



The need to observe natural law in judicial decisions in Nigeria

¹ Hilary Nwaechefu, ² Okunowo Oladele, ³ Ademola O Ojekunle

¹ Doctoral Candidate, Lecturer, Faculty of Law, Institut Littoral Des Etudes Professionnelles Superieures (ILEPS) (Littoral University) Port Novo, Republic of Benin, West Africa

² Senior Lecturer, School of Communication and Liberal Studies, Lagos State Polytechnic, Ikorodu, Lagos, Nigeria

³ Doctoral Candidate, Lecturer, Department of Public and International Law, Faculty of law, Bowen Universty Iwo Oyo State, Nigeria

Abstract

An accused person has constitutional safeguards in the course of his trial under the Nigerian criminal justice. Civil litigants also have rules and principles that guide them in seeking redress in law court of Nigeria. The objectives of this paper is to examine to what extent the judicial process in Nigeria has been achieving justice for litigants by the application of natural law as a guide in judicial judgments. This paper will approach the problems in the Nigerian judicial decisions by reference to Internet sources, Newspaper Publications, Law text books and Law Reports This paper seeks to point out the place of natural laws, morality in the administration of justice. It looks critically at the input of morality and natural law in the laws that are used to administer justice in our civil and criminal jurisprudence. It also takes a critical look and analysis of the judgments of the Apex court and the lower court and deduce to what extent these decisions conform to morality and natural law. This paper concludes by noting that some of the judgments lack the coloration of natural law, lack the application of canon law, lack moral tone while some actually conformed to the principle of morality, natural law, equity and good conscience. This paper recommends the strict observance of morality and natural law in future judgments.

Keywords: morality, natural law, judgment, justice, good conscience

Introduction

In recent times, the supreme court judgment in *Ukeje v. Ukeje* ^[1] which declared the Igbo native law and custom which hitherto disentitles a female from inheriting in her late father's estate as void, barbaric, repugnant to natural justice equity and good conscience. The judgment had sparked off reactions among some men of Igbo extraction. Some saw the judgment as an erosion of the Igbo cultural heritage while some saw the judgment as welcome revolution against an immoral and unnatural custom which ought not to have been in existence in the first place. The judgment is a landmark judgment for liberation of the women against perpetual male dominance that had existed for centuries in the south east of Nigeria. It is our considered opinion that a discussion on the implications of the judgments should for now serve the immediate need of legal development and contemporary jurisprudence. Judgments of a Supreme Court in Nigeria legal jurisprudence remains the position of the law on the subject matter adjudicated upon until the Supreme Court over rules itself in future judgments. This being the case, any criticisms of the judgment shall be for futuristic use as the judgment remains valid and would be serve as *stare decisis* and a binding precedent.

Meanings and essence of Natural Law

“Natural law may mean a normative system of law which is superior to human or positive law and supposed or deemed to lay down general principles of behavior for the guidance of human race” ^[2]. This law is believed to be the same for all people in all places at all times in identical situations and circumstances. Natural law is further referred to as the science

of all human rights; rights of person and his property; of all his rights to life, liberty, and the pursuit of happiness. This is because nature endows man with these rights by reason of creation and not accidental.

In its strictly ethical application—the sense in which this paper, treats it—the natural law is the rule of conduct which is prescribed to us by the Creator in the constitution of the nature with which He has endowed us.

Bearing in mind that natural law was handed over to man by nature, it is the science which alone can tell any man what he can, and cannot do; what he can, and cannot have; what he can, and cannot say, without infringing the rights of any other person. This also accounts for why these dos and don'ts are enshrined in the Nigerian constitution ^[3]. Natural law is the science of peace; and the only science of peace; since it is the science which alone can tell us on what conditions mankind can live in peace, or ought to live in peace, with each other. This science as it were, is engraved in the mind of man universally. This is why in all societies, there is nowhere killing of human being to prepare pepper soup is applauded, because it is against the law of nature as enshrined in our conscience even without a written constitution.

For instance, it is said that each man shall do, towards every other, all that justice requires him to do; as, for example, that he shall pay his debts, that he shall return borrowed or stolen property to its owner, and that he shall make reparation for any injury he may have done to the person or property of another ^[4].

Further it is also said, that each man shall abstain from doing to another, anything which justice forbids him to do; as, for

example, that he shall abstain from committing theft, robbery, arson, murder, or any other crime against the person or property of another ^[5].

So long as these laws of nature are observed, men are at peace, and ought to remain at peace, with each other. But when either of these laws is violated, men are at war. And they must necessarily remain at war until justice is re-established.

Through all time, so far as history informs us, wherever mankind have attempted to live in peace with each other, both the natural instincts, and the collective wisdom of the human race, have acknowledged and prescribed, as an indispensable condition, obedience to this one only universal obligation: viz., that each should live honestly towards every other, love your neighbours as yourself ^[6]. The ancient maxim makes the sum of a man's legal duty to his fellow men to be simply this: "to live honestly, to hurt no one, to give to everyone his

Due. "This entire maxim is really expressed in the single words, to live honestly; since to live honestly is to hurt no one, and give to every-one his due. This is the essence of Natural law so to speak.

Man, no doubt, owes many other *moral* duties to his fellow men; such as to feed the hungry, clothe the naked, shelter the homeless, care for the sick, protect the defenseless, assist the weak, and enlighten the ignorant. But these are simply *moral* duties, of which each man must be his own judge, in each particular case, as to whether, and how, and how far, he can, or will, perform them. But of his *legal* duty – that is, of his duty to live honestly towards his fellow men – his fellow men not only *may* judge, but, for their own protection, *must* judge. And, if need be, they may rightfully *compel* him to perform it. They may do this, acting singly, or in concert. They may do it on the instant, as the necessity arises, or deliberately and systematically, if they prefer to do so, and the exigency will admit of it.

Although it is the right of anybody and everybody – of any one man, or set of men, no less than another – to repel injustice, and compel justice, for themselves, and for all who may be wronged, yet to avoid the errors that are liable to result from haste and passion, and that everybody, who desires it, may rest secure in the assurance of protection, without a resort to force, it is evidently desirable that men should associate, so far as they freely and voluntarily can do so, for the maintenance of justice among themselves, and for mutual protection against other wrong-doers. It is also in the highest degree desirable that they should agree upon some plan or system of judicial proceedings, which, in the trial of causes, should secure caution, deliberation, thorough investigation, and, as far as possible, freedom from every influence but the simple desire to do justice. Yet such associations can be rightful and desirable only in so far as they are purely voluntary. No man can rightfully be coerced into joining one, or supporting one, against his will. His own interest, his own judgment, and his own conscience alone must determine whether he will join this association, or that; or whether he will join any. If he chooses to depend, for the protection of his own rights, solely upon himself, and upon such voluntary assistance as other persons may freely offer to him when the necessity for it arises, he has a perfect right to do so. And this course would be a reasonably safe one for him to follow, so long as he himself should manifest the ordinary readiness of mankind, in like cases, to go to the assistance and defence of injured persons; and should also himself "live honestly, hurt no one, and give to every-one

his due." For such a man is reasonably sure of always giving friends and defenders enough in case of need, whether he shall have joined any association, or not. Certainly no man can rightfully be required to join, or support, an association whose protection he does not desire. Nor can any man be reasonably or rightfully expected to join, or support, any association whose plans, or method of proceeding, he does not approve, as Likely to accomplish its professed purpose of maintaining justice, and at the same time itself avoid doing injustice. To join, or support, one that would, in his opinion, be inefficient, would be absurd. To join or support one that, in his opinion, would itself do injustice would be criminal. He must, therefore, be left at the same liberty to join, or not to join, an association for this purpose, as for any other, according as his own interest, discretion, or conscience shall dictate.

An association for mutual protection against injustice is like an association for mutual protection against fire or shipwreck. And there is no more right or reason in compelling any man to join or support one of these associations, against his will, his judgment, or his conscience, than there is in compelling him to join or support any other, whose benefits (if it offer any) he does not want, or whose purposes or methods he does not approve.

No objection can be made to these voluntary associations upon the ground that they would lack that knowledge of justice, as a science, which would be necessary to enable them to maintain justice, and themselves avoid doing injustice. Honesty, justice, natural law, is usually a very plain and simple matter, easily understood by common minds. Those who desire to know what it is, in any particular case, seldom have to go far to find it. It is true; it must be learned, like any other science. But it is also true that it is very easily learned. Although as illimitable in its applications as the infinite relations and dealings of men with each other, it is, nevertheless, made up of a few simple elementary principles, of the truth and justice of which every ordinary mind has an almost intuitive perception. And almost all men have the same perceptions of what constitutes justice, or of what justice requires, when they understand alike the facts from which their inferences are to be drawn.

Men living in contact with each other, and having intercourse together, cannot avoid learning natural law, to a very great extent, even if they would. The dealings of men with men, their separate possessions and their individual wants, and the disposition of every man to demand, and insist upon, whatever he believes to be his due, and to resent and resist all invasions of what he believes to be his rights, are continually forcing upon their minds the questions, Is this act just? Or is it unjust? Is this thing mine? Or is it his? And these are questions of natural law; questions which, in regard to the great mass of cases, are answered alike by the human mind everywhere.

Children learn the fundamental principles of natural law at a very early age. Thus they very early understand that one child must not, without just cause, strike or otherwise hurt, another; that one child must not assume any arbitrary control or domination over another; that one child must not, either by force, deceit, or stealth, obtain possession of anything that belongs to another; that if one child commits any of these wrongs against another, it is not only the right of the injured child to resist, and, if need be, punish the wrongdoer, and compel him to make reparation, but that it is also the right, and the moral duty, of all other children, and all other persons, to assist the injured party in defending his rights, and redressing

his wrongs. These are fundamental principles of natural law, which govern the most important transactions of man with man. Yet children learn them earlier than they learn that three and three are six, or five and five equal to ten. Their childish plays, even, could not be carried on without a constant regard to them; and it is equally impossible for persons of any age to live together in peace on any other conditions without the observance of these natural law which people learn by way of enculturation or Acculturation.

It would be no extravagance to say that, in most cases, if not in all, mankind at large, young and old, learn this natural law long before they have learned the meanings of the words by which we describe it. In truth, it would be impossible to make them understand the real meanings of the words, if they did not understand the nature of the thing itself. To make them understand the meanings of the words justice and injustice before knowing the nature of the things themselves, would be as impossible as it would be to make them understand the meanings of the words heat and cold, wet and dry, light and darkness, white and black, one and two, before knowing the nature of the things themselves. Men necessarily must know sentiments and ideas, no less than material things, before they can know the meanings of the words by which we describe them. Taking this discourse further, Thomas hobbes in his theory of the fourth law of nature posited that man ought to express gratitude to anyone who gives him a free gift. It reads thus: "that a person who receiveth benefit from another of meer grace, endeavours that he which giveth it, have no reasoble cause to repent him of his good will ^[7]." This breach of this law of nature is what is called ingratitude.

These natural laws are already being obeyed even from childhood days long before they have learned the meanings of the words by which we describe it.

Evolution of natural law

Natural law evolved from a universal concept as the ancient Greek city states collapsed at the wake of the conquests of Alexander the great and the new empires and kingdoms rose in the then Greek world. This evolution was brought about by two groups of Greek Philosophers called the sophists and the stoics, respectively ^[8].

With the sophists, a reference to nature meant simply the inherent nature or order of things but the stoics identified nature with man's reason so that when it was said that a person lived "reasonably", it meant he lived "naturally". To the stoics, the precepts of reason were equally valid everywhere.

St Thomas posited that, the natural law is "nothing else than the creature rationally participating in the eternal law". The eternal law is God's wisdom, inasmuch as it is the directive norm of all movement and action. When God willed to give existence to creatures, He willed to ordain and direct them to an end. In the case of inanimate things, this Divine direction is provided for in the nature which God has given to each; in them determinism reigns. Like all the rest of creation, man is destined by God to an end, and receives from Him a direction towards this end. This ordination is of a character in harmony with his free intelligent nature. In virtue of his intelligence and free will, man is master of his conduct. Unlike the things of the mere material world he can vary his action, act, or abstain from action, as he pleases. Yet he is not a lawless being in an ordered universe. In the very constitution of his nature, he too has a law laid down for him, reflecting that ordination and

direction of all things, which is the eternal law. The rule, then, which God has prescribed for our conduct, is found in our nature itself. Those actions which conform to its tendencies, lead to our destined end, and are thereby constituted right and morally good; those at variance with our nature are wrong and immoral.

Natural law is for Justice

If justice be not a natural principle, it is no principle at all. If it be not a natural principle, there is no such thing as justice. If it be not a natural principle, all that men have ever said or written about it, from time immemorial, has been said and written about that which had no existence. If it be not a natural principle, all the appeals for justice that have ever been heard, and all the struggles for justice that have ever been witnessed, have been appeals and struggles for a mere fantasy, a vagary of the imagination, and not for a reality. Apart from making men virtuous, laws aim at establishing justice, hence; "an unjust law" is strictly speaking not law but violence, corruption of law ^[9]

If justice be not a natural principle, then there is no such thing as injustice; and all the crimes of which the world has been the scene, have been no crimes at all; but only simple events, like the falling of the rain, or the setting of the sun; events of which the victims had no more reason to complain than they had to complain of the running of the streams, or the growth of vegetation.

If justice be not a natural principle, governments (so-called) have no more right or reason to take cognizance of it, or to pretend or profess to take cognizance of it, than they have to take cognizance, or to pretend or profess to take cognizance, of any other nonentity; and all their professions of establishing justice, or of maintaining justice, or of rewarding justice, are simply the mere gibberish of fools, or the frauds of imposters.

But if justice be a natural principle, then it is necessarily an immutable one; and can no more be changed – by any power inferior to that which established it – than can the law of gravitation, the laws of light, the principles of mathematics, or any other natural law or principle whatever; and all attempts or assumptions, on the part of any man or body of men – whether calling themselves governments, or by any other name – to set up their own commands, wills, pleasure, or discretion, in the place of justice, as a rule of conduct for any human being, are as much an absurdity, an usurpation, and a tyranny, as would be their attempts to set up their own commands, wills, pleasure, or discretion in the place of any and all the physical, mental, and moral laws of the universe.

If there be any such principle as justice, it is, of necessity, a natural principle; and, as such, it is a matter of science, to be learned and applied like any other science. And to talk of either adding to, or taking from it, by legislation, is just as false, absurd, and ridiculous as it would be to talk of adding to, or taking from, mathematics, chemistry, or any other science, by legislation.

If there be in nature such a principle as justice, nothing can be added to, or taken from, its supreme authority by all the legislation of which the entire human race united are capable. And all the attempts of the human race, or of any portion of it, to add to, or take from, the supreme authority of justice, in any case whatever, is of no more obligation upon any single human being than is the idle wind.

Natural law is a law of honesty

If there be in nature such a principle as justice, such a principle as honesty, such principles as we describe by the words mine and thine, such principles as men's natural rights of person and property, then we have an immutable and universal law; a law that we can learn, as we learn any other science; a law that tells us what is just and what is unjust, what is honest and what is dishonest, what things are mine and what things are thine, what are my rights of person and property and what are your rights of person and property, and where is the boundary between each and all of my rights of person and property and each and all of your rights of person and property. And this law is the paramount law, and the same law, over all the world, at all times, and for all peoples; and will be the same paramount and only law, at all times, and for all peoples, so long as man shall live upon the earth. The laws of nature is not a different law, but only a less precise and complete revelation of the same eternal law of right or wrong ^[10]

But if, on the other hand, there be in nature no such principle as justice, no such principle as honesty, no such principle as men's natural rights of person or property, then all such words as justice and injustice, honesty and dishonesty, all such words as mine and thine, all words that signify that one thing is one man's property and that another thing is another man's property, all words that are used to describe men's natural rights of person or property, all such words as are used to describe injuries and crimes, should be struck out of all human languages as having no meanings; and it should be declared, at once and forever, that the greatest force and the greatest frauds, for the time being, are the supreme and only laws for governing the relations of men with each other; and that, from henceforth, all persons and combinations of persons – those that call themselves governments, as well as all others – are to be left free to practice upon each other all the force, and all the fraud, of which they are capable. But we say God forbid.

Natural law is the law for good government

If there be no such science as justice, there can be no science of government; and all the rapacity and violence, by which, in all ages and nations, a few confederated villains have legitimate examples of government as any that the world is ever to see obtained the mastery over the rest of mankind, reduced them to poverty and slavery, and established what they called governments to keep them in subjection. This attitude of men ran contrary to what Thomas Hobbes ninth law of nature talking about equality of all men. It obliges men to recognize each other as equals. If nature has made all men equal, says Hobbes, then the equality must be acknowledged. Refusal to acknowledge it, is pure pride. And therefore for the ninth law of nature, Hobbes put it thus: that everyone acknowledge other for his equal by nature. The breach of this precept is pride ^[11] if there be in nature such a principle as justice, it is necessarily the only political principle there ever was, or ever will be. All the other so-called political principles, which men are in the habit of inventing, are not principles at all. They are either the mere conceits of simpletons, who imagine they have discovered something better than truth, and justice, and universal law; or they are mere devices and pretences, to which selfish and self-aggrandized men resort as means to get fame, and power, and money.

The qualities of the natural law

- (a) The natural law is universal, that is to say, it applies to the entire human race, and is in itself the same for all. Every man, because he is a man, is bound, if he will conform to the universal order willed by the Creator, to live conformably to his own rational nature, and to be guided by reason. However, infants and insane person, who have not the actual use of their reason and cannot therefore know the law, are.
- (b) The natural law is immutable in itself and also extrinsically. Since it is founded in the very nature of man and his destination to his end—two bases which rest upon the immutable ground of the eternal law—it follows that, assuming the continued forbids in the same tenor everywhere and always. We must, however, remember that this immutability pertains not to those abstract imperfect formula in which the law is commonly expressed, but to the moral standard as it applies to action in the concrete, surrounded with all its determinate conditions. We enunciate, for instance, one of the leading precepts in the words: "Thou shalt not kill"; yet the taking of human life is sometimes a lawful, and even an obligatory act. Herein exists no variation in the law; what the law forbids is not all taking of life, but all unjust taking of life.

The Nigeria experience in the application of morality and Natural law in judgments of courts

In customary law generally, inheritance is said to devolve by blood. This being the case a husband cannot be heard to inherit his late wife's real property which she inherited from her family following the death of her parents, because the surviving husband is seen as a stranger to the family of his late wife. In *Caulcrick v. Harding*, ^[12] the deceased landowner left property for his three daughters, one of whom was the plaintiff's deceased wife. The plaintiff claimed a third share of the property by virtue of his deceased wife's right. The Plaintiff's action failed because he had no such right, not being a member of the wife's family.

Prior to the Nigeria Supreme Court's decisions in *Onyibor Anekwe, Chinweze v. Mrs. Maria Nweke* ^[13] a widow was not entitled to share in the property of the deceased husband at customary law ^[14]. The Nigeria Supreme Court had in its recent decision declared this custom as barbaric, repugnant to natural justice, equity and good conscience ^[15]

The decision of the lower court in *Nezianya v. Okagbue & Ors* ^[16], could rightly be said to run contrary to natural justice, and indeed natural law, for holding that a widow was not entitled to inherit her late husband's estate even when she had laboured with the late husband to acquire such real estate. Nature in its magnanimity handed over to man the spirit of fairness and where unfairness is thrown to the wind, the decision, however reached, cannot be in conformity with natural law. No wonder the Nigeria Supreme Court ^[17], in realizing that that decision was devoid of morality and natural law, declared the custom as barbaric, repugnant to natural justice, equity and good conscience, which seeks to disentitle a widow to share in the property of the deceased husband at customary law.

If this reasoning of the Nigeria Supreme Court in *Onyibor Anekwe, Chinweze v. Mrs. Maria Nweke*, is anything to go by, wherein a widow was held entitled to inherit her late husband's

estate, the earlier lower court's decision in *Caulcrick v. Harding* ^[18] wherein it was held that a widower was disentitled to inherit his late wife's share of property in her family, also ran contrary to natural law and morality. After all what is good for the Goose is also good for the Gander. We submit that the decision in *Caulcrick v. Harding* is unjust, discriminatory and thus offends the natural law- the law of the universe.

In another Nigerian case of *Ukeje v. Ukeje* ^[19], Rhodes-Vivour JSC (Delivering the Lead Judgment): held thus below:

"This appeal is on the paternity of the respondent. Whether the respondent is a daughter of L. O. Ukeje (deceased). L. O. Ukeje deceased is subject to the Igbo Customary Law. Agreeing with the High Court, the Court of Appeal correctly found that the Igbo native law and custom which disentitles a female from inheriting in her late father's estate is void as it conflicts with sections 39(1) (a) and (2) of the 1979 Constitution (as amended). This finding was affirmed by the Court of Appeal. There is no appeal on it. The findings remain inviolate."

Sections 39(1) (a) and (2) of the 1979 Constitution is now contained in the 1999 Constitution as section 42(1) (a); (2) and it states that:

"42(1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not be reason only that he is such a person:

(a) Be subjected either expressly by, or in the practical application of, any law in force in Nigeria or any executive or administrative action of the government, to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religious or political opinions are made subject: or,

(2) No citizen of Nigeria shall be subjected to any disability or deprivation merely by reason of the circumstances of his birth." No matter the circumstances of the birth of a female child, such as child' is entitled to an inheritance from her late father's estate. Consequently, the Igbo customary law which disentitles a female child from partaking in the sharing of her deceased father's estate is in breach of section 42(1) and (2) of the Constitution. In the light of all that I have been saying, the appeal is dismissed. In the spirit of reconciliation parties to bear their own costs".

In another celebrated case of *Onybor Anekwe, Chinweze v. Mrs. Maria Nweke* ^[22] *Ogunbiyi, J.S.C.* (Delivering the Leading Judgment) held as follows: "The appeal before us, is against the judgment of the Court of Appeal, Enugu Division delivered on the 14th day of February, 2013 wherein their Lordships, of that court in their wisdom dismissed the totality of the appellants' appeal and thereby upheld the judgment of the trial High Court Anambra State in granting the respondent's claim, in part and dismissed the appellants' counter-claim. I hasten to add at this point that the custom and practices of Awka people upon which the appellants have relied for their counter claim is hereby out rightly condemned in very strong terms. In other words, a custom of this nature in the 21st century societal setting will only tend to depict the absence of the realities of human civilization. It is punitive, uncivilized and only intended to protect the selfish perpetration of male dominance which is aimed at suppressing the right of the womenfolk in the given society. One would expect that the days of such obvious differential discrimination are over. Any culture that disinherits a daughter from her father's estate or wife from her husband's Property by reason of God instituted gender differential should

be punitively and decisively dealt with. The punishment should serve as a deterrent measure and ought to be meted out against the perpetrators of the culture and custom. For a widow of a man to be thrown out of her matrimonial home, where she had lived all her life with her late husband and children, by her late husband's brothers on the ground that she had no male child, is indeed very barbaric, worrying, and flesh skinning. It is indeed much more disturbing especially where the counsel representing such perpetrating clients, though learned, appears comfortable in identifying, endorsing and also approving of such a demeaning custom."

This court did not pretend or hide its anger when, this court in *Nzekwu v. Nzekwe* ^[20] held amongst others and ruled "that the plaintiff had the right of possession of her late husband's property and no member of her husband's family has the right to dispose of it or otherwise whilst one is still alive. "The impropriety of such a custom which militates against women particularly, widows, who are denied their inheritance, deserves to be condemned as being repugnant to natural justice, equity and good conscience. The repulsive nature of the challenged custom is heightened further in the case at hand where the widow of the deceased is sought to be deprived of the very building where her late husband was buried. The condemnation of the appellants' act is in the circumstance without any hesitation or apology. The clarion call made by the appellants and asking that the lower court's judgment be upset cannot be acceded to. Consequently, the appellants' two issues raised in this appeal are both resolved against them. The appeal is without merit and is hereby dismissed while the judgment of the Court of Appeal, Enugu Division which affirmed that of the trial High Court in Anambra State, Awka is hereby also affirmed by me. On the question of costs I will award a punitive sum of N200, 000.00k against the appellants and in favour of the Respondent."

We also submit that the decisions in *Onybor Anekwe, Chinweze v. Mrs. Maria Nweke*, ^[21] *Ukeje v. Ukeje* ^[22] both accord with the natural justice, equity and good conscience. They represent landmark judgments which posterity will never forget; for which future generations unborn will give glory to God and the female gender will live to be appreciated and will longer be cheated based on the God instituted gender differential.

Conclusion and recommendations

For a judgment to be seen as fair, the natural law or the law of conscience or equity as is sometimes called, provides that the laws to be applied must be godly laws, and laws so made must be implemented by God fearing officials. A vibrant and effective administration of justice is an absolute necessity, if law and order is to be maintained in any society. Under Chapter IV of the 1999 Constitution of the Federal Republic of Nigeria, the rights of an accused person standing trial for a criminal offence are fully guaranteed. The application of the rules of equity is part of Nigeria legal jurisprudence. Those in charge of the administration of justice must observe the rule of natural justice, avoid bias, and must safe guard the rights of the litigants. By this way, justice will not only be done but be manifestly seen to have been done.

Jurisprudence and Natural law is all about discovering the truth, holding the truth and using the truth as a basis for reaching conclusion by the Judges, so that there will be justice in the sight of men and God who, himself originated canon law

and natural law and the rule of Fair hearing.

It is pertinent that humanity operates within the principle of natural law or law of nature in any part of the universe they may find themselves.

We submit on a final note that mankind in general must pursue, receive, give and deliver justice no matter the strength of adversity that would be encountered in the process. Canon law and natural law, being the undiluted instructions from nature or God, also rightly referred to as the ultimate arbiter, every Judge must arrive at decision based on the natural law and morality. Every human law or positive law to be used for trial of any human being or for adjudication of disputes ought to be in line with morality, canon law and the natural law. Nigerian Judicial officers or members of the bench as they are sometimes referred, must first and foremost put the law of nature at the topmost of their mind in interpreting laws and administering justice.

We submit on a final note that it is only when there is full observance of natural law that the society can say that there are fair judgments in Nigeria courts. If these suggestions are upheld, this world would be a better place for all mankind since we are under nature and we cannot run away from nature, otherwise we cease to be humans.

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21. 9 NWLR (PT 1412) 393-422 SC. 2014.
22. 3 SCNJ page 167; (1989) 2 NWLR (Pt. 104) 373. 1989.
23. (*Supra*) p.393-422
24. (*Supra*) p.147 SC. 2015,