially for those that have given birth to their desire number of children.

2. Statement of the problems

The reproductive health of child bearing age women is of great. Ruptured uterus, abortion due to unwanted pregnancy and miscarriage is on the increase among child bearing age women attending University of Ilorin Teaching Hospital. The increase in child bearing leads to high maternal mortality; Kwara State maternal mortality rate is 980 per 100,000 live births in 2009(Hassan, 2009). This alarming rate of maternal mortality continues to pose threat to the existence of human race in terms of social and economic implications to the family and society at large. The researcher also observed, during her practicum exercise at University of Ilorin, Family Planning Clinic of child bearing age women, especially those having five children and above confessed that it was a narrow escape from death with their last delivery. Therefore, this study examined socio-cultural factors influencing choice of bilateral tubal ligation among women in University of Ilorin Teaching Hospital.

3. Research Hypotheses

The following hypotheses were tested to guide the study:

(i) Educational status will not significantly influence the choice of bilateral tubal ligation among women attending university of Ilorin Teaching Hospital.
(ii) Psychosocial factors will not significantly influence the choice of bilateral tubal ligation among women attending University of Ilorin Teaching Hospital
(iii) Religious belief will not significantly influence the choice of bilateral tubal ligation among women attending University of Ilorin Teaching Hospital.

4. Methodology

The descriptive research design of survey type was used for this study. The study population comprised of women15-49 years old attending the family planning clinic at University of Ilorin Teaching Hospital. Multistage sampling technique was used to select women age15-49 years. First stage, purpose sampling technique was used to select women 15-49 years old. Second stage, proportionate sampling technique was used to select 40% of749womenattending family planning clinic of University of Ilorin from January 2013 to May2015. Third stage, simple random sampling was used to select 300 women that participated in the study through lucky dip method of Yes/No; those who pick yes participated in the study. According to Daramola (2006) sample is a fair representation of the entire population of interest.

The instrument used for this study was a researchers' structured questionnaire which comprised of twelve (12) items based on influence of socio-cultural factors such as educational status, psychosocial factors and religious belief of women attending University of Ilorin Teaching Hospital. Validity of the instrument was established by given draft of the questionnaire to three experts from the relevant fields. The test re-test method was used to establish the reliability of the instrument. Twenty (20) copies of the questionnaire were administered to women in civic service clinic and after two weeks of the first administration, the questionnaire was re-administered. The two results of the administration were correlated using Pearson Product Moment Correlation, the correlation coefficient of 0.73r. The researcher with the aid of three trained researcher assistants administered the instrument to the respondents. Respondents' consents were sought after having obtained permission from the Head of Family Planning Clinic University of Ilorin Teaching Hospital through the letter of introduction collected from the Head of Department of Health Promotion and Environmental Health Education. Both descriptive statistics of percentages and inferential statistics of chi-square were used to analyze the data collected.

5. Results and Discussion of Findings

The results obtained from the three hypotheses tested for the study are shown on the tables below:

Hypothesis 1: Educational status will not significantly influence the choice of bilateral tubal ligation among women attending University of Ilorin Teaching Hospital

Table 1: Chi-square Analysis showing influence of educational status on choice of bilateral tubal ligation among women attending University of Ilorin Teaching Hospital

S/N	ITEM	SA	A	D	SD	Row Total	Cal x^2	Df	Crit. Value	Rem.
1	Primary school holders women do not use bilateral tubal ligation because they lack knowledge of the method.	88 (29.8%)	177 (59.0%)	27 (9.0%)	8 (2.7%)	300				
2	Secondary school holders will not utilize bilateral tubal ligation due to lack of enlightenment about the method.	80 (26.7%)	184 (61.3%)	34 (11.3%)	2 (0.7%)	300	180.2	9	16.92	Ho Rej.
3	Women level of health literacy may affect the use of bilateral tubal ligation.	92 (30.6%)	167 (55.7%)	33 (11.0%)	8 (2.7%)	300				
4	Women that are OND/NCE holders and above may feel that bilateral tubal ligation is only meant for those women who have had more than three caesarean sections	64 (21.3%)	106 (35.3%)	112 (37.3%)	18 (6.1%)	300				

Table 1 reveals that 265 (88.3%), 264 (88%), 259 (86.3%) and 170 (56.6%) of respondents agreed that child bearing age women do not utilize bilateral tubal ligation because of lack of knowledge of the method, lack of enlightenment, level of health literacy may affect the use and also feel that bilateral tubal ligation is only meant for those women who have had more than three caesarean sections. Therefore, educational status determines the choice of bilateral tubal ligation in the study area. The result of table 1, showed that the calculated value of 180·20 is greater than the critical value of 16·92. Thus, the null hypothesis was rejected. This implies that educational status of women in the study area significantly influence their choice of bilateral tubal ligation as a method of family planning.

Hypothesis 2: Psychosocial factors will not significantly influence the choice of bilateral tubal ligation among women attending University of Ilorin Teaching Hospital

Table 2: Chi-square analysis showing influence of psychosocial factors on the choice of bilateral tubal ligation among women attending University of Ilorin Teaching Hospital

S/N	ITEM	SA	A	D	SD	Row Total	Cal x^2	Df	Crit. Value	Rem.
5	Emotional stress about surgical procedure in bilateral tubal ligation and anesthesia may result in bleeding and death makes women not to utilize it	81 (27.0%)	171 (57.0%)	37 (12.3%)	11 (3.7%)	300				
6	Women may not be willing to use bilateral tubal ligation due to friend's experience of regret associated with it	65 (21.6%)	123 (41.1%)	83 (27.7%)	29 (9.7%)	300				
7	Fear of unknown future such as a result of accident makes women not to utilize bilateral tubal ligation	85 (28.3%)	167 (55.7%)	37 (12.3%)	11 (3.7%)	300	208.2	9	16.92	Ho Rej.
8	Misinterpretation of choice of bilateral tubal ligation by spouse for excuse of promiscuity make women not to utilize it	124 (41.3%)	140 (46.7%)	24 (8.0%)	12 (4.0%)	300				
	Column Total	**355**	**601**	**181**	**63**	**1,200**				

Table 2 reveals that 252 (84%), 188 (62.6%), 252 (84%) and 264(88%) of respondents agreed that child bearing age women do not utilize bilateral tubal ligation due to psychosocial factors such as emotional stress about the surgical procedure, friend's experience of regret associated with bilateral tubal ligation, fear of death of children in future as well as misinterpretation of choice of bilateral tubal ligation by spouse for promiscuity. The result of table 2 showed that the calculated value of 208·20 is greater than the critical value of 16·92 with 9 degree of freedom at 0·05 alpha level; the above stated hypothesis was rejected. This means that the psychosocial factors in the study area significantly influence the choice of bilateral tubal ligation among women attending University of Ilorin Teaching Hospital.

Hypothesis 3: Chi-square analysis showing influence of religious belief on choice of bilateral tubal ligation among women attending University of Ilorin Teaching Hospital.

Table 3: Chi-square analysis showing influence of religious belief on choice of bilateral tubal ligation among women attending University of Ilorin Teaching Hospital

S/N	ITEM	SA	A	D	SD	Row Total	Cal x^2	Df	Crit. Value	Rem.
9	Women may not utilize bilateral tubal ligation because of their religion is against it	148 (49.3%)	107 (35.7%)	34 (11.3%)	11 (3.7%)	300				
10	Religion doctrine(s) favour(s) natural birth control than modern family planning method (bilateral tubal ligation)	105 (35.0%)	147 (49.0%)	42 (14.0%)	6 (2.0%)	300				
11	Religions bilateral tubal ligation as a method of contraceptive in North Central Nigeria because of desire for life family size.	110 (36.6%)	132 (44.0%)	44 (14.7%)	14 (4.7%)	300	190.7	9	16.92	Ho Rej.
12	Women that indulge in bilateral tubal ligation are against God's commandement of fruitfulness and multiplication	70 (23.3%)	104 (35.3%)	91 (30.3%)	35 (11.7%)	300				
	Column Total	**433**	**490**	**211**	**66**	**1,200**				

Table 3 reveals that 255(85%), 252 (84%), 242 (80.6) and 174(58%) of respondents agreed that child bearing age women do not utilize bilateral tubal ligation due to religious belief such as their religion is against it, religious doctrine(s) favour(s) natural birth control than bilateral tubal ligation, and religion is against this method in North Central because religion supports the desire for a large family size and women that indulge in bilateral tubal ligation were perceived to be against God's commandment of fruitfulness and multiplication. Therefore, religious belief determines the choice of bilateral tubal ligation in the study area. The result of tested hypothesis three, above showed that the calculated value of 190·71 is greater than the critical value of 16·92, null hypothesis three was rejected and the alternative hypothesis upheld that, there is significant influence of religious belief on choice of bilateral tubal ligation among women in the study area.

6. Discussion of Findings

Table 1 above revealed the influence of educational status on the choice of bilateral tubal ligation with chi-square value of 180·20 that was greater than the critical value of 16·92 with a degree of freedom of 9 at 0·05 alpha level, thus, the null hypothesis was rejected. This shows that of the majority of respondents 171 (57%) were Secondary School holders and below. The study outcome is in agreement with Monjok, Smesny,

Ekabua and Essien (2010); Adeyemi, Loto, Ijadunola, Asa, Ajenifuja and Ofili (2011) that low level of education is one of key influences of uptake of modern contraceptive especially bilateral tubal ligation.

Although, 129 (43%) respondents with high degree of education that is NCE holders and above opined that the choice of bilateral tubal ligation is not only meant for those woman who have had more than three caesarean sections. It shows that education serves as an agent of change through schooling which is also the belief of Daramola (2002).

Table 2 indicated influence of psychosocial factors on the choice of bilateral tubal ligation with chi-square value of 208·20 that was greater than the critical value of 16·92 with a degree of freedom of 9 at 0·05 alpha level, thus, the null hypothesis was rejected. This means majority of the respondents are having misconceptions based on their cognitive, emotional and social feelings towards choice of bilateral tubal ligation as a method of family planning. The outcome of this study is in agreement with Swende and Akinbuwa (2009); Swende and Hwande (2010) affirmed that psychosocial aversions such as death of spouse, regret and fear of surgery are responsible for low utilization of bilateral tubal ligation as a choice of family planning method. Especially fear of surgery, this could be trace to myths and rumors about the method leading to bleeding and death which is not true because of improved use of surgical procedure such as minilaparotomy. Engender Heath (2002) and Peterson (2008) pointed out that major intra-operative complication associated with bilateral tubal ligation by minilaparotomy is less than 1% of the procedures.

However 112 (37.3%) respondents claimed that friend's experience of regret associated with bilateral tubal ligation do not affect their choice of the method. That individual has their personal reason(s) for choosing a particular method. This means they exhibit volitional behavior of the choice of bilateral tubal ligation, which is in agreement with Karen, Barbara and Viswanath (2008) and Babalola (2012) that individual choice tends to affect utilization of family planning method.

Table 3 revealed the influence of religious belief on the choice of bilateral tubal ligation with chi-square of 190.71 that was greater than the critical value of 16.92 with 9 degree of freedom at alpha 0.05 level, thus, the null hypothesis was rejected. This showed that majority of the respondents opined that religious belief significantly influence their choice of bilateral tubal ligation as a family planning method. Mairiga, Kullima, Bako and Kolo (2009); Omokanye, Salaudeen, Jimoh, Panti, Saidu and Balogun (2012) asserted that, religion is one of the limiting factors affecting the use of modern family planning methods especially the choice of bilateral tubal ligation due to the belief it was introduced to reduce the Muslim populations in Northern Nigeria. Christian's faith like Catholics are against the use of barrier method of modern family planning (Engender Health 2002).

However 126(42%) respondents claimed that those women that do bilateral tubal ligation are not against God's commandment that religion guides and supports women to do anything that is legal and beneficial to their health. This is also the submission of Amirrtha (2008) who observed that religious belief has the potential to influence the use of contraceptive by individuals (women) however; within religions different people may interpret religious teaching on contraceptive, bilateral tubal ligation in particular in varying ways and women may choose to ignore religious.

7. Conclusion

Based on the findings of this study, the following conclusions were drawn:

(i) Educational status influences the choice of bilateral tubal ligation among women in the study area;
(ii) Psychosocial factors influence the choice of bilateral tubal ligation among women in the study area;
(iii) Religious belief influences the choice of bilateral tubal ligation among women in the study area.

8. Recommendations

Based on the findings and conclusions of this study, the following recommendations were drawn:

(i) There should be health education programmes for women through seminars to improve their knowledge on choice of bilateral tubal ligation.
(ii) Women should be provided with adequate information by health care provider through counseling to be guided on psychosocial issue(s) such as fear of surgery and anaesthesia complications.
(iii) Religious institutions should enlighten their members through health talks to adopt bilateral tubal ligation, especially those who have given birth to their desired number of children to avoid regular visits to clinics on long lasting reversible family planning methods and its associated problems/complications.

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Influence of ICT Use on Body Composition and Sedentary Death Syndrome (SeDS) Risk among University of Ilorin Sandwich Students

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Abstract. The ever-increasing demand for ICT has made it a leading cause of sedentariness, which is deleterious to health and wellbeing in several ways. The study examined Influence of ICT Use on Body Composition and Sedentary Death Syndrome (SeDS) Risk among University of Ilorin sandwich students. Ex-post facto research design was adopted. The population was all University of Ilorin sandwich students registered in 2015 contact session. Simple random sampling and proportionate stratified sampling was adopted to select 426 students. Standardized instruments, which consisted of portable stadiometer, body fat/hydration monitor scale and non-elastic tape rule, were used to assess body composition. Self-reported ICT use and physical activity level were obtained using modified Global Physical Activity Questionnaire (GPAQ). Pilot test was conducted to recalibrate and ascertain functionality of the body composition instruments while the questionnaire was validated by experts and subjected to test retest for reliability. A coefficient of 0.77r was obtained as evidence of its reliability. Data were analyzed using charts, descriptive statistics of percentage, mean, and standard deviation as well as inferential statistics of Pearson Product Moment Correlation. Hypotheses were tested at statistical significance of 0.05. A significant relationship was found between ICT use and sedentariness while excessive body fat was a major indicator for SeDS among University of Ilorin sandwich students. The researchers recommended that student should habitually exercise for at least 30 minutes on 3-5 days weekly; sit less and move more daily and take 3-5 minutes of physical activity breaks after every hour of continuous ICT use.

Keywords: Body Composition, Disease, Health, Physical Activity, ICT use, Sedentariness

1. Introduction

The human genetic evolution was based on hunting and gathering, involving vigorous intensity physical activities. However, in the current sedentary culture vigorous physical activity has become a missing link in the lives of many individuals while moderate physical activity is on a rapid global decline. Prince et al (2015) observed that ICT is the greatest environmental correlate of sedentariness among youths especially students of tertiary institutions. Meanwhile, a large number of tertiary institution students in Nigeria may not be meeting daily physical activity recommendations even though physical activity as argued by Talabi (2016) is the easiest, cheapest, most accessible and most reliable means to attain health, fitness and wellness. Akinroye (2014) observed that only 49.9%-59% of university students in Nigeria engaged in 30 minutes of moderate-to-vigorous physical activity (MVPA) for at least 5 days weekly. He also discovered that more female students were sedentary than male students. Several authorities have also linked sedentariness with unhealthy body composition

parameters that increases susceptibility to SeDS and reduces the quality of peoples' lives.

Information Communication Technology (ICT) covers all forms of computer and communication equipment and software used to create, store and manipulate information in various formats (Yusuf & Daramola, 2015). Mobile phones, tablets, computer and television sets are the most powerful and most common ICT tool across diverse groups of people in Nigeria. The diffusion of these devices among Nigerians as well as globally has been of remarkable speed. Sachs et al (2015) observed that the uptake of mobile phones, computers, the internet, and social media, have been the fastest adoptions of technology in human history. Hence, every aspect of living in the contemporary world is ICT driven.

Sedentariness refers to activities that generate very low energy expenditures of ≤1.5 metabolic equivalents (METs) during waking hours. Sedentariness comprises activities such as prolonged sitting/reclining, and occurs across the domains of work, study, travel, and leisure (Healya & Owena, 2010; Dominic, Seidina, Williams, Oyerinde, Olaitan & Onifade, 2014). Common sedentary behaviours, such as ICT use, sitting at school, work and leisure have MET values of ≤1.5. In addition, Sedentary Behaviour Research Network (SBRN, 2012) noted that moderate physical activities (PA) like brisk walking, involves an energy expenditure of 3-5.9METs, running and vigorous sports can involve energy expenditures of ≥6METs. Sedentariness ranks first among the global cause of preventable deaths (Dominic et al, 2014) and fourth among the risk factor for global mortality (Akinroye, 2014). The prevalence of sedentariness among Nigerian adults is 40%; about 3 million chronic diseases deaths are attributed to sedentariness in the world yearly (Maiyaki & Garbati, 2014; Adebayo, 2015). In 2013, the estimated prevalence of chronic diseases in Nigeria was 24% (499,920 deaths), (World Health Organisation, 2014).

Sedentary Death Syndrome (SeDS) is a term used to categorize the emerging entity of more than 35 types of sedentariness-mediated diseases that ultimately increase morbidity and mortality (Katch, McArdle, & Katch, 2011). Individuals who have risky body composition such as overweight and obesity, which often manifest as excessive body fat percentage, high waist and hip circumferences are highly predisposed to risk of arthritis, type 2 diabetes, hypertension, endometrial cancer and premature mortality from all causes (Dominic, Onifade and Lajide, 2010). These are common indicators of SeDS that everyone can avoid via adequate nutrition, sufficient physical activity, proper stress management and abstinence from drug abuse in order to stay healthy and fit. Katch (2011) highlighted weak skeletal muscles, low bone density, hyperglycemia, low serum high-density lipoprotein (HDL), low physical endurance, physical frailty, resting tachycardia and low quality of life as a set of symptoms that characterizes SeDS. Authorities including Lees and Booth (2004); Ojiambo (2013); Adebayo (2015) maintained that there exist a deleterious effect with greater risks for morbidity and mortality among those who spend a large portion of their day being sedentary, regardless of whether they engage in regular moderate-to-vigorous intensity physical activity (MVPA). This implies that sedentariness is dangerous even in athletes. However, a dose response exists between physical activity level and the dangers of sedentariness (Garber, Blissmer, Deschenes, Franklin, Lamonte, Lee & Swain, 2011; Ojiambo, 2013; Omonu, 2015). In other words, increasing physical activity level has significant impact in minimizing the risk of sedentariness and improving health, fitness and overall wellbeing.

2. Interaction of ICT Use Body Composition and SeDS

ICT use is associated with uncontrolled sedentariness, reduced energy expenditure and energy surplus that is often deleterious to health in several ways. Within a day, sedentary behaviour may induce negative effects on relatively fast acting cellular processes in skeletal muscles or other tissues regulating risk factors like plasma triglycerides, HDL cholesterol and metabolic toxins. Thyfault, Du, Kraus, Levine and Booth (2014) submitted that sitting for prolonged periods would also cause

the loss of opportunity for effective gaseous exchange as well as cumulative energy expenditure resulting from the thousands of intermittent muscular contractions throughout waking hours.

In addition, ICT users are increasingly being exposed to adverts promoting unhealthy foods and unhealthy eating habits such as passive over eating and frequent eating out (Maiyaki & Garbati, 2014). There are many fast food restaurants and food vendors serving meals and snacks often containing a lot of salt, sugar, preservatives and saturated fat (Ejiofor, 2015). As noted by Arulogun and Owolabi (2011), this kind of meal go hand in hand with an increase in the availability of different kinds of soft drinks and fruit juices, which are becoming fashionable and fast replacing natural fruits.

These eateries and food vendors are both on campus, off campus, and are patronised by people across all economic bands of the society including tertiary institution students. This may have chronic effects on the propensity for the primary risk factors for SeDS such as high glycaemic index, excessive body fat, increase waist and hip circumference, overweight, obesity, or even susceptibility to other degenerative or chronic diseases that characterize SeDS (Hamilton, Hamilton & Zderic, 2007; Graham & Schlesinger, 2012; Thyfault et al, 2014). Therefore, the objective of this study was to examine the correlation between ICT induced-sedentariness, body composition and risk of SeDS among University of Ilorin Sandwich Students.

3. Statement of the Problem

ICT use is popularly believed to increase efficiency in performing multifarious tasks. However, recent studies indicated that ICT use increases sedentariness in individuals (Canfield, 2012; Dominic et. al, 2014; Adebayo, 2015). Sedentariness is associated with reduction in energy expenditure, body fat accumulation and different types of chronic diseases. Most of the University of Ilorin sandwich students are civil servants who often engaged in sedentary jobs that require the use of ICT for several hours daily are also exposed to crash academic programme that increasingly demand the use of ICT with little or no time to engage in physical activity.

In addition, many of them appear to be overweight and tend to gain more weight. This could be an indication of risk of chronic diseases due to increased ICT-mediated sedentariness. Limited Knowledge however, exist to prove or refute this assumption hence this study was conducted to determine the relationship between ICT use, body composition and SeDS among University of Ilorin sandwich students.

4. Research Question

What is the physical activity level of Unilorin sandwich students?

5. Hypotheses

H_{o1}: ICT use among University of Ilorin Sandwich students has no correlation with sedentariness.
H_{o2}: ICT use among University of Ilorin Sandwich students has no correlation with body composition (BMI, WHR, WC and %BF).
H_{o3}: ICT use among University of Ilorin Sandwich students has no correlation with Sedentary Death Syndrome (SeDS).

6. Methodology

The study adopted ex-post facto research design. The population was all registered 2015 contact undergraduate sandwich students of University of Ilorin. A sample of 426 students was drawn from the population, which consisted 12 departments. Multistage sampling technique was adopted in selecting the sample. It included stratified random sampling to select five departments that were distributed as follows: Human Kinetics Education (HKE) 312, Health Promotion (HP) 384, Educational Management (EMA) 392, Counselling Education (CED) 308 and Arts Education (AED) 344. Finally, recommendation of The Research Advisors (2006) was adopted to draw a proportionate sample of ¼ from each of the sampled departments.

Body composition instruments were standardised and consisted portable height scale for measuring height, two birds non-elastic tape rule for measuring waist and hip circumferences and body fat/hydration monitor scale (model number 7032497) for measuring body weight and %body fat. The Global Physical Activity Questionnaire (GPAQ) was adapted to collect self-reported physical activity level and ICT use. Pilot test was conducted to recalibrated and assess functioning of body composition instruments. Three experts, two from the Department of Human Kinetics Education and one was from the Department of Anatomy and Physiology of University of Ilorin validated the questionnaire. Test retest was conducted to determine the reliability of the questionnaire and Pearson's (r) of 0.77 was obtained. ICT was delimited to mobile phones, tablets/i-pads, computers, and television sets. Pregnant women, sick respondents and those who did not complete both stages of the test were excluded. Only validly completed questionnaire were used for data analysis. The version 20.0 of IBM SPSS software was used for data analysis. Statistical analysis was percentage, mean, standard deviation and PPMC with alpha level ≤ 0.05.

7. Results

Table 1: Distribution of Demographic Characteristics of University of Ilorin Sandwich Students

Age Range	**N**	**%**
18-23 yrs	73	17.1
24-28 yrs	129	25.3
29-33 yrs	88	36
39-43 yrs	83	19.5
44-48 yrs	34	8
49-53 yrs	4	0.9
Total	**426**	**100**
Gender	**N**	**%**
Female	226	53.1
Male	200	46.9
Total	**426**	**100**
Marital Status	**N**	**%**
Single	201	47.2
Married	209	49.1
Divorced	16	3.8
Total	**426**	**100**
Department	**N**	**%**
EMA	98	23.0
AED	86	20.2
CED	79	18.5
HKE	73	17.1
HP	90	21.1
Total	**426**	**100**

Demographic characteristics of the respondents are shown in table 1. The age range with highest frequency was 24-28 years with 129 (25.3%) respondents and the age range with lowest frequency was 49-53 years with 4 (0.9%) respondents. There were more females 226 (53.1%) than males 200 (46.9%).

Table 2: Descriptive Analysis Showing Body Composition Variables of University of Ilorin Sandwich Students

VARIABLES	CATEGORIES	Male		Female	
		N	%	N	%
Waist Circumference (cm)	Low Risk	182	91.0	95	42.0
	Increased Risk	16	8.0	54	23.9
	Substantially Increased Risk	2	1.0	77	34.1
	Total	**200**	**100**	**226**	**100**
Waist- to-Hip Ratio (cm)	Normal	165	82.5	137	60.6
	Risky	35	17.5	89	39.4
	Total	**200**	**100**	**226**	**100**
Body Mass Index (Kg/m^2)	Underweight	12	6.0	10	4.4
	Normal	137	68.5	113	50.0
	Overweight	33	16.5	46	20.4
	Obese Class I	18	9.0	39	17.3
	Obese Class II	0	0	14	6.2
	Obese Class III	0	0	4	1.8
	Total	**200**	**100**	**226**	**100**
Percentage Body Fat	Below Healthy	7	3.6	2	0.9
	Healthy	120	65.1	78	34.5
	Above healthy	43	22.1	18	8.0
	Dangerously unhealthy	25	5.3	115	50.9
	Total	**200**	**100.0**	**226**	**100**

Table 2 shows the descriptive analysis of the body composition variables of University of Ilorin sandwich students. The result for waist circumference (WC) revealed that majority of the male 182 (91%) had low risk, 16 (8.0%) of them had increased risk and 2 (1.0%) of them had substantially increased risk. Waist circumference of the female revealed majority had low risk 95 (42.0%). However, many of them are in the risky category; 54 (23.9%) had increased risk while 77 (34.1%) had substantially increased risk. The results for BMI revealed that majority of the male 137 (68.5%) had normal weight, 12 (6.0%) were underweight, 33 (16.5%) were overweight and 18 (9.0%) were obese class I. For females, 113 (50%) of them were normal weight, 10 (4.4%) were underweight, 46 (20.4%) overweight, 39 (17.3%) were obese class I, 14 (6.2%) were obsess class II and 4 (1.8%) obese class III.

Answer to the Research Question

What is the physical activity level of Unilorin sandwich students?

Table 3: Physical Activity Level of University of Ilorin Sandwich Students

Intensity	Both Gender			Male			Female	
	N	%	MET-min·wk^{-1} ($\bar{x}$±SD)	MET-min·wk^{-1} ($\bar{x}$±SD)	N	%	MET-min·wk^{-1} ($\bar{x}$±SD)	N	%
LihgtS intensity PA	176	41.3	180-520 (140±47)	180-480 (140±47)	68	34.0	140-520 (171±161)	108	47.8
Moderate intensity PA	220	51.6	600-2940 (1275±828)	600-2140 638±414)	111	55.5	600-1480 (293±167)	109	48.2
Vigorous intensity PA	30	7.0	600-2880 (1620±794)	600-960 (481±230)	21	10.5	600-1440 (702±469)	9	4.0
Total	**426**	**100**			**200**	**100**		**226**	**100**

Table 2 shows descriptive analysis of the physical activity level (PAL) of University of Ilorin sandwich students. The result indicates that 176 (41.3%) of them performed light intensity PA expending a mean MET-min·wk^{-1} of 140 ± 47, 220 (51.6%) of them performed moderate intensity PA with a MET-min·wk^{-1} of 1275 ± 828, while just 30 (7.0%) of them performed vigorous intensity PA with a MET-min·wk^{-1} of 1620 ± 794. This implies that majority of them perform MVPA·wk^{-1} and met the WHO (2011) recommendation for PA. However, the result revealed that more male 111 (55.5%) performed the recommended PA than female 109 (48.2%).

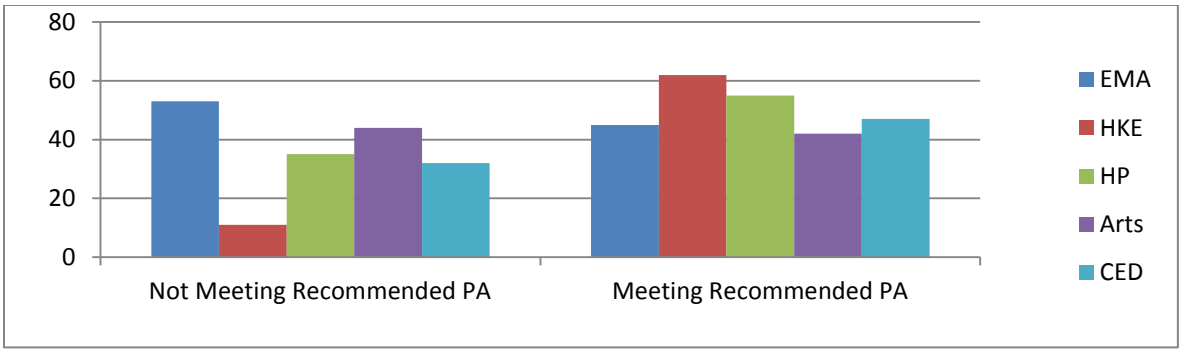

Figure 1: Unilorin Sandwich Student's Compliance to Physical Activity Recommendation

In addition, figure 1 showed that majority of the participants who performed the recommended PA were students of Hunan Kinetics Education (HKE) while majority of those who did not perform the recommended PA were students of Education Management (EMA). Similarly, figure 2 revealed that majority of those who perform vigorous intensity PA were students of HKE, none of the Counsellor Education (CED) students performed vigorous intensity PA. Majority of those who performed moderate PA were CED students while the EMA students performed the lowest amount of moderate PA. Majority of the EMA students perform low intensity PA while HKE students performed the lowest amount of low intensity PA.

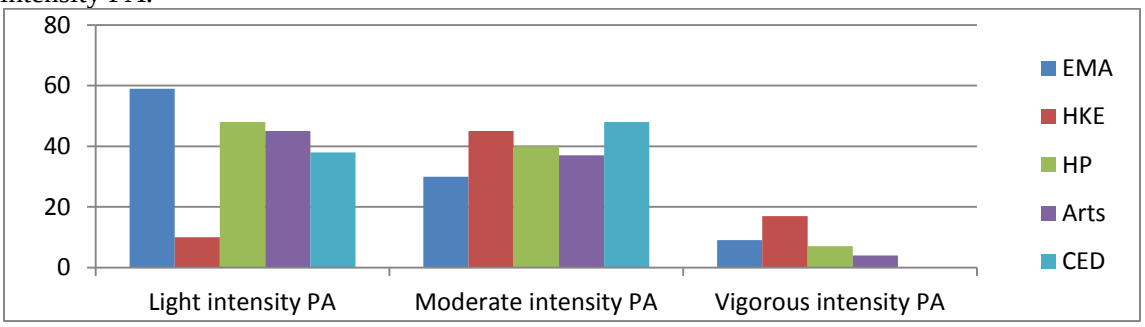

Figure 2: Physical Activity Level (MET-mins·wk^{-1}) among Departments

8. Hypotheses Testing

Table 3: Pearson Correlation Showing the Relationships between ICT Use, Sedentariness, Body Composition and SeDS

H_{o1}: Correlation between ICT Use and Sedentariness among University of Ilorin Sandwich Students					
		n	**r**	**r^2**	**Sig**
ICT Devices	**Sedentariness**	426	.61	37.2%	.05
H_{o2}: Correlation between ICT Use and Body Composition of University of Ilorin Sandwich Students					
	Body Composition (AC)	**n**	**r**	**r^2**	**Sig**
ICT Devices	BMI	426	.13	1.7%	.05
	WHR		.02	-	.73
	WC		.02	-	.66
	%BF		.57	32.4%	.01
H_{o3}: Correlation between ICT Use and SeDS among University of Ilorin Sandwich Students					
	Body Composition (ANC)	**n**	**r**	**r^2**	**Sig**
ICT Devices	BMI	426	.38	15%	.05
	WHR		.81	66%	.01
	WC		.37	14%	.05
	%BF		.19	3.6%	.008

p≤0.05; AC-All categories; ANC- Above normal category

Table 3 shows the results obtained from the tested hypotheses. Hypothesis 1 reveals a strong positive correlation between ICT use and sedentariness among University of Ilorin Sandwich students (n = 426, R = .61) and this result is significant at .05 alpha level. This means that higher ICT time is associated with increase in sedentariness among the participants. The coefficient of determination (r^2), indicates that the level of ICT use account for about 37.2% variation in sedentary behaviour of the participants.

In Hypothesis 2, the relationship between ICT use and body composition was tested considering all categories (below normal, normal and above normal). A positive low to moderately high correlation was found between ICT use and BMI and %BF (n = 426, r = .13 and .57; r^2 = 1.7% and 32.4%; p = .05 and .01) respectively. This indicates that increase in the participants' ICT use was associated with slight increase in their BMI but a high increase in their overall body fat. The difference in the level of ICT use accounts for about 1.7% changes in BMI and about 32.4% changes in %BF of the participants respectively. On the other hand, there was no significant correlation between ICT use and WHR and WC (r = .02; p = .73 and .66) respectively.

Hypothesis 3 tested the relationship between ICT use and sedentary death syndrome (SeDS). In order to determine this, only participants whose body composition scores are above normal category were considered. A positive low to high correlation was found between ICT use and all the tested body composition variables (r = .38, .81, .37, .37 and .19; r^2 = 15%, 66%, 14% and 3.6%; p = .05, .01, .05 and .008) for BMI, WHR, WC and %BF respectively. Previous studies report that increases in body composition above normal are some of the major symptoms of SeDS. This finding is therefore, an indication that excessive use of ICT among the participant is associated SeDS. The coefficients of determination revealed that BMI has the highest level variability while %BF has the lowest.

9. Discussion

This study was conducted on a sample of 426 sandwich students of University of Ilorin aged 18 – 53 years. Majority of them reported performing the recommended physical activity however; results proved that their physical activity levels were not sufficient to improve their body compositions. All of the body composition variables assessed: WC, WHR, BMI and %BF indicated a low to high risk of SeDS. The females had higher risk variables, among those who had above normal body composition, 24 of them had %BF ≥40, 32 of them had WC ≥90cm, 6 of them had BMI ≥40 and 25 of them had WHR ≥90. This suggests high amounts of body fat around the abdominal region as well as other parts of their bodies.

The finding of this study revealed that 41.3% of the participant did not perform physical activity as recommended by the WHO (2011). This figure is very high and explains the participants' high levels of body composition variables. More females performed low intensity PA than males. This finding is similar to the opinion of Adebayo (2015) that the prevalence of sedentariness among Nigerian adults is 40%. Their PAL is even lower compared to the repot of Adegoke and Oyeyemi (2011) that only 49.9% - 59% of University students in Nigeria performed recommended physical activities of 30 minutes of moderate-to-vigorous intensity for at least 5 days per week. Moreover, it was discovered that HKE students were more physically active; they had the highest proportion of students per department who performed the recommended physical activities and the lowest proportion that did not perform the recommended physical activity. Similarly, the HKE students expended more MET-mins of vigorous intensity physical activity, had the second MET-mins of moderate intensity physical activity and the lowest MET-mins of light intensity physical activity. The HP students rated next to HKE students in all categories of physical activity, the EMA and CED students were next respectively. This suggests that their involving in practical physical activity courses, which the participants from other departments did not offer, might have influenced high level of physical activity of HKE students. Researchers such as Garber et al (2011), Ojiambo (2013) and Omonu (2015) opined that a dose response relationship exist between the level of physical activity and the

dangers of sedentariness regardless been an athlete or not. This implies that the more people engage in appropriately structured physical activity, the more the benefits they would derive from it and vice versa. To this end, this finding is in line with this submission as their high level of physical activity if sustained could improve their body composition and lower their risk of SeDS. This suggests a need for regular sufficient moderate-to-vigorous physical activity for all students.

The participants engaged in excessive use of ICT for several hours each day, which caused sedentariness. Thus, hypothesis 1 revealed a significant relationship between ICT use and sedentariness. The participants were asked to state how many of the ICT devices they owned/used regularly and state how long they used each device daily. Majority of them reported they owned more than one device and used them for an average of 6 – 8 hours per day. Majority of them also agreed that they sat and or laid down most of the time they used their ICT devices. This finding of is in conformity with Prince et al (2015) who argued that ICT is the greatest environmental correlate of sedentariness among youth especially students of tertiary institutions. It also confirms the finding of Dominic et al (2014) that majority of University of Ilorin community members were sedentary for several hours per day due to excessive ICT use.

In Hypothesis 2, it was found that ICT use had positive correlation with only BMI and %BF when participants with normal and above normal body composition category were considered together. This implies both BMI and %BF could be a model to determine the influence of ICT use on body composition and to assess to risk of SeDS in excessive users of ICT at baseline without specific reference to any obvious symptom of SeDS. However, %BF proved to be the most effective since it revealed a higher possibility of variation due to ones level of ICT use. This finding corroborates to Thyfault et al (2015) who submitted that prolonged sitting/reclining (sedentariness) causes loss of opportunities for effective gaseous exchange as well as cumulative energy expenditure resulting from thousands of intermittent muscular contraction throughout waking hours. This is typical of ICT use, which is responsible for increases in sedentariness among several individuals because most of them often fail to regulate their ICT use. It is also similar to Shehu et al (2010) who opined that weight gain was common to sedentary students.

The findings of hypothesis 3 revealed a positive relationship between ICT use and SeDS. Studies have identified excessive body fat, overweight and obesity as biomarker for SeDS as such; the researchers assessed only participants with above normal category (ANC) of body composition in order to assess the relationship with ICT use. Consequently, it was found that ICT use had positive relationship with all the body composition variables that were tested. This indicated that ICT use is associated with SeDS among the participants since it encourages long hours sitting per day. This finding upheld the position of Dominic et al (2010) individuals with excessive body fat are highly predisposed to risk of arthritis, type 2 diabetes, hypertension, endometrial cancer and premature mortality from all causes. Although hypothesis 2 suggested that only increases in BMI and %BF were significantly influenced by excessive ICT use. This finding suggests that in those who already have the symptoms of SeDS, the level of ICT use could influence all the four body composition variables. One factor that could be responsible for this is high amount of energy surplus due to long hours of sedentariness. Accordingly, Hamilton et al (2007), Graham and Schlesinger (2012) argued, this may have chronic effects on the propensity for the primary risk factors for SeDS such as high glycaemic index, excessive body fat, increase waist and hip circumference, overweight and obesity. Hence, for these categories of people, the assessment of BMI, WHR, WC and %BF could be used to determine their SeDS status.

10. Conclusion

Based on the findings of this study the following conclusions were drawn:

(i) Majority of University of Ilorin sandwich students performed the recommended physical activity. However, a large number of them

did not meet the recommendation for physical activity.

(ii) Excessive ICT use is a major cause of sedentariness among University of Ilorin sandwich students.

(iii) Excessive ICT use was related with high increase in BMI and low increase in %BF of University of Ilorin sandwich students.

(iv) Excessive ICT use among University of Ilorin sandwich students was related with SeDS and BMI, WC, WHR and %BF were all indicators of the risk of SeDS.

11. Recommendations

Based on the findings of this study the following recommendations were made:

(i) Students should habitually perform moderate-to-vigorous intensity physical activity for at least 3 - 5 days per week and should increase their overall daily physical activities.

(ii) University of Ilorin authority should make it mandatory for all students to take at least one practical course in physical activities in each semester throughout their academic programme.

(iii) Students should form the habit of taking 3-5 minutes of physical activity break after every hour of continuous ICT use.

(iv) Students should eat healthy foods that include fruits, vegetables and water and do periodic assessment of body composition to minimize the risk of SeDS.

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Part Two
Social Psychology

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Socio-Economic Determinants of Child Labour in Ilorin, Kwara State, Nigeria

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Abstract. This study was carried out to examine the socioeconomic determinants of child labour in Ilorin, Kwara State, Nigeria. Data collected for this research was collected using the questionnaire. 400 questionnaires were administered in the five local governments of Ilorin metropolis. Data was analysed using descriptive statistical methods and inferential statistics of Chi-square. The result of the findings shows that poverty is a major determinant of child labour with respect to different households. Family size and the educational background of parents also affects and influence child labour respectively. Thus, this study recommends that poverty alleviation programmes, more family campaign programmes, and employment opportunities be implemented and provided to eradicate and reduce the effects of child labour in the country.

Keywords: Socioeconomic, Determinants, Child labour, Ilorin, Kwara state, Nigeria

1. Introduction

The issue of child labour remains a serious problem in the world today. According to International labour organisation (ILO, 2015), there are more than 250 million working children aged between 5-17 years in the world, most of them being from the developing countries. This means that one out of every six children is working instead of going to school, with nearly three quarters (180 millions) exposed to work that is dangerous not only to their health but also to their personal development. The phenomenon is growing rapidly over the years. In India for example, the number of child labourers is increasing by 12% a year, according to the centre for communication and development.

In Nigeria today, with the introduction of the structural adjustment programme (SAP) in June 1986 and attendant policies of commercialization, money has become a dominant factor in the Nigerian society. The bad shape of the economy has brought unemployment, poverty and reduction in the real income of the people in the country. The actual number of children involved in exploitative or hazardous work in Nigeria is not known, owing to the wide dispersion of child workers, their employment in the informal sector and in agriculture, which are not monitored by labour inspectors, and the limited research in this field.

However, Oloko (2009) put the number of Nigeria children exposed to labour activities ordinarily meant for adults at about 8 million. Child labour should not occur in the organised private sector of the Nigerian economy. The labour Act of 1974 (revised in 1990) includes a wide range of provision in section 58-63, prohibiting or regulating various forms of child labour. Section 59 prohibits a child under the age of 12 from all works except where employed by his/her family on light work of an agricultural, domestic or horticultural character. Most child labour in Kwara State and many other states occur in agricultural and in the informal sector of the economy where these and other provisions of the labour act are neither monitored nor enforced. Child work in the agricultural sector is mainly within the household and involves helping the family in farming, fishing and cattle herding.

Even then, it tends to disrupt school attendance especially during periods of intense agricultural activities, such as planting and harvesting. Moreover, there are three categories of work in which the people are engaged namely; work in public places (such as markets and streets), work in cottage industries and mechanical workshop, and domestic services in private houses, visible working children which include street vendors, shoe shiner boys, car washers and touts. Some of those who are unemployed go into begging especially for organised groups.

The most visible street workers in Nigeria are thousands of children of both genders engaged in part-time and full-time street trading. This usually occurs in urban areas and semi-urban areas. Also, Oloko (2009) categorized scavengers and child prostitution as new types of exploitative child labour in urban areas. During the 1990s, it became increasingly common to find children offering to carry out any type of menial task. Street hawking is by far the largest single form of child labour, probably accounting for well over half of total urban child labour. Child labour exists in various forms in Kwara State. This ranges from street hawkers, bus conductors, servants, labourers at building sites, etc. The study will take place in Ilorin metropolis where all forms of child labour mentioned above exist, but the most prominent of them are street hawkers and child traders. These are the consequences of the socio-economic problems like poverty, unemployment etc.

2. Concept and Issues in Child Labour

The issue of child labour has emerged as one of the serious social problems that have engaged the attention of scholars, non-governmental organizations, professional social workers, policy makers, legislature, law enforcement officials and the general public over some decades. The idea that child labour is a social problem truncating the harmonious physical and mental development of the child is a relatively recent development.

Child labour becomes an exploitative and systematic process when in addition to the under paid rate of exchange, children are used for jobs that are harmful, monotonous, strenuous and are unduly affected.Therefore, child labour is described as works that are essentially exploitative, injurious to the physical, social cognitive and moral development of a child. Child labour occurs when children especially young ones, are exposed to long hours of work in a dangerous or unhealthy environment, with too much responsibilities for their age and at the expenses of their schooling. This is similar to the view of Oloko (2014).

According to Omoluabi (2007), child labour is a condition in which a child works for several hours in a day with inadequate food or rest. Child labour is regarded as an abuse because the child's strength and capacity cannot sustain the long duration of work as well as the exertion of the work. The children who hawk in the streets in urban centres, even for a few hours in a day, which is also regarded as child abuse because they are exposed to the hazards of traffic accident, weather and other undesirable environmental conditions in the process of hawking. Child labour is a universal problem and a serious violation of children's legal right, the types and condition of work varies, but many children who work in exploitative and under hazardous situations are deprived of education and the opportunity for health development.

Child labour is both a consequence and a cause of poverty. Denial of the right to education traps children in a subsistence level of existence that is perpetuated from one generation to another. Child labour is the denial of the basic rights and needs of the child by parents, peers, governments and cultural community, occurring as acts of commission. Child labour occurs in dimensions; in familiar context and outside the familiar context. In familiar context, children are engaged in domestic services; work on the family farm and in economic chores such as bus conducting, kiosk operation, newspaper vendor, hawking or street trading and formal employment in the wage sector such as hotels and restaurants. Child labour could be regarded as any type of paid and unpaid or exploitative work which places the interest of the beneficiary well above those of the child workers and is

detriment to the physical, mental, social, moral or educational development of the child.

The phenomenon of child labour inculcates lots of exploitative practices and discrimination which hinders the child's perception of him/her and the society as a whole. The emergence of child labour seems more relevant in the urban centres than in the rural area and it has become typical of economic activities in every urban location in Nigeria. The problem of child labour has become compounded to the extent that some state governments have to promulgate edicts outlawing street hawking.

Child labour includes both paid and unpaid work and activities that are mental, physically, socially or morally dangerous and harmful to children. It covers work that deprives them of opportunities for school or that requires them to assume the multiple burdens of schooling and working at home and in other places, and work that enslaves them and separates them from their families. They are the works carried out to the detriment and endangerment of the child in violation of international and national legislation (Haspel & Jankanish, 2010).

In a similar vein, Edun (2009) argued that child labour occurs not only when the interest of the beneficiary is placed well above those of the child, but rather when children are entrusted with too many responsibilities without compensatory psycho-social rewards or work which acts as obstacles in the ability of the children to adequately prepare for the future.

3. Causes of Child Labour

However, despite all factors to tackle the problem of child labour, it has been on the increase. Therefore, the socio-economic factors sustaining child labour in Nigeria have been identified by the researchers. These are family, economy and education. The major cause of child labour is poverty. The children work to ensure the survival of their family and themselves due to low level of income. Nevertheless, they serve as contributors to family income in Kwara State particularly in Ilorin metropolis

Furthermore, the size of the family can be seen as one of the factors responsible for child labour. Gill (2007), revealed that the size of the family or number of children in the family is related to the likelihood of child maltreatment and abuse. He noted that the larger the family, the greater the risk of child labour. Any family that produces more children that they cannot effectively cater for, most of such children (Fayeye, 1995).According to the World Bank studies (2006), children from poor families in Nigeria have a set of basic tasks to do in their respective households.

The desire for large family size and polygamy, both of which constitute risk factors in child labour, stems from tradition. Culture and tradition works hand in hand, and has gone a long way to influence child labour in Nigeria and other under developed countries like ours. Some cultures in Nigeria see child labour as a means of livelihood, a means of training children and to survive. Instead of taking into the streets and engaging in criminal activities.

The nature of the economy in Nigeria especially in Kwara State has been hindered by poverty and unemployment. In 1996, about 65% of Nigerians lived below poverty line. Therefore, poverty has been on the increase and as worsen the economic capacity in Nigeria. Besides, unemployment has remained the nation's albatross. Unemployment leads to loss of earning capacity at individual level and loss of the contribution to the national economy. This high rate of unemployment leads to economic crimes, corruption, street hawking and so on (UNICEF, 2011). Parents who are educated understand the importance of schooling from personal experience. As a result, parental education plays a major role in determining children schooling and employment (Tienda, 2009). All over the world, formal education is seen as a basic way of acquiring skills and knowledge that can benefit individuals knowing about their lifetime.

In Nigeria, many children of school attendance age are found on the streets engaging in one form of economic activities instead of going to school. However, in the year 2000, the number

of children of school attendance age of 6-11years group was 20,901,097 and those 12-17 years group was 16,237,951 (FOS, 2000). The slight increase in the number of school enrolment in year 2000 could be attributed to the success of the Universal basic education (UBE) launched by President Olusegun Obasanjo regime in October, 1999. The introduction of UBE by president Obasanjo has help to reduce the education of the less privileged in our society because education is now affordable and accessible to the average Nigerian from primary school level up to the junior secondary school level for all. This has help to reduce illiteracy in our society and helped to encourage people on the reasons and advantages of going to school. It has also encouraged them to try and further the educations more for them to be able to achieve more and become useful members of the society and also to themselves.

In every society, the family is considered the oldest institution and as such, it plays a crucial role. Throughout history, strong families have helped to make strong societies. The family is considered the best arrangement for bringing up children to be matured adults. For most homes in Nigeria, because of widespread poverty, feeding has become a major problem.

Hence, it is not uncommon to find thousands of homeless children roaming the streets or engaging in one kind of labour or the other. Many are escaping from abusive homes or are cast out by family that can no longer support them. This is a very important socio-cultural factor sustaining child labour because it has gone a long way to determine how an individual will become in the society and how he participates and interacts with other members of the society. Family has gone a long way in developing and providing a normal and conducive society for our convenience.

4. Statement of the Problem

In Nigeria, most parents procreate large number of children to assist them in their domestic chores and farming activities. However, with increasing urbanization and the resultant growing complexity of urban social space, there are emerging problems associated with the new mode of life including child labour. These problems give rise to environmental, socio-economic and cultural problems which include exploitation of children, sexual harassment and acquisition of deviant behaviour among others.

The problem of sexual harassment affects most female children that are trading on the streets and at motor parks. This usually results in unwanted pregnancies. Also, the fast moving vehicles on the street sometimes hit the child traders. Some young children even drop out of school due to lack of financial support for their education. Therefore, there has been an increasing rate of child labour throughout the whole country despite the effort of the federal government and International labour organization (ILO) towards reduction in the number of child labour. Consequently, these young people tend to be poorly educated and become parents themselves at an early age (Sidel, 2006).

In Ilorin metropolis, children perform various tasks which fall within the category of child labour. Many children work under abusive conditions which are dangerous to them. For example, many children do carriage services (alaru) at various markets such as Oja-Oba, Ipata market among other. Also many children are engaged in domestic services (Omo-Odo) at household and restaurants assisting in fetching water, washing plates and clothes, cooking food and so on.

5. Objectives of the Study

The specific objectives of this study include:

(i) To identify the causes of child labour in Kwara State.
(ii) To analyse the effects of child labour on the child, family and society.
(iii) To examine the relationship between child labour and poverty.

6. Research Hypotheses

The following hypotheses were tested in the study:

(i) Family size will not significantly be a determinant of child labour.
(ii) Poverty will not significantly be a determinant of child labour.
(iii) Educational background of the parents will not significantly be a determinant of child labour.

7. Research Methodology

Descriptive method of survey research design was used for this study. The population of the study refers to the selected numbers of people living in the three local government areas of Ilorin metropolis (Ilorin East, Ilorin South, Ilorin West). The sample for the study four hundred (400) respondents selected from three local governments in Ilorin metropolis which include Ilorin East local government with head quarters at Oke-oyi, Ilorin South local government with head quarters at Fufu and Ilorin West local government with headquarters at Wara oja, Ilorin.

Using simple random sampling technique, One hundred and fifty-one (151) respondents were selected from Ilorin West local government, One hundred and thirty-eight (138) respondents were selected from Ilorin East local government and one hundred and eleven (111) respondents were selected from Ilorin South local government to make a total of four hundred (400) respondents. The research instrument used in this research is a questionnaire which was validated and tested for reliability. This was administered through research assistants to the respondents. All the copies of the questionnaire administered were collected immediately and analysis was done through simple percentage (%) for a clear presentation and comparison of data, while Chi-square (X2) was used to test the hypothesis at < = 0.05 level of significance

8. Data Analysis, Results and Discussion Of Findings

Table 1: Socio-Demographic Characteristics Of Respondents
N=400

VARIABLES	***FREQUENCY***	***PERCENTAGE (%)***
FAMILY SIZE (people)		
1-5	142	33
6-10	108	27
11-15	72	18
16 and above	88	22
INCOME(Monthly)		
Below ₦18,000	70	35
₦18,001 - ₦25,000	60	30
₦25,001- ₦32,000	40	20
Above ₦32,000	30	15
EDUCATIONAL BACKGROUND OF PARENT		
Primary	80	20
Secondary	128	32
Tertiary	112	28
None	80	20
TOTAL	***400***	***100***

Test of Hypotheses

TABLE 2 :- Result of X^2 Analysis on Family Size, Poverty Level and Educational Background of Parent N=400

Hypothesis	Variable	Degree of Freedom	Calculated (X^2)	Critical Value	Decision
1	Family size	18	48.05	28.87	H_0 Rejected
2	Poverty	28	62.16	41.34	H_0 Rejected
3	Educational Background of Parent	18	32.82	28.87	H_0 Rejected

$P \geq 0.05$

Table 2 showed that on Hypothesis 1; the calculated value of 48.05 was less than the critical value of 62.16 with 18 degree of freedom at 0.05 level of significance. Therefore, the null

hypothesis is rejected. This means that family size will significantly be a determinant of child labour in Kwara State.
On Hypothesis 2; result of analysis showed that the calculated chi-square value of 28.87 was less than the critical value of 41.34 with 28 as the degree of freedom at 0.05 level of significance. Therefore, the null hypothesis was rejected. This means that poverty will significantly be a factor that will determine child labour in Kwara State.
On Hypothesis; 3result of analysis showed that the calculated value of 32.82 was lesser than the critical value of 28.87 with 18 degree of freedom at 0.05 level of significance. Therefore, the null hypothesis was accepted. Meaning that educational background of the parents will significantly be a determinant of child labour in Kwara State.

9. Discussion of Findings

Based on the findings on hypothesis 1, which sought to find out the family size as a factor that determines child labour. This is in line with the findings of (Gill, 2007), who revealed that the size of a family or the number of children in the family is related to the likelihood of child maltreatment and abuse. This means the larger the family size, the greater the risk of child labour. The upsurge of child labour could be as a result of failure of family institution to serve as a protective buffer for the child and the society at large.

Based on the findings on hypothesis 2, poverty level determines child labour. The finding showed that poverty will significantly be a factor that determines child labour. This can be linked to the findings of (Omoluabi, 2007) who opined that poverty is a situation where the children are forced by their parents to work for several hours in a day with inadequate food or rest in order to contribute to the family upkeep.

Hypothesis 3 findings revealed that the educational background of the parents will significantly be a factor that determines child labour. This is in line with the findings of (Tienda, 2009), who asserted that parents who are educated understand the importance of schooling from personal experience. As a result, parental education plays a major role in determining children school, employment and other child labour activities. Whereas, those parents that are uneducated tend to subject their children to labour. With this most young people tend to be poorly educated and become parents themselves at an early age.

10. Conclusion and Recommendations

In this time of global economic meltdown and economic recession in Nigeria, child labour is a serious problem. This has given serious concern to the International Labour Organization (ILO) and UNICEF as well as many governmental and non-governmental organizations.

Child labour involves children working instead of going to schools and most of the time, these works are such that are injurious to their health. In Nigeria, most of the child labour works are in the informal sector like children participating in hawking of goods, prostitution, house helps and labourers in building sites. Child labour is an abuse and most of the time, these types of work they engage in, are not ordinarily for children. Various researchers have felt concern and done some work on the phenomenon.

In view of the purpose of this study and the findings of the result of this study, the study concluded that children involved in child labour as a result of large family size, low poverty level and uneducated parent. Therefore, the exploitation of children through child labour still persists in Nigeria. Child labour is one of the socio-economic problems in Nigeria and in most developing countries caused majorly by poverty.

The following recommendations are made:

(i) Health educators should engage on more family planning campaign in Nigeria. This will reduce the dependency ratio of the family and parents will be able to take care of their children.
(ii) The government should engage in poverty alleviation programmes to reduce the incidence of child labour in the country. This would provide

more jobs to meet the demand of the working population and should also tackle the problems of retrenchment, pension scheme and low income to reduce family hardship that leads to child labour.

(iii) Mass literacy campaign should be intensified so as to encourage parents to send their children to school.

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Bullying, Self-Disclosure and Sexual Incompatibility as Correlates of Marital Instability among Newly Married Adults in Nigeria

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Abstract. The rate of divorce is increasing steadily among newly married adults in Nigeria than what it used to be in time past. Some couples engage in activities that are detrimental to the growth and development of the family. The study investigated bullying, self-disclosure and sexual-incompatibility as correlates of marital instability among newly married adults in Nigeria. The descriptive survey research procedure of the correlational type was adopted. The target population was all newly married adults between 1-6 years in Nigeria. Multi-stage sampling consisting of purposive, stratified and simple random sampling techniques were used to draw a sample of 2,400 respondents from the target population. The instrument used for data collection was tagged ‘’Bullying, Self-disclosure, Sexual-incompatibility and Marital Instability Questionnaire (BSSMIQ)’’. The instrument which has five sections was validated by experts in the Department of Counsellor Education, University of Ilorin. The instrument was subjected to test re-test reliability technique and the values of 0.76, 0.74, 0.72 and 0.76 were obtained for bullying, self-disclosure, sexual-incompatibility and marital instability respectively. One null hypothesis was raised. Data collected were computed using percentage and correlation matrix. The findings of the study show that there were significant relationships among bullying, level of self-disclosure, sexual-incompatibility and marital instability of newly married adults in Nigeria ($r=0.425$, $p<0.05$), $r=0.660$, $p<0.05$, $r=0.706$, $p<0.05$). The study concluded that majority of the newly married adults attributed their marital instability to external factors; bullying, self-disclosure and sexual-incompatibility. The findings of the study have implication for counselling, the newly married adults can improve naturally when they align their desires and attitudes with principles of commitment, honesty and personal accountability. Based on the findings, counsellors need to counsel the newly married adults to ignore abusive behaviours such as destructive criticism, contempt or aggressive defensiveness.

Keywords: bullying; sexual incompatibility; self-disclosure; marital instability

1. Introduction

Marriage is known to be a special bond shared between two souls, who tie the wedding knot after promising to be companion for a life time.

It is the physical, mental and spiritual union of two souls which brings significant stability and substance to human relationship and plays a crucial role in transferring the culture from one generation to the other (William, Chamber, Logan & Robinson, 1999). Marriage has been described as a covenant relationship between male and female adults. The covenant nature of marriage provides strong foundation and secure framework for spouses' commitment to each other.

Marriage is a common institution to all human societies which is supported by the major religions in Africa that is, Christianity, Islam and African traditional (Esere, 2002). It is also the role relationship between husband and wife which defines the manner establishing and dissolving family unit and the rights and obligations within it (Nwobi, 1997). The family is a social set up in the sense that it can hardly come into existence unless the couple decides to bring it into being (Olayinka & Omoegun, 2002).

When people make choices to marry, they want to live happily even after; they want a loving, happy, successful marriage. Nevertheless, after they have been married for a while, and the novelty has worn off, they tend to discover that marriage does not maintain itself. Marriage requires effort from both spouses to stay. Marriage can equal either bliss or chains. It all depends on what one makes of it. Marriage depends on many different things to be successful: trust, love, time, friendship, understanding, honesty, loyalty, sincerity and above all effective communication. Many marriages experience a lot of problems such as bullying, lack of self – disclosure and sexual incompatibility which may result into marital instability.

Internal marriage crises (e.g bullying) occur through a failure in marriage relationship of new couples. This failure is founded on many variables: lack of understanding, commitment, ineffective communication, irrational thinking, the nature and dynamic of the marital relationship among others (Jollin, 2007). Most newly married couples experience various tensions in their relationship which lead to continuous deepening of crisis due to lack of constructive solution (Nwoye, 1991).

Bullying is a serious problem because spouses that experience any form of bullying at home become seriously affected by such acts. The home becomes an intimidating place for them and they spend their days worrying about being victimized. In fact, some homes have completely become a threatened environment for some newly married couples because of the type of relationship style (autocratic husband) where the husband bullied so much at his wife and thus makes her to be fearful in expressing her grievances. The wives who are bullied may as well become bullies themselves out of retaliation (Olweus, 1992). Bullying also involves direct acts such as physical violence and intimidation, as well as more indirect forms, such as isolation, exclusion and humiliation. Angst (1998) opined that bullying creates a lot of anxiety for the newly married couples (husband or wife) because it reduces emotional intelligence, self – esteem and thus makes the parties involved to create an unsafe environment for themselves because it encourages them to live in isolation by making them to be avoiding themselves from interacting with each other.

The bedrock of a good relationship that exists between the husband and the wife is good communication; marriage that was not built on an effective communication is likely to break up. Communication is very essential in stabilizing marriage. Communicating effectively enables the couples to resolve conflict amicably. It is also a life wire of marriage relationship or any other meaningful relationship (Esere, 2002, 2006). A marriage without effective communication is likely to crumble. Effective communication is the elixir for ailing marital relationship. With so many marriages ending tragically in divorce (Adegoke & Esere, 1998), so many problems escalate when there is no adequate self-disclosure and many problems are resolved when there is effective self-disclosure. For sure, self-disclosure as an aspect of communication is the key to successful marriage, and without it, no marriage can survive in this divorce- filled dynamic world (Jolin, 2007).

Self-disclosure is seen by Hybels and Weaver (2001) as any process in which people share information, ideas and feelings which involve not only the spoken and written word but also body language, personal mannerisms and style. Self - disclosure is an integral feature of interpersonal relationship. It is a pillar which maintains the influence of spousal communication on marital stability, structure of peaceful co- existence and mutual understanding. Self - disclosure is very vital in all areas of human life especially the marriage relationship (Esere, 2008). It is the key to a strong healthy relationship. It allows partners to feel loved and caring. Effective self - disclosure requires practice of the skills of listening and expressing thoughts and feelings. Self-disclosure pattern includes having a partner who really talks, a good listener, a good friend who likes and appreciates his/her spouse as a person and does his or her share to make the relationship work. Intimacy begins when couples self- disclose something personal and important to each other, also responding in an encouraging way. Self-disclosure is an important building block for intimacy. Intimacy cannot be achieved among the newly married adults without it, so it has to be reciprocal and appropriate. Most self-disclosure usually occurs early in relational development, but more intimate self-disclosure occurs later. Women self-disclose to enhance a relationship whereas men self-disclose relative to control and vulnerability (Esere, 2008).

Idowu and Esere (2007) opined that more than half of the failed relationships are due to the fact that there was a severe lack of self - disclosure between couples. In order to have a long and lasting relationship with someone, one must have excellent self-disclosure skills. One must be able to convey one's emotions and thoughts, as well as being able to absorb one's partner's emotions and thoughts. Some people do not self-disclose with words, they self-disclose through actions. If one pays close attention, one will get what he/she wants from his/her partner. But the problem is that most couples do not pay close attention to each other, thereby causing marital disharmony (Barnett & Rivers, 1996). Self-disclosure in marriage is fundamental to human interaction and intimate couple relations, in part because it is a tool for knowing or emotionally connecting with one another. It was discovered from one study of couple that both men and women agreed that the emotional connection they shared with their partner was what determined the quality of their relationship (Barnett & Rivers, 1996).

Marital stability is the relationship in which couples live together in marriage, enjoying the closest possible loving and fulfilling relationship without any intention of break up (Adesanya, 2002). A peaceful relationship is achieved when married couples understand their individual's roles and work together towards it. Adesanya (2002) identified certain factors that ensure marital stability such as economic well-being, responsiveness among others. Job stability may mar or enhance marital stability because it determines the interactions between labour market and marital status outcome. High rates of instability may in turn lower marriage rates of young people (Neumark, 2002).

Owuamanam and Adesanya (2003) opined that inadequate provision of essential needs for wives and children within the family is capable of creating tension, conflict and poor marital adjustment. Also, Osundiya (2005) observed that marital instability in homes could lead to separation and divorce. Ambakederemo and Ganagana (2006) found that marital instability is caused by sex-related issues, bullying, lack of self-disclosure, love and trust, socio-cultural factors, anti-social vices and lasting economic factors.

Marital instability refers to series of thought or actions by spouses that frequently lead to actual separation or divorce as a result of problematic marital relationships which increase emotional distress among couples (Gotlib & McCabe, 1990). Emotionally balanced home has positive multiplier effect on the society and the family at large because an emotionally threatened home affects the interaction between the husband and the wife. To this end, this research investigated bullying, self – disclosure and sexual incompatibility as correlates of marital instability among newly married adults in Nigeria.

2. Statement of the Problem

Some couples engage in activities that are detrimental to the growth and development of the family (Conger et al, 1990). Amao (2002) in his study, found out that out of 547 cases of marital conflicts investigated, 206 of them were resolved and 314 disintegrated their marriages due to conflicts and disagreements. Various researchers have reported that the rate of divorce in Nigeria is steadily increasing and today more couples divorce more than what it used to be in the time past (Lofas & Sova; 1995, Adegoke & Esere,1998).

With rapid modernization and westernization of societies, those norms, practices and traditional values which initially kept African marriages are now being eroded. There is a big paradigm shift from what used to be obtained in marriage in the time past (Greene, Delerga & Mathews, 2006). The mindset, values and expectations with which couples enter into marriages have drastically changed. The average Nigerian lady is educated and has views and expectations of what her marital life should offer. The same applies to her male counterpart. It is common to hear young girls discuss the kind of man, they will like to marry. The media has made it worse with social media portrayal of who an ideal woman should be. All these lead young men and women to enter into marriage with wrong notions and expectations of what marriage should be.

Several propositions have been presented in the past to substantiate the enhancement or the deterioration of quality of couples's relationship such as those by Derlega (1993) and Mittal (2005) which focused on self-disclosure, closeness and its implication on the structure, development and prediction of marital instability. Yusuf (2005) focused on indices of marital instability; Isiaka (2005) investigated relationship between divorce and spousal communication and found that lack of effective communication in marriage precedes divorce. Oyewo (2007) worked on sexual dysfunction and communication as correlates of marital dissatisfaction among civil servants in Nigeria. It was revealed that these variables caused marital dissatisfaction which later culminated into marital instability and divorce.

This study was a further attempt at investigating other variables that could predict marital instability among newly married adults in Nigeria.

3. Method

Design: Correlational research design was adopted for this study. The researchers employed correlational design because the research was aimed at investigating the relationship that exists between the independent variables (bullying, self-disclosure and sexual incompatibility) and dependent variable (martial instability).

Participants and setting: The population for this study consisted of all newly married adults in Nigeria. Respondents that fall between 1-6 years in marriage from churches, mosques and agencies in the sampled state formed the target population. The multi -stage sampling method was adopted in selecting participants for the study. At stage one, purposive sampling method was used to select six states, one from each of the six existing geo – political zones in Nigeria. At stage two, stratified random sampling technique was used to classify variables into group of desired characteristics such as age, religion, educational level among others. At stage three, the simple random sampling technique was employed to select participants from each stratum. A total of 400 newly married adults were randomly selected from each of the states of the six-geo political zones which amounted to 2,400 respondents.

Instrument: Data were gathered from the target sample using a self-developed questionnaire titled "Bullying, Self- Disclosure, Sexual-Incompatibility and Marital Instability Questionnaire (BSSMIQ). The instrument (BSSMIQ) was given to five (5) experts in the Department of Counsellor Education to ascertain its content validity. These experts, following detailed scrutiny, made suggestions which were taken into consideration in the final draft of the questionnaire. The reliability coefficient of

BSSMIQ was determined by using the test-retest method. The correlation coefficient obtained was 0.72. The coefficient was considered to be high enough for the researchers to conclude that the instrument is reliable.

Method of Data Analysis: Correlational Matrix was used to analyse the hypothesis to consider the relationship between the independent variables (bullying, self-disclosure and sexual incompatibility) and dependent variable (marital instability).

4. Results

Correlational Matrix Analysis technique was applied to analyse the data, so as to check the significant correlations.

Hypothesis One: Bullying acts, self-disclosure patterns and sexual incompatibility indices will not significantly correlate marital instability among newly married adults in Nigeria.

Variables	1	2	3	4
1.Bullying acts	1.000			
2.Self-Disclosure	0.532**	1.000		
3.Sexual incompatibility	0.410**	0.722**	1.000	
4.Marital Instability	0.425*	0.660*	0.706**	1.000

Table 1: Correlation Matrix Showing the Relationship between the Independent and Dependent Variables

The results from Table 1 revealed that marital instability had significant correlation with bullying acts ($r = 0.425$, $p < 0.05$). The table also shows that marital instability had significant correlation with self-disclosure ($r = 0.660$, $p < 0.005$), It was also revealed from the table that marital instability had significance correlation with sexual incompatibility ($r = 0.706$, $p<0.05$). Summary of correlational matrix of the combined correlation of marital instability by the three independent variables (i.e bullying acts, Self-Disclosure pattern and sexual incompatibility) revealed that the three independent variables play significant role on the marital instability of the newly married adults. Therefore the hypothesis is not accepted.

5. Discussion

The study focused on the investigation of the relationship among Bullying, Self-Disclosure, Sexual incompatibility and marital instability of the married adults in Nigeria. A total of 2,400 newly married adults in Nigeria participated in the study out of which 2399 became the actual respondents because one of the questionnaire forms was not returned by the respondent.

A significant relationship was found between marital instability and bullying acts ($r=0.425$, $p < 0.05$). This affirms the study of Squire and Susan (2008) who opined that the couple, who engages in any form of bullying at each other, ends up in divorce or marital instability. Schuster (1996) also affirmed that power in-balance and the fact that bullying behavior is repeated overtime among couples, makes them to experience marital instability. These findings may be due to the fact that bullying can cause a lot of pandemonium among newly married adults. This finding corroborates Olweus (1993) who noted that males tend to be more aggressive than females, they have little empathy for their victims and show little or no remorse.

The findings also implies that marital instability had a significant correlation with self-disclosure ($r=0.660$, $p < 0.05$) which indicates that self-disclosure had significant relationship with marital instability of newly married adults. This findings corroborate (Brandon, 2004) which noted that self-disclosure in marriage is a life giving river, when husband and wife cannot self-disclose effectively, a huge dam is built stopping the flow of water, seeds that were once planted cannot grow and both spouses develop a strong inward thirst for their unmet needs, eventually causing multiple cracks throughout their relationship. This corroborates the study of Aphys (2012) which expressed that the place of communication in marriage cannot be over emphasized in a marriage relationship. The study of Barnett, (1998); Gutheil and Gabbard, (1998) also established that verbal and other deliberate actions, such as placing a certain

family photo in the office or an emphatic gesture such as a touch or certain sound enhances the marital stability of married adults. The couple must be counselled on the emotional communication as a way of self-disclosing to each other which means the creation of relationship-relevant meaning which is like circulatory system of a relationship which allows meaning and sentiment to flow between partners. It is the system for paying attention to each other (Gottman, 1994). Also, they must be made to understand that intimacy is the basis for healthy self-disclosure patterns which begins with partners sharing something personal and important to them and the spouse responding in an encouraging way, i.e couples need to pay more attention to each other's patterns of emotional engagement and responsiveness in contexts other than conflict resolution (Driver & Gottman, 2004).

It was also revealed that marital instability had significant correlation with sexual incompatibility ($r=0.706$, $p < 0.05$) which implies that the sexual incompatibility of the newly married adults had significant relationship with marital instability of the newly married adults. This corroborates Murdock (2006) which expressed that sexual aversion disorder is an exaggerated form of hypoactive sexual desire disorder and it represents the persistent or recurrent phobic aversion to genital contact with a sexual partner which causes personal distress that can lead to marital instability. This corroborates the study of Akinade and Sulaiman (2005) who observed that inability or failure to engage in effective sexually stimulating behaviour is a cause of sexual dysfunction which may lead to marital instability among married adults in Nigeria.

The findings confirm various studies (Nadir, 2003; Isiaka, 2005, Manning and Cohen 2010, Hess, 2011) which indicated that the three predictor variables have influence on marital instability of the newly married adults.

6. Implications for Counsellor Education

The findings of study will contribute significantly in training professional counsellors in the following ways:

- to make them to recognize the significant effects of variables, such as bullying, self-disclosure and sexual incompatibility on marital instability
- to incorporate these variables (bullying, self-disclosure and sexual incompatibility) into the counsellor education curriculum
- to fully incorporate sexuality education into counsellor education curriculum

7. Recommendations

Based on the outcome of this research, the following recommendations were made:

- the newly married should be taught about self-disclosure strategies that promote healthy relationship.
- religious organizations should invite professionals in the field of marriage counselling to sensitize the members of their religious organizations about the importance of self-disclosure in marriage.
- professionals in counselling psychology, most especially marriage counsellors should organize couples education where self – disclosure, bullying and sexuality education will be discussed
- newly married adults should be encouraged to pay attention to the non-verbal communication aspects of their relationships, i.e body language, eye contact and that physical touch goes a long way to self-disclose thoughts and feelings. Each (husband or wife) must refuse to play the blame game, which means they must be able to tolerate and accept each other as they are.

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Using Torture to Extract Information from *Bokko-Haram* Group: A Mere Scourge or Panacea to Halt Terrorism in Nigeria?

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Abstract: This paper examines the constitutionality of the use of force in extracting information from the captured insurgents considering both the domestic as well as other International Treaties against torture which Nigerian is a signatory. In doing this, the paper examines the human rights issues in the insurgency mishandling in Nigeria, made case for better option and concludes that using torture is a mere scourge but that if government can embark on programme that will be of direct benefit to the citizenry, strengthened the rule of law and improve fire arms regulations, the case of terrorism will be a thing of the past in Nigeria.

Key Words: Nigerian Security Personnel, *Bokko-Haram*, Terrorism, Human Rights Abuse.

1. Introduction

Insecurity and terrorism is a rising menace that has engaged and attracted the global attention especially since the September 11 2001's World Trade Centre bombing in the USA. The hullabaloo and cry over the September 11 incidence and the way and manner the United States government turned itself to the world police since then and the UN to swiftly pass the UNSC Resolution 1367 made most African countries see terrorism as the apex upheaval facing the continent and that the use of force as the most effective solution. This thinking and belief is too restrictive. To appreciate and appraised security, it is better done holistically from a broader perspective than purely military terms (Makinda).

Human security according Kofi Annan in its broadest sense, "…embraces far more than the absence of violent conflict. It encompasses human rights, good governance, access to education and health care and ensuring that each individual has opportunities and choices to fulfill his or her potential…."Security is the protection of the people and the preservation of their norms, rules, interests, institutions and resources, in the face of military and non-military threats(Kofi *supra*). Human Security is "the vital core of all human lives in ways that enhance human freedoms and human fulfillment (Makinda *supra*)". "Human security means protecting fundamental freedoms – freedoms that are the essence of life"

Terrorism according to Hornby (2004) is the use of violent action in order to achieve political

aims or to force a government to act. Terrorism is an act which is deliberately done with malice aforethought and which may seriously harm or cause damage to a country and or its citizenry. Terrorism is an act deliberately done with the view of destabilizing or destroys the fundamental political, constitutional, economic or social structures of a country. In the third paragraph of India's Terrorist and Disruptive Activities (Prevention)Act, No. 16 of 1989, terrorism is defined in detail as 'Whoever with intent to take over the Government as by law established or to strike terror in the people or any section of the people or to alienate any section of the people or to adversely affect the harmony amongst different sections of the people does any act or thing by using bombs, dynamite or other explosives substances or inflammable substances or lethal weapons or poisons or noxious gases or other chemicals or by any other substances(whether biological or otherwise) of a hazardous nature in such a manner as to cause, or as is likely to cause, death of, or injuries to, any person or persons or loss of, or damage to, or destruction of, property or disruption of any supplies or services essential to the life of the community, or detains any person and threatens to kill or injure such person in order to compel the Government or any other person to do or abstain from doing any act, commits a terrorist act.' In the case of Kenya, the Penal Code of Kenya does not define terrorist activity. However, any act that causes danger to life or property is prosecuted through various provisions of the Penal code Chapter 63 and in Protection of Aircraft Chapter 68 of Laws of Kenya. Similarly, in the Nigerian Anti-Terrorist Act passed in 2013, the word terrorism is not defined but, both terrorist and what constitute terrorist act were outline. (Terrorism (Prevention)(Amendment) Act, 2013). The unauthorized procurement or possession of explosives or of nuclear, biological or chemical weapons, as well as research into, and development of biological and chemical weapons without lawful authority; the release of dangerous substance or causing of fire explosions or f1oods, the effect of which is to endanger the society are all acts or omissions that are within the classification of the definition of terrorist act (Nigerian Terrorism Prevention Act, 2011 Section 1(2)

The Nigerian historical past have a long history of insecurity and violence which includes 1916 tax resistance against the colonial administration (Olokooba: 2013:40). The riots and disorderliness in Sapele and Warri in 1927 and the Aba Women Riot of 1929 was a typical example. It is evident that violence and insecurity in Nigeria predates her independence in 1960(Uwah: 2012:20). After independence, Nigeria became a federation where each federation embarked on separate developmental course (Oscar:2013:180). Practically therefore, there seems not to be unity in the Nigerian federation and this has precipitated various forms of incessant and or sporadic ethno-religious conflicts over the years. Agitation by the youth from different part of the country is now at the apex level and great challenges to the peaceful co-existence of the Nigeria as a nation.(Olokooba, Olatoke:2012:58-60)

Due to years of continuous marginalization, political cum economic subjugation and frustration, many youth in the North Eastern part of Nigeria are now pushed into joining 'self – help' Islamic extremist religious group called the *Bokko Haram*. This group is hostile to the Nigerian state as presently structured. Despite the fact that some act of terrorism especially in the North Eastern part of Nigeria where *Bokko Haram* operates are as a result of reaction to some sort of maladministration, corruption, political and economical oppression and bad governance (Olokooba,Olatoke, *supra*:55). The way and manner the security personnel are handling the insurgency and terrorist cases is far from the realm of human right. To the Nigeria Security personnel, once you are suspected of being a terrorist, you are morally condemned and instantly presume guilty without any formal trial! The Nigerian government's response to the activities of this group largely has been military solution via war, raid and force to get information from the captured terrorist. Consequently, there are raging accusations that government personnel are using torture, cruel and degrading treatment in the interrogation of the group which clearly violates the constitution

as well as the international human right treaties which Nigeria is a signatory.

2. Conceptual Framework and Operational Definition of Key Terms

In consideration of the concept at hand one must note that there are some key words which meaning is to be ascertained from the beginning for better appreciation as well as understanding of the theme of the paper. The words are 'Human Rights Abuse', 'Security Personnel', "Terrorism" and "*Bokko-Haram.*

Human Rights Abuse' is used in this work as a misuse of both political as well as administrative power on some members of Nigerian citizenry under the pretence of fighting terrorism. It also connotes the unconstitutional as well as illegal actions taken by the Nigerian army under the pretence of fighting against insurgency without respecting their rights under both the Nigerian constitution and other international treaties that has to do with rights. "Terrorism" is the use of threat of action designed to influence the government or intimidate the public in order to advance a political, religious or ideological cause. *Bokko Haram* is the latest of insurgent/terrorist group operating in Nigeria.

3. Brief History of *Bokko Haram* Terrorist Group in Nigeria

The emergence as a radical fundamental Islamic sect, the *Boko-Haram* came to the limelight after the killing of their leader, the late Muhmmed Yussuf by the security operative in Maiduguri. Though the group had been in existence, but they were confined to their mosque at *Angwa Doki* Millionaire quarters where their preaching outlet was situated and later their mosque named *Ibn Taimiyya Masjid*. According to Ahmad Salkida, it was in *Ibn Taimiyya Masjid* that late Yusuf together with his hard-line top lieutenant Abubakar Shekau alias '*Darul Tauhid*' began to build an imaginary sate within a state. Together they set up *Laginas* (departments), they had a cabinet, the *Shura*, the *Hisbah* (security), the brigade guards, a military wing, a large farm, an effective micro finance scheme, and late Yusuf played the role of a judge in settling disputes, each state had an *Amir* (leader) including *Amirs* in Chad and Niger that gave accounts of their stewardship to Yusuf directly (Salkida, *supra*).

If not recently that the activities of the *Bokko Haram* is now done in open and the identities of some key members disclosed, the secretive nature of the operation of the *Boko-Harram* group at the formative stage of the sect made the actual year of establishment of the sect a mirage. While some opined that it was founded in 1995 under the name *Shaabba*, Muslim Youth Organisation (Abimbola,Adesote;2012:17, Danjibo:2009:11), others were of the opinion that the group came in to existence in the early part of 2000/2001(Sunday Tribune(Nigeria)2/2/2012:3). One thing that is however certain is that it was the entry of the slain Mallam Muhammed Yussuf that radicalised the group and opened it to foreign collaboration, especially with the *Al-Qaeda* in Islamic Maghreb.

The large and committed followers of the *Boko-Haram* sect are the *Almajiris*(the *Quranic* trainees). This has however changed. The group now parades some numbers of elite as well as educated persons as members. In 2014, it was reported in the news that a serving senator of the Federal Republic on Nigeria and a lecturer in Kogi State University are among those funding *Bokko Harram* in Nigeria (Ejiofor, 2015). The mission of the sect was to establish an Islamic state where Orthodox Islam is practiced. Orthodox Islam according to him (Yusuf, leader of the sect) frowns at Western education and working in the civil service because it is sinful and un-Islamic.

The *modus operandi* of the *Boko Haram* terrorist group in the North Eastern part of Nigeria are, kidnapping, as it occurred on 8 march 2012 when an Halina and a Briton who were staff of Stabilim Visioni Construction firm were abducted by Boko Haram and later killed. Students and women were also kidnapped on several occasions, killing and maiming the innocent citizen especially in the public places, just as it occurred in Jos killing of 24 December, 2010, where 8 people died, Maiduguri bomb explosion of 24 April, 2011. Attack of place of worship, this occurred on 25 December, 2011

when St. Theresa Catholic Church Mandala was bombed and close to 50 people died and institutions of learning, Bayero University Kano was attacked on 29 April 2012, Government Day Secondary School Maiduguri were attacked on 17 June 2013. The gravity of the insurgency activities in the Northern Nigeria made the United State of America in 2013 promised a bounty of $7m for any information that may lead to the arrest of Abubakar Shekau, the *Boko Haram* sect leader in Nigeria.(Olalekan, Emma, 2013). All these terrorist acts do not only constitute a great threat to the nation's democracy, national stability and security but also consistently and stubbornly throw up the issue of the national question in Nigeria(Ikelegbe:2003:37).

4. The Nigerian Government Efforts in Tackling Terrorism

Nigeria's response to terrorism reached a new dimension with Boko Haram's purported declaration of an Islamic caliphate in the North East of the country. The government has reluctantly admitted that the terrorists have actually taken over some towns and villages in Borno, Yobe, Adamawa and that "appropriate military operations to secure that area from the activities of the bandits is still ongoing." the dynamics of the crisis has effectively changed into an armed war and in a bid to extract information from the captured terrorists, series of tactics in form of torture are said to have been used by the Nigerian security personnel.

The government has also been engaged diplomatic activities with its West African neighbors; Chad, Niger and Cameroun designed to reduce support for the terrorist organizations and practically deny these groups access to operational territory, informal source of funding and urgently needed counter terrorism weapons. In the legal and policy front, the Nigeria government has introduced land mark legislations such as the Terrorism Prevention Act 2011and the Terrorism Prevention Amendment Act 2013.

In recognition of the national security implications of the activities of Boko Haram and other terrorist groups to the cooperate existence of Nigeria, the Nigeria government has explored series of options in tackling terrorism. Notably amongst these options were the use of amnesty programme which though unconstitutional but used as a political solution to the problem. The latest effort is the military assault and the use of torture to extract information from the terrorists and the involvement of the international community in the effort to counter terrorism in the country.

5. Constitutionality of using Torture to extract Information from the Insurgents

The Nigerian government's international legal obligation to prevent torture and cruel, inhuman or degrading treatment of detainees of *Boko Haram* (howsoever) described, in its custody is set forth in the United Nations Convention Against Torture And Other Cruel, Inhuman, or Degrading Treatment ["CAT"], Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, opened for signature Feb. 4, 1985, G.A. Res. 46, U.N. GAOR 38^{TH} sess., Supp. No. 51at 197, U.N. Doc. A/RES/39/708(1984) reprinted in 23 I.L.M. 1027 (1984) ("CAT"). In fact, Nigeria was among the early Sub Saharan African countries to sign and ratify the global torture instrument. Nigeria signed the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, only on the 28 July 1988 three years after it opened for signature because the country was then under military dictatorship. Under the convention there are no exceptional circumstances that could justify torture of detainees. The convention established a novel Human Right Committee mechanism to which every country reports. The committee monitors human right adherence by member states issues detailed decisions concerning specific allegations of human right violations. The committee's work has brought certainty to the preemptory norms concerning torture, which now includes the rending of detainees to other countries that would likely torture such detainees are also prohibited.

Article 1 of CAT defines torture thus:

For the purposes of this Convention, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

This article is without prejudice to any international instrument or national legislation which does or may contain provisions of wider application.

From the above, any act or omission that is linked with cruel, inhuman and degrading treatment or punishment or ill-treatment falls within the definition of torture. However, under certain conditions torture may not be an act of its own. In other words it is the legal summation of events regardless of intensity but subject to the circumstances, nature of events or acts and almost always determined by the vulnerability of the victim and the prevailing environment. These constituent elements are dominant variables in the thresh hold analysis of what act or omissions amount to torture in law.

The UN in further demonstration of its commitment against torture after due consultations with its members passed a resolution codifying what is now known as the UN Body of Principles, which provide inter alia that:

Principle 1

All persons under any form of detention or imprisonment shall be treated
In a humane manner and with respect for the inherent dignity of the human person…

Principle 6

No person under any form of the detention or imprisonment shall be
subjected to torture or to cruel, inhuman or degrading treatment or
punishment. No circumstances whatever may be invoked as a justification
for torture or other cruel, or inhuman or degrading treatment or
punishment.(Body of Principles for the Protection of All Persons under
Any Form of Detention or Imprisonment, G.A. res. 43/173, UN. GAOR
Supp. (No. 49) at 297, U.N. Doc. A/43/49(1988)) (Weissbrolt,2001:118)

The effect of this all important international legal instrument is that Nigeria is duty bound to conform to the legal standards entrenched in the convention. It is against this back drop, current allegations documented or verbal are worrisome to legal scholars and observers alike. The convention established human right investigation and reporting mechanism has in the past interpreted measures such as severe sleep deprivation, the threat of torture, and forcing detainees to sleep on the 'bare' floor of a cell while 'hand-cuffed during and/or following interrogation amounts to torture and degrading treatment. This was in consonance with the concluding observations concerning the Republic of Korea (1996), U.N. Doc.No. a/52/44, at para. 56 and the the concluding observations in the matter concerning New Zealand (1993) contained in UN Doc. No. A/48/44, at para. 148. Similarly, same was in the Report of the Inquiry commissioned under Article 20 of the CAT, Committee Against Torture, Findings concerning Peru (2001), contained in U.N. Dc. No. A/56/44 at para. 35. The subject of torture is also addressed in lucid terms in the Nigerian Constitution. According to Section 34(1) of the Constitution of the Federal Republic of Nigeria, 2004:

Every individual is entitled to respect for the dignity of his person,
and accordingly
No person shall be subjected to torture or to inhuman
Or degrading treatment;

The above constitutional proviso *inter alia* prohibits torture in Nigeria. Yet there are several torture related cases reported in Nigeria,

particularly in the governments fight against the Boko Haram insurgency. The government's grave human right violations forced Boko Haram members to go underground with the ensuing bloodletting. The group's early leader, the charismatic preacher Mohammed Yusuf, tried to do so non –violently. Yusuf became increasingly critical of the government and official corruption, his popularity soared, and the group expanded into other states, including Kano, Bauchi and Yobe. "After the politicians created the monster" a senior security officer commented, "they lost control of it. A series of clashes between *Boko Haram* members and the Nigerian police escalated into armed insurrection in 2009. Nigerian troops crushed the rebellion, killing hundreds of the followers and destroyed the group's principal mosque. Yusuf was captured handed over to the Nigerian police and shortly thereafter extra judicially executed….(African Crisis Group Reports)

Similarly, the Geneva Conventions which essentially comprise four treaties, and three additional protocols establish the standards of contemporary international law and practice for the humanitarian treatment of people in conditions of war. Thus the Geneva Conventions extensively defined the basic, wartime rights of prisoners (civil and military); established protections for the wounded; and established protections for the civilians in and around a war-zone. The treaties of 1949 were ratified, in whole or with reservations, by 196 countries including Nigeria (African Crisis Group Reports). In practice the Geneva Conventions remain the most authoritative guide and defines the rights and protections afforded to people in war - non-combatants, protected persons and Prisoners of War (POWs).

No doubt, contemporary international humanitarian law as codified in the Geneva conventions are elaborate and intended to end torture, cruel or inhuman and degrading treatment of detainees in war or armed conflict situations. Violations if proven by the United Nations Committee on Human Rights may lead to Nigerian officials (including the president) been indicted and tried for war crimes with devastating consequences.

In the same vain the African Charter offers unique but precise details of international humanitarian legal standards that can also guide Nigeria's fight against terrorism and insurgency. The provisions of articles three, four and five are instructive and relevant:

Article 3(2)

Every individual shall be entitled to equal protection of the law.

Article 4

Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.

Article 5

Every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man particularly slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited. (African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act, Cap. A9 LFN (2004).

The combined effects of the above provisions suggest that torture, cruel degrading or inhuman treatments are prohibited in the African region. Nigeria signed and ratified this regional international human right treaty. The Nigerian government in conformity with section 12 of the Nigerian constitution enacted the treaty provisions through an act of the Nigerian National Assembly. Nigerian Supreme Court in the case *Ogugu v. State* (1994 NWLR pt. 366, at p. 1, 9) held that the provisions of the Africa charter has become part of the domestic laws of Nigeria and have the force of law, and are binding on Nigeria. The Court in the case of *Fewehimmi v. Abacha* (1996 NWLR, pt. 475, p. 710) held further that, by virtue of incorporation the African charter form part of Nigerian domestic laws and the courts have judicial powers to enforce it *Fewehimmi v. Abacha supra*

Axiomatically, flowing from the reasoning of the court is the view that the United Nations Universal Declaration of Rights, African Charter on Human and Peoples Rights, United Nations Covenant on Torture and Other Cruel, Inhuman

or Degrading Treatment, ICCPR, the Geneva Conventions, etc are peremptory norms or *jus cogens*. That is reasoned practice "accepted and recognized by the international community of nations as a whole as a norm from which no derogation is permitted and which can be modified only by a subsequent norm of general international law having the same character."(Vienna Convention on the Law of Treaties, 1969, Art. 531155 U.N.T.S. 331.). The position that is clear from the above exposition of the law, however, is that cruel, inhuman and degrading treatment or punishment is prohibited by customary international law and is binding on Nigeria, regardless of whether the country is fighting terrorism or a bloody insurgency; hence using torture to extract information from the insurgents is unconstitutional.

5.1 Human Rights Issue in Insurgency Mishandling in Nigeria

The Nigerian military authorities are made to fight an avowed enemy they sometimes do not even understand what motivates them. Some do not even understand the physical environment. Only recently did the Nigerian authorities acknowledge the fact that the troops are ill equipped where they are operating. So in undertaking the central counter terrorism activities, military operatives are usually keen at obtaining urgent information concerning 'planned attacks' and in the process employ several interrogation techniques. The fight against terrorism and insurgency is not a 'text book' documented war game or 'rekey intelligence drill' so the extent officials can go in their concerted attempt to obtain 'life saving information' sometimes is what is in issue.

Sometimes government personnel are faced with novel interrogative dilemma, for example if a high-level military operational manual is not accompanied by a detailed or better still, simplified legal annotations detailing interrogation techniques that are legal or appropriate. Most interrogation techniques are military doctrinaire driven and the legality or otherwise could be mere severity and not type.

The Nigerian public has now realized that there are serious allegations of interrogation techniques long considered to be torture or cruel, inhuman or degrading treatment. For example forcing detainees to be blindfolded for several hours, subjecting captured militias to loud noise and other disorienting externalities, compelling detainees to kneel or stand in awkward positions, solitary confinement, infliction of physical bodily injury, making them not to know where they are, retribution, flogging and extra judicial killings(Nigerian Human Rights Reports,2013).

Although the Nigerian military authorities and indeed the administration officials have consistently argued that it is treating *Boko Haram* detainees "humanely and, to the extent appropriate and consistent with military exigencies, in a manner consistent with the rules of engagement in counter terrorism" (Nigerian Human Rights Reports,2013). This and other rebuttals carefully avoid reference to the 'Geneva conventions' that govern detention and broader human rights in conflict and war situations. To most observers this deliberate avoidance presupposes that these Nigerian officials may be alluding to the existence of 'Nigerian military rules of engagement during insurgency'. It is these twists to the unfolding series of hash and open ended questioning, interrogation techniques and general detention patterns that make compliance to the Geneva Conventions imperative.

There is the likely hood that interrogation techniques such as physical restraints in painful conditions, using mechanical or hand held devices to cool or chill detainees, tying to strange positions, etc. Interrogation measures the Nigerian military personnel are accused of have been held to be cruel, inhuman or degrading treatments abhorred by the CAT Human Right Committee.

Commenting on recent human right violations by purported Nigerian Soldiers against Nigerian civilians, broadcasted on a UK based television channel 4 TV. A Nigerian Medical Doctor based in England noted:

It is really a tragedy that fundamental human rights seem to mean very little to the president of Nigeria…Does it then mean that the Nigerian president, in spite of all his religious prostration has no conscience and his mind unaffected, when the innocent suffer and men abuse their power to defend the weak, to plunder and oppress them? I thought that this channel 4 TV report would have compelled the president, his ministers and advisers to review the way the security forces are prosecuting this war on terror (Eke)

He further asked rhetorically,

…How can a democratic government justify impunity and summary execution of suspects? How can a government turn a blind eye, when its citizens are being abused by the security forced and still believe that it has the moral right to lead….

In the concluding part of his statement, he posited that:

The right cause of action would be for the government to hold the soldiers responsible for these atrocities accountable and remove them from the Nigerian army to save the image of Nigeria and her security agencies. Nigerian government should stand on the side of rule of law, justice, due process and fundamental human rights no matter the barbarity of her opponents (Eke).

The Nigerian government however maintains that its troops and officials act within the law and that the government takes human right violations seriously. However the Amnesty International in its report signed by the groups secretary general Salil Shetty insist that:

…the Nigerian military and Boko Haram were committing war crimes in the operations in the northern part of the country, saying that fresh evidences have proved human rights violations and heinous abuses as well as extrajudicial killings. Video footage, images and testimonies it gathered had provide horrific images of detainees having their throats slit one by one and dumped in mass graves by men who appear to be members of the Nigerian military and the "Civilian Joint Task Force" (CJTF), state-sponsored militias(Amnesty International Reports, 2014).

The Nigerian military high command through the Director Defense Information, Maj. Gen. Chris Olukolade in its specific reaction to the above claim by Amnesty International addressed the press on August 05 2014. In the address, he agreed that it is expedient to particularly address the recent allegation of gross human rights abuses leveled against the military by the Amnesty International and those circulating video footage purportedly showing Nigerian military carrying out extra-judicial killing of suspected terrorists. Consequently, according to him "the Defence Headquarters in addition to the already existing Joint Investigation Team (JIT) has constituted a team of senior officers and legal forensic experts to study the video footage and the resultant allegations of infractions in order to ascertain the veracity of the claims with a view to identifying those behind such acts."

One striking development on the part of the Nigerian government's role in this all important human right crisis is the fact that in spite of these astonishing revelations the general public has not been informed as to what extent and scope human right abuses has taken place in the Country. Also the government has not held any top ranking minister particularly the Attorney General or even some level military commander or 'actual soldiers' accountable because of its business as usual and culture of silence posture.

Another element of these allegations that could be easily 'over looked' by the Nigerian government including its military and intelligence authorities is the variety of corporal punishment measures alleged to have been imposed by the Nigerian military on any arrested Boko Haram suspect devoid of any form of trial. All these have been held to constitute cruel, inhuman and degrading treatment (U. N. Center for Human Rights, Human Rights Machinery Fact Sheet No. 1,at 15-16(1988).

5.2 Terrorism Handling in Nigeria: A Case for Better Options

Since concerns for human rights now dogged the fight against terrorism, the question now is, to

what extent can the counter terrorism measures derogate from the basic non derogatory fundamental rights? What better option should be adopted in handling terrorism in Nigeria?

First, the conditions that make terrorism thrive in Nigeria should be eradicated. Poverty, unemployment and corruption should be tackled head on. According to Gilman:

> *...the human tendency toward, and preparations for, open warfare are certainly the most spectacular obstacles to peace, but they are not the only challenges we face. For much of the world's population, hunger, not war, is the pressing issue, and it is hard to imagine a genuine peace that did not overcome our current global pattern of extensive poverty in the midst of plenty* (Gilman).

The billions of dollar that is spent on the war against terrorism can be better channeled towards addressing issues of poverty and hunger and other social causes of terrorism. Structural violence must be eradicated or at least reduced to the barest minimum. It might be argued that religious fundamentalists are not propelled by hunger and poverty as most of the known international terrorists are not poor. However, though those who are the brain behind terrorism might not be poor, they are able to recruit their members from the society where hunger and deprivation is prevalent.

Furthermore, using most national legislation against terrorism as tools by the Nigerian government to muzzle and stifle opposition rather than the instrument of justice should be abated. War on terror will be more effective if both domestic as well as international obligations and provisions in handling terrorist case in Nigeria are followed. A situation where extra judicial killing take precedence over proper judicial process should be discouraged. Therefore, any arrested terrorist should be allowed to explore his or her fundamental right to the fullest, tried in the competent court of law and if found guilty sentence according to the provisions of the law.

Further still, adaptation of workable and efficient strategy from other jurisdiction may also be a better option. For instance, Mr. Brister while advising Nigerian government on better option to tackle terrorism said that Nigerian government

> *... should study how Britain handles Northern Ireland case, Russia in Chechnya, Sri-Lanka against the ITTE and India government against Sikh Separatist terrorist in Punjab etc*.

Similarly, an experience in the Irish republic validates the viability of the better option. According to the Irish Ambassador to Nigeria:

> *... after failure of armed campaign of over 30 years battle with IRA Irish Republican Army, an Irish Republican Revolutionary Military Organization, Irish government resolved to dialogue with the group when military actions were not yielding results. And that it was after dialogue that the IRA members were granted amnesty and since then we have been enjoying peace.* (Daily Trust (Nigeria)18/5/2013:4)

In addition to dialogue, the Nigerian government should embark on programmes that will be of direct benefit to the citizens. Programmes like the provision of free education up to university level, strengthening of the rule of law and improve firearms regulations will be a better option.

6. Conclusion and Recommendations

Despite the menace terrorism and insurgency pose to the imminent disintegration of Nigeria. The use of torture and cruel, inhuman or degrading treatment by Nigerian law enforcement personnel in the interrogation of captured insurgent has no doubt brought shame and indignation to Nigeria. It has also affected our standing among nations particularly in the sphere of human right observance. The valid concerns that the Nigerian personnel are violating human right laws in the execution of the war on terror and insurgency are grievous allegations the Nigerian authorities must address comprehensively. A situation where by a suspect would be arrested and only to be set free by the court on the "ground of want of diligent prosecution" among others should be avoided, As it occurred in the case of Aminu Ogwuche, the alleged mastermind of the April, 14 2014

bomb blast that killed over 75 persons in Nyayan, a suburb of Abuja Nigeria who was later released by the court for shoddy prosecution. Accordingly, this paper recommends that, the Attorney General of the Federation (AGF) been the chief law officer must as a matter of urgency develop the right tools as manuals for the law enforcement agencies to address the apparent poor legal architecture currently surrounding the country's execution of the war on terrorism and insurgency.

Furthermore, rather than encourage or condone the further damaging excuses or trivialize Nigeria's current failed human right responses, Nigeria must investigate all genuine allegations of human right violations, and punish all responsible for these avoidable lapses. The Nigerian government must also demonstrate leadership and commitment to the Nigerian constitution, the Geneva Conventions, the United Nations CAT, ICCPR, the African Charter on Human and People's Rights by reporting to the appropriate authorities efforts aimed at compliance and accept the time-bound interpretations of these bodies on what constitute torture, cruel and other inhuman or degrading treatment to detainees in custody.

Finally, government must make public to the fullest extent possible the reports and government white paper on the reports of investigations commissioned to investigate human right violations across the country. Doing this will re-establish the Nigerian government's credibility in the face of Nigerians and the International community. In nut shell, the war on terror must be fought in compliance with the lucid provisions of National and International humanitarian laws.

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Effective Counseling and Behavior Control in Secondary Schools in Kano State, Nigeria.

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Abstract. This article investigates the effectiveness of counseling services at some selected secondary schools in Kano State, Nigeria. The objectives are to, identify the adequacy of counselors, to determine their quality in terms of professional skill acquisition, and examine their roles in the schools. The study is survey, descriptive design was use, and the samples were obtained systematically. The instrument use in data collection is school counselor appraisal questionnaire (SCAQ) made by the researchers, the instrument has face and content validity and 4 Likert scale was use in the scoring. Descriptive statistics (Mean and standard deviation) were used in the analysis. The findings reveal that, the overall counselling services were low (Mean=1.311). The study concluded that, the counseling services rendered at secondary schools in Kano State is inadequate. Based on that, recommendations were proffered which suggests that, all secondary schools in Kano State should have functional counseling units, which is adequately equipped.

1. Introduction

Over the years, there was a growing interest in the field of counseling in so many countries of the world. These happen because of the understanding that people differ in so many ways, experienced different problems and respond in a different ways. The recognition of counseling as a helping strategy for people in coping with and adjusting to a new or unwelcome circumstances made some countries including USA, Canada, China , Rwanda, Saudi Arabia, Spain, Nigeria adopted school counseling in order to help youth (students) adjust and fulfill their potentials in academics and personal-social endeavor,(Paisely 2001).School counseling aimed at pushing out the traditional pastoral role that teachers practice despite lack of adequate counseling training, (Bridgeland and Bruce 2011). Currently, in Nigeria, especially in Kano state which the largest population (Census 2006), the demand of school counseling is high because population's population increases which posed pressure on teachers in their teaching, record keeping and attending student's problems. The current problems experienced in the state which includes hooliganism, drug abuse, dropout and many others have arisen as a result of lack of effective counseling in secondary schools. Lapan, (2012) showed correlational evidence of the effectiveness of fully implemented school counseling at secondary schools and academic success and attitude change. While Olaleye, Florence and Omotayo (2009) discloses that healthy intellectual, social and emotional development of youth require the formation of stable and loving relationship with their parent and teachers, and through effective school counseling students will understand their potentialities and be decisive in dealing with their problems.

2. Statement of the problem

High school or senior secondary school is the most challenging level of education considering

the nature of students by their age and stage of development. Been an adolescent period, student are likely to experience more problems due to the physical, social and emotional changes which befuddle them, arisen in their effort of searching for their identity, (Akos, Milson and Gilbert 2007). At this moment, school counseling could play a significant role in helping the person to fully understand himself and adjust properly. Academic failure is one of the major issues of concern in education sector that lead to dropout and paved way to other behavior problems, some of the predicaments are drug abuse and hooliganism which are serious threat to national stability and integration. Effective counseling will significantly help the matter, but it requires professional counselors. The services are needed more at secondary school level, but unfortunately, it was observed that the proportion of highly skillful counselors in Kano State are centered at the universities and tertiary institutions in the State, which might have connection with salary, contrary to what is currently obtainable in United State, Canada, Philippines etc, where counselors at elementary and high schools are receiving an attractive package in consideration of their task, this study attempt to explore the current counseling situation at secondary schools in Kano State.

3. Objectives of the study

This study aimed at:

- Identifying the adequacy of counselors at secondary schools in Kano State.
- Determine the quality of counselors at secondary school in Kano State.
- To examine the role of school counselors

4. Methodology

The design for this study is a descriptive survey, 30 secondary schools in Municipal, Rano and Wudil zones were examine. And 10 schools were selected systematically from each zone, making a total of 30 respondents. The data was collected by the researcher and other research assistance that were adequately trained. Purposive sampling was use to obtain the subjects who are those in charge of counseling from each selected school. The instrument for data collection is school counselors appraisal Questionnaire (SCAQ) develop by the researcher, and have a face validity and the content validity of 0.86, the instrument have 10 items that address the qualities, role and effectiveness respectively. Likert scale was used in measuring the data, with rating (1 as very inadequate, 2- inadequate, 3- adequate and 4- very adequate) and the overall mean was used for taking decision.

5. Literature Review

5.1 Concept of School Counseling

School counseling is an integral aspect of education system, and it emerged as a critical support for elementary, middle and high school learning. Guidance was the term used in the past, but later it was realized that the two differs in terms of its delivery, as counseling is seen as an aspect of guidance which tend to stress positive individual strength and its use in personal and social situation, (Alao 1990). The aim of counseling is to increase the client's self-awareness and insight, and to marshal the new found strength in working towards an action plan that will help a person cope more effectively with life, (Stewart 1983). School Counseling is also seen as a process of helping students to think independently, make their own decision and value their own integrity, (Mosely 1993), while McGuines (1998) describe it as emotional support given to pupils in order to keep them focus on their particular concerns and development issues, making choice, coping with crises and working through feeling of inner conflict. This views show what school counseling geared toward helping an individual realize his/her potential, equipt with skills of dealing with the issues related to education, persona/social and career development and other matters which may hinder their success and healthy development.

5.2 History of school counseling in Nigeria

The 1959 marked the beginning of school counseling in Nigerian high schools. The

practice was more reached in those schools funded by the federal government, and it was done mostly in the form of traditional pastoral way. The emergence of the Counseling Association of Nigeria (CASSON) in 1976 has promoted the practice into a more professional way. However, the concentration of professional counselors is based at the tertiary institutions and Universities in the State, with very few working with secondary schools and others as administrators in various sectors.

5.3 Need for effective counseling service at secondary school

Students at secondary school are at the stage of adolescent who are seen as confusion stage, usually became befuddle as a result of physical, physiological, social and emotional changes. The period is characterized with risk taking, experimentation, wishing to escape the limit of the authority in order to achieve freedom, interest in sexual relationship, experiment with alcohol and drugs and other potentially risky activities, (Akos, Lambie, Milson and Gilbert 2007). Counseling of secondary school students can be effectively delivered by an experienced and well trained counselor because it require tact and sensitivity in order to sufficiently engage them to be attentive and enlist their co-operation. According to Gelderd and Gelderd (1999), the progress of school counseling could be jeopardizing by lack of skills or sufficient understanding of psychotherapeutic theories. Holcomb (2007) discloses the key areas focused by school counseling as transitional issues to ensure successful transition to college, other post- secondary options, and career development. And for effective delivery, the focus should be on the student's developmental growth which includes the needs, task, and interest related to the stages, (Schmidt 2003).

6. Findings of the study

Descriptive Statistics showing the strength of counseling services at secondary schools in Kano

Items	N	Minimum	Maximum	Mean	Std. Deviation
counselors qualification	30	1.00	3.00	1.8000	.66436
Area of specialization	30	1.00	3.00	1.9667	.55605
Nature of appointment	30	1.00	1.00	1.0000	.00000
Office facilities	30	1.00	2.00	1.1333	.34575
Clients records	30	1.00	2.00	1.3000	.46609
Students awareness	30	1.00	2.00	1.3000	.46609
Parent involvement	30	1.00	2.00	1.1667	.37905
Monitoring the session	30	1.00	1.00	1.0000	.00000
Counselors supervision	30	1.00	2.00	1.0667	.25371
Counselors satisfaction with the job	30	1.00	2.00	1.2000	.40684
Total	30			1.3433	

7. Discussion

The results of this study show that, the overall means obtained is 1.311, which means the entire counseling services provided at secondary schools investigated is very inadequate. This happen because out of the 30 schools used in this study, only 5 schools have professionally trained counselors practicing in a traditional pastoral way, and acute lack of facilities was observed, no up to date record in all the schools, students and their parent are not fully aware about the service and its importance as it was done mostly in a disciplinary form.

8. Implications of the findings

School counseling is not a compromise able service as it directly geared towards youth who are the backbone of the any society and whose National stability and integration relied on them. Through effective counseling, students or youth could be able to develop self-awareness, and understand their potential which will make them to be contributing members of their society. When those responsible for delivering the service lack adequate skills and knowledge, and where appropriate facilities required are lacking, and when the stake holders fail to recognize its importance, it will not yield positive result. And it will add to the number of dropout, hooliganism, drug abuse and sexual promiscuity among the youth in all the corners including students.

9. Conclusion

The major issue concerning secondary schools students' adjustment in Nigeria particularly in Kano State were the inability of students to fully understand themselves as adolescents, which seriously affect their behavior and was caused by lack of effective school counseling, which calls for the immediate need of professionally trained and skillful counselors in all the secondary schools.

10. Recommendations

Following the findings of this study, the need to improve school counseling at secondary schools in Kano state has been presented. In view of that, the following suggestion could help tremendously in helping the situation, government should:

- Provide a functional counseling unit in all secondary schools in Kano State.
- Equipped the unit with required resources eg office and stationaries
- Ensure that only professionally trained counselors are providing the service, preferably master degree holders.
- Provide an attractive remuneration so as to retain the counselors.
- Enlighten the students, teachers and parent on the importance of counseling service, so as to give their full support for effective delivery.

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Major Inhibitors to Female Formal Labour Force Participation in Selected Towns of Awka South Local Government Area, Anambra State, Nigeria

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Abstract. The long tradition of relegating women to household chores and nurturing of children has resulted in the low rate of women participation in the labour force of most developing countries, yet women have often been referred to as the bedrock of families and are also as certified as the male counterparts. This paper therefore sought to find out the major factors that hinder women from actively participating in the formal labour market in Awka South Local Government Area of Anambra state, Nigeria. This study is based on the neoclassical work/leisure trade-off model and Becker's human capital theory, and adopted the non-probability sampling technique. Simple statistics approach using tables, chart, frequencies, percentages and bar charts were used to analyze the responses of the respondents gathered through a well-structured questionnaire with the response options are agreed (A), strongly agreed (SA), disagree (D), strongly disagree (SD) and not sure (NS). The major inhibiting factors were found to be job mismatch, unattractive wage, an adequate source of income, career satisfaction and not being the head of the family. This conclusion was arrived at based on the percentage of the strongly agreed option and further confirmed with the result of the One-Sample t-test. The major recommendation, drawn from both the questionnaire responses and in-depth interview, is that the government should create employment agencies where employers could reach out to their prospective employees and the unemployed can locate the suitable jobs for themselves.

Key words: Awka, employees, female, formal, labour force participation, labour market, Nigeria

1. Introduction

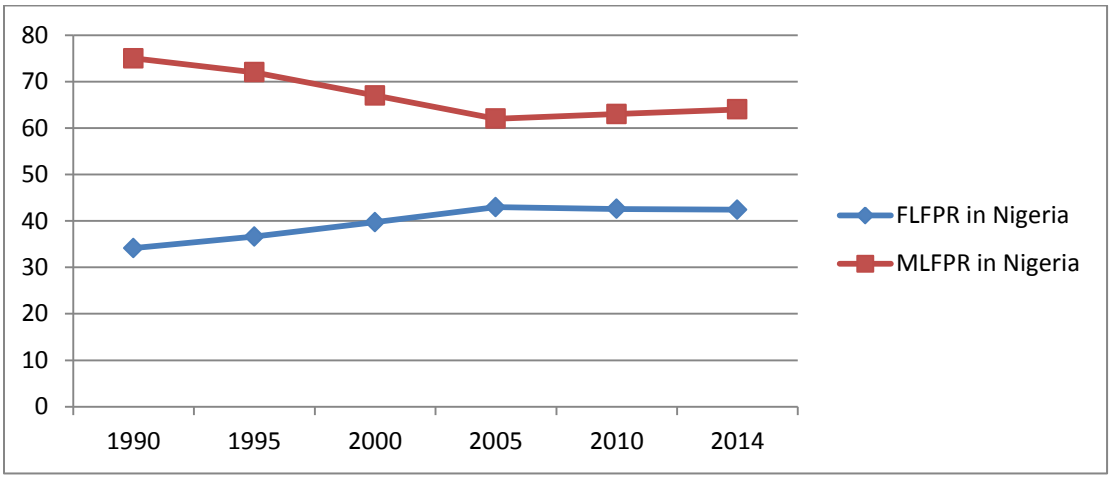
Patriarchy - domination of men over women - is seen as the main cause of gender disparity and inequality in Nigeria (Ukpong and Ime, 2013). Thus, women and gender balance advocacies have been agitating for the expansion of women's involvement in political, social, economic and particularly employment opportunities in Nigeria especially in the formal labour force on which the data used in this work is based. The prevailing division of labour between sexes has made men and women assuming unequal position in terms of employment, power, prestige, status and wealth. The Nigerian society has a strong patriarchal structure that maintained the gender division of labour right from the household to the labour force. This structure directly restricts women's availability for work and indirectly conditions the term of employment for those who enter formal employment (Ukpong and Ime, 2013).

In some cultures, women are not allowed to engage in gainful employment; they are rather expected to stay back in the home and engage mainly in the household chores and child-rearing, In the words of Odeh (2014), women have the biological and social tasks of bearing, nurturing, and providing initial education for children and ensuring the well-being of the

family and that of the entire society. This means that women participation in the process of development cannot be ignored if the desired results must be achieved. The patriarchal tradition is beginning to fade, as the world now clamors for women empowerment because it women have not been able to get recognition for their contributions to the national economy as the reward system seems to favour men to the disadvantage of women, hence, the description of women as the *invisible majority* by Lundy and Beverly, (1994). Ezeaku and Ezeaku (2009) further argues that in spite of the fact that the women population is greater than that of men, women do not have a substantial share of positions in the various places of work, especially in the professional occupations.

Amnesty International (2006) cited in Odeh (2014) observe that Nigerian women make up to 50% of the Nigerian population. Despite this, women have not been given their rightful share of involvement in the formal labour market (which Kay (2011) defines as interaction between labour demand and labour supply that occur within the purview of state regulation while defining formal employment as employment originating from a business or firm that is registered with the state). The long history of discrimination against women in the labour force around the world, especially in Africa of which Nigeria is not an exception has been shown in the very large gap between the number of men and women that participate in the Nigeria's labour force as shown on Figure 1.1.

Figure 1.1 Male and Female Labour Force Participation Rate in Nigeria (1990 - 2014)



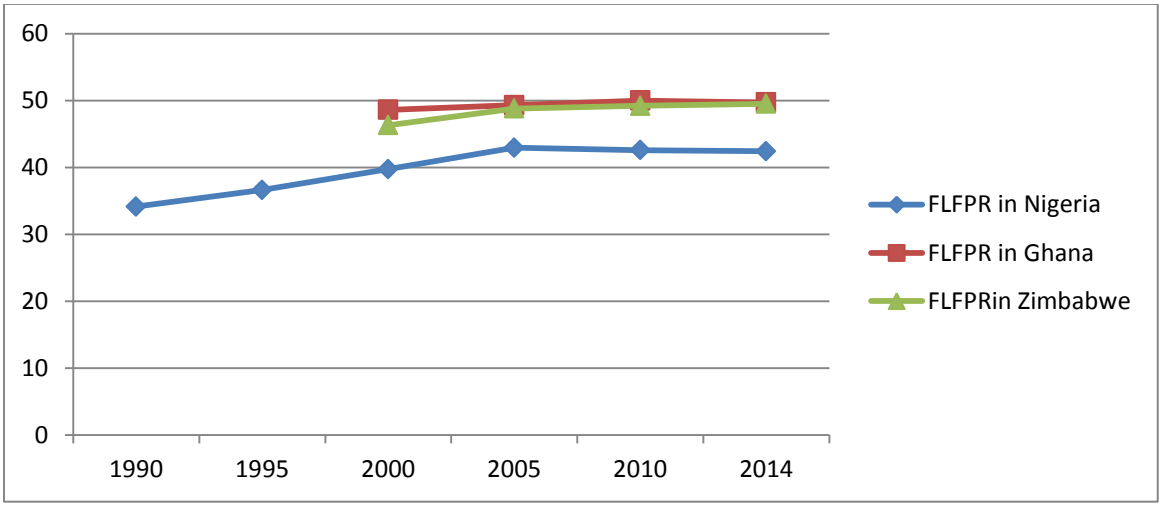
Source : www.indexmundi.com/nigeria/labourforce: accessed on 03/02/2016.

This gap in gender participation in the labour force as noted above may be as a result of some formal barriers which, according to Olukemi, (2008), may include lack of education and technical trainings, labour laws, and trading customs while the informal barriers include customs and religious practices, difficulties in combining domestic and labour market activities, management and workers' attitudes, etc. Few Nigerian women are engaged in top management cadre of formal sector establishments simply because majority of them lack the educational qualifications necessary for such positions. For instance, Ojo, (1997) asserts that only about 6.2% of those who were employed as either general managers or managing directors in 1986 were women while 32.6% of those who participated in the 1995/1996 National Youth Service Corps Program were females. This assertion was supported by Yahaya (2006) when he stated that stereotype and gender discrimination could be responsible for unequal and low representation of women in public and private establishments in Nigeria. The Federal Office of Statistics (1997) indicated that in 1992, only 45,881 females against 145,448 males were in the service of federal ministries in Nigeria. In 1993,

the federal civil service employed only 47,426 females as against 149,645 males while on the average, according the National Bureau of Statistics (2014), more than two thirds (64.5%) of senior positions were occupied by men compared to 35.5% occupied by women for the years 2010 to 2013. Similarly, the pattern was the same at the junior level as well as by cadre. In 1992/1993 academic session, 80 female professors as against 1,315 male professors were in Nigerian Universities.

From Figure 1.1, the wide margin of the formal labour participation rate between the two gender groups in Nigeria from the year 1990 to 2014 is evident. Although the labour participation rate of women shows a very slow upward movement, the labour participation for men is far higher even at its lowest recorded rate of 62% between 2004 and 2006, while the highest value for that of women was 42.95% in 2004 which was more than 20% lower than the lowest rate of men's participation in the labour force. It is clear that there is an increasing trend in female formal labour force participation rate but yet the increase has not been good enough to close the gap that exists unlike in other countries like Ghana and Zimbabwe.

Figure 1.2 A Comparison of Female Formal Labour Participation Rate between Nigeria, Zimbabwe and Ghana (2000 - 2004)



Source: www.data.worldbank.org/indicator/SL.TLF.TOTL.FE.ZS accessed on 3/2/2016

A cross-country comparison of the female labour force participation rate, as shown in Figure 1.2, shows that the rate of female formal labour force participation in Nigeria is poor compared with that of Zimbabwe and even Ghana. That of Ghana increased from 48.6 percent in 2000 to 50.0 percent through 2009 to 2011 and then reduced to 49.7 in 2014. But that of Zimbabwe has been on the increase from 46.3 percent in 2000 to 49.5 percent in 2014. In all these, it is evident that even at the lowest rate of these countries' female labour participation, Nigeria's highest recorded rate is still lower. This is really surprising as Nigeria has been seen to have a better economic standing than both Ghana and Zimbabwe.

A look at the economic indicators of these countries proves this. For instance, Nigeria's GDP as at 2015 according to www.tradingeconomics.com stood at $596b as against $38.6b and $14.20b for Ghana and Zimbabwe respectively. Nigeria's GDP growth rate also stood at 6.31% which was also higher than that of Ghana and Zimbabwe which recorded 3.99% and 4% respectively. The only edge that Zimbabwe had over Nigeria is its adult literacy rate of 83.58% which is a bit higher than that of Nigeria and Ghana which were 68% and 57.9% respectively. The female labour force participation rates of Ghana and Zimbabwe show greater improvement compared with that of Nigeria.

The same trend of low female labour participation rate is also noticed in Anambra State where, according to Anambra State Bureau of Statistics (2010), a total of 4,094 males and 2,511 females were engaged by the State Public service in 2009 and also 2,493 and 1,840 of males and females respectively in 2010 even though the women folk are as certified as the male folk. This simply shows that low female labour force participation is an epidemic that must be tackled from its root.

In the light of the above, this study intends to give answers to the following question: What are the five major factors that inhibit female labour force participation in Awka South Local Government Area of Anambra state? In line with the above question, the general objective of this study is to identify the major factors that discourage female labour force participation in Awka South Local Government Area and this study hypothesizes that there is no outstanding factors that inhibit female labour force participation in the study area. To this end, this paper is organized across a five-section outline. Section one contains the introduction, section two contains the review of relevant literature, section three contains the methods and procedures by which the study is conducted, section four documents the results and discusses the findings while section five concludes the paper and proffers some policy recommendations.

2. Review of Literature

2.1. Conceptual Issues

Labour force participation refers to an individuals' decision whether or not to participate in the labour force (Ehrenberg and Smith, 1997). It involves an analysis of whether a person's desired hours allocated to market work is greater than zero (Hoffman and Evans, 1974). The standard measure of labour force participation is the labour force participation rate, which is the labour force divided by the working age population expressed as a percentage. People are counted as participating in the labor force if they are engaged in activities that are included in the system of national accounts (Verick, 2014). Therefore, in measuring the labour force participation rate of women, the number of women in the labour force is divided by the number of women in the working age population.

2.2 Review of Basic Theories

Two theories are apt for discussing and evaluating the factors that affect female/women labour force participation. They are the neoclassical work/leisure trade-off model and the Becker's human capital theory.

i. The Neoclassical Work/Leisure Trade-off Model

According to the Neoclassical School of Thought in economics, a model of labour supply is about an individual's decision to participate in the labour force and about the total number of hours that one is willing to work at a given wage rate. An individual makes a rational decision between leisure and hours of work in order to maximize her/his utility and this can simply be explained by the traditional income/leisure *trade-off* model (Bosworth, 2006). On a daily basis she/he has 24 hours limited time which has to be allocated between work, leisure and some basic activities. This means that the individual must forgo some of his/her activities in order to increase working hours. Leisure is the activity mostly modeled as an individual is willing to trade-off with work. Every possible real wage rate makes the individual behave differently depending on her/his preferences. The two possible effects on an individual's behaviours are categorized into *income and substitution effects*. If the *income effect* dominates individual preferences, then an increase in the wage rate makes an individual to demand more leisure and decreases in hours of work. On the other hand, if a *substitution effect* dominates individual preferences, then the individual increases his work hours and decreases leisure hours (Borjas, 2008).

ii. Becker's Human Capital Theory

Human capital corresponds to any stock of knowledge or characteristics of an employee (either innate or acquired) which complements his productivity (Daron, 2009). The human capital theory emphasizes the importance of education and training in the development of

human resources as there is a positive correlation between education and wage rates (Becker, 1975). Personal incomes evidently vary according to the amount of investment in human capital. Development economists argue that the relationship between education and labour force participation may be U-shaped across years of education. Thus labour force participation rates were found to be high for illiterate women, lower for women educated at the primary and secondary level and higher for female college graduates. This U-shaped relationship can to an extent be explained by the positive correlation between women's education and wage rates (Cameron, Dowling and Worswick, 2001 and Hoffman and Evans, 1974).

2.3 Empirical Literature Review

Okpala (1989) examined the relationship between labour force participation and fertility in Lagos, Nigeria using primary data. Both simple statistics and ordinary least square were used to draw inferences. When OLS was used, the study found a significant negative relationship between fertility and female labour force participation among civil servants. Among self-employed women, a negative relationship existed but it was insignificant. Onah (2001) and Odora (2003) carried out studies on how education influences employment and salary grade and on the determinants of women employment respectively. Both studies concluded that education of women led to their increased employment. Similar studies like those of Adeke (2006), Anugwom (2009), Aromolaran (2004), and Leach (1998) reached similar conclusions.

Aminu (2010) estimated the determinants of labor force participation and earnings in wage employment in Nigeria using the probit model of labor force participation, the multinomial logit models of labor force participation, and the Mincerian human capital model. The contribution of this study to the already vast literature on labor force participation is the inclusion of an important household variable – the presence/absence of an elderly female in the household – which was hypothesized to have a positive effect on both male and female participation rate in the wage employment sector of Nigeria. As expected, the presence of elderly female persons increased the probability of labor force participation across all sectors of wage employment for males and females in the 2007/2008 General Household Survey data set while it exercises negative and positive influences in private and public sectors respectively in 1998/1999 data sets. The use of two data sets for this study made possible a comparative analysis with respect to determinants of labor force participation and earnings in the Nigerian economy. Other studies in Nigeria whose conclusions are quite similar to that of Aminu's include those of Anugwom (2009), and Babalola and Akor (2013).

From the foregoing it is evident that studies have been undertaken on the determinants of female labour participation rate in Nigeria but literature search shows a dearth in similar studies for Awka South Local Government Area (LGA) of Anambra. This study therefore stands to fill this knowledge gap.

3. Research Methods and Procedures

This study adopted the survey research method so as to obtain as much and as accurate information as possible. Since attitudes and opinions are elicited only by questioning either directly or through well designed questions, a questionnaire was designed to provide information about the major factors that influenced the respondents' inability to accept formal employment. An in-depth interview schedule was also constructed, in line with the questions on the questionnaire list, with aim of discussing with the respondents in details and without constraints.

The population of this study is the entire women within the working age population who reside in selected towns in Awka South LGA, are not in any formal employment contract, and this did not include full time students. Awka South is made up of eight towns but three towns namely Awka, Nibo and Okpuno were selected for the study. These towns were selected because of the presence of government establishments as well as formal private establishments in them. A quota sampling technique was used and a total

of 50 questionnaires shared in each of the towns making it a total of 150 while purposive sampling was used to select the respondents from each of the towns.

A pilot study was conducted and 20 pre-test copies of the questionnaire were distributed to female between the ages of 18 and 65 in Amansea, a neighbouring town to Awka (capital of Anambra State) and all the ambiguities noticed during the pre-test were eliminated before the data collection phase. This study adopted the simple statistic approach using tables, charts, frequencies, percentages, et cetera, to analyze the responses of the participants. In addition, the One-Sample t-test was adopted in testing the hypotheses and cross tabulations were also used to examine the interaction between cases.

4. Result Presentation, Analyses and Discussion of Findings

A total of 150 copies of the questionnaire were administered to the respondents out of which 136 copies, representing about 90.7% of total distributed were returned. The analyses that follow are therefore, based on the 136 returned questionnaires.

4.1 Demographic Features of Respondents

Table 4.1 Age and Marital Status of Respondents

		Marital Status		
		Married	Single	Total
Age	18 – 30 years	29	43	72
	31 – 45 years	39	16	55
	46 – 60 years	9	0	9
	Total	77	59	136

Source: Field survey (2016).

As a preliminary, some demographic features of the participants were presented so as to have a glimpse at the characteristics of the respondents. Table 4.1 shows the age distribution of the respondents cross-tabulated with their marital status. The table shows that out of the 136 respondents, 77 of them (56.6%) are married while 59 of them (43.4%) are still single. 29 respondents out of the 77 married respondents are within the age bracket 18 – 30 years, 39 respondents fall within 31 – 45 years bracket and 9 respondents are within 46 – 60 years bracket. On the other hand, 43 respondents of the 59 single respondents are within 18 – 30 years bracket, while 16 respondents fall within 31- 45 years bracket, none of the single respondents is above 45 years old.

4.2 Data on Nature and Size of Household

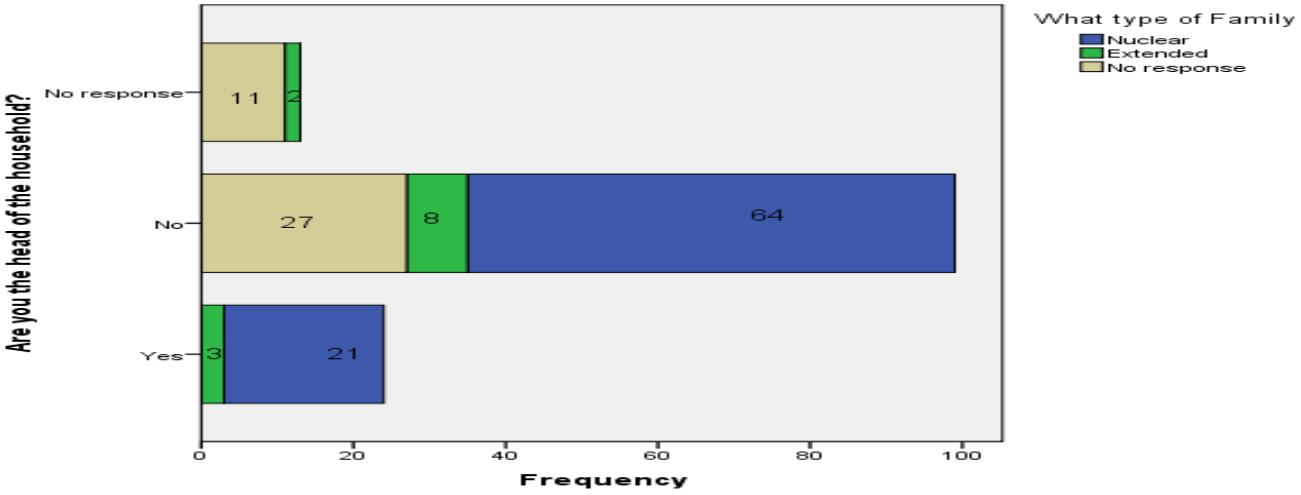
Table 4.2 presents cross tabulated responses of the respondents on whether they had children and if yes, how many. 70 of the 136 respondents (51.47%) have children while 62 persons (45.59% of the total respondents) claimed they had none. Four out of the study's respondents (2.94%) did not respond to this question. On the number of children, 57 respondents (out of 70) have between one and three children, 14 respondents have between four and seven children and 2 respondents have eight children and above.

Table 4.2 Size of Respondents' Household

		Do you have children?			
If yes, how many?		Yes	No	No response	Total
	1-3 children	55	0	0	55
	4-7 children	13	0	0	13
	8 and above	2	0	0	2
	No response	0	62	4	66
	Total	70	62	4	136

Source: Field survey, (2016).

Figure 4.1 Headships of the Household and Type of Household



Source: Field survey, (2016).

Figure 4.1 shows that out of the 24 respondents who are the heads of their households, 21 respondents have nuclear families while three respondents have extended families. On the other hand, out of the 99 respondents who are not heads of the households, 64 respondents have nuclear families eight of the respondents have extended household while 27 of them did not respond to this question.

Table 4.3 Structure of Respondents' Household

Variable	Responses	Frequency	Percentage (%)
Total number of people in the household?	2 – 5 persons	61	44.9
	5 persons and above	38	27.9
	No response	37	27.2
How many dependents?	0 - 2 persons	31	22.8
	3 – 5 persons	48	35.3
	6 persons and above	17	12.5
	No response	40	29.4
Are you the bread winner of the family?	Yes	19	14
	No	96	70.6
	No response	21	15.4

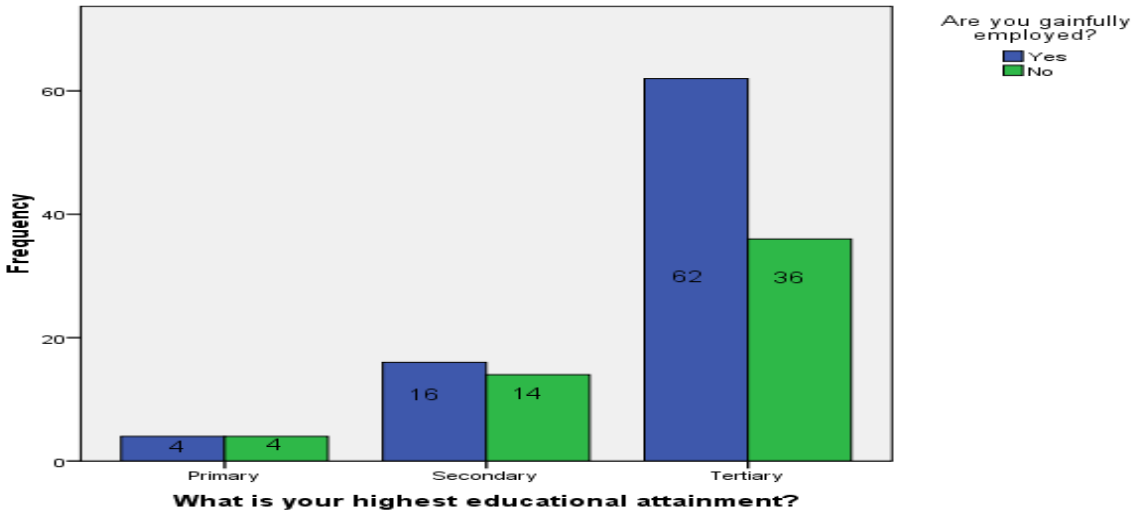
Source: Field survey, (2016).

Table 4.3 contains the responses of the respondents to the structure of their households. It shows that out of the 136 respondents sampled, 61 of them claimed that there about 2-5 persons in their households and this number represents 44.9% of the total sample. 38 respondents claimed that their households are made up of five persons and above and this represents about 27.9% of the sample. 37 out of the respondents did not respond to this question. On the question of number of dependents, the study shows that 31 respondents have at most two dependents, 48 respondents have between 3 – 5 dependents while 17 respondents have at least six dependents. 40 respondents did not react to this question. Again, the result shows that 19 respondents are their families' bread winners, 96 respondents are not while 21 respondents did not react to this question.

4.3 Education and Job Status

Figure 4.2 presents the respondents' education and employment status. This result indicates that 82 respondents, which represent 60.3% of entire sample, are gainfully employed, while 54 respondents, representing 39.71%, are not gainfully employed.

Figure 4.2 Respondents' Highest Educational Attainment and Labour Force Status



Source: Field survey, (2016).

Further breakdown shows that out of eight respondents that possess primary school certificate, four of them are gainfully employed while four are not. 16 respondents out of 30 respondents that possess secondary school certificate are gainfully employed while 14 respondents are not gainfully employed. Furthermore, out of the 98 respondents that have attended tertiary institution, 62 of them are gainfully employed while 36 of them are not.

Table 4.4: Respondents' Employer and Grade Levels

Employment Status	Total Response	Total Frequency (%)
Farmer	44	32.35%
Entrepreneur	14	10.29%
Trader	12	8.82%
Employed in Private sector	9	6.62%
Others	3	2.21%
No response	0	0
Total	136	100%

Source: Field survey, (2016).

Responses on the respondents' employer and grade levels are contained on Table 4.4 and it shows that 44 respondents, (constituting 32.35%) out of the total number of respondents, are farmers 14 of them (representing 10.29%) are entrepreneurs, 12 respondents (representing 8.82%) are traders, nine respondents are private sector employees, three of the respondents work elsewhere while 54 out of the 139 respondents (representing 39.71%) are unemployed.

Table 4.5 Spouses' Highest Educational Attainment and Employment Status

		Is your husband employed?			
		Yes	No	No response	Total
What is your spouse's highest education attainment?	None	0	0	0	0
	Primary	5	2	0	7
	Secondary	16	4	2	22
	Tertiary	44	4	2	50
	No response	0	0	57	57
	Total	65	10	61	136

Source: Field survey, (2016).

Figure 4.5 shows the respondents' spouses' education and employment status. Out of seven respondents whose husbands possess primary school certificate, five of them are gainfully employed while two are not. 16 respondents out of 22 respondents whose husbands possess secondary school certificate are gainfully employed while 4 respondents are not gainfully employed, 2 persons did not respond to the question. The result further indicates that out of the 50 respondents whose husbands attended tertiary institutions, 44 are gainfully employed while 4 are not gainfully employed. 2 persons did not respond to the question. This result indicates that 65 respondents, which represent 47.8% of entire sample, claimed that their husbands are gainfully employed, while 10 respondents, representing 7.4% claim otherwise, however, 61 persons did not respond to the question of whether their husbands are employed or not.

Table 4.6 Spouses' Job Description and Wage Range

		What is your husband's wage?			
		Less than 18,000	18,000 and above	No response	Total
If yes what type of job?	Government worker	1	5	1	7
	Entrepreneur	4	15	2	21
	Trader	1	16	6	23
	Employed in Private sector	2	5	7	14
	Others	0	0	10	10
	No response	0	0	61	61
	Total	8	41	87	136

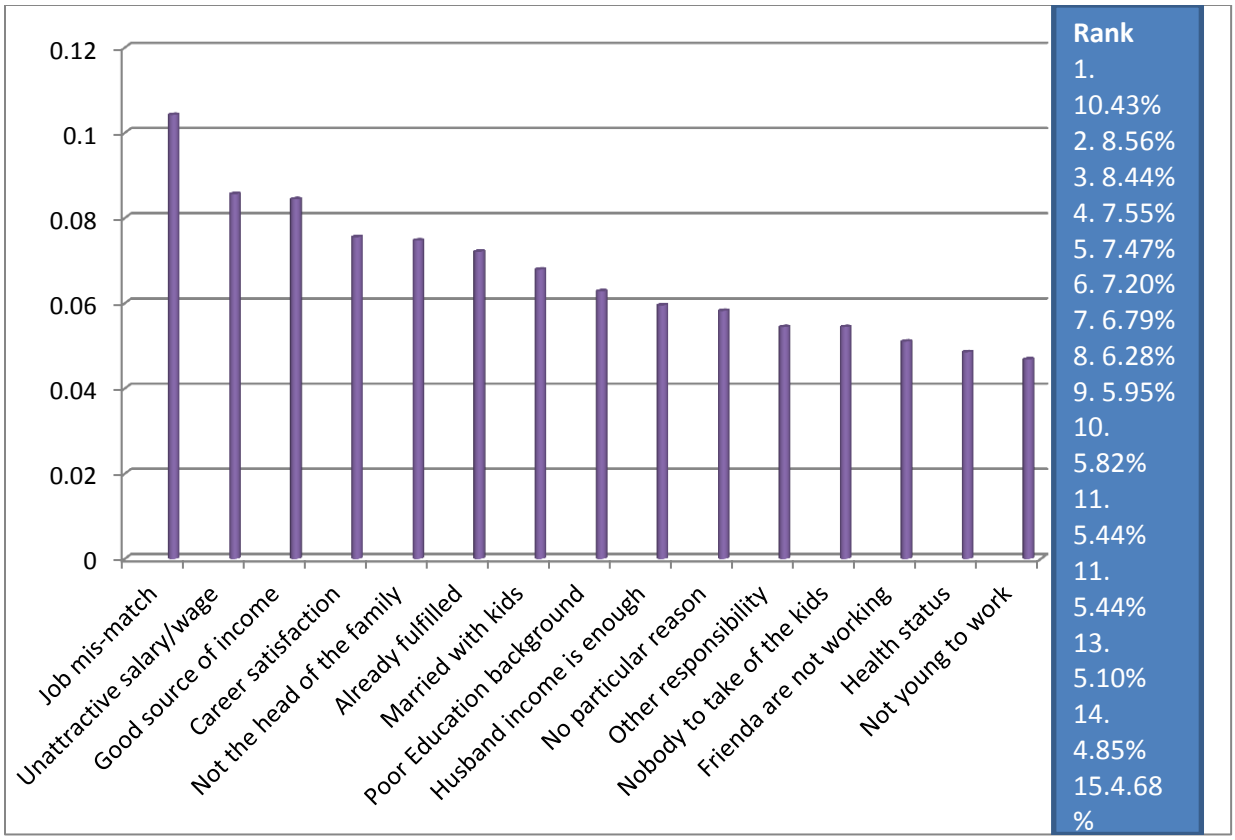
Source: Field survey, (2016).

Table 4.6 presents information on the nature of job in relation with salary/wage range of the respondents' spouses. Out of seven respondents who said that their spouses are government workers, one respondent maintained that her spouse earns less than ₦18, 000 while 5 respondents said that their husbands earn ₦18,000 and above. Out of the 21 respondents who maintained that their spouses are entrepreneurs, 15 of them said that their husbands earn above ₦18, 000, 4 respondents said that theirs earn less than that while there was no response from two of the respondents. Out of the 23 spouses who are traders, 16 of them earn above ₦18, 000 while one of them earn less than ₦18, 000. When asked what type of job their husbands did, 10 of the respondents chose others and this corresponds to the number of respondents that their spouses are not gainfully employed.

4.4 Factors Inhibiting Female Formal Labour Force Participation in Awka South LGA, Anambra State

Figure 4.3 presents and ranks this study's findings on the respondents' perception on the factors inhibiting female formal labour force participation rate based on the information obtained from the respondents in three selected towns of Awka South Local Government Area.

Figure 4.3 Factors affecting Female Formal Labour Participation Rate in Selected Towns in Awka South LGA of Anambra State



Source: Field survey, (2016).

Findings show that these five major factors: job mis-match, unattractive salary/wage, adequate source of income, career satisfaction and not being the head of the family are the major ones that deter the females from participating effectively in the formal labour market in Awka South LGA of Anambra State. All the respondents were asked to indicate the factors that inhibit/constrain their ability to get into formal employment in order to participate effectively in the labour market. Using the five likert scale the results of Figure 4.3 are based on the strongly agreed responses. Job mis-match ranks (10.42%) highest amongst the constrains to female formal labour participation rate in the study area. This is followed by unattractive remuneration (8.56%), adequate alternative source of income (8.44%), personal satisfaction (7.55%) and (7.47%). The least factors that constitutes constraints to female formal labour force participation in the study area include that the respondents perceives themselves as being too old to take up formal employment (4.68%), the respondents' health status (4.85%), peer influences (5.1%) and parental responsibilities to the respondents' children (5.44%).

4.5 Test of hypotheses

The hypothesis earlier postulated by this study was tested using the One Sample t-test. The decision rule is that if the p-value is less than or equal to 5% (>0.05), the null hypothesis is rejected in favour of the alternative hypothesis. The null hypothesis is that female formal labour participation rate in Awka South LGA has not been hindered by any major factor.

Table 4.7 One Sample t-test

	Test Value = 0					
					95% Confidence Interval of the Difference	
	T	Df	Sig. (2-tailed)	Mean Difference	Lower	Upper
Good education background	11.86***	135	.000	4.21324	3.5107	4.9158
Good source of income	15.93***	135	.000	5.17647	4.5340	5.8190
Unattractive wage	15.37***	135	.000	4.97794	4.3372	5.6186
Not head of the family	15.67***	135	.000	5.22794	4.5681	5.8878
Have other responsibility	14.17***	135	.000	5.02206	4.3210	5.7231
My husband's wage is enough	15.28***	135	.000	5.25735	4.5768	5.9379
Not young to work	14.42***	135	.000	5.18382	4.4729	5.8947
Health status	13.78***	135	.000	4.99265	4.2763	5.7090
Married with kids	17.18***	135	.000	5.62500	4.9775	6.2725
Friends are not working	13.80***	135	.000	4.96324	4.2520	5.6745
Fulfilled already	16.72***	135	.000	5.47794	4.8301	6.1258
I am satisfied	15.80***	135	.000	5.24265	4.5865	5.8988
I have not found job	17.21***	135	.000	5.22794	4.6272	5.8287
Nobody to take care of my children	14.70***	135	.000	5.16912	4.4735	5.8647
No particular reasons	18.17***	135	.000	5.97059	5.3208	6.6204

Source: Field survey (2016)

Table 4.7 shows the one-sample t-test for the hypothesis that female formal labour participation rates in Awka South LGA is not hindered by any of the identified factors. The null hypothesis is rejected given that the P-value (0.000) for each of the item is less that the 0.05 significance level. This study therefore concludes that in the study area, female formal labour participation rates are been hindered by the above identified factors.

4.6 Discussion of Findings

From the analysis above and the responses gathered with the in-depth interview schedule, it is observed that the strong factors that hinder the participation rate of women in the formal labour market in their order of importance include job mismatch, unattractive wage, adequate source of income, personal satisfaction and not being the head of the family. Job mismatch is a major hindrance to female participation in the formal labour market due to information asymmetry which prevents the awareness of existence of openings for the jobs which fit qualifications thereby forcing the job seekers to take on jobs for which they are not adequately skilled. This is a source of discouragement from engaging in paid formal labour. In some cases, wages attached to these formal jobs (that may be too demanding or stressful) may discourage some women from taking such jobs especially when they think that they are better off not involved in formal employment than accepting such non-compensatory wages.

Women, who have other reliable sources of income or who have families that are well to do and families that take care of their every need, may not have the zeal to engage in paid labour especially when the pay is not so enticing; same is applicable to those who are already satisfied with their personal life's achievements. The females, who do not have much financial responsibilities (possibly because they are not head of their households), may not have the motivation to seek for formal employment since there is someone to take care of her and her family. All these factors invariably do hinder women from participating in paid labour as the One Sample t-test proves because the p-value of 0.000 is less than 0.05 level of significance confirming the earlier rejection of the study's null hypothesis.

5. Summary of Findings, Conclusion and Recommendations

This study investigated the factors that inhibit female formal labour force participation rate in selected towns in Awka South Local Government Area of Anambra State using a well-structured questionnaire and an in-depth interview schedule to gather the relevant information which were analyzed using both the simple statistics of charts, bars, percentages and frequencies and the inferential statistic of One Sample t-test.

In carrying out this study, many factors were considered but from the responses gathered, job mismatch, unattractive wage, good source of income, career satisfaction and not being the head of the family are the major inhibitors of female labour force participation in Awka South LGA. From the responses and the results, the following recommendations are made:

- Efficient and up-to-date job banks should be created to enable employers and employees access each other faster for job openings and matching skills in order to solve the problem of job mismatch; employment agencies are desirable.
- Women should be encouraged to update their skills in order to meet up with the demands of changes in skills and technology.
- Awareness should be created for the females to understand their roles and their contributions to economic growth. This will motivate them to take up formal jobs not just for the financial empowerment they get but for their desired impacts on the economy.
- Women can affect the lives of their children positively and help improve their quality of lives by bringing some income home and not solely depending on the income of their spouses. The females should thus be encouraged to take up formal jobs as it brings metal alertness and reduces the occurrence of depression for those who are more susceptible to such. It is believed that working mothers imprint the hard-work mentality in the minds of their children and this breeds a healthier society.

There may be variation in findings if the same study is carried out somewhere else because of difference in location, religion or cultural orientation. Therefore it is advised that further studies should be carried out varying some elements to see if similar results will be arrived at.

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Part Three
Entrepreneurship Studies

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Entrepreneurship Skills and Career Performance Among Self Employed University Graduate in the North West of Nigeria

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Abstract. Human capital theory was used to examine the effect of entrepreneurship skills on career performance. A total of 319 self-employed university graduates in the northwest geopolitical zone of Nigeria participated in the study. The present study also employed a cross sectional research design in which data was collected and analysed within a short period of time. Results using partial least squares structural equation modeling (PLS-SEM) supported the hypothesized direct effect of entrepreneurship skills on career performance. However, the hypothesized significant relationship between financial management skill and career performance was not found. Theoretical, methodological and practical implications are discussed. In particular, the results recommended that entrepreneurship skills acquired through the mandatory entrepreneurship education programme for undergraduate students of tertiary institutions in Nigeria are an important consideration in helping self-employed graduates to enhance their career performance.

1. Introduction

The issue of entrepreneurship skills has been a common topic in many countries for a long time. The concern of entrepreneurial skills is rooted from the desire to have students who are job makers than job seekers. This need was emphasised by the drive to have university students introduced to entrepreneurship studies. According to Andrea (2010), the concept of formal entrepreneurship education at the university level is a relatively new one. Citing the works of Volkmann (2004), Andrea (2010) reveals that the first courses that specifically addressed entrepreneurship took place at the Harvard Business School in 1947. In other countries like UK, the original entrepreneurial courses were launched in 1980s together with the UKs first initiative for Enterprise in Higher Education (Elton 1991, Kirby, 2005). From that time, high education programs focusing on the teaching of entrepreneurship have gone global. According to Volkmann (2004) it had been predicted that imparting entrepreneurship skills among higher education students would become a major academic discipline for university education in the 21st century.

Historically, researchers have viewed entrepreneurship as an important mechanism for economic emancipation due to its association with investment and new market opportunities (Weber, 1930; Schumper, 1934; Cole, 1965). As early 1950's, scholars had noted the need for entrepreneurial capabilities or skills. For

example, it has been put by Volkmann (2004) that whereas attention is put on both physical and financial resources, which determine the successful existence of firms, if the proper human capital competencies and structures are in place, they can organise the rest to make the firm exist and survive. This implies that the need for entrepreneurial skills has been established by previous scholars many years back. For example,Enu (2012) recognized that the entrepreneurs' business management skills must be given primary attention in handling issues of employment creation and survival of enterprises. Ahmad, Basir& Kitchen (2010) reiterate that if the owner-manager lacks the necessary skills, the business is doomed to fail.

Moreover, the issue of efficiency in career performance and or firm performance is a global one (Msoka, 2013). Developed countries focussed on building the capacities of their work force, when they wanted to deal with problems of low levels of productivity at either individual, firm or national levels. It has long been believed that a competent and efficient workforce is the spring board for economic growth and development of any nation, as it is for the growth and success of any company. The need for improved career performance was the force behind the great global inventions and innovations such as the scientific management approach, the skills approach and so on. With the exception of the less developed countries, efficiency in career performance or the performance/productivity of individual employees is well trucked in most organisations of the developed world, and its contribution to the growth or otherwise of the firms and nations has always been recognised.

According to Lorraine & Peter (2007) most higher education institutions have been focusing on academic quality and qualifications other than quality of entrepreneurship training and so the performance of local and graduate entrepreneurs has been poor but employers and other stakeholders have not been able to identify the key factors majorly responsible for this.

In this 21st century, almost all countries globally have recognised the need for enhancing the performance of higher education graduates, by uplifting their entrepreneurial skills through quality entrepreneurship education and training., Most countries have established entrepreneurship education centres in many higher institutions of learning, with a goal of imparting entrepreneurial skills among their graduates so as to improve their enterprising attitudes, intentions and capabilities, as well as their employability (Lorraine& Peter,2007).

This recent recognition of the need for uplifting the quality of graduates, has attracted a number of studies which have been recently done examining the quality of entrepreneurship education in different parts of the world. For example, Hayton (2015) in Malaysia, Kituyi and Balunywa (2012) in Uganda, Fatoki (2010), Botha (2006) and Kunene (2008) in South Africa, Bosma*et al*. (2000) in Netherlands and so on.

Development of skills and competencies among university graduates in Nigeria hasbecame a serious concern for educators and curriculum developers. This compelled federal government to introduce compulsory courses on entrepreneurship education that are core in all tertiary institutions in the country in the year 2006/2007 (NUC, 2015). While public policy hence supported the development of entrepreneurship education to increase entrepreneurial skills, and a shift from general education to entrepreneurship skills development asa necessary wayof developing and empowering the citizens, particularly the youths and indeed many universities have been supported and established entrepreneurship education centres (Abubakar, 2010), no study has been conducted to specifically establish whether the entrepreneurship education centres have imparted the required entrepreneurial skills and whether those skills have enhanced/ boosted the performance of the graduates as employers and employees. This study is done to make a contribution in this line.

2. Statement of the Problem

The career performance of university graduates in Nigeria has been reported to be low in recent years (Pitan & Adedeji, 2012). It has been observed that majority of the graduates still find it very difficult and impracticable to find their

feet on ground as business founders or as employees managing entities to a strong better position . The continued high unemployed levels (Ibrahim, 2010) is also another sign that the graduates are not doing a good job in the field of job creation and expansion. The persistent low performance level of graduates has been blamed on many factors by different stakeholders and academicians. Two most prominent articles on this issue, have attributed the problem to the inadequate and irrelevant education contents in the curriculum of most programs of study in the country. Among these, Pitan&Adedeji (2012) have attributed it to the big mismatch between the skills imparted among the graduates vis-as-vis those required in the job market, indicating that university graduates in Nigeria have been poorly prepared for work in recent years. Adenike (2016) has attributed it to inability of the entrepreneurship education curriculum to meet its introduction objectives. Other factors blamed include irrelevancy of the content and inadequate funding of the education institutions which see them produce half-baked graduates, who are inadequate in skills. Despite all these concerns, there are no studies in Northern region of Nigeria with empirical evidences on the extent to which the entrepreneurship skills are relevant to the job market and how effectively are imparted to the students and if so how are they impacting on the career performance of the graduates. This study was conducted to fit into this gap, to document evidences on the effect of entrepreneurship skills on career performance of university graduates in North-west Geo-political Zone of Nigeria.

3. Objectives of the Study

The general objective of the study was to determine the relationship between entrepreneurship skills and career performance among university graduates in North-West Geo-political Zone of Nigeria.

The specific objective of the study is to establish the relationship between financial management skills and career performance among self-employed university graduates in North-west Geo-political Zone of Nigeria.

4. Research Questions

What is the relationship between financial management skills and career performance among self-employed university graduates in North-west Geo-political Zone of Nigeria?

5. Hypothesis

Based on the research questions, the following hypothesis were formulated and tested empirically:

H_0: Financial management skills are not related positively and significantly with career performance among self-employed university graduates in North-west Geo-political Zone of Nigeria Scope.

6. Literature Review

6.1 Theoretical Review

The research was hinged on the Human Capital Theory of Entrepreneurship by Schurtz in 1961, which considers knowledge and skills as an indispensable tool for human transformation. The theory was chosen on consideration that education is capable of inculcating competencies, skills and values that will stimulate entrepreneur performance of graduates for self-reliance (Walstad&Kourilski, 1999). The thrust of the Human Capital Theory of Entrepreneurship is that entrepreneurship education is capable of equipping students with entrepreneurial skills, fostering spirit of entrepreneurship, generating entrepreneurial interest and developing in the students' entrepreneurial aspirations. The theory has the support of Uwameiye&Osunde (2000); Adenipekun (2004) and Bhandari (2006) who all opined that entrepreneurship education helps students develop skills and attributes that allow them to be innovative and to identify, initiate and successfully manage personal and work opportunities. This theory, according to Akhuemonkhan, Raimi &Sofoluwe (2013), argues that the more favourable the attitude is, and the greater the perceived behavioural control is, the stronger the training to perform the act. Based on this, the researcher assumed that since the capabilities of the graduates are enhanced by

the entrepreneurship education they received from universities, there is therefore a positive link betweet financial management skills and career performance.

6.2 Entrepreneurship skills

Hayton (2015) defined entrepreneurship skills as the ability to identify customer needs, market opportunities and pursuing them. He opined that these entrepreneurship skills are part of a broader set of leadership and management skills necessary for efficient business performance. As one of the four factors of production (the other three being land, labour and capital), entrepreneurship is defined differently by different scholars. Some think that entrepreneurs have special individual qualities, while others believe that there are some entrepreneurship skills, which successful entrepreneurs practice. Most of these different scholars each use a concept that tries to describe the qualities of an entrepreneur. For example, Olusola(2011) explained that entrepreneurship is the act of risk taking, while Kurya (2002) explained that an entrepreneur is someone who is quick to realise that an opportunity exists, seizes the opportunity and looks for the necessary ingredients or resources (land, labour, capital) to actualise it.

In (Jane, 2002). Jane indicates that if the skill given is satisfactory, the worker and the employer get satisfaction, and if this is sustained, it culminates into promotion, retention and prolonged tenure that lead to productivity. Entrepreneurship skills enable the entrepreneur to combine the other three factors of land, labour, capital together in a fashion that brings efficiency in production. This is combines two important fields and skills areas of resource mobilisation and resource utilisation, according to Kibuuka (2011). In fact the ability of the entrepreneur to identify, co-ordinate and combine these resource factors contributes a big part of the required entrepreneurial skills.

According to Jane (2002) entrepreneurship skills enable the entrepreneur to create value as a result of recognition of a business opportunity, effectively managing the risks involved, co-ordinating the various activities and combining the necessary resources and ultimately reaping the envisaged returns. Jane (2002) further opined that entrepreneurship skills enable the entrepreneur to create value by devoting the necessary time and effort, assuming the accompanying financial, psychological and social risks and eventually receiving the envisaged returns. The need to have individuals and graduates who have adequate entrepreneurial skills influenced many countries in the world to initiate entrepreneurship education programs in their institutional curricula. This came in as a result of many academicians agreeing to the notion that entrepreneurs can be made through training. Nigeria in particular instituted these programs 10 years back and it was made a policy by the government for all public institutions.

6.3 Goals and Objectives of Entrepreneurship Education

The major goal of entrepreneurship education is to promote creativity, innovation and self-employment potentials among the citizens through the inculcation of entrepreneurial knowledge, competences and attitudes in the learners. Akande (2011) affirms that “the goal of entrepreneurship education is for learners to acquire entrepreneurial capacities and skills that will make them self-reliant and self-employed” (p. 30). Entrepreneurial capacities include the ability to take risks, create opportunities and resources, manifest undaunted commitment to a goal, cope with change and generally act with entrepreneurial mind-set. To achieve the major goal of entrepreneurship education, there is need to ensure that instructional activities are directed towards the achievement of the following specific objectives. These skills and others not mentioned are expected to have a positive impact on someone’s career as an entrepreneur and even as an employed manager. They are depicted in figure 1.

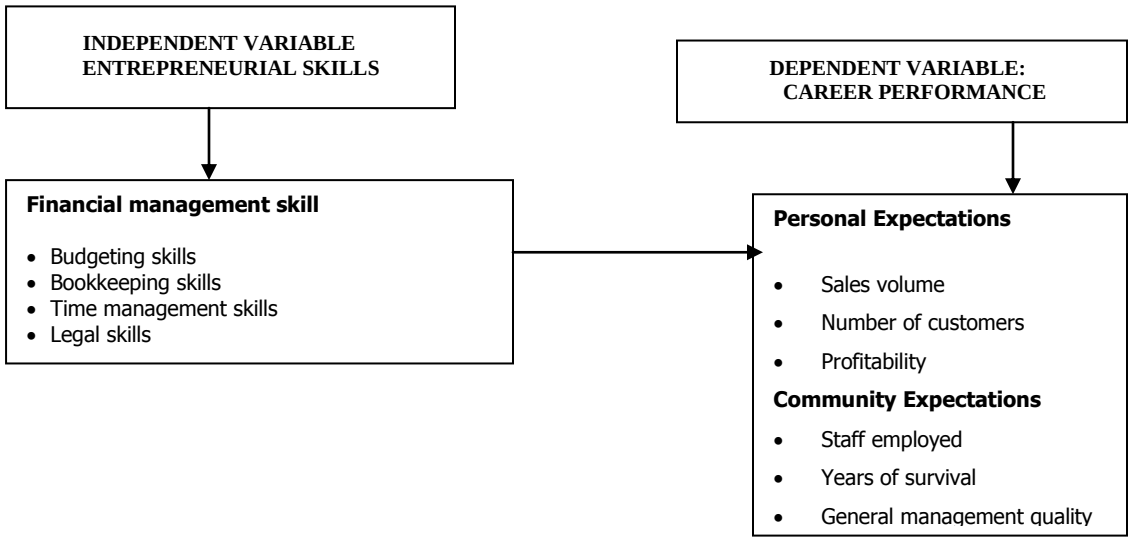

Figure 1: Conceptual framework for entrepreneurship skills and career performance
Source: Constructed using ideas from Leavender & Racculla 2001; as sited by Kibuuka (2011).

6.4 Financial Management Skills

The entrepreneur takes a lot of decisions involving finances. According to Adamu (2009), the inability of some small and medium-scale entrepreneurs to keep financial records negatively affected the growth of their businesses, their ability to secure loans from financial institutions and their ability to determine their costs and profits. Financial management skills are necessary for proper keeping of financial records. They guide the entrepreneur in cost analysis, inventory control and profit determination. For the entrepreneur to know how to seek funds and invest them properly and succeed, it is very important to develop financial management skills. Ewelumetal (2014) asserted that financial management skills are highly needed for effective management of small scale businesses. They listed the following skills that are required of an entrepreneur;

1. Finding out sources of capital to start business
2. Preparing simple financial inventory
3. Recognising the true position of the business, e.g. determination of profit or loss
4. Knowing how to obtain loans
5. Preparing simple budget
6. Determining employees' wages and benefits
7. Avoiding unplanned expenditure
8. Limiting personal expenditure from the business
9. Investing business finances wisely
10. Having adequate knowledge of tax regimes
11. Having knowledge of simple business laws

Financial management skills explain the reason why one person takes successful advantage of an opportunity while another does not. For the university graduates not to fall victim of unemployment, they need to have financial management skills as part of their comprehensive entrepreneurship training to activate their innate potentials. Russell (2004) reported that the measure of survival and success-solvency, net income, growth in assets and employment creation of a firm are all measured in monetary terms and rest around how the firm's finances are managed. This research intends to find out whether entrepreneurship training influences entrepreneurs in the way they source for finances. Financial management skills have to do with budgeting skills, book keeping skills, time management skills and legal skills. Etonyeaku (2014) indicates that all entrepreneurs should be able to appreciate and interpret simple accounting statements, as this

helps in reducing the rate at which small-scale business go into liquidation.

Etonyeaku (2014) further identifies from Igbo (1995) ten financial management skills required by entrepreneur in business related areas for successful operation of their enterprises and these include; i) knowledge of accounts; ii) knowledge of costing; iii) ability to interpret financial statement; iv) ability to acquire the skill of preparing financial statements; v) ability to understand payroll and various deductions; vi) ability to know gross and net profit; vii) ability to know sources of funds; viii) ability to know how to obtain loans; ix) knowledge of central and local government levies, taxes and regulations; and x) knowledge of factors involved in decisions to grant a loan by financial institutions. Other financial management skills found in Ezeani*et al.* (2012) include; ability to process accounts receivable and accounts payable, ability to process inventories, ability to extract the trial balance, ability to prepare daily cash reports, ability to prepare bank reconciliation statements, ability to keep sales and purchases records, ability to keep debtors ledgers, ability to prepare final accounts, profit and loss accounts and the balance sheet, ability to calculate depreciation and ability to avoid unplanned expenditures and prepare simple budgets.

6.5 Budgeting Skills

A budget is simply a forecast of income and how the income will be spent. Shapiro (2001) explained that a budget is a document that translates plans into money to be generated (income) and money needed to be spent to get planned activities done (expenditure). Budgeting skills refer to the ability of a business manager to establish and manage budgets, which requires some knowledge of finance and accounting principles. Of importance is the ability to perform cost estimates for projects and understanding the different methods used to determine business costs (Shapiro, 2001). In his contribution, Ibrahim (2011) stated that budgeting skills range from the ability to estimate the costs of individual activities and rolling the estimates up to estimating the overall business cost. Kibuuka (2011) measured budgeting skills using three aspects, namely setting performance goals and standards, prioritizing according to goals and objectives and evaluating results basing on budgetary goals.

6.6 Bookkeeping Skills

Bookkeeping refers to a system of recording financial transactions of an organisation. Ibrahim (2011) stated bookkeeping is the systematic recording of a company's financial transaction in such a manner that the records can be used to determine the performance of the company. Bookkeeping skills refer to the ability of a manger or an entrepreneur to properly record financial transactions regarding sales, purchases, incomes and expenditures of the organisation. Bigg& Perrins (2000) defined bookkeeping as the art of recording all financial transactions so that the financial position of an undertaking and its relationship to proprietors and outside persons can be readily ascertained.

Every enterprise, whether small or big, requires well written financial records. These are used by managers as guides to routine action, making decisions, formulation of general rules and maintaining relationships with other organisations or with individuals. Lee (2002) likened a business without written financial records to a blind man without his aid for he never knows which way he is going. The following are among the benefits of keeping business financial records:

- they are used to determine a business' profit or loss
- they reveal debtors, amount due and when payments are due so as to avoid heavy costs of bad debts
- they reveal fast moving goods, slow moving goods and other vital information in a business
- they help in business financial planning
- they are needed by lenders of finance
- They help in business financial control and taking appropriate action regarding income and/or expanding.

6.7 Time Management Skills

Time management refers to the process of using time in such a way to maximise efficiency and

effectiveness. Time management skills thus refer to the ability of a manager to determine what to do, when to do it and actually do it. Since time is a scarce resource, it is important that entrepreneurs spend it wisely, as it is irreplaceable and irreversible.

Understanding effective time management involves the following skills; i) defining what is most important; ii) translating what is most important into a goal (or specific statements about whatyou want to accomplish and by when); iii) stating a single clear result to be achieved; iv) determining the time and resources available to do the tasks; v) decide the tasks to do first, what can wait, what things can be done by others if we delegate to them, and what things probably should not be done at all; vi) finalize with a plan, priority list and organizing
Attending meetings and other routine responsibilities like completing weekly reports. The manager should then prioritize all the weekly activities, for example, assigning each activity as high, medium, or low priority or numbering the priorities with 1, 2, 3 and then schedule appointments and meetings where appropriate. Once this plan is done, the manager focuses on high priority activities by setting constant weekly time for them, leave some free days or time periods (not putting an activity on every day and hour of the week), put some time off for routine administrative activities, like to return phone calls, answering e-mails and reading reports and then setting boundaries by saying no to others who may take them away from their time.

6.8 Legal skills

Legal skills encompass ability to deal with business forms, contractual laws, business ethics, and ability to register trademarks, logos, designs and acquiring licenses. For an entrepreneur to be successful, he needs legal skills. Lack of these skills on the part of an entrepreneur can lead to failure. George and Johns (2001) pointed out that one of the problems of entrepreneurs, especially those who own small-scale enterprises, is lack of basic knowledge of business legal requirements. If it is possible to identify the various skills required of effective and efficient business managers, then success of entrepreneurs can be enhanced, hence the need for this study.

6.9 Career Performance

A career is the achievement realised by a person in a job, or job experiences that a person has acquired. Career performance has to do with the productivity of a worker, as it focuses on actual contributions, results and achievements from the skills acquired by the worker. In this study, career performance of the graduates can be measured on two major dimensions; i) according to expectations of the individual (the graduate) and this dimension may include aspects like sales volume, profitability, number of customers and so on; ii) according to community expectations. The community in this case may involve the different stakeholders at different levels, for example, the citizens, the trainers/teachers/mentors, sponsors and parents. When a student undertakes a course, each of these stakeholders expects to see improvement in the performance of that student after graduation and these expectations may or may not be similar for all stakeholders. Such expectations may include things like employing the people of the community, long term survival, quality management, creativity and socialisation among others. In the next part of this sub-section, we discuss the meaning and measurement of career performance on the two dimensions;

7. Methodology

Design: the study adopted Cross sectional survey
Population; 24,000 graduates 2010-2015
Sample size; Slovene's formula used to arrive at393 self-employed graduates
The minimum sample size for this study was arrived at using Slovene's formula. Using the Slovene's formula, the sample size was calculated as follows:
n=
Where:
n = required sample size
N = the known population size
e= the level of significance, which was fixed to be 0.05
n= 24000

$$= \frac{1+24000(0.05)^2}{1+60} = \frac{24000}{61}$$

Sampling procedure

State	Target Population	Sample Size	Qualified population	Interval
Kaduna	6100	100	4000	40
Kano	4200	69	3200	46
Sokoto	3850	63	3250	51
Zamfara	2600	43	1500	35
Katsina	2500	41	1458	36
Jigawa	2350	38	2100	55
Kebbi	2400	39	2150	55
Total	24000	393		

Technique of sampling.: stratified

- Purposive
- Systematic random sampling

Research Instrument

- A four point Likert scaled and researcher made questionnaire, with questions extracted from literature.
- **Three sections**

A. Entrepreneurial skills, 76 question items
B. Career performance, 20 questions
C. Profile of respondents, 09 questions

8. Data Analysis

Quantitative data: quantitative data was anslysed at three levels, namely

- Univiriate (Frequency, percentage and mean), were estbalsihed
- Biviriate (PLCC Correlation) and
- Multiviriates (Regression

Table 1: Means and Standard Deviations on Financial Management Skills of Self-employed University Graduates in North-west Geo-political Zone of Nigeria

Budgeting skills	**Mean**	**SD**	**Interpretation**	**Rank**
Making a clear and timely budget	3.38	0.853	Very high	
Estimating costs of individual activities	3.03	1.034	High	
Making budget expenditure schedules	2.79	0.925	High	
Budgetary compliance evaluation reports	2.74	0.888	High	
Making staff pay roll	2.63	0.988	High	
Sub-Total	**3.01**	**0.921**	**High**	
Book keeping skills				
Interpreting financial statements	3.38	0.859	Very high	
Managing cash inflows and outflows	3.30	0.861	Very high	
Preparing books of accounts (e.g. cash books, financial statements	3.06	0.972	High	
Sub-Total	**3.22**	**0.916**	**High**	
Time management skills				
Making task priority lists	3.56	0.794	Very high	
Applying time saving measures	3.55	0.803	Very high	
Determining /setting deadlines	3.54	0.803	Very high	
Allocating time to each and every activity	3.42	0.872	Very high	
Making work schedules (defining what to do and when)	3.20	0.999	High	
Sub-Total	**3.38**	**0.901**	**Very high**	
Legal skills				
Understanding business forms	3.55	0.791	Very high	
Understanding contract laws	3.51	0.875	Very high	
Understanding business registration procedures	3.51	0.903	Very high	
Understanding business legal requirements	3.48	0.882	Very high	
Understanding consumer protection laws	3.44	0.848	Very high	
Sub-Total	**3.49**	**0.819**	Very high	
Overall Mean	**3.27**	**0.889**	**Very high**	

Source: Primary data (2016)

The results in Table 1, revealed that, like the other two entrepreneurship skills, respondents were contented with their level of acquaintance in financial management skills. The graduate entrepreneurs rated themselves high on all the four constructs of financial management skills. For example, respondents rated their financial management skills to be high in budgeting and bookkeeping, with average means of 3.02 and 3.22 respectively on the interpretation scale. The remaining two constructs (time management skill and legal skills) were rated very high with average means of 3.38 and 3.49 respectively. The overall mean index of 3.27 confirmed that respondents rated themselves as very high on the financial management skills construct. Based on this self-perceived high level of financial management skills, it would be expected that graduates can use it to excel in performing their entrepreneurial careers.

Testing Hypothesis Three

From the third objective, the researcher hypothesized that financial management skills relate positively and significantly with career performance among self- employed university graduates in North-west Geo-political Zone of Nigeria. This hypothesis was tested using Persona's linear Correlation Coefficient (PLCC) Table (1) and Multiple liner Regression (Table 2).

Table 2: Pearson Correlations for Financial Management Skills and Career performance

Variables correlated	r-value	Sig.	Interpretation	Decision on Ho
BS Vs Career performance	.020	.720	Insignificant correlation	Accepted
BKS Vs Career performance	.254**	.000	Significant correlation	Rejected
TMS Vs Career performance	-.085	.134	Insignificant correlation	Accepted
LS Vs Career performance	-.098	.083	Insignificant correlation	Accepted
Overall FMS Vs Career performance	.039	.491	Insignificant correlation	Accepted

Source: Primary Data, 2016

Legend: BS= Budgeting skills
BKS = Book keeping skills
TMS = Time Management Skills
LS = Legal Skills
FMS = Financial Management Skills

The correlation results from Table 2 indicated that, generally, financial management skills were not significantly correlated with career performance. This is because the corresponding sig. value (0.491) is greater than the minimum sig. level of 0.05. However, results indicated that one element of financial management skills (bookkeeping) was significantly correlated with career performance. On the overall, the results suggested that the self-employed graduates did not take financial management skills as being important in running of their enterprises. The results, therefore, did not support the hypothesized positive and significant correlation between financial management skills and career performance.

Although proper financial management is taken to be the blood of any private and for profit enterprise, results in this study seem to refute this norm, as they suggested that financial management skills of the graduate entrepreneurs were not relevant in their career performance. The results were further confirmed by the findings from regression analysis (table 3) which indicated that of the four elements of financial management skills, only bookkeeping can significantly predict career performance of the graduates. Although the F-statistic proved to be statistically significant, suggesting that, overall, financial management skills can significantly predict career performance of the graduates, a clear look at the other coefficients in this table, suggest a weak connection between the two. For example, considering the value of the adjusted R^2, it is suggested that all the financial management skills elements taken together accounted for only 6.8% towards variations in career performance of the graduates. By virtue of its size, and considering the value of the betas, one can agree with what the correlation results (Table 2) suggested.

Table 3

Variables Regressed	Adjusted r^2	F-value	Sig.	Interpretation	Decision on Ho
Financial Management vs. CRF	.068	6.640	.000	Significant effect	Rejected
Coefficients	**Beta**	**t**			
(Constant)	1.750	11.023	.000	Significant effect	Rejected
Budgeting	.069	1.435	.152	No significant effect	Accepted
Bookkeeping	.124	4.461	.000	Significant effect	Rejected
Time	-.039	-.864	.388	No significant effect	Accepted
Legal	-.052	-.914	.361	No significant effect	Accepted

Regression Analysis for Financial Management Skills and Career Performance

The outcome of the results in Table 3 was that, of all the financial management skills elements, only bookkeeping skills were important in helping graduates to improve their career performance.

9. Implication of the Study

From a practical point of view, the results of this research would serve as a blueprint for the policy-makers and practitioners in formulating vital educational policies that could assist and help in improving the overall performance of self-employed entrepreneurs.

Theoretically, the present study has provided additional empirical evidence in the domain of human capital theory of entrepreneurship by shedding more light on factors explaining career performance.

10. Conclusion

Despite the limitations, the present study has attempted to examine the role of entrepreneurial skills in explaining career performance of self-employed graduates in Nigerian context, hence, theoretical framework of this study has also added to the domain of human capital theory (Becker, 1964; Schultz, 1959; Sweetland, 1996). Further to the theoretical contributions, the results from this study provide some important practical implications to policy makers in Nigeria.

11. Limitations and Suggestions

- It is also important to consider starting entrepreneurship at secondary level from junior school to secondary school
- It is also important to consider starting the entrepreneurship at senior , primary level form primary three to six
- Career performance data used in the present study was only perceptual or subjective. .
- Thus, future research could incorporate objective measures of career performance in order to replicate the findings of the current study.
- It is also important to consider covering all the remaining five geo-political regions in Nigeria.

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Relevance of Microfinance Banks in Financing of Small and Medium Entrepreneurs in Nigeria

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Abstract. This study investigated the relevance of microfinance banks in the financing of small and medium entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria. Survey research design was used in conducting the study. The study had two null hypotheses. Questionnaire was used to obtain data from twenty four small and medium entrepreneurs. Pearson Product Moment Correlation statistic was used to test the null hypotheses at 0.05 level of significance. The findings revealed that microfinance banks had no significant relevance in the financing of both small and medium entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria. The study concluded that microfinance banks had not impacted on the finances of small and medium entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria. Based on the findings, two recommendations were made; microfinance banks should be more involved in the financing of small entrepreneurs in Sabon Gari Local Government Area of Kaduna State; microfinance banks should be more involved in the financing of medium entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria.
Keywords: Microfinance Banks, Entrepreneurs, Financing

1. Introduction

One of the objectives of establishing microfinance banks in Nigeria is to help finance small and medium scale entrepreneurs, especially those who cannot meet the very stringent conditions set by conventional commercial banks for granting of facilities. Other objectives of establishing microfinance banks include offering routing banking services, such as opening and operating various accounts, for customers. Microfinance banks have been in existence in Nigeria since the early 1990s.

Small and medium entrepreneurs are the main stay of the economies of most developing countries. Their main characteristics are the small size of their businesses and labour-intensive nature. Small and medium entrepreneurs are also responsible for driving innovation and competition in many economic sectors. Because of the importance that the Nigerian government attached to the development of Small and Medium Enterprises (SMEs), it established an agency called the Small and Medium Enterprises Development Agency of Nigeria (SMEDAN) to oversee their development.

Entrepreneurship has to do with the ability to recognize opportunities, organise the resources (human and financial) needed and explore opportunities in anticipation of a future reward. According to Kurya (2002), the entrepreneur is someone who recognises an opportunity when

he sees it, seizes it, and looks for the necessary ingredients (land, labour, capital) to actualise the opportunity.

The term entrepreneurship education refers to a specialized educational programme that impacts in learners entrepreneurship skills and develop in them the passion to start-up a new business and carry it out successfully (James, 2002). It therefore follows that entrepreneurship education is designed to inculcate competencies, skills and values needed to identify business opportunities, organize and start new business enterprises. Entrepreneurship has become topical in most countries.

The increasing level of awareness and intense pressure of unemployment has made countries all over the globe to increase their investment in entrepreneurship programmes. Entrepreneurs typically manage staff, customers, physical resources, and financial resources, among others. Managing staff, customers, physical resources, and financial resources optimally requires peak performance on the job. A good performance on the job should translate into achievement of organisational goals. Sani (2011) argued that a key variable in business success is finance.

As earlier stated, microfinance banks have been in existence in Nigeria since the early 1990s. There is need to investigate whether they are having the desired influence on the growth and development of small and medium entrepreneurs in Nigeria. Researchers, such as Kashim (2007), concluded that microfinance bank policy guidelines needed to be more flexible to accommodate entrepreneurs for effective services by the microfinance banks.

The major objective of this study was to find out the relevance of microfinance banks in the financing of small and medium entrepreneurs in Nigeria. The study had two specific objectives. The first was to determine the relevance of microfinance banks in the financing of small entrepreneurs in Nigeria, and the second was to investigate the relevance of microfinance banks in the financing of medium entrepreneurs in Nigeria. The study tested two hypotheses – microfinance banks have no significant relevance in the financing of small entrepreneurs in Nigeria; microfinance banks have no significant relevance in the financing of medium entrepreneurs in Nigeria. The study was delimited to twenty four small and medium entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria

2. Methodology

Survey research design was used for this study. The population was twenty four, made up of thirteen small and eleven medium entrepreneurs in Sabon Gari Local Government Area of Kaduna State. Due to the small size of the population, the whole of it was used as sample.

The instrument used for data collection was a 20-item questionnaire. Hypothesis one was tested using information sought through items 1 to 10. Hypothesis two was tested using information sought through items 11 – 20. The ratings of the scale were Strongly Agree – 4 points, Agree – 3 points, Disagree – 2 points, Strongly Disagree – 1. Four research experts in the Faculty of Education, Ahmadu Bello University Zaria, Nigeria, validated the instrument. The observations and corrections of the experts were incorporated into the final copy of the instrument. The instrument was pilot-tested using five small and five medium entrepreneurs in Kano metropolis, Nigeria. The data collected from the pilot study were analysed using Spearman Brown Coefficient statistic. A Coefficience of 0.80 was obtained. The researcher and one research assistant administered the instrument. The exercise lasted six weeks.

3. Analyses and Results

Pearson Product Moment Correlation statistic was used to test the hypotheses at 0.05 level of significance.

Null Hypothesis One: Microfinance banks have no significant relevance in the financing of small entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria.

Data sought using items 1 to 10 on the questionnaire were used to test hypothesis one. The result is presented in Table 1.

Table 1: Test of Relevance of Microfinance Banks in the Financing of Small Entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria

Variables	X	r-cal	P- value
Contribution of Microfinance Banks to finances of small entrepreneurs	23	1.87	0.065
Finances of small Entrepreneurs	54		

Source: Field work, 2016

Table 1 showed r-calculated value of 1.87, which is not significant at 0.05 level. The null hypothesis was thus retained, meaning that microfinance banks have no significant relevance in the financing of small entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria.

Null Hypothesis Two: Microfinance banks have no significant relevance in the financing of medium entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria.

Data sought using items 11 to 20 on the questionnaire were used to test hypothesis two. The result is presented in Table 2.

Table 2: Test of Relevance of Microfinance Banks in the Financing of Medium Entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria

Variables	X	r-cal	P- value
Contribution of Microfinance Banks to finances of small entrepreneurs	27	1.68	0.076
Finances of small Entrepreneurs	73		

Source: Field work, 2016

From Table 2, r-calculated value is 1.68, which is not significant at 0.05 level. The null hypothesis was thus retained, meaning that microfinance banks have no significant relevance in the financing of small entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria.

4. Conclusion

The conclusion drawn from the findings of the study was that microfinance banks had not impacted on the finances of small and medium entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria.

5. Recommendations

Based on the findings, the following recommendations are made:

Microfinance banks should be more involved in the financing of small entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria.

Microfinance banks should be more involved in the financing of medium entrepreneurs in Sabon Gari Local Government Area of Kaduna State, Nigeria.

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Entrepreneurial Skills Acquisition and Utilization Among Home Economics Education Graduates of Ahmadu Bello University Zaria, Nigeria

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Abstract. The paper looked at the entrepreneurial skills acquisition and utilisation of skills among the home economic graduates of Ahmadu Bello University Zaria, Kaduna State Nigeria. It critically examines the concepts of the key terms, Entrepreneurship skills acquisition and home economics education. The paper has also tried to look at the unemployment rate in Nigeria. The concept of entrepreneurial skills acquisition is seen as the training that provides experience and skills that are suitable for self-employment of graduates, with the help of creativity, innovation and foresight. While home economics is the field of study that is concerned with strengthening individual and family life that provide functional knowledge for self-reliance. The paper went further to look into utilisation of skills in home economic which involves food and nutrition skills, clothing and textiles skills, home management skills, child development skills and housing and design skills. Utilisation of the above mention skills will equip, inculcate the sense of self-reliance and promotes healthy interpersonal relationship. At the end the paper gives some recommendations on how to improve the quality of both entrepreneurial skills acquisitions and utilisation of skills of graduates.

1. Introduction

Entrepreneurship programmes is also learn and embraced by many tertiary institutions in United State of America, East Asia, Latin America and Africa, but there is a concern that many training institutions offer very little entrepreneurial skills (Odia 2013). Over recent years huge policy weight has been placed upon the shoulders of entrepreneurial skills globally for employment. Entrepreneurial skills have become the magic bullet to solve a range of social and economic problems (Keep and Mayhew 2010) In Scotland there is a remarkable consensus across political parties about the importance of entrepreneurial skills (Scottish Government 2010).Entrepreneurial skills in Uganda, it is observed that TechnoServer, an international non-profit business development organization, implements a business training program called Women Mean Business(WMB) in four cities in central Uganda, namely Kampala, Entebbe, Jinja and Mukono (Fischer, Karlan and Startz, 2014).The objective is training and mentoring programs in Uganda, which aimed at helping female entrepreneurs develop the skills they need to run thriving business.

The need for entrepreneurial skills acquisition started in Nigeria in the mid 1980s when the

economy collapsed due to political instability and in consistencies in the socio- economic policies of successive governments; this resulted in very high youth and graduate unemployment (Arogundade 2011).Graduates of tertiary institutions were not having sound knowledge and skills which would make them self- reliance. This led to the introduction and emphasis on entrepreneurial skills, owing to the belief that its introduction into tertiary education would lead to acquisition of skills that would enable its graduates to be self reliant and consequently reduce unemployment problems (Odia 2013). Entrepreneurial skills training incorporate the total learning experience offered in the educational institutions that can impact knowledge, ideas and abilities to make matured judgement and be in a position to create goods and services in the area of home economics education, business education, industrial technical education, agricultural education and other courses. The Federal Republic of Nigerian Policy on Education (2008) states that, one of the goals of Education in Nigeria is acquisition of appropriate skills, the development of mental, physical and social abilities and competences as equipment for individual to live in and contribute to the development of the society. The policy also implies that any program that will qualify as education in Nigeria should not just offer certificate alone it must be work oriented. This will go a long way in solving unemployment problems.

2. Concept of Entrepreneurial skills acquisition

The word entrepreneurship descends from the French word 'entreprendre' which indicates an act which the individual attempt, try, and adventure or undertakes as an act of some sort. According to Lemo (2013), entrepreneurial skills acquisition is the training that provides experience and skills that are suitable for entrepreneurial endeavours. Entrepreneurial skills acquisition therefore; trains graduates with entrepreneurial knowledge, competence and skills needed for self reliant (Pakpa 2013). In line with the above definitions Osemeke (2012) defines entrepreneurship as the process of creating something new with value by devoting the necessary time and effort. According to Ndumanya (2012) Entrepreneurial skill acquisition is a specialized training given to student or trainees to acquire skills, ideas and managerial abilities and capabilities for self employment than being employed for pay. The entrepreneurial skills acquisition attributes for this study included Innovations, Creativity, and foresight, where as utilisation of skills in home economics education included Food and Nutrition skills, Clothing and Textiles skills, Home Management skills, Family and Child Development skills, and Housing and Design skills.

3. Concept of Home Economics Education

Home economics education is the key player in entrepreneurship development process and so has important role to play in reducing massive graduate unemployment and the social menace which it represents. This is in line with Achor (2012) who define Home economics education as ''a self-reliance oriented field of study whose central theme hinged on the improvement of the lives of everyone in the society''. It is a vocational subject that aimed at helping people develop desirable social attitude and skills necessary for the world of work, resourcefulness and ability to adapt to life's changing situation (Odo 2011). Home Economic Education operated within the realms of the national policy on education (2008) for self reliance and gainful employment through functional education. Home Economics Education is that educational process which prepares man for successful family and community living. It is also a form of education that impacts in man all the necessary knowledge, skills, values and attitudes that are essential to ones all round successful development, this emulates improving man's creativity in life.

Fortunately home economics has several opportunities in both small and medium scale business. This gives the individual opportunity for gainful self employment. Home economics related utilization of skills relayed on:

- Food and Nutrition Skills

Fast food vending catering services, Bakery-Bread making, snacks, cake making and decoration, Ice cream business, Restaurant management, preparing of fruits drink, e.g zobo drink, bottling of groundnut, grounded pepper, and other spices.

- Clothing and Textiles Skills

Fashion designing (men/women apparel), Tile and dye/batik production, embroidery, dressing (saloon), Fashion school operation, Bridal shop, and making of children apparel

Home Management Skills

Soap and body cream production, laundry and cleaning services, Rug cleaning services and housekeeping.

- Child development Skills

Nursery management, day-care centres and baby sitting

- Housing and design Skills

Interior decoration, Toys and gift shop and Making of craft

The above innovative skills offered under home economics education will provide individual with the necessary skills/tools for further creative work. Utilisation of skills on the above mention skills may require creativity, innovation and foresight to be inculcated into the students. This will enhance the graduates productivity, effectiveness and efficiency on utilization of skills. It will also reduce the problem of unemployment among the graduates.

4. Unemployment in Nigeria

In today's world, the twin challenges of unemployment and poverty are facing graduates of tertiary institutions and professionals owing to the global economic meltdown and economic recessions in most countries including Nigeria. The government braces up to these challenges through the various programmes and entrepreneurial initiatives. (Odia 2013). Unfortunately, the unemployment rate for 2011 stood at 23.9% translating to about 40 million of the population and the average youth unemployment rate was an appalling 46.5 %(Lemo 2013).Recently, the National Bureau of Statistic (2016) put the unemployment rate in the first quarters of 2016 at 12.5%. The current rate of unemployment in Nigeria and global growth in technology places increased demands for students to be skilful and productive. Kolawole (2012) reported further that government and private sectors need to generate more than 2.5 million jobs each year since around 60% of Nigerian graduates are unemployed. This shows clearly that the Nigerian graduate's unemployment situation is increasing drastically. Entrepreneurial skills acquisition remains the only viable option to create jobs and to reduce unemployment, poverty and empower the graduates to develop businesses, pursue their dreams and contribute to overall productive capacity and national economic growth and development.

5. Creativity and Utilisation of Skills in entrepreneurship

Creativity has been identified as one of the most distinct of human attributes. It is indeed a special case of problem solving in which originality is emphasized. According to Achor (2012) creativity is the disposition to make and recognise valuable innovations. It manifests itself in the ability of the individual to create his own symbols of experience. A person is said to be creative if he has the ability to combine or rearrange established patterns of knowledge in a unique fashion. Creativity is the fundamental premises and genesis of entrepreneur activity, creativity is not exclusive right possession of a chosen few. It is in all human being though in varying degrees: however, training has been found to increase the manifestation of creative abilities (Ihensekhein and Cas-Ogiegbaen 2014).This is a major function of home economics education, it inculcate in the individual with skills of creativity.

However, if an individual graduate from Home Economics Education, that individual has the secret of creativity and a key to job opportunities. In order to become creative in home economics it is necessary to discipline the mind, to learn to operate with open mind to new things (Ihensekhein and Cas-Ogiegbaen 2014). This is done by overcoming the natural barriers to the mind and starts to challenge the various approach to situation. Creativity cannot be taught but can be developed in people by using planned strategies and techniques. Home

Economics is a study that offers numerous occupations for individuals. As a skill oriented course, it possesses the capability of equipping individuals with saleable skills that equip them for self employment, as well it helps individual to attain a useful and satisfying life and to be self reliant (Ahmed, 2010). The role of Home Economics teachers or instructors is very important for fostering creativity among students. A well directed experiment in Home Economics Education can generate in the students, plenty of new ideas and thus pave the way for further experiment and creative art.

Creativity has been associated with the uniqueness of Home Economics Education in many areas that involves development of new ideas or products. Oyindoyin (2013) noted that researchers in the area of creativity have used terms such as innovation, novelty, imagination, discovery, newness, ingenuity, uniqueness/unusualness, intuition and invention to describe the nature of creativity in any area of life and not just in Art. Really, creativity is a systematic process that involves critical thinking in order to produce newness or uniqueness in product. Alonge (2010) identified the indigenous textiles and craft in Nigeria that Home Economists produced adding creativity through the use of raw items such as: Tie and dye/Batik, weaving of mat, cane and textiles, pottery making of flower vase and pots for interior decoration, beads work of key holders, necklace, bags, and bangles among others. Other skills that involves creativity includes; making of Throw pillow production, soap making production, air freshener production, wall hangers production, curtain holders production, pastry production, pomade production, footman production, bed sheet production and table mats production among others. Akunnaye (2012) defines skills as those skills that will enable the individual to maximise the resources around him within the limits of his capabilities. Home economics education is inter-disciplinary, multi-disciplinary and trans- disciplinary. It is a field of study with various marketable skills that can ensure self reliance and management. Mbah (2001) labels home economics education as the people's profession because it is a multidiscipline functional delivery system. Achor (2012) define home economics as that field of study that is concerned with strengthening individual and family life by providing functional knowledge and skills Utilisation. Achor, (2012) opines that home economics education is a means through which the individual may be led to a stronger growth and development, thus enabling him to take responsibilities in the family and society.

6. Innovations and Utilisation of skills in entrepreneurship

Innovation is change that creates new dimension of performance uses. The term innovation is referred to ideas or practice that is within the context of the school. Another definition of innovation involves newly introduced method, customs device, change in the way of doing things, renew, and alter among others. Onu (2014) view Innovation as a means of doing things differently in different ways. Home Economics education today is not a field for the mere Courage and imagination, but a course that is needed in developing an innovative programme to meet the challenges of the present and foreseeable future in interpreting programmes, which needs a demanding funds and facilities to carry out these programmes (Chiduma and Emelue 2011).

Home Economics is a profession with more than a hundred years of global history. Celebration for the centennial of the establishment of the international federation for the home economics (IFHE) peaked at the world congress in 2008, and the American Association of family and Consumer Sciences celebrates its centenary in 2009.Given these milestone, which trumpet the longevity of the profession, it is timely to reflect on what could be regarded as one of the defining and enduring influences on the establishment, continued development, and the future of the field- the place and importance of generational theory. According to Alonge (2010) Home economics is described as a combination of innovative development, healthy life style, social responsibility, sustainable development and use of resources and cultural heritage. The innovation in home economics focus on nutrition education and food culture, family studies, consumer and environmental issues, all

based on human aspects and everyday life. Ahmed (2010) identifies a philosophical shift in practice and pedagogy for home economics, with positive outcomes for students. This shift includes: encouraging students to clarify their own ideas, make their own decisions, use critical analysis, reflect on their learning, use research tools and strategies, explore issues, and encourages discussions, group work, and "ensuring higher order tasks involving the generation, application, analysis, and synthesis of ideas".

7. Foresight and Utilisation of skills in entrepreneurship

Foresight is one of the most important factors for any organisation. According to Panagiotakopoulos (2013), it is one of the five factors that determine the existence of any organization, as they put foresight on an equal footing with men, money, machines, and morale. The ingredients of utilisation of skills lie within foresight and the internalised drive toward dominant thought of the moment (Rabby 2010).Foresight directly links to individual performance that gain to organisation performance and as a catalyzer for all individual employees working for an organization to enhance their working performance or to complete task in much better way than they usually do. Organization runs because of people working for it, and each person contributes toward achieving the ultimate goal of an organization. Panagiotakopoulos (2013) concluded that factors affecting staff utilisation of skill is at a period where the financial rewards are kept to the least leads to stimulate employee's performance. Similarly Dysvik and Kuvaas (2010) concluded that intrinsic foresight was the strongest predictor of turnover intention and relationship between mastery-approach goals and turnover intention.

As per Kuo (2013) a successful organization must combine the foresight and utilisation of internal employees and respond to external changes and demands promptly to show the organization's value. Foresight is the heart of every productive and successful business lays a thriving organizational culture and hardworking people collaborate passionately to produce great result (Gignac and Palmer 2011). In line with the above literatures it gives clear indications on how foresight enhances the performance of employee's utilisation of skills for the benefit of the organization. Vuori and Okkonen (2012) stated that foresight helps to share knowledge through an intra-organizational social media platform which can help the organization to reach its goals and objectives. Also as summarized by Park (2010), foresight can be monetary incentive acts as a stimulus for greater action and inculcates zeal and enthusiasm toward work, it help an employee in the recognition of achievement. More also Beretti, Figuieres and Grolleau (2013) discussed that foresight on monetary incentives used to build a positive environment and maintain a job interest, which is consistent among the employee and offer a spur or zeal in the employees for better skills utilization and performance. Other dimensions of foresight that can influence skills utilization could be on training, job transfer, job satisfaction, promotion, Achievement, working condition, appreciation, job security, recognition, and social opportunities.

8. Conclusion

It is certainly obvious in black and white that home economics education as a field of study provides so many job opportunities for one's self and household, there is no private enterprise without an element of domestic work. Thus, all the work performed by the Home Economist need initiation and creativity; that will add beauty, longevity, health and durability of a product apart from the old knowledge of the product known by the people. In all the definitions of home economics, functionality is emphasised, this implies the ability of an individual to utilise skills gained or acquired and be able to relate it to real life situations and solve their needs. Home economics education and skills utilisation are two sides of the same coin. Home economics education is the key player in skills utilisation development process and so has important role to play in reducing massive graduate unemployment and the social menace which it presents. Boosting the skills utilisation also benefitted government, as skills hold out the promise of reducing unemployment, poverty and income inequality and for families

to be happier, healthier, fairer and more successful lives.

Recommendations

Only graduate in home economics should be allowed to teach home economics courses both in primary, secondary and higher institution for effective entrepreneurial skills acquisition and utilisation of skills.

Well equipped home economics laboratories should be provided by the government in public universities and it should be made mandatory in private universities.

Teachers salaries and allowance should be paid at when due, this will motivate the zeal of imparting proper entrepreneurial skills and utilisation of skills by the graduates.

Where ever the home economics graduates are, they should be allowed to use their initiatives in creativity, innovation and foresight for entrepreneurial skills and utilisation of skills to enhance productivity.

Frequent seminars, workshops and conferences should be organized for home economics graduates by the International Federation for the Home Economic (IFHE) or by the Home Economics Teachers Association of n Nigeria (HETAN) to update their knowledge.

Government should support and motivate the home economics graduates with recognition and incentives to start their own business instead of waiting for white collar jobs. This will surely help in reducing the unemployment problems.

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Product Innovation and Success of Telecommunication Companies in Nigeria

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Abstract. This study sought to establish the extent to which innovation affects business success of telecommunication companies in Nigeria. Specifically, the study sought to investigate the relationship between product innovation and business success. The study used descriptive correlational, comparative and cross-sectional survey designs. Data were collected from 355 respondents using self-administered questionnaires as the key data collection instruments. Data were analyzed using frequency counts, means, standard deviations, t-statistics, Pearson's Linear Correlation coefficient, One way Analysis of Variance (ANOVA) and regression analysis. The findings revealed that product innovation and business success had a weak positive correlation. There was no significant difference in the level of innovation and business success in the telecommunication in Nigeria in respect to demographic characteristics of the employees. Recommendations based on the findings were that telecommunication companies should ensure continuous improvements in their products/services to cater for the ever changing consumer tastes and preferences, source for cheaper sources of raw materials and labour to reduce costs of production, create reputation for producing superior quality products, find ways to cut costs of operation to allow them more profits and get a competitive advantage over competitors, regularly promote products to remind, inform and arouse interests of consumers.

1. Background of the Study

Historically, over the last decade, the telecommunication industry has witnessed exponential growth over the years, ranging from basic telephony to voice, video as well as band width to enable millions of people access to new technologies. There is no doubt that the competition in the telecommunication industry is one of the highest in Nigeria has sustained fall in realization for service provider resorting to cut throat competition fuelled by price wars between telephone subscribers, provision of more innovations like mobile money, internet among others. Despite a reflected promising growth, the tele-density in Nigeria remains at a very low level compared with global standards which make new entrants welcome news to millions of subscribers who still have no access to telecommunication services especially in rural areas for low income earners. The telecommunication in Nigeria came into more light and frame after many years of military rule which made ways to the democracy in the country, on the 29th of May, 1999. This brought about many changes in the country, the history and economic growth as well.

2. Statement of the problem

A nation's prosperity depends on its competitiveness which brings about business success through production of quality goods and services as national prosperity is created, not inherited. It does not grow out of a country's natural endowments, its labor pool, its interest rates, or its currency's value, but rather a nation's competitiveness depends on the capacity of its industry to innovate and upgrade its firms to gain advantage against the world's best competitors because of pressure and challenge that comes with competition. The world has entered an era of total competition in that competition has shifted (more and more) to the creation and assimilation of knowledge and companies benefit from having strong domestic rivals and demanding local customers (Porter, 2008; Thompson, 2004).

Has one ever wondered why one organisation thrives while others struggle for success even though they are operating in the same environment? A glance at newspapers, business journals, or cable news channels reveals corporations struggling for success, and often failing or becoming bankrupt (Kurtz, 2010; Schulz, 2011). In such tough times, knowing how to achieve long-term business success is more critical than ever before. However, one thing organisations can do to have successful ventures is to foster innovation among its members to satisfy the ever changing needs of the consumers, given its associated innumerable benefits such as improved product quality, increased product range, conformance to regulations, creates new markets, reduced labour costs and materials needed, low energy consumption and environmental damage, among others (Bakkabulindi, 2009; Epstein and Shelton, 2008; Kibera, 1997; Rogers, 2003; Salge and Vera, 2009).

However, performance of telecommunication firms in Nigeria has been reported to be low. Khumalo (2010) contends that some of the telecommunication companies in Nigeria were making very little sales, rarely getting profits, having very small market share, yielding very little earning per share to shareholders, poor customer satisfaction, poor sustained growth, and poor employee stewardship among others, which puts business success of telecommunication companies at risk.

In Nigeria, there are presently two (2) specific telecommunications markets in Nigeria: 1) Mobile Telephone Services and 2) International Internet Connectivity. Mobile Telephone Services is, in turn, divided into two (2) sub-categories, viz, 1) Code Division Multiple Access (CDMA) and 2) Global System for Mobile Communications (GSM). Presently, there are five (5) major operators in each of CDMA and GSM bands. On the one hand, CDMA has Starcomms, Visaphone, Multi-Links, Intercellular, and Zoom Mobile. On the other hand, GSM has MTN, Globacom (Glo), Bharti Airtel Limited (formerly "Zain"), and Etisalat. Internet Service Providers in Nigeria include: VSAT Nigeria, Megatech Networks, Netcom, Hyperia, Linkserve Limited, Junisat, Direct On PC, Swift Networks Limited, Tara Systems, MetroNG, Skannet - General Data Engineering Services PLC (GDES), Electronic Connections Limited, More Time Information Technologies Limited, Integrated Telekom & Networks Limited, Cobranet Limited, Hirest Africa limited, Kkontech, Rainbownet Limited, and MWEB Nigeria.

Yet, the history of CDMA in Nigeria is replete with failed attempts at merger and acquisition. In 2003, there were 23 licensed telecom operators in the country, but by 2011, the number had reduced to 16. The list of operators, still active in fixed mobile telephony in Nigeria, includes Visafone, Multi-Links, Starcomms, Zoom Mobile, Intercellular, VGC/MTN, MTS 1st Wireless, 21st Century Technologies, Disc Communications, Witel, Onet (Odua Telecom) XS broadband, Rainbownet, Monarch Communications, Webcom, and NITEL. In April 2007, Alheri Mobile Services was awarded a 3G concession by the NCC, alongside established operators, such as Airtel Nigeria (then known as Celtel), Globacom, and MTN Nigeria. Startup Alheri Mobile Services is a wholly owned subsidiary of local conglomerate, Dangote Group. In August 2008, the NCC launched a probe into Alheri's lack of 3G rollout plan. Thus, in September 2009, local press

reported that the company was looking to sell the licence, as it could not afford to keep it, although, at the time, such reports were denied by Dangote Group. Consequently, in December 2010, the license was transferred to Etisalat Nigeria, which, thereafter, acquired a licence to provide third-generation wireless services, through the purchase of Alheri. According to Etisalat Nigeria's CEO, Steven Evans:

"We are delighted to acquire the 3G licence, which is an essential element of our plans for further developing the market for mobile broadband in Nigeria. We have placed a strong emphasis on offering data services to all our customers. Now, with 3G, we can further develop our data and mobile broadband portfolio and offer our customers even higher levels of service. There is pent-up demand in Nigeria for broadband and we intend to be leaders in satisfying it... Etisalat plans to invest USD400 million next year [2011], USD50 million of which will be spent on 3G equipment, which will initially be rolled out in Lagos, Port Harcourt, and Abuja, with plans to expand coverage to other areas later in 2011." Whereas Drucker (2006) asserts that there could be several contributory factors of low business success, but innovation may play a big role, hence the need for the study to investigate why some telecommunication companies in Nigeria struggle for success while others thrive even when they are operating in the same environment.

3. Objective of the Study

The specific objective of the study was to investigate the relationship between product innovation and success of telecommunication companies in Nigeria.

4. Research Question

This study sought answer to this questions constructed within the framework of the research objectives:
What is the relationship between product innovation and level of business success of telecommunication companies in Nigeria?

5. Hypotheses of the study

In order to achieve the study objective, the research hypothesis was constructed within the framework of research question was tested:
There is relationship between product innovation and the level of business success of telecommunication companies in Nigeria.

6. Summary of Reviewed Literature

The literature has indicated that there are various components of innovation that may influence organisation, such as updating production channels, use of new delivery channels, use of improved delivery channels, diversification, positioning innovation, product promotion, product pricing and product quality improvement. The literature has revealed that different studies investigated on different components among those mentioned above, hence a need for a study that examines all of them. This study investigated on all of them, hence helping to close that gap.

Contextually, it is was identified that among the studies reviewed on the relationship between updating production channels and business success none was done in the Nigerian setting, hence necessitating this study to close such a gap.

Concerning the correlation between use of improved delivery channels and business success, some studies had been conducted (e.g. Kapere, 2010, in Tororo cement) but still no such a study was identified in the telecommunication sector. For the case of innovation in terms of diversification and its relationship with business success, few if any study was found in Nigeria and even those conducted elsewhere, they were in other sectors indicating that the telecommunication sector has been neglected, making this study not only important but also timely. For the constructs of product promotion, product pricing and product quality improvement, several studies were identified, but with exception of the latter. However, all the related studies were outside Nigeria and outside the telecommunication industry. For the latter construct, while Bogere's

(2006) study was carried out in Uganda, he examined mainly quality management and the aspect of quality improvement did not clearly surface, leave alone the fact that it was in the textile industry and in Eastern Uganda alone. All these were critical gaps in which this study managed to establish.

7. Methodology

Research design

The study used a quantitative, descriptive co-relational, comparative and cross-sectional survey design. The study took a quantitative approach in that it was based on variables measured with numbers and analyzed with statistical procedures to determine whether the predictive generalizations of the theory held were true. The study was descriptive because the data got was used to describe a phenomenon (innovation and business success of telecommunication companies in Nigeria). Descriptive co-relational design was used establish whether there is a relationship between the different types of innovation (product, process and positioning innovation) and business success of telecommunication companies in Nigeria. Descriptive comparative design was used to describe and compare a phenomenon (i.e determine whether there was a significant difference in the level of innovation and business success in telecommunication companies in Nigeria). Descriptive cross-sectional design was used in the study by taking a random sample of respondents to understand the variables of interest (i.e. innovation and business success) at a particular point in time (Cooper and Schindler, 2006; Saunders *et al.*, 2009).

The study used a survey design to get data from such a large sample and findings from the sample were generalized to the rest of employees in telecommunication in Nigeria to reduce on time and costs involved on such a large population (Creswell, 2003). The study also took a qualitative paradigm in that it interview guides were used to supplement on the quantitative data.

Research Population

Target Population

In this study the target population comprised of 3168 employees of the selected telecommunication firms in Nigeria. All the categories of employees (top level managers, middle level managers, and lower level managers) were involved because they were all directly affected by whatever policy is made on innovation which in turn affects business success of these telecommunication companies.

Table 7.1: Respondents of the study

Company	**Total target population**	**Sample size**
Airtel	753	88
MTN	901	90
Glo	802	89
Etesalat	712	88
Grand Total	**3168**	**355**

Source: Nigeria Communications Commission Register 2015

Legend

MTN- Mobile Telecommunication Network

Sample size

The minimum sample size was computed using the Sloven's formula, which states that, for any given population, the required sample size was given by;

$n = \frac{N}{1 + N(e^2)}$, Where; n = the required sample size; N = the known population size; and e = the level of significance, which is = 0.05 in Social Sciences. Given a total population of 3168 respondents in telecommunication firms in Nigeria, a sample was 355 respondents illustrated in Table 3.1. Details of the sample size computation are shown here.

$$n = \frac{13168}{1 + 13168(0.05^2)} = \frac{13168}{1 + 13168(0.0025)}$$

$$= \frac{13168}{1 + 7.92} = \frac{13168}{8.92} = 388$$

8. Data analysis

In line with the research design, the data was analyzed quantitatively (statistically), using Statistical Package for Social Scientists (SPSS 16.0) at three levels; uni-variate, bi-variate and multiple variate. At the uni-variate level, the study opted for the use of simple statistics

(frequency counts and percentage distributions, arithmetic means and standard deviations), while at the bi-variate level, cross-tabulations, Fisher's one way Analysis of Variance (ANOVA) and Pearson's Linear Correlation Coefficient (PLCC) were used. At the multi-variate level, the study chose Multiple Linear Regression Analysis. The analysis was done the objective, with testing of the pertinent hypotheses using Multiple Linear Regression, which analysis was quite adequate for the purpose of the study.

To determine the profile of the respondents, the frequency counts and percentage distributions were used since all profile variables were categorical in nature. Means, standard deviations and t-statistics were used to compute for the level of innovation and business success as both independent variable and dependent variable were numerical in nature. To interpret the obtained data, the following numerical values and descriptions were used:

Mean Range	**Description**	**Interpretation**
3.26-4.00	Strongly Agree	Very High
2.51-3.25	Agree	High
1.76-2.50	Disagree	Moderate
1.00-1.75	Strongly Disagree	Low

Pearson's Linear Correlation Coefficient (PLCC)) was used to test the hypothesis on correlation between level of innovation and level of business success of telecommunication companies in Nigeria at 0.05 level of significance.

One way Analysis of Variance (ANOVA) to assess the difference in the level of innovation and level of business success of telecommunication companies in Nigeria.

Regression Analysis was used to determine the influence of each construct of innovation on business success of telecommunication companies in Nigeria that other threats to validity of the findings such as testing and instrumentation were solved during the data collection.

PRESENTATION, ANALYSIS AND INTERPRETATION OF DATA

Relationship between product innovation and success of telecommunication companies in Nigeria

Objective one in this study was to investigate the relationship between product innovation and level of success of telecommunication companies in Nigeria, for which it was hypothesized that there was no relationship between product innovation and the level of business success of telecommunication companies in Nigeria. To test this null hypothesis, the researcher correlated all the mean perceptions using the Pearson's Linear Correlation Coefficient (PLCC, r). Results of this test are given in Table 4.15.

Table 8.1: Relationship between product innovation and success of telecommunication companies in Nigeria

Variables correlated	**Computed r-value(r_c)**	**Tabulated r-value(r_t)**	**Interpretation**	**Decision on Ho**
Product innovation Vs Sales	0.289	0.114	Weak positive correlation	Rejected
Product Innovation Vs Market share	0.305	0.114	Weak positive correlation	Rejected
Product innovation Vs Profit	0.280	0.114	Weak positive correlation	Rejected
Product innovation Vs Product quality	0.266	0.114	Weak positive correlation	Rejected
Product innovation Vs Consumer satisfaction	0.211	0.114	Weak positive correlation	Rejected
Product innovation Vs Employee satisfaction	0.242	0.114	Weak positive correlation	Rejected
Product innovation Vs Owners Satisfaction	0.126	0.114	Weak positive correlation	Rejected
Product innovation Vs Overall business success	0.336	0.114	Weak positive correlation	Rejected

Source: Primary Data 2015

Key

r-Values	**Description**
±0.7 to ±1.0	Positive/Negative Perfect Correlation
±0.30-±0.69	Strong Positive/Negative Perfect Correlation
±0.10-±0.29	Weak Positive/Negative Perfect Correlation
0	No Correlation/Perfect Independence

(Saunders *et al.*, 2009).

Table 8.1 indicates that overall, product innovation had a weak positive correlation with business success where computed r value is 0.336 and tabulated r value is 0.114). Product innovation was further correlated with the seven aspects (constructs) of business success where positioning innovation was established to have a weak positive correlation with all the seven (constructs) of business success where sales (computed r value=0.289, tabulated r value=0.114); market share (computed r value=0.305, tabulated r value=0.114); profits (computed r value=0.280, tabulated r value=0.114); quality products (computed r value=0.266, tabulated r value=0.114); consumer satisfaction (computed r value=0.211, tabulated r value=0.114); employee satisfaction (computed r value=0.242, tabulated r value=0.114) and owner(s) satisfaction (computed r value=0.126, tabulated r value=0.114). Hence, the null hypothesis was rejected, leading to a conclusion that there was an associative relationship between product innovation and the level of business success in telecommunication companies in Nigeria because product innovation and business success had a weak positive correlation.

To establish the overall relationship between all the three aspects of innovation and the seven aspects of business success, two mean indices were computed for innovation and business success. The two indices were linearly regressed to investigate the relationship between the independent variable (innovation) and dependent variable (business success) based on an earlier assumed model as discussed in chapter two variables; results are as shown in Table 4.16.

Table 8.2: Regression analysis between the level of business success and level of innovation

Variables regressed	**R^2**	**F-value**	**Tabulated F**	**Interpretation**	**Decision on Ho**
Business success VS Innovation	0.563	141.686***	4.61	Significant effect	Rejected
Coefficients	**Beta**	**t-value**	**Tabulated t**		
(Constant)	0.981	7.880***	2.576	Significant effect	Rejected
Product	0.021	0.640***	1.65	No significant effect	Accepted
Process	0.302	9.105***	2.576	Significant effect	Rejected
Position	0.367	10.493***	2.576	Significant effect	Rejected

***Significant at 0.01

Source: *Primary Data 2015*

The following regression model was developed from the research findings:

$$Y=0.981 + 0.021X_1 + 0.302X_2 + 0.367X_3$$
$$(7.880) \quad (0.640) \quad (9.105) \quad (10.493)$$

The model indicates that a unit change in positioning innovation (ß=0.367, t=10.49) accounts for the biggest change of 36.7% in business success at 0.01 level of significance. It is therefore is very important for management of telecommunication companies to put special efforts in positioning innovation to achieve business success. The model further reveals, a unit change in process innovation (ß=0.3.02, t=9.105) causes 30.2% a unit change in business success. While product innovation (ß=0.021, t=0.640) causes 2.1% a unit change in business success at 0.01 level of significance. This means that product innovation is not a very important contributor to business success though management of telecommunication companies should emphasize that companies carry out product innovation to increase their chances of becoming successful.

Overall, regression analysis results in Table 8.2 showed that innovation accounted for 56% variations in the level of business success, indicated by R-squared of 0.563. This leads to a conclusion that level of innovation significantly explained level of success of telecommunication companies in Nigeria. The remaining change in business success is caused by other unexplained factors or intervening variables in the study such as competition level, government regulations, technology availability, employees' skills and abilities among others.

Table 8.3: Difference in the level of innovation in telecommunication companies in Nigeria according employee rank

Variable	Employee rank	Mean	SD	Degrees of freedom	Computed F (F_c)	Tabulated F (F_t)	Interpretation	Decision on H_o
Product innovation	Top level manager	3.25	0.553	(2,354)	6.204***	4.61	Significant difference	Rejected
	Middle level manager	3.45	0.301					
	Low Level manager	3.29	0.375					
Process innovation	Top level manager	3.19	0.510	(2,354)	5.032***	4.61	Significant Difference	Rejected
	Middle level manager	3.31	0.384					
	Low level manager	3.12	0.488					
Positioning innovation	Top level manager	3.22	0.460	(2,354)	2.792***	3.00	No significant difference	Accepted
	Middle Level manager	3.31	0.370					
	Low level manager	3.19	0.383					
Overall level of innovation	Top Level manager	3.22	0.425	(2,354)	7.032***	4.61	Significant Difference	Rejected
	Middle level manager	3.36	0.256					
	Low level manager	3.20	0.308					

*** Significant at 0.01

Source: *Primary Data, 2015*

The results in Table 8.3 indicates that overall, there was a significant difference in the level of innovation of telecommunication companies in Nigeria according to employee rank or designation because the computed F statistic=7.032 is greater than tabulated F statistic=4.61 at (2,354) degrees of freedom at 0.01 level of significance; denoted by $F_c=7.032>F_{t\ (2,\ 354,\ 0.01)}$ = 4.61. Where mean perceptions for product innovation (computed F statistic=6.204, tabulated F statistic=4.61), process innovation (computed F statistic=5.032, tabulated F statistic=4.61) significantly differed at (2,354) degrees of freedom at 0.01 level of significance. While mean perceptions for positioning innovation (computed F statistic=2.792, tabulated F statistic=3.00) did not significantly differ (2,354) degrees of freedom at 0.01 level of significance. This led to rejecting of the null hypothesis that there was no significant difference in the level of innovation according to employee rank or designation and also led to a conclusion that there was a significant difference in the level of innovation according to employee rank or designation.

Table 8.4: Difference in the level of innovation in telecommunication companies in Nigeria according to respondent's level of income

Variable	Level of income	Mean	SD	Degrees of freedom	Computed F (F_c)	Tabulated F (F_t)	Interpretation	Decision on H_o
Product innovation	Low income level	3.29	0.454	(2,354)	0.661	2.30	No significant difference	Accepted
	Medium income level	3.34	0.365					
	High income level	3.30	0.451					
Process innovation	Low income level	3.07	0.543	(2,354)	3.572**	3.00	Significant difference	Rejected
	Medium income level	3.24	0.432					
	High income level	3.17	0.484					
Positioning innovation	Low income level	3.20	0.458	(2,354)	2.178	2.30	No significant difference	Accepted
	Medium income level	3.27	0.361					
	High income level	3.17	0.415					
Overall level of innovation	Low income level	3.19	0.383	(2,354)	4.384**	3.00	Significant difference	Rejected
	Medium income level	3.29	0.292					
	High Income level	3.21	0.347					

**Significant at 0.05

Source: *Primary Data, 2011*

The results in Table 8.4 indicate that overall, there was a significant difference in the level of innovation of telecommunication companies in Nigeria according to level of income as the computed F statistic of 4.384 is greater than tabulated F statistic of 3.00 at (2,354) degrees of freedom at 0.05 level of significance; denoted by $F_c=4.384>F_{t\ (2,\ 354,\ 0.05)}=3.00$. However mean perceptions for product innovation (computed F statistic=0.661, tabulated F statistic=2.30) and positioning innovation (computed F statistic=2.178, tabulated F statistic=2.30) did not differ. While mean perceptions for process innovation differed (computed F statistic=3.572, tabulated F statistic=3.00) at (2,354) degrees of freedom at 0.05 level of significance. This led to rejecting of the null hypothesis that there was no significant difference in the level of innovation according to employee rank or designation and also led to a conclusion that there was a significant difference in the level of innovation according to employee rank or designation.

Table 8.5: Difference in the level of innovation in telecommunication companies in Nigeria according to respondents' highest educational qualification

Variable	Educational Qualification	Mean	SD	Degree of freedom	Computed F (F_C)	Tabulated F (F_t)	Interpretation	Decision on H_o
Product Innovation	Certificate	3.42	0.433	(2,354)	2.928**	2.30	Significant difference	Rejected
	Diploma	3.41	0.420					
	Degree	3.31	0.335					
	Masters and above	3.23	0.514					
Process innovation	Certificate	3.26	0.559	(2,354)	0.964	2.30	No significant difference	Accepted
	Diploma	3.25	0.339					
	Degree	3.17	0.489					
	Masters and above	3.15	0.504					
Positioning innovation	Certificate	3.33	0.282	(2,354)	7.261***	4.61	Significant Difference	Rejected
	Diploma	3.40	0.263					
	Degree	3.15	0.462					

	Masters and above	3.22	0.321					
Overall Level of innovation	Certificate	3.34	0.409	(2,354)	4.384**	3.00	Significant difference	Rejected
	Diploma	3.36	0.273					
	Degree	3.21	0.294					
	Masters and above	3.20	0.388					

** Significant at 0.05, *** Significant at 0.01

Source: Primary Data, 2015

The results in Table 8.5 indicate that overall, there was a significant difference in the level of innovation of telecommunication companies in Nigeria according to highest educational qualification because the computed F statistic=4.384 is greater than tabulated F=3.00 at (2,354) degrees of freedom at 0.05 level of significance; denoted by $F_c=4.84<F_{t\ (2,\ 354,\ 0.05)}=3.00$. Where mean perceptions for product innovation (computed F statistic=2.928, tabulated F statistic=2.30) and positioning innovation computed F statistic=0.661, tabulated F statistic=4.61 differed at (2,354) degrees of freedom at 0.05 level of significance. While mean perceptions for process innovation (computed F statistic=0.964, tabulated F statistic=2.30) did not significantly differed at (2,354) degrees of freedom at 0.05 level of significance. This led to rejecting of the null hypothesis that there was no significant difference in the level of innovation according to employee rank or designation and led to a conclusion that there was a significant difference in the level of innovation according to highest educational qualification.

Table 8.6: Difference in the level of innovation among telecommunication companies in Nigeria

Variable	**Telecom Company**	**Mean**	**SD**	**Degrees of freedom**	**Computed F (F_c)**	**Tabulated F (F_t)**	**Interpretation**	**Decision on H_o**
Product innovation	MTN	3.43	0.344	(2,354)	5.630***	4.61	Significant difference	Rejected
	Glo	3.39	0.382					
	Airtel	3.23	0.474					
	Etisalat	3.25	0.393					
Process innovation	MTN	3.17	0.409	(2,354)	2.610*	2.30	Significant difference	Rejected
	Glo	3.30	0.517					
	Airtel	3.10	0.436					
	Etisalat	3.21	0.507					
Positioning innovation	MTN	3.18	0.393	(2,354)	3.251**	3.00	Significant difference	Rejected
	Glo	3.25	0.473					
	Airtel	3.16	0.465					
	Etisalat	3.33	0.441					
Overall level of Innovation	MTN	3.27	0.305	(2,354)	2.523*	2.30	Significant difference	Rejected
	Glo	3.30	0.353					
	Airtel	3.17	0.398					
	Etisalat	3.26	0.300					

***Significant at 0.01, **Significant at 0.05, *Significant at 0.1
Source: Primary Data 2015

The results in Table 8.6 indicate that overall, there was a significant difference in the level of innovation among telecommunication companies in Nigeria because the computed F statistic of 2.523 is greater than tabulated F statistic of 2.30 at (2,354) degrees of freedom at 0.1 level of significance; denoted by $F_c=2.523<F_{t\ (2,\ 354,\ 0.1)}=2.30$.

All the constructs that constituted innovation revealed a significant difference among the

telecommunication companies under study though at different levels of significance. For instance, there was a significant difference in product innovation (F_c=5.630, F_t=4.61) at 0.01 level of significance, process innovation (F_c=2.610, F_t =2.30) at 0.1 level of significance while positioning innovation (F_c=3.251, F_t =3.00) was 0.05 level of significance; all at (2,354) degrees of freedom. This led to rejecting of the null hypothesis that there was no significant difference in the level of innovation among telecommunication companies in Nigeria and also led to a conclusion that there is a significant difference in the level of innovation among telecommunication companies in Nigeria.

Table 8.7: Difference in the level of innovation in telecommunication companies according to states in Nigeria

Variable	States in Nigeria	Mean	SD	Degrees of freedom	Computed F (F_c)	Tabulated F (F_t)	Interpretation	Decision on H_o
Product innovation	Eastern region	3.33	0.397	(2,354)	0.282*	2.30	No significant difference	Accepted
	Central region	3.31	0.425					
	Western region	3.35	0.324					
	Northern region	3.30	0.481					
Process innovation	Eastern region	3.17	0.496	(2,354)	1.451*	2.30	No significant difference	Accepted
	Central region	3.17	0.464					
	Western region	3.28	0.413					
	Northern region	3.13	0.506					
Positioning innovation	Eastern region	3.26	0.401	(2,354)	2.030*	2.30	No significant difference	Accepted
	Central region	3.17	0.414					
	Western region	3.30	0.335					
	Northern region	3.19	0.423					
Overall level of Innovation	Northern region	3.26	0.337	(2,354)	1.810*	2.30	No significant difference	Accepted
	Eastern region	3.22	0.335					
	Central region	3.32	0.251					
	Western region	3.20	0.374					

*Significant at 0.1

Source: *Primary Data 2015*

Results in Table 8.7 indicate that overall, there was no significant difference in the level of innovation of telecommunication companies in Nigeria according to states in Nigeria because the computed F statistic of 1.810 is less than tabulated F statistic of 2.30 at (2,354) degrees of freedom at 0.1 level of significance; denoted by F_c=1.810<$F_{t\ (2,\ 354,\ 0.1)}$ = 2.30. All the constructs of innovation showed no significant difference among the telecommunication companies under study at 0.1 level of significance where product innovation (computed F statistic=0.282, tabulated F statistic=2.30), process innovation (computed F statistic=1.451, tabulated F statistic=2.30) and positioning innovation (computed F statistic=2.610, tabulated F statistic=2.30); all at (2,354) degrees of freedom. This led to acceptance of the null hypothesis that there was no significant difference in the level of innovation in telecommunication companies in Nigeria according to states in Nigeria and also led to a conclusion that there was no significant difference in the level of innovation in telecommunication companies in Nigeria according to states in Nigeria.

Table 8.8: Difference in the level of business success in telecommunication companies in Nigeria according to respondents' age group

Variable	Age Group	Mean	SD	Degrees of freedom	Computed F (F_c)	Tabulated F (F_t)	Interpretation	Decision on H_o
Sales	20-39	3.19	0.463	(6,354)	0.403*	1.77	No significant difference	Accepted
	40-59	3.14	0.569					
	60 and above	3.22	0.191					
Market share	20-39	3.11	0.564	(6,354)	0.915*	1.77	No significant difference	Accepted
	40-59	3.12	0.511					
	60 and above	3.32	0.192					
Profits	20-39	3.10	0.477	(6,354)	1.466*	1.77	No significant difference	Accepted
	40-59	3.17	0.316					
	60 and above	3.28	0.101					
Product quality	20-39	3.26	0.437	(6,354)	0.068*	1.77	No significant difference	Accepted
	40-59	3.27	0.425					
	60 and above	3.31	0.175					
Consumer satisfaction	20-39	3.24	0.432	(6,354)	0.114*	1.77	No significant difference	Accepted
	40-59	3.22	0.290					
	60 and above	3.28	0.101					
Employee satisfaction	40-59	3.21	0.484	(6,354)	0.717*	1.77	No significant difference	Accepted
	60 and above	3.19	0.388					
	20-39	3.35	0.247					
Owner's satisfaction	20-39	3.19	0.515	(6,354)	1.059*	1.77	No significant difference	Accepted
	40-59	3.16	0.504					
	60 and above	3.38	0.191					
Overall level of innovation	20-39	3.19	0.359	(6,354)	0.725*	1.77	No significant difference	Accepted
	40-59	3.20	0.273					
	60 and above	3.31	0.091					

*Significant at 0.1

Source: *Primary Data 2015*

The results in Table 8.8 indicate that overall, there was no significant difference in the level of business success of telecommunication companies in Nigeria according to age group given the fact that the computed F statistic of 0.725 is less than tabulated F statistic of 1.77 at (6,354) degrees of freedom at 0.1 level of significance; denoted by $F_c=0.725 < F_{t\,(6,\,354,\,0.1)} = 1.77$. Where all the constructs of business success among telecommunication companies did not differ at 0.1 level of significance where sales (computed F statistic=0.403, tabulated F statistic=1.77), market share (computed F statistic=0.915, tabulated F statistic=1.77), profits (F_c=1.466, tabulated F statistic=1.77), product quality (computed F statistic=0.068, tabulated F statistic=1.77), consumer satisfaction (F_c=0.114, tabulated F statistic=1.77), employee satisfaction (computed F statistic=0.717, tabulated F statistic=1.77) and owners satisfaction (computed F statistic=1.059, tabulated F statistic=1.77) at (6,354) degrees of freedom. This led to acceptance of the null hypothesis that there was no significant difference in the level of business success according to age group and also led to a conclusion that there was no significant difference in the level of business success according to age group.

Table 8.9: Difference in the level of business success in telecommunication companies in Nigeria according to respondents' sex

Variable	Sex	Mean	SD	Computed t (t_c)	Tabulated t (t_t)	Interpretation	Decision on H_o
Sales	Male	3.18	0.492	-0.387	1.645	No significant difference	Accepted
	Female	3.20	0.459				
Market share	Male	3.17	0.531	1.654	1.645	Significant difference	Rejected
	Female	3.07	0.562				
Profits	Male	3.11	0.445	-0.424	1.645	No significant difference	Accepted
	Female	3.13	0.445				
Product quality	Male	3.27	0.471	0.008	1.645	No significant difference	Accepted
	Female	3.26	0.364				
Consumer satisfaction	Male	3.25	0.381	0.357	1.645	No significant difference	Accepted
	Female	3.23	0.428				
Employee satisfaction	Male	3.23	0.448	0.881	1.645	No significant difference	Accepted
	Female	3.18	0.478				
Owner's satisfaction	Male	3.17	0.529	-0.968	1.645	No significant difference	Accepted
	Female	3.22	0.474				
Overall level of innovation	Male	3.21	0.328	0.700	1.645	No significant difference	Accepted
	Female	3.18	0.351				

***Significant at 0.01

Source: *Primary Data 2015*

The results in Table 8.9 show that overall, there was no significant difference in the level of business success of telecommunication companies in Nigeria according to sex because computed t statistic of 0.700 is less than tabulated t statistic of 1.645 at (6,354) degrees of freedom at 0.01 level of significance. Where mean perceptions for sales (computed t statistic=-0.387, tabulated t statistic=0.699), profits (computed t statistic=-0.424, tabulated t statistic=1.645), product quality (computed t statistic=0.008, tabulated t statistic=1.645), consumer satisfaction (computed t statistic=0.357, tabulated t statistic=1.645), employee satisfaction (computed t statistic=0.881, tabulated t statistic=1.645) and owners satisfaction (computed t statistic=-0.968, tabulated t statistic=1.645) did not significantly differ according to age group at (6,354) degrees of freedom at 0.01 level of significance. While mean perceptions for market share (computed t statistic=1.654, tabulated t statistic=1.645) differed at (6,354) degrees of freedom at 0.01 level of significance. This led to acceptance of the null hypothesis that there was no significant difference in the level of business success according to sex and also led to a conclusion that there was no significant difference in the level of business success according to sex.

Table 8.10: Difference in the level of business success in telecommunication companies in Nigeria according to employee rank/ designation

Variable	Employee Rank	Mean	SD	Degrees of freedom	Computed F (F_c)	Tabulated F (F_t)	Interpretation	Decision on H_o
Sales	Top level manager	3.19	0.560	(6,354)	0.308***	1.77	No significant difference	Accepted
	Middle level manager	3.21	0.492					
	Low level manager	3.17	0.434					
Market share	Top level manager	3.18	0.657	(6,354)	3.092***	2.80	Significant difference	Rejected
	Middle Level manager	3.21	0.475					
	Low level manager	3.05	0.524					
Profits	Top level manager	3.11	0.487	(6,354)	1.640***	1.77	No Significant difference	Accepted
	Middle level manager	3.19	0.482					
	Low level manager	3.08	0.406					
Product quality	Top level manager	3.28	0.476	(6,354)	7.134***	2.80	Significant difference	Rejected
	Middle level manager	3.40	0.235					
	Low level manager	3.19	0.466					
Consumer satisfaction	Top level manager	3.25	0.380	(6,354)	2.026***	1.77	No significant difference	Accepted
	Middle level Manager	3.30	0.351					
	Low level Manager	3.20	0.429					
Employee satisfaction	Top level Manager	3.22	0.582	(6,354)	3.239***	2.80	Significant difference	Rejected
	Middle Level Manager	3.31	0.300					
	Low level Manager	3.16	0.459					
Owner's satisfaction	Top level Manager	3.21	0.516	(6,354)	3.487***	2.80	Significant difference	Rejected
	Middle level Manager	3.30	0.459					
	Low level Manager	3.13	0.516					
Overall level of innovation	Top level Manager	3.24	0.344	(6,354)	5.690***	2.80	Significant difference	Rejected
	Middle level Manager	3.27	0.284					
	Low level Manager	3.14	0.352					

***Significant at 0.01

Source: *Primary Data, 2015*

The results in Table 8.10 reveal that overall, there was a significant difference in the level of business success of telecommunication companies in Nigeria according to employee rank or designation because the computed F statistic of 5.690 is greater than tabulated F statistic of 2.80 at (6,354) degrees of freedom at 0.1 level of significance; denoted by $F_c=5.690 > F_{t\ (6,\ 354,\ 0.1)} = 2.80$. However mean perceptions for sales (computed F statistic=0.308, tabulated F statistic =1.77), profits (computed F statistic=1.640, tabulated F statistic=1.77), consumer satisfaction (computed F statistic=2.026, tabulated F statistic=1.77) did not differ according to rank or designation at 0.01 level of significance at (6,354) degrees of freedom. While market share (computed F statistic=3.092, tabulated F statistic=2.80), product quality (computed F statistic=7.134, tabulated F statistic=2.80), employee satisfaction (F=3.239, tabulated F statistic=2.80) and owners satisfaction (computed F statistic=3.487, tabulated F statistic=2.80) significantly differed according to income level at 0.01 level of significance at (6,354) degrees of freedom. This led to rejection of the null

hypothesis that there was no significant difference in the level of business success according to level of income and also led to a conclusion that there was significant difference in the level of business success according to level of income.

Table 8.11: Difference in the level of business success in telecommunication companies in Nigeria according to employee level of income

Variable	Employee income level	Mean	SD	Degrees of freedom	Computed F (F_c)	Tabulated F (F_t)	Interpretation	Decision on H_o
Sales	Low income	3.19	0.523	(6,354)	1.022***	1.77	No significant difference	Accepted
	Medium income	3.21	0.455					
	High income	3.17	0.484					
Market share	Low income	3.18	0.641	(6,354)	3.581***	2.80	Significant difference	Rejected
	Medium income	3.21	0.500					
	High income	3.05	0.544					
Profits	Low income	3.11	0.511	(6,354)	2.020***	1.77	No significant difference	Accepted
	Medium income	3.19	0.417					
	High income	3.08	0.444					
Product quality	Low income	3.28	0.584	(6,354)	3.733***	2.80	Significant difference	Rejected
	Low income	3.40	0.394					
	Medium income	3.19	0.344					
Consumer satisfaction	Low income	3.25	0.456	(6,354)	2.020***	1.77	No significant difference	Accepted
	Medium income	3.30	0.394					
	Low income	3.20	0.375					
Employee satisfaction	Low income	3.22	0.471	(6,354)	1.376***	1.77	No significant difference	Accepted
	Medium income	3.31	0.445					
	High income	3.16	0.482					
Owner's satisfaction	Low income	3.21	0.599	(6,354)	3.148***	2.80	Significant difference	Rejected
	Medium income	3.30	0.479					
	High income	3.13	0.474					
Overall Level of Innovation	Low income	3.24	0.414	(6,354)	3.256***	2.80	Significant difference	Rejected
	Medium income	3.27	0.329					
	High Income	3.14	0.290					

***Significant at 0.01

***Source**: Primary Data 2015*

The results in Table 8.11 indicate that overall, there was a significant difference in the level of business success of telecommunication companies in Nigeria according to income level because the computed F statistic of 3.56 is greater than tabulated F statistic of 2.80 at 0.01 level of significance at (6,354) degrees of freedom; denoted by $F_c=3.256 > F_{t\ (6,\ 354,\ 0.01)} = 2.80$. However mean perceptions for sales (computed F statistic=1.022, tabulated F statistic=1.77), profits (computed F statistic=2.020, tabulated F statistic=1.77), consumer satisfaction (computed F statistic =2.020, tabulated F statistic=1.77) and employee satisfaction (computed F statistic =1.376, tabulated F statistic=1.77) did not differ according to rank or designation. While market share (computed F statistic=3.581, tabulated F statistic=2.80), product quality (computed F statistic =3.733, tabulated F statistic=2.80) and owners satisfaction (computed F statistic=3.148, tabulated F statistic=2.80) significantly

differed according to income level at 0.01 level of significance at (6,354) degrees of freedom. This led to rejection of the null hypothesis that there was no significant difference in the level of business success according to level of income and also led to a conclusion that there was significant difference in the level of business success among telecommunication companies in Nigeria according to level of income

Table 8.12: Difference in the level of business success in telecommunication companies in Nigeria according to respondents' highest education level

Variable	Education Level	Mean	SD	Degrees of freedom	Computed F (F_c)	Tabulated F (F_t)	Interpretation	Decision on H_o
Sales	Certificate	3.46	0.138	(6,354)	10.126***	2.80	Significant difference	Rejected
	Diploma	3.39	0.221					
	Degree	3.09	0.510					
	Masters	3.15	0.539					
Market share	Certificate	3.30	0.648	(6,354)	3.770***	2.80	Significant difference	Rejected
	Diploma	3.23	0.429					
	Degree	3.03	0.577					
	Masters	3.17	0.498					
Profits	Certificate	3.34	0.308	(6,354)	8.139***	2.80	Significant difference	Rejected
	Diploma	3.27	0.380					
	Degree	3.02	0.464					
	Masters	3.13	0.428					
Product quality	Certificate	3.38	0.226	(6,354)	1.355***	1.77	No significant difference	Accepted
	Diploma	3.33	0.360					
	Degree	3.23	0.474					
	Masters	3.25	0.412					
Consumer satisfaction	Certificate	3.25	0.210	(6,354)	1.794*	1.77	Significant difference	Rejected
	Diploma	3.33	0.318					
	Degree	3.20	0.454					
	Masters	3.25	0.380					
Employee satisfaction	Certificate	3.35	0.371	(6,354)	1.713***	1.77	No significant difference	Accepted
	Diploma	3.27	0.303					
	Degree	3.19	0.453					
	Masters	3.16	0.585					
Owner's satisfaction	Certificate	3.34	0.438	(6,354)	1.733***	1.77	No significant difference	Accepted
	Diploma	3.27	0.379					
	Degree	3.16	0.510					
	Masters	3.14	0.589					
Overall level of innovation	Certificate	3.35	0.265	(6,354)	5.568***	2.80	Significant difference	Rejected
	Diploma	3.30	0.258					
	Degree	3.14	0.351					
	Masters	3.17	0.359					

***Significant at 0.01, *Significant 0.1

Source: *Primary Data 2015*

The results in Table 8.12 indicate that overall, there was a significant difference in the level of business success of telecommunication companies in Nigeria according to highest educational qualification because the computed F statistic of 5.568 is greater than tabulated F statistic of 2.80 at 0.01 level of significance at (6,354) degrees of freedom at 0.01 level of significance; denoted by $F_c=5.568 > F_{t\ (6,\ 354,\ 0.01)} = 2.80$. Where mean perceptions for sales (computed F statistic =10.126, tabulated F statistic=2.80), market share (computed F statistic=8.139, tabulated F statistic=2.80), profits (computed F statistic=8.139, tabulated F statistic=2.80) and consumer satisfaction (computed F statistic=1.794, tabulated F statistic=1.77) differed according to highest education level at (6,354) degrees of freedom at 0.1 and 0.01 level of significance. However, mean perceptions for product quality (computed F statistic=1.355, tabulated F statistic=1.77), employee satisfaction (computed F statistic=1.713, tabulated F statistic=1.77) and owners satisfaction (computed F statistic=1.733, tabulated F statistic=1.77) did not significantly differ according to highest educational qualification at (6,354) degrees of freedom at 0.01. Hence, the null hypothesis that assumed there was no significant difference in the level of business success according to highest educational qualification was rejected and hence it was concluded that there was significant difference in the level of business success according to highest educational qualification.

Table 8.13: Difference in the level of business success among telecommunication companies in Nigeria

Variable	Telecom Co.	Mean	SD	Degrees of freedom	Computed F (F_c)	Tabulated F (F_t)	Interpretation	Decision on H_o
Sales	MTN	3.08	0.558	(6,354)	4.401***	2.80	Significant difference	Rejected
	Glo	3.33	0.434					
	Airtel	3.14	0.482					
	Etisalat	3.24	0.365					
Market share	MTN	3.10	0.597	(6,354)	0.366***	1.77	No significant difference	Accepted
	Glo	3.18	0.517					
	Airtel	3.10	0.557					
	Etisalat	3.12	0.501					
Profits	MTN	3.07	0.548	(6,354)	4.377***	2.80	Significant difference	Rejected
	Glo	3.25	0.277					
	Airtel	3.02	0.389					
	Etisalat	3.17	0.446					
Quality of product	MTN	3.26	0.446	(6,354)	1.279***	1.77	No significant difference	Accepted
	Glo	3.34	0.313					
	Airtel	3.20	0.581					
	Etisalat	3.27	0.264					
Consumer Satisfaction	MTN	3.23	0.393	(6,354)	1.481***	1.77	No significant difference	Accepted
	Glo	3.23	0.350					
	Airtel	3.19	0.470					
	Etisalat	3.31	0.371					
Employee satisfaction	MTN	3.28	0.422	(6,354)	1.394***	1.77	No significant difference	Accepted
	Glo	3.20	0.455					
	Airtel	3.14	0.499					
	Etisalat	3.20	0.466					
Owner's satisfaction	MTN	3.16	0.453	(6,354)	2.745**	2.10	Significant difference	Rejected
	Glo	3.29	0.432					
	Airtel	3.09	0.573					
	Etisalat	3.25	0.526					
Overall success	MTN	3.17	0.370	(6,354)	1.775***	1.77	No significant difference	Accepted
	Glo	3.26	0.306					
	Airtel	3.15	0.348					
	Etisalat	3.22	0.308					

***Significant at 0.1

The results in Table 8.13 indicate that overall, there was no significant difference in the level of business success among telecommunication companies in Nigeria because the computed F statistic of 1.775 is equal to tabulated F statistic of 1.77 at (6,354) degrees of freedom at 0.01 level of significance; denoted by $F_c=1.775=F_{t\ (6,\ 354,\ 0.01)}$ = 1.77. However mean perceptions for sales (computed F statistic=4.401, tabulated F statistic=2.80), profits (computed F statistic=4.377, tabulated F statistic =2.80) and owners satisfaction (computed F statistic=2.745, tabulated F statistic=2.10) differed among telecommunication in Nigeria at (6,354) degrees of freedom at 0.01 level of significance. While market share (computed F statistic=4.401, tabulated F statistic=1.77), product quality (computed F statistic=1.279, tabulated F statistic=1.77), employee satisfaction (computed F statistic=1.394, tabulated F statistic=1.77) and consumer satisfaction (computed F statistic=1.481, tabulated F statistic=1.77) did not differ among telecommunication companies at (6,354) degrees of freedom at 0.01 level of significance. This led to rejection of the null hypothesis that there was no significant difference in the level of business success according among telecommunication companies and also led to a conclusion that there was significant difference in the level of business success among telecommunication companies.

Table 8.14: Difference in the level of business success telecommunication companies according to states in Nigeria

Variables	Region	Mean	SD	Degrees of freedom	Computed F (F_c)	Tabulated F (F_t)	Interpretation	Decision on H_o
Sales	Eastern	3.16	0.397	(6,354)	0.386	1.77***	No significant difference	Accepted
	Central	3.19	0.425					
	Western	3.23	0.324					
	Northern	3.16	0.481					
Market share	Eastern	3.12	0.496	(6,354)	0.677	1.77***	No significant difference	Accepted
	Central	3.08	0.464					
	Western	3.20	0.413					
	Northern	3.11	0.506					
Profits	Eastern	3.10	0.401	(6,354)	0.668	1.77***	No significant difference	Accepted
	Central	3.09	0.414					
	Western	3.18	0.335					
	Northern	3.11	0.423					
Quality of product	Eastern	3.22	0.337	(6,354)	1.941***	1.77***	Significant difference	Rejected
	Central	3.22	0.335					
	Western	3.33	0.251					
	Northern	3.33	0.374					
Consumer satisfaction	Eastern	3.25	0.397	(6,354)	1.639	1.77***	No Significant Difference	Accepted
	Central	3.18	0.425					
	Western	3.31	0.324					
	Northern	3.24	0.481					
Employee satisfaction	Eastern	3.20	0.496	(6,354)	0.698	1.77***	No significant difference	Accepted
	Central	3.16	0.464					
	Western	3.24	0.413					
	Northern	3.25	0.506					
Owner's satisfaction	Eastern	3.14	0.401	(6,354)	1.234	1.77***	No significant difference	Accepted
	Central	3.16	0.414					
	Western	3.25	0.335					
	Northern	3.25	0.423					
Overall success	Eastern	3.18	0.337	(6,354)	0.993	1.77***	No significant	Accepted
	Central	3.16	0.335					

	Western	3.25	0.251				difference	
	Northern	3.21	0.374					

*** Significant at 0.1
Source: Primary Data 2015

The results in Table 8.14 indicate that overall, there was no significant difference in the level of business success of telecommunication companies in Nigeria according to states in Nigeria because the computed F statistic of 0.993 is less than tabulated F statistic of 1.77 at (6,354) degrees of freedom at 0.1 level of significance; denoted by $F_c=0.993 < F_{t\ (6,\ 354,\ 0.1)} = 1.77$. Where mean perceptions for sales (computed F statistic=0.386, tabulated F statistic=1.77), market share (computed F statistic=0.677, tabulated F statistic=1.77), profits (computed F statistic =0.668, tabulated F statistic=1.77), consumer satisfaction (computed F statistic=1.639, tabulated F statistic=1.77), employee satisfaction (computed F statistic=1.639, tabulated F statistic =1.77) and owner's satisfaction (computed F statistic =1.234) did not differ according states in states in Nigeria. However, quality of product (computed F statistic=1.941, tabulated F statistic=1.77) differed among the states at (6,354) degrees of freedom at 0.1 level of significance. This led to accepting of the null hypothesis that there was no significant difference in the level of business success according states in Nigeria, which also led to a conclusion that there was no significant difference in the level of business success according states in Nigeria.

9. Summary of the findings

The study findings show that overall, the level of innovation among the telecommunication companies in Nigeria was generally high at 0.01 level of significance. Where the level of product innovation in telecommunication companies in Nigeria was rated to be very high, as such highest on producing products/ services that are easy to use by consumers at 0.01 level of significance and lowest on introducing new products/services when necessary, to solve problems of consumers and give them benefits.

Further, the findings show that the overall the level of business success was high in the telecommunication companies in Nigeria, where sales was rated as high, market share was rated as high, profit was rated as high, product quality was rated as high, consumer satisfaction was rated as high, employee satisfaction was rated as high, owners satisfaction was rated as high, agree on the Likert scale and ranked as high business success.

Product innovation had a weak positive correlation with business success, process innovation had a strong positive correlation with business success, positioning innovation had a strong positive correlation with business success, there was no difference in the level of innovation of telecommunication companies in Nigeria in respect to respondents' demographic characteristics (i.e age, sex, rank or designation, income, highest educational qualification, telecommunication company and region in Nigeria) where respondents' mean perceptions did not significantly differ.

In addition still, the study findings indicate that overall, there was no significant difference in the level of business success of telecommunication companies in Nigeria in respect to respondents' demographic characteristics (i.e age, sex, rank or designation, income, highest educational qualification, telecommunication company and region in Nigeria) where respondents' mean perceptions did not significantly differ.

10. Discussion, Conclusions and Recommendations

Discussion

This section starts with general discussion of the independent variable (innovation) and dependent variable business success; then specific discussion objective by objective;

General discussion

Level of innovation

The findings of the study indicated that overall, the level of innovation in telecommunication companies in Nigeria was rated to be generally high (mean=3.25, t statistic=4.58); where

product innovation was rated to be very high (mean=3.32, t statistic=4.95). These findings were in congruence with Skiba (2002) in his study of improved delivery channels and organization's performance in Central Wisconsin fire fighters who established that there was a high level of innovation in terms of improving delivery channels to satisfy consumers better and that improvements in delivery channels makes it easier to reach other channel members such as suppliers, retailers, and customers who could not be easily reached under normal circumstances, which leads more market, more sales and consequently bringing about a high level of business success.

Similarly, Bogere (2006) in his study of product quality management and success of Nyanza Textiles Limited in Central Uganda established that there was a high level of innovation through improved quality improvement and that product quality management was one of the factors that affect organization's performance among others because if the product quality being produced is high in this global competitive environment, more product ranges would be produced, which increases market share, lowers labour costs among other things, which consequently enables the organization to meet its objectives.

Conclusions

There was an associative relationship between product innovation and the level of business success in telecommunication companies in Nigeria as the study findings indicate that overall, product innovation had a weak positive correlation with the seven constructs of business success.

There was an associative relationship between product innovation and the level of business success in telecommunication companies in Nigeria because the study findings reveal that overall, products innovation and had a weak positive correlation with the constructs of business success.

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Environmental Based Activities and Technology Entrepreneurship Growth in North Western Nigeria

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Abstract. The packages of services offered by an incubator are designed to enhance the success and growth rates of technology startups thus maximizing their impact on economic development. Environmental based activities are those services offered by incubators in collaboration with other government agencies. This paper attempted to empirically assess the contributions of these activities to Technology Entrepreneurship Growth in North Western Nigeria. Positivist epistemology with objective ontology together with interpretive epistemology with subjective ontology was employed. The study used cross-sectional, descriptive and correlational designs, employing quantitative and qualitative approaches. The data were collected using non standardized instrument, with items on Environmental Based Activities and Technology Entrepreneurship Growth, with a sample size of 86. The instruments were tested for their validity and reliability. The data were analyzed at uni-variate, bi-variate and multivariate levels using frequency, percentages, mean, correlation and regression. The results showed that environmental based activities correlates (57.4%) and contribute to growth at 5% level of significance with $p<0.001$ and $R^2=0.33$ implying that 33% of the variation growth is explained by the variable. The study found out that physical infrastructural deficit, absence of science parks and lack of synergy amongst the agencies providing these services were the major causes of incubated enterprises failure in North Western Nigeria. Government should therefore provide the required physical infrastructures itself or through partnership with the private sector. To decongest incubators and make post-incubation visits easy, science parks should be established. Government agencies providing services to incubatees outside the incubator should synergize efforts in order to make the desired impact.

Keywords: Technology Incubation, Incubators, Incubatees, Science Parks, Technology Entrepreneurship Growth.

1. Introduction

Technology Incubation is an intervention program designed to reduce the risk of technology enterprise start-ups' failures and assist in the growth of existing ones. It is an economic platform designed to help startup companies by providing them with the necessary resources and support that they need to evolve and grow into more mature businesses. The focal objective is to produce successful businesses that will exit the programme financially viable and self-supporting. The incubated graduates generate jobs, rejuvenate communities, commercialize new technologies and create wealth for local and national economies (UNESCO-WTA INITIATIVES (2006 - 2010)). Joshua et al., (2010) likened the term incubator to the central meaning of the word: the artificial nurturing of

the chicken egg in order to hatch them faster in a protected setting. The same hatching concept is applied to the incubating of companies; it hastens up new ventures' formation and upturns their chances of success. An incubator thus hatches ideas by providing new ventures with physical and intangible resources (Becker & Gassmann, 2006).

2. Statement of the Problem

The growth of start-up technology based enterprises has been facing a lot of challenges worldwide. In the early days of the growth period of these enterprises; they face difficulties that may lead to their failure (Mutambi et al., 2010), difficulties mainly in securing the resources they need for survival (Ferguson & Olofson, 2004). These enterprises are key players in achieving economic growth of developing countries like Nigeria (Mohammed et al., 2013). In its attempt to address this disturbing trend, the Nigerian government initiated a number of deliberate policies targeted at reducing the high failure. Few among include provision of Small and Medium Enterprises financing (at single digit interest rates), engaging business development consultants to help in developing bankable business plans, simplifying business registration procedures, providing tax breaks or holidays, establishing incubation centers etc. (Ayodeji & Balcioglu, 2010).

In spite of these efforts however, facts abound that a substantial number of incubated businesses in Nigeria fail within the first three years of graduation, while some could not even make it through the first year (Evelyn & Eno, 2014). In addition, Innocent et al. (2014) observed that the Technology Incubation Centers in Nigeria have very weak socio-economic impact on job creation, wealth creation and industrial development. The situation was more worrisome in North Western Nigeria, where a maiden enquiry by the researcher revealed that post incubation mortality was over fifty percent. This study assessed the contributions of Environmental Based Activities to the growth of technology entrepreneurship in North Western Nigeria. The aim was to establish the remote and immediate causes of high post-incubation failure rate in North Western Nigeria.

3. Objectives of the Study

i. To establish the effect of access to finance on technology entrepreneurship growth in north western Nigeria.
ii. To assess the contribution of higher education resources on technology entrepreneurship growth in north western Nigeria.
iii. To determine the relationship between networking and technology entrepreneurship growth in north western Nigeria.
iv. To establish the relationship between regulatory compliance and patenting and technology entrepreneurship growth in north western Nigeria.
v. To assess the contributions of government policies to technology entrepreneurship growth in north western Nigeria.
vi. To establish the relationship between environmental based activities and technology entrepreneurship growth in north western Nigeria.

4. Hypothesis

There is no significant relationship between environmental based activities and technology entrepreneurship growth in north western Nigeria.

5. Review of Related Literature

5.1 Theoretical Review

Options Theory (Hackett & Dilts, 2004).
This theory seeks to predict and explain how incubators and the process of incubation increase the likelihood that new ventures will survive the early stages of development. It conceptualizes the incubator as an entrepreneurial firm that sources and macro-manages the innovation process within emerging organizations, infusing these organizations with resources at various developmental stage-gates while containing the cost of their potential failure. The incubator is

the unit of analysis while incubation outcomes—measured in terms of incubatees' growth and financial performance at the time of incubator exit—provide indicators of success. Incubation is viewed as a catalyst that systematically accelerates the entrepreneurial process thereby institutionalizing the support of ventures with potential for high growth (Hansen et al., 2000).

5.2 Environmental Based Activities

Goedhuys and Sleuwaegen (2010), in a study investigating 947 small and medium entrepreneurial firms in eleven Sub-Saharan African countries, reported that financial limitations are singled out as the major obstacle (from between eleven alternatives) to a firm's growth in five countries out of 11. Consistently, Goedhuys and Sleuwaegen (2000) find that a lack of collateral significantly hampers firms' growth. Research also indicates that access to finance promotes more start-ups and that smaller firms are often the most dynamic and innovative (Vivarelli, 2012). However, Maina et al., (2012), in an evaluation of the IFC program SME Solutions Center in Kenya discovered that a large injection of capital is not necessarily a panacea for SME growing pains at a start-up, early-stage or growth phases. The study by Zouhaïer M'Chirgui, (2012) showed the importance of the presence of academic support structures regarding the number of ventures created by an incubator, areas with multiple academic institutions display strong rates of new entrepreneurial firm creation. R. W. Smilor et al. (1988) found that knowledge-based firms tend to be in proximity to universities or research institutions. Lasrado et al. (2015) study showed that all (knowledge based and other) firms in university incubators experience positive growth in number of employees and sales over time whereas the startup firms in the cohort group are relatively flat in terms of growth in number of employees and sales over time. While studying 18 university incubator firms over a period of 36 months in UK and Ireland, McAdam and McAdam (2008) rated networking and clustering as the most important among factors behind incubated firm success. In a UK survey (UKBI, 2009), 79.6% of respondents indicate that resource providers can be wary of dealing with new ventures lacking credibility and legitimacy (Bhidé, 2000). The incubator lends credibility and legitimacy through association with the venture, showing the positive impact of networking and mentoring. Inanga EL, Azih E (2014) however found that the two constructs (Mentoring and Networking) have no impact in the performance effectiveness of Technology Incubation.

Different scholars such as North (1981) and Machlup (1958) believe that there is reasonable correlation between intellectual property system and the economic development of a nation. They argue that having a robust intellectual property protection system is necessary for sustainable economic development. They suggest that such a system will promote innovation as IPR owners will be encouraged to research more and those who do not have any IPRs will be encouraged to work harder and come up with new innovations knowing that their efforts will be adequately rewarded and protected. Since ideas and information are necessary for the development of any society the creators of these ideas have to be given the right incentives to continue to produce ideas that are relevant for the benefit of the entire community (Asia-Pacific Economic Cooperation, 2006). Naude, Szirmai and Goedhuys (2011) observed that the problem with developing countries is not the shortage of entrepreneurs but rather inadequate policy and institutional environment. Governments should implement innovation friendly reforms. This could include providing policies that will encourage the development of micro-finance banks, venture capital funds and other financial institutions designed to support small and medium size enterprises (SMEs). Onyeka U.O., (2014) discovered that Government policies and endemic corruption are major factors that most entrepreneurs see as negatively impacting entrepreneurial activities in Nigeria. They generally think that the policies formulated by the government are such that does not promote the growth of small and medium enterprises.

5.3 Technology Entrepreneurship Growth

A study conducted by Vernet Lasrado et al., (2015) amongst university incubators revealed that incubators have a significant effect on job and sales growth. The study by DiGiovanna, S., and Lewis, D.A. (1998) at New Brunswick, New Jersey found that the direct jobs created by incubator clients cost significantly less than those created through other types of economic development capital projects. Also, Markley, D.M., and McNamara, K.T. (1995) evaluated the economic and fiscal impacts of an incubator on job creation and local economic development using a case study approach. Their study suggests that the cost-per job created by the incubator in the study is lower than that for some programs aimed at attracting large-scale manufacturing plants. Akcomak and Taymaz (2007) conducted a matched sample assessment of 48 incubator firms in Turkey with respect to their sales growth, employment growth and innovativeness, and discovered that there are differences between on-and-off incubator firms in terms of sales and employment but not in innovativeness. Tangible incubator services and seed funding explain this differential. In another study on the impact of incubation on firm performance during post-graduation period in Turkey also, Yasin Sehitoglu and Omer C.O. (2013) found out that incubated firms outperform the non-incubated firms both in employment and sales growth, showing a positive impact. Studies that have looked at appropriate management and financial planning and skill development of managers were conducted by Ibrahim and Goodwin (1986), Montagno, Kuratko, and Scarcella (1986), Hofer and Sandberg (1987), Lumpkin and Ireland (1988), and Susbauer and Baker (1989). These studies also looked at environmental factors and entrepreneurial characteristics as factors in business success. Ibrahim and Goodwin (1986) stated that "Success in business is defined in terms of rate of return on sales, and age or longevity of the firm". Cuba, Decenzo, and Anish (1983) and Khan and Rocha (1982) also found that sales, profit, and longevity were important to success. Hofer and Sandberg (1987) noted that high quality services or production was the key to success for firms and was directly related to effective management and planning, which relied upon effective management decisions.

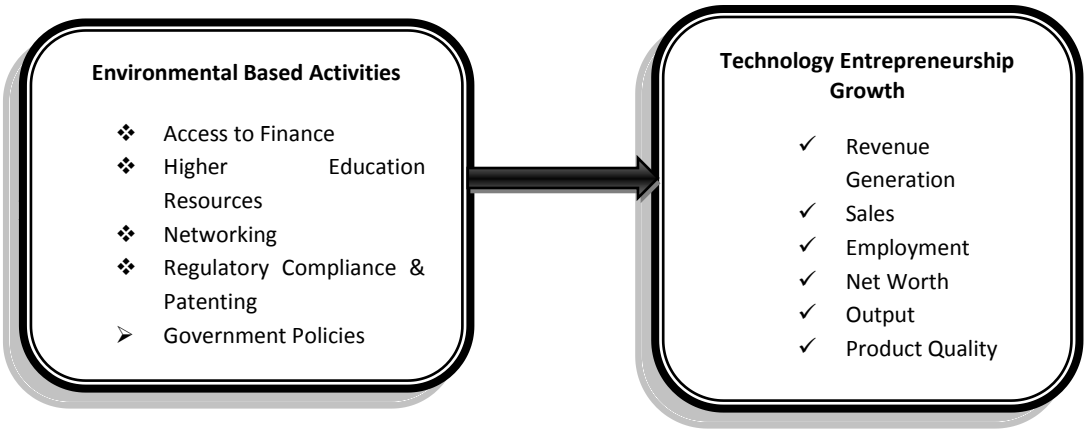
5.4 Environmental Based Activities and Technology Entrepreneurship Growth

The National Technology Incubator's Network of Australia (2009) noted that incubators supported the development of technology based companies in the country, thereby acting as catalyst for the refocusing of Australia's economy towards knowledge-based industrialization. In a study that compared incubator firms with their peers that are not located in the incubators, Aernoudt (2004) found that the first perform better; however, J. R. Lumpkin and R. D. Ireland (1988) found that being in an incubator, does not assure success. Inanga EL, Azih E (2014), while measuring the performance effectiveness of entrepreneurs with some performance indicators from the demographics- Number of Employees, Sales Turn Over, Output and Net Worth suggest that Technology Incubation has a positive effect on the development of Small and Medium Scale Enterprises. All the variables showed positive result which means that the program is effective in the development of Small and Medium Scale Enterprises. Chen's (2009) study of Taiwanese incubators found no direct effect on new venture performance as a result of incubation, whereas Rothaermel and Thursby (2005) showed incubated firms were significantly less likely to experience outright failure. In an exploratory study conducted by Lukman Raimi and Ashok Patel (2014) titled "Harnessing the potentials of technology incubation centres (TICs) as tools for fast tracking entrepreneurship development and actualization of the Vision 20:2020 in Nigeria", using content analysis, the researchers recommended that further research on the subject matter be explored empirically for an objective assessment of the situation. Allen, D., and Bazan, E. (1990) while comparing incubated and non-incubated firms in Pennsylvania found that the failure rate for incubator graduates was lower than that of non-incubator firms. The findings of the study by Inanga EL, Azih E (2014), showed that the

reason for the high failure rate is attributed to some factors, 'first, Linkage to providers of fund, secondly, advertisement and promotion, thirdly, monitoring and reporting, fourthly, physical space and other facilities, lastly, Technology Transfer Program. Inadequate provision of these facilities contributes to business failure of entrepreneurs after graduation. Incubator impact when assessed along the establishment of new technology based ventures that create high value jobs, generation of local and export income and leveraging broader economic activities is quite profound (NTIN, 2009). However despite the popularity of incubators as a means of improving the fates of new business ventures, some scholars asserts that there is limited evidence that they improve firms' performance or viability (Aernoudt 2004; Amezcua et al. 2011; Amezcua 2010; Peters et al. 2004;Rothaermel and Thursby 2005; Scillitoe and Chakrabarti 2010).

6. Conceptual Framework

Figure 1: Conceptual Framework Relating Environmental Based Activities and Technology Entrepreneurship Growth.



Source: *(Adopted by researcher using ideas of Barret (2004), Schumpeter (1934), Kruger (2004), Churchill and Lewis (1983) and Casson (1982).*

7. Methodology

Based on the mixed nature of the study, the study used positivist epistemology with objective ontology together with interpretive epistemology and subjective ontology. Non-experimental, descriptive, correlative and cross-sectional designs were adopted for this study.

8. Response Rate

Table 1 Response Rate

Categories	Number of Enterprises	Percentage (%)
Population	86	100
Total responses	84	97.7

Source: Results of data analysis (2016)

9. Testing for Statistical Assumptions

In order to conduct further parametric statistical tests, the appropriateness of the data has to be ascertained, this study therefore subjected the data to normality test, linearity test, no multicollinearity test and homogeneity test. The result showed that the data was normally distributed. Similarly, the components under the study variables were highly correlated and there was no multicollinearity among the components under incubator based activities and the Levene's test statistic reveals that the data was homogeneous and therefore appropriate for the conduct of parametric analysis.

10. Summary of the Results from Interview

With the mixed method adopted by the study, the obtained quantitative result was supported with qualitative responses. To achieve this, the study interviewed selected entrepreneurs that went through the incubation process from the four locations covered. The locations were Kano, Sokoto, Kebbi and Zamfara (Gusau). Their views on the contributions of the environmental based activities towards the growth of technology entrepreneurship in North Western Nigeria were recorded. These views provided, in more details, information about the study variables.

11. Findings based on the objective of the Study

11.1 Hypothesis Testing

Objective: To assess the contribution of Environmental Based Activities to Technology Entrepreneurships Growth in North Western Nigeria.

The null hypothesis that environmental based activities have no significant contribution to technology entrepreneurship growth in North Western Nigeria was tested using regression analysis at 5% level of significance.

11.2 Relationship Between Environmental Based Activities and Technology Entrepreneurship Growth (Table 3)

Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.574a	.330	.287	.46068

a. Predictors: (Constant), Government Policies, Higher Education Resources, Regulatory Compliance and Patenting, Networking, Access to Finance.

Table 3 above shows that the correlation between the environmental based activities and the technology entrepreneurship growth is 0.574, implying that there is 57.4% positive relationship between environmental based activities and technology entrepreneurship growth in North Western Nigeria. The value of the R-square (coefficient of determination) is 0.330 indicating that 33.0% of the variation growth is explained by the environmental based activities.

Table 4: ANOVAa

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	8.140	5	1.628	7.672	.000b
	Residual	16.554	78	.212		
	Total	24.694	83			

a. Dependent Variable: Growth
b. Predictors: (Constant), Government Policies, Higher Education Resources, Regulatory Compliance And Patenting, Networking, Access To Finance

The above table (4) presents the analysis of variance on the regression model, the p-value of the analysis (<0.001) is less than 0.05 we therefore reject the null hypothesis and conclude that the contribution of environmental based activities to technology entrepreneurship growth in North Western Nigeria is significant.

Table 5: Coefficients[a]

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	.719	.564		1.274	.206
	Access To Finance	.289	.175	.216	1.653	.092
	Higher Education Resources	.312	.182	.219	1.718	.090
	Networking	-.063	.163	-.046	.388	.699
	Regulatory Compliance And Patenting	.346	.170	.244	2.030	.046
	Government Policies	.560	.178	.364	3.147	.002

a. Dependent Variable: Growth

Table 5 above showed that regulatory compliance and patenting; and government policies have significant contribution to technology entrepreneurship growth at 5% level, while higher education resources and access to finance contribute significantly at 10%. Networking however did not have significant effect on technology entrepreneurship growth among the dimensions of environmental based activities, in North Western Nigeria.

The results of the linear regression shown in table 4 were associated with the following equation for the significant model:

$$\mathbf{Y_{EBA} = 0.719 + 0.289_{IAF} + 0.312_{IHE} - 0.063_{INE} + 0.346_{IRC} + 0.560_{IGP}}$$

Similarly, ten out of the 13 interviewed key informants agreed that incubation centers strive hard to facilitate incubatees' access to needed resources within their immediate environment. They however observed that there is need to do more, pointing out the criticality of their developmental phase. They opined that any delay in accessing such resources like finance at the appropriate time may lead to challenges that can further compound the problems of the start-ups. They were unanimous on the difficulty encountered by incubatees in networking with more established businesses in the industry, pointing out that they see them as a threat because they target same markets.

12. Study Hypothesis and Decision

Hypothesis

There is no significant relationship between Environmental Based Activities and Technology Entrepreneurship Growth in North Western Nigeria.

The null hypothesis was therefore rejected.

13. Conclusions

The main objective of this study was to explore the relationship between Environmental Based Activities and Technology Entrepreneurship Growth in North Western Nigeria. Based on the findings and discussions from the study, a number of conclusions were drawn.

The study concluded that Environmental Based Activities is a significant predictor of Technology Entrepreneurship Growth. This means that incubated enterprises stand a better chance of survival and experiencing higher growth than the un-incubated enterprises. The study also concluded that there exist massive infrastructural deficit and total absence of science parks in North Western Nigeria. These are likely to affect survival rate, cost of doing business and eventual growth. Government should therefore bridge the infrastructural gap and establish science parks for all incubation centers across North Western Nigeria.

14. Summary of the Major Findings

The study found linear, positive and significant relationship between Environmental Based Activities and Technology Entrepreneurship Growth in North Western Nigeria.

15. Recommendations

The study found out that there is a huge deficit of physical infrastructures, particularly electricity, in North Western Nigeria. Majority of the respondents and participants claimed that they generate more than fifty percent (50%) of the electricity they require to operate. This is a very unhealthy situation. The Government should live up to its responsibility in providing this critical infrastructure itself or through the private sector (BOT, PPP etc.). The provision of accessible, reliable and affordable source of energy is a pre-condition for the survival and subsequent growth of technology entrepreneurship. Other infrastructures lacking include water, roads, security etc. Their provision will drastically reduce the burden on these young enterprises; improve their return-on-investment leading to enhanced performance and innovations.

The world over, science parks are created to host graduated enterprises. In these parks, the enterprises continue to grow under the watchful eyes of the incubator business development team. Science parks serve as virtual incubators such that the enterprises within the parks receive professional advice and counseling, in addition to other forms of assistance that the enterprises may require from time to time from the incubator's business development team. By moving graduated enterprises from the incubator to the science park, additional space will be created to admit more enterprises into the incubator. Similarly, the graduated enterprises will have some relief; this will enable them to focus more on facing the challenge of competitors as they expose themselves to the competitive and environmental factors inherent in competing for customers, raw materials, capital and labour, as new entrants to the market. The government should therefore make it a policy that each incubation center has a science park for its graduated incubatees. Presently, there are no science parks in North Western Nigeria.

The logic for the incubator concept hinges on its ability to enhance the initiation, survival and growth of enterprises. If incubators are to provide economic development benefits, then more attention needs to be paid to promoting business growth among incubator clients. The package of services offered by an incubator is intended to enhance the success and growth rates of startups thus maximizing their effect on economic development. Aiming an incubation program on enterprise development requires ensuring that programs planned to enhance the viability and growth of enterprises are in place and that sufficient resources to deliver these programs are available.

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Youth Business Empowerment and Entrepreneurship Skills in Doguwa Local Government, Kano State, Nigeria

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Abstract. This study investigated about youth business empowerment and entrepreneurship skillsin Doguwa local government.The study objective was to determine the relationship between youth business empowerment and entrepreneurship skills in Doguwa local government. This study used cross-sectional survey design. Target population was 22,628 youths. Krejcie and Morgan (1970) table determined a sample size of 379 respondents. The response rate of 78% gave a final number of 294 respondents. The main research instrument was questionnaires. Data was analysed using frequency and percentage tables, mean and standard deviations; and Pearson linear correlation and regression analysis. The study found a positive, strong and significant relationship between youth business empowerment and entrepreneurship skills ($r=0.556$, $p<0.020$). The study concluded that, the youth should be supported in all aspects (i.e. entrepreneurship education and financial support) in order for them to develop adequate entrepreneurship skills such as technical skills, or management skills which will help them engage in entrepreneurial activities that can help them sustain themselves and reduce poverty and vulnerability in their households. The study recommended the need for the government of Nigeria to keep supporting the youth by providing them with grants, loans, entrepreneurial education and training which will enhance their capacity to self-sustenance and eventual poverty reduction in their households.

Key words: Youth Business Empowerment, Entrepreneurship skills, Doguwa Local government, Kano State, Nigeria.

1. Introduction

The Nigerian government recognized that in order to effectively empower young people (between the ages of 18 to 35); there was a need to formulate The National Policy on Youth Development, so it developed the National Economic Empowerment and Development Strategy 2 (NEEDS 2) aimed at transforming its economy and growing small businesses in the country. Youth have been mainstreamed into this strategy through the Youth Position Paper. Under the aspect of Youth Economic Empowerment, the following policy prescriptions were proposed: reserve 30% quota in the economy and policy development processes; engage youth as professionals and not as recipients of agendas; review all sector policies to accommodate the interests of young people and entrepreneurs; establish special funding skills to enable access to funding for young entrepreneurs; interests charges on sector scheme loans for young people should be reduced and subsidized, introduction of business and entrepreneurship education programs in secondary schools and tertiary institutions; and existing financial schemes should be tailored to support young entrepreneurs (The National Youth Economic Empowerment Strategy and Implementation Framework, 2009-2019).

Ideally, the scheme would have been a potent instrument for job creation and gradual reduction of youth unemployment rate but due to certain weakness which were empirically evaluated, which need to be corrected in order to sustain the efforts made by the government. Such weaknesses include poor youth financial management skills, poor marketing strategies, lack of good planning and good management, lack of will-power and determination, and lack of cooperative relations among youth beneficiaries. These weaknesses outlined are not unexpected, but only portray the missing link which is needed to compliment the skill acquisition schemes with entrepreneurship development programmes, in order to properly position youth for successful management of their small scale businesses (Akpoveta and Agboma, 2015).

2. Statement of the Problem

The highest composition of youth in Doguwa local government are unemployed and the unemployment rate stands at 83% and the education ratio of the educated to the uneducated stands at 56% to 44% respectively (National Bureau of Statistics, 2015). This implies that majority of the educated youth are not employed. Consequently, even those that try to start some small businesses often fail to make it succeed in the first or second year. According to Okoli (2013), most of the youth cannot get employment or maintain their business because of lack of entrepreneurial education and capital to start a business. However, the high level of youth unemployment has consequences.

According to Awogbenle and Iwuamadi (2010), thegreatest challenge on youth unemployment is their usefor political and military ends. Deprived off employmentopportunity and livelihood, youths are actively mobilizedby politicians and armed groups alike. Youth unemploymentalso has security implications for almost everycountry in Africa, since desperation often leads youngpeople to fall prey to warlords, criminal gangs, or illegalmigration syndicates.This study investigated if youth business empowerment through entrepreneurship education and financial support can build and sharpen their entrepreneurship skills such as technical and management skills specifically for the youth of Doguwa local government, Kano State, Nigeria.

3. Objective of the Study

To determine the relationship between youth business empowerment and entrepreneurship skills in Doguwa local government

4. Hypothesis

There is no significant relationship between youth business empowerment and entrepreneurship skills in Doguwa local government.

5. Literature Review

5.1 Theoretical Perspective

This study was guided by Gibb's (2010) Alternative 'appropriate' Model which portrays the entrepreneur as dynamic with a range of behavioural attributes that need to be developed. According to Gibb, this model embraces a number of key characteristics as follows: Instilling empathy with entrepreneurial values and associated 'ways of thinking, doing, feeling, seeing, communicating, organising and learning things'; development of the capacity for strategic thinking and scenario planning and the practice of making intuitive decisions based upon judgement with limited information; creating a vision of, and empathy with, the way of life of the entrepreneurial person.

This theory is related to this study in a way that when the youth are business empowered through entrepreneurship education, they learn communication skills, financial management skills, customer relations skills, which helps them to be critical thinkers and risk takers even in daring business ventures. In other words, youth entrepreneurs who had the right entrepreneurship education and financial support can make intuitive business decisions based on their judgementeven if they have limited information but as long as they have the enthusiasm.

5.2 Youth Business Empowerment

A youth is any individual within the age of eighteen and thirty five years irrespective of

gender or sex (Uzochukwu, 2016).For the purpose of execution of Nigeria's National Youth Development Policy; the youth comprises all young persons of age 18-35 who are citizens of the Federal Republic of Nigeria. This category represents the most culture, the most volatile and yet the most vulnerable segment of the population, socio-economically, emotionally and in other respect.

Youth empowerment is an altitudinal, structural, and cultural process whereby young people gain the ability, authority and agency to make decisions and implement change in their own lives and the lives of other people, including youths and adults (Sasaki, 2013). Empowering youth in this context means creating and supporting the enabling conditions under which young people can act on their own behalf, and on their own terms, rather than at the direction of others. These enabling conditions includes, economic and social base, political will, adequate resources allocation and supportive legal and administrative frameworks, a stable environment of equality, peace and democracy, and access to knowledge, information and skills and a positive value system.

To be a youth is good but empowering the youth is better. Empowerment can be defined as the means of encouraging or assisting somebody (Uzochukwu, 2016). In a nutshell, youth empowerment is the means through which the youths of any country are assisted to succeed in life. It is shameful that when youth empowerment is mentioned, people think that it is only the function of the government to empower the youths. This is not so as you, as an individual, can empower the young people around you.

Several mechanisms have been used to empower the youth, however, in this study, youth business empowerment was limited to entrepreneurship education and financial support.

5.3 Entrepreneurship Education

Entrepreneurship Education means many things to many people. Nwabuama (2014) view entrepreneurship education as the identification of the general characteristics of entrepreneurs and how potential entrepreneurs can be trained in management techniques needed for effective performance of persons for long time survival of an organization after the acquisition of occupational skills. Olawolu and Kaegon (2012) confirms that entrepreneurship education prepares youths to be responsible and entering individuals who become entrepreneurs or entrepreneurial thinkers by exposing them in real life learning experiences where they will be required to think, take risks, manage circumstances and incidentally learn from the outcome. Ememe (2010) observes that entrepreneurship education enables youths to seek for success in ventures through one's effort. Also, Alberti, et al (2014) define entrepreneurship education as "the structured formal conveyance of entrepreneurship competencies which in turn refers to the concepts, skills and mental awareness used by individuals during the process of starting and developing their growth oriented ventures. Another view of entrepreneurship education is the term given to someone who has innovative ideas and transforms them to profitable activities (Omolayo, 2011).

5.4 Financial Support

Although there exist various financial support programmes and products within the Nigerian government, both national and provincial targeting all forms of businesses, nonetheless, a few of these have mainstreamed the youth. In this regard, mainstreaming means that the aforesaid programmes should have set out clearly youth as primary beneficiaries, formulate funding criteria that take cognisance of the challenges facing the youth, provide clear targets/quotas for young people to be implemented, monitored, reviewed and reported accordingly(The National Youth Economic Empowerment Strategy and Implementation Framework, 2009-2019).

For example, the National Youth Development Agency (NYDA) is envisaged to play a leading role in the provision of financial products and programmes targeting youth enterprises. In addition to the support provided by the NYDA, all national, provincial and municipal finance departments are called upon to ensure that all their funding programmes and products (i.e. enterprise and industrial development finance) mainstream and benefit youth enterprises(The National Youth Economic Empowerment

Strategy and Implementation Framework, 2009-2019).

Despite government efforts to establish various institutions and programmes for business development services/programmes in Nigeria, many young people still have not accessed and/or benefited from these institutions and programmes. This is demonstrated by lack of clear targets/quotas and criteria as well as monitoring, review and reporting progress on youth support in their respective programmes(The National Youth Economic Empowerment Strategy and Implementation Framework, 2009-2019).

5.5 Entrepreneurship Skills

According to Hayton (2015), entrepreneurship skills are associated with competence in the process of opportunity identification (and/or creation), the ability to capitalise on identified opportunities and a range of skills associated with developing and implementing business plans to enable such opportunities to be realised. The term 'entrepreneurship skills' implies that competences can be identified that are associated with (successful) entrepreneurship and may be distinguished from attributes and behaviours that are typically associated with entrepreneurs (Henry et al. 2015).

Entrepreneurship is considered to be a key factor in promoting economic development, innovation, competitiveness and job creation, yet little is known about the skills required for successful entrepreneurship. Research and policy has focused upon the conditions necessary for entrepreneurship - typically defined in terms of the creation of new ventures - to flourish. 'Entrepreneurship skills' issues have been addressed primarily in relation to the education system (Kelley, Bosma and Amorós, 2010).

5.6 The Relationship Between Youth Business Empowerment and Entrepreneurship Skills in Doguwa Local Government

A study by Ogundele, et al (2012) on entrepreneurship training and education as strategic tools for poverty alleviation in Nigeria confirmed that entrepreneurship training and education were significantly related to the youth empowerment and social welfare services. Furthermore, youth empowerment was found to be influenced by acquired technical skill. The study recommended that effective technical education, youth empowerment, and social welfare service as a catalyst for poverty alleviation.

A study by Adebayo and Nassar (2014) on the impact of micro and small business entrepreneurship on poverty reduction in Ibadan Metropolis, South Western Nigeria revealed a significant impact on small business entrepreneurship on poverty reduction. In addition to that, the study found that the impact could have been more pronounced but for some socio-economic, infrastructural and management challenges, poverty reduction could not be substantively achieved. The recommended strengthening of youth entrepreneurship, increased publicity of government Business Development and Support Services, liberalization of access to and usage of business premises, reduction in cost of production, improvement of infrastructural facilities among others.

6. Methodology

This study used cross-sectional survey design because it allows for the study of the population at one specific time and the difference between the individual groups within the population to be compared. The researcher also employed a quantitative approach by distributing questionnaires to the young entrepreneurs to gain information about aspects of their entrepreneurship skills and business empowerment (Creswell, 2009). The target population was 22,628 beneficiaries from National Economic Empowerment and Development Strategy 2 (NEEDS 2). A sample size of 379 respondents was determined using Krejcie and Morgan (1970) table. Simple random sampling was used to select the youth because it gives equal opportunity for participation. The main research instrument was questionnaires. Validity was determined using Content validity Index (CVI) and it had a value of 0.783 while reliability was established using Cronbach's alpha and it had an alpha value of

0.832 for youth business empowerment, and 0.857 for entrepreneurship skills respectively. According to Amin (2005), if the CVI is ≥ 0.700, the instrument is considered valid; and according to Downing (2004), if the alpha value is ≥ 0.700, the internal consistency is said to be acceptable. Data was analysed using Pearson's linear correlation coefficient and regression model to determine the extent to which the independent (youth empowerment) variable predicts the variation in the dependent variable (entrepreneurship skills).

7. Findings

Table 1: The Relationship between Youth Empowerment and Entrepreneurship Skills in Doguwa Local Government, Kano State, Nigeria

		Youth empowerment	Entrepreneurship skills
Youth empowerment	Pearson Correlation	1	.556
	Sig. (2-tailed)		.020
	N	9	9
Entrepreneurship skills	Pearson Correlation	.556	1
	Sig. (2-tailed)	.020	
	N	9	15

Level of Significance=0.05

The findings presented in table 1 revealed a strong and positive relationship between youth empowerment and entrepreneurship skills (r=0.556, p<0.05). The null hypothesis was rejected since there was a significant relationship.

Table 2: Regression Model

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	Change Statistics				
					R Square Change	F Change	df1	df2	Sig. F Change
1	.556[a]	.309	.211	.38489	.309	3.134	1	7	.020

Model		Unstandardized Coefficients		Standardized Coefficients		
		B	Std. Error	Beta	T	Sig.
1	(Constant)	.874	.239		.228	.016
	Entrepreneurship education	.719	.675	.693	.547	.038
	Financial support	.245	3.869	.307	.063	.046

a. Dependent Variable: Entrepreneurship skills

The findings presented in table 2 revealed that youth business empowerment altogether is responsible for the creation of entrepreneurship skills among the youth by up to 21.1% (Adjusted R Square=0.211).However, entrepreneurship education alone contributes up to 69.3% youth entrepreneurship skills (Beta=0.693), while financial support has the potential of sharpening youth entrepreneurship skills by up to 30.7% (Beta=0.307).

8. Discussions

The study found a positive, strong and significant relationship between youth business empowerment and entrepreneurship skills (r=0.556, p<0.05). This implies that empowering the youth by engaging them in entrepreneurship education and providing with financial support sharpens their business skills hence making their businesses to thrive, survive and succeed.

This study agrees with that of Ogundele, et al (2012) who also confirmed that entrepreneurship training and education were significantly associated with youth empowerment and social welfare services. Similarly, a study by Ibitoye, et al (2015) found that a positive and significant relationship exists between youth empowerment and poverty reduction.

9. Conclusion

The study concluded that the youth should be supported in all aspects (i.e. entrepreneurship education and financial support) in order for them to develop adequate entrepreneurship skills such as technical skills, or management skills which will help them engage in entrepreneurial activities that can help them sustain themselves and reduce poverty and vulnerability in their households.

10. Recommendations

There is need for the government of Nigeria to emphasize youth participation in entrepreneurship to reduce their level of vulnerability and help them to be more productive in life. This can be achieved by encouraging the youth to join vocational training institutes that have hands-on training and life skills. The government can accomplish this by financially supporting youth with tuitions and offering them bursaries. This would help the youth to be equipped with the necessary skills that can help them to start and manage their own businesses.

Furthermore, the local leaders should engage the youth in productive business oriented ventures such as participation in youth business forums, business tours and establishment of business projects which are supported and sponsored by the local leaders themselves. This would help fight unemployment and poverty vulnerability among the youth.

Last but not least, the government of Nigeria should emphasize innovation among the youth. This can be done by supporting, sponsoring, and promoting innovation among the youth through competitions. This would help the youth to come up with creative ideas that are business oriented and which can benefit their community and eventually reduce poverty in their households.

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Challenges of Financing Public Education in Kwara State: Options and Implications for Development.

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Abstract. The adoption of socialist approach to the supply of education in Kwara State since the beginning of the new civilian administration in 1999 has led to the increase in school environment at all levels of education. The government desire to meet her social responsibility in this direction has necessitated an increased in her financial commitment to the sector. This was carefully x-rayed by this paper with particular attention to the secondary school sub sector. The study found a need for alternative financing options and sustainable strategies to keep current funding patters alive. The paper recommended cost sharing model as an alternative financing strategy as well as efficiency based funding options. It concluded that if alternative strategies are adopted, more financial resources will be generated and available to fund schools at the current level. Also funds previously locked up in secondary education sector will be free for use in other sectors of education currently being under-funded.

Key words: Budget, Capital Expenditure, Recurrent Expenditure, Actual Budget Released, Budget Estimate.

1. Introduction

Financing education means funding education: it involves sourcing and providing funds to run school programmes and ensuring the optimal distribution and utilization of the funds to achieve educational goals. The demand for education by the society seems limitless and expensive because of the benefits the society attached to education. The resources within the limits of the society in terms of funds to meet these ever- increasing demand are grossly inadequate and often times not available. If the Nigerian government goals of providing education for all by year 2015 and her aspiration of seeing the country as one of the twenty most developed nation in year 2020 is to be realized, government must continue to finance schools adequately because in her own words "the success of any system of education is hinged on proper planning, efficient administration and adequate financing (NPE, 2004).

There has been a continued increase in the demand for education in Nigeria since government have decided to adopt education as a consumption item and has adopted social demand approach model in planning education. This means government will have to increase her spending on education to meet the increase in demand for it.

2. A Cursory View of Educational Finance in Kwara State

Today, Kwara State has over 235 secondary schools fully funded by the state and many government assisted schools. It also helps the 16 local government areas to maintain over 1.671 primary schools, six Government Technical Colleges, one Polytechnic, three Colleges of Education, one College of Arabic and Islamic Legal Studies and a State University. The function of providing education for the people of the state is saddled with the Ministry of Education and Human Capital Development. The ministry spends the budgetary allocations to the sector on both capital and recurrent expenditures. In the wake of the new political dispensation, government has risen to her duties of providing education for all her citizens, this has pushed up both capital and recurrent spending on education the last decade. The adoption of Universal Basic Education as state instrument for providing Education for All in year 2020 has led to increased enrolment in basic education as well as in the post basic education levels.

The government's obligation to meeting her social responsibilities has necessitated an upward increase in her financial commitment to the sector. Since the beginning of the new civilian administration in 1999, successive governments in the State have expressed deep commitment to providing quality education to the citizens of the state. The fallout of this socialist approach to educational opportunities in the state has been the rise in school enrolments. The enrolment in the state public secondary schools witnessed a sharp increased as shown below.

Table 1:
Enrolment in Kwara State public secondary schools

Year	Enrolment (junior & senior secondary schools)
2014	192,044
2013	187,500
2012	177,126
2011	165,134
2010	151,934
2009	150,578

Sources: Kwara State Ministry of Education and Human Capital Development

The increase in schools' enrolment had put pressure on the school facilities. Classes were inadequate, and teacher- student ratio was uncomfortably very high, especially in most urban schools: the existing facilities were in very bad shape and almost inhabitable for students. The state of school facilities compelled the government to embark on massive rehabilitation of school infrastructures and the employment of more teaching personnel. The strain on the state's finances is evidently clear and visible.

Table 2:
Kwara State Education Budget (2009-2014)

year	State Budget(₦)	Education Budget(₦)
2014	122,440,346,343	22,873,951,050
2013	100,692,559,807	30,867,459,333
2012	85,153,931,881	31,039,902,793
2011	66,894,508,138	20,552,517,497
2010	69,470,710,851	10,293,404,103
2009	72,214,300,907	9,079,440,044

Sources: Kwara State Accountant General's office

It is important to note that, the education reform agenda put in place by the government was to address the inadequacies in the sector and hasten the attainment of the Millennium Development

Goals. This was exemplified by the commissioner for education in the state when he said " The Kwara State Education reform agenda has been structured to learn some of the best practices in some of the best performing countries… most of the 25 point reform agenda targeted at improving the quality of teaching and teachers"(Bolaji, 2008). Though the initial target of the reform agenda was the primary education sector, the success recorded in the sector encouraged government to look towards the direction of the secondary education subsector and within the possible time, the secondary education subsector took the prime position in the government education reform programme. This is corroborated by the rate at which government have directed and continue to direct her financial resources to the sub sector.

Table 3:

Analysis of budget spent on secondary education in Kwara State (2009-2014)

Year	Budget Estimate(₦)	Education Budget(₦) *1	Secondary Education Budget (₦)*2
2014	122,440,346,343	22,873,951,050	18,367,725,232
2013	100,692,559,807	30,867,459,333	26,249,914,782
2012	85,153,931,881	31,039,902,793	23,436,036,297
2011	66,894,508,138	20,552,517,497	17,398,492,031
2010	69,470,710,851	10,293,404,103	8,472,265,903
2009	72,214,300,907	9,079,440,044	8, 790,020,140

Sources: Kwara State Accountant General's office

*1 means that budget includes MDA's and all levels of Education

*2 means excluding MDA's but includes junior& senior secondary schools

The government has continued to spend money on education in all fronts, the portfolio of government expenditure on education shows that both the recurrent (operation costs) and the capital expenditures has attracted high budgetary attention in the last six years.

Table 4:

Actual monetary expenditures on education in Kwara State (2009-20140)

Year	Actual Capital released(₦)	Actual Recurrent released(₦)	Actual released(₦)
2014	2,679,449,259	11,383,771,416	14,063,220,675
2013	2,168,795,863	18,189,834,512	20,358,600,375
2012	3,033,369,793	20,398,531,677	23,431,751,472
2011	1, 638,762,859	21,993,895,841	23,431,660,700
2010	2,896,305,602	9,599,471,236	12,496,176,838
2009	4,214,667,286	5,216,226,184	9,430,893,464

Sources : Kwara State Accountant General's office

Meeting the financial obligations as spelt in the budget is becoming increasingly very difficult due to dwindling revenue from Federation Account; this has created a wide gap between budget estimates and actual spending on education.

Table: 5

Comparing education budget with actual spending from (2009-2014)

Year	Education Budget (₦)	Actual released(₦)
2014	22,873,951,050	14,063,220,675

2013	30,867,459,333	20,358,600,375
2012	31,039,902,793	23,431,751,422
2011	20,552,517,497	23,632,660,700
2010	10,293,404,103	12,494,176,838
2009	9, 079,440,044	9,430,893,464

Sources : Kwara State Accountant General's office

Except for 2010 and 2011 when actual spending was above budgeted estimate, the trend in 2012 to 2014 was clearly that of inadequate supply of funds to the sector. The trend may be explained by the dwindling revenue sources of the state government. Education in the state is virtually free except for the state university which however was substantially subsidized for citizens of the state. The proportion of revenue accruing to the government to finance secondary education is dwindling daily because the government does not charge tuition in all her institutions except token levies for running the schools to meet daily financial needs of the respective institutions. These are however meager as shown in Table 6, financial requirements to run the schools very well still depends on government budgetary allocations.

Table 6:

Sources of funds to finance secondary education in Kwara State

Year	Secondary Education Budget (₦) a	Levies and Charges (₦) b	% of a/b
2014	18,367,725,232	873,800,200	4.76
2013	26,249,914,782	853,125,000	3.25
2012	23,436,036,297	805,923,300	2.94
2011	17,398,492,031	751,359,700	4.32
2010	8,472,265,903	685,129,900	8.09
2009	8,790,020,140	691,299,700	7.86

Sources: Kwara State Accountant General's office

The main source of fund to finance secondary education since the inception of the new democratic government has been from budgetary allocations. Since the state government has adopted socialist model approach to the supply of education, the government has relied heavily on funds from the Federal Account to meet most of her financial obligations especially as it relates to education financing. In recent time, there has been a dramatic growth in the state budget estimates; this has been extended to the secondary education sector.

Table 7:

Analysis of Budget spent on secondary education in Kwara State (2009-2014)

Year	Budget Estimate(₦) a	Education Budget (₦) b	Secondary Education Budget (₦)c	% of c/b
2014	122,440,346,343	22,873,951,050	18,367,725,232	80.3
2013	100,692,559,807	30,867,459,333	26,249,914,782	85.0
2012	85,153,931,881	31,039,902,793	23,436,036,297	88.4
2011	66,894,710,851	20,552,517,497	17,398,492,031	84.6
2010	69,470,710,851	10,293,404,103	8,472,265,903	82.3
2009	72,214,300,907	9,079,020,140	8,790,020,140	96.8

Sources: Kwara State Accountant General's office

The proportion of the secondary education subsector financial obligation on the main education sector budget is enormous. Over the period under study, it was over eighty percent of all education budget estimates going to the secondary education financing. The implication is that other areas of education will be made to suffer inadequate funding. It is important to note that, the inappropriate distribution of education sector resources towards secondary education may not stand the test of time. It has become hugely difficult for government to continue in that direction. What is more worrisome is the increasing proportion of recurrent expenditure in the subsector.

Table 8:

Analysis of Recurrent Expenditure on secondary education in Kwara State (2009-2014)

Year	Actual Education Sector Recurrent Released(₦) (a)	Secondary Education subsector Salaries and Emoluments (₦) (b)	% of b/a
2014	11,383,771,416	6,714,845,120	59.0
2013	18,189,834,512	6,321,571,383	34.8
2012	20,398,531,677	5,886,963,494	28.9
2011	21,993,895,841	5,787,917,218	26.3
2010	9,599,471,236	3,741,666,450	39.0
2009	5,216,226,184	2,125,130,761	40.7

Sources: Kwara State Accountant General's office

3. Challenges faced by the government in financing education in Kwara State.

The state government has adopted a populist to the provision of education in Kwara State. The approach is popular and it seems to have gained wider acceptability, the gains of increased funding to the education sector is reflected in the improved school infrastructures, regular payment of teachers salaries and emoluments, regular and adequate teacher advancement programmes aimed at increasing teachers productivity . Even passive financial stakeholders in terms of parents who have been enjoying supply of education virtually free are excited as public schools are gaining back confidences lost years ago. But, the question is can the government continue to shoulder the finance of secondary education all alone? Considering the fact that funds are increasingly becoming more difficult to get, other sectors such as health, roads, social infrastructures and even higher/tertiary education sub-sector are beginning to show signs of neglect.

It is about time for government to look for alternative financing options for secondary education and indeed education generally without jeopardizing the social- welfares model of education adopted by the government since the beginning of the forth republic.

4. Alternative options/strategies to finance secondary education in Kwara State

The greatest challenge facing the government now is how to sustain the secondary education funding level. The various quality control and quality assurance measures put in place must be sustained, the infrastructural improvement programmes also calls for increase in recurrent cost of maintenance. In the face of dwindling revenue as currently faced by many state governments in Nigeria including Kwara State, there is a call for alternative strategies for sourcing funds.

The government must enlist the support of community's parents, alumni, and corporate organizations participation in the financing and management of secondary education. This may be by encouraging these agencies to provide physical facilities, books and instructional materials that are grossly lacking in schools. Individual families and group/ associations can be encouraged to adopt/endow schools in their names (Abdulkareem, 2003)

Adoption of pupils-based system of funding schools would go a long way in helping to streamlining funds to schools in an effective and judicious manner. The State of Mississippi Adequate Education Programme (MAEP) funding model can be adopted. Here, each school district has peculiar demand for funds and minimum financial threshold to perform adequately. Apart from meeting these basic financial requirements schools are also granted funds based on pre-determined performance criteria both in internal and external examinations. This call for prudent use of funds allocated because, getting new funds depends entirely on outcomes of the previous funds allocated.

The state government may dedicate special funds to secondary education. The state's share of Value Added Tax (VAT) from the Federal Account can be dedicated entirely to maintenance and improvement of secondary school infrastructures. Most governments are already strained financially and such windfalls when it comes is usually a soothing relief, where they cannot dedicate all of such largesse to secondary education a minimum threshold of 65% should be sunk into the secondary education sub sector.

Cost sharing measures could also be adopted by the government. Cost sharing policy is a situation where the government on one hand and the households/communities on the other share the responsibilities of financing education. Kiveu and Mayio (2006) were of the opinions that education has higher private returns to the holder than the society, therefore, beneficiaries of education in that; it will make parents to actively participate in the running and management of schools. Parents will be more interested in ensuring that their financial contributions are put into best use for education of their children.

5. Implications for development

The question is, should government continue with the present method of financing of secondary education? If yes, what are the chances of sustaining the current funding in view of the revenue situation of the country and the federating states? If suggested alternatives were given considerations and were adopted in part or wholly as suggested, what will be the implications for development?

The present financing model has put a huge hole in the pocket of the state government and there is no doubt it exerts an unbearable but avoidable pressure on government resources. Monies that could have gone to other begging needs are currently used in sustaining secondary education far and above its own desired share of the education sector resources. This implication was evident as early as 2003 when Abdulkareem (2003) said in spite of the staggering figures, the 5 tertiary institutions still complain of inadequate funding. In fact, the institutions need to augment their subventions which the government feels is already on the high side. This led to what some observers have described as commercialization of education because the institutions have resolved to devices, ways and means of generation revenues to augment their subventions.

The 2003 trend in continuing today, the higher/tertiary institution sector is witnessing high under funding and this has led to high levies and charges in the schools thereby eroding the social/welfare approach of the government to education in the higher education levels.
Apart from the higher education sector, sticking to current financing practice at the secondary education level will mean a serious neglect of other vital sectors, which are also populist in scope: provision, rural and urban water supply etc all these areas will suffer undue neglect, though outside the scope of this paper, visible signs on ground shows imminent collapse of these strategic infrastructures.

Should the government decides to adopt a more realistic and practicable financing alternatives, the pressure on government financial resources will be relieved and more funds hitherto committed to secondary education sector will be released to care for demands from other equally important sectors of the state. More roads, hospitals, rural electrifications, urban road repairs etc will be accommodated and provided

for. Even the secondary education sector will have more financial resources to throw around, more schools in different locations across the state will be added to schools to be renovated and rehabilitated and more educational resources (human and material) will be employed for the benefit of students in those schools.

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Part Four

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Internal Tax Regime of WTO: A Clog in the Wheel of Economic Progress of the Developing Countries

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Abstract: The basic principles of the WTO are built on the foundation of GATT. However, even though those principles are far reaching in importance, their effects on the developed and developing nation's economy are not equitable. While the principles look novel and economically viable, some of them are damaging to the economic progress of the developing countries. One of such principle is the internal tax regime of the WTO. This paper therefore examines what this principle is all about, how same constitute a clog in the wheel of economic progress of the developing nations as well as solution thereto in form of recommendation.

Key Words: Internal Tax Regime, WTO, Clog, Wheel of Economic Progress, Developing Countries.

1. Introduction

The World Trade Organisation (WTO) was established in 1994 at the end of the General Agreement on Tariffs and Trade (GATT) of Multinational trade negotiations (MTNs), which started in September, 1986 and ended in Marakesh in December, 1994(Paul, 2013:36).The earlier General Agreement on Tariffs and Trade (GATT) was formed as a means of achieving peaceful trade dispute settlement system amongst the Nations of the world. The formation after some years metamorphosis to the World Trade Organisation (WTO) through Uruguay Round.

About two third of the WTO's members are developing countries. These countries are playing an increasingly important and active role in the WTO because of their numbers, and God-given natural resources which unfortunately, the developed countries now turned to their own advantages at the detriment of the developing nations. This is because while developing countries produce and supply the raw materials needed for the technological know how of the developed countries cheaply, the finished products are exported back into the developing countries expensively.

Developing countries are a highly diverse group often with very different views and concerns and today, many African and other developing countries believed that Africa had virtually lost out in the global economic politics, and that, the public interest and objectives of trade libralisation of WTO have actually been turned to a paraphernalia of neo-colonisation of the

developing countries economy (Animashaun, Olokooba, Olatoke, 2016:256).

One of the so-call libralisation tendency in the WTO activities is the internal tax regime which though on the face of it looks economical reasonable for the encouragement of trade competitiveness and libralisation, but which on the contrary is more beneficial to the developed nations than the developing ones because the so-called trade, commerce and services are not even available in the developing countries because their economy depend largely on the dictate of the developed economy.

Structured into five sections, an appraisal of the internal tax regime of the World Trade Organisation (WTO) is in the second section of the paper. In the third section, the paper examines the usefulness of taxation while section four examines how the internal tax regime of World Trade Organisation (WTO) constitute a clog in the wheel of developing countries economic progress. The paper ends in section five with conclusion and recommendations.

2. Usefulness of Taxation

Globally, tax is one of the means by which government generate revenue to execute some socio, economic and political activities that may be beneficial to the citizenry. Contemporarily, tax is always the last saving grace whenever any countries adjunct revenue resource is dwindling. Most of the developed economy also depends majorly on revenue generation from tax. Refusal to pay tax is a crime against the state; this is known as tax evasion. In fact, Nonpayment of tax may lead to a catastrophic and unpalatable socio- political and economic upheaval in a given society, not surprising, when Jesus was asked in the Bible about the appropriateness of the payment of tax to the authority his respond was 'give unto Caesar the things that are Caesar's and unto God, the things that are God's (Mark 2:17).'

Nigeria is today overhauling her tax system because the reality of non-sustainability and continuity of oil revenue is now in the fore. Similarly most states now rely on internally generated tax revenue for their survival. Lagos state in the past survived on internal revenue when the federal governments failed to release their share of 'national cake'-oil revenue to them in 2007. Among the usefulness of tax according to Olokooba and Sulait, 2015:230, are that taxes provide the money that makes it possible for government to function, it also has some other economic significances to wit, the provision of employment, satisfactory rates of economic growth, and stability of money supply in any economy. The economic goals of taxation are achieved by raising or lowering tax rates.

Furthermore, tax can serve as a regulatory mechanism to control and regulate various forms of business activities. For instance, alcoholic beverages and tobacco may be taxed heavily on the grounds that their use is hazardous to the health of individuals. Such revenue, often called a "sin tax", is in fact a penalty paid by the users of the substance. Similarly, Government can control private consumption, especially of imported goods, by increasing customs tariffs but where there is an increase in taxation on personal income, it may result in a decrease in private savings without affecting the level of consumption (Olokooba, Suliat, *supra*). Tax can also be used for redistribution of wealth. Tax is also an effective tool of checking inflation and inequality trade balance between Nations. The less taxes countries pay on exportation, the higher their exportation and the less revenue for the import countries. On the other hand, the higher taxes the import counties levied on importation, the higher revenue they made on such importation. Higher taxes on importation will also protect the local industries and ensure their viability because they will be able to produce at the maximum level to meet the local market demand.

Based on all the aforementioned usefulness, it is trite to posit that stopping any developing nation from effective use of internal revenue taxation cannot be economically viable to the development of such nation? Instead, such act is simply going to be a clog in the wheel of developing countries economic progress. More so since a good tax system is said to be helping

the attainment of the benefits of the law. (Per Lord Dunedin in *Whitney v. Inland Revenue Commissioners* (1926) A.C. 37)

3. Internal Tax Regime of the World Trade Organisation (WTO) Appraised

One representative at the Geneva drafting session suggested that although a "complete legal definition" of internal tax could not be stated, but it may probably meant a tax collected after the goods leave customs (U.N. Doc. EPCT/A/PV. 43, at 24 (1947)). This was immediately refuted by the French representatives who noted that "we have a tax on turnover and a luxury tax, and these are collected by the customs authorities, but they are however, internal taxes"(GATT, Annex 1, Ad. Art.III). The draftsman agreed that exemptions from income taxes did not come within the terms of Article III in GATT, since the language refers specifically to internal taxes on "products." (UN.Docs.E/Conf.2/C.32,at 1 (1947-1948))

The deliberations at the Havana Conference provided more interpretative material on the meaning of "internal tax or charges." Relevant committee report note that charges imposed on the transfer of payments for imports or exports, "particularly the charges imposed by countries employing multiple currency practices…(consistent) with the Articles of…the International Monetary fund, would not be covered" (Havana Reports, UN/Doc.ICITO/1/8,at 62,(1948)) by this national treatment obligation. The Committee Report likewise established the fact that "charges are described as internal taxes in the laws of the importing countries would not of itself have the effect of giving them the status of internal taxes under" Article III (Havana Reports, UN/Doc.ICITO/1/8,at 62,(1948)). Certain charges of several countries 'were examined and it was decided that the original language of Article III in GATT (before the Havana amendments) included the following clause:

In cases in which there is no substantial domestic production of like products of national origin, no contracting parties shall apply new or internal taxes on the products of the territories of other contracting parties for the purpose of affording protection to the production of directly competitive or substitutable products which are not similarly taxed; and existing internal taxes of this kind shall be subject to negotiation for their reduction or elimination. (GATT, Final Act, Geneva, Art,IIPara1,55U.N.T.S,204, (1947)

This language was eliminated from the text of the Article when the 1948 amendments took effect, but an interpretative note was added to GATT that preserved an obligation with respect to "directly competitive or substitutable products." (Protocol Modifying Part II and Article XXVI of the GATT, 1948 (Agreement No. 10 in APP.C)). The purpose of the language regarding competitive products was illustrated in the preparatory work as follows:

Let us suppose that some country in its negotiations had secured the binding of the duty on oranges. Country A gets a binding on the duty of oranges from country B. now, country B after that can proceed to put on an internal duty of any height at all on oranges, seeing that it grows no oranges itself But by putting on that very high duty on oranges, it protects the apples which it grow itself The consequence is that the binding duty which country A has secured from Country B on its oranges is made of no effect, because of the fact that price of oranges is pushed up so high by this internal duty that no one can buy them. The consequence is that the object of that binding is defeated (U.N. Doc. EPCT/A/PV.9 at 7 (1947)).

A broader relationship than that of "like products" is contemplated by competitive products, since it was recognized that different products could compete so that internal discrimination in favour of one product ("coincidentally" produced at home) could operate to prevent another products' sales. The difficult problem, of course, is determining what competitive products are. The draftsman avoided setting forth a precise definition, (U.N. Doc. E/Conf.2 /C.3/SR.40, at 1 (1947)) but a number of examples were given. For instance, delegates seemed to agree that among things that could be

competitive products were: tung oil and linseed oil, tramways and buses, coal and fuel oil although one delegate said it would depend on the specific factual competitive situation in each case (U.N. Doc. E/Conf.2 /C.3/SR.40, at 1 (1947)).

4. Internal Tax Regime of WTO as A Clog

Contemporarily and as outlined above, the role tax plays in government's economic, political as well as social policy cannot be underestimated, therefore, any rule or law enacted to debar or debase the objective of tax no matter for whatever motive, save revenue generation; to that extend is inconsistent with tax principle. (Agbonika, 2015:17-19, Olokooba 2010: 12-10). For this, Article III paragraph I of GATT which forbids any state to levy internal taxation is not of taxation and not in line of general tax principles.

Even though, Article III, Paragraph 1, states the general obligation to avoid using internal government measures for the protection of domestic production, but the second paragraph gives the obligation as to internal taxation in more precise language and it shows more of restriction in revenue generation through tax instead of protection of domestic market. According to the paragraph,

The products of the territory of any contracting party imported into the territory of any other contracting party shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products. Moreover, no contracting party shall otherwise apply internal taxes or other internal charges to imported or domestic products in a manner contrary to the principles set fourth in paragraph 1

The evil that the draftsman sought to proscribe by the first sentence was an internal tax applied discriminatorily to imported products, thus operating as effectively as a tariff to protect local products against foreign competition. The obligation to avoid discriminatory internal taxes is not confined to Schedule items but applies to all goods.

The germane question here however is that, is there an equitable distribution of resources between developing and developed countries that can necessitate the stoppage of developing nations from using internal tax to check the flooding of their local market with foreign goods? Who directly or indirectly are the forces controlling even the domestic market itself? The answer is obvious; the controlling forces through International Institutions like International Monitory Fund, World Bank and other multinational companies are the developed nations of the world. Why then should the developing government not use internal tax measures for the protection of her domestic production?

Agriculture which serves as the major economic source of developing nations unfortunately is also being controlled indirectly by the developed nations. Both import and export is being dictated by the Dollar status and value in the International market. In fact, African farmers often had poor yields and were themselves extremely poor (Animashaun *et al*, 267-268). Despite this bad situation,

The big nations still establish the price of agricultural products and subject these prices to frequent reductions.

At the same time the price of manufactured goods is also set by them, along with the freight rates necessary for trade in the ships of those nation. The minerals of Africa also fall into the same category as agricultural produce as pricing is concerned (Rodney, 2005:18-19).

The expansion in the volume of imported goods and services has been dramatic, exceeding that of exports. Agriculture's contribution to output fell almost continuously and the negative growth rate experienced by the agricultural sector is all the more disturbing when account is taken of the facts that its decline would be greater if we consider per capital terms, it also has adverse effects on the balance of trade, industrial costs…. (Okongwu, 1986:20) Today,

…Africa became increasingly underdeveloped in comparison with the industrialised area of the world.

The pattern of trade between Africa and the industrialising world in the nineteenth century is a pattern that still exists today….Europe robbed Africa of her surplus products to feed its own economy, obtaining Africa exports at low prices and using them to boost its own industrialisation, thus steadily widening the gap between itself and Africa…. (Michael, Donald, 1980:6)

The dichotomy between a developed, underdeveloped or developing economy which most African countries belongs is of glaring magnitude. According to Rodney (*supra*)

…The developed countries are all industrialised that is to say, the greater part of their working population is engaged in industry rather than agriculture, and most of their wealth comes out of mines, factories, e.t.c. They have high output of labour per man in industry because of their advanced technology and skill…. It is also striking that the developed countries have a much more advanced agriculture that the rest of the world. Their agricultural has already become industry…..

Trapped in a global system fostered by imperialism, poor countries are left with little to sell but the labour of their people and the wellbeing of their environment. While Developed Nations "select location of their factory, plantation or mine, communities around the impoverished world vie for suspect opportunities to be the next expansion site for the global system of exploitation of natural resources for trade"(Adamu, 2010:4) The situation of poor countries has been dubbed 'the global race to the bottom'(Hossay, 2006:4)

Even other natural resources that the developing nations are using to survive are now facing problem because most of those resources are either going into extinction of gradually disappearance due to climate change. Nigerian as a nation is facing her own problem through constant reduction and fall in her revenue generation from oil. In fact, going by World Bank prediction, Nigerian Crude oil may dry off in couple of years to come (Olokooba, 999). To cushion all these negatives, internal tax on importation would have been the best option.

On the international scene, internal taxes on certain types of goods such as coffee, tea, or tobacco, have posed a particular problem to GATT. Often these goods are almost wholly imported and, when combined with their "luxury" nature, they pose a very attractive revenue target for government treasuries. Thus very high internal taxes often exist on these items. For generally GATT Docs.L/1732, at 5; L/ 1768, at 7 (1962). For a specific example of high internal charges on tropical products see GATT Doc. Com.Td/G/W/1O, at 5 (1965). The less developed countries' products often face even higher internal taxes when they have been processed, e.g., roasted coffee. Id. The contracting parties are now required to "(i) refrain from imposing new fiscal measures, and (ii) in any adjustments of fiscal policy accord high priority to the reduction and elimination of fiscal measures, which would hamper, or which humper, significantly" the export of primary goods, new or processed, from less- developed countries, GATT Art. XXXVII, Para. 1 (c). see also the EEC's problems in renegotiating concessions once a common tariff was reached on manufactured tobacco and petroleum products in GATT Docs. L/2039 (1963); L/2234 (1964); L/2762 (1967; L/2997 (1968.)

When imposed by industrialized nations, such taxes may operate to reduce export earning of producing countries and, when the latter are less- developed countries (which is often the case when the products are "tropical"), the effect may be inconsistent with policies aimed at promoting development in the countries. If the price elasticity of demand is high, the internal tax will have the effect of decreasing imports. If, on the other hand, the price elasticity of demand is low (as seems to be the case with goods like coffee and tobacco) there may be simply some diversion of the potential price charged from the producing nation to the taxing nation. The non-discrimination obligation of GATT, even when extended beyond like products to competing or substitutable products," will not suffice to reach this problem. It may be that only a broad balance of payments of balanced of trade approach to trade obligations in GATT would reach this type of problem, Thus an obligation might have to be

frame which would prohibits an industrialized nation from doing anything which would detrimentally affect the foreign exchange earnings by trade of the less developed country. An attempt to handle this on a product-by-product basis, using the concept on nondiscrimination, does not seem sufficient. But cf. GATT Art XXXVII. Para. 1 (c), at note 18 *supra*

Complaints brought in GATT indicate that sales taxes, luxury taxes, and turnover cannot be applied in such a way as to discriminate against imported goods. In fact, Brazil acknowledged that a number of her internal taxes discriminated against imports. Some she justified as existing legislation; others she acknowledged were contrary to GATT and these she promised to ask the Brazilian Congress to eliminate. GATT, 2 BISD 181 (1952). The Brazilian Congress resisted and did not comply until 1957. GATT Doc. L/729 (1957)

Granting exemption from such taxes for domestic goods but not for imported goods is also a violation of Article III, as it is a discriminatory application of such a tax even though the tax law reveals no discrimination on its face. Great Britain complained of a 2% differential (4% - 6%) in the rate of the Italian turnover applied to domestic versus imported pharmaceutical products. A violation of GATT Article III was alleged. (GATT Doc.L/421 (1955). Similarly, 'The Netherlands complained to the contracting parties of the Utility sentiment" used by Great Britain to impose its purchase tax, whereby certain domestically produced consumer goods were exempted from the tax while the like imports were not. Great Britain agreed that the tax was improper under GATT. (GATT Doc. CP 5.! SR.20 (1950). Britain later reported that an expert committee had been appointed to study the problem. (GATT Doc. CP.6/SR.7 (1951). One year later, upon the recommendation of her study committee, Britain abolished the utility system; thus removing the discriminatory aspect of the purchased tax. (GATT Doc. SR.7/5 (1952). Invariably, the root effect of this will be an opening of more avenues for the developed nations to be able to flood African market an action that would have effectively been checked with the imposition of higher tax.

5. Conclusion and Recommendations

From the foregoing, it could be gleaned that the actual reasons for the internal tax regime of the WTO is far from ordinary free flow of and/or liberalisation of trade among nations, but one of neo colonialism in disguise. The internal tax regime of WTO looks more like an instrument of blockage of the developing nation's revenue generation through tax. In nut shell, the devastating effect of such regime is better imagining than witnessing. The power to tax internally which would have resulted in increased revenue generation, protections of developing nations industries as well as paraphernalia of development has been curtailed through the provision of Article III, Paragraph 1 in GATT. Conclusively therefore, the combined effect of Article III, Paragraph 1 in GATT, low industrial level with it attendant result of dependency on imported goods and services by most developing countries simply means that the developing economy will be facing an outward flow of investment and absence of direct control of trade and investment in their country which will constitute a great clog in the wheel of economic progress of the developing countries. To effectively check this situation, this paper recommends for the amendment of Article III paragraph 1 in GATT to allow for complete internal taxation of goods, trades and services imported into the developing countries. Doing this will actually accelerate the rate of development of the developing nations economy.

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Millennium Development Goals, Sustainable Development Goals and the Nigerian Constitution: Veritable Tools for Overcoming Nigeria's Health Challenges?

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Abstract. Health is and has always been pivotal to any meaningful development a nation can achieve. The policies and responsiveness of the government of any state as regards the health of its citizens is a major index for determining the seriousness of the government as regards development. Due to the towering influence of the Millennium Development Goals (MDGs, an off shoot of the 8th September, 2000 Millennium Declaration) -now replaced with the Sustainable Development Goals (SDGs) on the health sector in Nigeria, any discuss which attempts an appraisal or as little as a highlight of the Government's response to health in Nigeria, must needs examine the health related goals of the Millennium Development Goals (MDGs) and Sustainable Development Goals (SDGs). Nigeria has no doubt been thoroughly influenced by same in her health policies and in the provision of medical facilities, rural and urban areas inclusive. This work examines the health related goals of the Millennium Development Goals (MDGs) and draws inferences from available data and statistics. It further considers the Millennium Development Goals (MDGs) and the Sustainable Development Goals (SDGs) against the backdrop of the Nigerian Constitutional provisions for health, and puts forward a poser- Whether the Millennium Development Goals (MDGs) cum Sustainable Development Goals (SDGs) are necessary in the first place for overcoming Nigeria's health challenges in view of the profound Nigerian Constitutional provisions on health? After taking a position, the writer attempts to make a case for the Millennium Development Goals (MDGs) cum Sustainable Development Goals (SDGs), but dismantles all the arguments made in support of the Millennium Development Goals (MDGs) cum Sustainable Development Goals (MDGs), baring its unnecessariness. Finally, this writer proffers recommendations which suggest the way forward so as to ensure that Nigeria's health aspirations are achieved.

1. Introduction

'Healthy citizens are the greatest asset any country can have'. In extension, the greatest asset the world can have are healthy people. This probably underscores the attention the United Nations has given health related issues through its various programs and policies. A handy example is the Millennium Development Goals (MDGs) cum Sustainable Development Goals (SDGs) program. Three (3) of the Eight (8) goals in the MDGs are health related, while under the SDGs, Goals 2 and 3 which concern health with numerous targets. Nigeria, an enthusiastic signatory to the transformative goals has prima facie demonstrated that its Government is aware of the pivotal role health plays in National development. A cursory look at how the MDGs cum SDGs evolved is necessary at this juncture.

1.1 History and Origin of the Millenium Development Goals Cum Sustainable Development Goals

> *'The General Assembly of the United Nations, by its resolution 53/202 of 17 December 1998, decided to designate the fifty-fifth session of the General Assembly "The Millennium Assembly of the United Nations", and to convene, as an integral part of the Millennium Assembly, a Millennium Summit of the United Nations. The Millennium Summit was held from Wednesday, 6 September, to Friday, 8 September 2000 at United Nations Headquarters in New York. In attendance were 149 Heads of State and Government and high-ranking officials from over 40 other countries.*
>
> *The main document, unanimously adopted, was the Millennium Declaration, which contained a statement of values, principles and objectives for the international agenda for the twenty-first century. It also set deadlines for many collective actions'.*
>
> Highlights of the declaration are treated below.

1.1.1 Highlights of the Declaration

Essentially, the heads of states and Government resolved at the summit that apart from their separate responsibilities to their individual societies, they have collective responsibilities to uphold the principles of human dignity, equality and equity at the global level. The import of this is that Governments of the world attested to the fact that they live in a larger community other than their immediate societies, and that happenings at the global level affect their individual communities, thus nations of the world hand in hand must work for development that is global.

The world leaders equally reaffirmed their commitment to the purposes and principles of the charter of the United Nations and to also establish a just and lasting peace all over the world in accordance with the purposes and principles of the charter of the United Nations.

As part of upholding values and principles, they emphasized on the need to rededicate respect for their territorial integrity and political independence as a means of ensuring sovereign equality of all states. They also considered certain fundamental values to be essential relations in the 21st century which are:

i. Freedom – They believe men and women have the right to live their lives and raise their children in dignity which can only be achievable through democratic and participatory governance based on the will of the people.
ii. Equality – It was resolved that no individual or nation must be denied the opportunity to benefit from the development. Therefore men and women should be treated equally.
iii. Respect for Nature – Prudence must be shown in the management of all living species and nature resources in accordance with the precepts of sustainable development.
iv. Tolerance –Every nation must give allowance for other cultures and religious inclinations. The issue of foisting a belief on other states by super powers is addressed by this principle, thus entrenching the idea of cultural pluralism and relativism. Nations and indeed human beings ought to have respect for each other irrespective of their culture, believes and language, and not look down with contempt and

disregard for another nations customs and traditions.

v. Solidarity – It was carried by the Assembly that challenges of general nature affecting all nations of the world, should be borne by all nations of the world, though not suggesting that it should be borne evenly, was resolved that challenges must be managed in a way that burdens and costs are evenly and fairly shared in accordance with the basic principle of equity and social justice such that those who benefit least get help from those who benefit most.

vi. Shared Responsibility – Responsibilities in the area of managing worldwide economic and social development as well as threats to international peace and security must be shared among the nations of the world and should be exercised multilaterally.

In the area of world peace, security and disarmament, they discussed on the effort intended to be made in ensuring the freedom of the people from the scourge of war, whether within or between states which has claims more than Five Million lives in the Five decade. It was therefore resolved that there was need to strengthen respect for the rule of law in international as well as in national affairs and particularly to ensure compliance by member state with the decision of international court of justice.

Also to make United Nations more effectives in maintaining peace and security by giving its resources and tools its needs for the prevention of conflict, peaceful resolution of disputes, peace keeping, post conflict peace building and reconstruction. In this context, the report of the panel on the United Nations peace operations was noted.

On development and poverty eradication, they discussed on the efforts needed to be made to free men and women and also children from the abject and dehumanizing conditions of extreme poverty to which more than a million of them were subjected. These will be done by creating an environment at the national and global level which will be conductive to development and elimination of poverty.

Another achievable means discussed is by granting more generous development assistance, especially to countries that are genuinely making an effort to apply their resources to poverty reduction. They also resolve to address the special needs of small island developing states by implementing the Barbados program of action.

The issue of the environment was not left out, they declared that effort must be made to free all humanity especially children and grandchildren from the threats of living on a planes devoid of human activities and whose resources would no longer be sufficient for their needs. They reaffirm their support for the principles of sustainable development including those set out in agenda 21 agreed upon at the United Nations conference on environment and development.

Also, to stop the unsustainable exploitation of water resources by developing water management strategies at the regional, national and local levels which will promote both equitable access and adequate supplies. They discussed and resolved also on the need to press for the full implantation of convention on biological diversity.

Democracy, Human rights and Good governance being pivotal to any meaningful development, same was not left out of the declarations. They discussed on the need to promote democracy and strengthen the rule of law as well as respect for all internationally recognized human rights and fundamental freedom including the right to development. It was therefore resolved that the Universal Declaration of human rights which will be fully respected and upheld.

Also, to take measures in ensuring respect and protection of human rights of migrants, migrant workers and their families to eliminate the increasing acts of racism and xenophobia in many societies and promote greater harmony and tolerance in all societies.

They resolved to expand and strengthen the protection of civilians in complex emergencies in conformity with international humanitarian law. This is a means of ensuring those children and all civilian populations who suffered as a result of natural disasters, genocide, armed conflicts and other humanitarian emergencies are given every assistance and protection so that they can resume their normal life. In essence, they resolved to promote vulnerable members of the society.

Granted, there are some challenges peculiar to African, the Assembly this took cognizance of the needs and promised to give total support to the consolidation of democracy in Africa especially in their struggle for lasting peace, poverty eradication and sustainable development. This they tend to achieve by giving full support to the political and institutional structures of emerging democracies in Africa. Also, to encourage and sustain regional and sub-regional mechanism for preventing conflict and promoting political stability while ensuring a reliable flow of resources for peacekeeping operations on the continent.

Finally, they pledged to make United Nations a more effective instrument for pursuing all the following priorities:

i. The fight for development of all the people of the world.
ii. The fight against poverty, ignorance and disease.
iii. Fight against injustice.
iv. Fight against violence, terror and crime
v. Fight against the degradation and destruction of common homes.

They therefore resolved that there would be need to re-affirm the central position of the general assembly as the chief deliberative, policy making and representative organ of the United Nations and to enable it to play this role effectively. Also they resolved to give greater opportunities to the private sector, non-governmental organizations and civil society in general to contribute to the realization of the organization goals and programs.

The above declarations were made in respect of values and principles, peace security and disarmament, development and poverty eradication, protecting our common environment, Human rights, democracy and good governance, protecting the vulnerable and lastly, meeting the special needs of Africa.

As a result of the said Declaration, a blue print for the actualization of the resolution was made and that blue print is what became known as the Millennium Development Goals.

2. Health Related Aspects of the Millennium Development Goals and the Sustainable Development Goals in Perspective.

Whilst goals 4, 5, 6, and 8 deal directly with health, Goal 1, impacts on health to the extent that poverty directly affects individual's purchasing power to access health services, and hunger on the other hand is a fore runner of diseases and sicknesses. Poor diet and nutrition are generally well known causes of many diseases and where they are not causes, they are predisposing factors to many a diseases, as it generally lowers immunity thus making the individual more susceptible to diseases and infections. The Said goals are summarily as highlighted below:

Goal 1: Eradicate extreme poverty and hunger.

Goal 2: Achieve Universal Primary Education

Goal 3: Promote gender equality and empower women.
Goal 4: Reduce child mortality.
Goal 5: Improve maternal health
Goal 6: Combat HIV/AIDS, malaria and other diseases
Goal 7: Ensure environmental sustainability.
Goal 8: Develop a global partnership for development (i.e in cooperation with pharmaceutical companies, provide access to affordable essential medicines in developing countries)

The period within which the goals were to be achieved was between the year 2000, and 2015, i.e a period of 15 years. The time within which the goals were to be achieved was fast approaching and yet the 'successes' and achievements did not measure up to the expectations, neither were the set goals achieved. The successes recorded were perceived to be largely so, only on graphs and charts in glossy magazines, rather than in reality. At the end of the targeted time within which the MDGs were to be achieved, specifically on September 25th 2015, countries adopted a set of goals to end poverty in all its forms everywhere, end hunger, achieve food security and improve nutrition and promote sustainable agriculture, ensure healthy lives and promote well-being for all at all ages, ensure inclusive and equitable quality education and promote lifelong learning opportunities for all, achieve gender equality and empower all women and girls, ensure availability and sustainable management of water and sanitation for all, ensure access to affordable, reliable, sustainable and modern energy for all, promote sustainable, inclusive and sustainable economic growth, full and productive employment and decent work for all, build resilient infrastructure, promote inclusive and sustainable industrialization and faster innovation, reduce inequality within and among countries, make cities and human settlements inclusive, safe, resilient and sustainable, ensure sustainable consumption and production patterns, take urgent action to combat climate change and its impacts, conserve and sustainably use the oceans, seas, and marine resources for sustainable development, protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reserve land degradation and halt bio diversity loss, promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels and finally, strengthen the means of implementation and revitalize the global partnership for sustainable development.

Of utmost importance and amongst the numerous goals, are goals, 2, 3, 6, 11, 13, 14, 15 and 16, which are health related goals, and goals which impact directly on the health of individuals in the society. The said health related goals are to wit,

2. End hunger, achieve food security and improve nutrition and promote sustainable agriculture.

3. Ensure healthy lives and promote well-being for all at all ages.

6. Ensure availability and sustainable management of water and sanitation for all, ensure access to affordable, reliable, sustainable and modern energy for all.

11. Make cities and human settlements inclusive, safe, resilient and sustainable.

13. Take urgent action to combat climate change and its impacts.

14. Conserve and sustainably use the oceans, seas, and marine resources for sustainable development.

15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reserve land degradation and halt bio diversity loss.

16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

The above goals were to be achieved within 15 years (2015-2030). One striking feature of the SDGs is that it showed clearly the importance of health and hence, more attention was paid to same. The 17 goals had 169 targets in all, whilst health as a goal had 13 targets. The major health goal is broad: *"Ensure healthy lives and promote well-being for all at all ages".* Health has a central place as a major contributor to and beneficiary of sustainable development policies, especially as there are many linkages between the health goals and other goals and targets, reflecting the integrated approach that is underpinning the SDGs.

Some of the targets for the health goal are, to reduce the global maternal mortality ratio to less than 70 per 100,000 live births, end preventable deaths of newborns and children under 5 years of age, with all countries aiming to reduce neonatal mortality to at least as low as 12 per 1,000 live births and under-5 mortality to at least as low as 25 per 1,000 live births, end the epidemics of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases, reduce by one third premature mortality from non-communicable diseases through prevention and treatment and promote mental health and well-being, all the above by 2030. It is also targeted that the prevention and treatment of substance abuse, including narcotic drug abuse and harmful use of alcohol will be strengthened and that by 2020, the number of global deaths and injuries from road traffic accidents will have been halved. Further to the above, it is targeted that by 2030, universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programs will be achieved. The achievement of universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all is also one of the targets of the SDGs. The United Nations is also working to substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination, as well as strengthen the implementation of the World Health Organization Framework Convention on Tobacco Control in all countries, as appropriate and support the research and development of vaccines and medicines for the communicable and non-communicable diseases that primarily affect developing countries, provide access to affordable essential medicines and vaccines, in accordance with the Doha Declaration on the TRIPS Agreement (The Agreement on Trade-Related Aspects of Intellectual Property Rights) and Public Health, which affirms the right of developing countries to use to the full the provisions in the Agreement on Trade-Related Aspects of Intellectual Property Rights regarding flexibilities to protect public health, and, in particular, provide access to medicines for all. The Substantial increase health financing and the recruitment, development, training and retention of the health workforce in developing countries, especially in least developed countries and small island developing States is equally been eyed by the United nations, and lastly, Strengthening the capacity of all countries, in particular developing countries, for early warning, risk reduction and management of national and global health risks is a target for the United nations SDGs.

As can be gleaned from above, the attention given to health is just too glaring to be ignored. Apart from the fact that for example four (4) of the Millennium Development Goals directly relate to health, (i.e goals 4, 5, 6, and 8), historically, there had been health related conferences held by the United Nations prior to the Millennium declaration. These conferences are what culminated into the health goals of the MDGs, and substantially influenced the Millennium Declaration.

3. Health in Nigeria: Figures and Statistics

The problem of statistics and effective data gathering and management has been the bane of Nigeria's developmental challenges in several

areas of national concern. This is no less the case in Nigeria's health sector. Although, there is paucity of data, and in cases where data is available it is insufficiently consistent thus making it difficult to speak with exactitude about the health situation in Nigeria. Nevertheless, health in Nigeria shall be viewed against the backdrop of available statistics, from the World Health Organization and the Federal Ministry of Health.

One of the notorious health challenges bedeviling Nigeria has been and still is Malaria. In 2014, there was reported over 500 in 1000 person cases of malaria admissions in Nigeria, the highest since 2003. On the other hand, it is quite saddening that as at 2014, malaria still claimed the lives of 3 in 1000 persons in Nigeria, though one of the lowest figures since 2001. Confirmed malaria cases as at 2014 stood at over 30 per 1000 persons and Annual Blood Examination rate. One thing that must be borne in mind is that in reality, the figures would most probably be higher than it is, as it is not that easy to get figures from private hospitals in Nigeria due to poor record keeping, as opposed to their government counterparts who are better record keepers. Another major concern is that the data collected does not include those who patronized unlicensed doctors and nurses, patent medicine stores, traditional medicine and other forms of unorthodox medicine. Whereas, there seems to be an increase in the number of traditional medicine practitioners in Nigeria as well as those that patronize them. This largely unregulated field of medicine poses a challenge to the health of Nigerians.

As regards the Lassa fever epidemic that beat hard upon Nigeria, upon its outbreak, the Federal Ministry of Health published on its website daily situation reports as regards the position of the epidemic and how it was being addressed by the Ministry until 24th January, 2016, when it published its last report. According to that last report the ministry stated that although no new confirmed cases were reported that day, however, one (1) death was reported in a confirmed case in Rivers state, and contact tracing and decontamination was in progress. It was further stated that, eleven (11) suspected cases were reported in the following five (5) states: Ondo; Nassarawa, Ekiti, Rivers and Niger and the figures were put at one (1), one (1), one (1), three (3,) and five (5), respectively. The suspected cases reported from Delta and Oyo States the previous day tested negative to Lassa fever and other VHFs. It was also stated that 1 new rumour was being investigated in Oyo state and Outbreak investigation was ongoing in the states and retrospective cases which fit the standard case definition for suspected cases were being updated. According to the ministry, Surveillance officers from NCDC were deployed to priority states to support outbreak investigation and reporting.

The ministry further stated in sum its response to the epidemic in terms coordination that NCDC/FMOH is taking leadership for coordination with support from other partners. Daily review meeting at the EOC, Provision of technical guidance to states based on available capacities (coordination, surveillance, case management and IPC) within states, and Production of daily Situation report. In addition, case Management and Infection Prevention and Control, Isolation centers were identified in most states and Ribavirin and PPEs positioned in affected states. The Ministry, additionally reported that in the area of surveillance, it focused on continuing outbreak investigation in the affected states, Nationwide alert to SMOH on current situation and need for preparedness, Contact tracing ongoing in affected states, and Clinician sensitization ongoing in affected states.

For proper and effective analysis, five (5) National laboratories with PCR capabilities were conducting analysis of samples and fifty five(59) samples were analyzed amongst which thirty (30) tested positive for Lassa fever, while other VHFs were negative. As at the time of the report, some laboratory results are being awaited. As regards communication and Social Mobilization, Radio and television jingles were ongoing in the states and community health education was equally ongoing. The Ministry related its Challenges as Coordination of

laboratory network leading to delay in sending laboratory results, Logistics support for contact tracing in the states and Logistics for sample transportation for prompt laboratory diagnosis. As a way of counteracting the challenges, the ministry stated that it was set to reinforce active surveillance, contract tracing, continue outbreak investigation, continue clinician sensitization to ensure early detection and reporting, continue health education and community sensitization, ensure capacity building at state level for coordination surveillance, ensure case management and IPC, ensure communication and social mobilization, and Coordinate laboratory network for prompt release of documented results'

Of utmost importance, the epidemiologic summary was put at Suspected Cases: One Hundred and Forty (**140)**, Confirmed cases: thirty (**30)** Deaths: Fifty three (**53)** (CFR: 37.86%)

Despite the seemingly impressive response indicated by the Ministry on its website, the World Health Organization, WHO, scored Nigeria low in its response to Lassa fever outbreak. The United Nations Organization said that since it broke out, Lassa fever has killed more than 160 people in West African countries with Nigeria accounting for 85 percent (138) out of 164 Lassa fever deaths in the region. The challenges claimed to have been experienced by the Ministry are not good excuses, as this would not be the first Lassa fever outbreak in Nigeria. This only exposes how ill prepared Nigeria can be for an epidemic, even one that is not new. The successes recorded during the Ebola epidemic thus seem in this light to be a one off event, one that was recorded due to the zeal, determination and dedication of individuals and not as a result of any proper foundation or lasting infrastructure as the necessary infrastructures have been shown to be absent.

Another very saddening fact as touching health in Nigeria is that as at 2015, it was estimated by the World Health organization that approximately 830 women die from preventable causes related to pregnancy and childbirth every day and a high percentage of all maternal deaths occur in developing countries, including Nigeria. And even more specific representation is provided by the United Nations Children's Emergency Fund, UNICEF, which reports that "Every single day, Nigeria loses about 2,300 children under five and 145 women of childbearing age. This makes the country the second largest contributor to the under–five and maternal mortality rate in the world."

There is also low accessibility level to reproductive health. Proportion of birth attended by skill health personnel is still below 50% and the percentage of pregnant women receiving prenatal care is around 60%.

On the whole, Nigeria has performed poorly in relation to the health-related MDGs cum SDGs targets. A cursory review of the health statistics shows that much remains to be done. The statistics demonstrate the deplorable condition of the health sector in Nigeria. Coupled with the fact that most of the health related MDGs targets have not been achieved, in Nigeria, the maternal mortality rate, adolescent fertility rate, incidence of tuberculosis, HIV prevalence among adult and children and infant mortality rate are very high by world standard.

4. Constitutional Provisions for Health: A Veritable Tool for Overcoming Nigeria's Health Challenges

Section 17 (3)(c) and (d) of the Constitution of the Federal Republic of Nigeria, 1999 as amended, provides as follows:

'17 (3) The State shall direct its policy towards ensuring that:

(a) ……
(b) ……
(c) the health, safety, and welfare of all persons in employment are safeguarded and not endangered or abused;
(d) there are adequate medical and healthcare facilities for all persons'

Granted, the justiciability of chapter 2 of the Constitution has been the subject of a lot of

debate. However, without entrenching, this discuss into the waters of the justiciability debate, it is at least undoubtedly carried by lawyers and intellectuals that the health of citizens of the nation, is recognized in the constitution as being paramount to the development of the Nation. Little wonder its constitutional entrenchment. Assuming without conceding that indeed Chapter 2 of the Constitution of the Federal Republic of Nigeria is non-justiciable, is the MDGs cum SDGs more binding and justiciable? Yet, the office of Senior Special Assistant to the president on MDGs was created and all the states of the federation equally had that office replicated. Further to this, there was a yearly budgetary allocation for the office. It is interesting to note further that projects were in that regard commissioned, in rural areas as well as urban areas. Money was also spent sensitizing corps members about MDGs and getting them to sensitize others, via publication of magazines for example in Kaduna State and web publications. With such a loose legislation i.e. soft law as the 8th September, 2000 Millennium Declaration, , the elaborate length the Government went in terms of budgetary allocations and creation of portfolios manned by experts, but mainly politicians shows that they went all out to join the bandwagon with the rest of the world just because it seemed the whole world was talking about Millennium Development Goals, if not the government would have worked with the available constitutional provisions to do all that has been done or purported to have been done.

By way of reiteration, in the light of the staggering provisions of the constitution, for example Section 17(3) (d), which states that the state shall direct its state policy towards ensuring that there are adequate medical and healthcare facilities for all persons. One wonders whether it was necessary for Nigeria to adopt the MDGs cum SDGs, especially as regards health. If the United Nations did not have the 6-8 September 2000 Millennium summit, is that to say that the steps taken as regards health in the name of the MDGs would not have been taken?

Perhaps, a case for the MDGs cum SDGs is that they are time bound goals, and as such apply subtle pressure on the government to make policies and embark on projects that will better the health of Nigerians. Whereas, left to the constitutional health provisions alone, the government may do little or nothing for the promotion of the health of its citizens, since there is no time goal in the Constitution.

Another point for the MDGs cum SDGs is that it could cause the government to feel a sense of pressure mounted on it by other developing countries who begin to leave her behind by virtue of their setting machineries in motion towards achieving the goals of the MDGs cum SDGs and this could translate into positive results which would impact on the health of citizens of the Nation.

In terms of legal framework, shouldn't the constitution which is the grund norm, the law which allows even for signing of treaties and such international conventions, protocols and such others, be more revered as to form the basis for any policy or decision taken on health related issues in Nigeria?

Under the Constitution of the Federal Republic of Nigeria, 1999 as amended, Right to life is protected by Section 33. It reads thus:

> *'33(1) Every person has a right to life, and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria.'*

The question that begs to be answered is- What can be said of a deliberate denial or deprivation of facilities and equipment that enable a person to live a wholesome and healthy life, or a deliberate omission that leads to the death of its citizens by a Nation? Is that not a breach of the constitutional right to life by the government. Poor health care provision sponsored by inadequate remuneration as well as delayed payment of remuneration for health care providers are some of the ways the Government of Nigeria has stifled the wellness and health of its citizens. Not to mention inadequate provision of medical equipment which has led to an increase in medical tourism by Nigerians to India, Dubai and Eastern countries.

5. Conclusion

As regards the growth and development of any society, the machinery of the law cannot be dispensed with. Nevertheless, the will of those at the helm of affairs can drive a society forward and engineer the much needed development even in the absence of law. What however makes the law indispensable is the fact that where the will of the leaders are weak, the sanctions that come with the law is enough motivation to steer them to do the right thing. Having demonstrated by facts and figures that the issue of health in Nigeria is not as it should be, it is germane to state that the legal cloak - MDGs cum SDGs under which many administrative actions have been taken is not only unnecessary but also smacks of illegality and has become an equipment for institutionalizing corruption.

It is unnecessary because the constitution can be used as the legal basis for the actions which have been carried out in the name of MDGs cum SDGs for the sake of the health and the wellbeing of the Citizens of Nigeria. It smacks of illegality because budgetary allocations were made to the office of the senior special assistant to the president on MDGs, an office which was not a creation of law but of convenience- which is totally unacceptable because of the difficulty of properly monitoring such creations of convenience. The fact is that all the goals of the MDGs and even that of the SDGs all come under one ministry or the other, thus making a separate office for it, grossly unnecessary. The absence of proper monitoring on the other hand often leads to corruption and this case is not exempt from that fact.

On the whole, despite the fact that The United Nations meant well by its 8th September 2000 Declaration which birthed the MDGs now SDGs, the constitution remains a better legal tool for overcoming Nigeria's health challenges, rather than masquerading under the cloak of MDGs cum SDGs which is an easier engine for fraud and waste of resources, as it creates several offices and positions that gulp the thinning resources of the Nation, yet, its goals are not realized.

Having stated that although, the Constitution is a better legislative framework for the development of the health sector in Nigeria, as it is better than the Declaration, its Goals and targets. However, same is not in itself a sufficient legislative piece that will help to salvage Nigeria's deplorable health situation. This writer opines that armed with the provisions of the Constitution of (1999), as amended, and the National Health Act, 2014, as well as other existing legislations on health, Nigeria is poised to achieve its desired health aspirations, all it needs in addition is the political will of her leaders and the severance of the head of the hydra headed monster-corruption.

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Pervasive Corruption in Nigeria: A Holistic Approach

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Abstract. "Our strange romance with corruption began with the enthronement of a kleptomaniac leadership at the exits of the military from our polity. The biggest mistake of the electorates is the sale of its franchise to greedy ruling elites who captured power and cornered our resources to the extent that it is now adept at the tricks of self-perpetuation---We now have corruption sharing the spotlight with terrorism as our biggest and most common problem. They are like Siamese twins who have an embryonic relationship". Going by international rating as regard corrupt practices, Nigeria has consistently been rated as either the most corrupt or one of the most corrupt countries in the world.

The foregoing submissions gives an insight as to the root cause of this endemic problem called "corruption" in Nigeria, the extent of its germination, survival and development in our society such that it has totally permeated all aspects of our national life and has therefore eaten deep into our national fabric from socio-economic, political, academic, industrial, religious, diplomatic and even commercial fabric and in addition its attendant consequences on the generality of the Nigerians masses. It is therefore in view of the increasing and alarming rate of this menace that informed the idea to write on this topical issue of corruption more importantly when anti-corruption crusade constitutes the major political agenda of President Mohammadu Buhari led Federal Government of Nigeria as manifested in his on-going fight against the malaise. To this end, this paper therefore sets out to examine the varying avalanches of corrupt practices by political and public office holders in Nigeria coupled with its attendant negative consequences with a view to proffer workable and viable remedies to this clog in wheel of the Nigeria progress. Emphasis will be placed on the on-going crusade, activities /actions of the Buhari led Federal Government of Nigeria in the fight against the menace.

Keywords: Corruption, Pervasive Corruption, Corrupt Practices, Democracy and Nigeria.

1. Introduction

When Chief Olusegun Obasanjo was president, his body language was the thermostat that regulated the various agencies that prosecuted corruption. When he left, things fell apart partly because his successor, Umaru Yar'Adua, had a different moral temperature. As for Jonathan, for the most part, he simply left the goats with yams. This corroborate the earlier assertion that the root cause of the problem of corruption in Nigeria is the corrupt attitude of our political leaders particularly the stance and the political

agenda of the man at the center. Thus, unfolding his political agenda during the inauguration of President Mohammad Buhari on the 29th May, 2015, the president poised to fight the menace and therefore posited thus:

"If we don't kill corruption, corruption will kill us, because the survival and continued existence of the nation-state is hinged on the decapitation of hydra-headed monsters like this, and its sister anomaly-insurgency"

Over three decades when President Mohammad Buhari left office as military head of state, his return as civilian President has continued to send jitters down the spines of corrupt public officers, owing to his well known zero tolerance for corruption, hence among his political agendas is his on-going crusade against this political monster. Just as we have resistance to the battle against insurgency and militancy in North East and South South parts of Nigeria, it is the Buhari insistence on curbing corruption during his tenure as military head of state that led to his dethronement in 1985, after about eighteen months in office and also because of his resolve to put an end to this problem that further resulted to the on-going criticism by political opponents against him for fighting this endemic problem. But the corruption vice has eaten deeply into the fabric of the nation. That is why, with the benefit of hindsight and his appreciation of the limitations of powers as a civilian president, Buhari's second opportunity to wrestle the monster must be complete and unencumbered by the political subterfuge of opposing forces.

Although there is no gainsaying the fact that preceding governments in the past have also taken steps to combat this endemic problem of corruption in form of probes, using of task forces to recover government property in which case some people were caught, tried, indicted and thrown into jails, but notwithstanding these actions, the menace not only that it persisted but actually thrived amidst legal machineries put in place by the government, hence solving this ugly trend should not be a rocket science but rather looking for a handle on the causes of the problem will pave way for solving the problem easily. It is therefore in view of disturbing trend of corruption in Nigeria that the inauguration of President Mohammed Buhari as the democratically elected President of Federal Republic of Nigeria on 29th May, 2015 was greeted with many suggestions by opinion writers in Nigerian dailies, most of the suggestions also border on probe and recovery of what past government officials have stolen, and ensuring persons of proven integrity are put at the helm of affairs in the new government. In tandem with the latter suggestion, President Mohammad Buhari said public officers will be required to declare their assets.

In accomplishing his political manifesto, President Mohammad Buhari acceded to the forgoing suggestions, hence the on-going probe and trial of public office holders for various offences such as money laundering, misappropriation of public funds and false declaration of assets being handles by Economic and Financial Crime Commission, some of whom are currently standing criminal charges before different courts in Nigeria. Corruption has become a cankerworm affecting the economic life of the Nigerian masses, hence it is associated with dire social, economic and political implications on the survival of the citizenry. Some of such negative effects include the act or attitude of the politicians and leaders systematically eroding the economic strength of the masses, making them indigent, the impoverished masses seize any opportunity to grab the crumbs they offer, because survival and subsistence under economic hardship has dulled their resistance among others negative effects of corruption.

It is against this backdrop that President Mohammad Buhari Civilian led administrations is poised at weeding and rid off of the Nigerian society of this disturbing political monster as manifested in his actions, activities and public utterances since the inauguration of his presidency. Substantiating this stance, the President while hosting members of the Diplomatic Corps to a cocktail at the Presidential Villa, Abuja on Thursday 18th February, 2016 said as follows:

"We are resolved to build a stable and prosperous Nigeria, a country that is inclusive of all its diverse peoples and a country that is at ease with itself. Building such a country will

not be possible where corruption is pervasive. I will leave no stone unturned in the efforts to rid Nigeria of corruption. I must, however, add that in doing this, we shall operate within the ambit of the law. In a similar fight in the past and armed with the might of military muscle, I led a government that required persons presumed to be corrupt to prove their innocence. Today, as committed democrats and in a culture of deepening democracy, we respect the law that presumes all persons innocent until they are proven to be guilty".

In accomplishing this laudable objective, the President set up a Presidential Advisory Committee on Anti-corruption chaired by Professor Itse Sagay. The committee recommended that there should be in existence special court to try only corruption cases for speedy administration of justice considering the fact that justice is not only being delayed in the regular courts but also that same is not even being achieved by that courts, hence rendering the legal machineries in place to toothless bulldogs. The reason is not far-fetched being predicated also on same monster by members of the Bench. Underscoring the dismal level of corruption in Nigeria in particular in the judicial arm of government, the learned author submitted that it is the politicians that corrupted the judiciary especially after the 2015 general election. The learned writer made this submission while reacting to the allegations by two Supreme Court Justices, who are under probe, that the Minister of Transport, Mr Rotimi Amaechi, attempted to comprise their judgments on election petitions. The Judges, Justice Sylvester Ngwuta and Justice Iyang Okoro who were arrested by the officials of DSS for allegedly been in possession of huge sums of money and incriminating documents having been found in their houses. Weeks after their arrest, the two judges accused Amaechi of being behind their predicament. Be that as it may, Sagay responded saying that the allegations of the judges are afterthought. Describing the level at which corruption has place this institution in the country, Sagay said corruption has brought this great institution, the judiciary to its knees after the 2015 elections. Thus, to avoid the pitfall of the existing system, it is recommended that Benchers that will preside on such court shall be persons of proven integrity and of unimpeachable character without blemish.

2. The Definition and Meaning of Corruption

Corrupt practices are manifested in various forms and therefore multi-faceted in character involving all stakeholders in governance and private sector inclusive having negative and multiplier effects on our socio-economic and political life, hence the three organs of government, the private sector as well as the civil society in general are involved in the act of corruption. It is therefore as a result of this multidimensional manifestations of this monster that informed writers on this subject to assert that corruption like any other terms, legal, social, political or otherwise has no universally acceptable and all embracing definition, hence definition ascribable to the term depends largely on the perspective and understanding of individual scholar on the subject. For this purpose therefore, a view of such definitions will be offered in this paper from the available literatures on the issue. Thus, Richard Amaechi Onuigbo & Or quoting Nye Neidenheimer, 1970 defined the term as behavior, which deviates from the normal duties of a public role because of private relationship. This according to this scholar includes such behavior as bribery, i.e., use of reward to prevent the judgment of a person in a position of trust; nepotism, meaning bestowal of patronage by reason of inscriptive relationship rather than merit; and misappropriation i.e., illegal appropriation of public fund for private-regarding uses.

Consequently, the political administrative scholars further defined corruption by acknowledging the definition offered by Car Friedrich Heidenheimer, 1970 as follows; corruption can be said to exist whenever a power-holder who is charged with doing certain things i.e., who is a responsible functionary or officeholder is, by monetary or other rewards not legally provided for, induced to take actions which favours whoever provides the reward and thereby does damage to the public and its interests. Still on the same vein, the concept was also defined as acts or transactions including bribery, fraud such as inflation of contract sums by public officers; unauthorized variation of

contracts; payment for jobs not executed; payment of ghost workers; overpayment of salaries and allowances to staff; diversion of government revenue by public officials; deliberate irregularities in the management of accounting procedure. It is also defined as an arrangement that involves an exchange between two parties i.e., the demander and supplier which (1) has an influence on the allocation of resources either immediately or in the future; and (2) involves the use or abuse of public or collective responsibility for private ends. Corruption is further described as an abuse of authority or trust for private benefit and also a temptation indulged in not only by public officials but also by those in positions of trust or authority in private enterprises or non-profit organizations. Corruption also involves behaviours on the part of the officials in the public sector, whether politicians or civil servants, in which they improperly and unlawfully enrich themselves or those close to them, by the misuse of the public power entrusted to them. Finally, the concept is also defined as including bribery, fraud and other related offences.

Finally on the definition and meaning of corruption, it is thus submitted considering the examination of the various definitions as identified above that the scope of corruption is elastic and therefore there is no universally acceptable definition of the concept and it is on the basis of this that corruption can be classified in to three basic types namely:

(a) Collusive corruption involving planned cooperation of the giver and receiver
(b) Extraordinary corruption involving forced extraction of bribes and other favours from vulnerable victims by those in authority.
(c) Anticipatory corruption which occurs when bribe or gift is offered in anticipation of favour from the recipient of the gift to the giver of the gift.

3. Catalogues of Corrupt Practices under President Goodluck Ebele Jonathan led Democractic Government

Undoubtedly, the level at which political office holders as well as public servants in general looted the nation's treasury during the administration of former President Goodluck Ebele Jonathan appeared highly unprecedented and worrisome. The development got to an ugly trend such that cases of misappropriation of public funds filled pages of Nigerian dailies almost on daily basis. In this paper therefore, recourse shall be heard to some of these corrupt practices perpetrated by overzealous political and public officers during the Goodluck Jonathan administration.

Chief among cases of corrupt practices during the regime of President Goodluck Jonathan was the arms deals case in which the former National Security Adviser (NSA) to the former President Jonathan, Sambo Dasuki was at the centre stage technically captioned *"Dasuki Gate"* alleged to have siphoned $2.2 Billion by the award of unauthorized contracts from the money budgeted to purchase arms and ammunitions to fight insurgency in the North East Nigeria. Although, investigations by the Economic and Financial Crimes Commission revealed the facts that others political and public office holders were also involved in the arms deals. Particularizing the manners by which the arms deals money was siphoned, it has been revealed by the investigations conducted by the Anti-graft Agency - the Economic and Financial Crime Commission (EFCC) that Ex-Minister of State for Defence, Musiliu Obanikoro confessed to the agency that he collected the whooping sum of #4.745billion from the former National Security Adviser (NSA) to the former President, Dr Goodluck Ebele Jonathan, Sambo Dasuki. During interrogation by the Agency, the Ex-Minister gave the details of how the sum was expended in the following manners:

--That the sum of #2.23billion was alledgely transferred to Governor Ayodele Fayose of Ekiti State out of #4.745billion;
--#60million was converted to $5,377,000 to Governor Ayodele Fayose in cash and #1.3billion was received by the Governor's associate, Mr Abiodun Agbele;
-#1.3billion was flown to Akure Airport in two chartered flights for delivery to Agbele
--#759,384,300 changed into Dollars through Bureau-De-Change Firms

-#160million was used to purchase cars through Balmoral International Limited
#1,219,490,000 was ferried by Obanikoro in two flights to a branch of Zenith Bank at plot 13, Alagbaka Estate, Akure to evacuate the cash and received by Fayose's associate, Abiodun Agbele
-#2billion allegedly withdrawn by Obanikoro and his two children in cash. The ex-minister was at the time of writing this paper still under the custody of the EFCC having been detained for the alledged misappropriation of arms deal money.

Underscoring the dismal level at which corruption has permeated in to the fabric of our society, evidence was given before the Federal High Court, Abuja presided over by Justice Nnamdi Dimgba by Mr. Alade Sunday, a manager at Zenith Bank on how Obanikoro looted the nation's treasury having siphoned and delivered about #1.219Bn to Fayose's aid, Abiodun Agbele for onward transmission to his boss. The witness went further that it took the cashiers about 10 days to count the money.

Furthermore, Dasuki has been arraigned before the court and has been granted bail but still in prison custody due to the executive fiat amidst meeting the bail conditions. President Mohammad Buhari is poised not to free Dasuki based on his contention that he committed a serious offence. The alleged misappropriation of arms deal money by Dasuki has also been linked to the erstwhile President Goodluck Jonathan, through whose authority and approval he released the money in piece-meal and diverted same to the purpose for which the money was not meant for. On Dasuki Gate, Former President Goodluck Jonathan has therefore agreed to testify before the court in defence of the alleged offence against Dasuki. In defence of Dasuki, the former President avers as follows:

"We bought warships, we bought aircraft, and we bought lots of weapons for the army. It is not possible that he stole $2.1billion".

Furthermore, it was also revealed by the Nigerian dailies that the ex-Aide-De-Camp (ADC) to the former President Goodluck Jonathan, Colonel Ojogbane Adegbe had been alleged of the disbursing more than N10 billion oil proceeds to People Democratic Party (PDP) nomination convention delegates. Col. Adegbe was detained by the Economic and Financial Crimes Commission (EFCC), which was at that time on the trail of another key aid to the former President, Waripamowei Dudafa, former Special Assistant on Domestic Affairs to the said former President. Going by the investigations conducted by the detectives of EFCC as reported in the pages of dailies, it was revealed that Adegbe and Dadufa collected the cash valued $47m and some Euros from the office of the National Security Adviser (ONSA), Sambo Dasuki. The money was diverted by ONSA from a Signature Bonus Account in the Central Bank of Nigeria (CBN).

According to the EFCC's investigations, the N10billion is believed to have been diverted from oil receipts as follows: USD5.0M (November 14, 2014); $47m(November 27, 2014); Euro 4.0M (December 3, 2014) and Euro 1.6M (December 24, 2014). The diverted money was used to bribe or settle PDP delegates to adopt ex-President Goodluck Jonathan for second term. The N10 billion was taken from the Signature Bonus Account (oil block account) with CBN. Particularizing the manners of withdrawal of the diverted sum, the CBN in response to the EFCC's letter referenced and dated as EFCC/EC/CBN/12/163 21st September 2015 to the Governor of Central Bank of Nigeria avers as follows:

"*The N10billion constitutes two tranches of N5.08billion, each debited to the CBN/OAGF SIGNATURE BONUS CCOUNT NO 400225220 vide OAGF memo Ref: FD/LP2015/1/28 DF to the office of the National Security Adviser A/C Number 20172241019 with the CBN, Abuja and the second one was for credit into the account of National Security Adviser Account Number 1014199287 with Zenith Bank Plc Wuse II Abuja.*

The transactions were consummated on November 10, 2014. The mandate that authorized the withdrawal of USD 47.0M was from the office of National Security Adviser (ONSA) with Ref: NSA/366/S dated November 26th, 2014. The mandate was processed for dollar cash payment to Mr. S.A. Saliu on November 27th, 2014.

The USD 5.0M was via a memo from ONSA memo REF; ACCT/86/VOL.2/218 dated November 13th, 2014. The National Security Adviser Account Number 20172241019 was debited and Dollar cash payment was made to Mr. Wambai Ibrahim on November 14th, 2014 in line with the mandate.

The Euro 4.0M and Euro 1.6M transactions were via mandate from ONSA memo REF: NASS/366/S dated November 26th, 2014. The NSA's Account Number 20172241019 was debited and Euro cash payment effected as follows: Euro 4.0M on December 3rd 2014 and Euro 1.6M was on December 24th, 2014. These sums were released to Mr. S.A. Saliu as stipulated in the mandate. Attached are the copies of relevant documents please."

Testifying to the scams deal, ex-NSA, Col. Sambo Dasuki said the over N10billion was given to the ADC and Dudafa. The accused testified further thus:

"I am aware in November, I cannot remember the exact date. My office requested the CBN to exchange N10billion from the account of the office of National Security Adviser domiciled in CBN. The money was exchanged and $47m and some Euros which I cannot remember the exact amount was delivered at my residence. The money was for delegates that attended the nomination convention. The money was paid and sent to Honourable Dadufa (SSAP Household) ADC (C-I-C) for distribution on the instruction of the President. ……"

It was also learnt that former President Goodluck Jonathan's cousin (Mr Azibaola Roberts) was alleged to have been involved in Dasuki's arm deal having obtained the sum of $40million (N12.7B) from the Office of National Security Adviser (ONSA). The said President's cousin was arrested in connection with the purported payment of the sum of $ 40million by ONSA for the purported contract which was tagged as *purchase of tactical equipment for Special Forces* but which was actually utilized to pacify militants in the Niger Delta. Finally on Dasukigate, investigations on the arms deal scam have it that 10 top Nigerians were involved in the deal.

Consequently, it was also reported that the Economic and Financial Crime Commission (EFCC) investigators discovered that about N4billion was channeled through the account which former Finance Minister (Mrs Nenadi Usman) operated for campaign funds purposes. The account according to the newspaper report was titled *"Joint Trust Dimension Nigeria Limited"* in which the substantial part of the funds was disbursed to the People Democratic Party (PDP) chieftains ahead of the 2015 general election. The sum of $400,000 collected by the said minister was meant to bribe electoral officers for the purpose of altering the results of the presidential election from Yobe, Borno, Bauchi, Adamawa, Gombe and Kano States. Regrettably, the said minister diverted the sum into personal commitments instead of using same to allegedly bribe officials of Independent National Electoral Commission (INEC) to falsify the results.

Particularizing the alleged bribery, it was further reported that the EFCC arrested the Resident Electoral Commissioner (REC) of the Independent National Electoral Commissioner (INEC) in Cross River State, Gesila Khan and four others over a N650.9million 2015 bribery scandal. The other suspects and the cash against their names are Fidelia Omoile (Electoral Officer in Isoko-South Local Government Area of Delta State) N112, 480, 000; Uluochi Obi Brown (INEC's Administrative Secretary in Delta State)-N111, 500, 000; a former Deputy Director of INEC in Cross River State, Edem Okon Effanga-N241, 127, 000 and the Head of Voter Education in INEC in Akwa Ibom, Immaculata Asuquo-N241, 127, 000. In addendum, many INEC staff and ad-hoc workers got enmeshed in the bribery scandal. Still on the same vein, over 100 electoral officials have also been penciled down by the Economic and Financial Crimes Commission (EFCC) to face criminal charge before the court for allegedly receiving part of the $115m (#23bn) disbursed by a former Minister of Petroleum Resources, Diezani Alison-Madueke, during the countdown to the 2015 presidential election.

Other notable corrupt practices perpetrated by overzealous Nigerians public office holders

during the regime of former President Goodluck Jonathan include #195 billion Maina Pension Scam for which no punishment was melted on him; kerosene subsidy scam, also the government then did nothing to those involved in the scam; $6billion Fuel Subsidy Scam for which those involved were charged to court, though the cases on the deal have not been determined; 123billion naira-Stephen Oronsaye-no action was taken by the government in respect of the matter; police pension fund fraud-the accused was convicted and accordingly sentenced to two years imprisonment or #750,000 fine but paid #750,000 fine; stella oduah car purchase scandal-no punishment to that effect; NNPC missing $20billion naira-the government of Jonathan instead of allowing the law to take its course against the perpetrators fired the then Governor of Central Bank, Sanusi Lamido Sanusi who disclosed the missing money to the government. Although, the Federal Government ordered an Audit of the NNPC and the audit report indicts NNPC and the corporation was directed to refund $1.48billion.

4. Conclusions

It is apparent from the foregoing discussion that corruption does not only exist in Nigeria but has fertilized, reproduced, developed, germinated, survived, multiplied and indeed thriving prosperously having manifested and still manifesting itself in all spheres of the country's social, political, economic, religious, educational, military, business and otherwise. Additionally too, this paper has also x-rayed the attendant consequences of this monster in particular increasing the poverty level of the downtrodden masses and hindering the country's economic growth and development.

5. Recommendations

Although, a lot of suggestions have been offered on how to curb this problem especially since the inauguration of the President Mohammad Buhari led democratic government but none of these recommendations is deep enough as to completely uproot the ghost of corruption and the danger that corruption poses to our corporate existence. Thus, to be able to find viable and lasting solutions to this problem, we therefore need to understand the nature or characteristics of corruption and what fertilizes it. On the basis of this premises and subscribing to Momoh's views, the following suggestions are hereby recommended.

Firstly, there is the need to convene a National Conference in the form and format of a truth commission to bring together public officers of the ranks of President, Vice-President, Governors, Deputy-Governors, Ministers, Commissioners and Permanent Secretaries, Local-Government Chairmen, Vice-Chairmen, Directors of Local-Government, Heads of other Government Agencies and Parastatals, leadership of National and State Assemblies, the Judiciary, Government Contractors both local and foreign, private sectors collaborators including but not limited to their friends and families to come to say something before the commission with a view to finding lasting solutions to the problems of Nigeria including the menace of corruption.

Such truth and reconciliation commission is often held in situations where people fought bloody wars or where people have suffered persecution and oppression for a long time. These are not the situations in Nigeria but rather in the case of our country, there is an agonizing poverty, bleaking of the future of the Nigerian children, being leaders of tomorrow, who have been made to live without employment, the displaced people and victims of insecurity (insurgency, kidnapping, armed robbery, trafficking in persons, prostitution etc) are all consequences of corruption being worst than genocide. If the conference is sincerely, transparently and motive driving in character, will undoubtedly make us to tell the bitter truth to ourselves and it would serve as a strong signal that we are willing to unearth the stinking body of corruption for everybody to see. Also, it will be a strong signal that whatever you do now, you will be called to account someday. The outcome of the conference will be to give some people amnesty after they return part of their rip-off back to the state and if possible rehabilitated to join the building of a new Nigeria.

Consequently, our educational curriculum from the pre-tertiary institutions to the university level should include teaching of a course designed to educate, enlighten and purged off our children from the scourge of corruption. This teaching and training of anti-corruption course should not be limited to our educational institutions alone but should extend to religious organizations, ethno-social groups, trade associations among others. Among things to be taught in the anti-corruption course is that people should be able to explain the source of the money they have; they must also realize that income illegally acquired harm others and deprive people a vital resource to develop their lives, families and their communities.

Thirdly, this paper also recommends the proposal conceived, mooted and initiated by the Professor Itse Sagay- led Presidential Advisory Committee against Corruption proposing the establishment of special anti-corruption court to try serious crimes, including corruption cases. The proposed bill is titled *"An Act to provide for the establishment of a Special Crimes Court as a superior court of record to allow for speedy trials of certain offences, including economic and financial crimes, terrorism, money laundering and corruption offences and for related matters"*.

The motive behind the proposed bill is to ensure speedy trials of the offences as indicated in its title as stated above. It is contended in this paper that it is not enough to have a special court to trial corruption cases as problems associated with regular courts will still affect the proposed court. Such pitfalls include among others the pervasive corruption in the judiciary and the slow pace of trial not been only attributed to the courts alone but also due the abuse of legal system by counsels seeking frivolous reliefs to pervert the course of justice. Thus to avoid the repeat of these inadequacies with the proposed court, it is therefore suggested that judges that will man such court should be people of probity and of high level of integrity who must have purged themselves from any act of corrupt practices. This paper further proposes collaborative efforts between the executive and the judiciary by decisively addressing the structures in the current judicial system thereby coming up with more innovative ways to tackle the pervasive corruption in the country's polity.

The above suggestions made by Momoh are considered lofty and laudable, yet he did not advert his mind to the machineries and modus operandi for the execution and implementations of the recommendations, hence, this paper suggests the setting up of a body in the form of task force that will be responsible primarily for the implementation of the recommendations proffered above. This is partly because similar conferences had earlier been convened in the past where numerous issues militating against the progress of the Nigerian society were identified and extensively discussed and the way forward were offered to fill the gaps. Unfortunately, the communiqués issued at the end of the conferences did not see the light of the day. Thus, to avoid the pitfalls of the past, it is our considered position that the foregoing suggestions should not merely be on paper but rather should manifestly be seen to have been fully implemented to the letter.

Finally, taking proactive steps to accomplish the above recommendations will undoubtedly portray Nigeria before the international community as a serious nation striving hard to get rid of corruption to salvage the already battered image of the country to achieve a corrupt free nation.

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A Critique of the Unanticipated Powers Of The State Security Service In Nigeria and the Validity of their Source

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Abstract. Recently, one of Nigeria's intelligence and security agencies, the State Security Service (SSS) embarked on the search of the residences of and arrest of politicians and judges on allegations of official corruption. This move was met with both public approval and outcry. The focal point of the diverse contentions became whether the SSS possessed such powers and by what authority. This was a healthy culmination in the sense that it kick-started a debate that has, however, glossed over critical but unforeseen authorities. This article examines and ascertains the "shadowy" authorities on the true scope of the powers of the SSS.

Keywords: Critique, Powers, State, Security, Nigeria, Validity, Source

1. Introduction

Lately, the State Security Service (hereinafter referred to as "the SSS") in Nigeria executed search warrants at the residences of many senior judges and arrested them. Two of the judges arrested were justices of Nigeria's apex court, the Supreme Court. It was the culmination of the increasing activism of the SSS following searches also conducted at a government lodge owned by the Akwa Ibom State Government and a trenching into the goings on at the State House of Assembly. In many of these cases, the SSS has explained that the actions were undertaken in furtherance of anti-corruption investigations. Many questions have arisen on account of its claims with many wondering from where the SSS, which also addresses itself as, and has taken most of its actions in the alias of "Department of State Security (DSS)" derived its powers to investigate corruption crimes. An issue distilled by many from the foregoing is whether the DSS can exercise powers that are popularly known to have been statutorily vested in the SSS and, if not, whether the powers so exercised have been exercised by the appropriate authority. It turns out that there was an, until recently, rather anonymous Instrument (Instrument No. SSS1, 1999) issued sometime in 1999 by the then military Head of State, General Abdulsalami Abubakar, which purported to expand the investigative powers of the SSS to issues relating to economic crimes with the qualification that the powers exercisable had to be over economic crimes of a national security dimension. But the Instrument is not the only element in this discussion that is as shadowy as the security outfit whose powers it expands. It also turns out that a rather innocuous Supreme Court decision, in the context of the scope of the phrase "economic powers of a national security dimension", has also had a critical unanticipated influence in the discourse. This paper discusses

these current issues by addressing the validity of the aforesaid instrument in Section II, DSS; the legality of the supposed pseudonym in Section III; and, in section IV, whether crimes of corruption amount to "economic crimes of a national security dimension" against the background of the for now subsisting attitude of the Supreme Court. The article concludes with a brief summation of its findings and recommendations, going forward, regarding how the impasse may be avoided in future.

2. Is Instrument No. SSS I Valid?

Instrument No. SSS I recites that it is made pursuant to section 6 of the National Security Agencies Decree 1986 (hereinafter called "the NSA Decree"). It is important to note that it is not made pursuant to the National Security Organisation Decree or Act (the NSO Decree). If it was, it *might* (this is conditional) have sounded the death knell for the Instrument because:

- The NSO Decree has been repealed by the NSA Act;
- As such, it would not be a subsisting instrument.

On the other hand, the NSA Decree 1986 remained law in Nigeria until May 29, 1999 when the Constitution (Constitution of the Federal Republic, 1999 (as amended)) became operative. By virtue of section 315(1) (Constitution of the Federal Republic, 1999 (as amended)) it was "existing law" as of that date. Regarding what "existing law" is, section 315(4)(b) provides:

"existing law" means any law and includes any rule of law or any enactment or instrument whatsoever which is in force immediately before the date when this section comes into force or which having been passed or made before that date comes into force after that date.

Before the Constitution came into operation, it was quite recognised in Nigeria that decrees were not only laws but were transcendent laws. An authority for this proposition of law is evident (*Labiyi & Ors. v. Anretiola*, 1992) where it was held that decrees of the Federal Military Government were superior to the unsuspended parts of the 1979 Constitution and that the courts cannot pronounce on the validity of making a decree or edict although it can declare an edict inconsistent with the unsuspended parts of the Constitution. Karibi-Whyte, JSC rather surgically articulated the hierarchy of legislation under the new legal order as follows:

(a) Constitution (Suspension and Modification) Decree 1984;
(b) Decrees of the Federal Military Government;
(c) Unsuspended parts of the 1979 Constitution;
(d) Laws made by the National Assembly before 31 December 1983 or having effect as if so made;
(e) Edicts of the Governor of a State; and
(f) Laws made by the House of Assembly of a State before 31 December 1983 or having effect as if so made (emphasis added).

This decision is corroborated by other Supreme Court decisions (see *Attorney General, Anambra State v. Attorney General of the Federation & Ors*., 1993). With respect, this is the law in Nigeria *as it is* not *as it ought to be* as many activism inclined lawyers would prefer. Thus, to make the decrees more amenable to the new democratic dispensation, two (2) further provisions were made:

(a) That the appropriate authority may at any time by order make such modifications in the text of any existing law as the appropriate authority considers necessary or expedient to bring that law into conformity with the provisions of the Constitution (see section 315(2));
(b) An existing law shall be deemed to be -
(i) an Act of the National Assembly to the extent that it is a law with respect to any matter on which the National Assembly is empowered by this Constitution to make laws; and
(ii) a Law made by a House of Assembly to the extent that it is a law with respect to any matter on which a House of Assembly is

> empowered by this Constitution to make laws (see section 315(1)).

It is further necessary to emphasise that the compendium called "Laws of the Federation of Nigeria 2004" is exactly what it is – a compendium i.e. a collection of valid Nigerian laws as of 2004. It does not mean that those laws were enacted in 2004 or that the commencement dates of each legislation that appears in the collection is 2004. This is why each statute in the collection not only indicates its origin but also its commencement date. In the case of the NSA Act, the Act indicates after the long title "No. 19 of 1986" i.e. Decree No. 19 of 1986 and directly under that "Date of Commencement: 5th June 1986".

The next question is - where does Instrument No. SSS I figure in this arrangement? This is the instrument that expands the powers of the SSS to include, amongst others, "prevention, detection and investigation of economic crimes of national security dimension" (see section 2(1)(c) thereof). The instrument was made in 1999 pursuant to section 6 of the NSA Decree and it is clear, adopting a community reading of sections 2(3)(c) and 6(d) that the latter authorises the President to make the instrument with respect to the matter contained in the former. It is clear that since the NSA Decree was valid law until May 29, 2009 and was never repealed unlike the NSO Act which was, the instrument itself retained its validity up to that point. It should be added in passing that even if the NSA Decree or Act had been repealed and another Decree or Act enacted in its place, the instrument would still be valid law provided it "is not inconsistent with the substituted enactment" (Section 4(2), Interpretation Act). In this case, it would not have been inconsistent with the replacement statute (NSA Act) either in terms of purpose or, given its modifications made to the NSA Act pursuant to section 315(1) and (2) and (4)(a) of the Constitution, in terms of functionaries. Thus, even where there has been repeal, invalidity is not necessarily an issue. The conclusion is that Instrument No. SSS I, never having been made pursuant to a repealed enactment, subsists.

This arrangement or structure makes the year 2004 entirely irrelevant in a discussion on the history and validity of the Act. Following this exposition, the following chain of validity can be established:

(a) There was a decree (the NSO Decree which was repealed by section 7(1) of the NSA Decree;
(b) The NSA Decree remained a subsisting law until May 29, 1999 when the Constitution came into being;
(c) By section 315(1)(a), the NSA Decree became an Act of the National Assembly given the power given to the National Assembly to make laws over the "Police and *other government security services established by law*" (emphasis added) (see Item 45 of the Exclusive Legislative List (Constitution of the Federal Republic, 1999 (as amended));
(d) Instrument No. SSS I was made pursuant to the NSA Decree, which itself was law "in force" as of May 29, 2015 and which became an "existing law" by virtue of section 315(1) and (4)(b) and consequently an Act of the National Assembly by the joint provisions of section 315(1)(a) and Item 45 of the Exclusive Legislative List;
(e) Going by the definition of "existing law" under section 315(4)(b) of the Constitution, Instrument No. SSS I is not only "existing law" but also law. This can be the only conclusion the subsection is clear when it say an existing law is "any law and includes … any enactment or *instrument*". Indeed, regarding its law status the courts have ruled that an instrument made pursuant to the Electoral Act has by operative rules of practice "become part and parcel of the Electoral Act" (Ihuoma v. Azubike & Ors., 2015); Ajadi v. Ajibola, 2004)).

It is at this juncture that section 315(4)(b) of the Constitution, which defines "existing law" assumes fundamental importance. It defines "existing law" as "any law and includes any rule of law or any enactment or *instrument whatsoever which is in force immediately before*

the date when this section comes into force or which having been passed or made before that date comes into force after that date" (emphasis added). Two (2) things are worth noting:

(a) Any "instrument whatsoever" (this would include Instrument No. SSS I) which was validly made is an existing law; and
(b) The instrument in question was in force immediately before May 29, 2015. Given the unbroken chain of historical validity of the Instrument outlined above, it is clear that the instrument was indeed in force immediately before May 29, 2015 which qualifies it for validity as an "existing law".

3. On the "Dual" Identity of the State Security Service

Having recommended the validity of the Instrument, the issue of the legitimacy of the DSS may now be resolved by reference to it. It is clear from the instrument that the Department of State Security and the State Security Service are one and the same entity although the one created by the enabling statute i.e. the NSA Act is the State Security Service. The use of the name "Department of State Security" by the SSS is, however, permitted by Instrument No. SSS I (Instrument No. SSS 1, 2009). See section 13(2) thereof. The use of the name Department of State Security (DSS) is consequently backed by law.

4. Is an Offence of Official Corruption "An Economic Crime of National Security Dimension"?

The Supreme Court decision (*AG, Ondo State v. AG, Federation & 36 Ors., 2002)* in which Nigeria's apex court, the Supreme Court endorsed the link between corruption and internal security although in slightly difference circumstances. What is key, however, is the principle derivable from the decision. In that case, the National Assembly had enacted the Corrupt Practices and Other Related Offences Act 2000 but the Ondo State government had challenged the constitutionality of the Act on the ground that the National Assembly had no constitutional authority to enact it.

The Supreme Court is the apex judicial body in Nigeria with final and ultimate power to interpret our laws and resolve disputes. In this regard, Oputa, JSC has said of the Supreme Court and its powers, "We are final not because we are infallible, rather we are infallible because we are final" *(Adegoke Motors v. Adesanya, 1989, 80, 92).*

The following paragraphs set out and illustrate how the Supreme Court in the above decision endorsed the link between corruption offences and national/internal security:

1. Katsina-Alu, JSC called it a "cankerworm". In his words:

These submissions, in my view, overlook the reality of the situation. *Corrupt practices and abuse of power spread across and eat into every segment of the society*. These vices are not limited only to certain sections of the society. It is lame argument to say that private individuals or persons do not corrupt officials or get them to abuse their power. *It is good sense that everyone involved in corrupt practices and abuse of power should be made to face the law in our effort to eradicate this cankerworm.* This I believe is the intention of the framers of our Constitution (emphasis added) *(AG, Ondo State v. AG, Federation & 36 Ors., 364).*

First, what is a "cankerworm"? A reputable English language dictionary (Hornby, 207) defines "canker" in the sense in which the Supreme Court has used it in its judgment as "an evil and dangerous influence that spreads and affects people's behaviour".

Secondly, His Lordship says "everyone involved in corrupt practices should be made to face the law". Everyone without exception whether they are politicians, judges or lepers.

2. Chief Afe Babalola, in his amicus brief referred to corruption as being of "cancerous proportions". Most of the justices agreed with him. What is a "cancer"? The dictionary (Hornby, 205)

> defines "cancer" in the sense in which it is used by the their Lordships as "an evil or dangerous thing that spreads quickly".

Justice Uwaifo quoted copiously from the *amicus curiae* brief of Chief Afe Babalola SAN as follows *(AG, Ondo State v. AG, Federation & 36 Ors.*, 385-389) and I have italicised statements that are fundamental to this issue and underlined the ones that are critical. First, he said in the preamble to the brief:

In the last 20 years, the pervasiveness of corruption in all its ramifications has assumed renewed dimensions of cancerous proportions in Nigeria, to the extent that the Germany-based Transparency International, a respected independent, universal, non-governmental organisation, ranked Nigeria in the unenviable position of being the most corrupt nation in the world for a consecutive period of more than 7 years. The unpleasant news was published in all national newspapers in Nigeria.

In foreign countries, Nigerians are regarded and treated as corrupt people. Unlike other nationals, no bank would allow Nigerians to open a bank account as of right. *The Nigerian Green Passport is synonymous with corruption. Consequently, at foreign airports, Nigerians with green passports are separated from other nationals. While others are allowed to go freely, Nigerians are subjected to degrading and inhuman treatments and treated as pariahs on the ground that they are Nigerians who hail from the most corrupt country in the world.*

National newspapers are filled with stories of looted money stashed in foreign banks. *The stolen resources, lost by Nigeria through endemic corruption and abuse of office have had inimical effect on the economy of the country.* First, is the issue of inflation and its pressuring effect on the economy as a result of irregular distortions in economic indices and lack of control on monetary and fiscal policy engendered by the availability of slush funds of massive proportions outside normal economic activity. Secondly the inflationary trends had effect of lowering living standards to stupendous proportions such that what is known as the 'Middle Class' was virtually wiped out, so that what hitherto were basic necessities of life became luxuries.

It is a notorious fact whilst in 1979 the US Dollar exchanged with the Nigerian Naira at the rate of US$1 to N0.85k, it has plummeted to the commercial rate of US$1 to N142 in 2002. In the corresponding period, whilst inflation rate in the United States rose by about 15% in real terms in 23 years, it has risen by about 2000% in Nigeria.

All these stark statistics are induced by all means in no small measure, by illicit capital flight engendered by corruption.

*The crisis which endemic corruption has triggered off in Nigeria, certainly poses exceptional peril to the economic, social and political stability, the National interest and integrity of the Nigerian Nation. This, no doubt, goes beyond local and state concern (*Note that Uwaifo, JSC also italicised this portion of Chief Afe Babalola's brief).

The eradication of corruption is therefore a National one, as the perilous effect touches and affects every Nigerian regardless of tribe, religion and state of origin. Indeed, a Nigerian is not known or linked to a state of origin outside Nigeria.

The learned Senior Advocate later drew attention to the March 1997 Edition of Transparency International Newsletter where it was recorded that the United Nations Economic and Social Council adopted a resolution in which it called on "all governments to fight corruption more decidedly." He then stressed that there was a global concerted effort to ensure that the issue of corruption was addressed and tackled universally. There is an international body based in Berlin, Germany, hosting several member countries poised to combat bribery, which is known as the Organisation for Economic Co-operation and Development (OECD). Chief Babalola quoted from the Supplement to Transparency International Newsletter of September, 1994 as follows:

OECD governments today (Paris, 27th May 1994) agreed to take collective action to tackle the problem of bribery in international business transactions. The OECD recommendation on Bribery in International Business Transactions is the first multilateral agreement among governments to combat the bribery of foreign officials and represents a breakthrough in a difficult area. While nearly all countries have laws against the bribery of their own officials, most do not provide legal sanctions for the bribery of foreign officials by their nationals or their domestic enterprises.

Bribery presents moral and political challenges and, in addition, exacts a heavy economic cost, hindering the development of international trade and investment by raising transaction costs and distorting the operation of free markets. It is especially damaging to developing countries since it diverts needed assistance and increases the cost of that assistance.

The recommendation calls on Member countries to take effective measures to deter, prevent and combat bribery of foreign public officials. Such measures include reviewing their criminal, civil and administrative laws and regulations and taking 'concrete and meaningful steps' to meet this goal, as well as strengthening international co-operation. The recommendation appeals to non-Member countries to join with OECD Members in their efforts to eliminate bribery in international business transactions. It also provides for a follow-up mechanism to monitor implementation.

The OECD believes that this initiative could act as a catalyst for global action and could help companies refuse to engage in such practices in host countries by setting standards of behaviour to which they could refer. Combating bribery through firm and joint actions by Member countries can also strengthen the multilateral system for trade and investment by ensuring equitable competitive conditions. The recommendation will also help to promote good governance.
The angst about corruption has shown even in the United Nations (UN) where it is said that that body has signalled its intention to take on the battle against corruption in international business transactions. The UN Secretary-General Mr. Kofi Annan was reported to have declared: I encourage the governments of Africa to undertake the necessary changes in economic development. This implies good governance, competent elites and, above all, the disappearance of corruption." The UN Economic and Social Council has by consensus adopted a resolution in which it calls on all governments to fight corruption more decidedly and that the UN Secretary -General should report on actions pursued within the UN and by member states to curb corruption: see Transparency International Newsletter, March 1977, page 7. Chief Babalola argues that only a centrally co-ordinated approach to the fight against Corruption in view of the shape it has taken and the international pressure for meaningful action can have the desired result.

3. Uwaifo, JSC with reference to Chief Afe Babalola's brief states, "I am in *total* agreement with him" and that includes the part that talks about corruption *certainly posing "exceptional peril to the economic, social and political stability".*

Ogwuegbu, JSC also said the following:

4. "The first defendant in its brief of argument predicated his defence of the Act on what is generally the perception about the way corruption has adversely affected this country. Reference was made to a paper titled: Legal and Institutional Frame work for Combating Corruption in Nigeria, presented by Taiwo Osipitan and Oyewo, published in a document called UNILAG READINGS LAW, where the following was expressed:

   "Corruption is evidently Nigeria's greatest problem. Since the attainment of independence, corruption and abuse of office have enjoyed steady growth. They have consequently become cankerworms reaching the dimension of epidemic in our body politic. While

> admission and examination scandals are examples of corruption in our educational institutions, payment of salaries to ghost workers, over invoicing of goods and services, and the raising of fictitious local purchase orders, are examples of corruption in our private and public sections. *It suffices to state that a nation where corruption is an accepted norm is bound to suffer economic backwardness and isolation. We therefore support the view that lawless and unaccountable government not only guarantees economic backwardness, it insures societal breakdown"'* (emphasis added).

"Section 4 (2) of the constitution conferred on the National Assembly power to make laws for the peace, order and good government of the federation or any part thereof with respect to any matter included in the exclusive legislative list set out in part 1 of the second schedule of the constitution. Section 4 of the constitution recognises the need for peace, order and good government in relation to Nigeria as a nation just as it recognises the need for peace, order and good government in relation to each separate state of the federation hence it conferred power on the National Assembly to enact laws to achieve that objective. *Corrupt practices and abuse of power can, if not checked threaten the peace, order and good government of the Federation or any part thereof" (AG, Ondo State v. AG, Federation & 36 Ors.,* 337-338).

It appears to me that if something threatens *the peace and order* of Nigeria, it could be said that such a thing threatens the internal/national security of Nigeria.

5. With respect to Nigeria being treated as a pariah state on account of corruption, Ogwuegbu, JSC, after quoting the aforesaid submission of Chief Afe Babalola SAN, said:

"If these were the only consequences of corruption, it would not have been so threatening. The deadly threat is the effect on the economy of the country with the attendant inflation and lack of control on the monetary and fiscal policies of the government" (emphasis added) *(AG, Ondo State v. AG, Federation & 36 Ors.,* 338).

The President of the Federal Republic of Nigeria during his inaugural speech on 29th May, 1999, resolved that his government will tackle the menace of corruption and abuse of power and that resolution gave birth to the ICPC Act. On the 13th June, 2000 when he signed the ICPC bill into law, he also stated thus:

With corruption, there can be no sustainable development, no political stability. By breeding and feeding on inefficiency, corruption invariably strangles the system of social organisation. In fact, corruption is literally the antithesis of development and progress (AG, Ondo State v. AG, Federation & 36 Ors., 385-389).

According to His Lordship, the Court is conscious of the history of corruption in Nigeria *(AG, Ondo State v. AG, Federation & 36 Ors.,* 385-389). The imperative question, if the consequence of corruption is that it constitutes a "deadly threat" to the economy; if corruption ensures that "there is no political stability as well it strangles the system of social organisation", does this not raise internal security issues?

6. Apart from calling corruption "an evil practice", Mohammed JSC said:

It is quite plain that the issue of corruption in Nigerian society has gone beyond our borders. It is no more a local affair. It is a national malaise, which must be tackled by the Government of the Federal Republic. The disastrous consequences of the evil practice of corruption has taken this nation into the list of the most corrupt nations on earth (AG, Ondo State v. AG, Federation & 36 Ors., 347).

Citing the Canadian decision, His Lordship equated the issue of corruption with an emergency. In his words:

In *Re-anti-Inflation Act (1976) 9 NR 541; 68 DLR G (3d) 452 the Supreme court of Canada saw no reason why the "emergency" principle*

enunciated in Japanese-Canadian's case could not apply to a situation created by highly exceptional economic conditions prevailing in times of peace. In the opinion of the Supreme Court of Canada it was observed that an urgent and critical situation adversely affecting all Canadians and being of such proportions as to transcend the authority vested in the Legislatures of the Provinces and thus presenting an emergency which can only be effectively dealt with by parliament in the exercise of the powers conferred upon it by section 91 of the *British North American Act (1867)* "to make laws for *the peace, order*, and good government of Canada.

The imperative question - is an emergency not a question of internal security?

7. With respect to Nigeria, His Lordship then added:

Coming back home it is abundantly clear that the intendment of the framers of the Constitution on in providing that the State shall abolish all corrupt practices and abuse of power is not to use the information media only to discourage corrupt practices. It also cannot be said that only State governments and Local government are to enforce this Fundamental Objectives. How then can the Nation *tackle this evil practice*? The answer is clear; a criminal law has to be promulgated providing that every person shall be liable to punishment for every act or omission contrary to the Corrupt Practices etc. Act (2000), which he shall be found guilty of committing. *This is the only way the evil of corruption can be tackled nationally* (emphasis added) *(AG, Ondo State v. AG, Federation & 36 Ors.,* 348).

8. His Lordship further added:

The State has been directed in Chapter II of the Constitution to abolish all corrupt practices and abuse of power. (Section 15(5)). *A legislation enforcing such Fundamental Objectives and Directive Principles* (in this case, the provision directing the State to abolish all corrupt practices and abuse of power) *will be for the peace, order and good government of this nation"* (emphasis added) *(AG, Ondo State v. AG, Federation & 36 Ors.,* 349-350).

Again the imperative question – if there is no peace and order on account of corruption, is that not an insecurity problem?

9. According to Uwaifo, JSC, the ICPC was formally inaugurated on 29 September, 2000, by Mr. President, Chief Olusegun Obasanjo, GCFR. On the day of signing the Bill into Law, the President said:

"With corruption, there can be no sustainable development, nor political stability. By breeding and feeding on inefficiency, corruption invariably strangles the system of social organization. In fact, corruption is literally the antithesis of development and progress" *(AG, Ondo State v. AG, Federation & 36 Ors.,* 366).

10. His Lordship also equated corruption in Nigeria with an emergency at the level of a state of emergency of national importance, of real necessity, of natural disaster or of war while citing the cases of *Attorney General for Ontario v. Canada Temperance Federation* (1946) and *Cooperative Committee on Japanese Canadians v. Attorney General for Canada* (1947) and added:

My respectful view is that even without the above provisions, the National Assembly would have been able to make laws for national emergency, disaster or a state of war by virtue of section 14(2)(b) which is brought under the Exclusive Legislative List by item 60(a). But there are other provisions of Chapter II, apart from section 15(5) such as section 15(2) and section 16(2)(d), among others, to which I shall return later, which can be made, enforceable by legislation. It all depends whether any or which of the provisions of Chapter II demands urgent and pressing national attention, and can be practicalised by legislation. The National Assembly can be trusted in their collective wisdom to recognise what is in the best interest of the polity" *(AG, Ondo State v. AG, Federation & 36 Ors.,* 384-385) adding, "*There is also to be taken into consideration, the*

serious and embarrassing menace of corrupt practices which ought to be confronted through national effort. I have already made reference to section 11 (1) and (3) of the Constitution which concerns disaster and war" (emphasis added) *(AG, Ondo State v. AG, Federation & 36 Ors.,* 366).

At p. 411 of the judgment, His Lordship Uwaifo, JSC adds:

Notice ought to be taken of propositions (2) and (3) particularly as they reflect on matters for legislation which have attained such dimensions as to affect the body politic of the nation, and also matters which are necessarily incidental to effective legislation by the nation's Parliament. Obviously, there are certain matters which are of such utmost national concerns as they affect the polity that legislation intended to meet the challenges is ensured to coast through passage in the legislature, and is implemented even if it trenches on some subjects or powers allocated to other authorities. The issue of corrupt practices and abuse of power in Nigeria is of such dimension.

The question must be asked – is it possible that something like corruption, which has been equated with and has "attained the dimension of" a state of emergency, natural disaster and war can be divorced from the internal/national security of the Nigerian state?

From the foregoing, it is clear that even in the view of the Supreme Court of Nigeria, Nigeria's supreme judicial body, that a corruption offence is an internal/national security problem.

Indeed, it only remains to add that Instrument No. SSS I, which is the instrument that has expanded the powers of the SSS, must be given a community reading instead of the isolated reading that has been given section 2(1)(d) of the instrument. This is a measure, it appears, no one has paid any attention to otherwise more prominent reference would be made to section 1 thereof, which provides:

Without prejudice to the generality of the provisions relating to the general duties of the State Security Service set out in section 2 – (3) of the decree, the objective of the State Security Service shall be the protection and preservation of Nigeria's internal security and *economy against acts of subversion, sabotage and other threats to the stability of Nigeria*.

It is necessary to emphasise the point that in the above judgment of the Supreme Court, the apex court consistently talks about corruption being inimical to the political stability of Nigeria. This brings corruption within the phrase "other threats to the stability of Nigeria" as provided for by the aforesaid section 1.

One may surmise that the concept of "official corruption" is narrower in scope than the concept of "economic crimes" i.e. that "economic crimes" encompasses official corruption as well as other economic crimes. The inevitable way to read the Supreme Court decision, therefore, appears to be that all public corruption is a threat to internal or national security although it is possible that there are other forms of economic crimes that are not of a national security dimension. The Supreme Court did not make a distinction between classes of corruption or between "ordinary" corruption cases and corruption cases which threatened internal security. All types of official corruption were considered by the Supreme Court to be capable of jeopardising Nigeria's political stability and internal security.

It is possible for the Supreme Court to reverse its view now or for the lower courts to distinguish this decision and this would be a legal, if not legitimate, measure as many would argue that it would amount to approbation and reprobation given the proximity and involvement of judicial personnel.

It would appear that in virtually every democracy, corruption is clearly linked to national security. If one uses a search engine like Google and searches for "corruption and national security", the predominant response one gets clearly establishes a connection between corruption and national security. This is the case in many countries including India and the U.S. In the case of the latter, a model of advanced democratic practices, the concept that offences of corruption are national security issues is also obtainable. For instance, the Federal Bureau of Investigation (FBI)'s "top criminal investigative priority" is public corruption, which "*poses a*

fundamental threat to our national security and way of life" (emphasis added) ("Public Corruption", 2016) As such, the Bureau's public corruption programme focuses, amongst others, on investigating violations of federal law by public officials at the federal, state and local levels of government. In the US, the FBI website confirms this connection.

5. Concluding Remarks

There is a multi-agency legal framework for investigating economic crimes in Nigeria and these agencies include the Economic and Financial Crimes Commission (EFCC), the Independent Corrupt Practices Commission (ICPC), the SSS, the Nigeria Police Force (NPF) and the Code of Conduct Bureau (CCB). This is also the case in the United States, for instance, where a number of authorities – the Department of Justice, Agency offices of Inspector General, law enforcement agencies' internal affairs divisions, federal, state, local law enforcement and regulatory investigative agencies, state and county prosecutor's offices - have power to investigate public corruption ("Public Corruption", 2016) although the FBI investigation and investigators take precedence. Although the EFCC is the body charged with the responsibility of coordinating the various agencies and institutions with statutory power to combat economic crimes in Nigeria, (EFCC Act, 2004, section 1(2)(c) and 6(c)) the EFCC was neither involved in nor aware of the operations culminating in the arrest of the judges in issue giving the impression that the SSS has the power to act independently. This is a far cry from the apparent intent of section 1(2)(c) of the EFCC Act, which is a later statute than the NSA Act. On the other hand, section 7(2) of the NSA Act, which makes the NSA Act supersede any other law with inconsistent provisions to the extent of its inconsistency appears to have pre-empted sections 1(2)(c) and 6(c) of the EFCC Act in that future provisions to the contrary in any law were rendered a nullity. This appears to give impression that where economic crimes of a national security dimension are involved, the SSS is in a position to act independently. This is the rather convoluted state of law with respect to collaboration amongst agencies in the area of economic crimes. Given the statutory power of the EFCC under sections 1(2)(c) and 6(c) of the EFCC Act (2004) to coordinate the various institutions in the fight against corruption on the one hand, and section 7(b) of the NSA Act, which makes any law inconsistent with the NSA Act a nullity to the extent of the inconsistency on the other hand, there is a need to amend the NSA Act to expressly state that the powers of the SSS are outside the supervision of the EFCC. This is on account of the Supreme Court judgment in *AG, Ondo State v. AG, Federation & Ors. (2002)*, which has clearly held that corruption cases affect the political stability of Nigeria and consequently her internal security.

It appears that the outcry over the source and exercise of the powers of the SSS, given the state of the law, is pretty much much-ado-about-nothing. What can be done now is to make the enabling statute of the SSS clearer and not left to the fickle designs of conjecture.

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Part Five
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Employee Identification and Productivity Among Academic Staff of Nigerian Polytechnics

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Abstract. The study investigated the relationship between employee identification and productivity of academic staff in polytechnics in Nigeria. The correlational study involved 285 respondents from six polytechnics. Data were collected using a self-administered a questionnaire whose validity and reliability was confirmed through Factor Analysis and Cronbach Alpha test. Descriptive analysis involved the use of means, while multiple regression was used to test the hypotheses. The results revealed that while group identification was an insignificant determinant of academic staff productivity while organisational identification was not. Thus, it was concluded that group identification was important for the performance of higher education institutions. Therefore, it was recommended that the leadership of higher institutions such as polytechnics should put in place mechanisms to promote group identification.

Keywords: Academic Staff, Employee Identification, Group Identification. Organisational Identification, Polytechnics. Productivity.

1. Introduction

Productivity is an overall measure of the ability to produce a good or service. More specifically, productivity is the measure of how specified resources accomplish timely objectives as stated in terms of quantity and quality (Yadav & Marwah, 2015). Productivity shows whether the activity of an organisation is efficient and effective in terms of output and input (Saxena, 2014). Employee productivity is important in a way that it enhances services provision, leads to the growth of the organisation enabling competitiveness and potentially competitive advantages of organizations (Cania, 2014). Employee productivity is important for the successful performance of organisations such as polytechnics. Productive employees enable organisations to accomplish organisational goals and objectives (Raza, Anjum & Zia, 2014), effectively perform tasks (Yukl, 2008), efficiently use of resources (Rahman & Rahman, 2009), attain quality of output, workmanship, adherence to standards and customer satisfaction (Ayinde, 2014). In organisations such as polytechnics, academic staff productivity is considered in terms of teaching, preparing for class, research and scholarly activities, student research supervision, supervising internship, working with students on activities other than coursework, interacting with students outside classroom, innovation and conducting community service activities (Sullivan, Mackie, Massy & Sinha, 2012). Owing to the significance of productivity of academic staff, a number of studies (e.g. Anumaka & Ssemugenyi, 2013; Jung, 2012; Kyaligonza, 2015; Musiige and Maassen, 2015; Reed, Enders, Lindor, McClees & Lindor, 2011; Ndege, Migosi & Onsongo, 2011; Okiki, 2013; Teodorescu; 2000; Wamala and Ssembatya,

2013; Wamala & Ssembatya, 2015; Worthington & Lee, 2008) have analysed it. However, these studies suggest that effort did not extend to polytechnic institutions. This paper investigated the relationship between employee identification and productivity of academic staff.

2. Literature Review

Theoretical Review. This study was based on the Psychological Contract Theory. First introduced by Chris Argyris in 1960 and developed by Denise Rousseau in (1989). The Psychological Contract Theory explains mutual expectations between the organisation and an employee based on an unwritten agreement (Jose, 2008). The psychological contract theory explains an individual's belief in mutual obligations between that person and another party. These contracts originate when individuals infer promises that give rise to beliefs in the existence of reciprocal obligations. Such contracts are comprised of an individual's perception of mutual obligations, not a shared perception of actual obligations. Psychological employment contracts results from an individual's experiences in the organisation. Individuals form, maintain, and terminate relationships based on the belief that the benefits outweigh the costs of the relationship (Haggard &Turban, 2012). The Psychological Contract directs an individual focus from what he/ she expects to gain from the relationship to what he/ she feels is obligated to provide in the relationship. The psychological contract is an individual's belief regarding the terms and conditions of a reciprocal exchange agreement between that focal person and another party (Agarwal, 2011). Therefore, obligations in psychological employment contracts are what individuals' feel they owe the organisation and what they feel the organization owes them. What individuals' feel they owe organisations include identification, that is the perception of oneness with or belongingness to an organisation (Jones & Volpe, 2010) leading to productivity. Guided by the Psychological Contract Theory it is appropriate to suggest that employee identification leads to productivity. The Psychological Contract Theory therefore helped in relating employee identification and productivity of academic staff.

***Identification and Productivity*.** Identification is the perception of oneness with or belongingness to an organisation (Jones & Volpe, 2010). Organisational identification is the psychological attachment between an individual and his or her work organisation (Chughtai & Buckley, 2010). Identification involves a member defining him or herself by the same attributes that he or she believes define the organisation (Boroş, 2008). Organisational identification arises from attraction and desire to maintain an emotionally satisfying, self-defining relationship with the organisation. Organisational identification is an outcome of socialisation and acculturation process (Shahnawaz, 2012). Strong organisational identification occurs when, one's organisational identification is more salient than alternative identities, and his or her self-concept has many of the same characteristics he or she believes define the organisation as a social group. Members of an organisation are attached to it, when they incorporate the characteristics attributed to the organisation into their self-concept (Boroş, 2008). Employee identification increases employees' motivation to further the interest of the organisation. Thus, individuals who strongly identify with their organisation are more likely to seek feedback and report errors because for these employees and the perceived value of these behaviours is likely to be greater than the associated costs. This is because enactment of such behaviours would enable these employees to contribute towards the organisation's success (Chughtai, & Buckley, 2010). Therefore, when an employee has a high level of organisational Identification, he or she is willing to perform the tasks required by the organisation (Liu, Loi & Lam, 2011).

There are several scholars that have sought to relate organisational identification and academic staff productivity. For instance, Carmeli, Gilat and Waldman (2007) studied the role of perceived organisational performance in organisational identification, adjustment and job performance using employees of electronics and media industry in Israel as units of analysis.

Their results revealed that organisational identification resulted in enhancing employees' work outcome. Chughtai and Buckley (2010) assessed the effects of organisational identification on in-role job performance and learning behaviour using schoolteachers in Pakistan. Their results showed that organisational identification had a significant positive effect on in-role job performance. Kesen (2016) studied the between organizational identification with individual creativity using workers of textile companies in Istanbul. The study found out that organizational identification positively and significantly affected individual creativity. Liu, Loi and Lam (2011) linked organisational identification and employee performance of teams of employees from three automotive dealers in a city of central China. The results indicated that employees' level of organisational identification had a positive significant relationship with employee performance. Pekdemir and Turan (2014) analysed the mediating role of organisational identity complexity/ congruence on the relationship between perceived organisational prestige and in-role/ extra-role performance of blue-collar staff in public universities in Istanbul, Turkey. In their findings, they established that organisational identity positively significantly influenced employees' in-role and extra role performance or productivity.

However, as the studies suggest, they were all skewed outside Nigeria and sectors other than polytechnics.
These gaps made it imperative for this study in polytechnics in Nigeria to seek to establish whether the following hypothesis held:

H1: Employee identification is a correlate of productivity of academic staff.

3. Method

Sample. The sample comprised 285 academic staff from six polytechnics that were three federal and state owned. The sample size was attained using two-stage sampling whereby in the first stage the polytechnics were clustered according to states. In stage two, the polytechnics were stratified according to ownership, that is federal or state owned. The polytechnics studied were as follows; State Polytechnic and Hussaini Adamu Federal Polytechnic in Jigawa State; Nuhu Bamalli State Polytechnic and Kaduna Federal Polytechnic in Kaduna; Mohammed Abdullahi Wase Federal Polytechnic and Kano State Polytechnic in Kano State; Hassan Usman Katsina State Polytechnic and federal Polytechnic Katsina in Katsina State; Kebbi State Polytechnic and Federal Polytechnic, Birnin-Kebbi in Kebbi; Sokoto State Polytechnic and Kaura Namoda Federal Polytechnic in Sokoto; Abdul Gusau Polytechnic and Federal Polytechnic Kaura Namoda in Zamfara State.

Instrument. The study being a survey involving a large number of academic staff, a self-administered questionnaire (SAQ) was used to collect data. The questionnaire was made of three sections namely A through C. Section A was on the background characteristics of the respondents with questions on the polytechnic, ownership of the polytechnic, position of the respondent in the polytechnic and terms of employment. Section B covered the items on organisational and group identification domains of employee identification (independent variable). Section C covered the dependent variable (DV) that is academic staff productivity covering five domains that were namely teaching, supervision, research and publications, innovation and community services. The questions in section A were nominal questions with appropriate responses required. The questions in sections B and C were ordinal questions scaled using the four-point Likert scale from a minimum of 1 strongly disagree (SD), 2 disagree (D), 3 agree (A) and 4 strongly agree (SD).

Data Management. Data collected were processed by coding them, entering them into the computer using the Statistical Package for Social Sciences (SPSS), summarising them using frequency tables and editing them to remove errors. Quality of the data was maintained by carrying out Factor Analysis to attain validity and testing reliability using Cronbach alpha. Uing factor analysis, only items that loaded 0.50 once on the component/ factor

were adopted (Demo, Neiva, Nunes & Rozzett, 2012). Reliability was attained by calculating Cronbach alpha using SPSS. All the items attained reliability at above 0.7 which is the benchmark of Cronbach alpha (Tavakol & Dennick, 2011). The results of Cronbach alphas for the independent variables were as follows; organisational identification (α = 0.859) and group identification (α = 0.831). The Cronbach alphas for the dependent variables were as follows; teaching (α = 0.873), supervision (α = 0.763), publication (α = 0.811), innovation (α = 0.809) and community service (α = 0.930). The data analysis involved descriptive and regression analyses. Descriptive analysis involved percentages from the frequency tables and the mean. Regression analysis involved building a predictive model by regressing the numerical index of the dependent variable that is academic staff productivity on the numerical indexes of the independent variables (IVs), namely organisational identification and group identification. Data analysis was done using the Statistical Package for Social Sciences (SPSS).

4. Findings

Demographic Characteristics. The data on demographic characteristics of the respondents of the study in Table 2 show that the modal percentage (24.6%) was of academic staff from Kaduna Polytechnic Kaduna State, 55.8% academic staff from federal polytechnics, 18.6% principal lecturers and 90.4% academic staff employed on permanent terms.

Table 1. Demographic Characteristics of the Respondents

Item	Categories	Frequency	Percent
Polytechnic	Kaduna Polytechnic Kaduna State	70	24.6
	Federal Polytechnic Kazaure Jigawa State	59	20.7
	Katsina State Polytechnic	47	16.5
	Kano State Polytechnic	39	13.7
	Sokoto State Polytechnic	40	14.0
	The federal Polytechnic Kaura Namoda	30	10.5
	Total	285	100.0
Ownership of the polytechnic	Federal	159	55.8
	State	126	44.2
	Total	285	100.0
Position of appointment	Assistant Lecturer	47	16.8
	Lecturer III	32	11.5
	Lecturer II	28	10.0
	Lecturer I	41	14.7
	Senior lecturer	46	16.5
	Principle Lecturer	52	18.6
	Chief lecturer	33	11.8
	Total	279	100.0
Terms of employment	Permanent	254	90.4
	Probation	6	2.1
	Contract	16	5.7
	Part-time	5	1.8
	Total	281	100.0

The Dependent Variable: Employee Productivity. The dependent variable was divided into aspects namely; teaching, supervision, publications, innovation and community services. The items were scaled using the four-point Likert scale ranging from a minimum of 1 for the worst case scenario (strongly disagree) to a maximum of 4, which is the best case scenario (Strongly agree). Table 2 (a) illustrates that for teaching, all the nine items had means of about 3, and an overall mean of about 3, which on the scale used corresponded to "agree" and hence a good overall self-rating of the respondents on teaching. Table 2 (b) also

illustrates that for supervision, all the four items had means of about 3, and an overall mean of about 3, which on the scale used corresponded to "agree" and hence a good overall self-rating of the respondents on supervision. Table 2 (c) indicates that for publications, all the seven items had means of almost 3, and an overall mean of about 2.90, which on the scale used corresponded to "agree" and hence a good overall self-rating of the respondents on publications. Table 2 (d) indicates that for innovation, all the four items had means of about 2, and an overall mean of about 2, which on the scale used corresponded to "disagree" and hence a poor overall self-rating of the respondents on innovation. Table 2 (e) reveals that for community service, all the eight items had means of about 3, and an overall mean of about 3, which on the scale used corresponded to "agree" and hence a good overall self-rating of the respondents on community service.

Table 2: Means on Employee Productivity Constructs

a) Teaching Productivity	Mean	Overall mean
I offer a simple, clear, concise language during lecturers.	3.19	3.23
I keep the interest of student alive during lessons	3.42	
I am compassionate and tolerant to students to some extent.	3.45	
I offer a sufficient number and quality of course related resources.	3.35	
I have consultation time to attend to the students.	3.20	
I facilitate my teaching on time	3.08	
I do extra time of teaching if it is necessary	3.21	
I finish my syllabus on time.	3.14	
b) Supervision Productivity	Mean	Overall mean
Whenever my supervisees need me I am available	3.24	3.22
I help students to complete their dissertations/ research project within the stipulated time	3.30	
I motivate my students to work hard on their studies.	3.46	
visit students on industrial assignment/attachment	2.90	
c) Publication Productivity	Mean	Overall mean
I have published locally and international	3.04	2.90
I have been able to produce an occasional paper.	3.12	
I have published a paper in conference proceedings locally and internationally	3.11	
I have produced a journal article	3.33	
I have written a technical report	2.95	
I have written a book chapter	2.33	
I have authored a scientific peer-reviewed bulletin	2.48	
d) Publication Innovation	Mean	Overall mean
I have patented some innovations I made.	2.19	2.26
I have made original products in the course of my duties with the students	2.43	
I spend time trying to create products invest machineries for industries.	2.21	
My products produced while working in this polytechnic are already in the market	2.21	
e) Community Service	Mean	Overall mean
As a member of staff of this polytechnic I participate in community events	3.33	3.26
I have participated in community improvement programmes as a member of this polytechnic	3.31	
I am involved in offering training sensitisation and mobilisation services to community	3.10	
I am involved in promoting the civic duties of the community	3.07	
I am Involved in collaborations with communities and stakeholders.	3.02	
As a member of staff, I participate in community activities	3.24	
As a member of staff I am involve in training the youth in community activities.	3.04	
As a member of staff, I personally make financial contributions to the community.	3.12	

The independent Variables. The independent variables in the study were two constructs that define employee identification, namely organisational identification and group identification. Tables 3 (a) and

3(b) show that for both organisational identification and group identification each with 9 items respectively had means of approximately 3. On the scale used, the means corresponded to "agree." Thus, the means indicated a good overall rating identification in the polytechnics.

Table 3: Means on Employee Identification Constructs

a) Organisational Identification	Mean	Overall mean
I am very concerned about the success of this polytechnic	3.68	3.45
I like working in this polytechnic	3.48	
I only want to hear others talk good about this polytechnic	3.01	
I am proud to be a member of this polytechnic	3.54	
This polytechnic is like a family to me.	3.35	
When I make job-related decisions, I think about how I will affect this polytechnic	3.34	
I am willing to put in extra effort in order to help this polytechnic to succeed.	3.63	
I identify closely with polytechnic	3.48	
I feel much loyalty to this polytechnic	3.51	
b) Group Identification	**Mean**	**Overall mean**
I am concerned about the success of all staff in this polytechnic	3.15	3.12
I like working colleagues in this polytechnic	3.04	
I only want to hear others talk good about my colleagues in this polytechnic	3.11	
I am proud to be a member of this polytechnic	3.25	
This polytechnic is like a family to me.	2.88	
When I make job-related decisions, I think about how I will affect my colleagues	3.16	
I am willing to put in extra effort in order to help colleagues be successful.	3.25	
I identify closely with colleagues in this polytechnic	3.13	
I feel much loyalty to fellow staff in this polytechnic	3.09	

Statistical Model for Prediction Employee Productivity using Employee Identification. To establish whether employee identification determined employee productivity of the academic staff in polytechnics, the dependent variable namely, employee productivity was regressed on the independent variable employee identification. The results are as in Table 4.

Table 4: Regression Model on Academic Staff Productivity and Employee Identification

Employee Identification	Standardised Beta β	Significance p
Organisational Identification	0.147	0.060
Group identification	0.157	0.045
Adjusted $R^2 = 0.066$		
F = 9.379, p = 0.000		

Dependent Variable: Academic Staff Productivity

The results in Table 4.59 show that, the two employee identification explained 6.6% of the variation in academic staff productivity (adjusted $R^2 = 0.066$). This means that 93.4% of the variation was accounted for by other factors not considered under this model. The regression model was significant ($F = 9.379$, $p = 0.000 < 0.05$). While both organisational and group identifications were positive correlates of academic staff productivity, only group identity was a significant correlate ($\beta = 0.147$, $p = 0.045$) that determined academic staff productivity while organisational identification ($\beta = 0.157$, $p = 0.060$) was not.

5. Discussion

Employee identification is a correlate of productivity academic of staff in Polytechnics. This hypothesis conjectured that employee identification was a correlate of productivity academic of staff in polytechnics. The hypothesis was studied basing on the two aspects of organisational and group

identification. The study established that organisational identification was an insignificant determinant of academic staff productivity. This finding was inconsistent with previous scholars. For instance, Carmeli et al. (2007) indicated that organisational identification resulted in enhanced employees' work outcome. Chughtai and Buckley (2010) revealed that organisational identification had a significant positive effect on in-role job performance. Kesen (2016) found out that organizational identification positively and significantly affected individual creativity. Liu et al. (2011) found out that employees' level of organisational identification had a positive significant relationship with employee performance. Further, Pekdemir and Turan (2014) revealed that organisational identity significantly positively influenced employees' in-role and extra role performance or productivity. The results of this study were controversial in that they were contrary to findings of the previous scholars.

With respect to group identification and academic staff productivity, the study revealed that group identification was a significant determinant of academic staff productivity. This finding was consistent with the findings of previous scholars. For instance, Carmeli (2007) indicated that identification resulted in enhanced employees' work outcome while Chughtai and Buckley (2010) revealed that identification had a significant positive effect on in-role job performance. Kesen (2016) indicated that organizational identification positively and significantly affected individual creativity. Liu et al., (2011) showed that identification had a positive significant relationship with employee performance. Pekdemir and Turan (2014) revealed that organisational identity significantly positively influenced employees' in-role and extra role performance or productivity. The above being consistent with those of previous scholars, it means that employee identification is a determinant of staff productivity.

6. Conclusion

Summary. Extant literature suggests that employee productivity contributes to performance of organisations. Productive employee accomplish organisational goals and objectives, effectively perform of tasks, use resources efficiently, have quality of output, workmanship, adherence to standards and lead to customer satisfaction. This paper was a survey on employee productivity in polytechnic in North Western Nigeria with the purpose linking employee productivity with two employee identification domains, namely organisational identification and group identification. In this endeavour, the study closed gaps as it was carried out in the context of polytechnics in the context of Africa that previous scholars had largely ignored. The study did not support the hypothesis that employee organisational identification was a positive significant determinant of employee productivity. However, it revealed that and emphasised that group identification was a positive and significant determinant of employee productivity.

Implication. The findings of this study have are of practical significance to the leadership of higher education institutions in Nigeria such as polytechnics. Specifically, the finding that group identification is a positive significant determinant of employee productivity suggests that it is important for the performance of higher education institutions. Therefore, it is recommended that the leadership of higher institutions such as polytechnics should put in place mechanisms to promote group identification. On the other hand, the finding that organisational identification was a positive but insignificant determinant of employee productivity points to the factor that it is not the most probable prerequisite for the productivity of employees.

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Contributions of Organisational Transparency, Communication Flow and Intrinsic Motivation to Teachers Job Performance in Ogun State Public Secondary School.

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Abstract. This study sought to determine the joint and relative contributions of organisational transparency, principals' communication flow and teachers' intrinsic motivation to teachers' job performance in Ogun State public secondary schools. This is predicated on the fact that lack of transparency has been the major problem militating against the nation's development in all spheres of human endeavour. In Nigeria, much attention has not been focused on how organisational transparency individually and jointly combined with other variables to determine the job performance of teachers.
The study employed the descriptive research design of the ex-post facto type. One thousand and thirty seven teachers (1037) in public secondary schools in Ogun State participated in the study. The sampling was done using multi-stage proportional and stratified random sampling techniques. Four instruments were used in collecting data namely; Transparency Factor Questionnaire (TFQ), Principals' Communication Flow Questionnaire (PCFQ), and Teachers' Intrinsic Motivation Scale (TIMS) for the independent variable and Teachers' Job Performance Rating Scale (TJPRS) for the dependent variable. All the instruments were adapted and pilot- tested and gave validity values of Chronbach alpha values between 0.8246 and 0.8670, the split- half reliability values ranging from 0.7841 to 0.8824. One hypothesis was formulated and tested. The data collected were analysed using multiple regression analysis. Findings revealed that organisational transparency, principals' communication flow and teachers' intrinsic motivation jointly and significantly accounted for 15.1% of teachers' job performance. Significantly, organisational transparency contributed 3.1%, principals' communication flow contributed 13.4% and teachers' intrinsic motivation contributed 3.2% to teachers' job performance. The study recommended among others that principals should adopt a transparent administrative style and ensure an effective communication flow in their schools; they should also help in enhancing teachers' intrinsic motivation by motivating excellent performance exhibited by them; government on her part must put in place policies that can enhance transparency in schools and motivate teachers effectively.

Key Words: organisational transparency; communication flow; intrinsic motivation; teachers' job performance; secondary schools in Ogun State.

1. Introduction

In discussing teachers' job performance, issues of trust between the school administrators and

teachers come to the forefront. It has been observed that organisational transparency breeds trust among workers in an organisation. Currently, the organisational transparency and other forms of transparency is of paramount issue in Nigeria. Questions are being asked about how transparent the institutions in the country are. Though, accusing fingers are being pointed to other subsystems of the country such as the political system, defence, energy, governance among others, the education industry too cannot be absolved of the happenings in the other subsystems. There is close association within and between the other subsystems and education. There is also the tendency for those in education industry to want to behave the ways others are behaving as the polity is occupied by culturally affinitive people. So, what operates in a subsystem has the tendency to spill into other areas of the system. Organisational transparency can be explained as how honest, dependable, open and reliable a system is Alaba (2011). Organisational transparency is majorly a management cadre issue. It is a concept that is first demonstrated either positively or negatively by the administrators of an organisation. Reactions are then demonstrated by workers of the system according to how they perceived organisational transparency in the organisation. This will either make or mar the output of the organisation. Teachers are not left out in this kind of reactions to organisational transparency in their schools.

Some attributes make a leader transparent and so endear him/her to his/her co-workers or subordinates. Transparency breeds trust. It is that attribute of the leader that makes his/her followers, co-workers or subordinates willingly to be vulnerable to him or her. Such attributes include being benevolent, reliable, competent, honest, and open. To earn a teacher's trust, the principal must be caring should respect teachers' views. Tschannen and Hoy's (2000) write that trust in an organisation is hinged on processes such as communication, collaboration, climate, organisational citizenship, efficacy and effectiveness.

Bloimqvist and Stable (2006); Brownwell (2000); Ralphstacy (2012) list the conditions for creating organisational trust. These conditions include keeping his/her commitments and promises; sharing himself/herself honestly with open communications; listening; keeping confidences; be accessible; tell the truth, showing respect, fair and consistent, cooperating and looking for ways to help; avoiding excuses and blames; and be accountable transparently.

According to Brownwell (2000) and Qianhorg-Fu (2004), while a code of ethics often specifies what people ought to do, the creation of trust depends on what people actually do. And so the head should create trust within his/her organisation. Trust is the factor necessary for cooperation which is vital for an organisation to exist and prosper. According to Blake and Macneil (1998), competence and goodwill are necessary to build trust. Transparency on the part of the principal ensures trust. Transparency has to do with communication, indeed a two-way communication process. It is the direct opposite of secrecy. Wikipedia (2015) describes transparency as implying openness, communication and accountability. Transparency is a means of fighting corruption. It gives little room for the abuse of the system particularly in the favour of the operators of the system. According to Glazer, Zamanou and Hacker (1987), transparency helps to build organisational culture.

Galford and Drapeau (2004); Ralphstacey (2012) list enemies of trust as inadequate communication, misbehaviour and unremedied situations. They went ahead to ascertain that organisation trust is based on transparency. That is the belief that things are done the way things ought to be done in the organisation. Begley (1996) writes "A commitment to organisational transparency is an attempt to create a high level of trust among stakeholders through insistence on open access to information, participation and decision-making. In both public and private sectors, openness about intentions and the formulation and implementation of initiatives is increasingly recognised as a key element of good governance. Babajide (2006) opines that principals must possess readiness to explain actions, willingness to listen to subordinates and allow teachers participate in decision making. He goes further to say that the principal must be

transformational in nature by being tolerant, fair, sensitive available and giving respect to individual teachers and must be pragmatic. This will enhance teachers' job performance and boost transparency.

Another factor that cannot be underrated in operating and explaining organisational transparency in organisation is communication flow. Peretomode (1992) defines communication as the transfer of information, feelings or messages from a source to a receiver. This presupposes that information that is not properly encoded so that it could convey a meaning to the decoder would not be classified as communication. Information must not only be well coded but also be understood by the receiver before communication can be said to have taken place. Oladunjoye (2006) and Mehmet , Fadimeand Sultan (2013) posits that communication is a process of transmitting thoughts, sharing or imparting information or ideas and giving understandable information.

Communication flow can be explained as how effective the communication in an organisation is as perceived by the workers in the system. In running an organisation, rules are made, directives are given. In particular, a school system is bureaucratic in nature. Documentation as well as chains of command dominates the operation of the system. Such that, if care is not taken about the communication flow, wrong perceptions on the issue of honesty and other issues may be developed. This emphasises the fact that the process of managing an organisation must not only be done in a correct manner but must be clearly seen by all concerned that proper processes are used in achieving ends. In any organisation, communication occupies a paramount position if any success is needed (Cherly, 2013). At all levels, decisions have to be made; such decisions must be passed down to those who will implement it. The place of proper communication channels and processes in ensuring and enforcing transparency cannot be overemphasized. This will work against trust in such organisation thus generating conflicting perceptions which will affect the output of the system. Unlike machines, the human mind is quick to react to issues they perceive as negative to their views. Hence teachers even when provided with all resources required may still not work as expected leading to poor results.

In discussing communication flow in schools, two things readily come to mind. One of this is that the business of schools is teaching, that is, imparting of knowledge. The other is the building of relationship for the betterment of the schools and societies and also for the smooth running of the schools towards the accomplishment of the goals of education. The school as an organisation depends on interpersonal relationship and intra-personal relationship to continue to exist for the purpose it was established. Relationship and communication go hand in hand as it is through effective communication flow that positive relationship could be built or developed Mehmet et al (2013). The school, as pointed out above, is about relationship. Teacher – teacher relationship, Teacher – Student relationship, School manager – Teacher relationship, Principal – Teacher relationship, School – community relationship, Government – School relationship, Academic staff – Non – Academic staff relationship among others are developed with the use of communication.

In the school system, the channels of communication must be clear, devoid of ambiguity for workers to be sure of what is expected and how to achieve same (Cert, 2016). All those involved with the school need to be able to raise concerns, talk theory, ideas, give praise and be listened to. It is important that people receive the information they need to do their work and that they don't receive more than they need so that information overload does not set in. The business of teaching and learning itself involves exchange of ideas between teacher and students which cannot take place except through effective communication. Horace (2006) and Williams (2016) lists what should be considered when developing communication skills as follows: communicate effectively, orally, and in writing with a range of audience; negotiate and consult effectively; manage good communications system; develop, maintain and use an effective network of connection.

Teaching, people say is a job of conscience. This translates to what is referred to as intrinsic motivation. Intrinsic motivation is explained as that internal feeling that makes the worker to go the extra mile at work or his/her duties without being prompted or induced to do so. Educational Psychology Interactive (2006) defines intrinsic motivation as "Internal state or condition that activates behaviour and gives direction". Palmer (2002), while explaining intrinsic motivation, states that it involves completing a task for the feeling of mastery, control, or pleasure it provides.

When a worker is intrinsically motivated, the job itself becomes pleasing to him/her. There is an urge within him/her to do the job because he enjoys doing it. It may be due to competence, a sense of absolute control or the fun of doing it (Akanbi, n.d, Nasibov, 2015). Suslu (2006) discovered that there is high correlation between intrinsic motivation and teaching which stems from internal desire to educate people. Mohammad (2014) opined that fulfilment of teaching is provided with intrinsic rewards. Intrinsic motivation is likely to be increased by a sense of relatedness which is defined as the degree of emotional security that teachers feel. He concluded that lack of motivation may cause unwillingness to work. Teachers' intrinsic rewards outweigh extrinsic ones in educator motivation and job satisfaction. She concluded that though both extrinsic and intrinsic motivations are important for teacher job performance, the aim of organisation should be to build on and enhance the intrinsic motivation for teachers to teach effectively. Muogbo (2013) in a study ofemployee motivation oon organisational performance on selected firms in Anambra State, Nigeria found thatemployee motivation correlates to organisational performance to a high degree. The same view was expressed by Ovidiu-Iliuta (2013).

Several issues within the Nigerian society works against the intrinsic motivation of teachers in the secondary school. The poor social outlook the society have on teacher at the lower level of education often works against the teachers' willingness to work. The political class in Nigeria are known to use derogatory words on teachers particularly if the teachers dare ask for their rights. For instance, teachers in Ogun State Nigeria have on several occasions embarked on strike actions to demand for their entitlements. These would definitely dampen teachers' morale and would invariably affect teachers' job performance. Some studies have attempted to look at some of these issues by considering each variables such as how organisational transperancy, communication flow, intrinsic motivation of teachers individually affect teachers' job performance (Alaba 2012, 2013, 2015; Ovidiu-Iliuta, 2013; Muogbo, 2013).

Every worker in an organisation has a role to play in the achievement of the goals of the organisation. Whatever is concerned with the production process has its likes and dislikes. For example, machines have their maximum production capacity, limitation, period of overhaul, servicing and disposal. So also are other materials in the line of production. It is also the same with human factors as inputs in production process. The importance of human beings in the achievement of organisational goal cannot be over emphasized even in the era of computerisation of industries and service oriented companies. The production process actually revolves round the human factors. Whether the organisational goal will be achieved or not depends on the relationship established between and within the human factors in the system.

As argued in the background to this study, teachers form the pivot on which the educational goal attainment of this country revolves. This study is therefore conceptualized on the system theory.

2. Statement of Problem

Currently, teachers' job performance is suspect when output of the secondary school is mentioned. Government claimed to be investing heavy sums of money on the school system by providing needed facilities and paying teachers emolument This therefore call for investigation into other factors that may affect teachers' job performance, some of which were discussed above. This study therefore looks at the

combined contributions of the three variables of Organisational transparency, communication flow and intrinsic motivation to teachers' job performance in Ogun State Public Secondary Schools

3. Hypothesis

For the purpose of this study, the following hypothesis was formulated:

HO_1: There is no significant combined contribution of organisational transparency, principals' communication flow, and teachers' intrinsic motivation to teachers' job performance in Ogun State.

4. Methodology

Research Design: This study employed the descriptive research design of the ex-post facto type. This design has been found to be suitable for this type of study.

The population consisted of 10336 teachers in 468 public secondary schools (senior secondary, junior secondary, combined secondary schools) in all the twenty local government areas of Ogun State. The sample for this research work is one thousand, two hundred and seventy seven teachers drawn from some of the cadres of teachers in Ogun state public secondary schools by using multi-stage proportional Stratified random sampling technique. A total one thousand, two hundred and seventy seven copies of questionnaires were distributed. Four instruments were used for data collection. The pilot testing of the instruments involved 50 teachers from five public secondary schools in Ijebu North Local Government Zone that were not part of the samples used for the main study of the research. At the end of the pilot testing, the validity and reliability of the instruments were calculated using Cronbach alpha and Guttman split- half reliability test respectively as stated below.

Principals' Communication Flow Questionnaire: This instrument was adapted. from Gallup Organisation Change Management Tool book Questionnaires for satisfaction at the workplace for measuring the communication flow of the principal consisted of 20 items on Likert rarings of 1-4 points. The trial stage gave a Chronbach Coefficient Alpha Value of 0.8246 for validity and a split half reliability index value of 0.7841.

Transparency Factor Questionnaire (TFQ) was adapted from the trust scales developed by Hoy and Tchannen-Moran (20030.At the end of the trial stage, the validity and reliability were calculated. The responses gave a Chronbach Alpha Value of 0.8670 and split half reliability value of 0.8824. It consisted of 20 items rated on 1-4 points on Likert ratings

Teachers' Intrinsic Motivation Scale (TIMS): This instrument was adapted from The Post Experimental Intrinsic Motivation Inventory (2006) has a validity of Chronbach Alpha Value of 0.8646 and a split half reliability value of 0.7986. It consisted of 26 items rated on 1-4 points on Likert ratings

Teachers' Job Performance Rating Scale (TJPRS): The scale was adopted from Ubabudu (2005), it has a validity of Chronbach Alpha Value of 0.8577 and a reliability coefficient of 0.7877. The scale consists of 30 items that are rated from 1 to 4 points. The items which are attitudinal in nature sought to know about Teachers' Job Performance in Schools.

Transparency factor questionnaire, principal communication flow questionnaire and teacher intrinsic motivation questionnaire were rated by sampled teachers while the teachers' job performance rating scale was completed by the Head of Department for teachers under him/her or the Principal when the participant were Heads of Department. At the end of the process of data collection, one thousand and thirty seven set of questionnaires were correctly completed and considered adequate for use in the study. Data collected from the field were analysed with the use of Multiple Regression Analysis.

5. Results

Table 1: Model summary of combined contribution of organisational transparency, principals' communication flow and teachers' intrinsic motivation to teachers' job performance scores (N=1037)

R=0.388	Model	Sum of square	df	Mean square	F	Sig
$R^2 = 0.151$	Regression	58967.873	3	19655.958	61.077	.000
Adjusted $R^2 = 0.148$	Residual	332442.68	1033	321.823		
Std Error of estimate = 17.939	Total	391410.56	1036			

* F is significant of 0.05 level

Predictor variables: Organisational transparency score, principals' communication flow score, teachers' intrinsic motivation score

Dependent variable: Teachers' job performance score

The result in table 1, revealed significant outcome ($F_{(3,1033)} = 61.007$, $p<0.05$). This implies that the predictor variables (organisational transparency, principals' communication flow and teachers' intrinsic motivation) jointly contributed significantly to the teachers' job performance scores. The results further revealed that when combined, the predictor variables contributed 15.1% ($R=0.388$, $R^2 = 0.151$) to the variance in the dependent variable (teachers' job performance score). As a result, the null hypothesis of no significant combined contribution is hereby rejected. The implication of this finding therefore is that the three predictor variables jointly and significantly contributed and explained about 15% of the variance in the teachers' job performance in Ogun State public secondary schools.

Table 2: Beta Coefficient and t ratio for relative contributions of organisational transparency, principal communication flow, and teachers' intrinsic motivation to teachers job performance in Ogun state public secondary schools.

Model	Unstandardized coefficients		Standardized coefficients	t	Sig
	B	Std. Error	Beta		
1 (Constant)	64.572	6.775		9.522	.000
Transparency Factor Questionnaire	-.342	.157	-.065	-2.174	.030
Principals' Communication Questionnaire	.712	.066	.327	10.799	.000
Teachers' intrinsic Motivation Scale	-.261	.071	.108	-3.686	.000

a. Dependent Variable: Teacher job performance rating scale

b. Selecting only cases for which teachers sex = All teachers

Table 2 showed that all three variables are potent determinants of teacher's job performance in Ogun state public secondary schools. Principals' communication flow (β_2 .327, t = 10.799 P< .05) Organisational transparency (β = -.065, t = -2.174, P<.05) and Teachers' intrinsic motivation (β =-.108, t = -3.686, P<.05). It is obvious that all three determinant variables are potent determinants of teachers' job performance in Ogun State public secondary schools.

6. Discussion

The outcome of hypothesis testing showed that the three variables of organisational transparency, principals' communication flow and teachers' intrinsic motivation contribute significantly to teachers' job performance. A joint contribution of 15.1% cannot be waved away by any standard. This has confirmed the study of and Kratzer (1997), who discovered

that transparency enhances job performance of teachers. Also, this finding aligns with the result of the study of Biswal (2005), whose result showed that accountability and transparency contribute to job output in the education system. The views of Palmer (2002) and Mohammad (2014) on intrinsic motivation on work output are also confirmed by the result of this study. Huitt (2006) and Elizabeth and, Kwesi (2016) believes that interactions within organisation will increase intrinsic motivation which in essence will lead to better job performance. A teacher with a high sense of belonging will most likely work to enhance a positive output for the organisation. The interactions within the school as pointed out before is based on communication hence this study is also confirming the findings of Munchinsky (2000). Munchinsky (2000) found that nearly all processes within an organisation correlates well with the communication process to improve organisational job effectiveness. Eweje (2005) discovered that principals' communication style affects teachers' job satisfaction which in turn influences teachers' job performance. The same views were expressed by Mehmet, Fadime and Sultan (2013). They opined thateffective communication in educational administration enhances job performance.

Result also indicated that organisational transparency contributes 3.1% to teachers' job performance and that it is significant. This result aligns with the findings of Kratzer (1997), Tschanen-Moran and Hoy (1998) and the opinions of Blake and Macneil (1998), Dacosta and Riordan (1996) and Kratzer (1997) found that school improvement is contingent on teachers trust Blake and Macneil (1998) and Schoorman, Davis and Mayer (2007) opined that when the Principal is approachable, uses powers effectively, is flexible, and creates useful staff development opportunities, he will enjoy his/her staff trust. This is bound to affect job performance positively.

Findings also showed the contribution of principals' communication flow to teachers' job performance in Ogun State public secondary schools. With a contribution of 13.4%, principals' communication flow contributed more than the other variables. Definitely communication flow contributes significantly to teachers' job performance. This finding corroborates that of Munchinsky (2000), who found that nearly all processes in an organisation correlate well with the communication style in that organisation. The findings also confirmed the result of Eweje (2005), that principals' communication style has a lot of impact on teachers' job effectiveness.

The analysis showed that teachers' intrinsic motivation contributed 3.2% to teachers' job performance. This result showed that teachers' intrinsic motivation is important in job performance of teachers. However, it should be noticed that if weighed against communication, there exist a wide gap. Several studies have also shown that motivation is important in the job performance of teachers. This result corroborates the findings of the studies of Oluchuckwu (2000), Muogbo (2013), Fabiyi (2000), Nasibov (2015), Salami (2001), and Adeniji (2001). Ofoegbu (2004) found in a study that teachers who are intrinsically motivated are able to undertake a task for its own sake. In other words, intrinsically motivated teacher have a higher job performance than those who are not intrinsically motivated. Oluchucku (2000) and Elizabeth and Kwesi (2016) found that organisation climate sometimes serve as motivation to enhance workers' job performance as teachers are motivated to work. Adeniji (2001) also found that intrinsically motivated teachers assisted by good qualification perform better on the job. Udensi, (2000), Salami (2001), Okorie and Uche (2001), in separate studies discovered that factors that affect motivation of teachers when looked into also tend to enhance teachers' job performance. It further corroborates the discovery of Osokoya (2005), that the absence of motivational factors such as allowances and programmes that add value to teachers' esteem negatively affects the job performance of teachers. Ofoegbu (2004) and Elizabeth and, Kwesi (2016) in studies discovered that workers who are intrinsically motivated are observed to be able to undertake a task for its own sake, for the satisfaction it provides or for the feeling of accomplishment and self-actualisation. The study which involved

772 teachers from public primary and secondary schools from the south eastern states of Nigeria was carried out on teacher motivation output. In a study, Watkins (2007) studied intrinsic and extrinsic motivation of employees and job satisfaction of workers. The study addressed 10 family- owned business and 20 corporately owned business in the retail industry. The study showed that no matter the level of the business and the relationship of a worker to the owner of the business, both intrinsic and extrinsic motivation should be enhanced to guarantee a high level of performance by workers. The study further revealed that people obtain jobs for extrinsic factors but retained it not only for extrinsic factor but for intrinsic rewards involved. However, one should note that, intrinsic motivation in this study, though, significant in its contribution to teachers' job performance, did not contribute much to teachers job performance. This means that intrinsic motivation is at the lowest acceptable level among teachers in Ogun State public secondary schools.

7. Conclusion

Organisational transparency has become topical in recent times due to the insistence of the current government on due process in the running of governmental affairs but little or no attention has been paid to how transparently the school system is run and its implication on teachers' job performance. The principals' communication flow and teachers' intrinsic motivation were also considered as factors which could interact with organisational transparency to sway teachers' job performance in one way or the other. Findings revealed that the three independent variables organisational transparency, principals' communication flow and teachers' intrinsic motivation jointly and significantly determined teachers' job performance. Of the three variables however, principals' communication flow was the most significant factor in the prediction of teachers' job performance in Ogun State public secondary school. The three variables also jointly, relatively and significantly contributed to the job performance of male and female teachers but female teachers' job performance depended more on the three variables than that of male teachers.

The result of this study has far reaching implications for principals, teachers, educational administrators and government among others. The principal should be conscious in carrying out his activities because of interpretations that could be either positive or otherwise. The principal must ensure that he is transparent in all his/her doings. He/she must ensure that he/she carries along his/her staff. The independent variables affect female teachers' reactions and young teachers reactions more than experienced teachers. These two groups form the bulk of teachers in the area under study. So in order not to jeopardise teacher's job performance, the principal must communicate more effectively with them and ensure transparency in the dealings and facilitate a congenial working environment.

Government must ensure that teaching personnel are well taken care of to enhance the interest of teachers in the job. Intrinsic motivation of the teachers can be enhanced by making available needed resources and motivation as external motivation enhances teachers' intrinsic motivation.

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Sporting Activities as an Agent of Peace and Unity Among Secondary School Students in Ilorin South Local Government

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Abstract. The study investigated sporting activities as an agent of peace and unity among secondary school students in Ilorin South Local government. Sport has become a world language, a common denominator that breaks down all the walls and barriers. Descriptive research design of the survey type was adopted for the research, the population of the study comprised of all public secondary schools in Ilorin South Local Government. Multistage sampling technique was used to select 288 students used for this study. A researcher structured Questionnaire was used. The study found out that: Extracurricular activities has significant influence on peace and unity among secondary school in Ilorin South local government with cal value 547.20> crit. Value 16.92 at 9 df and 0.05 level of significance, organized inter-house sport has a noticeable influence on peace and unity among secondary school students in Ilorin South Local Government with cal value 439.14> crit. Value 16.92 at 9df and 0.05 level of significance, major competitions influence peace and unity among secondary school students in Ilorin South local government with cal value 400.02> crit. Value 12.59 at 6df and 0.05 level of significance. The findings of the study revealed that extra-curricular activities, organized inter-house sports, and major competitions have significant influence on peace and unity among secondary school students in Ilorin South Local Government. Based on the findings, some recommendations were made, extracurricular activities should be organized more often in secondary schools so as to promote tolerance, teamwork, trust and respect for others among students.

Keywords: sporting activities, peace, unity

1. Introduction

Over the past few decades, sport has been a means of bringing people of different culture and creeds together. Sporting event serves as avenue where people of different genders, ages and religious background and political affiliations meet without any feelings of resentment. It is a social agent where people of different ages and political backgrounds meet as either producers or consumers (players and spectators). According to the United Nations General Secretary, Ban (2007), Sports has become a world language, a common denominator that breaks down all the walls and barriers. It is a worldwide industry whose practices can have a widespread impact, most of all; it is a powerful tool for progress and development.

Ademola (2014) defined sports as any competitive activity that uses physical and intellectual capacity done by an individual or between individuals in order to significantly

contribute to their physical, intellectual, social, emotional and financial wellbeing. Sport in its many forms has at its roots the fundamental principles of body movement and physical activity that contributes to our life experience. Sports in this context is defined as "all forms of physical activity that contribute to physical fitness, mental wellbeing and social interaction, such as play, recreation, organised or competitive sport, and indigenous sports and games".

United Nations Inter-Agency Task Force on Sports for Development and Peace, (2008) affirmed that for any nation to develop and be able to effectively compete on the world stage, its youths and students must be well catered for, and there must be unity and peaceful co-existence amongst its citizens. Any nation that neglects its youths, and allows intolerance and disunity to grow within its borders will fail to make any meaningful progress because the most important segments of a nation's populace is the youths. (United Nations Inter-Agency Task Force on Sports for Development and Peace, 2008).

The term "peace" originates most recently from the Anglo-French "pes" and the Old French "pais", meaning "peace, reconciliation, silence, agreement". (11^{th} century). Online Etymology Dictionary (2012), defined peace as a period of harmony between different social groups that is characterised by lack of violence or conflict behaviours, and the freedom from fear of violence.

The world presently is characterized by various acts of violence such as terrorism, kidnappings, cultism, corruption and other social vices that have led to the loss of lives and property, emotional traumas and so on. This worrisome trend has caused national governments, regional bodies and world organizations such as the United Nations, African Union and others to consciously evolve strategies in addressing such acts. One of the strategies is the use of recreational activities in peace building to ensure a culture of peace in secondary schools and society (United Nations 2003 and World Health Organization 2008).

Sports have come to be recognized as one of the most active ways of building and moulding of characters and personalities of the individual. Therefore all concerned with character, moral and spiritual training of individuals must be involved in sports. The secondary schools in our society, inclusive of "private and public" believed to be character moulders, should be actively involved in sporting activities, which have been known to be an integral component of the educational programme of all nations, to achieve its set goals. Sport is an essential tool for building strong individual and vibrant communities and for enhancing collective pride, identity and sense of belonging. Sport is also a valuable tool to initiate social development and improve social cohesion, especially when implemented with young people. With the power or to be a major influence on marginalized and under- represented groups and individuals at risk, sports development, self-esteem and helps to overcome personal and social challenges(Coakley& Pike, 2009).

Sporting activities have been part of the culture, customs and natural living of man; they have direct relationship with plans, purposes and goals of human beings. Since have existed with education since primitive times, when man developed skills like hunting, handling of weapons, tests of strength, endurance and courage (Okediji, 2015). Sports are the various activities which man engages in from childhood to adulthood which promote the acquisition of mental, physical, spiritual, aesthetic, emotional and educational wellbeing to make the individual contribute meaningfully to the development of the society (Badmus, 2009).

Sport and recreation positively contribute to many of the factors which build social cohesion, such as better physical and mental health, high educational attainment, reducing crime and antisocial behaviour, creating better employment opportunities and earning potential, and ensuring a fit and healthy workforce. Through recreation, children learn to exercise judgement and think critically while finding solutions to problems, promote the spirit of friendship, solidarity and fair play, teaching teamwork, self-discipline, trust, respect for others, leadership and coping skills (Sport and Recreation South Africa, 2012).

Intramural principles originally documented by Dr. Elimer Mitchell have remained largely unchanged with the new concept recreational sport, representing the diverse recreational interests of participants and relates to both theory and practice. The term intramural sport may be used in any recreational sport setting, for instance, on sport programme sponsored by a faith based organization, community etc (Juan Silliezar, 2014).

Intramural and extramural sporting activities such as inter house sports, football, volleyball, basketball and athletics competitions are organised by the school and also other major competitions such as National School Sports Festival, Guaranty Trust Bank Football competitions for secondary schools, Milo Basketball competition and so on have also been used as avenues to contribute immensely to peace building and foster unity among students by bringing the students together from different backgrounds, locations, family and religious backgrounds which in turn creates friendship, teamwork, tolerance and so on.
Extramural is an extension of the intramural sport programme. The participants are usually champions of intramural sports programme for example, champions of Nigerian University Games (NUGA), Nigerian College of Education Games (NICEGA). They compete out of their natural setting against champions from other institutions. A high quality intramural or extramural sport programme encourages maximum participation in voluntary and wholesome sport activities for all. Equal opportunities in sport are made available to all interested individuals regardless of age, gender, race, or religion.

2. Research Questions

(i) Will organizing extracurricular activities have significant influence on peace and unity among secondary school students in Ilorin South Local Government?
(ii) Will organizing inter-house sports have significant influence on peace and unity among secondary school students in Ilorin South Local Government?
(iii) Will major competitions such as National School Sports Festival have significant influence on peace and unity among secondary school students in Ilorin South Local Government.

3. Hypotheses

The following research hypotheses were formulated for the study:

(i) Organizing extracurricular activities will have no significant influence on peace and unity
among secondary school students in Ilorin South Local Government.
(i) Organizing inter-house sports will have no significant influence on peace and unity among secondary school students in Ilorin South Local Government.
(ii) Major competitions such as National School Sports Festival will have no significant influence on peace and unity among secondary school students in Ilorin South Local Government.

4. Methodology

The design adopted for this study wasdescriptive research design of the survey type. This research design was considered appropriate for this study because it allowed the researcher to collect personal and general information for sporting activities as an agent of peace and unity among secondary school students in Ilorin south local government.

The population of this study comprised of all public senior secondary schools in Ilorin south local government as at the time of this study. Sample size of 288 students was selected with the use of multi - stage sampling technique. Stratified sampling technique wasused to group all public secondary schools in Ilorin South into wards, simple random sampling technique was used to select 6 schools out of the 22 available

public senior secondary schools in Ilorin South (Kwara State Ministry of Education, 2016). Proportionate sampling technique was used to select 10.5% from each school while systematic sampling technique wasused to the students from each class.

The instrument that was used for this study is a Researcher structured Questionnaire measuring how sporting activities serve as an agent of peace and unity among secondary schools in Ilorin south. A total of two hundred and eighty eight (288) Questionnaires was distributed to the respondents in their classrooms. The completed Questionnaire forms was collected and coded immediately for data analysis. Frequency percentage wasused to analyse demographic information from the respondents while inferential statistics of Chi-square was used to analyse null hypotheses postulated at 0.05 level of significance.

5. Results

Ho1:Extracurricular activities will have no significant influence on peace and unity among secondary school students in Ilorin South Local Government .

Table 1: Chi-square analysis on the influence of Extracurricular activities among secondary school students in Ilorin South Local Government.

S/N	ITEMS	SA	A	D	SD	ROW TOTAL	df	CAL. VALUE	TABLE VALUE	REMARK
1	Extracurricular activities make students from different tribes comes together and helps to promote peace and unity.	183(63.5 %)	98 (34.0%)	37 (15.8%)	7 (2.4%)	288				
2	Extracurricular activities encourages maximum participation in voluntary and wholesome sport for all.	134 (46.5%)	145 (50.3%)	7 (2.4%)	2 (.7%)	288				
3	Extracurricular activities provides equal opportunities for students to participate irrespective of their age, gender, race or religion.	137 (47.6%)	115 (39.9%)	29 (10.1%)	7 (2.4%)	288	9	547.20	16.92	Ho Rejected
4	Extracurricular activities encourages healthy competition among students from different schools.	145 (50.3%)	121 (42.0%)	13 (4.5%)	9 (3.1%)	288				
	Column Total	**599**	**479**	**86**	**25**	**702**				

P < 0.05 alpha level

The findings from the analysis in the table 1 indicated that calculated Chi-square value of 547.200 and the table value of16.92 with the degree of freedom of 9 at 0.05 alpha level. Since the calculated value is greater than the table value, the null hypothesis is rejected. This implies that Extracurricular activities has significant influence on peace and unity among secondary school students in Ilorin South Local Government. This finding confirm the opinion of Juan and Silliezar (2014), who stated that a high quality extracurricular sport programme encourages maximum participation in wholesome sport activities for all. Equal opportunities in sport are made available to all individuals regardless of age, gender, race or religion.

Ho2:Inter-house sports will have no significant influence on peace and unity among secondary school students.

Table 2: Chi-square analysis on the influence of Inter-house sports on peace and unity among secondary school students in Ilorin South Local Government.

S/N	ITEMS	SA	A	D	SD	ROW TOTAL	Df	CAL. VALUE	TABLE VALUE	REMARK
1	Inter-house sports helps to promote tolerance among secondary school students.	152 (52.8%)	113 (39.2%)	18 (6.2%)	5 (1.7%)	288				
2	Inter-house sports helps to promote positive values such as cooperation, respect and trust among students.	128 (44.4%)	135 (46.9%)	23 (8.0%)	2 (.7%)	288				
3	Inter-house sports helps to promote social interaction among secondary school students.	169 (58.7%)	105 (36.5%)	11 (3.8%)	3 (1.0%)	288	9	439.14	16.92	Ho Rejected
4	Inter-house sports helps to promote teamwork among secondary school students.	163 (56.6%)	102 (35.4%)	12 (4.2%)	11 (3.8%)	288				
	Column Total	**612**	**455**	**64**	**21**	**1152**				

P < 0.05 alpha level

The findings from the analysis in the table 2 indicated thatcalculated Chi-square value of 439.140 and the table value of16.92 with the degree of freedom of 9 at 0.05 alpha level. Since the calculated value is greater than the table value, the null hypothesis is rejected. This implies that Inter-house sports has influence on peace and unity among secondary school students in Ilorin South Local Government. This was supported by Coakley and Pike (2009), who postulated that sport is an essential tool for building strong individual and vibrant communities and for enhancing collective pride, identity and sense of belonging. Sports have come to be recognized as one of the most active ways of building up and moulding of characters and personalities of the individual. Therefore, both public and private secondary schools who are believed to be character moulders should be actively involved in sporting activities which have been known to be an integral part of all nations to achieve its set goals.

Ho3: Major competitions will have no significant influence on peace and unity among secondary school students in Ilorin South Local Government.

Table 3: Chi-square analysis on the influence of Major competitions on peace and unity among secondary school students in Ilorin South Local Government.

S/N	ITEMS	SA	A	D	SD	ROW TOTAL	Df	CAL. VALUE	TABLE VALUE	REMARK
1	Sport is a valuable tool for initiating social development and unity when implemented with young people.	148 (51.4%)	137 (47.6%)	3 (1.0%)	0 (0%)	288				
2	Organizing major competitions helps to overcome low self-esteem and offer a sense of belonging to students.	149 (51.7%)	119 (41.3%)	13 (4.5%)	7 (2.4%)	288				
3	Participating in sport competitions helps to build a strong individual and vibrant communities.	173 (60.1%)	104 (36.1%)	5 (1.7%)	6 (2.1%)	288	6	400.02	12.59	Ho Rejected
	Column Total	**470**	**360**	**21**	**13**	**864**				

P < 0.05 alpha level

The findings from the analysis in the table 3 indicated that calculated Chi-square value of 400.02 and the table value of12.59 with the degree of freedom of 6 at 0.05 alpha level. Since the calculated value is greater than the table value, the null hypothesis is rejected. This implies that Major competitions have significant influence on peace and unity among secondary school students in Ilorin South Local Government. This is in compliance with the findings of Badmus (2009) that sports are the various activities which man engages in from childhood to adulthood which promotes the acquisition of mental, physical, spiritual, aesthetic, emotional and educational wellbeing to make the individual contribute meaningfully to the development of the society. Through sports, friendship, solidarity and fair play, teamwork, self-discipline, trust and respect for others are being promoted.

6. Conclusion

Based on the findings from this study, the following conclusions were drawn:
Organizing extracurricular activities have significant influence on peace and unity among secondary school students in Ilorin South Local Government, Major competitions have significant influence among secondary school students in Ilorin South Local Government. Inter-house sports have significant influence on peace and unity among secondary school students in Ilorin South Local Government.

7. Recommendations

Based on the findings of this study, the following recommendations were made:

(i) Extracurricular activities should be organized more often in secondary schools so as to promote tolerance, teamwork, trust and respect for others among students.

(ii) The government should be involved in sponsoring major sport competitions both at national and state levels as this will help in bringing students from different backgrounds, tribes,states and communities together thereby promoting peace and unity among secondary school student.

(iii) The school authorities should also organize annual inter house sports n their various schoolsandstudentsshouldbeencouragedtotakepartinvariousactivitiesasthisplaysasignificantroleinsocialdevelopmentandinteraction, promotes the spirit of friendship and also contributing positively to peace and unity among secondary school students.

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Comparative Analysis of Using Computer Tutor Guide and Demonstration Methods of Teaching on Students' Skills Acquisition in Word Processing in Nigerian Universities

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Abstract. The study was conducted to compare the level of skills acquired in word processing using computer tutor guide and lecture/demonstration methods of teaching in Nigerian universities. In order to achieve this, three specific objectives and three null hypotheses were postulated to guide the study. Experimental research design was used for the study. The population for the study consisted of one hundred and eighty seven (137) 200 levels students for 2015/2016 academic session in Ahmadu Bello University, Zaria, out of which 100 students (50 students in each group) were sampled using purposive sampling. The 100 Students were first pre-tested and exposed to word processing skills using computer-tutor guide and lecture/demonstration methods after which the post test was administered. The scores of the students from the two groups were analyzed using means and standard deviation. An independent sample t-test was used to test all the null hypotheses. The findings include among others that computer tutor guide group performed better than demonstration group in the level of skills acquired in word processing. Based on the findings, it was concluded that the computer tutor guide method of teaching word processing skills is more effective than lecture/demonstration methods. In view of these findings, it was recommended among others that business education lecturers in the universities should use more of computer tutor guide method in teaching skill in word processing than only depending on lecture/demonstration methods.

Keywords: Word Processing, Computer tutor guide, lecture/demonstration teaching methods

1. Introduction

Business education basically provides knowledge and skills to students that will enable them to be self-reliant and useful members of the society. Word processing is one of the courses taught in business education which requires practical skills. This course involves students learning how to type with speed and accuracy, create tables and insert figures, manipulate text, type manuscripts, letters, and memorandum, create graphics and design power-point using computers. This course is expected to be taught with proper methods of teaching. This is because when proper methods of teaching are used in teaching practical courses, it will go a long way in meeting the students' skills acquisition for self-employment and also to achieve the goals of business education programme.

One of the teaching methods that are suitable for practical courses such as word processing may be lecture/demonstration methods. Demonstration method of teaching is generally

used by the teacher to illustrate a procedure to be followed. A well planned demonstration can often crystallize a student's comprehension of a new concept more effectively in one or two minutes those hours of talk or pages of reading. The main purposes of demonstration are to establish a pattern or procedure to be used in the preparation of a given product; set a standard for work habit; motivate a desire in the minds of students to try the product.

Ajoma (2009) states that the demonstration method of teaching and learning is a method in which teachers dramatize topics to be taught be either the use of items or recorded materials while students are made to practice the skills demonstrated in readiness for the time they will be asked to display their level of efficiency in the performance or those skills. It is one of the effective method of learning word processing as it is explained the steps of an operation and shows how a process or an experiment is to be carried out, what to do and why it should be done that way. Teacher demonstration method therefore, is a teacher centred method of teaching whereby the teacher illustrates a procedure to be followed and thereafter students follow those procedures to solve the given problem practically. As good as this method is for teaching practical courses, it is observed that it may not be very effective in teaching word-processing where students are large in number, therefore, in order to achieve this objective, appropriate methods of teaching are required to be used by the lecturers such as computer-tutor guide.

Computer tutor guide involves combination of picture, sound and words used in computer. It is a motion picture method of teaching and learning which makes the event look real and students will recall that which has been taught as the activity come alive on screen. Shodeine (2001) points out that computer-tutor guide uses many small parts of microchips that controls and direct a small current, as can be seen in motion picture films, television, radio, disks, projectors and many others. Ofsted (2004) explained that computer tutor guide method of teaching is an alternative and cost effective option to the usual classroom face to face learning model. Computer learning marks the beginning of a new wave of technological development of learning in the world.

2. Statement of the Problem

The researcher's interactions with business education students in Ahmadu Bello University, Zaria revealed that students offering Word processing lack competency in typing-sitting position, speed/ accuracy and text manipulation. Also, interactions with lecturers teaching word processing in Ahmadu Bello University, Zaria revealed that lecturers use only lecture/demonstration methods to teach word processing. The researcher observed that these methods, as appropriate as they seem to be in teaching practical courses, do not deliver the desired result in teaching word processing especially where the numbers of students in the computer laboratory are too large. It is based on this that this study is conducted to compare the level of skills acquired in word processing using lecture/demonstration methods and computer tutor guide methods of teaching where the numbers of students are large in a computer laboratory in Nigerian universities.

3. **Objectives**:

The following specific objectives were raised to:

(i) determine the level of skills acquired by the students taught the sitting position on a computer using computer tutor guide and those taught using lecture/demonstration methods in universities in Nigeria.

(ii) examine the level of skills acquired by the students taught speed and accuracy using computer tutor guide and those taught using lecture/demonstration methods

(iii) determine the level of skills acquired by the students taught text manipulation and tables creation in word processing using computer tutor guide with Microsoft word and those taught using lecture/demonstration methods in universities in Nigeria.

4. Null Hypotheses

In line with the specific objectives, the following null hypotheses were postulated:

(i) There is no significant difference among students taught the sitting position on a computer using computer tutor guide and those taught using lecture/demonstration methods in universities in Nigeria.

(ii) There is no significant difference among students taught speed and accuracy using computer tutor guide and those taught using lecture/demonstration methods in universities in Nigeria.

(iii) There is no significant difference among students taught text manipulation using computer tutor guide and those taught using lecture/demonstration methods in universities in Nigeria.

5. Methodology

Research Design: The experimental research was adopted for the study. This method was chosen because the study aimed at comparing the use of computer tutor guide and lecture/demonstration methods of teaching word processing. The choice of experimental design is supported by Olayiwola (2007) who permits randomization of subjects to groups and provides some degree of control over possible extraneous variables that might affect either the internal or external validity or both.

Population: The total population of the students was 137 for 2015/2016 academic session. The population for the study comprised 200 level students of business education in Ahmadu Bello University (ABU), Zaria. A sample of 60 students was drawn from the population of the study through hat draw method. The researcher wrote thirty "CG" for computer guide and thirty 'LD" for lecture/demonstration. Those that pick "CG" fell in the group of Computer Guide and those that picked LD fell into lecture/demonstration group.

Instrument for Data Collection

Two instruments on speed/accuracy and text manipulation/tables creations were used to generate relevant data for the study. The instruments were questions for pre-test and post-test. The instruments were rated over one hundred percent (100%) each and this was adapted from typewriting-Chart by the scat gold that is pre-test and post-test. The questions for both pre and post-test comprised of a ten-minute speed and accuracy speed and a –two-paragraphed typewritten materials for text manipulations/tables creation using Microsoft word.

Instrument validation

The instruments were validated by the professionals in measurement and evaluations in Ahmadu Bello University, Zaria. Their corrections improved the instruments accordingly.

Reliability of the instrument

The reliability of the instrument was determined by the statistical analysis of the data collected from the pilot study using split half method to determine the reliability of the instrument. The reliability co-efficient calculated was 0.71 which was positive and high hence the instrument was adjudged reliable and stable.

Procedure for Date Collection

Four weeks were used to collect data for this study. In the first week, the students in both the Computer tutor group and lecture/demonstration group in Ahmadu Bello University were given pre-test on basic speed and accuracy/test manipulation/tables creation. In the second and third week the students in the computer tutor were taught speed and accuracy and text manipulation/tables creation using computer tutor while students in the lecture/demonstration methods group were also taught speed and accuracy and text manipulation/tables creation with Microsoft word using for two weeks using lecture/demonstration method. In the fourth week, the students in both the Computer tutor group and lecture/demonstration group were administered post test by the research assistants on the same two areas of word processing. The

scripts were collected, marked, scored and recorded using marking scheme.

Procedure for Data Analysis

The mean performance of students for both the pre-test and post-test for the experimental and control group was computed and compared. Mean and standard deviation were used to analyze the data to answer the research questions generated for the study. A t-test was used to test all the hypotheses at 0.05 level of significance.

Decision Rule: If the calculated t-test value is less than the table value, the null hypothesis was rejected but if otherwise, the hypothesis is retained.

6. Result

The following null hypotheses were tested and result presented in tables 1-4

Null hypothesis one: There is no significant difference among students taught the sitting position using computer tutor guide and those taught using lecture/demonstration methods in universities in Nigeria.

Table 1: **Students Taught the Sitting Position using Computer Tutor Guide and those Taught using Lecture/Demonstration Methods**

Groups	N	Mean	Std Dev.	Std Error	t-cal	t-crit	Df	sig
Computer tutor guide (Experimental)	50	18.438	3.1681	.3102	6.212	1.96	80	0.00
Demonstration Method (control)	50	15.817	2.5342	.2218				

Table 1 shows the t-test analysis on students taught the sitting position for word processing using computer tutor guide and those taught using lecture/demonstration method. The result revealed that the group exposed to computer tutor guide had the mean performance of 18.438, standard deviation 3.1681, while those taught using lecture/demonstration method had the mean of 15.817 and standard deviation of 2.5342. The r-cal stood at 6.212 and r-crit stood at 1.96. In view of this, the hypothesis was rejected. This signifies that there was significant difference among students taught the sitting position for word processing using computer tutor guide and those taught using lecture/demonstration methods.

Null Hypothesis Two: There is no significant difference among students taught speed and accuracy using computer tutor guide and those taught using lecture/demonstration methods in universities in Nigeria.

Table 2: **Students Taught Speed and Accuracy using Computer Tutor Guide and those Taught using Lecture/Demonstration Methods**

Groups	N	Mean	Std Dev.	Std Error	t-cal	t-crit	Df	Sig
Computer tutor guide (Experimental)	50	30.4333	3.6541	.3102	5.676	1.96	80	0.00
Demonstration Method (control)	50	28.1243	4.2221	.2218				

Table 2 shows the t-test analysis on students taught the sitting position for word processing using computer tutor guide and those taught using lecture/demonstration method. The result revealed that the group exposed to computer tutor guide had the mean performance of 30.4333, standard deviation 3.6541, while those taught using lecture/demonstration method had the mean of 28.1243 and standard deviation of 4.2221. The r-cal stood at 5.676 and r-crit stood at 1.96. In view of this, the hypothesis was rejected. This signifies that there was significant difference among students taught speed and accuracy using computer tutor guide and those taught using lecture/demonstration methods

Null hypothesis Three: There is no significant difference among students taught text manipulation using computer tutor guide and those taught using lecture/demonstration methods

Table 3: **Students taught Text Manipulation using Computer Tutor Guide and those Taught using Lecture/Demonstration Methods**

Groups	N	Mean	Std Dev.	Std Error	t-cal	t-crit	Df	Sig
Computer tutor guide (Experimental)	50	21.7862	2.992	.2117	6.786	1.96	80	0.00
Demonstration Method (control)	50	19.4431	2.7665	.2006				

Table 3 shows the t-test analysis on students taught the sitting position for word processing using computer tutor guide and those taught using lecture/demonstration method. The result revealed that the group exposed to computer tutor guide had the mean performance of 21.7862, standard deviation 2.992, while those taught using lecture/demonstration method had the mean of 19.7665 and standard deviation of 2.7665. The r-cal stood at 6.786 and r-crit stood at 1.96. In view of this, the hypothesis was rejected. This signifies that there was significant difference among students taught the text manipulation in word processing using computer tutor guide and those taught using lecture/demonstration methods.

7. Discussion of Findings

The first finding of the study shows that there is significant difference among students taught the sitting position on a computer using computer tutor guide and those taught using lecture/demonstration methods in universities in Nigeria. This finding is in line with Butzin, (2002) and Bracey, (2007) whose study posits that the computer tutor guide provides adequate and suitable teaching on typing-sitting position than lecture/demonstration method, especially where the teaching laboratory is not convenient for teaching.

The second finding of the study revealed that there is significant difference among students taught speed and accuracy using computer tutor guide and those taught using lecture/demonstration methods in universities in Nigeria. This finding agrees with Brown, (1990), Browne, (2002) and Irmgrad (2007) whose studies revealed that computer-tutor guide is the most effective method to teach word processing. These authors further stressed that this method is economical than the lecture/demonstration methods and it can accommodate very large number of students in one computer laboratory.

Finally, the finding of the study indicates that there is also significant difference among students taught text manipulation using computer tutor guide and those taught using lecture/demonstration methods in universities in Nigeria. The works of Dalton and Hannafin, (1990) have supported the findings of the current study by observing that text manipulation are better taught in word processing using computer-tutor guide.

8. Conclusion

Based on the findings, it is evident that the computer tutor guide method of teaching word processing skills is more effective and result-oriented than lecture/demonstration methods of teaching word processing.

9. Recommendations

Based on the findings of the study, it is hereby recommended that: -

(i) Heads of Departments of Vocational and Technical Education in Nigeria universities should double efforts to procure adequate up-to-date computers with tutor-guides for the

use of the students. This would enable students to use the tutor guide to learn sitting position even when their lecturers are not with them in the computer laboratories.

(ii) There is need for the department to encourage lecturers at different academic platforms to try as much as possible to use computer tutor guide to teach skills in word processing. Lecturers who are not versatile in the usage of computer tutor-guide should be allowed to take an in-service training to update their knowledge.

(iii) Students of business education in Nigeria universities should be encouraged to use computer-tutor-guide to practice on their own the manipulation of text even when the lecturer is not around to attend lectures with them accordingly.

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Comparative Study of Direct and Cooperative Method of Teaching Financial Accounting in Federal Colleges of Education, North-East Geo-Political Zone, Nigeria.

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Abstract. This study compared the effect of direct and cooperative teaching methods on students' performance in Financial Accounting in federal colleges of education in north-east, Nigeria. Quasi experimental design was adopted for the study. Three research questions were raised to guide the study and Null hypotheses were formulated testing at 0.05 level of significance. The population of the selected students stood at 482 and the sample size was 162. Descriptive statistics in terms of mean and standard deviation were used in answering the three research questions raised while t-test statistics was used in testing the null hypotheses. The findings revealed that the academic performance of students taught with cooperative method is significant better than those taught with direct Teaching Method in Federal Colleges of Education in North-East, Nigeria. It was concluded that students can improve their critical thinking and intellectual skills by learning from one another. It was therefore recommended that cooperative teaching method should be encouraged generally in teaching and learning process, in order to improve the level of academic performance of students especially in Accounting and other subjects of studies.

Keywords: Direct Teaching, Cooperative Teaching, Academic Performance, Financial Accounting

1. Introduction

The use of effective teaching method in teaching financial accounting becomes imperative because Financial Accounting is a course that is offered by business education students because of its importance to the business education programme. Financial accounting, according to Ukpai, Kiabel & Obara (1998) as cited in Agboh (2015) is the art of recording, interpreting, verifying and reporting financial transactions of a business in accordance with the laid down accounting principles. Agboh further explained that Financial accounting is not an end in itself; rather it is an information system that measures, processes and communicates financial information of an identifiable economic entity for use by management and other interested parties.

The objectives of financial accounting, according to Osuala (2004) are: to give students additional vocational skills that will enhance their opportunities for future occupational success, to enable students become proficient in financial transactions and management, to equip students with better understanding of business practices and procedures, to provide vocational training to students in the practical knowledge of daily bookkeeping activities, and to help students understand the cycles and steps involved in financial accounting so that the

relations of each step to all other steps are properly understood. By these objectives, it is expected that students of financial accounting on graduation from tertiary institutions should be able to secure paid job or be self-employed.

Despite the importance of financial accounting to individual and nation at large, it is a pity that significant numbers of students cannot cope with the technicalities in learning Accounting. It has been observed by researchers, that the students' performance has not been encouraging. Financial Accounting is one of the courses that are considered difficult for business education student to pass according to Nonye and Nwosu, (2011) as cited in Umar (2013). In the same vein, Cronbach (2003) expressed that though Accounting is not a cheap subject, it is certainly not a mystery and is easy to learn. Identifying which method of instruction enhances students' performance and attracted to the discipline of accounting is of world-wide interest.

An effective teaching method engages students in the learning process and helps them develop critical thinking skills. Teaching method refers to the general principles, pedagogy and management strategies used for classroom instruction. Effective teaching methods engage gifted students, as well as slow-learning children and those with attention deficit tendencies. This is where differentiated instruction and a balanced mix of teaching styles can help reach all students in a given classroom - not just the few who respond well to one particular style of teaching

Among teaching methods that can be used to teach financial accounting are direct or cooperative instruction. Direct instruction is a highly organized, teacher directed approach, in which skills are divided into small units, ordered sequentially, and taught explicitly Carnine (2000) as cited in Wisconsin Policy, (2001). Each component of the task associated with the target behavior is taught by the teacher. The teacher also models the behavior, provides practice and feedback, and assesses whether or not the skill needs to be retaught, Ryder, Burton, & Silberg, (2006). Direct instruction is effective in teaching basic and fundamental skills across all content areas. It is not a lecture approach, but rather an instructional model that focuses on the interaction between teachers and students. The fundamental principle that connects the components of direct instruction is that "…learners are actively engaged in the relevant curriculum in order to build knowledge, skills, and dispositions related to the goals and objectives of the lesson Magliaro, Lockee, and Burton, (2005).

While cooperative method is another instructional strategy in which small groups of students work together on a common task. According to Amita Rena Hall (2006) cooperative learning environment refers to a situation where learners work with one common cause in their mind strive to achieve one common learning goal. This teaching method is an excellent way to allow students to think critically without relying on teacher for answers. Cooperative learning is a successful teaching strategy in which small teams, each with students of different ability levels, use a variety of learning activities to improve their understanding of a subject. By using this method, each of your students will feel that he or she is an important member of the class.
Literatures shows that many researches has been carried out in attempt to find out which teaching method is more effective for teaching Accounting because of its nature. It is against this background that the study examined the comparative study of direct and cooperative method of instruction on performance of business education student in Financial Accounting in federal colleges of education in North- East, Nigeria.

2. Purpose of the Study

The purpose of this study is centered on comparative study of direct and cooperative method of teaching financial accounting in federal colleges of education, north-east geo-political zone, Nigeria

3. Research Questions

The study was carried out to provide answers to the following research questions:

1) What is the mean effect of Direct Teaching Method on students' performance in Financial Accounting in Federal Colleges of Education in North- East, Nigeria?
2) What is the mean effect of Cooperative Teaching Method on student's performance in Financial Accounting in Federal Colleges of Education in North- East, Nigeria?
3) What is the difference in the academic performance of students taught Financial Accounting using direct teaching method and cooperative teaching methods in Federal Colleges of Education in North-East, Nigeria?

4. Hypotheses

There is no significant difference in the academic performance of students taught Financial Accounting using direct teaching method and those taught using cooperative teaching method in federal colleges of education in North East, Nigeria.

5. Methodology

The study adopted quasi experimental research design. The sample population for the study was one hundred and sixty-two (162) N.C.E III business students offering Financial Accounting made up of eight four (84) from federal college of education, Yola and seventy-eight (78) from federal college of education Gombe. These two colleges are the two oldest federal colleges of education in geo-political zone. In order to enable the researcher, get reasonable representation for the study and avoid interaction between subjects that will likely affect the outcome of the study, the researcher used different method in each institution. Random sampling was used to determine which of the method will be used in each of the institutions. To avoid bias, the researcher wrote (D.T. and C.T.) on separate piece of papers, rolled and put inside a hollow container. The researcher shook the container and placed on table, to select by the students from the group. The method selected for the institutions was used. The main instrument for collecting data for this research was Financial Accounting Achievement Test. (FAAT). The instrument was designed by the researcher in the form of pre-test and post-test questions with closed and open ended questions. Mean and standard deviation was used to answer the research questions while t-test statistic was used to test the hypothesis at 0.05 level of significance.

6. Results

Research Question One: What is the mean effects of direct teaching method on students' performance in Financial Accounting in colleges of education in North-East Nigeria?

To answer this question one test result was used and the summary of the scores is presented in Table .1

Table 1: Mean performance of students taught financial accounting using direct teaching method in colleges of education in North-East Nigeria

Grade	No of students	Total score	Mean	SD
A	8	602	75.3	10.92
B	13	832	64.0	9.90
C	26	1360	52.3	7.88
D	14	644	46.0	5.49
E	9	373.5	41.5	5.01
F	14	283	20.3	3.77
Total	84	4095	48.8	6.42

Source: *Field study 2015*

Table 1 shows that eight students had cumulative score of 602 with mean score of 75.3 which was graded "A". Students with B grades were thirteen with total score of 832 and mean score of 64. Twenty-six students had cumulative score of 1360 with mean score of 52.3 which was graded "C". Students with "D" grades were fourteen in number with total score of 644 and mean score of 46.0. Nine students scored 373.5 with mean score of 41.5 which earned them "E".

Fourteen students failed the achievement test with total score of 283 and mean score of 20.3. From the analysis the cumulative score of 4095 was obtained for the 84 students with direct instruction with mean score of 48.8 which earned them "D" grades. The analysis therefore indicates that direct teaching method has no much effect on students' performance in accounting in colleges of education in North-East Nigeria.

Research Question Two: What is the mean effect of cooperative teaching method on students' performance in financial accounting in colleges of education in North-East Nigeria?

To address the research question, test result was used and the summary is presented in the Table 2

Table 2: Mean Effect of cooperative teaching method on students' performance in financial accounting in colleges of education in North-East Nigeria

Grade	No of students	Scores	Mean	SD
A	10	872	87.2	10.82
B	12	813.5	67.79	9.75
C	24	1330.8	55.42	7.89
D	12	564.5	47.04	5.86
E	8	336	42	5.24
F	12	178	14.8	3.82
Total	**78**	**4094.8**	**52.50**	**7.02**

Source: *Field study 2015*

The mean score of students taught using cooperative teaching method on students' performance in accounting in Colleges of Education in North-East Nigeria shows that ten students have cumulative score of 872 with means score of 87.2 (A). Those that had "B" grade was twelve with total score of 813.5 and mean score of 67.79. Twenty-four students have total score of 1330.8 with mean score of 55.42 which earned them "C" grades. Students that got "D" grades were twelve in number with cumulative score of 564.5 with an average of 47.04. Eight students got "E" and twelve students got "F" with cumulative score of 336 and 178 with mean scores 42 and 14.8 respectively. The analysis revealed the cumulative score of 4094.8 with mean score of 52.50 which was graded "C" for students in cooperative teaching method. Based on the outcome, it was concluded that cooperative teaching method has effect on students' performance in accounting in colleges of education in North-East Nigeria.

Research Question Three: What is the difference in the academic performance of students taught financial accounting using direct and cooperative teaching method in federal colleges of education in North-east Nigeria?

In order to answer research question three on the performance of students taught using direct and cooperative teaching method the data collected were calculated using mean score, the test result was used and the summary of the scores as shown in Table 3.

Table 3: Mean performance scores of students taught financial accounting using direct teaching and cooperative teaching method.

Group	Item	N	Mean	SD	Mean Diff
Direct	Experimental	84	48.8	0.52	
					3.7
Cooperative	Experimental	78	52.5	0.48	
Total		**162**			

Source: *Field study 2015*

Table 3 revealed that, the performance of students taught using cooperative teaching method performed better than those who were taught using direct teaching method by low mean of 48.8 against 52.5 with a different of 3.7. From the data presented under research question three, it was evident that cooperative teaching method has effect on students than direct teaching method Therefore, based on the result there is difference mean scores academic performance of students taught financial accounting using direct teaching and those taught using cooperative method in colleges of education in North-East Nigeria.

Testing of Hypothesis: There is no significant difference in the academic performance of students taught financial accounting using direct teaching method and those taught using cooperative teaching method in federal colleges of education in North East, Nigeria.

Table 4: T-Test analysis of difference in Performance of students taught financial accounting using direct teaching and those taught using cooperative method

Methods	N	Mean	SD	Df	t-cal	t-crit	Decision
Cooperative	78	52.50	8.37				
				160	3.16	1.96	Reject H_o1
Direct	84	48.80	9.17				

Table 4 represents the performance of financial accounting students taught using cooperative method and those students taught using direct method. The table disclosed that t-cal value 3.16 is greater than t-crit value 1.96 at 0.05 level of significant and as a result the null hypothesis which states that there is no significant difference between performance of Accounting students taught using cooperative method and those students taught using direct method is rejected. This implies that students can become active participants in learning process and thinks critically to solve problems.

7. Discussion

This study has compared the effect of direct and cooperative teaching methods on business education students' performance in accounting in federal colleges of education in North-east Nigeria. The finding of this study showed that business education students taught Accounting using cooperative teaching method performed better than those taught using direct teaching method. It is by implication that the teaching in which the cooperative method was used provided students with better understanding and positive experience of accounting than the direct teaching method. The finding is in line with that of Ahmad and Mahmood (2010), who reported that the cooperative teaching method results in significantly higher learning gains and positive learning experience as compared to traditional instruction. It provides the students opportunity to interact with their classmates and such interaction develops in them feelings of cooperation and care for others. In the same vein, Van Wyk (2013), Bernaus and Gardner (2008) and Van Wyk (2007) observed increases in achievement and motivation gains when cooperative learning replaced the traditional form of instruction. Umar (2014) contradict this finding by asserted that a student well taught by qualified teachers and teacher with motivational skills can influence the performance of students Financial Accounting because he/she knows the techniques and strategy to apply at every learning process regardless of type of teaching method used. It was also supported by Gerhard (2007) who reported that there is no one perfect teaching style but the teaching method adopted by the teacher must be used in strategy manner to promote learning process.

8. Conclusions

The study concluded that, the use of cooperative teaching method helped the accounting students in improving their academic performance. As such, learners improve their critical thinking and

intellectual skills by learning from one another. In another words they benefit from each other's knowledge. This kind of learning bears great value to all. Students with poor academic performance improved when exposed to cooperative teaching method in learning accounting.

9. Recommendations

Based on the findings, the research made the following recommendations:

(i) The cooperative teaching method should be encouraged generally in teaching and learning process, in order to improve the level of academic performance of students especially in Accounting and other subjects of studies.

(ii) As much as possible opportunities should be given to students by creating a very good and conducive atmosphere for students to learn collaboratively and interactively at any level of education.

(iii) Teacher should use cooperative strategies to improve students' cooperative learning skills

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Part Six
Legal Studies

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Curbing Delay of Justice on Ground of Jurisdiction in the Nigerian Courts: Lessons from the Islamic Law

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Abstract. Delay of trials is a big hiccup to the administration of justice in Nigeria. Delay is usually caused by litigant's challenge to the jurisdiction of the trial court and appealing the court's ruling all through the hierarchy of the appellate system, taking decades, sometimes, to resolve. The Supreme Court has severally lamented over this abuse of court processes yet, no 'judicial or legislative will' has been employed to stop it. This research therefore analyses the manners by which justice is delayed and/or denied by challenging the court's jurisdiction and exercising right of appeal. It finds that the lamentation by the apex court on the abuse of the process cannot solve the problem. It presents the Islamic law approach to the issue as a more balanced alternative and recommends its adoption along with constitutional amendment. It propounds the theory of Finality in Favour of Jurisdiction "FiFoJ" for adoption in the alternative.

Keywords: Justice, Delay, Nigeria, Islamic Law.

1. Introduction

Delay or longevity in litigation is one of the major challenges still being faced by the Nigerian judicial and justice system. The commonest cause of such delay is the period it takes for an issue of the jurisdiction raised at the trial court to be finally determined by the Supreme Court and by which the Supreme Court either agrees with the trial court or disagrees. If the Supreme Court agrees with the trial Court that it had no jurisdiction, then the matter would be struck out for lack of jurisdiction. But, if the Supreme Court finds, contrary to the decision of the trial court, that the trial court has jurisdiction, then the matter would be sent back to be heard on the merit. All this involves serious time, cost and energy expenses. It is not out of place to say, in such circumstance, that justice might have been denied in the case due to the delay.

The court system in Nigeria is in three folds. There are courts applying the Common law, some operate the customary law while some others apply the Islamic law. This is not surprising given the tripartite nature of the country's legal system whereby the Common law, the customary law and the Islamic law exist side by side to make what is known as the Nigerian legal system.

By way of sharp classification, the Nigerian law can be divided into the substantive law and the procedural or adjectival law. Substantive law is

that aspect of the law that merely lays down people's rights, duties, liberties and powers without providing for means by which such rights, duties, liberties and powers can be enforced. Adjectival or procedural law on the other hand lays down means and put in place mechanisms by which all the stated 'goodies' provided by the substantive law can be practically enjoyed or enforced. It has been observed that adjectival law particularly concerns procedure and evidence. A.O. Sanni explains what substantive law and adjectival law connote under the Nigeria law. In his view, substantive law is a generic term embracing such subjects such as Law of Contract, Torts, Criminal Law, and Constitutional Law etc., which are concerned with a statement of rights, duties and liabilities of individuals. For instance, the Law of Contract consists of a body of rules which will determine whether a contract exist in law, what the terms of the contact are, whether the terms have been performed or discharged or whether there is a breach and the remedies available to the injured party, if any. The procedural law, on the other hand, deals with the methods of initiating proceedings to enforce certain right or duty and how the litigation or prosecution is conducted. The procedural laws are to be found mainly in the various rules of court like Criminal Procedure Act (CPA) and Criminal Procedure Code (CPC) for criminal trials in the southern and northern states respectively. There are High Court Uniform Civil Procedure Rules for various states except Lagos and the Federal Capital Territory which have their separate rules. Different states also have their Magistrate Court and Customary Courts Civil Procedures Rules.

The focus of this article is not on the substantive law but on the adjectival or procedural law. Our focus on the procedural law is also limited to an aspect of "procedure and evidence" or an aspect that deals with how litigation or prosecution is conducted. In essence, this article is constrained to addressing an issue that will only arise in the very course of proceedings in court and not an issue that will agitate at the pre or post proceeding stages. What then is the position of the Rules of adjectival law in Nigeria?

Rules of Procedure applicable in the three modes of court in Nigeria should ordinarily be informed by the distinct ideas of each of the three laws of common law, customary law and Islamic law, respectively. Thus, in a common law court, rules of procedure applicable in the court must be as provided for by the common law and not as stipulated by either customary law or Islamic law. However, this is not the practice, especially in Islamic law courts where common law still holds sway.

The legal history of Nigeria reveals that colonialism established the superiority of common law over the duos of the customary law and the Islamic law. The superiority so established has continued to wield prominence, priority and substantial preference for common law over the other two legal systems in the country. The same influence has so much imparted on the judges, parties and lawyers representing litigants as advocates before a customary or Islamic court, handling a customary or Islamic law matter, that their views, submissions and approach to determination of issues are usually informed by the common law philosophy. What is responsible for this is that by training, both academically in the University and professionally at the Nigeria Law School, Nigerian lawyers, as advocates and judges, are mostly pure products of common Law.

Very few Nigerian Legal Practitioners, as advocates before Sharia Courts, have a grasp of the unique nature of the rules and procedure applicable in Islamic Law courts and "their appearance has been of a clog in the wheel of the administration of Islamic justice; contrary to the belief that it would be lubricating oil to that wheel". They usually display their deficiency or semi-skilled training in Islamic law in their approach to how and when the issue of jurisdiction (*Wilaya*) should be raised and resolved in the Islamic law proceedings. They are often guided or rather 'misguided' by the doctrines of common law on the jurisdictional matter. The question that must be resolved is whether Islamic law permits the court and the litigants to adopt the approach by which issue of jurisdiction is resolved under the common law or

not. This is the focus of this article. The article seeks to provoke further research on this fundamental issue of procedure for a decisive position to be arrived at on how it should be approached in the Islamic Law Courts in particular and all courts in Nigeria, in general.

2. The Common Law Approach to Challenging Jurisdiction of Courts

The settled position of law generally in Nigeria is that the issue of jurisdiction is very fundamental to the dispensation of justice in any matter for adjudication before the court. The fundamental nature of the issue of jurisdiction is always re-echoed by the Supreme Court. For instance, in the case of *Oduko v. Govt. of Ebonyi State*, per Chukwumah-Eneh JSC, the apex Court succinctly re-emphasised the significance of jurisdiction to the adjudication in the following words:

Jurisdiction is the cornerstone of all litigations. It is settled law that if a court is bereft of jurisdiction to hear and determine a matter before it any steps taken in the matter is a nullity and void.

The above represents the positions of both the common law and the Islamic law on the significance of jurisdiction to the discharge of judicial responsibility by all courts in the country. However, what seems to be in controversy is the procedure to be adopted on how, when and where the issue of jurisdiction can be raised and challenged before the various courts of common law and Islamic law. In Nigeria, the jurisdiction of the common law is more popular, wider and it has a preferential influence on all the courts, including the Islamic law courts, given the common law background training of all legal practitioners. For a comprehensive appreciation of the study in this article, we will briefly explain the *how, when* and *where* jurisdiction is raised in common law courts, which of course is the predominant practice in the country.

2.1 When, Where and How to Challenge Jurisdiction in Common Law

As earlier noted, the basic settled position of the common law in Nigeria is that issue of jurisdiction gives life to the court to adjudicate on any dispute. This same basic principle also permits a party to challenge the jurisdiction at any stage of the proceedings and eve at the appeal courts. Thus, any party that realizes that the court does not have the *vires* and the power to adjudicate on a matter can bring up the issue at the very first mention of the case before the court. If the issue was not raised at the trial court, it can be raised for the first time at the appellate stage. In the case of *Owners, M/V Gongola Hope v. S. C. (Nig) Ltd*, the Supreme Court explained this position of the law when it held thus:

Issue of jurisdiction may be raised at any stage of the proceedings even at the Supreme Court and even by the court suo motu, leave may not be necessary because without the judicial competence to adjudicate everything done is a nullity.

One very unique practice in common law courts in Nigeria is that the issue of jurisdiction can be raised anyhow and in any manner. For example, the challenge can be brought up orally, by motion or in any other form that may appear just or convenient to the party raising the issue as long as it will put the court and the other party on notice about the challenge and it can be raised by the court *suo motu* (i.e. On its own accord).

Even though there is no how the issue cannot be raised in all the common law courts in the country as earlier stated, it must be noted that before the trial courts and at other stages than at the hearing stage at the appellate courts, filing of a process called the *Notice of Preliminary Objection* is the procedure which is of common use in setting the court in motion to consider a challenge to its competence and jurisdiction. The objecting party can and indeed does also come by way of *Motion on Notice*. At the appellate Supreme Court and the Court of Appeal however, any objection to the competence of the court can be incorporated into the Brief of Argument of the Objector, who is usually the Respondent. This therefore enables the court to consider both the objection and the substantive

case in the same proceeding and determine both contemporaneously.

Authorities have crystallized on the yardstick for the objector to bring up a challenge to the competence of the court. Put differently, there are settled situations or factors that can exist to justify raising a challenge to the competence of the court in Nigeria as provided by the common law. In other words, in the absence of any of the essential constituents of adjudication in any proceedings, a party can justifiably raise the issue of jurisdiction of the court. The common law position on what constitute the essential elements of adjudication, the absence of which goes to the jurisdiction of the court, was long laid down in the *locus classicus* case of *Madukolu v. Nkemdilim* and the matter was put in the following explicit words:

Put briefly, a Court is competent when:

(i) it is properly constituted as regards numbers and qualifications of the members of the bench, and no member is disqualified for one reason or another; and

(ii) the subject matter of the case is within its jurisdiction, and there is no feature in the case which prevents the court from exercising its jurisdiction; and

(iii) the case comes before the Court initiated by due process of law and upon fulfilment of any condition precedent to the exercise of jurisdiction.

Any defect incompetence is fatal, for the proceedings are a nullity however well conducted and decided: the defect is extrinsic to the adjudication.

It is easy for the above stated approach to be adopted in raising and addressing the issue of jurisdiction in common law courts because its procedure is based on pleadings. Little wonder therefore that the law has crystallized that in resolving any issue of jurisdiction, the process which the Court will look at is the Statement of Claim of the plaintiff or the claimant and not the Statement of Defence of the defendant. In the case of *UBA Plc. v. BTL Ind. Ltd.*, the Supreme Court, per Onu JSC, as he then was and later CJN (now retired) explained the document or process which the court will consider to determine its jurisdiction in the following words:

Indeed, it is trite that jurisdiction is determined by the plaintiff's claim before the Court. See *Okoye & Ors. v. Nigerian Construction and Furniture Company Ltd (1991) 6 NWLR (Pt. 199) 301, (1991) 2 NSCC (Vol. 22) 422 at 436* where Akpata JSC pointedly laid down the position of the law to be –

'The legal position as to the competence or otherwise of the trial court to entertain case is arrived solely on the facts disclosed in the statement of claim.' See also *Aladegbemi vs Fasunmade (1988) 3 NWLR (Pt. 81) 129.* This rather ingenious, though untenable, submission cleverly ignores the law that any issue of jurisdiction is founded on the plaintiff's Statement of Claim alone, not the defendant's defence or any other process. See *M. V Scheep vs Araz (2000) 15 NWLR (Pt. 691) 662 at 668 para. H.*

2.2 The Rationale behind the Common Law Approach

There is no legal position without a purpose. The approach of the common law to challenging the jurisdiction of the court is not without its own essence. It is simply to save the court from indulging in futile exercise. Any case conducted by the court without jurisdiction is a complete nullity. More importantly, common law allows the objecting party to raise the issue of jurisdiction as soon as it is discovered to save time, cost and energy.

The above insight into the approach of the common law to raising jurisdiction of the court will enable a better appreciation of the view of the Islamic law to be explained in what follows. But before then, mention must be made of the fact that the common law approach allowing the issue of jurisdiction to be raised at any stage of the trial has the inherent disadvantage of prolonging the hearing and determination of the suit on its merit. Pedro captures this weakness when he emotionally expresses his feeling about this ugly development in the administration of justice as follows:

It is fast becoming a constant practice in civil and criminal proceedings in our courts, for the defendant or an accused person to raise a preliminary objection to the court's jurisdiction to try a case…. Incidentally the authorities direct that a preliminary objection, once raised, should be determined first before the court can take any further step in the proceedings.

What is most disturbing is that disposal of preliminary objection frequently requires time to determine. Very often, the ruling on the point is not forthcoming before six months or even a year after the commencement of the main action. A plaintiff or Defendant who is dissatisfied with the decision of the trial court on the issue of jurisdiction has the constitutional right of appeal to the Court of Appeal and thereafter to the Supreme Court. The appeal process may take between five to ten years before the preliminary issue of jurisdiction is finally resolved one way or the other… in the interim, the substantive matter or the real issue or question in controversy between the parties is relegated to the background and put on hold until the determination of the jurisdictional point.

It therefore follows that what common law seeks to prevent by allowing the issue of jurisdiction to be raised anyhow and at any time is eventually not achieved. In fact, if one weighs the need to avoid the court engaging in an exercise in futility, which informed the principle that the issue of jurisdiction must first be determined before any other thing, along with the time frame and cost involved before the issue of whether the trial court has jurisdiction or not is finally determined at the Supreme Court, one may readily come to the conclusion that the purpose of that practice is in the end completely defeated. There is therefore the need for the system to look elsewhere. An alternative seems to be in the Islamic law approach as a solution to the problem.

3. How to Challenge Court Jurisdiction in Islamic Law

There is a settled order of procedure that must be followed in the conduct, hearing and determination of cases in Islamic law courts. This order does not favour any jump of one step to another for whatever reason howsoever. The Islamic law jealously guides this order so much that it qualifies as a principle that favours the proposition that the horse should not be put before the Cart. Any decision can generally be set aside and be declared a nullity for failure to follow the necessary procedure under the Islamic law. The order can be explained as follows:

If the two opponents (i.e. the litigants) appear in court, the judge will make them sit near him side by side and he would then ask who the claimer is. And if he keeps silent until one of them starts exhibiting his case, there is no harm in that. And if the claimer or the claimant finishes stating his case and evidence, he will then ask the defendant what he has to say in response to the case of the claimant. If the defendant confirms the claim, judgment is entered for the claimant. If he denies the case, then the claimant is asked to bring up his evidence.

It is deducible from the above passage that there is a moment for the claimant/plaintiff to speak, state his case and produce his evidence just as there is a stage of the proceedings that the defendant can say and produce or bring up whatever form of evidence, whether in the form of law or fact, that he has as his defence. It should be borne in mind that a challenge to the jurisdiction of the court is a kind of defence in law that a defendant may proffer. Since the order preserved by Islamic law cannot be disrupted, it would then mean that the defendant would have to wait for his turn before raising any challenge to the jurisdiction of the court.

Following and preserving the above stated order, the position of the Islamic law is that the defendant cannot raise the issue of jurisdiction anyhow and at any point or stage as it is done under the common law. The defendant must wait until when it is his turn to do so and this is at the stage when he is putting up his own defence. He can bring up the issue as part of his defence. In the case of *Alhaji Issa Alabi vs. Alhaji Salihu Kareem,* the Sharia Court of Appeal of Kwara State, per M. A. Ambali, extensively explains this position of the Islamic law, with which the

authors are equally in agreement, albeit, with some reservations, and will be adopted in the analysis to be made hereinafter, in the following explicit words:

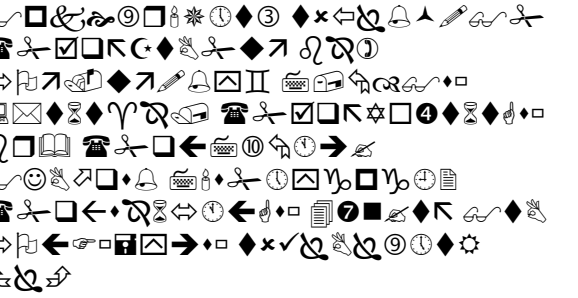
In Islamic Law preliminary objections do not find the same place of prominence as obtained in other legal systems. That is if, (sic) there is good reason for it to be entertained in the first instance.

The well-known established Islamic Law procedure states:

A judge does not make a pronouncement until he hears the statement of claim and evidence fully from the plaintiff. He then asks the defendant if he has a defence to put up.

A court of Islamic Law shall NOT adjudicate until it listens to all the complaints of the plaintiff/claimant and his/her evidence. It is after that, it asks and allows the defendant/respondent to present his defence. To talk of competence or otherwise before the complainant concludes his or her claim and proof is to cross the river before getting to it.

Interestingly, the above procedure seems to have the backing of the provision of the Qur'an, if one considers the message in the verse of the Qur'an where Allah states thus:



O ye who believe! If a wicked person comes to you with any news, ascertain the truth, lest ye harm people unwittingly and afterwards become full of repentance for what ye have done.

The instruction given in the above verse of the Qur'an, requiring the truth to be ascertained, can be inferred to mean that a plaintiff should be allowed to state his case and not just be shut out by the claim of lack of jurisdiction of the court that may be made by the defendant.

It should be stated that the jurisdiction of the Islamic law courts can be challenged on various grounds such as incompetence of the parties, of the suit itself or of the court. But all the same, the procedure stated above must still be followed and strictly adhered to. It is therefore surprising that in some instances however, especially in the Court of Appeal and the Supreme Court, the common law, rather than the Islamic law approach, has been adopted in addressing the issue of jurisdiction in Islamic law matters. Few instances will suffice to drive home this point. In the case of *GARJI VS GARJI*, while purporting to address the issue of jurisdiction in an Islamic law proceeding to which the Islamic law procedure applies, the Court of Appeal, per Adamu JCA, applied the common law reasoning to the issue and held as follows:

From the above submissions in the three briefs of the parties in this appeal, the fundamental issue of jurisdiction has been raised. It is a threshold and life-line issue which goes to the root of the competence of the court and affects its competence or power to adjudicate in the matter. Because of its fundamental importance, the issue of jurisdiction once raised (at any stage of proceeding even on appeal) should be decided one way or the other by the court before going into any other issue. Thus, it deserves priority of treatment or consideration by the court over any other issue. It is also trite that any adjudication or proceeding of any court or tribunal conducted in the absence of jurisdiction is or amounts to a nullity however well conducted it might have been.

Similarly, in the case of *MATARI VS. DANGALADIMA*, the Supreme Court applied the common law approach in addressing the issue of jurisdiction in an Islamic law suit. It held that the decision of any court reached without jurisdiction is *void ab initio* and without any effect relying on *U. A. C. Limited v. Macfoy (1961) 3 All ER 1169.*

A critical study of the above two cases reveal that the common law reasoning was applied in approaching the issue of the jurisdiction raised in the matter. It will therefore not be in tune with the interest of justice for either of the two cases and others similar to them to be relied upon as

authorities on how to approach the issue of jurisdiction in the Islamic law. Justice Adamu, in ***GARJI VS. GARJI***, as it is patent in the case, relied heavily on common law authorities in advancing his views on the issue and a further enquiry on the Islamic law case of *MATARI VS DANGALADIMA*, which his Lordship also leaned on, will show that the pronouncement relied upon in the case, was made by not only a non-Muslim Justice of the Supreme Court, but essentially by such Justice of the Supreme Court who is not learned in the Islamic law and therefore could not have presented any other view save that of the common law. This explains the reservation which must be held for cases like these when resolving the issue in the Islamic law matters. After all, Islamic law matters are *sui generis* by their nature and the superior court authorities that should be cited and relied upon must be those decided in the Islamic law proceedings and in accordance with the Islamic law and procedure and of course, by a court that is competently constituted in accordance with the principles of the Islamic law court and justice system.

It is necessary to observe at this stage that even the Sharia courts whose Judges are presumed to be learned in the Islamic law have equally fallen into the error of celebrating and advancing the common law approach to raising the issue of jurisdiction on some occasions. In the case of *FATIMA NNA KASHI & I OTHER vs. MOHAMMED TSADO,* the Kwara State Shariah Court of Appeal, sitting at its Lafiagi Judicial Division, per A. K. Imam Fulani, posited on how and when to raise the issue of jurisdiction succinctly thus:
Having heard from the two parties we realized that the appellant raised a very vital issue of jurisdiction which can be raised at any point or time in the proceedings.

Shariah courts in Nigeria have had occasions to rely on common law, whether advertently or inadvertently, in approaching the issue of jurisdiction in Islamic law proceedings. They have even posited that, just as it may be done in common law courts in the country, they too can raise and determine the issue of jurisdiction *suo motu.* In the case of *Yabagi Yandako v. Fatima Yabagi*, similar position was maintained where the Shariah Court of Appeal of Kwara State, sitting in Shaare Division, per A. A. IDRIS, held thus:
Issue of jurisdiction, being fundamental issue which goes to the root of a case and which affects the competence of the court to adjudicate in the matter before it (, sic) can be raised at any stage of proceedings and even for the first time on appeal.

Even though the courts in the above cases were sitting on the Islamic law matters, the common law had serious influence on them in the approach adopted. The Courts appeared to adopt the Common law approach hook, line and sinker. It is arguable that the influence emanated from the common law understanding of the need to avoid wasting the precious time of the court. Yet, if the time involved in listening to the case of the claimant before jurisdiction is determined is compared with the time it takes to trash the same issue on interlocutory appeals up to the supreme court is compared, the former procedure serves the cause of justice better. It is also a lesser evil preferred to be adopted when a court is faced with two evils.

Essentially therefore, it would appear, from all the analyses we have made so far, that while it is significant that the order laid down by the Islamic law be strictly followed in raising the issue of jurisdiction, there could be some slight differences in the approach to the issue at the trial Islamic law courts as against how it may be addressed at the appellate courts. We will therefore proceed to consider the differences in the following segments.

The Islamic Law Approach to Challenging Jurisdiction of the Trial Court

The starting point is to appreciate the fact that the trial Islamic law courts in Nigeria is a grass root court where the claimant presents his statement of claim orally and in most cases, such claim will become fully appreciated only after he has produced evidence in proof of his case. Without prejudice to the Islamic law proceedings' amenability to written presentation of the claimant's claim, combining the statement with the proof thereof in the open court is closer

to attaining natural justice and its quicker dispensation. This is more particularly so as claimant's claim, unlike in the common law, is not considered as evidence in its proof. More importantly, unlike in the common law determination of the appropriate parties, who is to be the claimant and defendant is the primary function of the court and always determined by the first to approach the court. To this effect, the Court of Appeal held in the case of *Hakimi Boyi Ummaru v. Aisa Bakoshi*

It is not a matter of course to say that whoever initiates or institutes an action becomes a plaintiff and the other party a defendant as obtained in the common law system. The position in Islamic law of procedure is quite unique. It may be possible that 'A' appears in court as plaintiff and 'B' as defendant. After rudimentary investigations by the trial Judge on the facts of the case 'B' the defendant, may become the claimmant/plaintiff and the initial plaintiff 'A' may turn the defendant (*Mudda 'a Alaihi*).

Therefore, where the above method, devoid of technicalities of the common law, is adopted, there is no way, and it would indeed be too premature to challenge the jurisdiction of the court before the claimant's end the presentation of his case. This is more so because, under the Islamic law, just as it obtains in common law, it is the claim of the plaintiff or the claimant that determines jurisdiction. Raising a challenge to the jurisdiction of the court at the first contact with the court cannot therefore be proper. In the case of *Olarongbe Jimoh v. Alheri Idomi*, the determinant of the jurisdiction of the Islamic law courts is explained as follows:

Regarding the determinant of jurisdiction, it is trite law that irrespective of whomsoever between the parties is adjudged as the Plaintiff under the principles of Islamic law of evidence and procedure; it is the claim - *da'wah,* in the trial court that determines the jurisdiction of both the trial and appellate courts.

It therefore follows that rather than getting immersed with the serious issue whether it has jurisdiction or not, the first task of an Islamic trial court is to determine who among the parties before it qualifies as the claimant and who qualifies as the defendant so that he may ask the claimant so discovered by it to state his claim and produce evidence in proof of the claim before it allows the defendant to proffer his defence, which may then bring up the issue of jurisdiction. To this extent, the above view of M. A. Ambali, earlier quoted and relied upon so far in this article, remains unassailable. However, the view will not be completely applicable in appellate courts. This is explained below.

How to Challenge Jurisdiction of the Appellate Islamic Law Courts

The appellate Islamic law courts in Nigeria include Shariah Court of Appeal, the Court of Appeal and the Supreme Court. This is because when either of the Court of Appeal or Supreme Court sits on the Islamic law matter, it is an appellate Islamic Court at that moment and in such proceedings. Therefore, there is the need for an understanding of what obtains in these courts in raising the issue of jurisdiction to be engendered.

It should be noted that the appellate Islamic law courts in Nigeria generally act on the Record of Proceedings coming from the lower courts, which usually emanates from the trial court, in determining the appeal before them. In the Record so produced before the appellate court and if the trial had not jumped the procedure laid down for it to be followed by the Islamic law, the appellate court will have everything it requires, including the claim of the claimant, the evidence produced in proof of the claim and even details about the parties and the composition of the trial court itself. With this therefore, there is nothing wrong for the appellate court to raise or determine, if raised, the issue of jurisdiction before determining any other issue before it, as long as the issue so raised does pertain with how the trial court conducted or determined the case. To this extent therefore, the said view of Justice Ambali, may have to be applied with some caution. It is instructive to note that where the trial court ruled, after taking the claim and evidence of the claimant, that it had jurisdiction, the proceedings would be taken to the end and the party dissatisfied with the ruling on jurisdiction would only make jurisdiction a ground of appeal. But if

the court declines jurisdiction, the claimant appeals immediately and such appeal is given priority over appeals on final decisions.

Looked from another angle, the view of Ambali may still apply as the position of the Islamic law that is equally binding on the appellate court in the circumstances where a fresh issue or an application which was not agitated upon at the trial court is brought for the determination of the appellate court. At that stage, the appellate court would not be justified to allow any objection on the ground of jurisdiction to be taken before it fully listens to the applicant to state the claim or the gist of his application. This is the kind of situation Justice Ambali found himself in proffering his view. To this end, his view still remains unassailable and will, to that extent, still have to be complied with at the appellate level.

Lessons from the Islamic Law Approach

The prime concern of Islamic law is justice. Technical or mechanical gimmicks that are very much involved in other legal systems like common law are unknown and intolerable to Islamic law. What Islamic law is interested in is justice as due and as at when due. It neither approves justice to be delayed nor encourages justice to be rushed. It strikes the necessary balance. The purpose for adopting the above stated approach to the issue of jurisdiction, especially at the trial court, is to achieve its aim of justice. The approach therefore saves time and cost, which the challenge to the jurisdiction at the beginning of the case could have brought about. Other Nigerian courts have great lessons to learn from this Islamic Law approach to the issue of courts' jurisdiction to ensure speedy attainment of justice. Dele Peters described it as one of the major causes of delay in justice administration in Nigeria thus:

Generally speaking, Rules of Court are meant, *inter alia*, to guide and give directions to both counsel and the court. They are thus intended to enhance the smooth administration of justice. However, some of these Rules of Court tend to prolong trials each time counsel resort to them. Examples of such rules include the Rules of Court which allow motions, adjournments, preliminary objections, generally as against specially endorsed writs, originating summons (before actual trial commences) and such rules regarding the interlocutory application. More often than not, when counsel/litigants resort to the use of any of these rules, trials are unduly delayed.

More importantly, the Islamic law approach very much encourages and enables the trial court to determine once and for all, the claims and defence that can be proffered in the case, so that the appellate court will be able to review them holistically in a timely manner. The Nigerian courts seem to be reasoning along this line on the issue. A look at the reactions of the Supreme Court in cases that witnessed delay on jurisdictional ground on preliminary or interlocutory issues is therefore worthwhile at this stage. The next segment therefore reviews selected cases on the judicial reaction to the common law approach.

4. Judicial Reactions to the Common Law Approach

The Justices of the Nigerian Supreme Court, who are mostly loyalists and products of the common law, have begun to express displeasure with delay resulting in the common law approach to preliminary objection on the jurisdictional ground. They share the approach of determining both the objection and the substantive matter together, as the Islamic law recommends. The Supreme Court has progressively expressed disapproval for the common law approach in many cases some of which are reviewed below.

Uzuda v. Ebigah

The Supreme Court reacted to the delay occasioned by the interlocutory application that led to the appeals in the case in the following words:

It is quite disheartening to note that this matter which was commenced in 1986 about 25 (twenty five) years ago has not even been heard on merit, let alone the trial High Court giving its decision, due mainly to interlocutory appeals which again are being remitted to the lower court for retrial. Who knows whether after the lower court might have retried and given its decision, a further appeal will again come to this court. Can this court lawfully stop further appeal to it if any of the parties is dissatisfied with the

decision of the lower court? Definitely no, since it is a right conferred by the constitution. But I would like to say, to dissipate energy on interlocutory appeals, which does not affect the right being disputed in the substantive claim for a period of 23 (twenty-three) years, which may still be elongated with this order of retrial, unless the parties have a rethink and withdraw this appeal and concentrate on the substantive matter, does not help in dispensation of justice. This, with respect, is sad.

Union Bank of Nig. Plc. v. Astra Builders (W. A) LTD.

The Supreme Court has, again, expressed displeasure at the delay of justice resulting from addressing preliminary objection while the merit of the case is jettisoned in this case. The learned justice of the apex court who delivered the lead judgement in the case, Adekeye JSC, expressed the feeling as follows:

I cannot conclude this judgment without passing a few remarks about this suit. The escapade of prosecuting the action from the trial court to the apex court on a preliminary issue, consuming a period of nine years in the process leaves a sour taste in the mouth. It is particularly a wild goose chase, and abuse of judicial process…This action is nothing but a calculated ploy to harass or frustrate the plaintiff/respondent out of the transaction. Our court shall not be a party to its process being trampled upon by any unscrupulous litigant.

Abubakar v. Chuks

This is a case where it took more than seven years before the Supreme Court finally pronounced in favour of the jurisdiction and then sent the case back to the trial court for determination on the merit. Reacting to the evil of such procedure to the justice of the case, the Supreme Court posited as follows:

Appeal on this matter was filed in the Court of Appeal on 3 March 2000. Today is 14 December 2007. It has taken more than seven years to fight the admissibility of an exhibit, an issue which could have been taken at the end of the case after the final judgment.

The above judicial reactions have shown clearly that abandoning the merit of the case for preliminary objection to the competence of the court to adjudicate on disputes is not helping the justice system in the country. However, mere expression of displeasure by the Supreme Court without proactive step in form of "judicial will" is not more than crying over a spilled milk. There is, therefore, the need for some reforms and this leads to the few steps that are suggested hereunder as proposal for reform.

5. Recommendations: Proposal for Reform

The reform proposed hereunder is a step further from the mere lamentation of the Courts and the stakeholders in the justice system on how preliminary objection to courts' jurisdiction has been abused to cause delay of justice. It requires "judicial will" from the heads of the appellate courts who have powers to amend the Rules of Court or "legislative will" from the legislature and executive to facilitate constitutional amendment or combination of both.

Adoption of Islamic Law Procedure through Review of the Rules of Courts:

It is a matter of general practice in Nigeria that preliminary objection to the jurisdiction of court can be taken at any time and the merit of the case can thus be put aside. This is the crux of the matter. It is therefore necessary for a special provision to be in the Rules of Courts for the objections to the jurisdiction of the court to be taken during the final address. It is therefore strongly recommended that the Civil Procedure Rules of all the Courts below the Supreme Court be reviewed to specifically stipulate under the Order that provides for general proceedings at the trial, as follows:

The Court shall not, where it is raised, hear and determine the issue of jurisdiction or objections on any other ground, except at or during the final address stage after the matter shall have been heard on its merit and the court shall not only make its findings on the issue of jurisdiction or the objection on whatever ground alone, but also give its decision on the substantive matter. Where the court rules that it lacks jurisdiction, it shall make its decision on the substantive case on the merit, its decision in the alternative, event that it is found by the appellate court that it has jurisdiction. This shall

be the case in all instances whether the matter is begun by writ of summons, motions, petitions or otherwise and the court shall be at liberty to hear and determine both the objections on whatever ground and the substantive suit together, where it is convenient and practicable.

It is noteworthy that a Rule of Practice as suggested above has been judicially envisaged in the case of *A. P. C. Ltd. v. NDIC (NUB) Ltd* where the Supreme Court, per Niki Tobi, pronounced to that effect, thus:
Let me take the issue on taking the merits of the matter after the Court of Appeal had decided that it had no jurisdiction to hear the appeal. Normally, where a court of law lacks jurisdiction to hear a matter and comes to that decision, the court has nothing to do with the merits of the matter because the exercise will be in futility. However, courts below the Supreme Court will not be wrong to take the merits of the matter in the alternative. The exercise is useful and becomes very handy in the event that the court wrongly ruled that it had jurisdiction. This helps in no little way in saving litigation period. Instead of sending the case back to the court to hear the matter because it has jurisdiction, a decision in the alternative will stop such a procedure.

Vesting Final Jurisdiction in Interlocutory Appeals in the Court of Appeal.
If the option of not taking any objection to the jurisdiction of the court seems not visible because of the fear that the court should not engage in a futile exercise, another visible alternative is for the law to be made vesting final jurisdiction in the Court of Appeal in all appeals against preliminary matters or interlocutory issues, including the challenge to the jurisdiction. This has also been the long expected justice reform advocated by the Supreme Court. Not surprising therefore, the apex court advocated for this reform in the following words:
In order to save litigation time and money of litigants, it is my view that all interlocutory appeal must stop at the Court of Appeal.

It should be noted that a choice of this option would require amendment of section 240 of the Constitution. The desired amendment should particularly necessitate a new subsection (2) to the section while the existing lone section 240 is renumbered as sub-section (1) of the section. The new (proposed) section 240 (2) may be drafted to read as follows:
240 ... (2) In exercise of the jurisdiction conferred on the Court in sub-section (1) of this section above, the decisions of the Court of Appeal, in respect of appeals coming before it on interlocutory applications or matters, including all preliminary objections or a challenge to the jurisdiction of the lower court or a trial court of first instance where the appeal comes from the Appellate Session of the court below, shall be final and no further appeal shall lie to the Supreme Court in respect thereof.

The Supreme Court also shares the view that there would be need for constitutional amendment before the option of vesting final jurisdiction in the Court of Appeal can be legally effective. To this end, the court has advocated for this reform in a sort of appealing tone thus:
I will join my learned brother in calling on all the authorities and all the stakeholders vested with the powers to make laws and to amend the Constitution to, as a matter of urgency put in place machinery to amend the Constitution to this effect so that our justice delivery system could be reformed to see to the quick dispensation of justice without any interlocutory appeal constituting obstacle.

Setting Time-Frame for the Determination of Appeals on Jurisdictional Ground:
It is quite appreciable that jurisdiction is very indispensable for the court to validly adjudicate on any matter. However, the much preferential safeguard and treatment seems to be only to the benefit of the law while the interest of justice is not in any way protected thereby. Question may be asked: what interested is protected through the jealous guard of the jurisdiction of the court? Jurisdiction of the court is guarded to ensure that the court does not adjudicate upon matters in which jurisdiction is not conferred on it. Certainly, it is only the interest of the law that is protected here not of justice. It is in view of this that it is suggested that time frame is fixed, within which the appellate courts involved shall

dispose of jurisdictional appeal. This is no longer new to the Nigerian justice system. It is therefore recommended that a new (proposed) sub-section (7) should be inserted in section 294 of the Constitution to read as follows:
294- … (7) In an interlocutory application bothering on preliminary objection or jurisdictional matter, before any court sitting in the appellate jurisdiction, the court in such cases at any stage or court level shall deliver is decision within sixty (60) days of the filing of the appeal.

Prospects from the Theory of FiFoJ:
The trend in the Nigerian appellate justice system is that the Supreme Court would not ordinarily set aside concurrent judgements of the lower court on an issue except it is shown that the concurrent decisions are perverse. This has become so settled that it can almost be predicted with some sort of mathematical precision that an appellant appealing against such decisions would fail. It is now even provided in the Supreme Court Rules that where an Appellant requires leave to appeal against such decisions, the leave would only be granted in exceptional circumstances. This judicial wisdom is therefore invoked to formulating a theory that can address delay on jurisdictional ground in the Nigerian courts. This theory is proposed to be called "Theory FifoJ".

The theory simply states that in a situation where the trial court rules that it has jurisdiction, after its jurisdiction was challenged, and such decision is affirmed by the Court of Appeal (back to back), the decision of the Court of Appeal shall be final, i.e. "Finality in Favour of Jurisdiction (FiFoJ)".
The other hypotheses of the Theory would mean that if the Court of Appeal rules that the trial court does not have jurisdiction contrary to the finding of the trail court, appeal should lie further to the Supreme Court and the apex court should, in the circumstance, be time –bound, as earlier proffered.

6. Conclusions

This article has examined the length and breadth of how to raise the issue of jurisdiction in the Islamic law. It has been demonstrated that the Islamic law provides an avenue for its courts to take the issue of jurisdiction along with the determination of the case on the merit. The study also revealed that, with this approach, the Islamic law is able to strike a balance in ensuring that justice is neither delayed nor rushed. The article therefore challenged the courts in Nigeria on the unnecessary delay and longevity in the litigation period that is usually brought about by the issue of objection to courts' jurisdiction.

No court of law will be able to discharge its responsibility of justice dispensation to the litigants if it cannot ensure that justice is neither rushed nor delayed. The practice of raising objection to jurisdiction separately and determining same before any other thing, at the expense of determining the case on its merit, which is in vogue in the Nigeria courts, has been shown in this article to be detrimental to the cause of justice. The ideal practice of justice which must be advanced and observed by any court is for justice to be dispensed timeously, without being rushed nor delayed. The golden principle of justice dispensation cannot be validly and justifiably sacrificed for the mere need to ensure that courts do not engage in efforts in futility or in advancing compliance with the law on jurisdiction. If a case is determined on its merit and the court eventually found that the matter was frivolous, unwarranted and completely uncalled for in the first place, such court cannot be said to have engaged in efforts in futility. Thus, it is rather a mere misconception to say that simply because a court may eventually be found to lack jurisdiction, its efforts on determining a case on its merit without first taking the issue of jurisdiction amount to exercise in futility.

The conclusion therefore is that the Islamic law Rules and Procedure for challenging the jurisdiction of courts, which we have analysed in this article, is a worthy model and approach which ought to be adopted by all courts in Nigeria. The benefits of this to the courts, the parties and the society at large are unquantifiable. As observed by Justice Niki Tobi, "the exercise is useful and becomes very handy in the event that the court wrongly ruled

that it had jurisdiction. This helps in no little way in saving litigation period. Instead of sending the case back to the court to hear the matter because it has jurisdiction, a decision in the alternative will stop such a procedure."

In concluding, some prospects for reform in addressing the problem of delay on jurisdictional ground in courts in the country have been advanced. The reform would require amendment of Rules of appellate court to adopt the Islamic approach. Amendment to sections 240 and 294 of the Constitution was also proposed to make the Court of Appeal the final court on interlocutory matter and setting time-frame for determining appeals on jurisdictional issue and other interlocutory matters with draft proposal. It is also proposed that through the theory of FiFoJ, the problem can be effectively addressed. One thing thus remains clear, and that is, in addressing delay on jurisdictional ground in courts in Nigeria, there are lessons to be learnt from the Islamic Law and there are practical prospects for reform. Giving the recommendations made above a trial is therefore most desirable and they remain handy for engendering a time and cost effective justice system in the country.

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Landlords Versus Tenant: A Critical Appraisal of Conflict in Tenancy Law in Nigeria.

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Abstract. In Nigeria today, housing; particularly in the urban areas remains an intractable problem. Acute shortage of shelter is a common phenomenon as many people are chasing the few available accommodation. In recent times, the problem of shelter in Nigeria has reached a threatening stage with different fallouts ranging from socio-economic to legal and cultural impacts. The two major stakeholders in tenancy contract, namely: (i) Landlord and (ii) Tenant, now have their relationship regulated by plethora of tenancy laws in Nigeria.
This paper examines the duties and liabilities of landlord and tenant under the common law and diverse existing tenancy laws in Nigeria.
Critical issues such as types of tenancy, commencement of tenancy relationship and the legal procedure for terminating such relationships were carefully examined. It is observed that oftentimes there are conflicts between the landlords and tenants which attempts have been made by drafters of the law to either prevent or legally resolved. It is however the opinion of this writer that such tenancy laws should be reviewed to consider and accommodate other issues such as economic and sociological factors as legal consideration without more can neither prevent nor resolves conflict arising out of tenancy relationships.

Keywords: Landlord, Tenant, Conflict, Tenancy law, Nigeria.

1. Introduction

Shelter, undoubtedly is one of the fundamental basic needs of human beings in every part of the world. Housing, particularly urban housing, remains an intractable problem in the developing countries of the world.

Nigeria has its fair share of acute shortage of urban dwellings. This problem is not unconnected with our population explosion and uncoordinated rural-urban migratory pattern, which exerts excessive pressure on housing demands in the cities.

The relationship between landlords and tenants in Nigeria has considerably evolved over the years, which therefore necessitated an appraisal and evaluation of how it is being regulated in modern Nigeria. This relationship is regulated and defined by two aspects of law, namely: (a) Property law and (b) Law of Contracts.

It appears the whole essence of the law of landlord and tenant is to protect tenants from abrasive landlords. According to Garner, landlord and tenant relationship refers to a familiar legal relationship existing between the lessor and lessee of real estate. The relationships is contractual, created by a lease (or agreement for lease) for a term of years, from year to year, for life or at will, and exist when one person occupies the premises of another with the lessor's permission or consent, subordinated to the lessor's title or rights. There must be a landlord's reversion, a tenant's estate, transfer of possession and control of the premises, and (generally) an express or implied contract.

2. Contents and Nature of Tenancy Agreement

Generally, agreement is a mutual understanding between two or more persons about their relative rights and duties regarding past or future performances; manifestation of mutual assent by two or more parties. In other words, the parties' actual bargain is found in their language or by implication from other circumstances, including course of dealing or usage of trade or course of performance.

Agreement is nothing more than a manifestation of mutual assent by two or more parties legally competent to contract with one another. Creation of tenancies and the terms relating to the continuance of the relationship between a landlord and his tenant, the common law, equitable principles and general statutory provisions relating to the law of contract and land law apply.

In explaining what tenancy agreement depicts, Sir John Pennycuick stated that:

Where parties to an instrument express their purpose in entering into the transaction effected by it, or the purposes for which, in the case of tenancy agreement, the demised property is to be used, this expression of purpose is at least prima facie evidence of their true purpose and as such can only be displaced by evidence that the express purpose does not represent their true purpose.

The implied covenants, majority are two-folds, namely: (i) implied covenants of the landlord and (ii) implied covenants of the tenants.

1. **Implied Covenants of the Landlord**

a. Tenant to have quiet enjoyment of the property

The property of this covenant is two-fold (i) to protect the tenant against unlawful eviction or adverse claim to possession by any person, including the landlord from the property and (ii) to protect the tenant in occupation against interference with his normal use and enjoyment of the property. The landlord impliedly covenants with the tenant that the tenant's enjoyment and possession of the property will not be disturbed by any act of the landlord, his agents or servants.

However, there are exceptions to this general principle, that is, the tenant must pay rent punctually and perform/observe his covenants in the tenancy agreement. A landlord does not have to observe this implied covenants if the tenant fails to pay rent or is in breach of other terms of the tenancy in which case he may take action to evict the tenant and claim damages for the tenant's breach. However, it is important to note that if a landlord disconnects the supply of water, electricity or gas to the property whilst the tenant is still in possession, such act will constitute a breach of this implied covenant.

b. Fitness for habitation

There is an implied covenant on the part of the landlord to ensure that the property is at the beginning of the tenancy reasonably fit for human habitation where the property is let with furniture. This covenant appears more pronounced in furnished tenanted apartment which ordinarily are made for immediate occupation.

Thus, in Smith v Marrable where furnished apartment was infested with bugs, the tenant quit without notifying the Landlord. It was held that he was at liberty to do so and he was not liable in the landlord's action to recover compensation for use and occupation of the apartment for the period he was in possession.

c. Landlord not to derogate from his grant

The landlord impliedly covenants not to directly or indirectly interfere with or affect the purpose for which the property was let to the tenant and his reasonable enjoyment thereof. For example where it was mutually agreed that the premises shall be strictly residential, it confers on the landlord an implied duty or covenant not to let the same property to any other person who wishes to use it for commercial purpose.

2. **Implied Covenants of the Tenant**

a. To pay rent as at when due.

Rent is usually paid in advance on a specified date of each week, month, quarter, year or any

other period as may be mutually agreed by landlord and tenant at the commencement of the tenancy. In a strict sense, rent is outstanding if not paid before midnight on the due date for payment.

b. Repair and maintain property's interior.
This covers all the internal physical condition of the property and its fixtures, furniture and electrical appliances. This does not, however, cover fair wear and tear, structural and latent defects.

c. Payment of rates.
It is important to note that where the landlord has not agreed to pay the rates, the implied obligation is on the tenant to pay the rates since rates are an occupier's obligation. Rates sometimes include water rate, electricity, sanitation (waste disposal) and other similar incidence. However, in practice, there is usually an express agreement between the landlord and the tenant as to who is going to pay the rates.

d. Yielding-up possession in a 'tenantable manner.'
It is the tenant's implied obligation to use property in a reasonable and proper manner, take care of the property in such a way that its fitness for purpose will not decline or depreciate as to discourage a future occupier from renting same.

e. Covenant not to commit waste.
It is implied under common law that a tenant shall not commit waste. "Waste" consists of any act or omission which causes a lasting alteration to the nature of the property to the prejudice of the landlord or such act as may impair title to the property.

The tenancy agreement usually contained basic issues like the names and addresses of the parties, period or duration of the tenancy, description of the property being let out, specific dates of commencement of tenancy and its expiration, amount of rent to be paid, renewal clause, rent-review, payments of rates, repairs of wear and tear, length of notice for termination of tenancy, whether the landlord allows sub-letting or not purpose of the tenancy (residential/commercial),number of persons permitted to occupy a tenanted premises, and several other covenants which vary from parties to parties.

It is a very fundamental feature of tenancy agreement, particularly in Nigeria that tenants have more covenants and obligations under the agreement than the landlords. It is suffice to state that most of these tenancy agreements are drawn-up by the landlords personally or through their attorneys, agents or property managers.

However, in a bid to have fuller overview of the contents and nature of tenancy agreement, it is essential that different types of tenancies be examined. This will avail us variations in tenancy agreements as designed and applied to different forms of tenancies.

3. Types of Tenants/Tenancies

Generally, in any form of tenancy dispute, court pays premium on the contract entered into between the landlord and tenant and consider same as sacrosanct. It is the parties who decide the kind of tenancy agreement they are entering into, which in turn determines the kind of tenant. For instance, in determining the length of notice to quit, that could be given a tenant, the Recovery of Premises law of Oyo State will not be operative except where there is no express stipulation in the tenancy agreement, that is where the agreement is silent on the issue.

a. Statutory Tenant
The phrase 'statutory tenant', is found neither in the English Rent Acts nor in the Recovery of Premises law. A statutory tenancy is not created by agreement between the parties but judicially: even so its terms, apart from those relating to termination or succession, mirror those of the contractual tenancy.

In the early case of Keeves v. Dunn, Bankes (Lord Justice) said:
It is a pity that expression [statutory tenant] was ever introduced. It is really a misnomer, for he is not a tenant at all; although he cannot be turned out of possession so long as he complies with the

provisions of the statute, he has no estate or interest in the premises such as tenant has.

It has been proposed that a statutory tenant cannot assign or transfer his interest. And since the nature of the interest of a statutory tenant is that of a personal right of possession, he can neither sublet his interest nor transfer possession to a third party. If he does, the transferee would be a squatter vis-à-vis the landowner and he can use reasonable force to recover possession from him extra-judicially.

The statutory tenant is an occupier, who when his contractual tenancy expires, holds over and continues in possession by virtue of special statutory provisions. He has been described as 'third anomalous legal entity' that holds the land of another contrary to the will of that other person who strongly desires to turn him out. Such a person will not ordinarily be described as a tenant.

b. Periodic Tenant

This is a tenant whose tenancy automatically continues for successive periods, usually month to month, or year to year, unless terminated at the end of a period by notice. A typical example is a month-to-month apartment lease. This type of tenancy originated through court rulings that, when the lessor received a periodic rent, the lease could not be terminated without reasonable notice. The law is that a periodic tenancy may be created orally as it is less than three years at a time. The unquestionable rule is that a lease for not more than three years, taking effect in possession and for a full rent, can be formally valid without any document or ceremony at all, merely by the consensus of the parties. It is immaterial that the tenancy continues for decades. This is because a yearly tenancy is "a lease for a year certain, with a growing interest during every year thereafter, springing out of the original contract and parcel of it. . ."

c. Tenancy at Will

A tenancy at will may be created expressly or by implication of law. It is expressly created where land or tenements are let by a landlord to a tenant to be at will of either party. A tenancy at will may arise by implication where a tenant holds over with the consent of the landlord after the expiration of the term granted, or where he goes into possession under a contract for a lease. Tenancy at will may be converted into a periodic tenancy where the tenant pays rent calculated by a specified period, for example, monthly, yearly or weekly etc. The Supreme Court of Nigeria in Odutola v. Papersack Nigeria Limited in describing the nature of tenancy at will opined:

A tenancy at will which is held by a tenant at will generally conveys a mutual wish or intention on the part of the tenant and the landlord in the occupation of the estate. There is general understanding that the estate may be generally terminated at any time. A tenancy at will is built into the mutual understanding that both the landlord and the tenant can terminate the tenancy when any of them likes or at any time convenient to any of them. In a tenancy at will the lessee (the tenant) is the tenant at will because the lessor (the landlord) can send him packing at any time the lessor pleases. In other words, the tenant occupies the estate at the pleasure or happiness of the landlord. This is however subject to proper notice emanating from the landlord.

Tenant at Sufferance.

This is a tenancy arising when a person who has been in lawful possession of property wrongfully remains as a holdover after his or her interest has expired. The Supreme Court of Nigeria in African Petroleum Ltd. v. Owodunni defines 'tenancy at sufferance' as follows:

A tenancy at sufferance is one in which the original grant by the landlord to the tenant has expired, usually by effluxion of time, but the tenant's right to occupation of the premises to which he had come in upon a lawful title by grant is at an end but, although he has no more title as such, he continues in possession of the land or premises without any further grant or agreement by the landlord on whom the right to the reversion resides. One necessary pre-condition of such a tenancy is that the tenant must have come upon the land or premises lawfully...

In contrast to the status of a tenant at will, the distinguishing feature of this kind of tenant simply holds over after his tenancy has come to an end by effluxion of time and without the will, agreement or consent of the landlord. This is strictly a common law concept.

Other varieties of tenancies include: (i) Joint tenancy – This is a tenancy with two or more co-owners who take identical interests simultaneously by the same instrument and with the same right of possession (ii) common tenancy is simply a tenancy by two or more persons, in equal or unequal undivided shares, each person having an equal right to possess the whole property but no right of survivorship.
The central characteristic of a tenancy in common is simply that each tenant is deemed to own by himself, with most of the attributes of independent ownership, a physically undivided part of the entire parcel.

A cursory look at all the aforestated reveals clearly that only two broad types of tenants are known to our legal system. These are :

(a) Common law tenancy which is also known as the contractual tenancy and (b) Statutory tenancy.
The contractual tenancy has the inherent capacity of developing into other forms of sub-tenancies and types. These include the lease and the periodic tenancy which are types of tenancies under the contractual tenancy. On its own, the periodic tenancy, which is more common than the lease, recognizes six sub-types namely –

(i) Weekly Tenancy
(ii) Monthly Tenancy
(iii) Quarterly Tenancy
(iv) Half Yearly Tenancy
(v) Yearly Tenancy and
(vi) Tenancy at will.

4. Common Areas of Conflict between Landlord and Tenant

Conflicts and disputes which could be described as struggle, clash, disagreement or controversy which sometimes leads to a state of emotional tension is inevitable in human relations.

Generally, tenancy relationship is a contractual agreement between the landlord and tenant, while the terms of the agreement are basically express and implied covenants on the part of both parties. These covenants are obligatory in nature hence the performance is sacrosanct.

The initial dispute oftentimes stems from 'clumsy' and ambiguous tenancy agreement between the parties. In most cases the parties express covenants are not clearly spelt out which gives rise to the problem of interpretation of the content, an unscrupulous landlord or tenant may want to take advantage of this anomaly. As earlier observed, the terms of the agreement are usually lopsided, with the tenant carrying heavier responsibility which most tenants accept at the commencement of the tenancy due to desperation to secure shelter for themselves and their families. However, such tenants later become resentful to such an arrangement and therefore honour same in breach. Some of the causes of conflicts, or to put it mildly disagreement between landlord and tenant are traceable to social, economic and legal factors.

It is significant to state that law cannot be divorced from peoples' status and behavioural pattern which is also a product of many factors. Some of the causes of conflict between the landlord and tenant are highlighted below:

a. Breach of Covenants

As word implies, 'breach' means breaking, infringement, or violation by one of an agreement by non-performance, or by both. Every breach gives rise to a claim for damages, and may give rise to other remedies. A breach could be in diverse forms, it may be one by part-performance, non-performance, or by both. Every to other remedies. Similarly, breach of covenant simply refers to violation of express or implied promise, usually in a contracts, either to do or not to do.

i. Rent:

In every form of tenancies, payment of rent by the tenant to secure the premises together with its appurtenance is not merely a covenant but a key factor which serves a link between the parties. The Recovery Statutes including the

former cap. R6 of Lagos State have always defined rent as including:
…any money or money's worth whether in the form of crops, labour or otherwise paid or given as the case may be, in consideration of which a landlord has let a premises to a tenant.

It is fundamental to state clearly that our legal system does not put sociological component of poverty and status of the parties in perspective while interpreting tenancy agreement or applying the real properly law (in the absence of an express contract, whether written or oral). For example, the court in SCOA (Nigeria) Ltd. v. Bourdex Ltd. held that, "in the absence of fraud or misrepresentation the party who signs an agreement is bound by it; in such a case the duty of the court is merely to construe the provisions of the agreement so as to discover the parties' intention.

The old system of levying distress against a rent defaulting tenant is now prohibited especially under the Rent Control Law of the various states. Forcible entry as an old means of evicting a defaulting tenant has been replaced by an action for recovery of land by judicially ejecting the tenant. Black's Law Dictionary defines, distress as: "The seizure of another's property to secure the performance of a duty, such as the payment of overdue rent," or the legal remedy authorizing such a seizure, the procedure by which the seizure is carried out.

However, such landlord has a right of forfeiture against the defaulting tenant. Forfeiture is only operative if the landlord can prove that he made a formal demand for the outstanding and due rent but the tenant refused, hence there is a right of action for forfeiture, for non-payment of rent.

ii. Quiet Possession

The landlord also has corresponding covenants to honour in tenancy relationship (both implied and express). However, one major covenant upon which threshold other covenants stand is "quiet possession." Traditionally, the only covenant implied in tenants' favour is one for quiet possession or enjoyment. This covenant is so fundamental, that it is implied even in parol lettings and in mere tenancy agreement.

Lord Denning (Master of Rolls) defines the ambit and scope of the implied covenant for quiet enjoyment thus:
The covenant for quiet enjoyment… is not confined to direct physical interference by the landlord. It extends to any conduct of the landlord or his agents which interferes with the tenant's freedom of action in exercising his rights as tenant… It covers, therefore, any acts calculated to interfere with the peace or comfort of the tenant, or his family.

The above case depicts landlords' usual practice in post-colonial Nigeria. It is a reflection of total disregard for the law in general, and implied covenant of quiet enjoyment in particular. Such action includes: disconnection of electricity and water supply, removal of the roofing-sheets on the apartment (sometimes under the guise of purported renovation being undertaken) preventing the tenant from using the parking lots and other appurtenances and any other nuisance such as violating tenants' right of easement, for example, off-loading lorry-loads of sand at the entrance of the premises. Disputes between landlord and tenant sometimes turn bloody that it later becomes prosecution when one assaults or kills the other, or a third party. For instance, a man died in Lagos in the course of intervening in landlord and tenant fight. In another instance, three tenants in Kano Metropolis, Nigeria cut off the leg of their landlord in a disagreement which ensued over non-payment of rent. Incident of this nature is not peculiar to Nigeria alone, but also other developing countries battling with housing problem.

For instance, it was reported that a man from Bulawayo based in South Africa allegedly plunged to his death from the third floor window of his Yoeville flat in Johannesburg over a rent dispute after the landlord allegedly hired thugs to kill him. The tenant was said to have been involved in an altercation with the landlord over poor service delivery after electricity to his flat was disconnected despite him paying his rentals in full. Many cases of disturbance of quiet

enjoyment arise when the tenant is in arrears with his rents or resists unilateral rent increment.

b. Abrasive and Intolerant Landlord

A growing number of unscrupulous, oppressive and harsh landlords are using various foul means to force tenants to surrender possession. They consider the legal process to be slow, too expensive and therefore prefer eviction by force, to compel the tenant to abandon his tenancy.

Many landlords do not understand the intricacies of the law of tenancy, they rely more on the context of "absolute ownership', that is the 'lords' who can do whatever they like with their real properties and, of course, by extension the tenants who they see as less equal to them. Most of such landlords believe that they are still in absolute control of the tenanted apartments, regardless that the law stipulates that upon the completion of tenancy arrangement, what is left for the landlord is reversionary interest which becomes operative at the expiration of the tenancy.

It appears that the legal maxim of 'justice delayed is justice denied' is more fundamental to the landlords than any group of persons, most of them can hardly go through the legal process, sometimes due to ego or pressing financial needs.

There are many cases of landlords, resorting to self-help to eject tenants in Nigeria, while some of those landlords are illiterates and might not understand the legal implications of their actions, others cannot be so classified. In most cases, the landlord starts with psychological and emotional attack on the tenants, some of the numerous, of which we have mentioned above. In another case, when a landlord was asked why he chose self-help rather than initiate court action against the tenant, he replied bluntly thus:

When my tenants do not pay rent and I want to get rid of them, if I go to court it takes time to get the cases on, and county court judges make terms, and it is very difficult to get rid of your tenants.

The court in Emeshie v. Abiose commenting on landlord's use of self-help held that :

In a democracy like ours, the rule of law must triumph not only in our legal system but in our body politic. Parties in a litigation must accept the decision of the court in good fate; subject only to the appeal process available in law. No litigant can employ self-help to disrespect or disparage any court order. The Supreme Court and this court have times without number condemned self-help on the part of the litigations in matters in which court are seised. The case of Governor of Lagos State and another v. Chief Ojukwu (1986) 1 NWLR pt. 18, 61, is one on point. The appellant/applicant, a member of the honourable legal profession has taken the law into his hands, broke into a premises by which by a legitimate court order was not his and took over possession. This is a most unfortunate conduct, to say the least. I expected a legal practitioner to have some regard for the court where he practices his profession daily.

c. Denial of Landlord's Title

It is presumed that at commencement of tenancy relationship between the landlord and the tenant, the latter recognizes the title and ownership of the former. However, one unusual area of conflict of interests between the parties is when a tenant denies or refuses to recognize the title of the landlord.

A tenancy is automatically terminated when the tenant denies, challenges or repudiates his landlord's title. This type of misconduct is a ground for forfeiture in almost all systems of jurisprudence and all types of tenancy-term certain, periodic as well as customary tenancy.

However, it is important that the evidence of denial must be proved clearly. The best accepted form of evidence is alienation of the premises either by leasing (without the approval or confirmation of the landlord) or outright sale under a claim of ownership. The court in Wisbech St. Mary Parish Council v. Lilley states the principle underlying tenant's denial of his landlord as follows:

If a tenant deliberately asserts a title in himself adverse to his landlord or if he lets a stranger into possession with the intention of enabling him to set up a title adverse to the landlord, that amounts to a repudiation of the landlord's title;

and it would seem that where the tenancy in question is a yearly tenancy it is sufficient to constitute a repudiation if the assertion of title against the landlord is made orally.

4.1 Eviction

Eviction is an act or process of legally dispossessing a person of land or rental property. According to Collins, eviction means to expel a tenant from property by process of law or to recover property or the title to property by judicial process or by virtue of a superior title.

A landlord has an unfettered legal right to terminate a tenancy upon giving adequate notice. After all, the property belongs to him and he can at any time retrieve it subject to the conditions in the tenancy agreement. Once he abides by the provisions of the tenancy agreement, the tenant has no choice than to vacate possession. The position of the law is as straight and as simple as that. What constitutes notice is spelt out in the lease or tenancy agreement.

1. Notice to Quit.

The tenant is under an obligation to yield up possession of the demised premises at the end of the tenancy. A lease or tenancies for a fixed period is automatically determined at the end of the period. However, where the tenant fails refuses and neglect to yield up possession after the expiration which is either expressly or impliedly renewed, the landlord reserves the right to issue notice to quit and serve same on the tenant.

Notice to quit is defined as a landlord's written notice demanding that a tenant surrender and vacate the leased property, thereby terminating the tenancy, or a landlord's notice to a tenant to pay any back rent within a specified period (often seven days) or else vacate the leased premises.

The origin of statutory notice to quit dates back to 1945 in Nigeria when the Recovery of Premises Act, no. 45 of 1945 was enacted. It provided for the length of notices required for the various periods of tenancies fixed by the parties. Section 8(10) of Recovery of Premises Law recognizes the fact that the tenancy agreement is an important document which should first be examined in a bid to determine the mode and length of a valid notice to quit. It provides as follows:

Where there is no express stipulation as to the notice to be given by either party to determine the tenancy the following periods of time shall be given –

(a) In the case of a tenancy at will or a weekly tenancy a week's notice;
(b) In the case of a monthly tenancy, a month's notice;
(c) In the case of a quarterly tenancy, a quarter's notice:

Provided that in the case of a yearly tenancy the tenancy shall not expire before the time when any crops growing on the land, subject of the tenancy, would in the ordinary course be taken, gathered, or reaped within one year of planting and such planting was done by the tenant prior to the giving of notice.

The requirement of notice contained in the 1945 Rent Control Act was adopted by the defunct Eastern, Northern and Western Regions of Nigeria and later adopted by the states carved out from those regions. To validly terminate a tenancy, the landlord must strictly comply with the provisions of relevant laws on the issuance and services of notice to quit. The whole essence of notice to quit is simply a demand or call by the landlord on the tenant to yield up possession on or before a given date. Evershed J. capturing the whole idea of quit notice stated that:

The notice to quit, though in form only calling upon the tenant to do a particular act (namely, to vacate the premises), is beyond doubt intended upon its taking effect to put an end altogether to the relation of landlord and tenant. Though in terms such intention is not expressed, no one could for a moment be in doubt upon it. The intention must be read into the notice because that is its plain meaning. The tenant is called upon to 'quit' on the named date simply because his right to remain will then have ceased.

A fundamental feature of a notice to quit is that it must be in writing. Section 7 of Recovery of Premises Law provides inter-alia that such tenancy shall have been duly determined by a written notice to quit. It is our humble view that even where the tenancy is by parol, notice to quit should still be in writing since anything to the contrary would lend itself to abuse, and besides, this might be difficult to prove.

Generally, it is the law that notices to quit is a pre-action notice, which failure to properly issue and serve is fatal in any action instituted against the tenant. In Pan Asian African Co. Ltd v. National Insurance Corporation (Nig.) Ltd., the respondents instituted an action, without service of notice to recover possession from the appellants which they held under an expired lease. On appeal to the Supreme Court, the court held that the respondents' failure to serve the statutory notice on the appellant was fatal to the action. Essentially, tenancy laws stipulate that such notice must be valid, to be effective.

Essentials of a valid Notice

(i) The name of the landlord or his authorized agent.

Where an agent issues a notice of quit he should state clearly that he is acting as agent of the landlord. In Bashuav. Odunsi a notice to quit was declared invalid when it was evident that the landlord's son issued it and the notice made reference to the landlord.

(ii) The tenant's name

It is important that the name of the tenant be inserted in the notice to quit since the tenant ordinarily is the addressee. The juristic name in which the tenant is known and can be sued, mere initials without more, or alias will not suffice for this purpose. Similarly, names of unregistered or unincorporated business enterprises and companies are unacceptable.

Even, where a subtenant or a tenant's surrogate occupies the premises, it is still necessary to insert the tenant's name in the notice.

(iii) The nature of the Tenancy

The nature of the tenancy (whether monthly, quarterly, half-yearly, yearly or a tenancy at will) should be inserted in the notice to quit as this helps in a way to determine, the validity of the notice, since in the absence of any agreement to the contrary, nature of tenancy determines the length of notice to be given.

In Olaoya v. Mandilas, Ames J. remarked that "notice of termination of a tenancy would be useless without proof of the nature of the tenancy as without this . . . a court cannot say if the notice of termination does lawfully terminate the tenancy.

It is significant to note that oftentimes, landlord ignored the length of notice as prescribed by the Recovery of Premises land and opted for the option as contained in their tenancy agreement. Even, though this is a valid option, but usually to the disadvantage of the tenant with an unfavourable tenancy agreement.

Description of the Premises

It is of great essence that the premises being the subject of the tenancy be described with a degree of certainty in the notice to quit. The description shall include the address and the location of the premises.

The date the tenant should quit and yield-up Possession.

The date of the commencement of the notice and the date of expiration are expected to be inserted in the tenancy; it has to be specific and not speculative. It is ideal and appropriate that the notice to quit be dated, however courts have held that failure to date a notice to quit is not fatal, what is fundamental is the date of service of such notice.

One major area of controversy and conflict between the landlords and tenants is the issuance (contents) and service of the notice to quit. There are instances where landlord or his agent backdate a notice in order to gain advantage. In the same vein, a tenant may also receive a notice to quit and deny receipt, which antics could be fatal to the success of either party in court.

The court in Otegbade v. Adekoya concluded thus :

A notice to quit must be clear and certain, so as to bind the party to whom it is given to act upon it, at the time it is given. The notice must not be ambiguous.

2. Court Proceedings

It is trite law that a landlord must issue and serve the tenant with a notice of his intention to proceed to court for an order to recover possession of the premises if within seven days of the service of the said notice on the tenant, he still fails, refused or neglected to yield up possession. This usually happens where after the expiration of the notice to quit the tenant still 'holds over' and refuse to yield possession.

The following issues should be put in perspective in commencing suit for recovery of premises against tenants:

(a) Appropriate party should initiate the action, such person shall include the landlord, his agent or anyone so expressly authorized to do so by the landlord

(b) The suit must be commenced against the appropriate party, that is, the tenant and sub-tenants.

(c) The matter should be initiated at a court of competent jurisdiction. Recovery of Premises Law of various states in Nigeria and the Federal Capital Territory list such courts as: (i) Magistrates Courts (ii) High Courts and (iii) In some States, Recovery of Premises Court or Tribunal but not customary Court.

(d) Court processes (summons or plaints or claims) should be served on the appropriate person, through the authorized person and in the appropriate mode specified by the law. The court has held that serving the court processes on the defendant (tenant) is a good service. Court also approve of substituted service (usually through the pasting on a conspicuous part of the premises) where the tenant is avoiding service of court processes or being inaccessible.

Section 19 of the Recovery of Premises Law summed up the adjudication process in tenancy matters as follows:

If the defendant shall not at the time named in the summons or any adjournment thereof show good cause to the contrary, then on proof-

- *(i) of the defendant still neglecting or refusing to deliver up the premises; and*
- *(ii) of the yearly rent of the premises; and*
- *(iii) of the holding; and*
- *(iv) of the expiration or other determination of the tenancy with the time and manner thereof; and*
- *(v) of the title of the landlord, if such title has accrued since the letting of the premises; and*
- *(vi) of the service of the summons; if the defendants does not appear thereto,*

The court may order as in Form J,K or L, whichever is applicable to the case, that possession of the premises mentioned in the plaint be given by the defendant to the plaintiff either forthwith or on or before such day as the court shall think fit to specify.

However, the law provides for a situation where the plaintiff fails to prove his case to the satisfaction of the court, possibly due to failure to adduce weighty evidence or issuance of defective notices or for non-issuance of the stipulated notices.

Sub-section 2 provides that "if the plaintiff at the time named in the summons or at any adjournment thereof shall fail to obtain an order under subsection (1) the defendant shall be entitled to judgment and may be awarded costs, such judgment and award as in Form M.

Where a landlord is adjudged to be entitled to possession of any premises, the court may issue him with a "warrant of possession" even though a tenant's counterclaim is yet to be determined or satisfied. It is important to note that there are misconceptions regarding some technical terms which sometimes come up for adjudication and judicial interpretation. Due to high level of illiteracy in our society, both landlords and tenants usually have conflicting perspectives as to their rights and liabilities in eviction processes

leading to court's judgment. These issues are therefore put in the right perspectives later in this paper.

4.2 General Misconceptions

In landlord and tenancy matters, certain issues are largely misunderstood by the parties in particular and members of the public in general. These include: (i) whether the tenant should continue to pay rent after he has been served with a valid notice to quit? (ii) The position of waiver in landlord and tenant matters (iii) whether amounts to arrears of rent? (iv)What is mesne profit, and when should it be paid? (v) Adequacy of notice where a tenant is in arrears of rent (vi) whether notice to quit could be served on the tenant during the pendency of his tenancy.

These issues are examined below seriatim:

(i) In Nigeria, as in other developing nations, a notice to quit is the tenant's nightmare. Sometimes, in their desperation to keep their accommodations, some tenants continue to pay their rent even after the receipt of the notice to quit. The question is, what impact does this payment have on the notice to quit?

Where the tenant pays rent and the landlord collects after he had served notice to quit on the latter, the court held that it has the effect of renewal of tenancy.

Fitzgibbon L. J in Lord Inchiquin v. Lyons justified the position as follows:

I see no reason to think that the parties cannot, before the time named for quitting has arrived, agree that their existing relations shall continue uninterrupted . . . There is nothing unlawful in the parties to the contract of tenancy agreeing to withdraw a notice to quit; one of them who has served the notice may tell the other, or make the other to understand, that he has changed his mind, and thereupon the notice may be treated by both as abandoned . . . That result is attainable only by mutual consent, and is perhaps rightly described as . . . an arrangement to continue to hold under the old tenancy. . .

The position is however different when such payment is made after the expiration of notice or effluxion of term. Once a notice expires, the tenancy dies and cannot resurrected; the same goes for a term that has been effluxed. Denning J. confirmed this position when he held that:

In my position the law is now well settled that where a tenancy is determined by a notice to quit, it is not revived by anything short of a new tenancy and in order to create a new tenancy there must be an express or implied agreement to that effect . . .

The court puts this issue in perspective in Clarke v. Grant. In that case, after the expiry of a valid notice to quit, the tenants still in possession, one of them went to the landlord's agent and paid him a sum equivalent to a month's rent under the former tenancy. The agent took the rent in the mistaken belief that it was the rent in arrears in respect of the previous month. In fact the rent had always been paid in advance. The court of Appeal held that the notice to quit had not been waived.

(ii) Waiver.

Waiver arises where there is evidence that a party has actual knowledge that he has a right and he chooses not to exercise it. First, to constitute waiver, some distinct act ought to be done. The act must be intentional; the intention must be express or imputed by law-an intention to treat the matters as if the condition did not exist or as if the forfeiture or breach had not occurred.

It is also important that there is a proof that the person who is said to have waived his right had knowledge of the existence of the right or its infraction, while in the same vein; he must not be under legal disability that renders it difficult or impossible to exercise his right. It is very significant to state that the issue of "intention" or "motive" on one part of the parties is unsettled. Lord Denning MR's dictum appears to be a departure from the earlier principle of law. He stated thus:

So we have simply ask: was this rent demanded and accepted by the landlord's agent with

knowledge of the breach? It does not matter that they did not intend to waive. The very fact that they accepted the rent with the knowledge constitutes the waiver.

(iii) Arrears of rent

Lagos State Tenancy Law provides for the payment of payment of arrears of rent. Section 18 provides-

Where there is any matter for determination before a court under this Law, and the tenant admits the arrears of rent or a portion of the rent, the court may order the tenant to pay such arrears of rent while court proceeds with the matter.

Where arrears of rent are claimed for the use and occupation of the premises, the claim shall show the rate at which sum is claimed, and were it is proved, judgment shall be entered for the amount so proved.

Generally, in tenancy law and practice, rent are expected to be paid in advance and not in arrears. An arrears of rent accruing is an anomaly.

(iv) Mesne Profit

Mesne profits are rents and profits which a trespasser has or might have received or made during the occupation of the premises, and which therefore he must pay over to the true owner as compensation for tort which he has committed. A claim for rent is therefore liquidated, while a claim for mesne profit is always unliquidated.

Mesne profits are awarded for rents where the tenants remains in possession after the tenancy agreement has run out or been duly terminated. Consequently, besides the specific or liquidated sum claimed by the landlord, the court may award an additional amount which represents the rent for the period that the tenant remained in possession after the lapse or termination of the tenancy.

The word 'Mesne' was derived from the Latin word 'Mesne' meaning 'Meddle,' interviewing or intermediate from the date the tenant ought to have given up possession and the date he actually gives up possession. Evidently, rent and mesne profits though erroneously used interchangeably, are not the same. Rent is liquidated, mesne profits are not. Rent is operative during the subsistence of the tenancy, while mesne profits start to run when the tenancy expires and the tenant holds over.

The court in Abeke v. Odunsi distinguished mesne profit from other terms such as 'rent' and 'damages' in the following words:

Mesne profit means intermediate profits – that is, profits accruing between two points of time that is between the date when the defendant ceased to hold the premises as a tenant and the date he gives up possession. As a result, the action for mesne profit, ordinarily does not lie unless either the landlord has recovered possession or the tenant's interest in the land has come to an end or the landlord's claim is joined with a claim for possession.

. . . One of the differences between mesne profits and damages for use and occupation is the date of commencement. While mesne profits begin to run from the date of service of the process for determining the tenancy, damages for use and occupation start to ascertain an amount which may constitute a reasonable satisfaction for the use and occupation of the premises held over by the tenant.

However, it appears that the Recovery of Premises Law and some of the judicial authorities are conflicting. A good example is the provision of Rent Control and Recovery of Residential Premises Law which is a departure from the common law definition. Section 40(1) thereof provided thus:

Mesne profits means the rents and profits which a tenant who holds over or a trespasser has or might have received during his occupation of the premises and which he is liable to pay as compensation to the person entitled to possession.

v. Adequacy of Notice where tenant is in arrears of Rent

This is common area of conflict between the landlord and tenant. Sometimes, not only the parties have misconception on this issue by also legal practitioners and Judges alike. Tenant being in arrears of rent simply means such a tenant is holding over after the expiration of his tenancy by effluxion of time.

The question here is, whether a tenant lose his right as to the length of notice he is legally entitled to, where he is in arrears of rent. Such a tenant at common law becomes a tenant at sufferance, but which our local statutes have not recognized. Previously, such tenancy could be determined by landlord's lawful act of forcible entry (known as distress). The court of Appeal denouncing this kind of practice declared that:

A landlord has not the right to invade premises in the lawful occupation of a tenant and cast his goods and belongings away even for safe keeping without his consent.

However, since the Supreme Court in *African Petroleum Ltd. v Owodunni* has declared that such tenancy "can only be determined either by the landlord's lawful act of forcible entry, where it is still possible, or by a proper action for ejectment after due notices a prescribed by law", it is therefore our humble view that such tenant, should in the first instance be given one week notice to quit. Whereupon the expiration of this notice, he still fails, refuses and neglects to yield up possession, he should be served with the statutory seven days 'notice of landlord's intention to recover the premises.

In practice, given the socio-economic environment of Nigeria regarding high level poverty and sometimes social relationship between the landlords and their tenants, landlords usually give tenants who genuinely lost his source of income to continue with their tenancies for some time to source for the rent. The period of 'grace' given depends largely on the disposition of each landlord.

vi. Whether notice could be served on the tenant during the pendency of his tenancy?

The issue here appears elementary but unfortunate due to high level of illiteracy and ignorance, it still remains largely controversial. Basically, since the parties, namely the landlord and the tenant know with a degree of certainty the length of notice required to determine the tenancy, what is material here is that the expiration of such notice must not fall within the currency of the tenancy. For example, where a yearly tenant's tenancy expires in the month of December 2014, it is a valid notice to quit where it commences from 1st June, 2014 and expires by 31st December, 2014. It is important that such notice must be served on the tenant not later than 1st June, 2014.

However, it is important that the service of such notice and other relevant notices must be effected in accordance with the stipulation of the relevant laws.

5. Conclusion

The law relating to landlord and tenant in Nigeria has become of increasing importance in recent years. This is largely due to some factors, which include: (i) Population growth (ii) Increase in economic activities (iii) Rural and Urban migration (iv)Acute shortage of housing and (v) Poverty.

The evolution of tenancy law started from the colonial era in Nigeria with the direct adaptation of English Law, which led to the enactment of some Nigerian Ordinances, such as Recovery of Premises Ordinance, Increase of Rent (Restriction) Ordinance, Increase of Rent (Restriction) (Application to Premises on Crown land) Order in Council and many others.

The trend continued in post-colonial Nigeria with successive governments enacting different tenancy laws, with the sole aim of regulating the incidence of tenancy relationships and possibly protects hapless tenants from landlords who set out to maximize profits on their premises.

Today, all the states in Nigeria and the Federal Capital Territory, Abuja have their respective tenancy laws, sometimes in the garb of 'Rent Control and Recovery of Residential Premises laws.' The impact of these laws are yet to be sufficiently felt, and this is evident from daily conflicts between landlords and tenants, which sometimes result in fatality. Landlords still fix

their rent with impunity, enforcing the law has proved difficult, even than the process of its enactments, the law does not meet the realities on ground in the modern day Nigeria. The unequal bargaining powers between the landlords and the tenants are frighteningly wide.

This area of law is fraught with too many technicalities which ought to be eliminated by constant reviewing of the extant laws to meet the socio-economic realities of the society. Unfortunately, the technicalities appear too entrenched to be reversed, while the doctrine of *stare-decisis* does not allow for constant judicial reviews of the old judgment of the Supreme Court.

Apparently, there is a disconnection between the law and realities in our society. Failure to understand the socio-economic factors that affect housing and rent impel a number of persons to propose wholly, legal remedies for this problem.

It is therefore our suggestion that factors, such as provision of housing units (under public and private partnership, or even a wholly government owned scheme), economic empowerment scheme (which will allow many homeless persons and tenants to own their individual homes), decongestion of the urban areas (by provision of infrastructural facilities and employment in the rural areas) among others should be put into consideration. All these factors and many others, when combined with holistic approach to the enforcement of tenancy laws will no doubt yield positive results.

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Originality in Copyright and the Debate on Protection of Traditional Knowledge: A View on Nigerian Law

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1. Introduction

Copyright is perhaps the most popular and familiar branch of intellectual property law which is used for the protection of literary, artistic, and dramatic achievements. Eligibility to copyright protection rests mainly on the requirement of originality which arguably is the main force in the creative process of all arts. Ironically, this same condition has greatly undermined the influence of copyright in so far as protection of traditional knowledge is concerned. For instance, it is generally believed that copyright cannot protect traditional knowledge because the latter lacks originality. Surprisingly, materials or products derived from traditional knowledge have overtime received copyright protection through their collection or compilation into books or other media of fixation. It is for this reason that some have heavily criticized the originality requirement as ineffectual or a mere subterfuge, since it fails to stand against copyright protection of mere collection of information or ideas which were originally generated by persons other than the collectors.

The truth is that the technical connotation of "originality" is not consistent with ordinary thinking whereby creativity or innovation is an integral part of an original work. This calls the fairness of the copyright system into question. The point been made is that where a principle designed to protect an item fails to achieve its target, it should, at least, not become a tool of oppression against such item. It thus becomes imperative that such a key principle should be re-examined to safeguard the integrity of our copyright law. It is precisely that task that has been undertaken in this paper where the nature of copyright and traditional knowledge is considered to highlight the factors of inconsistency between the two systems. It further examines how the technical manipulation of originality has while seeking to achieve copyright objectives ended up promoting predatory activities against traditional knowledge which should ordinarily be its candidate for protection. The paper therefore argues that the system could be strengthened to at least offer negative protection of traditional knowledge where the element of innovation or creativity is read into its test of originality. The next section examines the general notion of protection of intangible materials and its relevance to traditional knowledge.

2. The General Notion of Protection of Intangible Property

Traditional knowledge is a form of intangible asset in that it lacks physical substance and shares the general characteristics of knowledge which, as Jefferson noted, is an iconic non-

rivalrous public good – "he who receives an idea from me …. as he who lights a taper at mine, receives light without darkening me" This feature of an intangible asset necessitated the intervention by law to create statutory property from the intangible sources as a form of protection, and it is precisely that intervention that is otherwise known as the intellectual property protection.

Protection by intellectual property could take two different dimensions: either positive or negative (defensive) protection. Positive protection involves acquisition of property rights either through IPRs or other rights provided by a legal mechanism created to protect developments of arts and science. For example, a special legal provision vesting in the right-holder the right to grant or withhold consent to access and use a protected subject or to claim entitlement for use of such subject qualifies as positive protection. A common example of positive protection can be found in the various intellectual property devices such copyright, patent and trademark which are based on established standard of protection. There is also a special kind of intellectual property protection commonly referred to as *sui generis* protection. This can either take the form of property regime, liability regime or a combined system containing the elements of both. A property regime vests exclusive rights in the owner, and fundamental aspects of the rights are the rights to authorise, refuse, and set conditions of access to the target property, while, a liability regime allows a third party to make use of the protected subject without fulfilling any entry requirements subject to liability to pay compensation after use.

On the other hand, defensive protections (also known as negative *sui generis protections*) are legal devices designed to prevent wrongful appropriation or unauthorised exploitation of protected subject regardless of whether such consists of undisclosed information or publicly available knowledge. In the strict sense, this form of protection has a negative connotation and does not confer any entitlement but this is not always the case. In practice, the boundary between positive and defensive forms of protection is fluid and the same legal tools can be applied to achieve the different objectives.
The copyright system, being property-based, tends largely towards the positive protection regime and therefore insists that its subjects must fulfil established standard, including requirement of originality for copyright, which, as shown in the next section, is obviously hard for a local initiative as traditional knowledge to fulfil.

3. Nature of Traditional Knowledge

The term "traditional knowledge" refers to knowledge, possessed by local or indigenous people, in one or more societies and in one form or another, including art, dance and music, medicines and folk remedies, folk culture, biodiversity, knowledge and protection of plant varieties, handicrafts, designs and literature.
Thus, as will be seen later, several traditional knowledge products are in the nature of works protected by copyright. The term "traditional" used in describing this knowledge does not imply that this knowledge is old or unscientific in nature, but that it is "tradition-based." It is "traditional" because it is created in a manner that reflects the traditions of the communities, therefore not relating to the nature of the knowledge itself, but to the way in which that knowledge is created, preserved and disseminated.

Traditional knowledge is collective in nature and is often considered the property of an entire community, and not belonging to any single individual within the community. It is transmitted through specific cultural and traditional information exchange mechanisms, for example, it is maintained and transmitted orally through elders or specialists (breeders, healers, etc.), and often to only a select few people within a community.

It is precisely some of these features of traditional knowledge that have been found to work against its copyright protection. As will be seen in the next section of this paper, the features of traditional knowledge seem incompatible or sharply contrast with the

principles and framework of copyright protection.

4. Nature of Copyright

Copyright is one of the legal devices designed to protect intangible materials. It protects a list of works including literary, artistic and musical works. However, the Nigerian Copyright Act also contains provisions for live performance of such intangible materials when they are not qualified as works.

Generally, the author is the first owner of copyright in a work unless it was made pursuant to a contract or under the author's employment, in which case the owner is the person who contracted the author or his employer as the case may be. However, parties are entitled to choose the terms of their own agreement concerning ownership or such transfer of copyright. A copyright owner has exclusive right to do such things including the reproduction of the work in any material form; communication to the public; the performance, showing or playing to the public; the distribution of copies to the public by sale or other transfer of ownership and commercial rental to the public. The right of the copyright owner is infringed when someone exercises any of the rights reserved for the copyright owner.

Copyright is conferred for a definite period. In literary, musical or artistic work other than photographs, it lasts until seventy (70) years after the end of the year in which the author dies. In Nigeria, the Copyright Act is the statute that provides for the protection of copyright and related rights. The potentials of copyright to protect and at the same time exploit traditional knowledge are discussed in relation to the issue of originality in the sections that follow.

4.1 The Relevance of Originality to Copyright

As noted earlier, copyright law provides for the protection of works of art which include literary, artistic and dramatic works, musical works, sound recordings, cinematography and broadcasting. Rights in copyright are automatic as they come into existence upon the creation of a work without any requirement for formal registration. The eligibility of literary, artistic, musical and dramatic works to copyright protection is anchored on twin requirements that the production must be original and must have been fixed in a definite medium of expression. Under the Nigerian Copyright Act, for instance, a work is required to have an original character but no definition is provided for the term original. What then is originality?

4.2 Concept of Originality

Literally, originality is defined as "the ability to think independently and creatively" or "the quality of being novel or unusual", which suggests a connection between originality and the concept of "creativity". The terms "creativity" and "unusualness" are both abstract for a legal definition and subjective for determining the scope of copyright protection. Thus, the courts have had, over the years, to grapple with the task of providing an objective definition for the term "originality".

4.3 Judicial Approaches to Originality

Two main judicial approaches have evolved globally in the conception and application of the doctrine of "originality" in copyright context, namely the British-American model, and the civil law approach. However, the approach of the European Court of Justice as well as the understanding of the concept in copyright diplomatic circles also deserves to be mentioned. The conception of originality in British-American copyright jurisprudence derives basically from the Utilitarian theory of incentivising productions to add to the store of information, enrich cultural life and the fabric of the society. For instance, article 1(8) 8 of the US Constitution justifies the protection of copyright on promotion of useful arts. Hence, originality is conceived more by reference to the skill, efforts and labour of the creator than his personal ingenuity. The same philosophy underlies the United Kingdom's copyright policy as could be seen in the long title to Copyright Act 1709-10: An Act for the encouragement of learning, by vesting the copies of printed books in the authors or purchasers of such copies, during the times therein mentioned. The approach was otherwise expressed in the celebrated dictum of J. Peterson in the *University of London Press* Case2 that:

"The word original does not in this connection mean that the work must be the expression of *original orinventive thought.* Copyright Acts are not concerned with the originality of ideas, but with the expression of thought. The originality which is required relates to the expression of thought. But the act doesn't require that the expression must be in an original or novel form, but that the work must not be copied from another work that it must *originate* from the author."

The social and economic considerations of the British-American model has a great influence on its conception of "originality" in the context of skill, labour and judgement expended in the production of a work. The basic principle of common law jurisdictions is that anything which has involved labour is worth protecting, and the amount of labour involved needs not be great. Perhaps, the dictum of Megarry J in *British Northrop Ltd. V. Texteam Blackburn Ltd* in relation to drawings will offer a useful illustration in this regard. He said:

It may indeed be that something may be drawn which cannot fairly be called ... a drawing of any kind: a single straight line drawn with the aid of a ruler would not seem to me a very promising subject for copyright. But apart from cases of such barren and naked simplicity as that, I should be slow to exclude drawings from copyright on the mere score of simplicity.

The threshold of originality for copyright protection is that low. Thus, in *Waterlow Directories Ltd v Reed Information services Ltd*, both the plaintiff and the defendant in this case published legal directories containing the names and addresses of solicitors and barrister. In 1990, the defendant decided to update its directory. It did by comparing it with the plaintiff's, highlighting those names which appeared in the plaintiff's directory but not the defendant's. It also decided to include, as did the plaintiff's, a section listing solicitors and barristers in public authorities and industry. For the purpose of updating the defendant's directory, the names and addresses not appearing in the defendant's directory were loaded onto a word processor, so that the relevant solicitors and barristers could be written to, inviting them to appear in the defendant's directory.

Aldous, J. however held that it was clear that a person could not copy entries from the plaintiff's directory and use them to compile its own directory. The defendant did not deny that the plaintiff had copyright in its directory, but denied infringement. The judge, however, had little difficulty in deciding that what was taken was a substantial part. The quality of what is taken is usually more important than the quantity, but in the present case the parts reproduced were important in that they enabled the defendant to carry out a comprehensive mailing.

The above approach has consistently enjoyed the favour of common law courts as far as conception of originality is concerned. Other illustrative examples include *Schroeder v. William Morrow & Co*; *Adventures in Good eating v Best Places to Eat*; and *Engineering Dynamics Inc. V Structured Software Inc*.

In *Schroeder v. William Morrow & Co*, the defendant had copied 27 out of 63 pages of the plaintiff's catalogue of gardening suppliers. It was held that this constituted an infringement of copyright. Similarly, in *Adventures in Good Eating v Best Places to Eat*, it was held that the defendant had infringed the copyright in the plaintiff's restaurant guide by copying entries from it. In *Engineering Dynamics Inc. V Structured Software Inc*. it was held that a compilation of facts for a user interface was copyrightable. Finally, a guide to state tariffs charged on operating pay telephone companies, and in *Info. Servs. Inc. V Maclean Hunter Market Reports* a red book listing of used car values based on the professional judgement and expertise of the author.

While it is correct to state that the foregoing represents the dominant common law approach, it is by no means the only judicial interpretation of originality. The threshold has been raised in a number of cases especially in the US. For instance, some federal courts in the United States included the element of creativity in the

definition of originality and this approach received the approval of the Supreme Court in *Feist Publications Inc. V Rural Telephone Services*. In that case, Justice O'Connor stated that in order for a work to be considered 'original' it must not only be an independent creation, it must also show "a modicum of creativity".

4.4 The Civil Law Approach

The test of originality in France can be safely used to exemplify the civil law copyright tradition. In that jurisdiction, the author's right is founded on the link between the author and the work emanating from his mind. This is a subjective approach based on a Hegelian philosophy of requiring that the work expresses or reflects the author's personality. The classic French theory is that an original work 'bears the mark of the personality of its author and confers on the created object a specific aspect" This is probably founded on the notion that an individual's personality caused the work to come into existence. In his explanation of the personality theory as applies to artists, authors and inventors of original and derivative works, Justin Hughes notes that such a work "comes into the world already an embodiment or reflection of some particular individual". Thus, Delacroix called paintings "a bridge linking the painter's mind with that of the viewer," Solzhenitsyn said that literature "transmits incontrovertible condensed experience," and Thomas Jefferson called inventions "the fugitive fermentation of an individual brain".

However, a strict application of the classical test to such works as compilations, computer programmes and databases appears problematic as they could be rendered unprotected on ground of lack of originality. It is perhaps the recognition of such limitation that has led several French courts to develop a new test, or more precisely to elevate the classical test to a higher level of abstraction, by answering the following question: what is it that an author does to show her personality through a work?

The fairly unanimous answer given by French courts is that creative choices make the difference. In a case involving a bilingual dictionary, the court of Appeal of Paris found that "the choices and intellectual operations required to create the [bilingual dictionary]" to allow the resulting work to satisfy certain degree of originality. In that case, the court made it clear that the mere sorting of data that was difficult to generate in alphabetical order was not original. Originality can only follow from intellectual creative (as opposed to technical or dictated by the function of format) choices. The approach is approved by the French Supreme Court by holding that labour itself was insufficient and that it is necessary to look at the choice of the method used by the author of the compilation.

4.5 The Approach of the European Court of Justice

In order to harmonise copyright protection in EU countries and set a common level of originality requirement in several aspects of copyright law, European Union set some Directives which are mainly based on the "authors' own intellectual creation" criteria. The ECJ manifested its departure from the English minimalist standard of originality when it held in *Infopaq International A/S v DanskeDagbladesForening* that the EU originality test ("author's own intellectual creation") applies beyond 'works' designated in a series of directives – namely computer programmes, photographs, and databases – so as to encompass all categories of works under the Berne Convention into the European sphere.

4.6 Originality in International Instruments

There is no explicit requirement under the international copyright instruments that a work must be original to attract protection, thus none of those instruments contains any definition of "originality". However, records of diplomatic meetings on intellectual property developments contain confirmations that originality is required for copyright protection.

For instance, in so far as the Berne Convention is concerned, the expression "work" is generally considered to be synonymous with "intellectual creation" which should contain "an original structure of ideas and impressions". Thus, the Committee of Experts of WIPO on the Convention has noted that originality was "an

integral part of the concept of work". According to the committee, intellectual creations are evidently an element of the notion of works.

Furthermore, the Berne convention provides some important hints as to what constitutes an original work in relation to collection of information. It states that "collections of literary or artistic works such as encyclopaedias and anthologies which, by reason of the selection and arrangement of their contents, constitute intellectual creations shall be protected as such, without prejudice to the copyright in each of the works forming part of such collections".

4.7 The Role of Originality in the Protection of Traditional Knowledge

The common interpretation of originality" in common law countries including Nigeria presents as work that involves labour and skill presents some problems as far as protection of traditional knowledge is concerned. First, despite that the threshold of originality is far too low, traditional knowledge fails to meet it because it is not independently created. Second, the low threshold of originality makes traditional knowledge easily amenable to wrongful copyright exploitation, since protection would be available to every compiler of traditional knowledge-based information on ground that the person has collected, fixed and arranged same in a definite medium. This makes the nonsense of the originality requirement, while placing emphasis on the requirement for fixation. A cursory examination of the essence of the requirement for fixation further exacerbates traditional knowledge concerns in relation to copyright.

4.8 Fixation in Tangible Medium

As regards the requirement for fixation, common law recognises a dichotomy between an idea and its expression. This provides the basis for the rule that copyright protects the expression of an idea but not the idea itself. An idea is a mere abstraction and it lacks recognition under copyright law. However, when such an idea is transformed into a tangible form by its expression in a definite medium it gains copyright protection.

The rule implies that actual value in a work lies in its medium of expression. Thus, the actual value of documented traditional knowledge lies in its documentation rather than its content or substance. This rule is applied to confer commercial monopolies on compilers or authors of works containing information based on traditional knowledge. This principle has been pursued by many criticisms but the most relevant to the protection of traditional knowledge is that the protection of the form seems enmeshed with the content. The commercial value of works nowadays lay in their content or ideas and information contained in them rather than in their forms. For instance, the interests of book buyers relates largely to content and hardly to form.

Recent global recognition of the commercial value of traditional knowledge has attracted researchers with a view to copyright the recording and documentation of the traditional knowledge. This development has however, drawn strong objections from some groups of traditional knowledge holders. An example of such objections was the concern expressed by the representative of the TupajAmaru of Peru at the fifth (5^{th}) session of the Intergovernmental Committee of the World IP Organisation on the Protection of Genetic Resources, TK and Traditional Expression and Folklore. A part of the concerns reads:

To document and place TK in the public domain would signify violating the confidential character of many of the intangible, sacred and secret elements which belong to the living patrimony which was transmitted from generation to generation, and which constituted the memory of their ancestors. Placing indigenous knowledge in the public domain would accentuate the deterioration of the cultural values and elicit appropriation of their cultural values by trans-national corporations and consequently the destruction of the indigenous identity.

Traditional knowledge information can be found nowadays in such media as books, electronic databases, films, audio tape and others compiled by book writers, researchers, anthropologists,

ethno-botanists, government officials and film producers without the consent of traditional knowledge owners. This arrangement generally excludes traditional knowledge holders from the management and dissemination of the documented traditional knowledge now largely stored in archives, museums and other academic or cultural institutions. Furthermore, the arrangement has generally been construed (albeit erroneously) as consigning traditional knowledge to the public domain.

Also, it is possible to construe the requirement for fixation of traditional knowledge as providing legitimacy for the commercialisation of sacred traditional knowledge without regard to their holders' feelings and sensibilities. However, as shown by the Australian case of *Foster v. Mountford,* there is a growing judicial sensitivity to commercialization of sacred TK without the consent of the knowledge holders. In that case, it was held that the sale of a book containing sacred information about a tribe constituted a breach of confidence. The book contains information which had been disclosed to an anthropologist by some members of the tribe and was of deep cultural and religious significance to the tribe.

In the light of the problems associated with the interface between copyright principles and traditional knowledge, some have argued that copyright is not a suitable regime for the protection of traditional knowledge. As an attempt to correct the problems, the Nigerian Copyright Act of 1988 introduced a regime for the protection of folkloric expressions. But it is doubtful whether the regime is helpful in protecting traditional knowledge because its provisions have been called to question regarding the issues as to who will exercise ownership rights and the conditions for members of traditional knowledge community to use and develop their resources.

Thus, the challenges presented by the quest to provide positive copyright protection for traditional knowledge are not just very difficult, but almost impossible to resolve. However, the emerging interpretation of originality by which threshold is raised higher beyond mere expenses of labour and skill is lurked with some opportunities for negative protection of traditional knowledge. If traditional knowledge holders are not able to obtain positive copyright by which they can refuse to grant licence to prospective compilers of their traditional knowledge, at least copyright should protect such knowledge from wrongful exploitation. By reading creativity into the meaning of originality, this goal can be achieved.

4.9 Negative Protection Through Originality

The notion of originality under the civil law system considered along the contemporary international practice, including the recent US decision in *Feist* case, is instructive regarding the volume of pretentious works which would be denied copyright protection to the benefit of actual owners of ideas behind the works. The notion of creativity seems inextricably linked to human mind, it is not a mere question of functional choice but that which comes from the author's mind. This approach is capable of recognising the emotional connection between traditional knowledge and its customary holders, while similarly helping to discourage predators from making sacred or secret traditional knowledge public.

5. Conclusion

This article began by illustrating the value of providing an effective protection for intangible items such as information, the class to which traditional knowledge belongs. In examining the nature of traditional knowledge, the paper points out some of its inherent features which constitute copyright and traditional knowledge as strange bed fellows. However, with an open approach to protection the possibility of negative protection of traditional knowledge by copyright is recognized, particularly as this does not involve a need to comply with any conditions.

The opportunity for negative copyright protection of traditional knowledge is borne out of the emerging regime of judicial interpretation and diplomatic or international conception of the term originality in relation to copyright materials. Whereas, the application of low threshold in the interpretation of originality has

rendered traditional knowledge vulnerable to wrongful exploitation for copyright goal, a high degree of originality used by civil law courts and recently some common law courts to ensure that works for copyright protection are creative production by the authors. Thus, there is a useful opportunity for the courts to "strike down" mere compilation or collection of traditional knowledge as works lacking originality and unqualified for copyright protection. In that way, traditional knowledge has been protected in the negative sense.

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Shariah Governance of Islamic Financial Institutions (IFIS): An Analysis of the Central Bank of Nigeria (CBN) Regulatory Guidelines

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Abstract. Governance structure of IFIs, as provided by the Central Bank of Nigeria (CBN) guidelines, establishes two levels of Shari'ah board at the upstream and downstream of the Islamic financial industry labeled as Financial Regulation Advisory Council of Experts (FRACE) and Advisory Committee of Experts (ACE) respectively. This work examines the Shari'ah governance structure of the banking industry as laid down in the Central Bank of Nigeria's (CBN) guidelines with the aim of determining the level of compliance with the guidelines. The work recommends that Policies need to be put in place that would ensure adequate disclosure for ease of retrieval, such as through IFIs' websites and annual reports, fatwa and Shari'ah pronouncements and other activities of FRACE and ACE to the operative personnel of IFIs and other stakeholders. Informing IFIs stakeholders on the composition, powers, competence, and decision-making of FRACE and ACE would also enhance the transparency of the process leading to Shari'ah pronouncement. The composition of FRACE and ACE should be expanded by adding more members for developing local talents and expertise for effective governance; IFIs should focus on training and development of ACE members to avoid stagnation and obsoleteness within the industry.

Keywords: Shariah, Governance, Islamic, Finance, Nigeria.

1. Introduction

In addition to the conventional financial standards which govern conventional financial institutions, Islamic financial institutions (IFIs) are further governed by *Shari'ah* standards. IFIs operate on the principles of Islamic Jurisprudence and significant number of the stakeholders of the financial system takes part in it because of its Shariah bias. This unique character of IFIs brings about the need to monitor the activities of the operators to ensure that they do not deviate from its core values and principles. It is for this reason that the banks regulatory authority in Nigeria, the Central Bank of Nigeria established and institutionalized levels of Shariah Governance structures at both macro and micro level of the financial industry. Financial Regulation Advisory Council of Experts (FRACE) was established at the regulatory (CBN/macro) level and Advisory Committee of Experts (ACE) at the financial

institutions/micro level. The two organs are known as Sahriah Advisory Council (SAC) and Shariah Advisory Board (SAB) respectively in some jurisdictions like Malaysia. Within the micro level of the governance structure of IFIs a subset (internal Shariah Compliant unit) was created to serve as the first point of reference for Shariah compliance issues. The institution of the FRACE and ACE is thus, very crucial to the *Shari'ah* governance (SG) structure of IFIs as authoritative bodies ensuring *Shari'ah* compliance
.
Albeit, the Governance Structure is not globally straight jacketed; this is because, there is no single model of governance structure that can conveniently suit every country. Thus, each country is expected to develop its own structure that can cater for its specific needs and objectives; provided it complies with accepted standards and the regulatory framework of the particular state or country where it operates.
However, in jurisdictions like Nigeria where IFIs operate alongside conventional institutions, the regulatory institutions need to recognize the requirement for an institutional framework that is consistent with Islamic precepts and can meet internationally acceptable prudential requirements as well as providing a level playing field for both IFIs and conventional institutions in addition to the requirement for compliance with local legislations.

Accounting and Auditing Organization of Islamic Financial Institutions (AAOIFI) and Islamic Financial Services Board (IFSB) are International Islamic Standards setting institutions. They are so recognized by the Central Bank of Nigeria. Therefore, their standards apply to the Nigerian Islamic finance industry except when they conflict with the local standards issued by Nigerian Accounting Standard Board (NASB) in which case, the local standards prevail. It must be stated that the provisions of the local standards are not intended to supersede the requirement of *Shari'ah* compliance but the motive was uniformity and harmonization. It is also arguable that conformity to NASB standards in case of conflict with international standards does not, on its own, authorize deviation from *Shari'ah* when its provisions are read together with certain provisions of the guidelines that require all IFIs to comply with the rules and principles pertinent to Islamic finance model, and subjecting their operations to periodic examination and evaluation by internal review and audit unit. Thus, the provisions of the CBN Guidelines on the establishment, structure and role of ACE make the Committee masterpiece and the central tool of *Shari'ah* governance in IFIs.

The paper examines the governance structure of IFIs as provided by the CBN guidelines; although some of the guidelines are still exposure draft. The data used herein include interviews with some ACE members of some institutions and some members of FRACE as well as SEC officials; this is in addition to other primary and secondary sources used. The paper aims at examining the level of their compliance with the existing governance and regulatory regime that are specific to IFIs.

2. Conceptual Framework

IFSB defined SG as 'a set of institutional and organizational arrangements through which IFIs ensure that there is independent oversight of *Shari'ah* compliance over the issuance of *Shari'ah* pronouncements, dissemination of information and an internal *Shari'ah* compliance review'. This definition viewed the concept from the scope of the ACE's role. Although AAOIFI did not define SG, yet its Governance Standards have defined *Shari'ah* Board (SB) as 'an independent body entrusted with the duty of directing, reviewing and supervising the activities of IFIs for the purpose of *Shari'ah* compliance, and issuing legal rulings pertaining to Islamic banking and finance.' A similar definition was given by the IFSB; it refers to SB as 'a body comprised of a panel of *Shari'ah* scholars who provide *Shari'ah* expertise and acting as special supervisors to the institutions.' It is instructive to note that all the definitions given above are tailored towards the role to be played by the ACE in the governance structure of IFIs which centers on *Shari'ah* compliance.

It is deducible from the above that the oversight function for *Shari'ah* compliance is discharge by

the ACE through issuance of *Shari'ah* pronouncements, dissemination of information and *Shari'ah* review. However, such task, which is aimed at achieving vibrant *Shari'ah* compliant industry, is not performed unilaterally or as sole responsibility of ACE but complimented by all other organs of governance within the institutions as a collective responsibility. ACE is expected to play a leading role in that, while it is reasonable of other organs of governance in IFIs to partake in upholding the SG Structure by executing their functions diligently and recognizing the importance of complementing the work of the ACE. Consequently, IFIs should implement SG principles from a comprehensive perspective than viewing it as ACE's business.

3. Legal Framework for SG in Nigeria

The CBN Guidelines for Regulation and Supervision of Institutions Offering Non-Interest Financial Services in Nigeria (CBN GRSINFSN) were issued pursuant to the Non-Interest banking enabling Section 33 (1) (b) of the CBN Act 2007; Sections 23(1) 52, 55(2), 59(1) (a), and 61 of Banks and Other Financial Institutions Act (BOFIA) 1991 (as amended) and Section 4(1)(c) of the Regulation on the Scope of Banking Activities and Ancillary Matters, No.3, 2010. While CBN Act empowers the Bank to issue guidelines for the regulations of any person or institution under its supervision, BOFIA exempted Profit and Loss (PLS) banks from display of interest rates in the banking hall. Other relevant sections of BOFIA in addition to the general regulatory and supervisory powers, allow the CBN to collect fines imposed by the law for non-compliance with the law and its regulations; to operate to the exclusion of Companies and Allied Matters Act (CAMA) 1990; and to grant operational licence and impose/vary conditions for the grant of such licence.

The guidelines are to be read together with the provisions of other relevant sections of BOFIA 1991 (as amended), the CBN Act 2007, Companies and Allied Matters Act (CAMA) 1990 (as amended) and any other circulars/guidelines issued by the CBN from time to time.

It is in exercise of these series of powers within the various banking and financial regulatory laws that the CBN established Shari'ah Advisory bodies for both itself and for all institutions offering Non-Interest financial services in the country.

4. Islamic Financial Institutions (IFIs) in Nigeria

The guidelines did not define IFIs but made reference to Non-Interest Financial Institutions (NIFIs) operating under the principles of Islamic Commercial Jurisprudence. NIFI means a bank or Other Financial Institution (OFI) under the purview of the CBN, which transacts banking business, engages in trading, investment and commercial activities as well as the provision of financial products and services based on established non-interest banking principles of profit and loss sharing in accordance with Islamic commercial jurisprudence. The reference to NIFIs under the CBN guidelines means:

i. Full-fledged Islamic bank or full-fledged Islamic banking subsidiary of a conventional bank;
ii. Full-fledged Islamic merchant or full-fledged Islamic banking subsidiary of a conventional merchant bank;
iii. Full-fledged Islamic microfinance bank;
iv. Islamic branch or window of a conventional bank;
v. Islamic subsidiary, branch or window of a non-bank financial institution;
vi. A development bank regulated by the CBN offering Islamic financial services;
vii. A primary mortgage institution licensed by the CBN to offer Islamic financial services either full-fledged or as a subsidiary; and
viii. A finance company licensed by the CBN to provide financial services, either full-fledged or as a subsidiary.

Islamic finance includes Islamic banking and insurance, Islamic capital and money market. Therefore, IFIs encompasses all institutions

within the finance industry that are operated based on Islamic commercial jurisprudence. However, this paper is limited in scope to IFIs under the regulatory purview of the CBN; therefore, the article would limit its search light to the institutions listed in the CBN guidelines as captured above except where the context demands otherwise. It is instructive to note that so far, only the 1st, 3rd and 4th category of the institutions on the above list have been granted license by the CBN to operate non-interest banking in Nigeria. But the article focuses only on the 1st and the 4th institutions on the list.

5. Branding in IFIs in Nigeria

Researches undertaken by Central Bank of Nigeria (CBN) and National Insurance Commission (NAICOM) indicated significant religiously based objections to conventional finance structures. Given the increasing number of requests from persons, banks and other financial institutions desiring to offer financial products and services based on Islamic commercial jurisprudence in Nigeria, the CBN, NDIC and NAICOM have developed SG framework for the regulation and supervision of IFIs.

In 2010 the CBN released guidelines on SG for NIFIs and issued another guideline for the operation NIFIs in 2011. The new guidelines are the outcome of the review of the earlier guidelines issued based on the recommendations of various stakeholders. Both Guidelines provided for the establishment of ACEs. In the earlier Guidelines ACEs were referred to as *Shari'ah* Advisory Council at the regulators level (the CBN) and *Shari'ah* Advisory Committee (SAC) at the institutions' level. The new guidelines changed the nomenclature of labeling ACEs from *Shari'ah* Advisory Council and *Shari'ah* Advisory Committee (SAC) to Advisory Council of Experts which is referred to as Financial Regulation Advisory Council of Experts (FRACE) at the regulators level and Advisory Committee of Experts (ACE) at the institutions level.

Takaful Company is required to have, as part of its registration requirements with NAICOM, a name that should include such word or terminology that connotes *takaful* operation. However, Islamic banks are not allowed to use certain words or terminologies like Islamic, Quranic etc. except with the consent of the Governor of CBN. IFIs shall, however, be recognized by a uniform symbol designed by the CBN. The symbol may not necessarily be such words like Islamic or *Shari'ah*. All the signage and promotional materials of its products and services shall bear the symbol to facilitate recognition by customers and the general public. Jaiz Bank Plc.; Stanbic IBTC Bank and Starling Bank that were issued license by the CBN to practice Full-fledged Islamic bank and Islamic windows of conventional banks respectively, have no such words or terminologies like Islamic or *Shari'ah* except in their products and services. Insertion of provisions into the Nigerian laws restricting the use of religious words/phrases in the branding of banking is with the aim of establishing a level and a common playing ground for both IFIs and conventional institutions.

In line with this understanding reference to *Shari'ah* Advisory in the initial guideline issued was reviewed and based on the recommendations of various stakeholders the nomenclature was changed to ensure that discrimination on any grounds in the participation by individuals or institutions as promoters, depositors or other relevant parties in any transaction regarding IFIs is discouraged and prohibited. Thus, the internationally recognized nomenclature for the Shariah Advisory Council (SAC) and Shariah Supervisory/Advisory Board (SS/AB) are FRACE and ACE respectively in Nigeria.

6. Governance Structure in IFIs in Nigeria

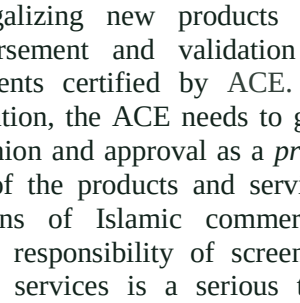
The *Shari'ah* governance (SG) in IFIs is structured by institutionalization of FRACE at the central and macro level, thus FRACE is the central *Shari'ah* governing body established at the CBN level with the powers of oversight functions on the IFIs, and its central role is advisory. Meanwhile, the advisory power of FRACE does not end at the CBN level; it is empowered to advise other regulatory agencies within the Islamic finance industry. Although, the advisory role is not automatic, it is based on referral by the particular agency concerned.

Therefore, it can press one to argue that the guidelines place FRACE as the central body in the industry irrespective of their classification and categorization. Thus, FRACE is the body responsible to resolve differences of opinion not only among different ACEs of IFIs and their members but across the whole industry.

FRACE is vested with the responsibility of screening and legalizing new products and services by endorsement and validation of application documents certified by ACE. To endorse the application, the ACE needs to give written juristic opinion and approval as a *prima facie* compliance of the products and services with the provisions of Islamic commercial jurisprudence. The responsibility of screening new products and services is a serious task which requires not only the knowledge of *fiqh al-mu'amalat* but also knowledge and skills in conventional finance given the pluralistic nature of the industry.

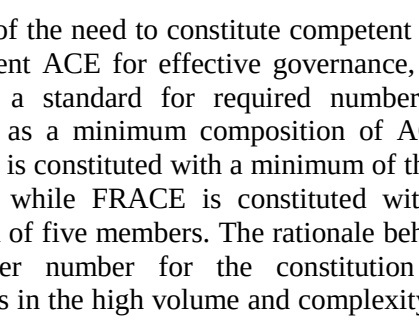
At the micro level, IFIs as part of their governance structure are required to establish ACE to ensure compliance with *Shari'ah* in their products and instruments development, operations, practices and management subject to the FRACE supervisory powers. This is an exclusive peculiarity of IFIs. The establishment of ACE as the center piece of SG in IFIs is an utmost necessity to determine its compliance with *Shari'ah*. This is because ACE is the checkmating body which ensures that the institution is governed in accordance with *Shari'ah*. It has been established that the operation of IFI without ACE leads to gross flouting of rules and noncompliance to the *Shari'ah.*

Because of the need to constitute competent and independent ACE for effective governance, the law sets a standard for required number of members as a minimum composition of ACE. The ACE is constituted with a minimum of three members while FRACE is constituted with a minimum of five members. The rationale behind the higher number for the constitution of FRACE is in the high volume and complexity of its functions as compared to ACE's functions and responsibilities that are limited to an institution. AAOIFI and IFSB set a standard of three members as the minimum constitution of *Shari'ah* boards. It has been opined that higher number of ACE members is a determinant factor for effective governance, taking advantage of collective wisdom, higher credibility and surer independence. The strength in collective decision borne out of diverse experience expected from a Shariah board is epitomized in the Quran where Allah (SWT) says:



and those who answer the call of their Lord [i.e. to believe that He is the Only one Lord (Allâh), and to Worship none but Him Alone], and perform As-Salât (Iqâmat-as-Salât), and who (conduct) their affairs by mutual consultation, and who spend of what we have bestowed on them.

In further recognition of the need to arrive at excellent decisions, the guidelines allows ACE to engage the services of consultants who have expertise in the field of business, economics, law, accounting or any other field that will assist it in making informed judgment on the compliance of IFIs' products and services to *Shari'ah*. This provision exhibit the Muslims candor of humility in knowledge by which no scholar, however knowledgeable should claim its monopoly and recognizing that all knowledge belongs to Allah as He expressly declared:



and they ask You (O Muhammad) concerning the Rûh (the Spirit); say: "The Rûh (the Spirit): it is one of the things, the knowledge of which is Only with My Lord. and of knowledge, You (mankind) have been given Only a little."

Such consultants may attend meetings but shall not exercise voting right when giving a *Shari'ah* opinion. Therefore, the engagement of firm of consultants in discharging the duties of ACE would enhance the quality of its decisions to reach the status of excellence described by the Prophet (SAW) in the following tradition:

إن الله يحب إذا عمل أحدكم عملا أن يتقنه

Certainly, Allah loves that when any of you does a work, he should perfect it.

The IFSB recommends that Shariah board should be comprised of members who are trained in different schools of jurisprudence with *Shari'ah* expertise and different lengths of experience, and where appropriate, comprise of different nationalities. This idea of having members of mix expertise and experience on the Board is premised on the need for having a consistent supply of highly competent and qualified members that would create adequate time and opportunity to grooming a new group of people who can acquire the relevant competence and experience.

Certainly, the best way of achieving this is through a mentoring system whereby the more experienced members can guide and supervise the less experience ones. The more experienced members, due to their high reputation and experience and because of scarcity of *Shari'ah* talents, will usually have a lot of other commitments such as serving on other Boards. Hence, in terms of time allocation, it is likely that the less experienced members can dedicate more time to studying the issues and proposals for deliberation at the Board, thus allowing an efficient and effective learning curve between the two. The combination of different caliber of experience and expertise would nurture a better balance between experience and fresh ideas, which would likely facilitate innovations as well as harmonization throughout the Board's deliberations.

Although the guidelines on the governance of ACE and FRACE did not make suggestion of mixed nationality and school of thought in its composition yet, it is desirable that ACE should be comprised of members of other different nationalities. However, this should be done in a way to promote the development of local talents and expertise. Indeed, such composition enhances and develops local talents and expertise, but it may attract additional cost on the market players, particularly the IFIs that have just taken off in the Nigerian finance industry. despite the fact that the CBN guidelines did not provide for mix nationalities in FRACE and ACE, examination of their composition reveals that the industry is amenable to the idea.

One of the duties of the CBN and NIFIs for ensuring good SG is provision for continuous training and professional development opportunity to FRACE and ACE members respectively. While the CBN have proven record of developing FRACE members by sponsoring them to conferences, workshops and seminars within Nigeria and outside, none of the NIFIs has sponsored its ACE members to attend a single workshop or conference. It is therefore expedient for the CBN to monitor the NIFIs compliance with these provisions of the guidelines which serve as a gateway to developing local talents and expertise as well as having qualitative output.

7. Relationship between ACE and the BOD of NIFIs

The relationship between the ACE and the Board of Directors (BOD) of IFIs is although described by IFSB as contract for service; the provisions of the ACE guidelines make the relationship to appear as contract of service. The Black's Law Dictionary define contract for service "service contract" as contract to perform a service; especially a written agreement to provide maintenance or repairs on a computer product for a special term. However, the Supreme Court of Nigeria in *Iyere v. Bendel Feed and Flour Mill Ltd.*, held that contract of service is contract of employment where it says: "A contract of employment connotes a contract of service or apprenticeship, whether express or implied, and if it is express, whether it is oral or in writing.

The difference in the two types of contract above is appreciated when comparing the level

of influence an employer has on how an employee does the work he is employed to do and how a service provider like ACE members would ordinarily carry out his function independently. The ACE guidelines concentrate the powers to appoint ACE, determine the remuneration of its members and terminate their appointments in the BOD. The BOD is also required to make the remuneration at a level commensurate with the expected duties and functions of the ACE. These powers place the BOD on the status of an employer and the ACE on the status of an employee of the BOD.

The reporting relationship between the ACE and the BOD of IFIs requires an establishment of a mechanism that should be operated conveniently and efficiently, in order to obtain from the ACE rulings which will ensure true *Shari'ah* compliance. IFIs are required to refer all Shariah related issues to the ACE and implement the latter's decision and advice. The ACE on the other hand is required to directly report to the BOD of IFI while maintaining dotted reporting line relationship with the MD/CEO. All cases of non-compliance with principle of Islamic banking shall be recorded by ACE and reported to the BOD with recommendation for appropriate remedial measures. In case the *Shari'ah* non-compliance is not effectively or adequately addressed or no remedial measures were taken by the IFI, the ACE shall inform the CBN. These provisions are intended to bar the institution from *Shari'ah* and reputation risk that may break the growth and sustainability of the institution. However, they raise a serious issue on the independence of the ACE and possibility of sustaining their independence in such situation of conflict. A more appropriate and transparent process for resolving any differences of opinion between the BOD and the ACE include having direct access to the shareholders as a "whistle-blower" in addition to informing the CBN.

The employer and employee relationship of the BOD and the ACE also raises a concern on the institutions' possible inclination to appoint ACE that would be sympathetic to their business interests. An employee cannot be hostile to his employer, unless an end to the relationship is intended. Thus, the aim of the reporting relationship may not be achieved as it cannot be operated conveniently and efficiently under the present arrangement. Some international best practices recommended avoiding undue influence and compromise of ACE decisions through avoidance of all forms of fiduciary relationship between the ACE members and the NIFIs, their members and shareholders.

All financial institutions, whether conventional or Islamic, play a role in society. Hence they are expected to be responsive to the different needs of stakeholders. However, IFIs due to their *Shari'ah* background and identity are expected to be more socially responsible than their conventional counterparts whose operations and functions are primarily based on profit maximization. The existence of ACE within the institutions' governance structure guides the BOD in shaping the institutions towards not only socially responsible investments but also observance of other ethical standards which are only possible with independence of the ACE. Reputational risks which would be occasioned by unduly influencing the oversight function of the ACE by the BOD would make the institutions unsustainable in the long run. Therefore, the ACE and BOD relationship should be restructured for independence of the ACE from the influence of the management and the BOD. ACE is not a hindrance to the management; rather it is the steward of the very identity of the institution.

8. Relationship between FRACE AND ACE

The guidelines define the relationship and working arrangement between the ACE and the FRACE. The relationship is regulatory and supervisory; the activities of ACE as regards, particularly the ex-ante and the ex-post operations are subject to ratification by FRACE. It is observed that the centralization of the relationship is aimed at checkmating the operations of IFIs for effective SG structure. This necessitates referring conflicts of opinions among members of the ACE to FRACE for ruling.

The guidelines presumed a situation of divergence of opinion on a matter between ACE and the FRACE, in such circumstance, the opinion of the FRACE shall ultimately prevail. However, the scenario of conflicts between ACE and FRACE is not a comparable scenario. FRACE is a supervisory body; therefore, the ACE decisions are subject to ratification by FRACE. Conflicts of opinion between ACEs or between Central ACEs of other financial sectors' regulatory bodies, such as between NAICOM and SEC, should have been the scenario, whereas FRACE is the body that has the final say in resolving the conflicting opinion. The scenario can be subsumed by the provisions of the guidelines where it allows FRACE to give opinion to other regulatory agencies of the financial sector.

The relationship of FRACE and ACE promotes convergence of SG standards within the industry. The supervisory and regulatory powers vested on FRACE centralize SG whereby IFIs' operations have to be Okayed by the FRACE through their ACEs. It could be argued that, the empowerment of FRACE to give expert opinion and assistance on matters referred to it by all the regulatory agencies in the financial sector, which include Nigeria Deposit Insurance Corporation (NDIC), Securities and Exchange Commission (SEC), NAICOM and PENCOM is aligned to centralized SG in all the sectors of the industry. This is a step towards harmonization of *(fatawa)* Shari'ah rulings in the Nigerian IFIs. Moreover, this may serve as a panacea to the problem of divergence of *fatawa* in other areas of life that need collective *Ijtihad* to arrive at the *fatwa,* particularly on matters of collective concern to the Muslim community in the country.

9. Internal Shariah Compliance Unit (ISCU)

An Internal Shari`ah Compliance Unit (ISCU) of NIFIs is responsible for verifying whether Shari`ah compliance requirements have been satisfied, and any incident of non-compliance will be recorded and reported, and as far as possible, addressed and rectified. *Shari*`ah pronouncements and resolutions issued by the ACE are to be strictly adhered to and observed. The ISCU is therefore manned by someone or some people adequately trained in *Shari*`ah compliance review and auditing, with good grasp of the process for full compliance.

The ISCU is part of the IFIs' compliance team, it is established to function in strengthening internal SG structure and report to the ACE where appropriate. The ISCU reports should require and recommend to the management of the IFIs to address and rectify any issue of *Shari*`ah compliance.

The task of dissemination of information on *Shari*`ah pronouncements and resolutions of the Shariah Board is undertaken by ISCU. The unit is equipped with appropriate compliance-monitoring skills and relevant knowledge of the *Shari*`ah. The staffs of the Unit are expected to combine the skills of Islamic finance and conventional finance. They are to acquire the relevant and appropriate training to enhance their *Sharī`ah* compliance review and auditing skills and serve as the first point of reference for *Shari'ah* compliance issues. The Unit is to be separated from and independent of the business units and departments. The Unit works in full cooperation with ACE and provides the ACE with the necessary information, including the internal *Sharī`ah* compliance reports, to advise on the scope of audit and reviews required.

CBN guidelines require that all IFIs must have an internal review mechanism that ensures compliance with *Shari'ah*. The unit may also serve as the secretariat to the ACE. The appointment and removal of members of the unit shall be appropriately carried out in consultation with the ACE.

The wordings of the guidelines requiring the establishment of ISCU signifies that its establishment is mandatory. The law also requires production of internal *Shari'ah* compliance reports for digestion by ACE in order to appreciate the areas that should be reviewed for *Shari'ah* compliance. *Shari'ah* compliance report of IFIs is also required to be made accessible by the public. This would build reputation and open a way for development. While the IFIs have complied with the guidelines in part by institutionalizing the

compliance unit, they have not yet prepared *Shari'ah* compliance report for circulation and accessibility to the stakeholders and the general public.

10. Shari'ah Review and Auditing

Maslaha of the *Ummah* (welfare of the Community) is the key objective of *Shar'iah*. The *Maslaha* relates to the affairs of *Ummah* both in this world and the hereafter as oppose to the goal of conventional finance industry that is built mainly on maximization of profit. In lined with *Maslaha* principle, IFIs need to appoint and elect ACE consisting of competent persons on *Shariah* affairs, it shall be responsible for liaising with the BOD to ensure that ex-ante and ex-post operations of the industry are based on *shari'ah* compliant guidelines. However, it is a fact that, the scarcity of *Shari'ah* talents is one of the major challenges of Islamic finance industry globally, thus, lack of skilled and competent *Shari'ah* auditors is not an exception to the current Shari'ah talents phenomenon. Malaysia, a country that prides itself as the hub of the industry is still facing the challenge of lack of enough *Shari'ah* officers who are both skilled in Shari'ah as well as auditing.

The *shari'ah* audit pillars SG framework of IFIs by providing independent assurance to IFI's diverse stakeholders on matters related to IFI's operations which include products development and services delivery. This effectively ensures that IFIs are operating strictly within a *shari'ah* based operating environment. Shariah audit refers to the periodical assessment conducted from time to time, to provide an independent assessment and objective assurance designed to add value and improve the degree of compliance in relation to the IFI's business operations, with the main objective of ensuring a sound and effective internal control system for Shariah compliance.

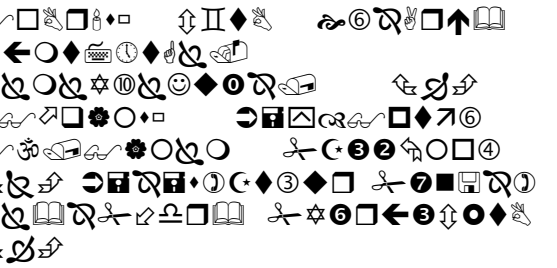
Auditing is a specialized discipline that branches out from accounting. The concept consists of two pillars; auditor who undertakes the responsibilities of attesting that the organization being audited has operated within the prescribed pre-agreed rules, standards or regulations and the organization itself. Audit covers areas that are not limited to financial, management and performance audit. Various definition of audit were proffered particularly in relation to the conventional financial audit, the American Accounting Association (AAA) defines auditing as: "A systematic assessments of evidences regarding economic events and to ascertain the correspondence of the two and communicate the results to interested users". For the International Federation of Accountants (IFAC) auditing is: "An independent examination of financial statements or related financial information of an entity whether profit or not, irrespective of its size, or legal form, when such examination is conducted with a view to expressing an opinion thereon". The definitions proffered above are based on conventional auditing philosophy. However, they can be tailored towards achieving the objectives of *Shari'ah*. This is because, financial statement of IFI can be examined with the aim of expressing an opinion as to whether the process has complied with *Shari'ah* or not.

Audit process is usually performed at auditee's premises where the auditor will comprehensively assess systems and records of the auditee for accuracy and validity. The process involves analyzing firm's relevant risks as well as identifying system's loopholes and subsequently recommending the necessary controls. These functions cannot be performed without having understood the client's business processes and environment. In the financial audit, auditing activities and the independent expression of audit opinions practically adds credence to the financial statements produced by firm's management. Accordingly, this helps building confidence among financial statement users in relying on the audited financial statements to make appropriate and relevant decisions. Conventional auditing is primarily guided by professional standards called the International Standards on Auditing (ISA) issued by IFAC through the International Auditing and Assurance Standards Board (IAASB).

Shari'ah based auditing is seen as a new concept, the earliest being after the emergence of IFIs few decades ago. The Islamic history however explains the reverse whereby the institution of *hisbah* was noted to have been established during the time of Prophet

Muhammad (Peace be upon Him) to perform functions similar to the contemporary auditor's. The aim was to establish an institution for the purpose of enjoining good and forbidding evil in general as oppose to the modern auditing focusing specifically on economic and commercial activities. It forms an integral part of wider effort in establishing just economy in the society. Therefore, the contemporary role of the *Shari'ah* auditor resembles the role of *muhtasib* (*hisbah* administrator) in the traditional *hisbah* institution in the early period of Islam. The *muhtasib* audits and checks on compliance and subsequently suggests recommendations on worldly matters from *Shari'ah* perspective.

Auditing has been justified by various verses in al-Qur'an. The followings are several audit related verses:



then, as for Him who will be given his record In his Right hand, He surely will receive an easy Reckoning, and will return to his family In joy!

Although the verse focuses on accountability and reward in the hereafter where people would be rewarded or punished based on the audit outcome. However, its interpretation can be extended to financial auditing since one is enjoin to conduct all his affairs in accordance with *Shari'ah.* In the same vein, Umar (RA) cautioned on the need to examine ones affairs internally before he would be call for examination by the creator when he said:

قال سيدنا عمر رضي الله عنه: "حاسبوا أنفسكم قبل أن تُحاسبوا، وزنوا أعمالكم قبل أن توزن عليكم، واعلموا أن ملك الموت قد تخطاكم إلى غيركم وسيتخطى غيركم إليكم، فخذوا حذركم."

"Judge yourselves before you are judged. Evaluate yourselves before you are evaluated. And remember that death isolate you to overtake others as he will isolate others to overtake you. Be ready for the greatest investigation, the day of Judgment" Umar Bin Khattab (RA)

In the context of Islamic financial system, *Shari'ah* audit represents a system of checkmating and evaluating the operations of IFIs for *Shari'ah* compliance. The notion of sanction and reward in the system comes in the form of public perceptions of whether the public perceives its performance as negative or positive as well as confidence towards the *Shari'ah* based products offered by the IFIs. The AAOIFI and IFSB on the other hand use the term *Shari'ah* Audit and *Shari'ah* review interchangeably without further categorization. The rationale for auditing is to ascertain SG in the institution concerned.

Shari'ah audit is a distinctive feature of the Islamic Finance system from its conventional counterpart, by which the role of certifying the validity and enforceability of Islamic financial contracts adopted is undertaken. Such role, which is established as a further requirement to the existing conventional governance system, does not exist in the conventional industry. Thus, *Shari'ah* audit forms an integral structure to the internal governance mechanisms of IFIs by providing the necessary supervision and monitoring towards the whole spectrum of IFI's operations.

One of the impediments for development of SG structure is the situation of having auditors ingrained with secular capitalist philosophy but unlettered in *Shari'ah* to audit IFIs on matters relating to *shari'ah* compliance. Perhaps the most observable problem in *Shari'ah* auditing is the lack of expertise and human talent to perform *Shari'ah* audit. Auditing on IFIs must ideally be done by auditors trained in accounting and audit, as well as having the necessary knowledge in *fiqh al-muamalat*. Recent survey conducted in Brunei reveals the fact that the existing compliance structure in IFIs is alarmingly inadequate to address the issues of *Shari'ah* compliance. It was argued that the reliance on internal *Shari'ah* review alone provides little assurance to IFI's customers on the entity's compliance level towards *Shari'ah* rulings in their operations.

ACE as part of its responsibilities must assist the internal audit of IFI on *Shari'ah* Compliance

Audit. *Shari'ah* Audit, in Islamic finance, is closely related to *Shari'ah* review save that whereas, Shariah Audit is periodic while Shariah Review is regular. The latter as been described as regular assessment on Shariah compliance in the activities and operations of the IFI by qualified Shariah officer(s), with the objective of ensuring that the activities and operations carried out by the IFI do not contravene with the Shariah.

Therefore, the responsibility of ACE in assisting internal audit for *Shari'ah* compliance is complimentary to the ACE's responsibility of upholding *Shari'ah* within the industry. These are tools that are installed as checks and balances to ensure compliance with principles of Islamic Commercial Jurisprudence.

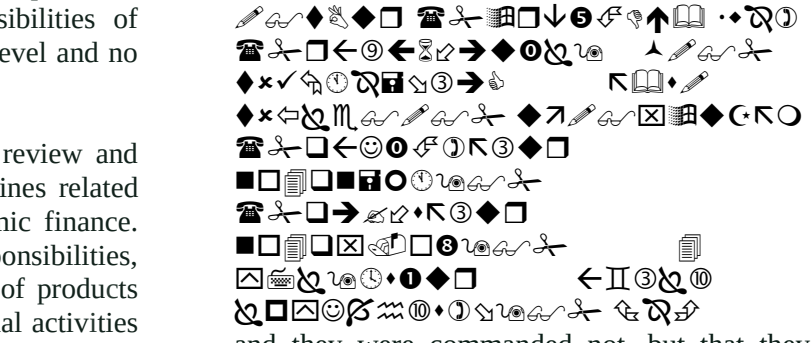
11. Shari'ah Opinion and Advice

The role of ACE is primarily advisory in nature; it should advise the IFIs, through their BOD and management on Islamic jurisprudence-related matters so as to ensure. Compliance with principles of Islamic Commercial Jurisprudence at all times. The advisory responsibilities of ACEs are at the institutional/micro level and no more.

The ACE has the responsibility to review and endorse internal policies and guidelines related to the principles underpinning Islamic finance. In the course of discharging the responsibilities, ACE shall make a periodic review of products and services to ensure that operational activities and transactions of the institution are made in accordance with the principles of *Shari'ah*. It is expected to endorse and validate relevant documents for new products and services upon their review with the aim of making an opinion of whether they comply with the principles of Islamic Commercial Jurisprudence or not. The process include; scrutiny of the terms and conditions contained in the forms, contracts, agreements or other legal documentation used in executing the transactions, the product manual, marketing materials, sales illustrations and brochures used to describe the product or service.

ACE must ensure that the necessary ex-post considerations are observed after the product offering stage, namely the internal *Shari'ah* review processes, Shariah auditing and *Shari'ah* compliance reporting. This is in order to monitor the IFIs' consistency in compliance with the principles of Islamic finance and to effectively manage *Shari'ah* compliance risk that may arise over time. This means that the responsibilities of *Shari'ah* review and compliance reporting include not only ex-ante process of the products and services but include ex-post also.

The ACE should develop certain principles and policies and issue recommendations on how the IFI could best fulfill its social role. Thus, ACEs are not only expected, as a matter of responsibility, to promote and develop Islamic finance industry but are further expected to fulfill social roles. This has clearly strikes a line of distinction of this model from conventional finance. Islam requires a man to discharge not only personal responsibility but social as well in addition to the grand primary responsibility of *ibadah* (worship) to God. This has been clearly stated in al-Qur'an;



and they were commanded not, but that they should Worship Allâh, and Worship none but Him alone (abstaining from ascribing partners to him), and perform As-Salât (Iqâmat-as-Salât) and give Zakât: and that is the Right religion.

The verse spelt out the spiritual and mundane roles required of a man. Giving *Zakat*, though, is a spiritual duty, yet, it is also a social responsibility of, particularly, the rich to the poor. Therefore ACE is expected to express its informed opinion on both operational issues as well as social responsibilities of NIFIs. Compliance with *Shari'ah*, whether in spiritual or mundane affairs, is obedience to the command of God. To this effect Allah says:

Say (O Muhammad): "Verily, My Salât (prayer), My sacrifice, My living, and My dying are for Allâh, the Lord of the 'Alamîn (mankind, jinns and All that exists).

12. Shar'ah Pronouncements and Resolutions

Shari'ah pronouncements and resolutions, *Fatwa*, refers to juristic opinion on any matter pertaining to *Shar*i`*ah* issues in Islamic finance, given by ACE. Once it is decided that a *Shari'ah* pronouncement and resolution should actually be implemented, it becomes a *Shari'ah* ruling *hukm al-Shar'i* with full legal effect that binds the IFIs. It is imperative for the ACE to make it clear to the IFIs whether it is issuing a resolution, recommendation or other remarks, so that there will be clear understanding of ACE's instructions, thus facilitating appropriate implementation of the instructions. The binding legal effect of a *Shar*i`*ah* pronouncement and resolution is also subject to the relevant national legal and regulatory framework. However, in practice, the *Shar*i`*ah* rulings are implemented by embedding them into the legal documentation of Islamic financial transactions; hence, they would generally bind the contracting parties, including the institution.

A *Shari'ah* pronouncement and resolution shall be issued only through appropriate due processes, which, amongst others, should involve rigorous deliberation among members of the ACE over any proposed *Shar*i`*ah*-compliant products or transactions that require a *Shar*i`*ah* endorsement, as well as detailed scrutiny of the legal contracts and other documents relevant to the products or transactions. The disclosure of the process leading to *Shari'ah* pronouncement and related information needs to be fully made as it forms part of the structure of SG. This is to build confidence on the governance structure. However, despite the clear provisions of the guidelines on this matter, information asymmetry problem still exist because of lack of disclosure.

13. Dissemination of Information

Dissemination of information on *Shar*i`*ah* pronouncements and resolutions to the operative personnel of the IFIs who monitor the day-to-day compliance with the *Shari*`ah pronouncements and resolutions vis-à-vis every level of operations and each transaction is an important part of SG structure. Such a task would normally be undertaken by a designated ISCU, or at least a *Shar*i`*ah* compliance officer who is part of the IFIs compliance team. The IFIs are required to equip their ISCU with the appropriate compliance-monitoring skills and relevant knowledge of *Shar*i`*ah*. This is achievable by assembling a team of staff with the two different skill-sets. IFIs should also ensure that the ISCU is separate and independent from the business units and departments.

Proper dissemination of information in SG structure builds the bridge that strengthens the fiduciary relationship between the institution and its customers as well as other stakeholders. It guards against reputational risk, *Shari'ah* risk and pools public confidence.

14. Conclusions and Recommendations

It has been established from the foregoing that IFIs in Nigeria have strived to comply with the structural requirement for SG as provided under the CBN guidelines in terms of establishing ACE and other Shariah compliance units. However, they have not performed to the expectation in some operational requirements. These include, lack evidence of training and development of ACE members and inadequate disclosure of the activities of the ACE and the Shariah compliance level of the institutions which leads to information asymmetry. Lack of accessibility to necessary Shariah compliance information not only by the public but also many stakeholders themselves portends a great confidence risk to the institutions. Although the CBN is showing leadership in the training and developing FRACE members but it needs to take go further to ensure that NIFIs also follow its steps in this direction.

The guidelines for the governance of FRACE and ACE issued by the CBN are a good start for the establishment of SG structure in the banking industry. However, their periodic review is

expedient in order to remedy the noticeable lacunae within them. This include lack of clear principles to forestall the possibility of the BOD appointing people who would serve their business interest and thereby geopadise the integrity of the Committee and credibility of their decisions and pronouncements. Also, the ACE guidelines in particular, need to provide for convenient mechanism to secure the independence of ACE, especially when there is disagreement between it and the BOD. This will ensure that they give their opinion and insist on its implementation without being afraid of losing their contract for service.

On the whole, CBN guidelines have succeeded in centralizing *fatwa* process in the finance industry in the country and laid foundation for harmonization of *fatawa*. This was achieved by making the CBN FRACE the highest *fatwa* making authority with powers to attend to referrals from the FRACE of other regulatory authorities within the sector and the finality of its fatwa in case of disagreement.

In view of the above conclusions, it is recommended that policies should be put in place to ensure adequate disclosure of the activities of ACE with ease of retrieval, such as through IFIs' websites and annual reports. FRACE and ACE governance guidelines should be review to adopt international best practice like blocking all fiduciary relations to ensure transparency in the appointment process and treating ACE contract as "contract for service" not "contract of service", with whistle blower status, to secure their full independence. The composition of ACE should also be expanded by adding more members for developing local talents and expertise for effective governance. CBN should put pressure on NIFIs on the training and development of ACE members to avoid stagnation and obsoleteness within the industry.

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Part Seven
Creative Writing

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Women, Individual and National Aspirations in Mariama Ba's *So Long a Letter*

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Abstract. Almost every discourse on gender in Africa invariably slides into an evaluation of the fate of women in a male structured society. This tendency is also prevalent in the body of writings known as modern African literature. The focus of this paper is to examine the emergence of the new African woman in the scheme of a social order that is programmed to suffocate her. The Senegalese Mariama Ba's *So Long a Letter* (a novel) will be adopted as an illustrative text to depict the emergence of the new African woman striving against social and religious impediments to carve a niche for herself in a continent that hitherto did not factor women into its aspirations. Ba's novel portrays the role education can play in the empowerment of women not only in breaking cultural barriers, but also in self-actualization which leads to their contributing to the wellbeing of their family, social order and by extension national development. Although, the novel depicts two women badly bruised by marital crises aided by cultural sanctions there is hope that education and the appropriate social and gender policies will ensure a place for the new woman.

Keywords: Women, National Aspirations, Discourse, Gender, Empowerment

1. Introduction

The publication of Mariama Ba's *So Long a Letter* in 1980, not only startled and excited critics and readers of the African novel, but it also marked the turning point for the female novel in Africa. Described by Uzo Esonwanne as "The first explicit self-conscious meditation on gender difference; . . ." (1997, 83), the novel's freshness, its remarkable poetic style and the courage with which the author confronts the condition of women remain unparalleled. Before Ba's epistolary novel, the female African novel focuses on the plight of the traditional African woman as she remains unheard, but only seen. Located within the framework of "motherhood and cultural inhibition" (2007, 532) as Lauretta Ngcobo puts it, the focus of many of the earlier female African novels, especially Flora Nwapa's *Efuru*, Grace Ogot's *The Promised Land*, Rebeka Njau's *Ripples in the Pool*, etc, explore the traditional impediments of women ranging from polygamy, childlessness to other socio-cultural encumbrances. Where some of the later novels, such as those by Zaynab Alkali's *The Stillborn* and Ifeoma Okoye's *Men Without Ears* mirror women problems, it is done from a conservative and usually apologetic perspective which the authors feel will not ruffle feathers. Such narratives often present the condition of women as if it is the established norm of social experience for women to be at the receiving end. The novels merely represent the deplorable condition of women making them appear to be in need of sympathy. The novelists did not explore the subject matter from an ideological or combative perspective which is geared towards making tangible statements for the emancipation of women. This is where Mariama Ba's *So Long a Letter* differs from it precursors. In this debut novel, Ba radicalizes women experience with a loud feminist undertone as she depicts the emergence of the new African woman made

conscious and articulate by the instrumentality of western education. Her narrative scheme not only challenges long held traditional and cultural conventions which hold down women, but she weaves into the story evidences of the possible emergence of a new generation of the African woman as the continent undergoes socio-political evolution.

It is tempting as Janos Riesz thinks to read *So Long a Letter* as a novel about failed marriages and education in colonial French West Africa (1991, 27). The epistolary narrative is in part a diary of the nuptial experience of two bosom friends, Ramatoulaye, the writer of the letter, and Aissatou, the recipient. Symbolically, the novel as Michael Obinna puts it, "relates the female experiences of the African caught between the established order of the past and the exigencies of the present, while prognosticating the future." (1999, 183). As a letter, the novel is taken as a confidential recall of incidences in the lives of the two friends who are also the dual protagonists of the story. Embedded in the narrative are wistful flashbacks, allusions, recent and present happenings which the writer narrates with poetic finesse. The binding narrative and ideological chord of the novel revolves round the strength derived from friendship and a kind of empowerment which borders on emancipation anchored on western education. It is this emancipatory slant in the novel that Marie Pauline Eboh emphasizes. (1999,17). The manifestation of the link between friendship, which in this case is solidarity, and education, which ensures economic empowerment, gives great impetus to women's realization of individual and national aspirations.

The novel's opening foregrounds its content and therefore its *leit motif*. Ramatoulaye writes:

I am beginning this diary, my prop in my distress. Our long association has taught me that confiding in others allays pain.
. . .
We walked the same paths from adolescence to maturity, where the past begets the present.
. . .
Yesterday you were divorced. Today I am a widow. (1)

2. Theme of the Novel

The foregoing encompasses much of the novel's preoccupation from which springs ancillary issues of individual and national aspirations. Explicit in the excerpt is a bond nurtured by friendship. It also gives a glimpse of the protagonists' condition of being divorced and widowed just as the idea of "adolescence to maturity" gives the narrative an autobiographical slant albeit fictional. Much of the novel's accusatory recall is provoked by the condition of being divorced and widowed. The condition which brings disappointment and pain especially to Ramatoulaye is traceable to what she configures as acts of betrayal on the side of their husbands, Modou Fall and Mawdo Ba. While the two protagonists are childhood friends, they met the men they married while in school. Hence both families' acquaintance dates back to many years as they experience the fluctuating fortunes of life especially in marriage.

Ramatoulaye romanticizes friendship as her relationship with Aissatou evolves into a sisterhood. In one moment of intense evocation of what she thinks of friendship, she declares: *"Friendship has splendours that love knows not. It grows stronger when crossed, whereas obstacles kill love. Friendship resists time, which wearies and severs couples. It has heights unknown to love"* (54). Her estimation of the wholesomeness associated with friendship is exaggerated, nevertheless it can be ascribed to the fact that since marriage fails her, she finds succor in friendship to not only alleviate her pain and disappointment, but also as a means of shoring up happiness through reminiscences of their lives in time past. The presence of Aissatou in Ramatoulaye's life, the similar marital experience they share and the fact that they are educated, ideologically conscious and articulate help in consolidating their friendship. It makes them share and compare experience and by so doing draw strength from each other. Ramatoulaye says more:

You have often proved to me the superiority of friendship over love. Time, distance, as well as well as mutual memories have consolidated our ties and made our

children brothers and sisters. Reunited, will we draw up a detailed account of our faded bloom, or will we sow new seeds for new harvest? (72)

Her privileging of friendship over love finds justification in her relationship with Aissatou as well as its survival in spite of time and distance. Hence their undeclared sisterhood creates for them a platform for self-assurance which they both need to sustain their positions as women discarding the socio-cultural burden which society places on them. In dismantling the obstacles to happiness in their lives, they are strengthened by an awareness of their predicament for which they hold their husbands responsible. In spite of their bitter experience occasioned by marital failure, the sisterhood inspires in both women a desire to remake their lives and relieve their aspirations. This tendency to overcome obstacles and move on in remaking their lives is one of the positive consequences of their great friendship.

The tendon which strengthens their friendship is made firmer by education which created the ideals upon which their resistance and tendency to happiness, in spite of their bitter experiences, is built. As young girls in colonial Francophone Africa, the French colonial policy of Assimilation ensures they enjoy holistic western education to prepare them for the challenges of a new world where they are expected to play pivotal roles. It is for this reason that both protagonists train as teachers to bring up a new generation of Africans as the continent consolidates the gains of independence. It is this imperative which drives Ramatoulaye and Aissatou on the path of individual and national aspirations. Ramatoulaye prods Assaitou's memory of their college days in the following words:

Aissatou, I will never forget the white woman who was the first to desire for us an "uncommon" destiny. Together, let us recall our school, green, pink, blue, yellow, a veritable rainbow: . . . Let us hear the wall of our school come to life with the intensityof our study. Let us relive it intoxicating atmosphere at night, . . . , our prayer rang out, full of hope. The admission policy which was based on an entrance examination for the whole of former French West Africa, now broken up into autonomous republics, made possible a fruitful blend of different intellects, characters, manners and customs. (15)

The "white woman" in the foregoing is symbolic of the goal of the policy of Assimilation for the generation of Africans to which both protagonists belong. The notion of "uncommon" destiny points at the pioneering role of both women as harbingers of a new dawn. Unlike their mothers who were tethered to the homestead merely as wives and mothers, the new women of Africa being trained are superwomen who are not just wives and mothers, but professionals and nation builders. They combine multiple roles as pioneers of a new phase of development on the continent. Although, the novel is set in Senegal, the narrator recalls that the education agenda of the colonialists covers all of French West Africa. This moment is defining as it is the period which prepares both protagonists for the fulfillment of individual and national aspirations consolidated in their functions as professionals and nation builders. However, there is a looming almost overwhelming presence and influence of tradition in the narrative. As the reader will observe, Ramatoulaye submits to the dictates of tradition in spite of its limiting potentials. Thus there is a dual allegiance to tradition and the imperative of a new world conditioned by western education. Here is the essence of what Henry Louis Gates Jr. means when he says the black text in a western language "occupies two spaces in at least two traditions" (1984, 6). This view is similar to that of Janos Riesz which he puts forth as "problems inherent in the conflict between traditional African and modern French ideas of education" (1991, 27). This pattern of dualities which breeds contradictions runs through the novel. This probably informs Femi Ojo-Ade erroneous reading of the novel as deriving from the realm of "tradition and colonialism" (1982, 71).

Already empowered by the consciousness which only education can give, Ramatoulaye tells the younger generation:

When you are adults, if your opinions are to carry weight, they must
be based on knowledge backed by diplomas. A diploma is not a myth.
It is not everything, true. But it crowns knowledge, work. Tomorrow,
you will be able to elect to power anyone of your choice, anyone you
find suitable. It is your choice, and not ours, that will direct the country. (73)

The above submission sums up Ramatoulaye's act as a nation builder striving to contribute to the realisation of the national aspiration of her country. Having acquired education and qualifying as a teacher, her responsibility is to the younger generation whom she must inspire in the task of nation building. Implicated in her responsibility is political consciousness with emphasis on the power of education in the realm of politics. Since politics is central to the development process, Ramatoulaye instills in the younger generation the need for good education if they are to make the right political choice for their nation. As a visionary, she already envisages a time when the younger generation will decide the future of the country. This frame of mind will help in sustaining the quest for national aspiration.

At the individual level both women are "rejected" by their husbands and as Ramatoulaye sums up her case regarding her husband's desertion "He never came again; his new found happiness swallowed up his memory of us. He forgot about us." (46). Their abandonment means their taking up financial responsibilities for the children. This is a big burden to bear especially as Ramatoulaye has twelve children to fend for, while Aissatou has four. Their capacity to cope with their new status as single parents stems from the fulfillment of individual aspiration through education and the economic empowerment that comes with it. For instance, while Ramatoulaye earns income as a teacher, Aissatou goes on to train as an interpreter and ends up with a good job in the Foreign Service. They are thus able to cope economically. Hear Ramatoulaye's telling of her new responsibility as sole bread winner:

I was surviving. In addition to my former duties, I took over Modou's
as well.
……. My brain was taxed by new financial gymnastics.
The last date for payment of electricity bills and of water rates
demanded my attention. I was often the only woman in the queue.
Replacing the locks and latches of broken doors, replacing broken
windows was a bother, as well as looking for a plumber to deal with blocked
sinks. (51)

Her new status as a single parent places on her a series of responsibilities which are mentally, physically and financially tasking. This is in addition to the payment of school fees for her children. However, the economic empowerment which her education gives her enables her to cope. Her education enables her to map out strategies to cope with her new status and responsibility. She says:

Managing the family budget requires flexibility, vigilance and prudence
in performing the financial gymnastics that send you from one more or
less dangerous leap to another, from the first to the last day of the month. (64)

Ramatoulaye is able to survive the debilitating crises arising from divorce and widowhood not just due to her economic stability, but also the financial support she receives from her well-off confidante Aissatou who buys her a car as gift. Having received extra training in interpretation and secured a plum job in the Foreign Service, Aissatou is able to buy Ramatoulaye a "cream-coloured Fiat 125" (54). The car not only eases her mobility problems, it also boosts her social standing and gives her children a sense of pride.

Both protagonists are trained to become nation builders. However, the role is given full attention in Ramatoulaye. Although, we are told

that Aissatou works in the Foreign Service, it is in Ramatoulaye that we actually see the demonstration of the realization of national aspirations. As a teacher, she is a motivator and mentor to the younger generation. Ramatoulaye gets carried away in her ruminations on her teaching profession. She again rhapsodises:

How we loved this priesthood, humble teachers in humble local schools.
How faithfully we served our profession, and how we sent ourselves to do
it honour. Like all apprentices, we learnt how to practice it well at the
demonstration school, a few steps away from our own, where experienced
teachers taught the novice that we were how to apply, in the lessons
we gave, our knowledge of psychology and method. . . . In those children
we set in motion waves that, breaking, carried away in their furl a bit of
ourselves. (23)

The flourish with which Ramatoulaye describes the teaching profession and the commitment of teachers to the evolution of individual and national aspiration is almost unrivalled. She considers the profession as unique. She recalls her training with nostalgia and praises the teaching methods she has been exposed to. She sees teaching as a calling, while she considers teachers as the makers of the new generation of Africans. The unspoken implication of her privileging teachers is that without them there would be no social cohesion and by extension national development. This thinking takes us back to the earlier position of how the French colonial policy of Assimilation educated Ramatoulaye's generation as pioneers who will set the continent on a new path after independence. Her profession as a teacher complements the self-appointed role of trail blazers her generation ascribes to itself. She says with so much conviction:

It was the privilege of our generation to be the link between two periods
of our history, one of domination, the other of independence. We remained
young and efficient, for we were the messangers of a new design. With
independence achieved; we witnessed the birth of a republic, the birth of an
anthem and the implantation of a flag. (25)

It is this role of a being a pathfinder and at the same time serving as a link between the past and the future that Ramatoulaye celebrates with so much gusto. Lauretta Ngcobo has this group of women in mind when she declares:

Our women are caught up in a hybrid world of the old and the new;
the African and the alien locked in the struggle to integrate contradictions
into meaningful new "whole". (1986, 82)

The circumstances of history place on this generation of women the duty of being the link between two worlds that are different in every ramification.

Central to the motif of individual and national aspiration in *So Long a Letter* is the question of women liberation as well as representation in the national scheme of things. Again, Ramatoulaye's education equips her for the wave of gender consciousness which blew across Africa after independence. Whether it is ideologically code-named feminism or politely rendered as women empowerment, Ramatoulaye is able to navigate and articulate the dominant strains of the women rights credo. However, she takes a moderate view of women's liberation unlike her friend, Aissatou who is radical to the extreme in her adoption of feminist precepts. Hence, while Ramatoulaye acquiesces as her husband marries a second wife, Aissatou opts for divorce to show her rejection of her husband's capitulation to a traditional obligation. In the letter to her husband announcing her divorce from him she states emphatically: "I am stripping myself of your love, your name. Clothed in my dignity, the only worthy garment. I go my way." (32). This resolute pronouncement must have come from an extreme feminist which according to Filomena Steady is "an abnegation of male protection and a determination to be resourceful and resilient." (1981, 35) This is in contrast with

the moderate Ramatoulaye who says "I have never conceived of happiness outside marriage." (56). Thus, while both women experience betrayal from the men they married their reactions were different. Although bitter, Ramatoulaye did not negate her marriage because tradition and the religion of Islam sanction her husband's marriage to a second wife. Ramatoulaye's position finds accommodation in *stiwanism* which Molara Ogundipe-Leslie sees as discussing "the needs of the African woman today in the tradition of the spaces and strategies provided in our indigenous cultures for the social being of women." (2007, 580) But her friend, Aissatou thinks otherwise and opts out of the marriage.

There is a great deal of political awareness demonstrated by Ramatoulaye. The impression one gets is that she is a character that has imbibed sublime lessons in political education. Her political consciousness is sharpened by her coming to terms with the reality that the future of her country, Senegal and that of the continent of Africa will depend on their politics. Hence she sees herself as an advocate of good governance to be realised through the active involvement of all well-educated citizens. Besides her all-inclusive political orientation is her clamour for adequate female representation in government. As Flora Nwapa insists, "there have been tremendous changes in all facets of life which contribute to the continent wide awareness and rethinking of women's problems and roles in society" (2007, 529). As a nation just emerging from colonial rule, Senegal is in the process of political evolution and the political space, to a very large extent, remains locked up to women. Nwapa expatiates more, "The role of women in Africa is crucial for the survival and progress of the race" (2007, 527). Yet women are at the receiving end of a dual oppressive structure defined by the home and the political space. It is this compellingly suffocating thralldom that Ramatoulaye seeks to rupture when she in a rare burst of courage says:

I am not indifferent to the irreversible current of women's liberation
that are lashing at the world. This commotion that is shaking up every aspect of our lives reveals and illustrates our abilities. (88)

The perspective taken by Ramatoulaye for a long time in the letter remains conservative or at best moderate in matters of women's activism. This is unlike Aissatou who would not brook half measures. But on this rare moment quoted above, Ramatoulaye thumbs up for women liberation albeit in her usual cautionary tone.

Her political consciousness veers into a celebration of the little and gradual gains made by women in politics. Since her generation of women suffers from political maginalisation, each time one of them makes a political breakthrough it is considered as a big achievement. Hence, she evocatively declares:

My heart rejoices each time a woman emerges from the shadows. I know
that the field of our gains is unstable, the retention of conquests difficult;
social constraints are ever present, and male egoism resists. (88)

The foregoing is a strong statement which underscores the contradiction inherent in the aspiration and realisation of equitable representation of women in the political space. Ramatoulaye expresses happiness that women are making inroads into the political sphere, yet she doubts the sustainability of their achievement even as she deplores male dominance and the attitude nourishing female subjugation.

3. Literary Devices in the Novel

Ramatoulaye's most intensive moments of expressing her strong desire for equal female representation are depicted whenever she encounters Daouda Dieng her suitor of old. Dieng is a successful medical doctor and a respected member of the National Assembly. He is presented as the symbol of the male dominance of the political space. However, he cuts the picture of a moderate patriarchal figure who is not averse to the emergence of women on the political terrain. In one of her encounters with Dieng, she queries:

Nearly twenty years after independence ! When will we have the first female minister involved in the decision concerning the development of our country? And yet the militancy and ability of our women, their disinterested commitment have already been demonstrated. Women have raised more than one man to power. (61)

Ramatoulaye does not only assume the posture of a spokesperson for gender parity, but her articulation of the agenda for women participation in the political process foreshadows the subject matter of many female empowerment strategies that evolved from the 1990s to date. Her generation of women having received western education and having functioned as pioneers in their country's march to a new dawn, Ramatoulaye, speaking for the rest of them, thinks that women should take the centre stage politically. The culmination of such a dream will be the peak of the actualisation of women's individual and national aspiration. Nevertheless, Ba's agenda in the novel can be viewed from the perspective adopted by Chikwenye Okonjo-Ogunyemi that, "the women writers usually exhibit a sense of social responsibility in their writing. They believe in change for the sake of progress, not simply as a passing fashion to destabilize society." (1986, 2)

4. Conclusion

So Long a Letter is unique in many ways. Although, it reads largely like a diary of disappointment arising from domestic and marital crisis, the novel is highly political with implications for many aspects of life in the African society. At one level, it sounds like a rebuke and denunciation of patriarchy, while at other times the author presents how women turn out to be their own adversaries. The novel's feminist tone remains strident, but Ramatoulaye often becomes equivocal as her perspectives slide into a moderate mode. This contradictory nature of the novel finds rationalisation when Okonjo-Ogunyemi says:

African novels written by women, as counter narratives, fascinate with their inherent contradictions as they reveal strength and weakness, beauty and ugliness, ambiguity and clarity, in unfolding the politics of oppression. (1996, 4)

It is apt to read Ramatoulaye's position as that which is constructed around contradictory lines. Nevertheless, her articulation of the plight of women remains persuasive in the same way that her advocacy for the fulfillment of their individual and national aspiration is remarkable. Her sense of a new society where both sexes will complement each other is already evolving in the relationship her children enter into. As the narrative reaches the end, Ramatoulaye presents the crux of the novel's central argument as gender harmony which will foster a wholesome society and by extension the nation.

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An Assessment of Newspapers' Reportage of Health Issues in Daily Trust and National Mirror

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Abstract. The mass media are tools for the transfer of information, concepts, and ideas to both general and specific audiences. A healthy nation is said to be an asset, hence health education has over the years become inevitable as information about health create awareness so as to prevent the spread of various diseases. Most newspaper only provide straight news reportage of health issues; commissioning and visitation of important personalities to health facilities, outbreak of epidemic and flag off of immunization. They rarely provide indepth reporting for the readers to have a comprehensive knowledge about such health matters thereby limiting the knowledge of the readers that depend solely on the newspaper about health issues. This study intends to critically look at content of two newspapers in Nigerian daily's to determine the 'quantity' and 'quality' (prominence) of health stories they carry, And to proffer suggestions for improvement.

1. Introduction

The mass media is the medium through which information gets to a large audience in different parts of the globe. They are tools for the transfer of information, concepts and ideas to both general and specific audiences. Mass media are important tools in advancing public health goals. Hence, it display information and create awareness about health issues to the people so as to prevent the spread of various diseases. According to Freimuth, Greenberg, Dewitt and Romano (1984) studies have shown that many people rely on the news media for their health-related information.

Newspapers are dominants feature of our day to day life and available both in domestic and public environments. They intend to engage people to convey some kind of information and to produce reactions in their audiences which justify their continuing production. Sometimes the main message is clear to the audience but it is also likely that some other meaning is produced in audience mind unconsciously. The purpose of these messages is to engage an audience and influence his/her way of thinking about certain subject.

There is a greater demand and need for indepth, accurate, relevant, rapid and impartial public health information by people and a growing reliance on newspaper as one of the main source of information. The public health community usually looks to the newspaper for support, attention and endorsement and are considered as a primary source of health and science information, even for health professionals. On the other hand, they are also seen as an important tool to disseminate health information to the population. They are quite important in furnishing the public with health information. (Caleb, 2005).

Despite the potential of the newspaper (and mass media in general) to perform valuable health-education functions. Kayode and Adeniran (2012) conclude that media stories about medications continue to be incomplete in their coverage of benefits, risks and cost of drugs as

well as in reporting financial ties between clinical trial investigators and pharmaceutical manufactures as well as scientific breakthrough.
Policy makers also obtain considerable amount of information from the media. As Chapman and Lupton (1994) have suggested that " news coverage of health matters takes on considerable significance that has the potential to shape the impression of average citizens and powerful policy makers alike."
In the words of Brown and Walsh- Childers (1994) news coverage of health " tends to ascribe the power to control individuals health to medical experts using high- technology equipment."
Studies have also shown that the news media tend to increase their coverage of health concerns as they affect the society's mainstream and/ or the greatest number of people in their audience Neuman (1992).
This study will however look at the newspaper instead of mass media in general.

2. Statement of the Problem

Health reporting involves the dissemination of valuable health related information to the people as the value of health news is related to what gets reported and how it gets reported.
Health issues are big problem in Nigeria and the world at large. The newspaper has as one of its functions to educate the populace about what they don't know. Inadequate information about certain diseases can lead to death and large medical cost burden. It is important to note here that some diseases are preventable if the people are adequately informed examples, HIV, Tuberculosis, hypertension etc. There have been issues of death on minor health issues because the people are not well informed. Health reporting is subjected to the topicality and newsworthiness of issues which are of limited life such as the introduction of a new technology or the outbreak of a particular disease. The general population is unlikely to have a clear idea of what health is really about if those items reported tend to be medicalized, hence the need for simplicity of language while reporting health issues. (Chapman and Lupton, 1994).
All media including newspaper alert, educate and constantly update the public in matters of health and health risk. The impact of the newspaper and effect on individual and public health is a major interest area in health education (Nandy and Nandy, 1997).

Health promotion as a component of health reporting is particularly well suited to positive media presentation and utilizing relevant 'experts'. It can feature stories designed to minimize disease, improve health and maximize quality of life, all good positive factors.
An awareness that newspaper reporting of events does not happen in a social, cultural, political or economic vacuum should be utilized in the context of health reporting to ensure that health programs reflect the totality of the environment in which they are developed and implemented (Tesh, 1988).

3. Research Questions

- What prominence is given to health issues in terms of newspaper reporting in Nigeria?
- Does National Mirror and Daily Trust give quality reporting to health issues?
- What is the pattern of their health reporting is it more of news reporting, analysis, featured or other forms of newspaper writing?

4. Objectives of the Study

The main objective is to assess reportage of health issues in daily trust and national mirror newspapers.

Specific objectives include:

- Examine the pattern of newspaper coverage of health issues especially in light of the growing health challenges being faced in the country.
- Evaluate the role of the newspaper in raising information and concern about critical health issues that affect citizens in Nigeria.
- Identify the challenges that the press confront in reporting health issues in the country especially in light of public expectations of the media.

5. Theoretical framework

The study adopts the Agenda Setting Theory. Rogers and Dearing (1998) asserts that Agenda setting describes a very powerful influence of the media, the ability to tell us what issues are important. As far back as 1992, the newspaper columnist Walter Lippman was concerned that the media had the power to present images to the public.

The Agenda setting theory is relevant to this study in that it identifies the role of the media in bringing to public conscientiousness issues that the media feels are of importance to the stability of the society. The media are a major source of information, opinion and analysis. They impart knowledge, influence the understanding of issues by their readers and may also act as advocates for the recipients of news items.

The media through agenda setting can ensure that health issues that are of public importance are brought to public knowledge and also sustained through reporting and emphasizes. The media may not be successful in telling stakeholder how to handle health issues but the media bringing health issues to public notice is really important for it can quicken stakeholders resolutions of these health issues.

There are many instances all over the world where media attention on threats posed by certain health issues have helped galvanized public support thereby resulting in reduction in the numbers of people being infected by these diseases; a good example is HIV/AIDS. In this respect, the newspaper by selecting to report certain health issues above others tend to tilt the attention of the readers to what is being reported. In the last decade, there are certain diseases and their prevention that a large number of the populace are not aware of, deadly diseases like ebola fever, hapatis B and many infectious diseases were hardly mentioned by the newspapers in their report. The newspapers way back then mostly report about malaria fever, typhoid fever and common cold. The non availability of information on these deadly diseases have sent a lot of people to their early grave as some mistook certain symptom of an infectious disease to malaria or common cold until it became too late for the ailment to be manage.

However, despite media's important contribution to health issues through agenda setting, the media own its own cannot bring solutions to health issues affecting the public without important contributions from all stakeholders such as policy makers, health experts and professionals, interest groups and the general public. (Okoye, 1996).

6. Literature Review

The mass media are capable of facilitating short-term, intermediate-term, and long-term effects on audiences. Short-term objectives include exposing audiences to health concepts: creating awareness and knowledge: altering outdated or incorrect knowledge; and enhancing audience recall of particular advertisements or public service announcements (PSAs), promotions, or program names. Intermediate-term objectives include all of the above, as well as changes in attitudes, behaviors, and perceptions of social norms. Long-term objectives incorporate all of the aforementioned tasks, in addition to focused restructuring of perceived social norms, and maintenance of behavior change. Evidence of achieving these three tiers of objectives is useful in evaluating the effectiveness of any of the media. Pate, (2010).

Print media include such forms has newspapers, periodicals, magazines, books, newsletters, advertising, memos, business form etc. For the purpose of this research, emphasis will be placed on newspapers. Newspapers are a major source of factual information, opinion and analysis. They impart knowledge influence the understanding of issues by their readers and may also act as advocates for the recipients of news items. Newspapers offers a variety of items but most people will neither read all of the articles nor read to the end of selected articles. Newspapers are less likely to therefore grab attention on low salience stories unless presented in a manner designed to attract attention (Neuman et al., 1992).

In 1928, a German scholar, Otto Groth, developed a set of five standards that modern

scholars generally hold as acceptable criteria to determine a true newspaper. These include: a newspaper must be published periodically at intervals not less than once a week. Second, mechanical reproduction must be employed. Third, anyone can pay the price of admission, as all have access to the publication. In others words it must be available to everyone. Finally, publication must be timely with some continuity of organization.

Ogunsoji (1989) estimated that newspapers are read daily in more than 70 percent of U.S. household. In Nigeria there are as much as 25 newspapers which are read by over 50% of the population. Newspapers permit a level of detail in health reporting not feasible with broadcast media. Whereas one can miss a television broadcast about breast cancer and thus lose its entire message, one can read the same (and more detailed) message in a newspaper at one's choice of time and venue.

Although newspapers permit consumers flexibility concerning what is read and when they do have a brief shelf life. In many households, newspapers seldom survive more than one or two days. Newspapers are available in daily and weekly formats, local, regional and national publications also exit. In addition, there are numerous special audience newspapers such as various ethnic groups, women and feminist related, geography-specific, neighborhood.

Consequently, health messages contain in newspapers can reach many people and diverse groups although newspapers often fall short of their dissemination potential. Ogusoji (1989).

The newspaper has the role of analyzing, interpreting and classifying issues into their categories and keeping the public fully informed in order to take decision that will affect them. In attempting to push forward issues relating to the population at large, suitable experts who are able to promote public health issues in a more personable or intimate manner may in fact greatly facilitate the promotion of specific issues. Given the fact that many newspaper readers only scan portions of each item and infrequently read the full text of longer items (Chapman and Lupton 1994). Health issues may be better focused on short to mid-length items as a means of imparting information.

7. Priming

Hansen (2011) states that this refers to media's activity of proposing the values and standards by which objects of the media attention can be judged. Media's content will provide a lot of time and space to certain issues, making it more vivid. To say in simple words, media is giving utmost importance to news so that it gives people the impression that is the most important information. This is done every day the particular news features, discussions, expert opinions are used. Media primes news by repeating the news and giving it more importance.

8. Framing

Framing is a process of selective control. It could be defined as:

- Way in which news content is typically shaped and contextualized within same frame of reference.
- Or the way audience adopts the frames of reference and to see the world in a similar way.

It is how people attach importance to a piece of news and perceive it context within which an issues is viewed.

Framing talks about how people attach importance to certain news for e.g. in case of attack, defeat, win and loss, how the media frames the news such that people perceive it in a different way.

9. Methodology

This study intends to determine the prominence given to health issues interms of newspaper reporting in Nigeria. Therefore two methods were combined to give a clearer result; content analysis and secondary sources (library, journals and internet). Two newspapers were selected to assess their coverage of health issues. The two newspapers are Daily Trust Newspaper and National Mirror Newspaper. The Daily Trust Newspaper is printed in the Northern part of the country (Abuja) while the National Mirror is printed in the southern part of the country (Lagos). Both papers however have correspondents all over the country.

A total of 72 newspapers covering the months of July and August 2015 (two months) were selected to be content analysed (36 each). They were selected using the Purposive non probability sampling method. This sampling method is justified as each unit in the sampling population have the same characteristics therefore each has an equal chance of being included as a component of the sample, hence the result obtained can be use to generalize for the whole data.

For the purpose of this study, Neuman's factors of measuring prominence will be summarized into four. These four factors will form the basis to be used in analyzing the contents of the selected newspapers. The factors are:

- Number of health stories found as against non-health related stories.
- The location of health stories in the newspaper.
- The nature of the health story.
- The source of the information.

10. Data Presentation

1. NUMBER OF HEALTH STORIES FOUND AS AGAINST NON HEALTH RELATED STORIES.

NAME OF NEWSPAPER	NUMBER OF HEALTH STORIES IDENTIFIED	NUMBER OF NON HEALTH RELATED STORIES
DAILY TRUST	36	3,070
NATIONAL MIRROR	108	5,640

From the content analysis of total of 72 newspapers covering two months, 36 each from the Daily Trust Newspapers and the National Mirror Newspaper, the researcher was able to identify 36 health stories as against 3,070 non health related stories in Daily Trust Newspaper and 45 health stories as against 5,640 non health related stories in National Mirror Newspaper. These represent less than 2% of the newspaper contents for both newspapers.

2. LOCATION OF HEALTH STORIES.

	Front page	Back page	Inside pages	Total
DAILY TRUST NEWSPAPER	4	0	32	36
NATIONAL MIRROR NEWSPAPER	10	0	98	108

From the 36 health stories identified in Daily Trust Newspaper, 11.1% (4) occupy the front page, 88.9 % (32) health stories are found in the inside pages while none is found on the back page of the newspaper.

In the National Mirror Newspaper out of the 45 health stories found in the paper, 9.3% (10) were found on the front page, while 90.7% (98) were found in the inside pages with none also at the back page.

3. NATURE OF HEALTH STORY.

	Feature Article	Straight news	Editorial	Letter	Total
DAILY TRUST NEWSPAPER	5	17	6	8	36
NATIONAL MIRROR NEWSPAPER	67	16	12	13	108

From the 36 health stories identified in Daily Trust Newspaper, 13.9% (5) are feature article, 47.2% (17) are in form of straight news reporting, 16.7% (6) in editorial form while 22.2% (8) makes up of letter and contributions from the readers.

National Mirror Newspaper have 62% (67) of its health stories as feature stories, 14.8% (16) are in straight news format, 11.1% (12) are in editorial format, while 12.1% (13) makes up letters and contributions from the readers.

4. SOURCE OF INFORMATION.

	Medical specialist	In house Journalists	Others	Total
DAILY TRUST NEWSPAPER	15	10	11	36
NATIONAL MIRROR NEWSPAPER	60	39	9	108

41.7% (15) of the 36 health stories identified in daily trust newspaper are attributed to medical

specialists, 27.8% (10) are attributed to the inhouse journalists, while 30.5% (11) of the health stories are attributed to others (others include letters and contributions from the readers, rejoinders e.t.c)
National mirror has 55.6% (60) of the 45 identified health stories attributed to medical specialist, 36.1% (39) are attributed to journalists, while 8.3% (9) are attributed to others.

11. Results and Findings

From the research, it can be deduce that the two newspapers dedicated only a small proportion of their pages to health stories. This buttresses the fact that most newspapers cover more of political, entertainment, sport, business, information technology and crime related stories at the detriment of health stories. It can also be deduce from the research work that the Daily Trust Newspaper usually don't give indepth reporting of their stories thereby not providing the readers a better understanding of the stories to enable them take certain vital decisions about their health, the paper also rarely involve medical specialists in writing their health stories. The use of medical specialist as a source of health story and even allowing them to author some of the stories gives credibility and authority to them.
However, both papers allocated limited space of their health pages to feedback from the readers.

12. Conclusion and Recommendations

Public health practitioners and educators should endeavor to utilize the print media to further the awareness by the general population, health care planners and government of the need for greater resourcing in the area. It is assume that the newspaper owners believe dedicating more pages to health stories will deprive them of some political and entertainment stories that can fetch them revenue. Health reporting should be given a peculiar place in the newspaper to educate the populace about health issues that will enable take important decisions about their well being. Early dissemination of information about a disease out break and some preventive measures have on many occasions reduced the spread of such diseases. Atypical example is the case of lasser fever that broke out in Yobe State Nigeria early this year.

The prompt reporting of the outbreak and educating the people on preventive measure has been widely acclaimed as a contributory factor to its control. My cursory screening of the two newspapers revealed that most of the health stories lack depth and pocus. Hence, health journalism in Nigeria needs a boost in the arm, consequently, training of the journalists and collaborating with international health related bodies to give health reporting the space it deserves is highly recommended. This has become necessary as journalist more often than not complains about having no access to critical health investigative reports and journals.

Consequently health reporting should be factual, relevant, professionally covered like other beats in the newspapers and be investigative in nature. These concepts should be the core principle of health reporting as this will make the people to be aware about the nature of diseases and its timely preventive measures. The factual and indepth reporting of health issues will also provide avenue for government, corporate organizations and public health practitioners to plan on where and how to use their resources to the benefit of the populace.

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General Legal and Opinion Writing Skills: Issues and Explanations

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Abstract. A discourse on legal and opinion writing is a complex exercise. This is so because it is difficult to recommend a particular style of legal writing and almost impossible to attain a flawless piece of writing. Regardless of the challenge, the art of clear communication, speaking and writing form the fulcrum of the fundamental activities of a legal practitioner, paralegal, corporate or academic lawyer. The importance of good communication skills in the practice of law cannot be over emphasized and this has influenced the inclusion in the curriculum of many law schools modules on opinion writing, drafting of legal documents and advocacy. Beyond the inclusion in the curriculum of law schools, legal professional bodies and bar associations also recognised the importance of the acquisition of legal writing skills by practitioners. This paper presents a general overview of qualities of good legal and opinion writing. This is achieved through the exploration of the basic aspects of written word skills. The primary objective of this paper therefore is to raise awareness among law students, barristers, and paralegals, the importance of developing skills in legal and opinion writing skills to improve their efficiency and effectiveness in the administration of justice.

1. Introduction

The primary objective of promoting good legal writing/drafting and opinion writing skills is to improve lawyers' efficiency and effectiveness in the administration of justice. It is against this backdrop that this paper examines the imperativeness of good legal writing and opinion writing skills, attempts to provide an ideal opportunity to model professionalism in the act of legal writing, drafting and opinion writing. The methodology employed here to achieve these set out goals is through the use of experiential pedagogy and meta-cognitive techniques where by lessons from the "real world" practice of law in relation to the use of good legal writing and opinion writing skills, is brought into bare. The paper also provides some practical tips on how to develop good legal writing skills.

Since opinion writing is a distinct genre of legal writing which combines the requirements of good general legal writing skills and specific analysis of complex practical legal issues, it shall be given special attention in this paper. The paper concludes with checklist of steps to be adhering to in the development of good legal writing, drafting and opinion writing skills. It is important to create a caveat here that an exercise of this nature is primarily aimed to sensitise the target readers (law students, barristers, and paralegals) of the need to develop good legal and opinion writing skills.

This paper is by no means provides exhaustive formulae for the development necessary skills for good legal and opinion writing. The first part of this paper introduces the subject of legal and opinion writing which serves as the basis for the general discussion in the remaining parts of this paper. Although each part of this paper stands on its own, the subject of legal writing is broad in such that each of the parts are related and interconnected. At the end of the whole exercise, each and every parts of this paper are designed to help legal practitioners, especially legal officers in legal units of various

institutions, to build confidence in their legal writing skills. The paper is also designed to reinforce the key points in each part and give the reader the opportunity to practice what is being emphasized.

2. Research and Legal Writing Skills

As was rightly observed by Celia C.E. and Robert, B.S., good legal writing is much like other good writings: simple, direct, and concise. Contrary to common perception among legal practitioners, a good legal writing does not requires the use of long sentences, obscure words, or lots of Latin phrases (legalese). In the early stage of legal profession the excessive or sometime inappropriate use of Latin phrases (sometimes legal jargons) was fashionable and adorable even by non-lawyers as it tends to mystify the bastion of knowledge acquired by a lawyer. In the contemporary times however, a good legal writing is that which is intelligible and with the use of lucid language for the purpose of clarity and effective communication. Modern employers of lawyers expect legal writing to be streamlined, accurate, and concise as possible.

To produce a good legal writing is a difficult task because to write a legal opinion or prepare pleadings, or draft a conveyance requires some amount of research. Thus, research skills are necessary to produce a good legal writing. In other words research and legal writing skills are interwoven. This succinctly put by Suzanna thus; "Instead of memorizing cases that would solve easy problems, I learned that researching, analyzing, and writing about the law occurs as a complex, interwoven process. Through that process, lawyers learn of the law that exists and then fashion arguments, documents, and transactions to solve clients' problems; novel approaches are steeped in the cases, statutes, and rules that the lawyer has located through thorough research". Although the focus of this paper is not on the subject of conducting research, essential research skills will introduce a lawyer to the most common sources of legal authority and the result can be used in legal writings.

Traditionally, an average legal practitioner learn how to write by carefully reading the works of others and using the old drafts of veteran legal professionals whose works are acknowledged to be good. However, it is instructive to note that copying other's legal documents or adopting a writer's style without due caution may be counterproductive. By all means, we learn from other top-flight legal practitioners and get engrossed in the use of precedents. This practice may not be wrong but then statistic has shown that many people in the legal profession today and Nigeria in particular, writes poorly and carelessly. This creates an additional burden of scrutinizing what precedent to use and who is a model to copy in legal drafting and opinion writings. It is unfortunate to note that the product of bad legal writings are often mindlessly used and repeated through custom or habit and by extension bad advocate are often imitated all in the name of how the senior members conduct cases and express themselves before the court of law. It instructive to reiterate that slavish copying of other's legal documents as precedents, even the apparently good ones, is not good enough. Each legal document must be viewed in the light of what it set out to achieve.

A comprehensive revelation of concerns for lack of good writing skills by lawyers was presented by Makr Osbeck as follows:

"Judge Edwards faulted law schools for not providing their graduates sufficient training in the skills they would need to practice law, and raised his ―serious concern‖ concerning the ―lack of good training in legal writing. ―In my twelve years on the bench,‖ he wrote, ―I have seen much written work by lawyers that is quite appalling. Many lawyers appear not to understand even the most elementary matters pertaining to style of presentation in legal writing . . . .‖. Judge Edwards is not alone among members of the judiciary in his assessment of the poor writing skills of lawyers. One of the most prominent and prolific federal judges, Richard Posner, has observed that the communication skills of the advocates he sees ―are often quite bad, sometimes awful. Like Judge Edwards, he believes that may be all this is the result of the growing gap between practice

and the academy. Other judges agree. One empirical study found that approximately 94% of both federal and state judges surveyed reported that basic writing problems routinely marred the briefs they read, and that a clear majority of respondents thought that new members of the profession did not write well. Voices from outside the bench and bar have also pressured law schools to put a greater emphasis on legal writing and other practice-oriented skills so that their students will be better prepared to practice law when they graduate".

Before we examine the nuts and bolts of the basis of legal and opinion writing skills, it is important to state that language/words are the tools of the trade of legal profession. No other profession relied on language/words as the dominant tool of the trade than the legal profession. A barrister can do nothing of consequence without reliance on the use of words. Contrariwise, surgeons, police officers, soldiers, accountants, laboratory technologists, architects, surveyors, etc. can function effectively in their professions with little reliance on use of language/words. The work of a lawyer predominantly involves writing words, reading words, and speaking words. After all a lawyer is paid for the words he wrote, spoke, and read. If that is the case, a lawyer must write well, reads well, and communicate well.

Nnaemeka Agu emphasized the importance of language for legal profession and submits that to acquire the requisite skills for good legal writing especially brief writing, it involves a lot more than the ability to write well. Agu submitted further that "…to write well only calls for ability to express oneself on paper; but to write a good brief entails not only good expression on paper but also ability to communicate one's thought in very clear language to follow easily".

To write a good legal opinion, the writer must study the case thoroughly, must endeavour to cast some bright beams of light on some of the dark corners and not too obvious crevices of the case. Thus, to write well involves not only a mastery of the language but also the ability to choose the correct words and sentences and also arrange them in such a way as to bring out the logic and the conviction in the writer's reasoning. The importance of words/language to legal and opinion writing was well captioned by Birkett in the following poetic lines, "words in their proper order are the raw materials of the law, and words have a magic of their own; they have colour and sound and meaning and associations. But choice words in their right order have a move magical power still".

3. Qualities of Good Legal Writing

3.1 The Basics

Except for the acclaimed purists in legal writing, no task is as hard as attempting to teach the basics of good legal writing either to students or fellow professional colleagues. One of the burdens one is likely to face is the fact that good and flawless writing is generally difficult to attain. Would it not therefore be hypocritical to expect almost the impossible in this paper? It may turn out to be hypothetical as well since some of the qualities of a good legal writing to be discussed below may be lacking in this paper. If similar shortcomings are found in this writings then readers should not be disappointed as it tends to show that good writing skills are to be developed over time. In view of the above, below are qualities of good legal and opinion writing skills.

3.2 Making Choices

Before a final draft of a legal writing is dispatched, every detail in the draft must be intended. In other words, everything that appears in the final version of a draft must reflect the exact thought and intendment of the writer. Thus, nothing that is never intended should by accident, negligent or oversight crept into the final version of the legal document or opinion writing. In the same vein, nothing that is important should be left out of the final draft by oversight or by negligent. Every word, terminology and phrases carefully used in the final draft are chosen because they are the most suitable as against other available alternatives. The words, paragraphs and sentences should appear in the order you have decided upon.

When we speak extempore, there is the tendency to say things we do not mean to say or we do not

say them in the best desire manner or form. It is equally possible for one to left out some important points or details when we speak extempore. In fact this is common in many of lawyers' instantaneous response to legal questions or issues in the course of legal proceedings or trial. At any rate, legal practitioners, especially the advocates, must be careful in committing "accident" or being "negligent" when speaking extempore. This problem which is common with extemporising can be completely eliminated when a lawyer is writing or preparing a legal opinion. At the completion of every written legal document the author has the opportunity to scrutinise the thought that has been reduced into writing, consider its choices of thought, words and professional or expert advice. Writing exercise by its nature creates a window period for the author to improve on the worth of his product of thought. Thus, the choice is yours and as well as the burden of the embarrassment where the right thing is not done!

3.3 Use of Language

As earlier reiterated, language is both a lawyer's resource and vehicle for the trade of legal profession. Use of language in legal writing and opinion writing must be clear and simple. So keep it simple. To acquire the proper use of language for legal writing is very essential but most difficult. Again, to acquire requisite skills for legal writings involves a lot more than the ability to write well. A lawyer must understand the language and the way it works. You should understand the use of vocabulary, so that language can be used as a veritable vehicle to communicate clearly. Poor mastery of language may hinder the production of a good legal writing.

Thus, it is advisable to write in plain English wherever possible. This means "avoiding inappropriate jargon, archaic language, unnecessary verbiage, pedantic superfluities and antiquated sentences structures". Note "legalese" gives lawyers a bad name, creates barriers between you and your client. Plain English involves using the simplest and clearest language possible in the circumstances, not the simplest and clearest available. It is instructive to note that a lawyer cannot sacrifice precision for simplicity, or clarity for the sake of shorter words. What is important is that your writing should fulfil its function.

3.4 Clarity

Good writing according to manuals of Inns of Court School of Law (1993), has total clarity. The meaning must springs instantly from the words, which do not need to be pondered, reread or analysed. If you ever feel that a sentence you are writing is not expressing the idea behind it clearly, stop, and star writing it again. Remember, the whole purpose of what a barrister, legal adviser inclusive, writes is to achieve clarity in the express of a view or opinion. An opinion may try to explain a complex situation so that it can be understood. Thus, "A pleading tries to define issues and bring them into the open. It follows that there is a great need for clarity in what a barrister writes. If it cannot be understood by those reading it, or if it is open to different interpretations, not only is it poorly written, but it has failed to serve the very purpose for which it was written".

In order to achieve clarity of expression it is imperative that the thought as conceived on an idea must as well be cleared. It is opined that if one is not clear in his mind about what he or she thinks or what to say, then it will be difficult achieve clarity of such thought in writing. Therefore it is advisable for lawyers to ensure that if there is the need to write at all their thought on an issue must be well articulated before being reduced into writing. Writing is an art so to write means to plan what to write and how to write it (a synergy between research and legal writing). Clarity will best be achieved through correct grammar, punctuation, precision, non-ambiguity, conciseness, completeness and elegance.

3.5 Grammar

A good legal writing must as much as possible be free from any grammatical error. Thus, "if a verb is in the wrong tense, and adverb in the wrong place, or sentence improperly composed, the only possible result is obscurity of meaning. You cannot write clearly if your writing is not grammatical." The importance of grammar

cannot therefore be overemphasised particularly where the author chooses to use long sentences. Clarity of the message in the sentence will only be achieved if the author has a good mastery of grammar. The opposite may be the result where the sentence is too long and the author lacks a good mastery of the rudiments of grammar. Any grammatical inconsistency noticeable in any writing, legal writing inclusive is likely to destroy the value of the long sentence.

Thus; "Good grammar is the grammar of clear usage, rather the grammar of pedants. Beware of absolute rules of grammar, such as "Never split an infinite", "Never put a common before "and". In the end the best grammar is the grammar that makes the meaning clearest".

3.6 Punctuation

Punctuation plays an important role in achieving clarity in writing, legal writing inclusive. It is expected therefore that a good writing is that which is well punctuated. This is often essential for clarity in all forms of writing. A poorly punctuated writing will affect the conveyance of the actual intendment of the author. Care must be taken in the use commas, semicolons and colons as to properly place them in the right places. The message in a sentence can be lost by a comma in the wrong place or the lack of a comma where one is needed. The wrong use of comma instead of a semicolon could change the structure of a sentence and in some extreme case make the sentence unclear. No wonder it was observed elsewhere that "punctuation can be either your friend or your enemy. A typical reader will seldom notice good punctuation (though some readers do appreciate truly excellent punctuation). However, problematic punctuation will stand out to your reader and ultimately damage your credibility as a writer".

While writing involves a creation of or the building of a complex grammatical structures, a wrong use of any of the punctuation marks could be fatal. In other words, a wrong use of any or the combination of the punctuation marks may destroy the between various part of a sentence.

3.7 Precision

Precision is required when a lawyer writes. A good piece of legal writing is that that conveys exactly what the author primarily intended. This is also "an essential part of clarity and is inevitably something you have always attempted to achieve whenever you have written anything". But there are degrees of precision. As a lawyer you will need to write with a greater degree of precision than you would probably use in everyday life. This is true generally, particularly true of opinion writing and quite fundamental in legal drafting. In pleadings for example, there can be no room for anything than absolute precision. Lack of precision will at best result in a degree of confusion and ambiguity.

3.8 Conciseness

Good writing cannot be achieved by lengthy or too details of information being provided. A good writing is that which is concise. In other words it should be succinct and to the point. You should try to avoid repetition, waffle, long windedness or digression in writing. Whatever is not likely to provide necessary information should be left out.

3.9 Read and Read Over

At the completion of every writing, it is imperative to ensure that the whole piece is read over and read over again to ensure that mistakes are corrected. The essence of this is captured in the following words, "usually anything you write will come back to you in printed form. Never be satisfied with what you are written until you have read over and checked the printed version. In the case of electronic copy, never send or submit without you have read over and checked the e-copy. If you care as you should about the quality of your writing, you will care enough to correct typographical errors and to give yourself final opportunity to improve in any small way you can on what you have written".

3.10 Use Short Sentences

There is no hard and fast rule on the use of sentence. One has the prerogative to decide whether to use short or long sentence in expressing an idea within text of his or her writing. However, expert usually advice that it is better to use short sentence most often in order to achieve clarity and to avoid ambiguity. The

idea behind this suggestion hinges on the premise that one can usually achieve clarity by using short sentence whereby you do not try to express more than a single thought in each sentence. This does not totally rule out the use of long sentence where necessary. Good and elegant writing as opined requires that sentences should vary in length rather than all have the same number of words. For variety in the use of short and long sentences maintains the reader's interest.

3.11 Use Simple Structures

Writing involves putting an idea together in a systematic way and within a structure. The kind of structure design for a legal writing will greatly determines its clarity and simplicity. Some lawyers deliberately or are in constant habit of writing in a more complex structure as to impress their colleagues, the courts or even their clients. The question is; "of what relevant is a piece of legal writing that is so complicated to be understood or comprehended?" It is therefore of no use to perpetually using compound structures to express a simple idea or legal principle or concept. Also try to use active voice rather passive voice in legal writing.

The above rule is not an absolute rule. It is meant to guide in legal writing. There may be the need to use compound structure and the passive rather than active voice in legal writing. The important thing is that one should be able to determine when and how to employed any of the above structures and style. A writer is the master of his or her writing but must always be mindful of attaining clarity at all times.

3.12 Use the First and Second Person Pronoun

It is advisable to be mindful at all time that the use of first and second person pronoun may be effective if it is important to be personal. Thus, why should one be impersonal when the context of a legal writing requires one to be personal? Contrariwise, "there are certain formalities in opinion writing and drafting that must be observed and do not allow for the use of "I" and "You", but these apart, never be impersonal when you can be personal. It is clearer, shorter and more honest".

3.13 Use a Good Layout

A good layout will assist in ensuring that a piece of legal writing is well arranged to be easily read. There is no particular pattern of layout to be recommended for all legal writings. The choice of layout will be determine by the nature of a legal writing. For example, if the writing is about contractual terms then numbered paragraphs, clauses, and sub-clauses will be more suitable.

4. Opinion Writing Skills

Opinion writing is a special skill learned by practice and experience. There are numerous sub-skills involved in opinion writing. However, at the end of this part of the paper we should be able achieve the followings:

- The understanding of the context of an opinion in a barrister's work;
- The purpose of an opinion in different contexts;
- Appreciation of the qualities of a good opinion;
- Know and able to make use of the basic principles of opinion writing;
- Understand how to plan an opinion;
- Be able to write a clear structured opinion; and
- Have developed some skills at giving reasons for your opinion.

4.1 The Importance of Opinion Writing

Opinion writing takes the centre stage of the majority of works done by lawyers generally. When we appear before the court or offer professional advice we are engaging in giving opinion. The common misconception in relation to work of a lawyer is that primary professional responsibility of a lawyer is to appear in courts and give advice to client. To be effective in the courts of law through advocacy; a lawyer needs to develop an expressive and persuasive skills and to give sound advice to client; listening, questioning, and negotiating skills are required.

However, in reality, "neither a barrister's work nor a barrister's skills can be divided so neatly into two categories. Giving advice to a client in conference, that is, in a face-to-face situation,

may happen either in court or in chambers. Communication skills form an important part of opinion writing; thinking skills, fact-management skills, even drafting skills are an important part of advocacy. In learning opinion writing, you are actually learning skills, aptitudes and a way of thinking that prepares you for all aspects of a barrister's work."

4.2 What is Opinion writing?

Opinion writing states a claim and gives the writer's views on a topic. It persuades readers to think or feel a certain way or calls them to take some action. In the context of legal opinion, opinion writing can be perceived as an aspect of a lawyer's professional duties in form of a paper work. Paperwork consists of an aspect of a barrister's work. Paperwork arises in response to a written set of instructions by clients. To give effect to the instruction the instructions, a lawyer is expected to offer advice in writing and sometimes orally. It may include preparation of pleadings, e.t.c.

From the above process opinion writing has been defined as; "written response to instruction to advice. A request for advice may be as a result of the need for a second opinion; it may be that the case is in an area in which you can give specialist advice; it may be that the case is bound to result in court proceedings and they consider it best to bring in counsel at the earliest possible moment. It may be that a favourable counsel's opinion is required in order to take a crucial decision".

4.3 Contents of Instructions for Legal Opinion

Instructions relating to the preparation of legal opinion normally come from the clients in form of narration or supporting documents which needs to be scrutinised and opinion offered on the position of the law. A typical instruction will normally include the following as comprehensively identified elsewhere by the Council of Legal Education, Inns of Court School of Law thus:

(a) A document from your instructing authority/H.O.Ds/VC/DVCs/Directors, setting out what you are asked to do, the background of the case, possibly a description and analysis of the issues, may be authority's interim proposed answer or planed line of action;

(b) All other documents, plans, photographs etc. these are likely to include copies of any writ which has been issued, pleadings which have been served, documents which have been drafted, copies of any contract or proposed contract or MOU, lease, conveyance, or other instrument out of which the disputes arises; copies of all correspondences which has passed between the parties, medical reports, expert reports, etc.

The nature of instructions is meant to be subject to analyses. When analysed, it usually raises questions expected to be answered. Responses offered to these problems or answers provided to these questions are your opinions. In an institution like university, probably the most common questions asked by instructing authority in instructions are:

"Do the students, contractors, suppliers, insurance or bank employee(s), trade union have a good case against the University? If so what remedies are available to them? How much would they recover in damages? What should the University do in the circumstance", or "Is there a good defence to this action? If not, can liability be minimised?"

4.4 Advisory Nature of Opinions

An opinion, which is your response to instruction to advice, is nothing but advising your client based on your sound understanding of the law. It is a case of an expert giving a professional advice and nothing more. Thus; "advising is inextricably bound up with and is part of the mental attitude with which you approach opinion writing, with the thinking process that precedes the actual writing of the legal opinion, and with the writing processes itself. We shall now consider opinion writing within these three aspects**:** the mental attitude, the thinking process and the writing process".

4.5 The Right Mental Attitude

The right mental attitude required to write a good opinion is that of a practitioner, i.e. practical approach.

The right practical mental attitudes required as opposed to academic approach are provided below:

(a) You are dealing with a real situation.
- The client has not come to you so that you show off your knowledge of the law
- He has a problem and wants help in finding the right solution/answer
- He wants to know the his legal right/liability

(b) The facts are more fundamental than the law.
- Factual question first, (i.e. what is the problem? What happened? What does my client want and what should be done?), before legal question (where does the fit in?)

(c) The law is a means to an end.
- The law is what you consult and use where appropriate to help produce a solution to the problem
- The golden rule is : use the law to help you form an opinion of the facts, not the facts as an excuse to form an opinion on the law
- The law provides a framework which enables you to shed light on the facts, analyse the facts and interpret the facts, and form an opinion on the facts and answer questions of fact.

5. The Thinking Process

Once the opinion is finally mentally articulated the next is to adopt thinking process. Seven stages are conservatively identified as thinking process stages by the Council of Legal Education, Inns of Court School of Law which are going to be adopted in this paper and the seven stages are summarised below:

Stage 1: Read and Digest Your Instructions
- This does not necessary mean at this stage to read every word of them (the document may run to hundreds of pages)
- The essence here is to find out exactly what your instructions are, what are the basic facts, and what your instructing authority want to know.
- When reading instructions, you are likely to be referring back and forth through your instructions all the time.

Stage 2: Answer the Primary Question: What Does My Client/Instructing Authority Actually Want to Know?
- Have a clear idea of what your instructing authority wants to know if you are to address your mind to the right issues and give proper advice.
- Your objective is to tell the instructing authority what it wants to know
- Don't answer instructions with purely legal illustration but with practical solution supported with legal position.

Stage 3: Absorb and Organise the Facts
- This is a process of fact management, i.e. a skill which is central to any lawyer's work (logical and incisive mind)
- Every important or relevant facts must be at your fingertips (you must have a comprehensive grasp and understanding of all the material facts)
- Irrelevant facts should be discarded in your thoughts and consideration

Stage 4: Construct a Legal Framework
- At this point the law comes into your thinking but what you are doing is constructing a framework for the case and for your opinion in the case
- The law should be apply here to help organise the facts and to discover the questions that need to be answered, identify the issue of fact and law involved in the case and put them into a proper order.
- The framework consists of a sequence of issues, each issue basically encapsulating a single question.
- The issue arises, the question needs to be posed, because, from your knowledge of the law or your research, you have identified it as an essential ingredient in the chain of questions of law and fact all of which have to be answered to

determine the answer to the question your instructing authority is asking.
- At this stage you will need to research the law, e.g. reading law reports, legal texts, legislations, e.t.c. having in your mind the sequence of issues you are trying to construct and the search for an answer to them.

Note: You cannot consider your client's case without considering the likely opposing case, i.e. possible defences that may be raised and evidences likely to be produced. This gives you additional issues to be addressed.

Stage 5: Look at the Case as a Whole
- See how everything hangs together and where each question leads.
- This gives you hints of where your reasoning will lead.
- Try to see if there is any gap in the information and evidence available to you. If there is the need, make request for additional material if required.

Stage 6: Answer All the Questions
- Every question in your sequence of issues must now be answered.
- The answer may not yet be clear, it may be determined by a court, but nevertheless you can give your answer (You do this by forming opinion)
- Make sure that your answer is clear that there can be no real doubt and only one answer in law.
- Most of the issues will not be able to be answered in a definite way. There are can be no conclusion of certainty on question of fact. Rather, you will have to reach a conclusion of uncertainty, where you exercise your *judgement* to form an *opinion.*
- You may have to exercise your judgement to form an opinion of law or fact, questions of mixed law and fact, or all three.
- Your research into the law may have provided a clear legal answer to and question of law.
- More likely you will have to form an opinion on the law itself, or its applicability to the facts of the case.
- Here use your power of inference to assess here again the likely case for the other side because the mere fact that you instructing authority have a good does not mean it will succeed.

Stage 7: Consider your Advice
- Present the instructing authority/client with the practical steps that you advise your client to take
- Are your advices logical, practicable and reasonable?

The necessary guidelines given in the first part of this discourse will be relevant in writing the final opinion.

6. Conclusion

This paper has provided an overview of the basic skills required in the general legal and opinion writing. The primary objective of the paper is to sensitise legal and opinion writers of the need to adhere to the basic or fundamental qualities of great legal and opinion writing; clarity, conciseness, elegance, and completeness. This paper has also examined the basic skills of good legal and opinion writing skills and emphasised why these skills are essential and to be incorporated in the preparation of legal documents and opinion writing.

An additional concern addressed in this paper is the need for legal and opinion writers to take into consideration appropriate choice of words or language, uses of tenses or tenses structure, punctuation marks, and proof reading of drafts. In conclusion, acquiring the basic skills in general legal and opinion writing is imperative towards achieving the objective of legal and opinion writing; i.e. effective communication of ideas, advice, and legal position.

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Pre-Reading Activities in Facilitation of Efficient Reading Among English Language Students in Adamawa State, Nigeria.

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Abstract. The aim of this study is to examine the pre-reading activities in facilitation of efficient reading among English Language students in tertiary institutions of Adamawa state; with regard to reading comprehension. This research determined that teachers who activated students' prior knowledge before reading enhanced their students' comprehension. The research questions include: 1) what role do the pre-reading activities play in reading comprehension; 2) to what extent are the pre-reading activities utilised/not utilised in reading comprehension tasks; 3) what are evidence to prove that there are improvements in the levels of comprehension when some of the pre-reading activities are incorporated in teaching reading comprehension; 4) what are the deserved approach to be used in curtailing heavy casualties among students during reading comprehension exercise. The data were collected from 90 English language students in the two selected schools, including a questionnaire about the students' perception of pre-reading activities and its significance in the teaching /learning of reading comprehension. Both qualitative and quantitative analyses were used for clear explanation on the theme. The findings indicate that nearly all respondents felt that pre-reading activities have a role in reading comprehension exercise; four-fifths of respondents are of the opinion that pre-reading activities plays a role in utilisation of reading comprehension; again three quarters of respondents believe that there are improvements in the levels of comprehension when some pre-reading activities were in cooperated in teaching reading comprehension; lastly eighty percent of respondents saw the SQR3 method of teaching reading as the best approach so far in teaching reading comprehension. Teachers' implications include knowing the pre-reading strategy that will be the most efficient and knowing the text for students to successfully comprehend the provided text.

Keywords: pre-reading activities, pre-reading strategy, efficient reading.

1. Introduction

Reading well is a skill and, like any skill, it wanes and flourishes, depending upon how actively you practice it. Increasing your eye span, and thereby your absorption rate, will improve your comprehension and make the act more meaningful and enjoyable. Reading is a lifelong skill to be used both at school and throughout life.

Many comprehension strategies are significant for students to learn and use before, during, and after reading. Before students read a book, it is imperative for teachers to activate their prior knowledge to help them connect the information to their new found knowledge. There are various methods for teachers to activate students' prior knowledge. Beers (2003) found that, "most teachers were introducing stories...by telling students something about the text" (p. 73).

Though it is vital that teachers give information about the text, activating students' prior

knowledge to increase their comprehension is more than giving them a short summary. Students need to be engaged and associate the information to their schema. It is evident that comprehension is a reading process, however struggling readers tend to rely on comprehension as answering questions correctly after reading the text (Beers, 2003). It is important for teachers to enforce that pre-reading strategies will help students understand the information and engage them in reading.

Teachers recognize that comprehension is vital to reading. This topic will benefit teachers by providing the importance of activating and engaging students before reading. Students who are not able to connect to the topic before reading will have no previous knowledge and therefore be unable to comprehend the book at the same level as students who's prior knowledge is activated. Without this research, teachers will be less likely to give students appropriate connections prior to reading the topic of the book and students will not comprehend the information to their fullest potential.
For the past decades, some English students especially from northern Nigeria find it challenging to read efficiently out of a written discourse text. This obstacle is associated with lack of proper skills of pre- reading activities; right from the onset among other reasons.

Pre- reading encompasses all of the things that you do, before you start reading, to increase your capacity to understand the material.

2. Literature Review

Pre- reading is the process of skimming a text to locate key ideas before carefully reading a text (or a chapter of a text) from start to finish. Also called previewing or surveying.
Pre reading provides an overview that can increase reading speed and efficiency. Pre reading typically involves looking at (and thinking about) titles,
chapter introductions, summaries, headings,
subheadings, study questions, and conclusions. (Alan Jacobs 2011). To be successful today, it not only becomes necessary to skim, but it becomes essential to skim well.

Michael Austin, (2007) Lamented that, Pre-reading encompasses all of the things that you do, before you start reading, to increase your capacity to understand the material. In many cases, taking just a few minutes to learn more about what you are about to read can dramatically increase your reading comprehension and retention. . . .
If you build the big picture before you start, you begin reading the text with a conceptual framework already in place. Then, when you encounter a new detail or a new bit of evidence in your reading, your mind will know what to do with it.

HOTS. (2013). posits that: "Pre-reading activities motivate the students and encourage involvement in the topic and theme of the text". A Pre-reading Activity should start off your unit of literature whenever it is appropriate to do so.

Dees jared (2010) One way to help improve comprehension during reading is to prepare students ahead of time. With some prior knowledge about what they will read, understanding is sure to increase. In essence what these activities do is create some prior knowledge that students can activate as they are reading. We naturally understand better when we know something about what we are reading, even if it is a small amount.

Danny B and Timothy R, (2008) postulates that:" Pre-reading strategies allow students to think about what they already know about a given topic and predict what they will read or hear". Before students read any text, teachers can direct their attention to how a text is organized, teach unfamiliar vocabulary or other concepts, search for the main idea, and provide students with a purpose for reading or listening. Most importantly, teachers can use pre-reading strategies to increase students' interest in a text."

Activating students' prior knowledge before reading will allow students to become engaged with the book and that will lead to student comprehension.

Heath (1982) argues that the means of making sense from books and relating their contents to knowledge about the real world is acquired rather than learned depending on the child's cultural background. Different communities use language and literacy differently and are based on cultural ways of knowing. The ways we use and learn language in our home and communities have implications for school success. Teachers need to recognize the differences and build on what students bring rather than seeing them as deficits.

Walch (2003) argued that: "Pre-reading includes four steps: Preview, Predict, Prior Knowledge, and Purpose. These steps are called the '4 Ps.' "Previewing is taking a quick look at a reading before trying to understand the whole thing. . . "(In predicting, you) look at clues from what you read, see, or already know to figure out what information you are likely to get from the reading. . . . "Prior knowledge is what you know about a subject before you begin a new reading about it. . ."The fourth 'P' in pre reading is purpose. . . . Figuring out an author's purpose will help you understand what you read."
Pre-reading activities help students prepare for the reading activity by activating the relevant schemata and motivating them to read. Pre-reading activities can also help learners anticipate the topic, vocabulary and possibly important grammar structures in the texts.

Dees Jared (2010) postulates that: "efficient reading is being able to read and understand the text". The understanding of the text context is paramount to the reader; before, during and after the reading exercise. This will enable him/her to infer meaning out of the written discourse effectively. This implies that, efficient reading is about reading in a way that allows you to understand the writer's message without spending too much time in the process. It's also about reading with a clear purpose in mind so that you only read material that is relevant.

3. Objectives

The objectives of this study include:

- Determine the role of pre-reading activities in reading comprehension.
- Survey the extent to which pre-reading strategies are utilized/not utilized in reading comprehension tasks.
- Prove that there are improvements in levels of comprehension when some of the pre-reading activities are incorporated in teaching comprehension.
- To give suggestions on the deserved approach to be used in curtailing heavy casualties among students during reading comprehension exercise.

4. Research Questions

This study aims at answering the following questions:

- What role do pre-reading activities play in reading comprehension?
- To what extent are pre-reading strategies utilized/not utilized in reading comprehension tasks?
- What are the evidences to prove that there are improvements in levels of comprehension, when some of the pre-reading activities are incorporated in teaching reading comprehension?
- What suggestions will be giving on the deserved approach to be used in curtailing heavy casualties among students during reading comprehension exercise?

5. Methodology and Population

Observation and questionnaire were the main instruments in collecting data for the study. The teachers exposed the students to both familiar and unfamiliar text, then observed how they interacted with it. After that, the students were divided into controlled and non-controlled group; the controlled were taught on the basis of SQR3 method of teaching reading. The questionnaire was structured and consisted of thirty questions. The respondents were to limit their responses to the options provided for teachers of English language in the two tertiary institutions of Adamawa state. Two hundred copies of the questionnaire were distributed to a random sample in the selected schools.

6. Procedure

The questionnaire was administered during the second semester of 2015/2016 session. The administration was done by the researchers with the assistance of other colleagues of each school. Out of 120 copies of the questionnaire distributed 90 were filled and returned. This represents a return rate of 75 percent. The completed questionnaire were analysed using frequency count and percentages.

7. Results and Discussion

Table 1: Gender

Sex	Frequency	Percentage
Male	36	40
Female	54	60
TOTAL	90	100

Sixty percent of respondents were female, and the rest male.

Table 2: Age Distribution

20-25	10	12
26-30	14	16
31-35	18	20
36-40	29	32
41-45	14	16
46-50	5	4
Total	90	100

About one-third of the respondents are between the ages of 36 and 40 years, with another fifth between 31 and 35, and the remainder distributed among other age groups.

TABLE 3: Educational qualification

Qualification	Frequency	Percentage
H.N.D	18	20
B.A/ARTS	36	40
B.SC./ BED	26	28
MSC./ MED	10	12
TOTAL	90	100

While 40 percent of respondents possess B.A/ARTS, another 28 percent possess B.Sc. or B. Ed., while a smaller number have H.N.D and M.Sc/MED certificate.

Research Question 1: What role do pre-reading activities played in reading comprehension in tertiary institutions?

TABLE 4: Pre-reading Roles in Promoting Reading Comprehension.

Option	Frequency	Percentage
Yes	80	88
No	10	12
TOTAL	90	100

Unsurprisingly, nearly all respondents felt that pre-reading activities have a role in reading comprehension exercise. This concord with the view of Alan, J. (2011).Which explains that pre-reading is the process of skimming a text to locate key ideas before carefully reading a text (or a chapter of a text) from start to finish. Also called previewing or surveying.

Pre reading provides an overview that can increase reading speed and efficiency. Pre reading typically involves looking at (and thinking about) titles, chapter introductions, summaries, headings, subheadings, study questions, and conclusions.

Research Question 2: To what extent are pre-reading utilised/not utilised in reading comprehension tasks?

Table 5: The Utilisation of Pre-reading strategies in Promoting Reading Comprehension Task.

Option of the Respondents	Frequency	Percentage
Yes	69	76
No	21	24
TOTAL	90	100

Nearly four-fifths of respondents are of the opinion that pre-reading activities plays a role in utilisation of reading comprehension. This finding is in line with those of Danny,B. e tal (2008) which argued that **pre reading** strategies allow students to think about what they already know about a given topic and predict what they will read or hear.

Research Question 3: What are the evidence to prove that, there are improvements in the levels of comprehension when some pre-reading

activities were in cooperated in teaching reading comprehension?

Table 6: Improvement in Comprehension with Pre-Reading Activities

Respondents	Frequency	Percentage
Yes	65	72
No	25	28
TOTAL	90	100

Nearly three quarters of respondents believe that there are improvements in the levels of comprehension when some pre-reading activities were in cooperated in teaching reading comprehension. This finding corroborates the work of Danny, B. e tal (2008) which says it Begin by having students identify their purpose for reading. Then, lead students in generating a list of pre reading questions that will help them to achieve their purpose.

Research Question 4: What suggestions will be given on the deserved approach to be used in curtailing casualties among students reading comprehension exercise?

TABLE 7: Deserved Approach in Reading Comprehension Exercise.

Option	Frequency	Percentage
Yes	72	80
No	18	20
TOTAL	90	100

Eighty percent of respondents saw the SQR3 method of teaching reading as the best approach so far in teaching reading comprehension. This finding corroborates

8. Conclusion and Recommendations

Reading is indispensable to second learners of English language in tertiary institutions of Adamawa state. With the appropriate reading materials, pre-reading activities and strategies, and appropriate method of teaching reading comprehension, will help produce students who perform well in all subjects. The utilisation of pre-reading activities in reading comprehension levels have major roles to play in the education of students in tertiary institutions, especially on English as a school subject. Eighty-eight percent of respondent felt that the SQR3 method of teaching reading is the best approach so far in teaching reading comprehension

To promote reading skills via the inclusion of pre-reading activities and strategies, so as to enhance effective comprehension of learning materials at hand among Nigerian students of tertiary institutions, the following recommendations are made:
Teachers must acknowledge significance of pre-reading activities and must plan an effective programme of reading instruction with a focus on promoting reading comprehension among students in their schools.

School authorities should ensure that, second language teachers utilised the pre-reading strategies during teaching reading comprehension tasks. So as to expose the students to various strategies that will help them overcome difficulties in life.

The improvement in the levels of comprehension of the students is imperative when some of the pre- reading strategies are included in the planned approach by the instructor. However the above can be achieved only if the exercise is done as a teacher-student centred method. By that a lot of casualties will be minimised from the students' part in respect to comprehension.

Most programs of study require students to read substantial quantities of material. Mastering an effective reading technique is one of the greatest challenges to students at all levels. No single style of reading works equally well for everyone, and no single style of reading suits all material. Reading a textbook for detailed information is not like reading a novel for pleasure; the two tasks must be approached differently. Above all, there are no shortcuts.

Nevertheless, there are steps that can help students read more efficiently. One of the first modern reading systems remains the best known: Francis P. Robinson's "SQR3 system: Survey .Question .Read .Recite**.** Review.

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