

# Social Contract Theory and Civil Disobedience in Nigeria: A Study of Boko Haram Insurgency

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**Abstract**— The ideal purpose of the state has been variously conceived in political theory, leading to competing theories of state, one of which is the Social Contract Theory. With its earliest systematic postulation in the political philosophy of Thomas Hobbes, this theory gained much currency in the modern era. Although it was briefly eclipsed towards the turn of that era after Kant, it has been revived in contemporary political discourse, such as it is posited by John Rawls. The Social Contract Theory is both a theory of morality as well as a theory of the state. This study focuses on the latter dimension of the theory, in which it attempts to provide philosophical basis for the existence of the state and offers justifications for political obligation. It regards the state as the product of a pact or covenant. Perhaps most importantly, it offers a rational framework for reconciling the imperatives of governmental authority with the rights of the governed. This study sought to find out the impact of social contract theory on civil disobedience in Nigeria. It follows from this theory that the Constitution of the state must originate from the people or at least, according to some versions of

it, be a hypothetical expression of their rational will. From that premise, this work suggests that the Nigerian state should be governed on the basis of commonly shared principles of justice. It goes further to argue that the Social Contract Theory of the state is an ideal.

**Index Terms**— Social Contract theory, Civil disobedience, Boko Haram, Insurgency, Nigeria.

## I. INTRODUCTION

One of the cardinal issues that have raised a lot of debate in social and political philosophy is that of civil disobedience. It is a sensitive discourse as it touches on the lifeline, law and order of a society (Foster & Nwiyor, 2017). Civil disobedience can be defined as an act of deliberate disobedience to laws or policies of a state with the aim of advocating a change or cancellation of those laws or policies (Lefkowitz, 2007). Thus, this means that before civil disobedience, there have been laws and policies of civil authorities which are considered unacceptable by certain citizens; obedience to such laws or policies is not only seen as acting against one's conscience but as an immoral step which must be rescinded.

Civil disobedience is different from revolution which is aimed at overthrowing the government. It is also different from common non-political crimes. It is simply a "principled disobedience to law" (Lyons, 1998). Singer considers civil

disobedience as one of the ways through which the minority "can demonstrate the intensity of its feelings to the majority" (Singer, 1991, p.123). Singer sees civil disobedience as an issue between the majority and the minority in the society. It is a protest by the minority which makes the majority to reconsider decisions which the minority regards as unjust (Singer, 1991, p.122).

Singer's definition is informed by the civil disobedience which trailed white supremacy and discrimination against black people in the United States of America. Black people were the minority who protested to force the white, that is, the majority, reconsider their decisions. The definition assumes that it is only the minority that always protests against government policies which will benefit the minority at the expense of the majority. Civil disobedience is like a two-pronged fork. It can be employed by the majority against the minority (especially if the minority is the policy makers) or vice versa. Civil disobedience usually occurs, where there diverse interests, groups, etc. with diverse opinions towards oneself. A typical example is the case of Nigeria.

Nigeria as a nation notably known for her diversities of ethnic, language, culture, etc., has never really been one homogeneous country, for its widely differing peoples and tribes. This obvious fact notwithstanding, the former colonial master decided to keep the country one in order to effectively control her vital resources for their economic interests (Atofarati, 1992). Thus, for administrative convenience the Northern and Southern Nigeria were amalgamated in 1914. Thereafter the only thing this people had in common was the name of their country since each side had different administrative set-up. This alone was an insufficient basis for true unity. Under normal circumstances the amalgamation ought to have brought the various peoples together and provided a firm basis for the arduous task of establishing closer cultural, social, religious, and linguistic ties vital for true unity among the people. There was division, hatred, unhealthy rivalry, and pronounced disparity in development. This has really aroused forms of group demonstrations and civil disobedience.

This, explicitly made by Thomas Hobbes in his own opinion of Social Contract theory that men are naturally and exclusively self-interested, they are more or less equal to one another, (even the strongest man can be killed in his sleep), there are limited resources, and yet there is no power able to force men to cooperate. In other words, the quest for the betterment of a particular clan, ethnic group, etc. over another ensue civil disobedience which causes social disorder, war, etc.

Given these conditions in the State of Nature, Hobbes

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concludes that the State of Nature would be unbearably brutal. In the State of Nature, every person is always in fear of losing his life to another. They have no capacity to ensure the long-term satisfaction of their needs or desires. No long-term or complex cooperation is possible because the State of Nature can be aptly described as a state of utter distrust. Given Hobbes' reasonable assumption that most people want first and foremost to avoid their own deaths, he concludes that the State of Nature is the worst possible situation in which men can find themselves. It is the state of perpetual and unavoidable war.

John Locke's furthermore, established an explanation on the reasons for the existence of civil disobedience; he enumerated the fact that civil disobedience is obviously caused by the failure of the government to fulfill their own part of the bargain or contract. He states that:

when the executive power of a government devolves into tyranny, such as by dissolving the legislature and therefore denying the people the ability to make laws for their own preservation, then the resulting tyrant puts himself into a State of Nature, and specifically into a state of war with the people, and they then have the same right to self-defense as they had before making a compact to establish society in the first place.

In other words, the justification of the authority of the executive component of government is the protection of the people's property and well-being, so when such protection is no longer present, or when the king becomes a tyrant and acts against the interests of the people, they have a right, if not an outright obligation, to resist his authority. The social compact can be dissolved and the process to create political society begun anew. This is what obviously is termed civil disobedience. It is on this background it suffices to disclose the explanations of the social contract theory on civil disobedience and the reasons for Boko Haram insurgency in Nigeria. The major objective of this study is to examine the reasons for civil disobedience in Nigeria using Boko Haram insurgency in northern Nigeria through the application of the Social Contract theory. The specific objectives are to:

1. Find out the impact of the application of Social contract theory on civil disobedience in Nigeria
2. Enumerate the impact of civil disobedience to Nigeria State.

## II. STATEMENT OF THE PROBLEM

Nigeria, a multi-ethnic nation State, has been bedeviled with so much agitation among the citizenry against the various governments in power. This is because of the flaws of governance, which entails their inability to attend to the basic needs of the people. Nigeria having got their independence in 1960, entrenched democratic led government but were intermittently perturbed by the military. This has really affected democratic governance in Nigeria; A system of government which entails the governance of the people, by the people for the people.

The military governance which has really lasted more than democracy in Nigeria, instituted constitutions which is the basic instrument for governance in democratic lead

government, that suits them and their interests over the people. This challenge has really entrenched selfish governance in Nigeria over the years and has rubbed the masses of their interests, protection, preservation, basic amenities, among others.

The quests for these have really caused several civil disobediences which the sect Boko Haram also is among. On this backdrop has this study been made to find possible ways to curb civil disobedience in Nigeria? These questions were found wanting for the study to answer;

1. What is the impact of the application of Social Contract Theory on civil disobedience in Nigeria?
2. What is the impact of civil disobedience to Nigeria State?

## III. CIVIL DISOBEDIENCE

Civil disobedience has been viewed variously by different scholars but the bottom line is that all these views end up saying virtually the same thing. Civil disobedience has been referred to as the "refusal by a large group of people to obey particular laws or pay taxes, usually as a form of peaceful political protest" (Hornby, 2008). It is "the non-violent breaking of a law on moral grounds". It has also been said that "civil disobedience is the morally justified law-breaking, normally intended to change a particular law or policy" (Hoffman & Graham, 2009).

Civil disobedience does not normally involve violence in order to achieve its goals. It means that the people (the contractors) who had hitherto consented to obey the state (the sovereign) have decided to willfully and peacefully withdraw their obedience owing to the fact that the state has put policies that are not favourable to them (Edogiawerrie, Bello & Ekuase, 2015). Second, the definitions clearly suggest that the people are morally justified in their decision to deny the state obedience. Another implication is that the reason for the disobedience is that the people want to force the government to reconsider or change a policy or policies it has put in place. The action of the people sum up to breaking the laws the state has put in place to govern them all. It is a protest or resistance of the constituted and recognized authority. Civil disobedience involves a large number of people and this clearly indicates that it is not a closed or one-man affair.

Having examined the meaning of civil disobedience, it is pertinent to point out that although it involves breaking the law the action is morally and legally justified. That is, that it is the only kind of law breaking that is acceptable. It is therefore not an offence. For instance, when criminals break the law they are punished for it. If an armed robber is caught in the act it means that he/she has broken the law and must be punished for it, or if someone or a group of people murder another then they would have broken the law and would be made to face the wrath of the laws of the state. This second category of law breaking is considered illegal and unacceptable. Again, this second category of law breaking is often characterized with violence and destruction and this is totally opposed to the doctrine of civil disobedience.

Another salient point of note is the fact that civil disobedience

is not the same thing as a revolution. Civil disobedience is aimed at changing a particular policy or some particular policies while a revolution on the other hand is the complete or total change or pulling down of the entire structure of the political milieu, and a revolution is often characterized by violence and even full blown war in some cases. Many lives and property are either lost or destroyed. Civil disobedience occurs more often in a political dispensation but a revolution seldom occurs or does not occur often. Civil disobedience does not often resist individual(s) but policies, while a revolution on the other hand often resist individuals along with their policies. A revolution normally occurs after a long period when the people must have tolerated so many draconian and detrimental policies-laws (Appadorai, 1982). Civil disobedience is synonymous with democracy. Political systems like monarchy, aristocracy, dictatorship, etc. hardly tolerate civil disobedience. This means that in political situations other than democracy civil disobedience is regarded as illegal and unacceptable. Since democracy is all about the people then it is regarded as a medium through which the people speak and therefore it is legal. It has to be pointed out here that civil disobedience is what is known and referred to herein Nigeria as strike action or industrial action. Others refer to it as “work to rule”, “down tools”, etc. but the truth is that the underlying principle behind them all is that they are all a kind of protest, resistance or revolt against government policy or policies which are considered anti-people (Warburton, 1998).

In the military junta headed by the late Head of State, General Sani Abacha, the labour unions in Nigeria under the auspices of NLC (Nigeria Labour Congress) and the TUC (Trade Union Congress) frequently went on industrial strike actions to protest these policies that they considered anti-people in other words, they civilly disobeyed the sovereign. A good example was the time the late president reviewed the pump price of petroleum products upwards (The News Watch, 1997). The protests were not tolerated by the head of state who met the labour leaders with serious hostilities. Many people lost their lives in the struggles (TELL News Magazine, 1997). It should be noted that the economy suffers serious financial and other losses when these strike actions are embarked upon.

#### IV. SOCIAL CONTRACT

The concept of the social contract was originally posed by Glaucon, as described by Plato in *The Republic*, Book II. They say that to do injustice is, by nature, good; to suffer injustice, evil; but that the evil is greater than the good. And so when men have both done and suffered injustice and have had experience of both, not being able to avoid the one and obtain the other, they think that they had better agree among themselves to have neither; hence there arise laws and mutual covenants; and that which is ordained by law is termed by them lawful and just. This they affirm to be the origin and nature of justice; it is a mean or compromise, between the best of all, which is to do injustice and not be punished, and the worst of all, which is to suffer injustice without the power of retaliation; and justice, being at a middle point between the two, is tolerated not as a good, but as the lesser evil, and

honoured by reason of the inability of men to do injustice. For no man who is worthy to be called a man would ever submit to such an agreement if he were able to resist; he would be mad if he did. Such is the reviewed account of Socrates, of the nature and origin of justice.

In both moral and political philosophy, the social contract is a theory or model that originated during the Age of Enlightenment. Usually, the social contract concerns the origin of society and the legitimacy of the authority of the state over the individual (Gough, 1936). Social contract arguments typically posit that individuals have consented, either explicitly or tacitly, to surrender some of their freedoms and submit to the authority of the ruler or magistrate (or to the decision of a majority), in exchange for protection of their remaining rights. The question of the relation between natural and legal rights, therefore, is often an aspect of social contract theory. The term takes its name from *The Social Contract*, a 1762 book by Jean-Jacques Rousseau that discussed this concept.

Although the antecedents of social contract theory are found in antiquity, in Greek and Stoic philosophy and Roman and Canon Law, the heyday of the social contract was the mid-17th to early 19th centuries, when it emerged as the leading doctrine of political legitimacy. The starting point for most social contract theories is an examination of the human condition absent of any political order that Thomas Hobbes termed the “state of nature” (Harrison, 2003). In this condition, individuals' actions are bound only by their personal power and conscience. From this shared starting point, social contract theorists seek to demonstrate, in different ways, why a rational individual would voluntarily consent to give up their natural freedom to obtain the benefits of political order.

Hugo Grotius (1625), Thomas Hobbes (1651), Samuel Pufendorf (1673), John Locke (1689), Jean-Jacques Rousseau (1762), and Immanuel Kant (1797) are among the most prominent of 17th- and 18th-century theorists of social contract and natural rights. Each solved the problem of political authority in a different way (Riley, 2006). According to him, Grotius posited that individual human beings had natural rights. Thomas Hobbes famously said that in a “state of nature”, human life would be “solitary, poor, nasty, brutish and short”. In the absence of political order and law, everyone would have unlimited natural freedoms, including the “right to all things” and thus the freedom to plunder, rape, and murder; there would be an endless “war of all against all”. To avoid this, free men contract with each other to establish political community, i.e. civil society, through a social contract in which they all gain security in return for subjecting themselves to an absolute sovereign, one man or an assembly of men. Though the sovereign's edicts may well be arbitrary and tyrannical, Hobbes saw absolute government as the only alternative to the terrifying anarchy of a state of nature. Hobbes asserted that humans consent to abdicate their rights in favor of the absolute authority of government (whether monarchical or parliamentary).

Alternatively, John Locke and Jean-Jacques Rousseau have argued that we gain civil rights in return for accepting the obligation to respect and defend the rights of others, giving up

some freedoms to do so. The central assertion of social contract approaches is that law and political order are not natural, but are instead human creations. The social contract and the political order it creates are simply the means towards an end—the benefit of the individuals involved—and legitimate only to the extent that they fulfill their part of the agreement. According to Hobbes (in whose view government is not a party to the original contract) citizens are not obligated to submit to the government when it is too weak to act effectively to suppress factionalism and civil unrest. According to other social contract theorists, when the government fails to secure their natural rights (Locke) or satisfy the best interests of society (called the “general will” in Rousseau), citizens can withdraw their obligation to obey, or change the leadership through elections or other means including, when necessary, violence.

Locke believed that natural rights were inalienable, and that the rule of God therefore superseded government authority and Rousseau believed that democracy (self-rule) was the best way of ensuring the general welfare while maintaining individual freedom under the rule of law. The Lockean concept of the social contract was invoked in the United States Declaration of Independence. Social contract theories were eclipsed in the 19th century in favor of utilitarianism, Hegelianism, and Marxism, and were revived in the 20th century, notably in the form of a thought experiment by John Rawls (Riley, 2006).

#### V. THEORETICAL FRAMEWORK

This study adopts John Locke’s Social Contract theory which states that the government is the outcome of the people’s consent and, thus, legitimacy of the government should remain in the will of the people. From the idealism of John Locke on social contract, one notes some important parameters that are closely associated with the government and its people. John Locke argued that, all men are created equal with natural rights and the purpose of the government is to protect these natural rights.

Social contract theory developed at the transition period from feudalism to capitalism where the feudal system based on absolutism and the absolute right of kings was being fought. The theory came as a means of explaining and justifying the existence of governments i.e. governments should come from the will of the people. The theory was thus invented to challenge the system of absolutism that existed in the monarchies. Later, the theory was reflected in the English Revolution, the French Revolution and the American Declaration of Independence.

#### VI. PROPONENTS OF THE THEORY

The philosophical ideas of the social contract is dated back to Hugo Grotius (1583-1645), Thomas Hobbes (1588-1679), John Locke (1632-1704), Jean Jacques Rousseau (1712-88) and, more recently, John Rawls who wrote in the second half of the 20th Century. However, it is said that the use of social contract as a definite concept in political and legal controversy can be traced back to the Italian Marsilius of Padua (1270-1343) who fought against the supremacy of the

church in other than spiritual matters. He developed the idea that the people are the source of all political power and government is by mandate of the people, and with their consent (Friedman, 1999).

Hugo Grotius (1583-1645) used social contract as a justification of absolute obedience of the people to the government and a basis for legally binding and stable relations among states. Grotius said that social contract had preceded the constitution of each state by means of people choosing the form of government which they considered suitable for them. However, Grotius believed that once they had transferred their right of government to the ruler, they forfeited the right to control the ruler however bad their government was (Friedman, 1999). Grotius thus denied the concept of the government for the sake of the governed (Mihyo, 1977). To Grotius once the government is in power it becomes absolute and can exercise its functions in whichever manner.

#### VII. THOMAS HOBBS

Hobbes (1588-1679), argued that social contract evolved out of pragmatic self interest. People willingly came together and agreed to live under the rule of government that was strong to keep order i.e. security. The natural transferring of right was what Hobbes called contract in which he stressed governmental power. Hobbes argued that sovereign’s power should be unlimited because the state originated in a so called social contract whereby individuals accepted a common superior power for protection and made possible certain human desires (Katznelson, 2006).

Man’s life is being influenced by eventful incidents. So also is with the lives of eminent thinkers which often help them in dissecting their outlook and philosophical foundations. Thomas Hobbes (1588-1679) is rightly considered to be one of the most significant political thinkers of the English-speaking people. According to Macpherson, Hobbes is a formidable political theorist: ..not because he is difficult to understand but because his doctrine is at once so clear, so sweeping, and so disliked (Macpherson, 1962). His paramount consideration for order in society emanated largely from his own life resulting in his fear for violent death, and his utmost concern for security, peace and order towards a commodious living. Hobbes openly declared that the sovereign authority should not only protect its people, but also see to it that they can secure, "all other contentment's of life" (Plamenatz, 1991).

Hobbes had opportunities to associate himself with prominent personalities of England, namely, Ben Johnson, Bacon and Clarendon. The constant conflict between the king and the parliament forced a civil war in England. In fact, Hobbes was very much affected by that civil war. As a supporter of royal absolutism, he went to France and settled there till William II became the king of England. Like other thinkers, Hobbes was also motivated by the socio-political conditions of England of his time. His primary aim was to save England from the disability and miseries caused by the civil war and to bring peace in the society (Plamenatz, 1991). Furthermore, Hobbes was influenced by Galilee's technique of investigation, namely, the resolute composite method (Plamenatz, 1991). The resolute part consists in

concentrating on essential facts and ignoring extraneous considerations. From simple basic factors, coherent theoretical explanations were constructed. Hobbes applied the same technique of resolute composite method to political philosophy. He started with the basic problem, that is, civil war in England. Then he probed into the very causes of this civil war in England. The most striking of all the causes is the cause of selfishness. This cause of selfishness made Hobbes construct an axiom according to which all men are basically selfish. This becomes the starting point of Hobbes's social contract theory (Plamenatz, 1991).

According to Hobbes, the root cause of civil war in England can be, without any hesitation, attributed to the selfish nature of man. This root cause of civil war has become an axiom for Hobbesian social contract. If all men were basically selfish, then they would only aim at their own interests. Also, Hobbes held that every individual thinks that he shares the natural propensities of other individuals. Hence no individual is inferior to any other individual in any respect. Such an imagination made individuals completely free, independent, and selfish. They hardly bothered about other individuals and also about the society in which they lived. Therefore, Hobbes felt a supreme power in the form of an absolute monarch is needed to control these selfish people.

Hobbes' conception of sovereignty is based on his idea about human nature. Hobbes made a fundamental departure from his contemporaries by saying that man is essentially nasty, brutish and an uncivilized creature. He made individual, as against society, the spring board of his thought. Before him Plato, Machiavelli, St. Augustine and St. Thomas had developed their philosophies but they made society and not the individual as a unit.

Hobbes concluded that men by birth were equal in intelligence but it is the desire for having the same thing which made them quarrel with one another. Men will never quarrel with one another if they are not willing to get one and the same thing. He believed that competition, glory, and difference make people brutal and quarrelsome. It is an uncontrolled desire of human beings that changed the whole concept of basic principles of the society. His conception of human nature is essentially based on two basic factors. "The first one is that all men are equal. In his *Leviathan* he wrote: "...Nature has made men so equal with faculties of body and mind" (Plamenatz, 1991, p. 141). Secondly, unlike Machiavelli, he held that man is not an idle spectator in political scenario but always ready to struggle and achieve something higher. To quote Hobbes in this context:

It put forth a general inclination of all mankind a perpetual and restless desire of power after power that ceases only in death. And the cause of this is not always that a man hopes for more incentive delighter than what he has already attained to, or that he cannot be content with a moderate power, but because he cannot assure the power and the means to live well which hath present without the acquisition of more (Plamenatz, 1991, p.123).

This desire makes men fight against each other. It is the desire which made man nasty and brutish while he was in the state of nature. Hobbes is concerned with secular and self-interested origins of human conduct. According to him,

the individual did not base their reasoning about proper behaviour from an understanding of the idea of good or from a revelation of divine commands. Rather, self-interested individuals seek society only as a means to serve their selfish ends. Men are creatures of desires in that pleasures are considered to be good and pains bad. Hence they seek to pursue and maximize their pleasures only to avoid pain. As a matter of fact, every individual thinks that it is his right to pursue his desires that promote pleasure. But they do not realize that this right affects the rights of others. In other words, every individual thinks that he alone legitimately possesses this right. Men are constantly in motion to satisfy their desires and continued success in the attainment and fulfillment of their desire. This is called felicity (Plamenatz, 1991).

Hobbes built his political philosophy on the psychology of man (Macpherson, 1962). He analyzed human mind in detail and concluded that human mind is essentially selfish and self-centred. Every individual is only interested in realizing his own pleasures and desires. The self-centred attitude and activities of man forced man to lead a solitary life. There is a continuous struggle among men for power and supremacy. Every individual competes with others in order to excel them by possessing more riches, knowledge and honour. This self-centred and possessive nature of man forced him to live a nasty, brutish and solitary life. In fact, in the words of Hobbes

The felicity of this consisted not in the repose of a mind satisfies. For there is no such ... *Summon Bonum*... nor can a man any more live, whose desires are at an end, than he, whose senses and imaginations are at a stand. Felicity is a continual progress of the desire, from one object to another; the attaining of the former, being still but the way to the later. The cause whereof is, that the object of mans desire, is not to enjoy once only, and for one instant of time; but to assure forever, the way of his future. And therefore the voluntary actions, and inclinations of all men, tend, not only to the procuring, but also to the assuring of a contented life; and differ only in the way (Plamenatz, 1991, p.174).

Hobbes called the search for means to satisfy one's desire, power (Macpherson, 1962). Further he maintained that since each man's desires are unending, each man wants to become more powerful than his rivals who pursue the same desires. Concerning human desires, Hobbes held, because each person desire more and more, and also believes that he has the right to so many objects, he tries to appropriate the same object, which is desired by the other. But, held Hobbes, because there is rough equality of strength and mental ability among people in this state, no one is ready to acknowledge another's superior strength. Such a state of nature leads to unhealthy and meaningless competition among human beings. Hence, competition is the first cause of conflict. If any two individuals desire the same thing, which nevertheless they cannot both enjoy, they become enemies. In the process of fulfilling each ones desire each one tries to destroy or subdue the other. This Hobbes analyzed having said that:

If one sows, plant, build or posses a convenient seat, others may probably be expected to come prepared with forces united, to disposes, and deprive him, not only of the fruit of his labour, but also of his life, or liberty. And the invader

again is in the like danger of another.

These findings and life experience of Thomas Hobbes ultimately brought about his view of the social contract theory.

#### VIII. JOHN LOCKE

John Locke on the other hand accepted much of Hobbes social contract theory but argued that sovereignty resided in the people for whom governments were trustees and that such government could be legitimately overthrown if they failed to discharge their functions to the people. He attempted to erect effective safeguards against violations of natural law by the government. Locke said that the sovereign did not take all rights; the principal rights remained with the people. Locke's social contract was devoted to sovereignty and law. Sovereignty derived from the people's will. This will remained with the people. He argued that sovereignty did not reside in the state but with the people, and that the state was supreme, but only if it was bound by civil and natural law (Locke, 2007).

Locke believed in the governed as the basis of sovereignty and the state as the guarantor of individuals' liberty. To Locke, under social contract power was surrendered not to the sovereign but to the community. He said there and there only was a political society where everyone in the society had quitted his natural power, resigned it up into the hands of the community. John Locke used the phrase "there and there only" to emphasize the importance of the WILL of the people in forming a political society. Thus, every member of the community surrendered his natural power with free will explicitly or implicitly and resigned it into the hands of the community in exchange for the discharge of functions to the people, hence a political society becomes with power to preserve property and punish offences. However, the power cannot be more than that the people had in a state of nature before they entered into a society and gave it to the community for nobody can give more than what he has. The term community as is used by John Locke above signifies the government of the people by the people for the people, thus community rights should prevail over individual rights and the rights are surrendered into community because the sovereign is the people and only comes from the people. Thus, hands of the community mean the governor who is governing by the WILL of the people.

#### IX. APPLICATION OF THE THEORY

John Locke contended more that the source of government authority is the consent of the governed (the people), and the right of revolution is reserved for the governed. Thus, from a state of nature men have passed to a state of society, by means of a contract in which they undertake to respect each other and live in peace (*pactum unionis*). And the second pact comes in, people thus united undertake to obey a government they have chosen (*pactum subjectionis*).

Parliamentary democracy existing in the modern world today is mainly influenced by John Locke's idealism. His ideas gave theoretical form to the reaction against absolutism and the preparation of parliamentary democracy. His greatest effect was upon the American and French revolutions. John

Locke's doctrines of liberty and equality have exercised a strong influence upon the bill of rights in modern constitutions in many countries. Liberty and equality of an individual are highly respected and thus protected by the governments. And sovereignty resides in the people as per John Locke's ideas.

In the Nigeria context, the acclaimed democracy practiced in Nigeria has not yielded fruit. The said democratic governance John Locke describes is entirely different from the one practiced in Nigeria. This is why Nigeria is being oppressed by terrorist groups who degenerated from civil disobedience only because of negligence of the government.

The application of the John Locke's Social Contract Theory no doubt will engender peaceful coexistence in Nigeria constituted of multi-ethnic groups. If the governments in Nigeria have been able to produce a constitution that is of the people, there will eventually be national integration and decrease of civil obedience. Democracy according to John Locke is empowered by constitution. But this constitution will reflect the will of the people. This is what empowers the people and the government in all facets of life. If the 1999 Constitution of the Federal Republic of Nigeria is being changed, even with the recommendations of the 2014 Confab, there is bound to a great change in Nigeria towards the betterment of the Nigerian citizens. This will curb disobedience to barest minimum and enshrine national development.

#### X. HISTORICAL ANTECEDENT AND THE ROOT CAUSES OF BOKO HARAM INSURGENCY IN NIGERIA

Boko Haram is not the official name of the group. The official name of the sect is —Lama'atu Ahlissunnalidda'awatiwal-jihadl, meaning people committed to the propagation of the prophet's teaching and Jihadl (Wikipedia, Boko Haram, 2011). However, Boko Haram is the local dubbing of the sect by resident of Maiduguri, when it was formed in 2002. Boko Haram according to the local Hausa language simply translated to - western education is forbidden or is a sin. The resident gave the group this name because of its strong aversion to western education, which is viewed as corrupting Muslims. The term "Boko Haram" is a derivative of the Hausa word - 'Boko' meaning 'Anamist', 'haram' is a word with Arabic origin meaning - sin but literally, 'forbidden'.

Historically, the group according to Wikipedia, is said to have been in existence right from the 1960's but only started to draw attention in the year 2002 (Wikipedia, origin of Boko Haram 2/4/2012). Ustaz Muhammed Yusuf is said to have assume the leadership of the group in the year 2002. In 2004, the group moved to Kanamma in Yobe state where a base was established and named — 'Afghanistan' from which attacks were launched at nearly police outposts and several police officers were killed. Its leader Yusuf Mohammed, was very hostile to democracy and the secular education system. He moved and vowed then that the war, which is yet to start, would continue for a long time if the political and education system and not altered or changed (Wikipedia, Boko Haram, 2011).

The followers of the sects are said to be influenced and indoctrinated by the Koranic phrase, which says, 'anyone who is not governed by what Allah has revealed is among the transgressors' (Wikipedia, Boko Haram, 2011) Boko Haram promotes the version of Islam that makes it – 'Haram' or 'forbidden' for Muslims to participate in any political or social activities that are forbidden including voting in elections, wearing shirts and trousers or receiving secular education. To Boko Haram, the Nigeria state is run by non-believers even when the country has a Muslim as a president. Since the Sokoto caliphate that ruled parts of the country, what is now northern Nigeria, Niger and southern Cameroon, fell under British control in 1903, there has been a strong resistance among the Muslims in the area of western education. Several Muslim still refuse to send their children to government run western school and the problem is compounded by the ruling elites which do not see education as a priority.

It is as a result of this that the Muslim cleric Muhammed Yusuf, formed Boko Haram in Maiduguri in the year 2002 (ibid: 3-4). He established a religious complex that included a mosque and an Islamic school. Many poor Muslim families from across Nigeria and neighboring countries enrolled their children in the school. Boko Haram is not only interested in western education, but also their political goal is to create an Islamic state while the school has been a resulting ground and center for jihads to fight the state (The Nation, 2011, p. 6).

Boko Haram activities in the northern part of Nigeria, which have affected Nigeria's socio-economic activities greatly have three major forces that caused the menace in Nigeria, which are political, religious and ethnic forces. The religious, political and ethnic factor of the Boko Haram Islamic sect is not clearly defined judging by the activities of the group. This is notwithstanding that the groups have been described as one of the Islamic terrorists operating in the globe. The fact still remained that one cannot actually say if the group are for personal vendetta or religious zealotry. However, the only parameter for judging the political, ethnic and religious factor of the Boko Haram Islamic sect is only by a proper evaluation of its activities. The activities are stipulated from its violent attacks, ideologies, mode of recruitment, membership, funding etc. (Abonyi, 2006, p. 27). This is the only yardstick that can juxtapose the religious, political and ethnic factor of the Boko Haram sect.

Deducing from the discussion so far, it is glaring that the issue of Boko Haram Islamic sect is purely based on its own teaching, belief and doctrine. Unlike what may be referred to as ethnic based militia. It is evidently seen that its activities are not in any way in time with the other groups of ethnic militia abound in the country. For instance the movement for the Emancipation of the Niger-Delta (MEND) which is a militia group from Niger Delta or south-south region, which is purely on ethnic factor militia with no religious affiliations. The group was only fighting and agitating for equitable distribution of the mineral resources in their land, that their land have been destroyed by the oil in their land and they cannot feed themselves properly because of the effect of oil spillage and that government have properly abounded them to die and from the product of their land that sustains the whole

federation. Hence its basis was purely outstanding. Sequel to this is the Oduduwa People's Congress (OPC) which was based on the Yoruba region with the sole aim of providing security and other activities as it may concern to operation. There was also the Bakasi Boys, which was an ethnic militia based in the south-eastern state. Some state governors in these parts of the country even went an extra mile to legalize its activities through the state legislature.

Based on the foregoing, it became difficult but imperative to establish the ethnic basis of the Boko Haram Islamic sect as such as its political and religious factors. —The Boko Haram, judging from its activities be described as neither an ethnic militia nor religious and political sectarian group. The only attribute to it, is based in the northern part of the country (Shehu, 2007).

### **1. Ethnic Factor**

Viewing from the activities and its modus operandi, it becomes confusing for one to adequately position its ethnic together, they carryout violent activities in the northern part of the country, it has a greater extents compromise the effort of security activities in the part of the country. If the ethnic loyalty is not questionable, the group just as any other ethnic militia in the country should be concerned about the provision of security in its host ethnic origin. This clearly establishes the fact that ethnic identity is not the prerequisite of the Boko Haram Islamic sec, what the Boko Haram sect want is for a certain law (Sharia Law) to be adopted in the twelve (12) northern states including the federal capital territory (FCT). This request has brought about mixed interpretation of the ethnic factors of the Boko Haram sect. it can be said that apart from the struggle for the implementation of the Sharia law, the activities and the group have been ambiguous and this make its ethnic loyalty questionable (Shehu Sani, 2007).

### **2. Religious Factor**

The Boko Haram though an Islamic terrorist sect has assumed a very radical posture. The group considers whether Christian or Muslim an infidel if such a person does not adhere strictly to its principles. It cannot be actually said if the member of this group belongs to the Muslim religion. This is because they pray in a separate mosque, dress differently, have many rules guiding its activities which are not the same with the widely accepted Muslim teaching globally.

According to Imam (2004), at no time did the (Muslim) jurist approve of terrorism, nor indeed is there any evidence of the use of terrorism in Islamic tradition, Muslims are commanded not to kill women, children or the aged, not to torture or otherwise ill. The above caption summed up the religious factor and the Boko Haram sect in Nigeria. The group has its own ideology which its members adhere to anything outside from it, is contrary to its belief.

### **3. Political Factor:**

The dispute over 2011 election result which left over eight hundred dead, also has played a role in Boko Haram's escalating violence. Many northern Nigerians view the presidency of Goodluck Jonathan, a Christian as illegitimate, arguing that he ignored an informal power-rational agreement that should have kept a Muslim as president this - Muslim President Umaru Musa Yar'Adua died in 2012, two years into his four years term (Leadership Newspaper, 2012). Voting

irregularities during the election as well as effort to change presidential term limits further alienated the north from Jonathan. The Boko Haram sect also wants political power in the nation, thereby making a northern or Muslim as the president. They don't want to see Christian Southerner or a Southern as the president because they believe that the west is a corrupting influence in governance. Some Jonathan supporters argue Boko Haram attacks as an attempt possibly funded by northern elites to make the country ungovernable and uncomfortable for the federal government and the society at large.

#### XI. IMPACT OF CIVIL DISOBEDIENCE IN NIGERIA: THE BOKO HARAM CASE

Protests against civil authorities are not unknown to Nigerians. Different groups of people had staged one protest or the other in the past. Protests were one of the few ways Nigerians could make their grievances known during various military regimes that have ruled the country. Right from the first military government in 1966 to Abacha's regime which came to an end in 1998, all military leaders promulgated decrees to ban and criminalize protests. However, this did not deter Nigerians from protesting against what they perceived as unjust government policies. These protests were led by students' unions and civil rights organizations.

Protests in Nigeria reached a crescendo after the regime of General Ibrahim Babangida annulled the elections of June 12, 1993 through which Bashorun Moshood Kasimawo Olawale Abiola could have emerged as the civilian president. June 12 of every year was marked with massive protests especially in the Southwestern Nigeria. This continued till 1998 when Abiola died mysteriously during the regime of General Abdusalami Abubakar. Nigeria continued to witness protests even when a democratically elected government took over in 1999. It is to be noted that past civilian governments did not use force to quash protests like the military. Instead, they employed divide-and-rule tactics, bribing of union leaders and elimination of opponents or temporary detention of opposition leaders. This is different from the military governments which employed shoot-at-sight orders, torture of protest leaders, proscription of students' and labour unions, arrest and unlawful detention of Protestants to quash protests (Dukor, 1991).

A good example of civil disobedience in the Nigerian democratic setting is the peaceful protests that trailed government's policy on the deregulation of the downstream sector of the oil industry, subsidy removal and attendant increase in the price of Premium Motor Spirit in January 2012. Nigerians came out en masse to protest what they regarded as an unjust government policy. Private and government businesses were halted for about a week and the government of President Goodluck Jonathan was forced to reduce the price of petrol (Okpi & Baiyewu, 2012). The protest of January 2012, as well as its attendant success, underlined the magnitude of civil disobedience in a democratic sustainability in Africa.

Nigeria is not left out from the nations of the world that have experienced civil disobedience. Obviously, it has been seen from many scholars that civil disobedience could result to

both negative and positive differences. Moreover, that it comes as a result of agitations of a particular set of people against the sitting government. Over the years, from civil war to present, there have been civil disobediences.

The Boko Haram which is the most recent terror group which started as civil disobedience of a particular group in Nigeria has been the bane of development and disturbance in governance in Nigeria. They have affected mostly the residents of Bauchi, Borno, Yobe and neighboring States. The militants cripple the economic activities of any place they spread their tentacles as well as led to migration of people from the affected area due to restiveness. The Nation Newspaper (2013, p.3) reported about the activities of Boko Haram thus: Borno and neighboring Yobe State – the epicenter of the activities of the sect – have been crippled economically. Thousands of people have died in the sect's bloody campaign.

It must be noted that Boko Haram have not only led to closure and/or abandonment of people's business activities within affected region but also led to migration of people from the affected Region as well as once led to reduction of people's patronage of product from Northern Region because of rumour that member of Boko Haram are planning to send poisonous product from their region to other parts of Nigeria. No wonder Mr. Umar Ibrahim Yakubu (Leadership Newspaper: 2012) opined thus in respect of Boko Haram: we discovered that 97 per cent of businesses were negatively affected by the security problem. Some of them had to close down, some of them had to retrench their workers, and others had to cut down in the number of hours of operation.

Also the insurgencies of Boko Haram have reduced drastically government derivation from the affected region due to restiveness in those places as well as reduced investment and growth of business in the affected places without excluding government executed project. No wonder 2011 World Investment Report of the United Nations Conference on Trade and Development reported that lull in business activities caused by insecurity in Kano State alone has cost the Nigerian economy N1.3trillion (\$6 billion) as a result of attacks by the Boko Haram group (Olaide, 2013). It was further reported that the report monitored on the Voice of America (VoA) also shown that Centre for Research and Documentation in Kano attributed the development to a drop in earnings for nearly all businesses in the state (Leadership Newspaper, 2012).

These insurgencies also have political consequences. By political effect, it means its effect on government's performance that is the government ability to deliver its objective to its citizens; while social effect on the other hand connotes its effect on society and people's ways of life. The insurgence of Boko Haram in Nigeria has drastically reduced government of the day's performance in the affected area. Starting with President Goodluck Jonathan's administration which saw the crux of this insurgency, the government got absolutely confused about how to tackle this menace. It must be noted that the insurgence of Boko Haram have made public forum caution able place to be in some Northern Part of Nigeria. At a time in 2011, it became a policy that there cannot be public assemblage without permit in Federal



Capital Territory Abuja and some Northern parts of Nigeria with exception of North-East where public assemblage have been totally banned due to activities of Boko Haram.

The activities of Boko Haram have aggravated to the extent of developed negative impact in the mind of some Christians that all Muslims are extremist without taking into cognizance that extremism is applicable to both Christianity and Islam. For example, in 2011 a Catholic Priest refused to assist his sister due to the fact that she refused to submit to Christianity (Olaide, 2013). Furthermore, the activities of Boko Haram have made some Non-Muslim who have not be privileged to mingle with Muslim in their life to believe that all Muslims are fundamentalists while some of them were mischievous with their opinion with little exclusion about few Muslims from Yoruba Part of Nigeria. It should also be noted that the activities of Boko Haram have made some Nigerians who are not from Boko Haram affected States to be avoiding affected States to the extent that some Nigerian Graduates who are serving the Nation under the scheme of National Youth Service Corp (NYSC) are seriously rejecting being posted to some parts of Northern Nigeria.

The social challenges posed by insurgence of Boko Haram can also be attested to by the mass movement of residents who are from other States of the federation, out of the North Eastern part of the country, especially Maiduguri, the capital of Borno State. And not only that, insurgence of Boko Haram have reach the extent that suspicious and rumour of attack is the easiest information to spread within North-Eastern Zone of Nigeria. The negligence of the government towards the agitations or plea of this sect has caused the escalations of these attacks of theirs.

## XII. THE IMPACT OF THE APPLICATION OF SOCIAL CONTRACT THEORY ON CIVIL DISOBEDIENCE IN NIGERIA

### **Hobbes Social Contract theory on Civil Disobedience in Nigeria**

Right from the onset, prior to Hobbes Social Contract Theory, there were rights of individuals to life – especially self preservation. This according to Hobbes caused so much terror and fear among citizens or individuals of various communities, cities, nation states, etc. This Hobbes described as doom, anarchy, and man was brutal and fierce in achieving his aims and objectives. Hobbes thought it wise to abolish this phenomenon. Hobbes categorically stated, that man was selfish in nature; and that it is this selfish nature of man that caused him to strive with others for their common good.

The catastrophe, the selfishness man causes, escalates to war. In Hobbes own view, there was war. In a nutshell, war which exists as a conflict between people or nation states has been described as that which is fueled not only by seemingly incompatible interests and values but also by hostilities (Jeong, 2008). Furthermore, Nicholson (1992) described conflict as an existing state of disagreement or hostility between two or more people (Nicholson, 1992). By this, it means two or more parties do not have an accord and are as such on two different parallels on the same issue. It thus suggests the pursuit of incompatible goals. Put differently, conflict means collision course; it also refers to opposition to

existing view, stand, or position.

Conflict is said to exist when two or more groups engage in a struggle over values and claims to status, power and resources in which the aims of the opponents are to neutralize, injure or eliminate the rivals (Jeong, 2000). Conflict is a demonstration of cross-purposes of distinct or similar political groups which often ends in political violence, and political violence, when contextualized in the Weberian sense, according to Anifowose, in his *Violence and Politics in Nigeria* (1982), is an acceptable weapon to ventilate anger.

Hobbes, with the quest for correction caused by the freedom of the people, thought it was to clamour for a change in leadership; leadership with a difference; leadership which has only one monarch, as the figure head. Therefore, Hobbes felt a supreme power in the form of an absolute monarch is needed to control these selfish people. He clamoured for a covenant between the leader and the people where there exists absolute power or authority to the sovereign. In this case, there are no more rights of the people. It is only laws which were made for man by the sovereign for survival. In this situation, man (the lead) has no right to question the rights or enactments of the sovereign. Ordinarily, this in a great measure has ameliorated conflicts in the whole world. But it is imperative to note that in the search for peace (absolute), this will fail. This is as a result of the fact that the quest for peace is something that comes from within and not enforced. For example, Plamenatz (1991) opines that force is not enough to lead to peace; but trust and agreement.

Furthermore, in the Nigerian context, right from the onset, from colonialism to post colonialism – independence till now, governance in Nigeria has been all about absolutism. The military era was characterized with absolutism, with power centred only on the Heads of State. The Heads do whatever that pleases them. They establish laws mostly on their own selfish interests. This has really affected the economy as there is no concern for the upliftment of the nation but enlargement of their pockets. This has escalated into this fourth republic as a result of the fact that these military Heads of State are being returned often to the seat of power or governance in Nigeria is this democratic era.

Over the years, in this democratic era, there has been civil disobedience caused by several groups such as the Odu'a Peoples' Congress (OPC), the Arewa People's Congress (APC), the Igbo People's Congress (IPC), the Indigenous People of Biafra (IPOB), the Bakassi Boys, the Egbesu Boys and now the Boko Haram and Fulani Herdsmen. These ethnic militias had taken on the causes of their ethnic groups. This was due largely to the fact that there is need for them to voice out their feelings and reactions towards the oppression and insecurity they are experiencing from the various leaders of the nation. The leaders, despite in democratic dispensation tend to suppress these civil disobediences and in reaction to these suppressions, wars, conflicts, use of firearms come up. This escalation had gone beyond control and has rendered the security forces ineffective, thereby causing loss of trust on the government for protection of lives and property.

From the foregoing, it could be deduced that the use of absolutism in Nigeria has not engendered peace at all. Rather, it has escalated and caused wars in-between political, ethnic

and social groups in Nigeria.

### XIII. JOHN LOCKE'S SOCIAL CONTRACT THEORY ON CIVIL DISOBEDIENCE

John Locke postulated another version of the social contract theory, but argued that sovereignty resided in the people for whom governments were trustees and that such government could be legitimately overthrown if they failed to discharge their functions to the people. John Locke tried to establish the fact that the ultimate powers rest on the people, who on their own choose who they commit or entrust their lives and property on John Locke's social contract was devoted to sovereignty and law. He argued that sovereignty did not reside in the state but with the people, and that the state was supreme, but only if it was bound by civil and natural law (Locke, 2007).

Locke considered a form of society that has at the centre a group who they will require their authority to rule. These people are known to be politicians in this present time. According to him, there and there only, was a political society where everyone in the society had quitted his natural power, resigned it up into the hands of the community (Locke, 2007). John Locke used the phrase "there and there only" to emphasize the importance of the WILL of the people in forming a political society. Thus, every member of the community surrendered his natural power with free will explicitly or implicitly and resigned it into the hands of the political leaders in exchange for the discharge of functions to the people, hence a political society becomes with power to preserve property and punish offences. However, the power cannot be more than that the people had in a state of nature before they entered into a society and gave it to the community for nobody can give more than what he has. The term community as is used by John Locke above signifies the government of the people by the people for the people, thus community rights should prevail over individual rights and the rights are surrendered into community because the sovereign is the people and only comes from the people. Thus, hands of the community mean the governor who is governing by the WILL of the people (Locke, 2007).

This is typically a democratic setting. This indicates that wherever there is a system of governance like this, there is tendency that there will be control over the excesses of the government. The system opens up to checks and balances which control the affairs of the rulers. There will also be the fear of being changed by the masses who cast their votes for the present government. Furthermore, civil disobedience is bound to increase whenever the government turns themselves to gods in defiance to the people's decision of having a change of government. This, civil disobedience, is the only mouthpiece of the people in this kind of situation.

Moreover, in this kind of setting, there is bound to be a controlled civil disobedience in existence. It is obvious that when the people are being protected, preserved, etc., existence of good governance, which is compelled by the will of the people, there will be reduced, if not entire absence of civil disobedience. This is what the people – the lead, desire. Good governance, protection and preservation of lives and property, listening ear from their government in power, etc.

This obviously, will create an atmosphere for national development, integration, etc.

### XIV. CONCLUSION AND RECOMMENDATIONS

This study examined the social contract theory and civil disobedience in Nigeria. The study enlightened readers on the much practiced phenomenon of alerting the government in power of their errors and shortcomings – civil disobedience. It interrogated the social contract theories of Thomas Hobbes and John Locke in order to bring out the differences between these theories and the consequences of their application. The study disclosed that Thomas Hobbes social contract theory is better applicable in the military era in order to quell war but that it is not the answer to peace in a nation. Moreover, that John Locke's Social Contract Theory is better applicable in a pure or true democratic setting where the power lies in the masses that choose their leaders through elections and vote them out when they do not answer to their pleas.

The study disclosed further that the use of absolutism in Nigeria has not engendered peace at all. Rather, it has escalated and caused wars in-between political, ethnic and social groups in Nigeria. Furthermore, that Nigeria as a nation state with the democratically elected government can only have peace when the government in power gives a listening ear to the people. The study further disclosed that the Boko Haram cause escalated to terrorism when the government failed to listen to their complaints. This is what will also arouse other groups who have been agitating in all the corners of the federation to form terrorist organizations. It is also noted in this study that the only answer or solution that could quell this disobediences and terror in Nigeria, is the implementation of John Locke's Social Contract Theory to governance in Nigeria. The study hereby recommends that;

- 1) The constitution of Nigeria should change in order to reflect the will of the people and not just the will of the rulers.
- 2) The citizens should be allowed to express their views even through peaceful demonstrations as it is not in any way detrimental to the peace and order of the society rather, it is an instrument which aims at ensuring that the civil liberties of the citizens are protected.
- 3) Since the state is very powerful it requires that an apparatus be put in place to help keep her in check and on track because "power corrupts and absolute power corrupts absolutely" If the people have no way of muscling the state then the possibility of the state becoming a tyrant is very high.

### REFERENCES

- [1] Abonyi, C.J. (2006). The impact of the september 11 attack on the world politics. *Journal on International Current Affairs*, May 6.
- [2] Appadorai, A. (1982). *The substance of politics*. Madras: Oxford University Press.
- [3] Barker, S.E. (1960). *Social contract essays by locke, hume, and rousseau*. USA: Oxford University Press.
- [4] Burke, E. (1971). *State formation and social contract theory: Rwenzuru and the southern sudan*. A paper delivered to the African Studies Association Conference; Denver, 3rd –6th November.
- [5] Dukor, M. (1999). Resisting state violence in nigeria. *Philosophy and Social Action*, 17 (3-4), (July-December): 63-67.
- [6] Edga., B. (2006). *The philosophy and method of the law*. New Delhi: Universal Law Publishing CO. Pvt. Ltd

- [7] Foster, L.J. & Nwiyor, A.B. (2017). A philosophical justification of civil disobedience in a democratic state. *Journal of Humanities and Social Policy*, 3(2), 39-42.
- [8] Freeman, M.D. (2001). *Lloyd's introduction to jurisprudence*. London: Sweet and Maxwell Ltd
- [9] Friedmann, W. (1999). *Legal theory*. New Delhi: Universal Law Publishing co. Pvt. Ltd.
- [10] Gough, J.W. (1936). *The social contract*. Oxford: Clarendon Press.
- [11] Harrison, R. (2003). *Locke, hobbs, and confusion's masterpiece*. Cambridge University Press.
- [12] Hoffman, J. & Graham P. (2009). *Introduction to political theory* (2nd edition). Harlow: Pearson & Longman.
- [13] Issa, G. & Shivji, et al. (2004). *Constitutional and legal system of Tanzania*. Dar es Salaam, Mkukina Nyota.
- [14] Jeong, H. (2000). *Peace and conflict studies: An introduction*. Aldershot: Ashgate.
- [15] Jeong, H. (2008). *Understanding conflict and conflict analysis*. Los Angeles, London, New Delhi, Singapore: Sage Publications.
- [16] Juma, H.I. (1996). Constitutional-making in tanzania: The case for a national conference. In J. Oloka-Onyango, et al. (Eds.), *Law and the struggle for democracy in east africa*, Nairobi, Claripress.
- [17] Katznelson, Ira (2006). *Political theory*. Redmond WA:Microsoft corp
- [18] Lefkowitz, D. (2007). On a moral right to civil disobedience. *Ethics*, 117(2), (January), 202-233.
- [19] Lyons, D. (1998). Moral judgement, historical reality and civil disobedience. *Philosophy & Public Affairs*, 27(1) (Winter), 32.
- [20] Macpherson, C.B. (1962). *The political theory of possessive individualism: Hobbes and Locke*. Oxford: University Press, p.9.
- [21] Mahajan, V.D. (2007). *Jurisprudence and legal theory*. India: Eastern Book Company.
- [22] Mithy, P.B. (1977). *The development of legal philosophy*. Nairobi, East African Literature Bureau.
- [23] Mkapa, B.W. (2003). *Utawalawa Sheriana Hakiya Kuishi*. Uwazina Ukweli, Dares Salaam, Mkukina Nyota.
- [24] Mongella, L.M. (2007). *Revising the social contract theory: Its relevance and applicability in tanzania*. LL.M Dissertation, University of Dares Salaam.
- [25] Nicholson, M. (1992) *Rationality and the Analysis of International Conflict* (Cambridge)
- [26] Okoth-Ogendo, W.H.O. (1991). Constitutions without constitutionalism: Reflections on an african political paradox. In I.G. Shivji (Ed.), *State and constitutionalism: An african debate on democracy, human rights and constitutionalism*. Series No. 1; Southern African Political Economic Series (SAPES) Trust; Harare-Zimbabwe.
- [27] Okpi, A. & Baiyewu, L. (2012). The many intrigues of fuel protests. *The Punch*, January 8. Accessed on 31/8/2018 from <http://www.punchng.com/politics/the-many-intrigues-of-fuel-price-protests/>
- [28] Olaide, I. A. (2013). Boko haram insurgency in nigeria: Its implication and way forwards toward avoidance of future insurgency. *International Journal of Scientific and Research Publications*, 3(11), 1 – 8.
- [29] Peter, C.M. & Juma, I.H. (1998). Fundamental rights and freedoms in tanzania. In D. Salaam (Eds.), Mkukina Nyota Publishers.
- [30] [28]. Peter, C.M. & Kijo-Bisimba, H. (2007). *Law and justice in tanzania: Quarter a century of the court of appeal of Tanzania*. Dar es Salaam, Mkukina Nyota Publishers.
- [31] Peter, C.M. (1997). *Human rights in tanzania: Selected cases and materials*. Germany.
- [32] Peter, C.M. (1999). *Constitutional making process in tanzania: The role of civil organizations*. A case study prepared for the civil society and governance in east africa project (Tanzania Side)
- [33] Riley, Patrick (2006). The social contract and its critics, chapter 12. In Mark Goldie and Robert Wokler (Eds.), *The Cambridge history of eighteenth-century political thought*. Cambridge University Press, pp. 347-75
- [34] Rudiger, K., Koln, V. & Pound, R. (2006). *An introduction to the philosophy of law*. Yale University Press, Indian Reprint.
- [35] Singer, P. (1991). Disobedience as a plea for reconsideration. In H.A. Bedau (Ed.), *Civil disobedience in focus*. London and New York: Routledge.
- [36] Wambali, M.K.B. (1997). *Democracy and human rights in tanzania mainland: The bill of rights in the context of constitutional developments and the history of institutions of governance*. Ph.D Thesis, University of Warwick
- [37] Zack, N. (2006). Philosophy and disaster. *Homeland Security Affairs*, II(1). <http://www.hsaj.org/hsa> retrieved on 24th November, 2018.