The Nigerian Legal System — Foundations

Volume I of the Nigerian Legal System teaching books

A TEACHING VERSION

Prepared for

VANGUARD SOLICITORS

Barristers' Chamber · Makurdi · Nigeria

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Imprint

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This volume is an original house teaching book, prepared for **Vanguard Solicitors**, a barristers' chamber in Makurdi, Nigeria. It teaches the law in general words, at the world standard, and it is **educational material, not legal advice**. No textbook in copyright is copied, and no code or constitution is reproduced wholesale: principles are taught, authorities are named only where verifiable, and everything is said in the book's own teaching words.

Authorities named in this book include the Constitution of the Federal Republic of Nigeria 1999 (as amended), the Legal Practitioners Act, the Evidence Act 2011, and the Arbitration and Mediation Act 2023 — named by name; the reader who needs the law itself must read those instruments in their official texts.

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The measure of this book is the world standard; local law is honoured as local fact where it is named.

The Place — Nigeria

Nigeria is a federation of thirty-six states and the Federal Capital Territory, Abuja, on the Gulf of Guinea in West Africa. Its law is the subject of this book; its map stands here so the reader always knows the ground the law governs. Makurdi, where the chambers stand, is marked beside Abuja, the federal capital.



Map of Nigeria — drawn by the house from public-domain Natural Earth boundary data. Abuja and Makurdi are marked at their positions; the map is a geographic outline, not a survey.

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Chapter 1

One Country, One Constitution

Nigeria is a federation: a union of thirty-six states and the Federal Capital Territory, Abuja, governed under one written Constitution — the Constitution of the Federal Republic of Nigeria 1999, as amended. The Constitution is not one law among many. By its own first section it is supreme, and any other law that contradicts it is void to the extent of the contradiction. Every court, every legislature, every official in Nigeria works under it, and the first question in any Nigerian legal problem is therefore a constitutional question: what does the Constitution permit, require, or forbid here?

The Constitution divides the work of government among three arms. Legislative power — the power to make laws — is vested in the National Assembly for the federation and in a House of Assembly for each state. Executive power is vested in the President for the federation and in a Governor for each state. Judicial power — the power to decide disputes according to law — is vested in the courts the Constitution establishes. No arm may lawfully do the work of another, and the courts exist, in part, to say so when one tries.

Below the states stand the local governments — the third tier, closest to daily life, listed in the Constitution itself. The federation is thus built in three storeys: federal, state, and local. A lawyer who does not know which storey a question belongs to will knock on the wrong door, however well he argues once inside.

The Constitution also carries two chapters every citizen should know exist. Chapter II states the Fundamental Objectives and Directive Principles of State Policy — the nation's promises about its economy, education, and welfare; these guide government but, as the

Constitution itself provides, are not by themselves enforceable in court. Chapter IV states the Fundamental Rights — life, dignity, liberty, fair hearing, expression, and the rest — and these are enforceable: a person whose right is threatened may go to a High Court and ask for redress. The difference between a promise and a right is one of the first things this book teaches you to see.

Worked example

A state government passes a law that punishes speech the Constitution protects. A trader, fined under the law, comes to chambers. The teaching answer is not first about the fine but about the order of laws: the Constitution stands above the state law; if the state law contradicts the protected right in Chapter IV, a court may declare it void to that extent. The lawyer's first tool is not argument — it is hierarchy.

Chapter summary

Nigeria is a federation of thirty-six states and the Federal Capital Territory under one supreme written Constitution. Government is divided among legislative, executive, and judicial arms at federal and state levels, with local government as the third tier. Chapter II of the Constitution guides but does not bind the courts; Chapter IV's fundamental rights bind and can be enforced.

Discussion questions

1. What does it mean, in practice, that the Constitution is supreme over every other law?

2. Why does the Constitution divide power among three arms instead of gathering it in one?

3. What is the difference between the promises of Chapter II and the rights of Chapter IV, and why does it matter to a client?