NWAMKPO OBUM FRANKLYN

IRD - 19/SMS09/049

POL 104 ASSIGNMENT

TERM PAPER

 Constitutionally, Nigeria is presently governed by the 1999 Constitution but recent political happenings in the country show we are not governed by any law. Consider this. In pre-independence period, there were many constitutions used to rule over us by colonial masters. The Richard’s Constitution came into force in 1946 and was suspended in 1950 while the McPherson Constitution and Lyttleton Constitution were operated between 1950 and 1954 respectively. And then, enter the post-inFrom the above, it is clear that the role of the constitution in governance and democracy cannot be overemphasised. It is a legal book that states how a given nation should be governed. Therefore, the court, which is seen as the last hope of the common man, should adjudicate on infringement on these letters in our statutory book. The Nigerian constitution has so many loopholes which need proper attention and fixing. Some of this loopholes are

UNDER AGE MARRIAGE
 The Nigerian Constitution does not establish a minimum age of marriage. The Child Rights Act, which was passed in 2003, sets the age of marriage at 18 years-old. However, only 23 states of the 36 Nigeria states have begin to taken steps to implement the minimum age of marriage.
 Child Marriage in Nigeria, 43% of girls are married off before the age of 18, while the other 17% are married before they turn 15, which makes us the 11th highest nation in the world for number of child marriage.Data shows a 9% decline in the prevalence of child marriage compared to 2003.These figures are higher in the northeast and northwest, where nearly 3 out of 4 girls are married before becoming 18-years-old.Married girls are often pressured into early and repeated pregnancies.

OFFICAL IMPUNITY

 Last October, the Speaker of the House of Representatives defected from the ruling Peoples Democratic Party (PDP) to the opposition All Progressives Congress (APC). This development once again indicates a loophole in our constitution. Section 68 (g) of the 1999 Constitution is clear on the fate of a member of the Senate or House of Reps who decamps from one party to another. Such member loses his seat by implication. Therefore, the 1999 Constitution must be thoroughly reviewed to checkmate individuals from committing official impunity. The review must be done in a way that will prevent politicians citing on section 40 of the constitution thereby escaping the hammer of section 68 (g). The lacuna in our law that gives room to impunity should be identified and blocked.