E-ISSN: 1115 - 8425 P-ISSN: 3027-012X
MPRI-JAEE | INTERNATIONAL JOURNAL OF ASSESSMENT & EVALUATION IN EDU.
VOL. 08 NO. 8 – APRIL. 2025

THE IMPORTANCE OF EDUCATION AS A TOOL TO BREAK THE LINK BETWEEN IMMUNITY CLAUSE AND BAD GOVERNANCE IN NIGERIA

DR. OBI, ALFRED IDIBHAR; & DR. ZIPREBO, TONYE

Department of Educational Foundations, Niger Delta University, Wilberforce Island, Bayelsa State.
Corresponding Author: ziprebofa@gmail.com
DOI: https://doi.org/10.70382/mejaee.v8i8.034

Abstract

This study examine the importance of education as a tool to break the link between immunity clause and bad governance in Nigeria. Immunity clause is the power that exempt political leaders such as president, vice president, governors, and their deputies from litigation in order to avoid distraction and ensure good governance. Good governance requires the application of rule of law, citizen's participation, accountability and transparency among others. However, findings indicates that there is a sharp deviation from political office holders. Sovereign immunity has become a citadel and cesspool of corruption by most political leaders amidst unemployment, poverty, insecurity, and lack of adequate social amenities. It adopt analytical descriptive approach to guide the study. Secondary sources of data [redacted] were used. Power Elite theory was employed as the theoretical framework. It was recommended that our social institutions should be strengthen with a view to ensure good governance, corrupt political leaders found guilty should be punished accordingly. Others are any governor or former governor who seek court order to restrain criminal

Key words:
Immunity Clause,
Governance,
Education,
Corruption &
Transparency.

EDITOR-IN-CHIEF
Prof. A.I. Mteiye [MALAWI]

prosecution should not be granted, Political leaders should be impersonal and eschew primordial sentiments and considerations in making policies and citing developmental projects. Finally, political leaders should borrow a leaf from the donor agencies and use good governance target as yardstick to measure their performance and achievement in office.

Introduction

The founders of democracy convinced the world that it is the best form of government which is universally practice due to its numerous political favor that it grants to society such as accountability, transparency, constitutionalism, and masses-oriented structures. Democratic rule is expected to foster and facilitate processes that will make the leaders accountable to the governed most appropriately, hence the introduction of sovereign immunity, (Usman, 2022).

The doctrine of immunity clause is of immemorial antiquity. The exact origin of the concept has been a nebulous long-term debate. Nevertheless, it is a prominent purview among the legal historians that immunity clause or sovereign immunity stemmed from the English common law system. This anachronous principle is established on rex non potest peccare maxim (the king can do no wrong). The body solely responsible for law-making and adjudication was the king or his representatives. The king was the most superior being and therefore exempted from legal proceedings, obligations and liability which might occur while discharging some onuses singlehandedly or by proxy (Chiwuokem, 2020; Noack, 2018).

Historically, Nigeria attained her political liberty as a sovereign state under the 1960 independence constitution. In this light, the second phrase of her constitutional development began. There were vestiges of colonial blueprints in the 1960 independence constitution. Despite that the 1963 republican constitution granted full political autonomy to the country, numerous colonially induced master plans were retained and incorporated into the 1963 republican constitution likewise the subsequent constitutional amendments. The colonialists maintained outright dominance with the legislation of draconian and repressive laws such as Seditious Offences Ordinance, Immunity Clause, etc. So far, the post-independence constitutional amendments have been shielding the Nigerian

EDITOR-IN-CHIEF
Prof. A.I. Mteiye [MALAWI]

political elite from proper accountability. The constitutions enacted and promulgated by both the civilian and military administrators respectively hampered the combative tones of average Nigerians against unfavorable and tyrannical policy of government, (Ifeanyi, Ojukwu & Nnamani, 2019; Abegunde & Akinluyi, 2017).

Iredia (2024) posit that plethora of Nigerian scholars have agreed that a major problem of this nation is that the constitution of the federal republic of Nigeria 1999 was not freely authored by the people. Rather, it was imposed by the military which had cause at certain periods of history intervened in the politics of the country. According to Olugbenga (2012) many political pundits argued that some sections of the Constitution were hurriedly, carelessly, and arbitrarily included without a deep thought of what may transpire in future. For this reason, a number of provisions in the constitution have hinder the smooth running of governmental activities and political development of the country. This becomes unacceptable to some Nigerians presently as some members of the federal House of Representatives are clamoring for removal of immunity clause.

Conceptual Review

The concept of immunity clause refers to a constitutional provision which exempts certain political office-holders from any civil or criminal proceedings while they are in office. Those who enjoy such immunity in Nigeria are the president and his vice as well as state governors and their deputies – a list that is clearly explicit. Among other things, Section 308 of the Nigerian constitution provides that 'a person to whom the section applies shall not be arrested or imprisoned during that period either in pursuance of the process of any court or otherwise; adding that no process of any court requiring or compelling the appearance of a person to whom this section applies, shall be applied for or issued. ' From several articles in learned journals, and even newspapers, it is obvious that many Nigerians deprecate the blanket freedom given to the affected political leaders. With particular reference to the 1999 Constitution, (FRN 1999) the provisions are as follows:

Section 308 Subsection (1):

Notwithstanding anything to the contrary in this Constitution but subject to Subsection (2) of this Section ;

a. no civil or criminal proceedings shall be instituted or continued against a person to whom this section applies during his period of office;

EDITOR-IN-CHIEF
Prof. A.I. Mteiye [MALAWI]

b. a person to whom this section applies shall not be arrested or imprisoned during that period either in pursuance of the process of any court or otherwise; and
c. no process of any court requiring or compelling the appearance of a person to whom this section applies, shall be applied for or issued:

Provided that in ascertaining whether any period of limitation has expired for the purposes of any proceedings against a person to whom this section applies, no account shall be taken of his period of office.

Subsection 2
The provisions of Subsection (1) of this Section shall not apply to civil proceedings against a person to whom this Section applies in his official capacity or to civil or criminal proceedings in which such a person is only a nominal party.

Subsection 3
This section applies to a person holding the office of President or Vice President, Governor or Deputy Governor; and the reference in this section to "period of office" is a reference to the period during which the person holding such office is required to perform the functions of the office.

The Rationale for Immunity Clause in Nigerian Constitution
Several reasons had been advocated for the inclusion of immunity clause in Nigeria constitution. The fundamental purpose of enshrining immunity clause under Section 308 of the 1999 constitution as amended, was elucidated by the Supreme Court in the case of Bola Tinubu vs. IMB Securities Plc (2001) "The immunity clause is meant to provide a shield for the person of the President, Vice President, Governor or Deputy Governor from frivolous or vexatious litigation in respect of personal or criminal proceedings that would distract him from the serious business of governance." (Falana 2020). Maduka & Obi (2024) stated that the immunity clause is to allow incumbents to perform their official duties without distractions from litigation. The immunity protects the dignity of the office rather than the individual. If a legal action, civil or criminal, was initiated before the individual assumed office, the action is usually halted upon their assumption of office. Okeke (2019) identified three essence for immunity clause such as governance and preserving the dignity of the office of the immune-executive;

EDITOR-IN-CHIEF
Prof. A.I. Mteiye [MALAWI]

Governance: This is the strongest point of the protagonists of this school, which is that the executive immunity prevents anarchy and leads to enhanced peaceful environment for governance. This is because it reduces distractions from governance especially by opposing political rivals seeking to ensure that the incumbent government fails.

Preserving the dignity of the office of the immune-executive: The clause helps to starve off possible indignities that may be thrown at the immune executives, since they hold the office in trust for the people. This is because it reduces the incidence of indictment of chief executives, which may have a rippled effect of diminishing the respect accorded to the office. The protagonists of this school further argued that few instances showcasing the abuse of the immunity clause is not sufficient ground to strip other public officials of the immunity granted them. They further stated that the immunity clause also prevents overzealous chief executives from using the instrumentality of the court to replace their deputies, when there is a fall-out.

Guarantee to the tenure of office of the immune executives: per executive immunity from civil and/or criminal proceedings, there is the likelihood that no vacuum will be created in their respective offices because of litigation. This has therefore helped to prevent frequent bye-elections which may have been needed, if the office of the chief executives become vacant from time to time, if the immunity clause is removed.

However, this purpose has been manipulated to promote injustice, impunity, corruption, rape of democracy, and embezzlement of public funds. The crime committed by various Nigerian governments since independence is immeasurable. Both the military and civilian governments have successfully organized extra judicial killings, genocide, illegal importation of arms, sponsoring militant groups and other grievous offenses against countless and defenseless Nigerians without facing trials.

Abuse of Immunity Clause in Nigeria

The immunity clause in the 1999 Constitution insulates the president and governors from distractions while in office. However, it is fast becoming a leeway for impunity and a fortress from the long arm of the law, raising concerns among Nigerians, (Olatunji, 2024). Nigerian presidents, governors and their deputies are protected against police arrest or prosecution in court when they are in office. The

essence is to avoid distraction so they can concentrate on governance instead of exposing their actions in office to litigation. The drafters of the 1999 Constitution believe that chief executive officers of the states deserve protection and peace of mind to be focused on the serious business of delivering dividends of democracy to the people.

Since return to civilian rule in Nigeria in 1999, shocking revelations emerged of corruption scandals involving many political office holders. The EFCC was established to handle financial crimes such as looting, advance fee fraud, money laundering, misappropriation of public funds and other related issues. From 1999 to 2007 alone, an investigation disclosed that about forty-four (44) state governors were investigated by EFCC on different corruption allegations scandals some looting of the public treasury, diversion of contracts and personal enrichment, misappropriation, money laundering and abuse of office. The investigation further reported that only eight (8) governors within the said period recorded a clean health bill of a corruption scandal. From 2007 to 2018, another crop or set of governors investigated on corruption allegations by EFCC reached over thirty in number (Chioma, 2018; Usman, 2020). All the involved state governors were comfortably protected by immunity despite their atrocities in office. In some instances, governors were accused of looting money worth hundreds of billions from their states amidst poverty, insecurity, unemployment and declining infrastructures and services (Falana, 2020). The immunity clause is seen as an official backup to corruption and corrupt practices in Nigerian law (Falana, 2020). Executive immunity has therefore become a clog in the economic and political development of Nigeria which has led to the clamor for its removal. In Nigeria, many Chief Executives were able to rig elections and promote their supporters during elections which they are able to do because of their Immunity.

Odoeme, (2025) asserts that immune executives have used the liberty granted under the executive immunity as the bane for injustice and corruption. For example, Godswill Akpabio, a former Governor of Akwa Ibom State, former minister of Niger Delta Affairs and a current serving senator who double as Senate President, was under investigation for alleged embezzlement of N108 billion during his tenure as governor of Akwa Ibom State from 2007-2015. He has not been prosecuted and his case is still pending before the EFCC. Also, Rotimi Amaechi, former Governor of Rivers State and Minister of Transportation, was indicted by the Justice George Omeregi-led Rivers State Judicial Commission of Inquiry set up

to investigate the sale of state assets. He and others were accused of allegedly misappropriating N97 billion through the sale of the state valued assets. He has not been prosecuted. Abdullahi Ganduje, a former governor of Kano State and current National Chairman of All Progressives Congress APC, was caught on camera collecting bribes of large chunks of American dollars from an undisclosed associate, and rolling them into his babariga in the last quarter of 2018. He has not been prosecuted by the EFCC.

A more inexplicable example is that of Yahaya Bello former Kogi State governor who continued to enjoy immunity clause on behalf of his successor Usman Ododo is questionable. On April 17, 2024, men of the Economic and Financial Crimes Commission (EFCC) attempted to arrest Bello but was whisked away by the incumbent governor, (Iredia, 2024).

A similar scenario happened in 2017 in Ekiti State, when former Governor Ayodele Fayose prevented the operatives of the Department of State Services (DSS) from arresting the founder of The Omega Fire Ministries Worldwide, Apostle Johnson Suleiman, in Ado Ekiti was alleged to have preached against Islamizing Nigeria and asked members of his church in Auchi, Edo State to resist killings by suspected Fulani herdsmen. In the same vein in 2020, former Governor Nyesom Wike of Rivers State stopped security operatives from arresting a former Acting Managing Director of the Niger Delta Development Commission (NDDC), Joy Nunieh, for failing to appear before a House of Representatives panel probing the alleged fraud at NDDC.

This bastard political act is an open invitation to wanton violation and trampling under foot of the fundamental human rights of Nigerian citizens and leads to self-aggrandizement and unhealthy self-enrichment drives, which is the bane of our leadership. This creates an atmosphere under which they could, and do wreak havoc on the economy, social fabric and political health of the country with wanton indiscretion.

However, immunity for the president or governors is not forever. If the immunity of state governors is being abused, whoever is affected, in such issue should collate facts and after the four or eight years of the sitting governor, he/she should be prosecuted. It would be wrong to give the impression that there is no limit to the privileges of the executives because it is specifically stated in the immunity clause. The position of the law is that the privilege ends at the end of their tenure; after which they are liable for any criminal activities they had engaged in while in office.

EDITOR-IN-CHIEF
Prof. A.I. Mteiye [MALAWI]

Bad Governance

Bad governance is government's incapacity to manage public affairs and resources, as well as a government's failure to meet societal requirements while making the best use of all available resources (Jega, 2021). Kobani and Mba (2022) asserts that bad governance is being increasingly regarded as one of the root causes of all evil within our societies. Bad governance is the opposite of good governance. It is the failure to govern competently, effectively and proficiently. Any leadership that is devoid of transparency, accountability, credibility, justice, selflessness, and fair play is a bad leadership (Mukhtar et al., 2017). Government's main function is to protect lives and properties of its citizens by providing water, electricity, good road network, standard education and general infrastructure; many governments due to bad governance had drifted away from this purpose to pursue other selfish desires. This had worsened the security challenges in the society (Onwuatuegwu, 2020).

Lack of accountability and transparency, interference with the rule of law, and corruption are all characteristics of "bad governance" (Fourie & Jordan, 2017). The indicators of good governance according to the UNDP (2016) are "participation, rule of law, transparency, responsiveness, consensus oriented, equity and inclusiveness, effectiveness and efficiency, and accountability". In the Transparency International, Corruption Perception Index, Nigeria ranked 154 out of 180 countries scoring 24 out of 100 points (Ekundayo,2017). The interference and disregard for the rule of law has also continued to pose grave danger to the progress and development of the country. The Rule of Law index compiled by the IMF (2022) ranked Nigeria 118th out of 140 countries worldwide with an overall score of 0.41. Regionally, Nigeria ranked 24th out of 34 countries and also 24th out of 38 countries on the income rank. The WJPs framework for rule of law covers eight factors, constraints on government powers, absence of corruption, open government, fundamental rights, order and security, regulatory enforcement, civil justice, and criminal justice.

Unemployment and Poverty: Unemployment has a severe negative implication on sustainable and national development in Nigeria (Madobi, 2021). It exacerbates inequalities and fuels a sense of resentment. The unemployed people are often more at risk of depression, anxiety and stress which occasionally lead to violence (Sarafa-Yusuf, 2022). According to the National Bureau of Statistics (2020), unemployment among young Nigerians (15-34 years) is the highest in the country,

EDITOR-IN-CHIEF
Prof. A.I. Mteiye [MALAWI]

with 21.72 million or 42.5 per cent of the 29.94 young Nigerians in the labour force unemployed while the national unemployment rate stood at 33.3 per cent as at Q4, December 2020. Unemployment leads to poverty which is also a threat to human existence. Nigeria is a country with a high level of multidimensional poverty, meaning that poverty is not just about income but also includes a lack of access to basic services and opportunities. According to the Multidimensional Poverty Index (MPI) released by the National Bureau of Statistics (2022), 63% of persons living within Nigeria (133 million people) are multidimensionality poor. 65% of the poor (86 million people) live in the North, while 35% (nearly 47 million) live in the South. The presence of poverty with attendant lack of food makes the poor to result in violence and other vices that impact negatively on the security of the country (Egbefo & Salihu, 2014). They come up with things that are not healthy for the society as they go into kidnapping, killing, terrorism and armed robbery to survive and this makes the value for human lives and properties to be threatened (Onwuatuegwu, 2020). These youths are vulnerable and lack the capacity and skills to sustainably engage in or finance enterprises (El-Rufai, 2021). Also, poverty and illiteracy contribute to insecurity. The unplanned population in the hands of families that cannot provide basic needs will exacerbate the insecurity in the society. The persistence of huge unemployment and lack of opportunities for meaningful sources of income create a pool of youths that can be recruited into criminal gangs including reinforcement to the terrorist groups.

Lack of Basic Amenities: Nigeria continues to contend with challenges of accountability, resource allocation, and service delivery, despite significant investments in education, health, and social sectors. These sectors are crucial for sustainable development, yet they suffer from inefficiencies, corruption, and a lack of transparency. According to UNICEF, over 10.5 million children are out of school in Nigeria, representing one of the highest rates in the world. Even with increased budget allocations, Nigeria's education sector faces significant challenges, including inadequate infrastructure, low teacher quality, and high school dropout rates, (Muhammed,2023)..

The healthcare system in Nigeria is plagued by issues such as poor funding, a shortage of medical personnel, brain drain, poor staff funding and inadequate facilities. The World Bank reports that Nigeria has one of the highest maternal mortality rates globally, with 814 deaths per 100,000 live births in 2020. Social programs aimed at reducing poverty and inequality often suffer from

mismanagement and lack of accountability. For instance, the NSEG report (2019) shows that the National Social Investment Program (NSIP) has faced criticism for inefficiencies and corruption, which undermine its effectiveness in alleviating poverty. The absence of clean water sources also affects public health and hygiene; waterborne diseases are quite common there. Moreover, the lack of health care facilities leaves the community vulnerable to disease outbreaks and medical emergencies, with the nearest health center located kilometers away.

Muhammed (2023) further asserts that education is another area in dire need of improvement in this country. Despite the importance of education in empowering individuals and driving societal progress, the absence of standard schools deprives youth of quality learning opportunities. Most school buildings are in dilapidated shape. Teachers are insufficient and poorly remunerated. Due to lack of housing and nature of environment, Teachers posted to the school barely report or go to work. Besides, schools need learning materials that will enhance quality teaching and learning. All these are not provided irrespective of increase budget for education and other social amenities by the governors.

Poor road network also define bad governance in Nigeria. A depressing and embarrassing phenomenon of our national development is poor and deplorable road network across the country. This has endangered many lives and properties in addition to dwindling our economic fortunes. As the world is moving rapidly with technology, Nigeria is living terribly with bad roads as a chronic disease sending many to their early and mass graves (Abdullahi, 2023).

Abdullahi (2023) posits that poor road network is a calculated ploy deployed by our political leaders that only the political elite, the business elite and the bureaucratic elite should travel by air for comfort and safety while the poor masses perish in the hands of the monstrous disaster roads. The bad roads are now exclusively meant for the poor, who die as a result of ghastly accidents and the survivors with fatal injuries. Our despicable reality of having more dilapidated roads is as a result of many factors. These include corruption, lack of government political will, inadequate maintenance of existing roads, poor design and construction, lack of drainage system to curb over flowing of water, the use of inferior or low quality materials amongst others.

Take a trip through different parts of the country by road, which is the largest means of transportation in Nigeria, the result is very pathetic. Out of the estimated 195,000 kilometer road network, only 60,000 kilometer network is believed to be

worthy of providing effective service. Our roads are characterized by potholes and cracks, depression road surface, failed shoulders, among others. The Lagos-Abeokuta road, Jalingo- Numan road, Enugu- Onitsha expressway, Aba- Port Harcourt expressway, Warri- Bayelsa- Port Harcourt link, and Maiduguri- Kano road are few examples and are all in shambles.

Erratic electricity is another picture of bad governance in Nigeria cause by abuse of immunity clause. The global index for electricity generation is one million people for 1,000 megawatts. The current population of Nigeria is over 200 million people battling for 5,000 megawatts of electricity. For us to meet the global index for electricity generation, we need to generate about 200,000 megawatts of electricity. For instance, South Africa with a population of 45 million people generates 50,000 megawatts. It is shameful that successive administrations have failed to provide reliable and efficient energy for the masses, (Oladele, 2024).

Electricity is critical to the operation of tertiary institutions and also fundamental to learning, industrialization and development. Today, the country is grappling with an erratic power supply which has now crippled the economy. Our national grid frequently collapses. According to the International Energy Agency, Nigeria's national grid collapsed 46 times between 2017 and 2023. The challenges of the power sector are numerous. They include but are not limited to corruption, lack of patriotism, lack of political will, obsolete equipment, lack of competent managerial skills and lack of funding. Corruption is one of the major challenges militating against regular power supply in Nigeria. Between 1999 and 2024, the Federal Government invested not less than N3tn in the power sector. Despite this huge amount, the power output has not surpassed 5,000 megawatts. This is as a result of corruption (Babalola, 2024).

Former President Muhammadu Buhari once said: "If we do not kill corruption, corruption will kill us." Another major challenge in the power sector is the recurrent vandalism of infrastructure across the power sector due to a lack of patriotism. In recent times, vandalism and equipment theft have been the leading causes of blackout in the country. Bandits and criminals have been found to vandalize the grid and electricity towers. The lack of political will on the part of the government is another militating factor.

The Role of Education

It is important to state that education had played a significant role in changing many societies. That immunity clause was well properly practice in developed

states is a function of the level of education of such nations. For instance, USA, Finland, Britain, Canada, France etc. Their leaders practice rule of law, respect human right, strengthen institutions, accountable and transparent in public affairs amongst others, (Rotberg, 2014). Suffice it to say that the concept of immunity clause negates the principle of equality before the law and to some extent supremacy of the constitution. It negates the principle of Equality before the law because it places public officers mentioned in section 308 of the constitution with higher and superior privileges other than the ordinary citizens of the country as practice in Nigeria.

Therefore, it is imperative to educate our society that immunity clause does not define the political potency of a president wife or governor's wife. Their wife should operate within the ambit of the law so as to enhance good governance. It is pertinent to note therefore that certain exceptions exists as to the issue of the concept of immunity clause. The immunity is a platform to enthrone rule of law, prudent public financial management, provision of infrastructures and social amenities.

Immunity is a veritable instrument to ensure peaceful conduct of elections and alternative change of government. When citizens and political leaders are properly inform of their respective roles, elections will always be devoid of rigging, thuggery, snatching of ballots box, vote buying and bribery which are mostly encouraged and promoted by governors in order to retain power. It is the umbrella that gives political leaders some measures of political peace that provide good governance to its people.

Theoretical Framework

The theoretical framework for this study is the power elite theory. It is a view held by many social scientists which holds that governance and politics is best understood through the generalization that nearly all political power is held by a relatively small and wealthy group of people sharing similar values and interests and mostly coming from relatively similar privileged backgrounds. Most of the top leaders in all or nearly all key sectors of society are seen as recruited from this same social group. Elite theorists emphasize the degree to which interlocking corporate and foundation directorates, old school ties and frequent social interaction tend to link together and facilitate coordination between the top leaders in business, government, civic organizations, educational and cultural

establishments and the mass media. This "power elite" can effectively dictate the main goals, if not always the practical means and details for all really important government policy making (as well as dominate the activities of the major mass media and educational/cultural organizations in society) by virtue of their control over the economic resources of the major business and financial organizations in the country (Almond 2000; Paul, 2024).

Their power is seen as based most fundamentally on their personal economic resources and especially on their positions within the top management of the big corporations, and does not really depend upon their ability to garner mass support through efforts to "represent" the interests of broader social groups. Elitist theoreticians differ somewhat among themselves on such questions as how open the power elite is to "new blood," the exact degree of agreement or disagreement that usually prevails within its ranks, and the degree of genuine concern (or lack thereof) for the broader public welfare that enters into their choices of public policy goals, but all such theorists broadly share the notion that it is these few thousand "movers and shakers" who really run the country and determine the basic directions of public policy, certainly not the manipulated and powerless masses of ordinary voters choosing among candidates at election time.

In Nigerian state, the elites or political class identify themselves as people who belong to a particular social group that must protect the interests of one another. Thus, apart from governors, bureaucratic elites view the actions and inactions of the president, vice president, governors and their deputies as a social and political norm that is admissible in our nation.

Conclusion

Immunity clause is unethical for Nigerian political system. All political leaders must be strictly held accountable for their brazen actions to resuscitate the country from wreckage. The National Assembly and the state Houses of Assembly have failed woefully in exercising their constitutional roles of curbing executive excess, rascality and gross misconducts. It was posited in the case of Gani Fawehinmi v. IGP (2002) 8 SCM 77 that "although a governor enjoys immunity from arrest and prosecution, he doesn't enjoy immunity from investigation." It is evident that the Inspector General of Police (IGP), the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices Commission (ICPC) which are empowered to investigate the persons conferred with immunity clause take

instructions from the Nigerian president. The institutions have failed to make giant strides in impartial investigations pending the time that the persons covered by immunity lose the clause.

In tandem with rising contemporary realities, the Nigerian judicial system has been debased utterly. The floating of court orders by the persons who are immune to legal suits is alarming. Judicial institution must be protected for democracy and good governance to thrive. Immunity clause at the detriment of judicial contempt nullifies the sanctity of the rule of law. Moreover, immunity clause is a sharp contrast against natural law and equity. All are equal before the law and the law must be equal to everyone. No individual should be privileged or discriminated against all extant laws. Also, "Justice delayed is justice denied." An injunction or a relief can be granted to prevent a travesty of justice in some peculiar cases. While the law recognizes an instant relief in certain peculiar legal suits, justice is raped if the defendant is protected from legal suits. Immunity clause greatly abhors corruption. The immunes have turned the national treasury into private pockets. Corruption hampers the country from progress. The fight against looting is exigent and should not be selective or obstructed under any excuse.

Recommendations

Based on the above analysis, the following recommendations were made;

1. The Nigerian social institutions must be strengthen with a view to ensure good governance.
2. Every corrupt political leader found guilty should be punished accordingly.
3. Any governor or former governor who seek court order to restrain criminal prosecution should not be granted.
4. Political leaders should be impersonal and eschew primordial sentiments and considerations in making policies and citing developmental projects
5. Political leaders should borrow a leaf from the donor agencies and use the good governance target as yardstick to measure their performance and achievement in office.
6. Immunity clause should be used to provide social amenities for the public.

Reference

Abdullahi, A. (2023 November, 16). Bad roads as death trap: The other face of Nigeria: Blueprint Newspapers Limited.

Abegunde, O., & Akinluyi, O. (2017). Invulnerability of the Chief Executive and Democratic Sustainability in Nigeria: Issues and Challenges. 17(1), 17-25.

Almond, G. (2000).The Substance of Politics: Wiley & Sons publications.

Asaduzzaman, M. & Virtanen, P. (2016). Governance Theories and Models. Springer International Publishing Switzerland.

Babalola, A.A.(2024). Executive immunity and good government (3): Tribune, P7.

Chiwuokem, S.I. (2020). The Concept of Immunity Clause: A Free Access To Corruption (A Need For The Review Of Sec. 308 Of The 1999 CFRN: Academic & activism legal Publications.

Egbefo, D. O. & Salihu, H. A. (2014). Internal security crisis in Nigeria: Causes, types, effects and solutions*: An International Journal of Arts and Humanities, 3*(4), 176-195.

Ekundayo, W. J (2017). Good Governance Theory and the Quest for Good Governance in Nigeria. International Journal of Humanities and Social Science 7,(5). 34-47.

El-Rufai, N. (2021, February 19). *Pulling back from the brink*. Remarks by the Governor of Kaduna State at the National Conversation; The Fierce Urgency of Now: Tactics and Strategies to Pull Nigeria from the Brink held in Lagos on Friday, 19th February.

Federal Government of Nigeria (1999): Constitution of the Federal Republic of Nigeria, Apapa: Federal Government Press.

Fourie, D & Jordan, J. (2017). Contextualizing the measurement of governance in public financial management. *Journal of Public Administration, 42(5), 35 – 45.*

Ifeanyi, O. M., Ojukwu, U., & Nnamani, D.O. (2019). The Implications of Immunity Clause and the Pollution of Excellency for Democratic Consolidation in Nigeria: *International Journal of Academic Management Science Research, 3(11), 14-24.*

International Monetary Fund (2022). Good Governance: The IMF's Role, August.

Iredia, T. (2024). Misuse of immunity clause in Nigeria: Vanguard P4.

Jega, A. M. (2021, March 13). Responsibilities of the state for a stable democratic polity in Nigeria. Challenges and prospects. A Paper Presented at a Public Lecture of the Sokoto State Branch of the Alumni Association of the National Institute (AANI).

Kobani, D. & Mba, R. A. (2022). Human resources management and good governance for challenges of insecurity in Nigeria. *Approaches in International Journals of Research Development, 13*(1), 14-24.

Madobi, M. Y. (2022, October 18). Insecurity, unemployment and the rest of us. Punch.

Maduka, E.A., & Obi, C. B.(2024). Immunity Clause in the Nigerian Constitution: *International Research Journal of Modernization in Engineering Technology and Science, 6(9), 45-57.*

Muhammed, S.I.(2023). Security and National Development in Contemporary Nigeria: Issues, Challenges and Prospect: *African Journal of Social and Behavioural Sciences, 13(1), 23-35.*

Mukhtar, J. I., Abdullahi, A. Ishaq, M. A. & Isyaku, S. M. (2017). Bad governance and insecurity in Nigeria. *International Journal of Trend in Scientific Research and Development*, 349-355.

Noack, R. (2018). How Other Western Democracies Prosecute Leaders Accused of Crimes; The *Washington Post.*

Odoeme, K. (2025 Wednesday, 26 March 2025). Bill to End Immunity for Vice President and Governors Passes Second Reading.

Okeke, C. (2019). Constitutional Review and the Immunity Clause in Nigeria: *Journal of Constitutional Studies, 14(1), 1-20.*

Oladele, O. (2024, July 31st). Approaches for addressing erratic power supply: Punch p8.

Olatunji, K.(2024, 13 May). When governors' immunity becomes license for impunity, abuse: Guardian Newspaper.

Olugbenga, O.E. (2012). The Significance of the Immunity Clause for Democratic Consolidation in Nigeria. *Journal of African Law, 6(2), 89-102.*

Onwuatuegwu, I. N. (2020). Persistent insecurity in Nigeria: Need for respect for human life. *International Journal of Innovative Research & Development*, 9(4), 142-146.

Paul, M. J. (2024). A Glossary of Political Economy Terms :Princeton.

Rotberg, R.I. (2014). Good Governance Means Performance and Results, Governance, xxviii, 1-8.

Sarafa-Yusuf, M. (2022, April 6). Nexus between unemployment and insecurity. Tribune. https://tribuneonlineng.com/nexus-between-unemployment-and-insecurity/.

UNDP (2016). Governance for Sustainable Development; Integrating Governance in the Post- 2017 Development Framework. Discussion paper. http://www.undp.org/content/dam/undp/library/Democratic%20Governance/Discussion-Paper--Governance-for-Sustainable-Development.pdf.

Ussman,S,(2022). Executive Immunity Clause and its Effects on the fight Against Corruption in Nigeria: *African Social sciences and Humanities Journal, 3(4), 7-19.*