**SS 3 CIVIC EDUCATION SECOND TERM E LESSON NOTE**

Civic Education SS3 First term

[DEMOCRACY](https://passnownow.com/lesson/democracy11111/)

[RULE OF LAW](https://passnownow.com/lesson/rule-of-law2222/)

PROBLEMS OF RULE OF LAW

[CONSTITUTIONAL DEMOCRACY](https://passnownow.com/lesson/constitutional-democracy222/)

[ADVANTAGES AND DISADVANTAGES OF CONSTITUTIONAL DEMOCRACY](https://passnownow.com/lesson/advantages-disadvantages-constitutional-democracy/)

[HUMAN TRAFFICKING](https://passnownow.com/lesson/human-trafficking111/)

**Week 1**

**Topic: Democracy**

**Content**

* **Meaning and Characteristics of Democracy**
* **Types of Democracy**
* **Importance of Democracy**
* **Problems of Democracy**

**Problems of Democracy**

**Shortsightedness**

Democratic politicians are elected for a short period of time (4 – 5 years). This election cycle causes them not to think “what is best for the country in the long run” but “what is best in the country in 4 – 5 years so I can claim responsibility and get elected again.” Therefore unpopular solution of long term problems are postponed since it would be unpopular by the voters.

**Populism**

This is connected to the first problem. Democracy has elections and for the politician to be elected he has to be popular. Basically democracy is a giant popularity contest where the elections aren’t won by the wisest, smartest or most intelligent but by the most popular one. So the politician has to give the people gifts so he would stay popular.

**Selfishness**

The third problem is connected to the previous two. In a dictatorship or authoritarian regime you can tell people that they would’ve to live more modest now because the state (religion, nation…) requires it. But in democracy? People are very greedy, think only about themselves and their rights. So they wouldn’t live more modest for the sake of the greater good. Instead they will oust the politician who tells them that and elect a new one who will tell them that everything is alright.

**ASSESSMENT**

1. Define Democracy
2. What are the characteristics of Democracy?
3. List the types of Democracy
4. Mention the importance of Democracy
5. What are the problems of Democracy?

**Week 2**

**Topic: Rule of Law**

**Content**

* **Meaning, History, Features and Principles of Rule of Law**
* **Importance of Rule of Law**
* **Processes of Rule of Law**

**Meaning of Rule of Law**

The rule of law simply means that every citizen must act in accordance with the law. It is the supremacy of the law over every citizen in the political system. It is the legal principle that law should govern a nation. It basically means that the law should apply to everyone in other words; no one is above the law.

The concept of the rule of law was made popular by professor A.V Dicey in his book “enspirit de law” in the year 1885.

**History of Rule of Law**

The rule of law is the legal principle that law should govern a nation, as opposed to being governed by arbitrary decisions of individual government officials. It primarily refers to the influence and authority of law within society, particularly as a constraint upon behaviour, including behaviour of government officials. The phrase can be traced back to 16th century Britain, and in the following century the Scottish theologian Samuel Rutherford used the phrase in his argument against the divine right of kings. John Locke defined freedom under the rule of law as follows:

“Freedom is constrained by laws in both the state of nature and political society. Freedom of nature is to be under no other restraint but the law of nature. Freedom of people under government is to be under no restraint apart from standing rules to live by that are common to everyone in the society and made by the lawmaking power established in it. Persons have a right or liberty to follow their own will in all things that the law has not prohibited and not be subject to the inconstant, uncertain, unknown, and arbitrary wills of others.”

The rule of law was further popularized in the 19th century by British jurist A. V. Dicey. The concept, if not the phrase, was familiar to ancient philosophers such as Aristotle, who wrote “Law should govern”.

Rule of law implies that every citizen is subject to the law, including lawmakers themselves. In this sense, it stands in contrast to an autocracy, dictatorship, or oligarchy where the rulers are held above the law. Lack of the rule of law can be found in both democracies and dictatorships, for example because of neglect or ignorance of the law, and the rule of law is more apt to decay if a government has insufficient corrective mechanisms for restoring it. Government based upon the rule of law is called nomocracy.

**Principles of the rule of law**

1. Principle of impartiality: This principle states that the law should not be partial to anybody .This means that no one should be punished of any offence except he/she has been found guilty by the court.
2. Principle of equality before the law: This principle states that all men must be equal before the law of the land.
3. Principle of fair hearing: This principle states that anyone arrested for an offence should be listen to through normal court process before judgment is passed.
4. Principle of supremacy of the law: this principle states that the law of the land is always the final authority.
5. Right to appeal: this states that when a person is not satisfied with the judgement of a lower court, he has the right to appeal.

**Processes of Rule of Law**

The rule of law ensures human liberty in the following ways:

1. The rule of law ensures that an individual should not be made to suffer any loss of personal liberty in any way except he/she is found z
2. The rule of law helps citizen and non-citizen to enjoy their rights as it is claimed in the constitution.
3. The rule of law does not allow autocratic rule by the Government.
4. The rule of law forbids an offender to be arrested without being told the offence he /she has committed.
5. The rule of law entails total supremacy of the law over everyone thereby making everyone does their duties according to the law.

**ASSESSMENT**

1. What is the meaning of Rule of Law?
2. What is the importance of Rule of Law?
3. What are the processes of Rule of Law?

**Week 3**

**Topic: Problems of Rule of Law**

 **Content**

* Limitations of Rule of Law
* Solutions to problems of Rule of Law
* Group Discussion of the Process of Rule of Law

**Limitations of Rule of Law**

1) **Immunity:** Immunity is the special right granted to certain individuals in position of authority which shield them from prosecution while in office regardless of the offence committed. Such people are diplomats, presidents and governors. This is a limitation against the rule of law.

2) **Administrative Tribunal**: They are set up in some countries to try erring public officers. While ordinary citizens are tried in the ordinary courts.

3) **Delegated Legislation**: Delegated legislation refers to laws and orders promulgated by bodies other than parliaments. This is against the rule of law.

4) **Special Courts**: In Nigeria, tribunals are set up to try certain corruption cases of public officials. Those tried in this special court seldom felt they do not get fair hearing (Such as the Oputa panel).

5) **Over Crowding of the Court**: Cases are delayed sometimes as a result of insufficient judges to handle cases and this result into keeping accused person for too long.

6) **Ignorance and Poverty**: Many die in silence as a result of ignorance as they fail to pursue their case in the court of law.

7) **Emergency Period**: Citizens of a country may be denied some of their human rights during state of emergency. Rights such as freedom of movement when curfew is declared during emergency.

**Solutions to problems of Rule of Law**

1. The supremacy of rule of law ensures no person can claim to be above law.

2. It ensures adherence of principles of natural justice like: giving reasonable opportunity, impartiality of decision, etc.

3. It leads to fairness, both substantive and procedural.

4. It leads to respect of how the system works, including those who are leaders.

5. It ensures that leaders follow the proper procedure for creating new laws, and they respect it when the courts tell them those laws are not enforceable.

6. It is this system which prevents dictatorships.

7. Rule of law regulate society, protects people and helps to enforce rights.

8. It helps to solve conflicts.

9. Rule of law prevent or deter people from behaving in a manner that negatively affects the quality of life of other people, therefore the consequences of breaking the law often fit the crime.

**Group Discussion of the Process of Rule of Law**

**ASSESSMENT**

1. What are the limitations of Rule of Law
2. List the solutions to problems of Rule of Law

**Week 4**

**Topic: Constitutional Democracy**

 **Content**

**Meaning and Types of Constitutional Democracy**

Features of Constitutional Democracy

Functions of Constitutional Democracy

**Meaning of Constitutional Democracy**

Democracy is government of, by, and for the people. It is government of a community in which all citizens, rather than favored individuals or groups, have the right and opportunity to participate. In a democracy, the people are sovereign. The people are the ultimate source of authority.

In a constitutional democracy the authority of the majority is limited by legal and institutional means so that the rights of individuals and minorities are respected. This is the form of democracy practiced in Germany, Israel, Japan, the United States, and other countries.

Constitutional democracy is the type of democracy where powers of the majority are exercised within a frame work of the constitution designed to guarantee the majority right.

In this type of democracy, how the people are to be ruled and governed are stated in the constitution. Constitutional democracy is the type which operates from and according to the constitution of the states.

**Types of Constitutional Democracy**

1. **Pluralism**: This type of constitutional democracy in which majority of the people are allowed to exercise their views, opinions and idea. It gives room for wide participation of the citizens.
2. **Republican constitutional democracy**: This type of democracy allows for proceedings on issues that concerns state alone. It includes all the people of a state but only on the issues that concern the state alone. Examples of countries that practice this are India, France, and Ireland.
3. **Constitutional Direct**: This fashion all its progressions and procedures according to the constitution of the state and allow the direct participation in the political affairs.

**Features of Constitutional Democracy**

1. **CONSTITUTIONAL DEMOCRACY** is the antithesis of arbitrary rule. It is democracy characterized by: **POPULAR SOVEREIGNTY**. The people are the ultimate source of the authority of the government which derives its right to govern from their consent.
2. **MINORITY RIGHTS**. Although “the majority rules,” the fundamental rights of individuals in the minority are protected. Minority right: Under constitutional democracy, the rights of the voiceless or the unprivileged are well secured through the constitution.
3. **LIMITED GOVERNMENT**. The powers of government are limited by law and a written or unwritten constitution which those in power obey. Limited Government: The government in constitutional democracy is limited unlike that of other forms of democracy in which government can be dissolved at any time.
4. **INSTITUTIONAL AND PROCEDURAL LIMITATIONS ON POWERS**. There are certain institutional and procedural devices which limit the powers of government. These may include:
5. **SEPARATED AND SHARED POWERS**. Powers are separated among different agencies or branches of government. Each agency or branch has primary responsibility for certain functions such as legislative, executive, and judicial functions. However, each branch also shares these functions with the other branches.
6. **CHECKS AND BALANCES**. Different agencies or branches of government have adequate power to check the powers of other branches. Checks and balances may include the power of judicial review. At the power of courts to declare actions of other branches of government to be contrary to the constitution and therefore null and void.
7. **DUE PROCESS OF LAW**. Individual rights to life, liberty, and property are protected by the guarantee of due process of law.
8. **LEADERSHIP SUCCESSION THROUGH ELECTIONS**. Elections insure that key positions in government will be contested at periodic intervals and that the transfer of governmental authority is accomplished in a peaceful and orderly process.
9. **Popular Sovereignty**: In constitutional democracy, the people are seen as the louder voice of the government of a state, this makes the will of the electorate to prevail.
10. **Basic freedom:** The constitution allows the people to know their rights and ensure that their rights are protected; there is basic freedom of interference from the people in the affairs of government
11. **Majority rule:** This is the rule that gives the majority the chance to express their views and opinions in the affair of the government. Majority rule gives leadership rights to the people and thereby gain the full support and recognition of the masses.

**Functions of Constitutional Democracy**

1. They provide social amenities like water, electricity, etc for the people.
2. They protect the citizens against internal and external attack
* They make Law and Execute them
1. They promote national unity
2. They respect the dignity of individual
3. They protect the right of individual in the country
* Organizational constituted authorities: These are leaders of business organizations, clubs political parties or social gatherings.

**Functions of Organizational Constituted Authority.**

1. They cater for the interest of their members
2. They make decision and policies for their members
3. They protect the right of their members
4. They represent their organizations in any relevant event in the society.

**ASSESSMENT**

1. Define constitutional democracy
2. What are the types of constitutional democracy?
3. What are the features of constitutional democracy?
4. What are the functions of constitutional democracy?

**Week 5**

**Topic: Advantages and Disadvantages of Constitutional Democracy**

 **Content**

* Key Concepts of Constitutional Democracy
* Advantages of Constitutional Democracy
* Disadvantages of Constitutional Democracy

**Key Concepts of Constitutional Democracy**

Some of these key concepts are

1. History of the people: In any good and acceptable constitutional democracy, the constitution must reflect the history of the people, the history of the people must be put into consideration.
2. Freedom of the press: The press, radio, television, newspaper and other social media are means by which citizens express their views i.e. people are free to write and make reports on governmental issues.
3. Convention: Constitutional democracy brings out convention through which the government follows, through the conventions skills are acquired and disseminated.
4. Periodic election: Free and fair election is one of the major key concepts of constitutional democracy because it allows for change in government.
5. The rights of citizens: another key is the right of citizens; their rights must be respected and protected.
6. Supremacy of the constitution: Under the constitutional democracy, the constitution is supreme and supersedes every other consideration in a constitutional democracy.

**Advantages of Constitutional Democracy**

The following points below are the merits of constitutional democracy

1. There is the rule of law; this promotes equality of persons and help to protect human rights.
2. It also helps to encourage constitutionalism; by this means, it helps the government to rule according to the laid down rules, regulation and principle of the state and not to rule anyhow without proper guidance.
3. There is legitimacy; constitutional democracy is regarded as legitimate because it has the full support of the people.
4. It involves periodic elections which ‘lead in’ another government for a change.
5. There is choice of political party i.e. there is opportunity for every for every citizens to belong to political party of their choice and select their leader.
6. Citizenship is not dependent on adherence.

**Disdvantages of Constitutional Democracy**

1. There is separation of powers; constitutional democracy brings about separation of powers among various organs of government
2. Corruption and manipulation of election; during the time of electing new leaders through elections, there is usually corruption and manipulation by the electoral bodies and the political parties members which helps to usher in wrong leaders into power.
3. Ignorance/ inadequate political education; Most illiterates vote ignorantly due to lack of knowledge on political education.
4. Slow decision making; due to the fact that everybody will have to express their views and opinions on any decision the governments wants to make, it makes the decision to be very slow.
5. Individuals claim right and obligation which most times make them to disrespect those in power.
6. Too expensive; constitutional democracy involves so many people in carrying out its affairs, thereby becoming too expensive to run.
7. Manipulation by few; constitutional democracy is always manipulated by some few citizens who have vocal skills and abilities in expressing views and opinions.

**Test and Exercise**

1. The word supremacy of the constitution means (a) The constitution is a God (b) The constitution supersedes every other consideration (c) the constitution is not important (d) the constitution has nothing to do in a constitutional democracy. ans (b)
2. One advantage of constitutional democracy is (a) there is separation of powers (b) decision making is slow (c) there is the rule of law (d) there can be corruption. ans (c)
3. All of the following are advantages of constitutional democracy except (a) there is rule of law (b) there is separation of powers (c) it encourages constitutionalism (d) there is choice of political leadership. ans (b)
4. All the following are key concept of the constitutional democracy except (a) history of the people (b) the rule of law (c) all of the above (d) freedom of the press. ans (c)
5. One of the major demerit of constitutional democracy is ( a) the rule of law (b) decision making is slow (c) choice of political party (d) legitimacy. ans (b)

**Week 6**

**Topic: Human Trafficking**

 **Content**

**Meaning and Causes of Human Trafficking**

Consequences of Human Trafficking

Government and Individual Efforts to stop Human Trafficking

**Meaning and Causes of Human Trafficking**

Human trafficking can be defined as the act of recruiting, transporting, or receiving a person through force, coercion or through other means for the purpose of exploiting them.

Human trafficking is the trade in humans, most commonly for the purpose of sexual slavery, forced labor or commercial sexual exploitation for the traffickers.

The following points below are causes of human trafficking,

1. Poverty: This is a situation where a person fall short of a level of economic welfare, where a person lacks the basic human want which are clothing, food and shelter .A person who is poor can easily be deceived to come over to another place with the promise of getting a good job and become a victim in the hands of the traffickers.
2. Lack of employment opportunities: Due to the bad economic situation of some countries that made some people jobless, some people therefore get lured and deceived by traffickers because they want to get out of the country and thereby using them as slaves and prostitutes in other countries.
3. Profit: Because of the profits the trafficker wants to make from doing trafficking business make them to engage themselves in such evil business all because of profit.
4. Low self esteem: Many people because they do not know their worth and value, they see themselves as nobody thereby making them vulnerable and they fall into the hands of traffickers and because they have low self esteem they allow any body to direct them to anywhere.
5. Illiterates: illiterates are those who are not able to read or write, illiteracy has made so many people to become a victim of trafficking, for instance, signing on a paper you do not have any knowledge about. They deceived them by telling them they will enroll them into school and teach them many things, because they want to be educated they then fall victim of trafficking.
6. The search for greener pastures: Some people believe that it is by travelling and relocating to another place before they can make it in all aspects of life.
7. Economic system: Because of poor economic system of some countries the citizens prefer to live somewhere else and would not mind to go anywhere and because of this they become a victim.
8. Greed: Some people are not satisfied with what they have, because of the love to earn more than what they can have they end up falling into the hands of traffickers.

**Consequences of Human Trafficking**

1) Violation of Human Rights. The fundamental human rights of victims of human trafficking have been violated by their traffickers.

2) They are often treated as criminals by officials in countries of transit and destination because they are illegal aliens.

3) Vulnerable to diseases. Given the nature of work and conditions they are exposed, victims are often exposed to risk and dangers of serious diseases including sexually transmitted illnesses such as HIV/AIDS. Some even develop mental illness.

4) Many of the victims who return home are stigmatized and find it difficult to reintegrate.

5) Unwanted pregnancy. Some of the victims are faced with the problems of unwanted pregnancy. Some die in the process of abortion.

6) It could lead to untimely death. Some victims die from ill-health, frustration and violence. Some are killed because their organs need to be harvested.

7) The countries to which they are taken are faced with the burden of tackling the problems of illegal residents, illegal workers and social vices.

8) National disgrace. It is a national disgrace to their country of origin when traffickers are arrested, prosecuted and sentenced.

Government and Individual Efforts to stop Human Trafficking

1) Public enlightenment: Public enlightenment should be done to ensure the creation of awareness on the part of the public on the evils of human trafficking.

2) Education: Government should make education available, affordable and compulsory to all children of school age.

3) Legislation: Laws have been made prescribing different kinds of punishment ranging from 12 months (for an attempt to commit any of the offences) to life imprisonment for serious offences such as slavery and exploitation.

4) Advocacy: Advocacy is giving public support to an idea, a course of action or belief. The presence of an advocacy group, who work to protect and defend children and women against traffickers, could prevent criminal activities.

5) Parents should watch their children closely, regarding the kind of friends they keep.

6) There should be proper counselling at various levels. The children and women should be counseled at homes, schools and public places. Victims need counseling to be properly rehabilitated.

7) Government should provide employment opportunities for the youths, most especially to prevent women and children from becoming victims.

8) Improvement in standard of living: When the standard of living is made better, people will desist from partaking in illegal businesses.

9) Establishment of agency: Government established agencies such as the National Agency for Prohibition of Traffic in Persons and other Related Matters (NAPTIP). This agencies helps in stopping child trafficking

**ASSESSMENT**

1. What is human trafficking and what causes it?
2. What are the consequences of human trafficking?
3. What are the efforts that needs to be taken to curb human trafficking?