

Removal of Public Officers under the 1999 Constitution of the Federal Republic of Nigeria: A Critical Assessment of the State of Emergency Declared in Rivers State by President Bola Tinubu on March 18, 2025*

Abstract

Removal of public officers in Nigeria is a deeply constitutional matter, governed strictly by procedural and substantive provisions of the Constitution of the Federal Republic of Nigeria 1999 (as amended). The declaration of a state of emergency in Rivers State by President Bola Ahmed Tinubu on March 18, 2025 and the subsequent dissolution of democratic structures, especially the removal of key public officers, has ignited legal, political and academic debate. This paper critically assesses the legality, constitutionality and political implications of the removal of public officers in the wake of this emergency declaration. It argued that while the Constitution creates mechanisms for emergency governance, these powers must be exercised strictly within the rule of law and constitutional boundaries. Through doctrinal analysis, case law and comparative outlooks, this article challenged the validity of the President's actions. The implications of the Rivers State emergency declaration, go beyond the immediate crisis; they cut to the heart of Nigeria's constitutional order and democratic resilience. The paper found that unless restrained and clearly circumscribed, executive reliance on emergency provisions may become a means to subvert due process and consolidate power, with profound consequences for federalism, rule of law and rights of citizens. The work recommends a constitutionally compliant approach in addressing internal crises in Nigerian states.

Key Words: *Removal, Public Officers, Constitution, State of Emergency.*

1. Introduction

The doctrine of constitutionalism is central to democratic governance, and emphasizes that exercise of government powers must be within the confines of the law. Constitutionalism, in this context, denotes not merely the existence of a written constitution, but strict adherence to its provisions, procedures and limitations¹. In *Attorney-General of Bendel State v Attorney-General of the Federation*², the Supreme Court affirmed that "constitutionalism demands not only government under the Constitution but government in accordance with the Constitution." It is this foundational concept that secures the rule of law, limits arbitrary governance and guarantees the separation of powers. The Constitution of the Federal Republic of Nigeria 1999 (as amended) is Nigeria's supreme legal document and embodies a framework for the exercise of public power. Section 1(1) declares the Constitution to be supreme and binding on all authorities and persons³. Specifically, it entrenches well-defined procedures for the lawful removal of public officers, be they governors⁴, legislators⁵, or judicial officers⁶. These provisions are not merely procedural, they are fundamental safeguards against executive

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¹Ben Nwabueze, *Constitutionalism in the Emergent States* (C. Hurst 1973) 10.

²(1981) 10 SC 1, 55

³Section 1(1) of 1999 Constitution of the Federal Republic of Nigeria, *A-G Lagos State v A-G Federation* (2025) 5NWLR (1984) 43

⁴*Ibid*, Section 188

⁵*Ibid*, Section 68-69

⁶*Ibid*, Section 292

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overreach and instruments for preserving democratic integrity. In *Inakoju v. Adeleke*⁷, the Supreme Court emphasised that compliance with the constitutional process for removing public officers is mandatory and not subject to discretion or executive interpretation. However, the declaration of a state of emergency in Rivers State by President Bola Ahmed Tinubu on March 18, 2025 and the consequent dissolution of democratic institutions—including the removal of the executive governor, members of the House of Assembly and local government council chairmen—has brought to the fore serious constitutional and legal questions. While the President relied on section 305 of the Constitution to justify the emergency proclamation, the extent of powers exercisable under this section, particularly as it concerns the removal or displacement of elected public officers, remains contentious. This development invites a re-examination of the constitutional limits of emergency powers in a federal system. Section 305 provides for the declaration of a state of emergency upon the satisfaction of conditions such as war, natural disaster, or breakdown of public order, but it does not expressly empower the President to remove or replace constitutionally elected officials. Indeed, in *Ladoja v. INEC*⁸, the Court of Appeal held that the usurpation of the constitutional functions of a state legislature or governor, without adherence to constitutional removal processes is void and unconstitutional. This paper seeks to explore whether the removal of public officers under the cloak of emergency powers aligns with the provisions and spirit of the Constitution. It argues that although emergency powers are sometimes necessary to preserve national security and public order, such powers must not serve as instruments for dismantling democratic structures or bypassing constitutional safeguards. As held by the Nigerian Supreme Court in *Marwa v. Nyako*⁹, even during states of emergency, the Constitution remains in operation and continues to bind all authorities. The implications of the Rivers State emergency declaration, therefore, go beyond the immediate crisis, they cut to the heart of Nigeria's constitutional order and democratic resilience. Unless restrained and clearly circumscribed, executive reliance on emergency provisions may become a convenient means for subverting due process and consolidating power, with profound consequences for federalism, rule of law, and the rights of citizens.

2. Constitutional Framework for Removal of Public Officers in Nigeria

The Constitution of the Federal Republic of Nigeria 1999 (as amended) is the supreme legal instrument guiding the structure, powers, and limitations of government in Nigeria. It not only provides for the establishment and tenure of public offices but also lays down detailed and binding procedures for the lawful removal of public officers at all levels. These procedures are not mere formalities but represents essential safeguards for democratic governance and the rule of law. One of the fundamental tenets of the Constitution is the insistence that every removal of an elected or appointed public officer must comply strictly with prescribed legal processes. The Supreme Court has consistently held that “where the Constitution has provided a procedure for doing a thing, no other procedure is to be followed”¹⁰. In *Inakoju v. Adeleke*¹¹, the apex court reiterated that any deviation from the prescribed process of removing a public officer renders the act null and void, regardless of the justification or exigency. This principle is rooted in the supremacy clause of the Constitution: This Constitution is supreme and its provisions shall have binding force on all authorities and persons throughout the Federal

⁷(2007) 4 NWLR (Pt. 1025) 423.

⁸(2007) 12 NWLR (Pt. 1047) 119

⁹(2012) 6 NWLR (Pt. 1296) 199

¹⁰*A-G Abia State v A-G Federation* (2002) 6 NWLR (Pt. 763) 264.

¹¹*Tukur v. Government of Gongola State* (2007) 4 NWLR (Pt. 1025) 423.

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Republic of Nigeria¹². It follows, therefore, that no public institution or officer, including the President, can override constitutional procedures, even during emergency situations. The removal of a Governor is governed exclusively by Section 188 of the Constitution, which outlines the process for impeachment by the State House of Assembly. The provision states, *inter alia*:

*The Governor or Deputy Governor of a State may be removed from office in accordance with the provisions of this section*¹³.

*A notice of any allegation in writing signed by not less than one-third of the members of the House of Assembly stating that the holder of such office is guilty of gross misconduct in the performance of the functions of his office, shall be presented to the Speaker of the House of Assembly*¹⁴.

*Within seven days of the receipt of the notice, the Speaker shall cause a copy of the notice to be served on the holder of the office and on each member of the House and shall also cause any statement made in reply to the allegation by the holder of the office to be served on each member*¹⁵.

*Within fourteen days of the presentation of the notice to the Speaker... the House of Assembly shall resolve by motion... whether or not the allegation shall be investigated*¹⁶.

Section 188(10) reinforces the exclusivity of the Assembly's role in impeachment: *No proceedings or determination of the House of Assembly or the panel or any matter relating thereto shall be entertained or questioned in any court*¹⁷. This clause has been interpreted by the courts as insulating legislative impeachment procedures from judicial interference only where due process has been followed¹⁸. In *Dapialong v. Dariye*¹⁹, the Court of Appeal nullified the impeachment of a Governor carried out by a minority of legislators and held that any removal outside the bounds of Section 188 is unconstitutional, notwithstanding the apparent finality clause in subsection (10). Therefore, under no circumstances except through the specific procedures under Section 188 shall a Governor be lawfully removed, including during a state of emergency. Presidential action purporting to override these steps would amount to constitutional breach. The legislature at the state level is constituted under Section 91: *There shall be a House of Assembly for each State of the Federation*²⁰. Members of the House may vacate their seats only under the conditions stated in Section 109. This includes resignation, death, prolonged absence, or defection from the political party that sponsored them. Specifically: *A member of a House of Assembly shall vacate his seat in the House if... he becomes a member of another political party before the expiration of the period for which that House was elected*¹². There is no provision under the Constitution for the removal or dissolution of a State House of Assembly by the President or by the Federal executive under any circumstance, including during emergencies. Section 11 of the Constitution permits federal legislative intervention only in limited and defined scenarios, and even then, the National Assembly does not possess the power to dissolve a State Assembly. The 1999 Constitution also affirms the autonomy and democratic nature of local governments. Section

¹²Constitution of the Federal Republic of Nigeria 1999 (as amended), Section 1(1)

¹³Ibid, Section 188(1)

¹⁴Ibid, Section 188(2)

¹⁵Ibid, Section 188(3)

¹⁶Ibid, Section 188(4)

¹⁷Ibid, Section 188(10)

¹⁸(1989) 4 NWLR (Pt. 117) 517.

¹⁹(2007) 8 NWLR (Pt. 1036) 239

²⁰Section.109(1)(g)

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7(1) provides: *The system of local government by democratically elected local government councils is under this Constitution guaranteed*²¹. The Courts have repeatedly upheld this guarantee, stressing that elected local government councils cannot be dissolved arbitrarily by state governors or any other authority. In *Governor of Ekiti State v. Olubunmo*²², the Court of Appeal held that “any attempt to dissolve elected councils and replace them with caretaker committees is a violation of Section 7(1)”. Thus, the principle applies a fortiori at the federal level—the President lacks authority to dissolve local councils created under state laws and protected by the Constitution. Any removal of local council chairmen without elections or due legal process undermines the constitutional guarantee. Section 305 empowers the President to declare a state of emergency under specific conditions: “Subject to the provisions of this Constitution, the President may by instrument published in the Official Gazette of the Government of the Federation issue a Proclamation of a state of emergency in the Federation or any part thereof”²³. Section 305(3) sets out the grounds upon which such a proclamation may be made, including: “(c) there is actual breakdown of public order and public safety in the Federation or any part thereof to such extent as to require extraordinary measures to restore peace and security”²⁴. While these provisions grant the President temporary powers to address crises, they do not authorize the removal of democratically elected officials. Nowhere in Section 305—or any other part of the Constitution—is the President granted powers to dissolve state governments or local councils. In *Marwa v. Nyako*²⁵, the Supreme Court held that: *The Constitution does not envisage that democratic structures would be dismantled under the guise of a state of emergency. The constitutional order remains in force and must be respected at all times.*²⁶ The Court invalidated a purported suspension of democratic structures during the emergency in Plateau State, reaffirming that constitutional supremacy overrides all other considerations.

3. Emergency Powers under the Constitution and their Judicial Interpretation

Section 305 of Constitution of the Federal Republic of Nigeria 1999 delineates the circumstances under which the President may declare a state of emergency: *Section 305(1): Subject to the provisions of this Constitution, the President may by instrument published in the Official Gazette of the Government of the Federation issue a Proclamation of a state of emergency in the Federation or any part thereof*²⁷. The conditions warranting such a proclamation are specified in subsection (3)

The President shall have power to issue a Proclamation of a state of emergency only when—
 (a) *The Federation is at war* (b) *the Federation is in imminent danger of invasion or involvement in a state of war;* (c) *there is actual breakdown of public order and public safety in the Federation or any part thereof to such extent as to require extraordinary measures to restore peace and security;* (d) *there is a clear and present danger of an actual breakdown of*

²¹ Constitution of the Federal Republic of Nigeria 1999 (as amended), section 7(1), Ikenna U. Ibe, Local Government Creation under the 1999 Constitution (as amended): An Appraisal, *African Journal of Constitutional and Administrative Law*, Volume 2, 2019, 40-50, Ikenna U. Ibe, An Appraisal of the Legal and Administrative Framework for Taxation in Nigeria, *African Journal of Constitutional and Administrative Law*, Volume 1, 2019.

²²(2007) 9 NWLR (Pt. 1038) 85

²³Constitution of the Federal Republic of Nigeria 1999 (as amended), Section 305(1)

²⁴*Ibid*, Section 305(3)(c)

²⁵(n.9) 305.

²⁶(n.9) 305

²⁷Constitution of the Federal Republic of Nigeria 1999 (as amended), Section 305(1)

public order and public safety in the Federation or any part thereof requiring extraordinary measures to avert such danger;

(e) there is an occurrence or imminent danger, or the occurrence of any disaster or natural calamity, affecting the community or a section of the community in the Federation;

(f) there is any other public danger which clearly constitutes a threat to the existence of the Federation;

or

*(g) the President receives a request to do so in accordance with the provisions of subsection (4) of this section*²⁸.

Furthermore, subsection (6) mandates legislative oversight: Section 305(6):

"A Proclamation issued by the President under this section shall cease to have effect (a) if it is revoked by the President by instrument published in the Official Gazette of the Government of the Federation;

(b) if it affects the Federation or any part thereof and within two days when the National Assembly is in session or within ten days when the National Assembly is not in session after its publication, there is no resolution supported by two-thirds majority of all the members of each House of the National Assembly approving the Proclamation;

(c) after a period of six months has elapsed since it has been in force: Provided that the National Assembly may, before the expiration of the period of six months aforesaid, extend the period for the Proclamation of the state of emergency to remain in force from time to time for a further period of six months by resolution passed in like manner; or
*(d) at any time after the approval referred to in paragraph (b) of this subsection or the extension referred to in paragraph (c) of this subsection, when each House of the National Assembly revokes the Proclamation by a simple majority of all the members of each House."*²⁹

These provisions underscore the necessity for both executive action and legislative approval in the declaration and continuation of a state of emergency. The Nigerian judiciary has consistently emphasized the supremacy of the Constitution, even during emergencies. In *Marwa v. Nyako*³⁰, the Supreme Court held: *The Constitution does not envisage that democratic structures would be dismantled under the guise of a state of emergency. The constitutional order remains in force and must be respected at all times.* This judgment of the Supreme Court of Nigeria reaffirmed that emergency powers must be exercised within constitutional bounds and cannot be used to override established democratic institutions. Similarly, in *Attorney-General of Cross River State v Attorney-General of the Federation*³¹, the Supreme Court emphasized that: *the President's power to declare a state of emergency is not a carte blanche to disregard the Constitution.* The Judgment highlights the judiciary's role in ensuring that emergency powers are not misused to undermine constitutional governance.

4. Case Study: The Rivers State Emergency Declaration of March 2025

On March 18, 2025, President Bola Ahmed Tinubu declared a state of emergency in Rivers State, citing a breakdown of public order and the need to protect vital oil infrastructure. The declaration led to the suspension of Governor Siminalayi Fubara, his deputy Ngozi Odu, and all elected members of the Rivers State House of Assembly for an initial period of six months. Retired Vice Admiral Ibok-Ete Ibas was appointed as the sole administrator to oversee the

²⁸*Ibid*, Section 305(3).

²⁹ Constitution of the Federal Republic of Nigeria 1999 (as amended), Section 305(6)

³⁰(n.9) 305.

³¹(2005) 15 NWLR (Pt. 947) 71

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state's affairs during this period³². The President justified his actions by referencing Section 305 of the Constitution of the Federal Republic of Nigeria 1999 (as amended), asserting that the political crisis and security threats in Rivers State necessitated extraordinary measures³³. Section 305(1) of the Constitution provides: *Subject to the provisions of this Constitution, the President may by instrument published in the Official Gazette of the Government of the Federation issue a Proclamation of a state of emergency in the Federation or any part thereof*³⁴. Section 305(3) outlines the conditions under which such a proclamation can be made, including: (c) *there is actual breakdown of public order and public safety in the Federation or any part thereof to such extent as to require extraordinary measures to restore peace and security*³⁵. However, the Constitution does not explicitly grant the President the authority to suspend or remove elected state officials during a state of emergency. The removal of a state Governor is governed by Section 188, which stipulates a detailed impeachment process involving the State House of Assembly and a panel of inquiry³⁶. Similarly, Section 7(1) guarantees the system of local government by democratically elected councils, and there is no provision for their dissolution by the President under emergency powers. In *Marwa v. Nyako*³⁷, the Supreme Court held that the Constitution does not envisage the suspension or dissolution of democratic institutions during a state of emergency. The Court emphasized that: *The Constitution does not envisage that democratic structures would be dismantled under the guise of a state of emergency. The constitutional order remains in force and must be respected at all times*³⁸. This precedent suggests that suspension of elected officials in Rivers State may not align with constitutional provisions. Section 305(6) requires a proclamation of a state of emergency to be approved by a two-thirds majority of each House of the National Assembly within a stated period³⁹. Reports indicate that the National Assembly approved the President's proclamation. Legal experts questioned if the required two-thirds majority was gotten in the Senate⁴⁰. Following the declaration, seven state governments, led by governors from opposition People's Democratic Party (PDP), filed a suit at the Supreme Court challenging the President's actions. They argued that the President lacked the constitutional authority to suspend elected officials and appoint a sole administrator⁴¹. The Nigerian Bar Association also criticized the move as illegal, stating that a declaration of emergency does not automatically dissolve or suspend elected state governments⁴².

5. Implications of Emergency Rule in Rivers State on Democratic Governance in Nigeria

While states of emergency are sometimes necessary for the preservation of peace and national unity, they must not be allowed to become instruments of executive domination or political

³²Proclamation of A State of Emergency in Rivers State: Constitutional Boundaries and Democratic Implications, TheNigeriaLawyer, March 24, 2025.

³³President Tinubu Declares State of Emergency in Rivers State on Tuesday 18 March 2025," State House Press Release, March 18, 2025.

³⁴Constitution of the Federal Republic of Nigeria 1999 (as amended), s.305(1)

³⁵Ibid, Section 305(3)(c)

³⁶Ibid, Section.188

³⁷(2012) 6 NWLR (Pt. 1296) 199

³⁸*Marwa v. Nyako* (2012) 6 NWLR (Pt. 1296) 199.

³⁹Constitution of the Federal Republic of Nigeria (1999), Section 305(6).

⁴⁰State of Emergency in River State. What Section 305 of the Constitution Really Says," Law FM Nigeria, March 26, 2025

⁴¹Ugwu C (March 18, 2025) "Tinubu Declares State of Emergency in Rivers, Suspends Governor Fubara, Deputy, Assembly Members, *Premium Times*

⁴²Shibayan D (March 19, 2025) "Nigerian Leader Suspends the Governor of an Oil-Rich State in Rare Emergency Rule," Associated Press.

expediency. The Constitution of Nigeria envisions a government of laws and not of men. Any act, however well-intentioned, that overrides constitutional safeguards poses a danger to the rule of law, democratic governance, and the long-term stability of the Nigerian state. As aptly stated by Lord Atkin in *Liversidge v. Anderson*⁴³: “Amid the clash of arms, the laws are not silent. They may be changed, but they speak the same language in war as in peace.” This principle must guide Nigeria’s democratic journey, ensuring that no state of emergency silences the enduring voice of constitutionalism. The 1999 Constitution of the Federal Republic of Nigeria (as amended) establishes a clear separation of powers among the executive, legislative, and judicial branches of government. This doctrine is fundamental to the preservation of democratic governance and the prevention of authoritarianism. Section 4(1) vests legislative powers in the National Assembly: *The legislative powers of the Federal Republic of Nigeria shall be vested in a National Assembly for the Federation, which shall consist of a Senate and a House of Representatives*⁴⁴. Section 5(1) vests executive powers in the President: *Subject to the provisions of this Constitution, the executive powers of the Federation shall be vested in the President...*⁴⁵ Section 6(1) vests judicial powers in the courts: *The judicial powers of the Federation shall be vested in the courts to which this section relates...*⁴⁶ The unilateral suspension of elected officials in Rivers State by the President disrupts this balance, concentrating excessive power in the executive branch and undermining the autonomy of state institutions. However, Nigeria operates a federal system of government, wherein powers are shared between the federal and state governments. The Constitution recognizes the autonomy of state governments and provides mechanisms for their self-governance. Section 7(1) guarantees the system of local government by democratically elected councils: *The system of local government by democratically elected local government councils is under this Constitution guaranteed...*⁴⁷ The dissolution of local government councils in Rivers State during the state of emergency contravenes this provision, eroding the principles of federalism and state autonomy. Moreover, the actions taken during the Rivers State emergency set a concerning precedent for executive overreach. If left unchecked, such actions could embolden future administrations to bypass constitutional procedures under the guise of emergency powers, leading to the erosion of democratic norms and institutions. In *Attorney-General of Lagos State v Attorney-General of the Federation*⁴⁸, the Supreme Court emphasized the importance of adhering to constitutional provisions: *The Constitution is the supreme law of the land, and its provisions must be respected and upheld by all authorities and persons in Nigeria*⁴⁹ The suspension of elected officials undermines the will of the electorate and can lead to public disillusionment with the democratic process. Citizens may perceive such actions as a disregard for their electoral choices, leading to apathy and decreased participation in future elections. To safeguard democratic governance, it is imperative that the judiciary and legislature exercise their oversight functions effectively. Judicial review serves as a check on executive actions, ensuring they conform to constitutional provisions. In *Marwa v. Nyako*⁵⁰, the Supreme Court held: *The Constitution does not envisage that democratic structures would be dismantled under the guise of a state*

⁴³(1942) AC 206 (HL)

⁴⁴Constitution of the Federal Republic of Nigeria 1999 (as amended), s.4(1)

⁴⁵*Ibid*, Section 5(1)

⁴⁶*Ibid*, Section 6(1)

⁴⁷*Ibid*, Section 7(1)

⁴⁸(2003) 12 NWLR (Pt. 833) 1

⁴⁹*Attorney-General of Lagos State v Attorney-General of the Federation* (2003) 12 NWLR (Pt. 833) 1.

⁵⁰ (2012) 6 NWLR (Pt. 1296) 199

Ikenna U. Ibe, Walter Anierobi & CV Ezekwike/Removal of Public Officers under the 1999 Constitution: Critical Assessment of State of Emergency declared in Rivers State in March 2025 of emergency. The constitutional order remains in force and must be respected at all times.⁵¹ Furthermore, the Legislative oversight, as mandated by Section 305(6) of the Constitution, requires the National Assembly to approve any proclamation of a state of emergency: "A Proclamation issued by the President under this section shall cease to have effect... if... there is no resolution supported by two-thirds majority of all the members of each House of the National Assembly approving the Proclamation"⁵²

6. Conclusion

The declaration of a state of emergency in Rivers State on March 18, 2025, by President Bola Ahmed Tinubu, and the consequential removal of elected public officers, raises profound constitutional, democratic and jurisprudential concerns. The Constitution of the Federal Republic of Nigeria 1999 (as amended) sets out clear procedures for the removal of public officers, including governors, legislators and local government chairmen. These procedures are entrenched in Sections 188, 109, and 7 respectively and are intended to protect democratic structures from arbitrary interference. As judicially affirmed in *Marwa v. Nyako*⁵³, even under emergency rule, the supremacy of the Constitution must be maintained and democratic institutions preserved. Any deviation from this principle risks entrenching executive absolutism under the cloak of necessity, thereby endangering the very fabric of Nigeria's constitutional democracy. Furthermore, the actions taken in Rivers State contradict Nigeria's federal structure as defined by the Constitution. The federal principle demands respect for state autonomy and the constitutional limits of federal intervention. The unilateral dissolution of a state's democratic institutions by the President, without clear constitutional backing or legislative oversight, amounts to a usurpation of powers not granted by the Constitution. The events also highlight the necessity of strengthening legal and institutional safeguards that prevent emergency powers from being misused. Democratic institutions, particularly the judiciary and legislature must jealously guard their independence and ensure that the Constitution is not circumvented in moments of political expediency.

7. Recommendations

In light of the above, the following recommendations are proposed:

1. Constitutional Amendment to Clarify Emergency Powers

To prevent future ambiguity, Section 305 of the Constitution should be amended to explicitly prohibit the removal or suspension of elected public officials solely based on the proclamation of a state of emergency. A constitutional provision affirming the inviolability of democratic institutions under emergency rule will reinforce democratic resilience.

2. Judicial Vigilance and Swift Constitutional Interpretation

The courts, particularly the Supreme Court, must continue to uphold their role as guardians of the Constitution by swiftly determining the constitutionality of executive actions taken under emergency proclamations. The ongoing challenge to the Rivers State emergency declaration should serve as an opportunity for judicial reaffirmation of democratic principles.

In *Fawehinmi v. Babangida*⁵⁴, the court underscored that even under military regimes, constitutionalism could not be completely eroded.² This dictum should resonate even more powerfully under a democratic dispensation.

3. Strengthening Legislative Oversight

⁵¹Marwa v. Nyako (2012) 6 NWLR (Pt. 1296) 199

⁵²Constitution of the Federal Republic of Nigeria 1999 (as amended), s.305(6).

⁵³(2012) 6 NWLR (Pt. 1296) 199

⁵⁴(2003) 3 NWLR (Pt. 808) 604

The National Assembly must assert its oversight function more vigorously. As required by Section 305(6), emergency proclamations must receive not just rubber-stamp approval, but active and substantive legislative scrutiny. This includes confirmation that due process has been followed and that no constitutional rights are being violated.

4. Civic Education and Democratic Vigilance

A politically aware and engaged citizenry is the strongest bulwark against executive excesses. Civil society organizations, legal associations, and academic institutions must amplify awareness of constitutional rights and the dangers of authoritarian encroachments masked as emergencies

5. Independent Institutions to Monitor Emergency Powers

The National Human Rights Commission and the Nigerian Bar Association should establish rapid response mechanisms to monitor the use and abuse of emergency powers in real-time, provide legal support to affected individuals, and engage in public interest litigation where necessary.

