

**A Discourse on the Issues of Nigeria's Constitutional Democratic System In The Light of
John Rawls Political Conception of Justice**

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Abstract

John Rawls' political theory is used in this work to analyze Nigeria's constitutional democratic issues. Particularly in the areas of political stability, ethnic politics, and the fair distribution of social and economic goods, it demonstrated that Nigeria is not a fully democratic country since the benefits of democracy have not been sufficiently realized. According to several ethnic crises and uprisings in the nation, social inequality in Nigeria is currently at an alarming rate, and society in general is starting to feel the effects of this in terms of their degree of dissatisfaction. In order to address the social and political issues brought forth by Nigeria's constitutional democracy, the paper made the case that Nigerian political leaders should embrace John Rawls' "overlapping consensus" philosophy.

Key Words: John Rawls, Overlapping Consensus, Social Injustice, Constitutional Democracy, Nigeria

Introduction

Today's world's societies, especially those in third-world nations like Nigeria, are more concerned with when the polity will become fully or partially democratic than with which political system is best suited. Perhaps this is so because democracy entails a system of governance that is firmly based on social fairness and equality, going beyond the creation of political parties, running for office, and having a civilian administration in power. The ability of a country to establish avenues for dialogue, consultation, and mobilization, as well as the government's responsiveness to the needs and desires of its citizens, is the foundation of democracy. This is because meaningful development can only occur, when the interests of the people are fairly represented and their needs and desires are adequately addressed. The establishment of a stable and orderly society that ensures the safety of people's lives and property; the development and instillation in the populace of a democratic temperament, an attitude of service and trusteeship; a sense of civic duty; a spirit of fair play; tolerance of the opinions and interests of others; the lack of conceit and arbitrary behavior; a sense of honest, loyal, selfless, impartial, and objective service; a disciplined, patriotic, and highly motivated leadership style. Therefore, it is reasonable to infer from the above that the philosophical foundation of democracy and social justice is good administration. This would then suggest that the best basis for a successful and good government is social justice. Lamentably, one of the most alarming difficulties of Nigeria's relay race towards growth has been the incapacity of the Nigerian political system to adhere to social fairness in the administration of public affairs. This concept of social justice aligns with the definition of governance, which is the way governments use their authority to manage and allocate a nation's social and financial resources. It has been determined that a responsible government's top priority is to improve the living conditions of its constituents. Political theorists have created and continue to create frameworks that are deemed adequate for all human societies in order to accomplish this goal. According to this line of thinking, Harvard University philosophy professor John Rawls (1971) states in his book "A Theory of Justice" and his follow-up book "Political Liberalism" in 1993, along with other explanatory articles, that distributive justice and fairness are the cornerstones of an ideal society.

This implies that a nation's social institutions, policy direction, and constitutional democracy are supposed to be supported by the equality and liberty of every individual, with a focus on their common benefit. The policy should also provide every person, particularly the less fortunate or underprivileged groups, the utmost care. In this sense, is it possible to argue that this is achievable in all nations, particularly in emerging nations like Nigeria? Deep inequality exists in Nigeria, as seen by the disparity in the standard of life among its population as measured by human development indices. Given the nation's political, social, and economic instability as well as the lack of peace, these assertions can be considered plausible. One is always confronted with a significant disparity in the distribution and allocation of our combined national resources between the "haves" and "have not." Violations of several fundamental human rights, egregious abuse, and entrenched nepotism have now become the norm. Inequality exists in practically every aspect of Nigerian life, and it has an impact on the fundamental framework of the country. The assessment of John Rawls' political philosophy's relevance to the Nigerian context was therefore influenced by what appears to be a misalignment with an ideal political system. Thus, the main ideas and tenable elements of Rawls' political philosophy are examined in this article. It then goes on to examine the issues with Nigeria's constitutional democracy by utilizing the strengths present in Rawlsians' political arguments.

Nigerian Democracy: A Brief History

Nigeria is a democratic nation, or at least according to its constitution. The nation has encountered challenges, nevertheless, which have impeded the application of democratic ideals and resulted in a halt in the advancement of the country. Like Siamese twins, Nigeria and democracy are uneasy and under a lot of strain, which might cause them to suffer a lot of harm or perhaps die. Since gaining independence, Nigeria's democracy has been unpredictable and brittle. With over 250 ethnic groups and a complex nation whose borders were set by British colonialists, successive governments have found it difficult to foster a sense of national cohesion. Nigeria, however, has had a very uneventful constitutional development. Although Nigeria has a variety of adopted constitutions, it is unable to claim a comprehensive one drafted by duly elected and mandated Nigerians. Nigeria's constitution is far worse because it lacks constitutionalism. From the military era, Nigerian authorities acquired the culture of lawlessness and political impunity. Achebe (1983:1) had long maintained that Nigeria's biggest political problem is leadership. Nigeria's political gladiators' lack of focus is one of the main issues facing the country's democracy. This

has now presented Nigeria's democratic governance with a significant obstacle. Ajao (2011:606) provides a detailed examination of Nigerian democracy. He claims that various political institutions, methods, approaches, and ideologies have been incorporated into Nigerian democracy. Maverick political figures with egoistic or altruistic orientations have been in charge of this combination. Either way, there are two sides to the evaluation of Nigeria's democratic balance sheet: positive and pessimistic. A new era of social and economic development, peace, and stability was anticipated during the transition, and many people looked forward to it.

Nigeria's return to democratic rule after several years of military misrule was seen as a beacon of hope for the country's ordinary and vulnerable citizens. However, other scholars argue that Nigeria's long-standing corrupt political elite, declining turnout, public mistrust of the ruling class, eroding civil freedoms, and frail democratic institutions make it an undemocratic country at the moment. This fact is summed up by Adekola (2010:1): Nigeria has not had much luck with it. She has danced around democracy for a long time, but she has never gotten it right. This is mostly because of a number of issues, including: the absence of free and credible elections on a broad scale; the restriction of freedom of expression and publication; the refusal of political gladiators to accept electoral defeat; godfatherism; and the disregard for the rule of law, corruption; and the tendency of those in positions of governmental authority to seize the country's resources. Okechukwu and Odinchezo Ikejiani (1986:80–81) persuasively contended that the modern-day Nigeria was created by chance. According to them, "the country is an arbitrary and artificial creation comprising people of diverse cultures, languages, and historical experiences"

Strange bedmates ended up getting married as a result. Similarly, the British colonial government's divide-and-rule approach is cited by academics as the catalyst for the nation's cultural differences and hostility. Ofiaja shares this opinion, however firmly (1979:66). Nigeria is not a country, in his opinion, and the name Nigeria is merely a distinguishing term used to identify Nigerians from non-Nigerians. Nigeria is made up of distinct political entities that represent the main regional groups. Stated differently, Nigeria's democratic experiment is beset by a lack of constitutional mechanism. The 1999 constitution has been called for to be changed on numerous occasions. Among the ideas is taking into account the interests of various cultural groups. Changes should also create forums for discussions and public involvement. Both are contained within the popular rule principle. The following is how Omotosho (2013:1) summed up this belief: A significant

turning point in the history of contemporary Nigeria was reached in 1999 when an enduring democracy was established. Nigeria has had democratic governance continuously since 1999.

The majority of Nigerians have not yet seen a significant improvement in their standard of living as a result of democracy. However, it is still the only form of government that has the potential to bring its vast population's remarkable diversity of political traditions, religions, and nationalities together. It is the only form of governance capable of establishing a just society without using oppression or excluding sizable segments of the populace. The survival of democracy in Nigeria is also crucial for the rest of Africa. Nigerians make about half of West Africans, and the rest of the continent and the world would be greatly affected if democracy there failed. For its citizens to live good, honorable, and satisfied lives, Nigeria's democracy must support their rights, goals, and potential. According to the study, Nigerian political leaders can implement John Rawls' "overlapping consensus" philosophy to address the social and political issues brought on by Nigeria's constitutional democracy.

John Rawls' Political Conception of Justice

According to Rawls, "Political conception is a module, an essential constituent part that in different ways fits into and can be supported by various reasonable comprehensive doctrines that endure in the society regulated by it" (Rawls, 1993:144–145). From this vantage point, the political conception of justice can then serve as the focus of an overlapping consensus. Rawls observes three characteristic features, each of which is exemplified by justice as fairness. The idea of the political conception of justice is vital to the amalgamation of various doctrines of a people in a modern democratic setting. The first of these characteristics is that it directs attention to the topic of a political conception, which Rawls argues should be considered a moral conception: "It is a moral conception worked out for a specific kind of subject, namely, for political, social, and economic institutions. In particular, it applies to what I shall call the "basic structure"" (Rawls, 1993:11). To the extent that Rawls lists the aspects of life that the political conception will cover, it is evident that it need not encompass all of human existence; nonetheless, members of society who embrace its ideals fit together into a single, cohesive system of social cooperation in order to further their common good. In Rawls' view, the first subject of justice is the basic structure of society. He states that "an essential feature of the contractarian conception of justice is that the basic structure of society is the first subject of justice" (Rawls, 1993:257). In addition, Rawls notes that members should live their entire lives in the society in which they were born. Rawls thinks

that a political conception of justice must address the just relations between individuals in the society in which they live. The second aspect of the political conception of justice as outlined by Rawls is that it pertains to the mode of presentation, stating that "a political conception of justice is presented as a freestanding view."

The basic structure of society is not presented as a comprehensive doctrine or as derived from such a doctrine, as though it were just another topic to which doctrine applied (Rawls, 1993:12). In other words, the political concept of justice is derived and justified within a comprehensive doctrine. Accordingly, Rawls states: It is comprehensive when it encompasses ideas about what is valuable in human life and ideals of personal character, as well as ideals of friendship, familiar and associational relationships, and much more that is to guide our behavior and the boundaries of our entire existence (Rawls, 1993:13). In fact, it needs the backing of several comprehensive doctrines in order to succeed. This implies that the political conception can be explained and supported by a network of ideas that are present in the public political culture. Political conception is distinct from other moral doctrines at this point because it is intended to be viewed as a comprehensive and general viewpoint. According to Rawls, a political conception aims to develop a reasonable conception for the fundamental structure alone and involves as much as possible, no wider content than any other doctrine. In contrast, the principle of utility, however understood, is typically said to hold for all kinds of subjects, from the conduct of individuals and personal relations to the organization of society as a whole as well as the laws of people (Rawls, 1993:13).

The third characteristic of Rawls' political conception of justice is that its contents are derived from certain fundamental ideas believed to be implicit in the political culture of a democratic society. Rawls intends to construct an acceptable political conception of justice for a constitutional regime based on these fundamental ideas, which include society as a fair scheme of cooperation for collective value and the citizen as a free and equal person. Rawls implies here that human conduct will be regulated if the political conception of justice is properly integrated into the basic structure. Rawls states that "this public political culture is made up of the political institutions of a democratic society and the public traditions of their interpretation, as well as historic texts and documents that are common knowledge" (Rawls, 1993:13–14). Implicitly, political conception refers to the idea of reasonable citizens, who are willing to offer one another fair terms of social cooperation and agree to act on those terms, even at the cost of their own interests in specific situations, as long as others accept those terms (Rawls, 1993: xlii). On the other hand, Rawls wants to emphasize that

in order for this cooperation to succeed, all parties must be viewed as free and equal, free from undue influence or manipulation whatsoever. This is what Rawls calls the reciprocity criteria. Only rational comprehensive theories, according to Rawls, are affirmed by reasonable people. He lists three characteristics of such a comprehensive doctrine: moral and political conception.

It is clear from the discussion above that the political idea of justice can be viewed as a crucial component that can be supported and integrated into various comprehensive and reasonable beliefs that persist in the society it governs. Another development for Rawls is that reasonable individuals believe it is irrational to use political power to suppress comprehensive viewpoints that differ from their own but are not unreasonable. According to Rawls, "Reasonable persons see that the burdens of judgment set limits on what can be reasonably justified to others, and thus they endorse some form of liberty of conscience and freedom of thought as constitutional" (Rawls, 1993:61). This suggests that those who are deemed reasonable should refrain from coercively controlling any moral or philosophical position that they believe to be different from their own or that is not consistent with their own.

John Rawls' Concept of Public Reason in Political Decision-Making

As it relates to the creation of constitutional essentials and legislation, Rawls believes that the concept of public reason is a fundamental aspect of all democratic societies. He states that "any well-ordered democratic society will encounter "the fact that a plurality of conflicting reasonable comprehensive doctrines, philosophical and moral, are the normal result of its culture of free institutions" (Rawls, 1999:131). With regard to Rawls, "citizens in such a society will acknowledge that they cannot find agreement through references to their varied comprehensive doctrines and instead will look for a way to find agreement using rules of justification that all can accept" (Rawls, 1999:132). We consider people to be logical, rational, free, and equal citizens, according to Rawls, and to have a fixed idea of what is good at any given time, albeit this idea may evolve over time. Regardless of a citizen's class, race, or any other characteristic or interest, we must provide explanations for public justification that they can comprehend and accept as reasonable (Rawls, 1999:171). Five aspects of the concept of public reason are identified by Rawls: (1) the fundamental political questions it addresses; (2) the people it applies to (public officials and candidates for public office); (3) its contents as provided by a family of reasonable conceptions of justice; (4) the application of these conceptions in discussions of coercive norms to be enacted in the form of legitimate law for a democratic people; and (5) citizens' verification that the principles

derived from their conceptions of justice satisfy the reciprocity criterion (Rawls, 1999:133). "The fundamental political questions mean constitutional essentials and matters of basic justice," Rawls adds (Rawls, 1999:133).

According to Rawls, "public reason applies when government officials are deciding what can reasonably be included in the written constitution, as well as when they are deciding on matters that relate to the basic structure of society but are not typically included in constitutions, such as basic economic and social justice" (Rawls, 1999:133–134). Public reason is not a one-way connection, according to Rawls. It is more than just a way for citizens to assess the logic of a government. According to Rawls, "the idea of public reason specifies at the deepest level the basic moral and political values that are to determine a constitutional democratic government's relation to its citizens and their relation to one another" (Rawls, 1999:132). Under the ideal of public reason, the political relationship formed is applicable to all citizens. Strict restrictions for where and how to use the concept of public reason are provided by its structure. According to Rawls, this takes place "whenever judges, legislators, chief executives, and other government officials, as well as candidates for public office, act from and follow the idea of public reason and explain to other citizens their reasons for supporting fundamental political positions in terms of the political conception of justice they regard as the most reasonable" (Rawls, 1999:133). When citizens see themselves as legislators or officials and debate and vote as though they were adhering to the concept of public reason, Rawls contends that they are fulfilling their obligation of civility.

As a result, citizens have a moral obligation to hold public officials and lawmakers to the standard of public reason, as well as to hold themselves and others to it. Rawls argues that "the significance of completeness lies in the fact that unless a political conception is complete, it is not an adequate framework of thought in the light of which the discussion of fundamental political questions can be carried out" (Rawls, 1999:145). The potential of genuine discussion arising from political ideas of justice is what Rawls is worried about. He sees the inevitable standstill that results from arguing from comprehensive theories as the goal of his entire quest. Instead of expecting citizens to translate their comprehensive doctrines into political terms, he believes that citizens should work hard to develop political conceptions of justice that are different from but overlap with their own comprehensive doctrines. In order to guarantee completeness, Rawls states that political conceptions of justice must have three key components: first, a list of fundamental rights, liberties, and opportunities (like those found in constitutional regimes); second, a special priority given to

those rights, liberties, and opportunities, particularly in relation to claims of the general good and perfectionist values; and third, policies that guarantee all citizens have access to sufficient, all-purpose means to effectively exercise their freedoms (Rawls, 1999:141). In accordance with Rawls, "a political conception of justice with these characteristics will see citizens as free and equal and society as a fair system of cooperation over time" (Rawls, 1999:141). Rawls illustrates the possibility of disagreement among the contents of public reason by stating that, even if all liberal political conceptions of justice have the same list of rights originating from a shared constitutional belief (or an overlapping consensus in society), it is still up for debate how people choose to order those values or what should be made available to individuals.

First, their principles apply to the fundamental political and social institutions (the fundamental structure of society); second, they can be presented independently from comprehensive doctrines of any kind, though they may, of course, be supported by a reasonable overlapping consensus of such doctrines; and third, they can be derived from fundamental ideas that are thought to be implicit in the public political culture of a constitutional regime, such as the idea that society is a fair system of cooperation and that citizens are free and equal individuals (Rawls, 1999:141–142). As the last test for the concept of public reason, the criterion of reciprocity ties everything together, and Rawls even defines a reasonable citizen as one who is willing to adhere to this criterion. However, it is the emphasis on citizens' equal claims to collective political power that causes the issues Rawls sees in the reality of reasonable pluralism. In line with Rawls, citizens are reasonable when they are willing to offer one another fair terms of cooperation based on what they believe to be the most reasonable conception of political justice, viewing one another as free and equal in a system of social cooperation over generations, and when they agree to act on those terms, even at the expense of their own interests in specific situations, as long as other citizens accept those terms as well (Rawls, 1999:136). In essence, people are rational when they provide ideas that they can logically anticipate other people will adopt and implement. "Public reason applies to well-ordered constitutional democracies," according to Rawls. Public reason in some form, a constitution that specifies the composition of legislative bodies and public deliberative forums, and individuals who are prepared to adhere to public reason and "realize its ideal in their political conduct" are all necessary components of any deliberative democracy (Rawls, 1999:138).

John Rawls' Conception of Distributive Justice in Society

"A reasonable and good society is a cooperative venture for mutual advantage," according to Rawls (Rawls, 1971:4). In addition to this kind of cooperation, disagreements over the advantages and disadvantages of social life can arise among society's members. According to Rawls, "the principles of justice provide a way of assigning rights and duties in the basic institutions of society, and they define the appropriate distributions of the benefits and burdens of social cooperation" (Rawls, 1971:4). According to Rawls, the fundamental structures of society should be created or built in a way that guarantees the ongoing distribution of social benefits to every individual in the community. Additionally, this must be done fairly. According to Rawls, "the social primary goods that the basic structure of society should distribute are goods such as rights, liberties, opportunities, power, income, wealth, etc." (Rawls, 1971:303). These social goods must be distributed equally to all members of society, but they may be distributed unequally if and only if doing so would benefit the least advantaged members of society. In this way, Rawls appears to be suggesting that distributional inequality needs to be justified, and that justification must be to improve the lot of the less advantaged members of society.

According to Ricoeur, "the second part of the second principle is addressed to claims for equality raised by rival communities of thought and assures institutional protection for the rights, liberties, and opportunities attached to these claims" (Ricoeur, 2000:72). Rawls believes that a well-ordered society must be the result of a reasonable agreement or consent, and that this agreement must be the result of sound reasoning that free and equal people choose -that is, people who want to establish a political society in which they can pursue their interests. It would appear that Rawls prioritizes the first principle over the second, which implies that liberty must be upheld for its own sake and that justice in a society must take precedence over efficiency. Rawls defines his principles of justice as "those which rational persons concerned to advance their interests will consent to as equals when none are known to be advantaged or disadvantaged by social and natural contingencies" (Rawls, 1971:19). The two principles of justice should be arranged in a serial order, which he defines as lexical priority. Additionally, Rawls lists freedom of conscience, freedom of thought, freedom from arbitrary arrest and detention, freedom of speech and assembly, political freedoms, etc. on his list of fundamental liberties of citizens (Rawls, 1971:61). Rawls states that "all social primary goods- liberty and opportunity, income and wealth, and the bases of self-respect- are to be distributed equally, unless an unequal distribution of any or all of these goods is

to the advantage of the least favored members of society" (Rawls, 1971:30). This implies that injustice occurs when it places certain members of society in a disadvantaged position.

Therefore, the inequities should benefit the most marginalized segments of society. According to his interpretation, the least privileged members of a well-ordered society are those who are more disadvantaged than others in terms of their family and class origins, whose natural endowments have allowed them to fare less well, and whose luck and fortune have been relatively less favorable. All of these individuals fall within the normal range and have the appropriate metrics based on social primary goods (Rawls, 1971:259). In a well-ordered society, Rawls suggests cooperative schemes that aim to improve the lives of the most disadvantaged members of society. One of the reasons "for retaining the two principles appropriate for a well-ordered society is that they ensure the protection of the fundamental interests that members of such a society are presumed to have" (Rawls 1997:260).

Constitutional Democracy and the Participation Principle

Providing a notion of justice that serves as the most suitable moral foundation for a democratic society is one of Rawls' main goals. People consider themselves free and equal in a democracy. In light of this, Rawls develops a theory of justice that calls for an equitable explanation of social and economic structures as well as a democratic constitution and governance. As Hart notes: A "constitutional democracy," as opposed to a purely majoritarian democracy, is the type of democracy Rawls pursues. A majoritarian democracy is one in which the will of a majority is unrestricted by the constitution and where legislation is not subject to judicial review (Hart, 1983:243). Due to the absence of constraining regulations, Rawls opposes majoritarian democracy. The rights and freedoms of minorities might not be upheld in this type of society. Rawls supports constitutional democracy instead of majoritarian democracy, on the other hand. According to his definition, "a constitutional democracy, by contrast, requires a democratic government with restricted majority rule: legislative majorities are enjoined from passing laws that infringe constitutional essentials and basic justice" (Rawls, 1971: 542-543). Rawls implies that we should consider the possibility that a constitutional democracy could be set up in a way that would satisfy the criterion of participation.

Therefore, participation implies that all people should have equal access to public office, at least in the formal sense. A government that respects the rule of law is one that Rawls supports. According to Rawls, these laws create a foundation for reasonable expectations when they are fair

in a constitutional democracy. They undoubtedly provide a foundation for people to rely on one another and to legitimately protest when their expectations are not met. It is undeniable that no institution is flawless. Hart argues that "it is to this end that Rawls believes that it is reasonable to assume that even in a well-ordered society, the coercive powers of government are to some degree necessary for the stability of social cooperation" (Hart, 1983:246). The government implicitly eliminates the basis for believing that others are not abiding by the laws pertaining to respect for people and political rights by implementing a public system of sanctions. These guidelines should be used to protect one another when engaging in democratic activities rather than being enforced. According to Rawls, "the failure to ensure the fair value of political liberty has historically been one of the main defects of constitutional government" (Rawls, 1971:52). Put another way, Rawls holds that the constitution serves as the cornerstone of social structure and governs and controls organizations that promote cooperation and social participation. But it's important to remember that not everyone is expected to be involved in politics. According to Rawls, the general balance of justice is constitutional democracy.

John Rawls' Theory of Justice in the Context of Nigerian Constitutionalism

The association of people working together for the common good and having the means to achieve it is what defines a nation as a political society. Nigeria is a typical political society, but it seriously lacks the qualities of a good political society. Self-interest at all levels of society threatens national peace, and because of Nigerian political systems, leaders and various government sectors are led to pursue their own goals and ambitions for power, advancement, and their own goals and wealth, without enough consideration of the need and obligation of national solidarity and cooperation for the benefit of all individuals who comprise human society. However, in order to preserve order, society must be just. By outlining the moral standards that would guide the fundamental framework of a just society, Rawls aims to address this issue. Rawls wanted to establish a just society in which all people were treated equally under the law. In John Rawls' theory of justice, the principles that free and rational individuals concerned with advancing their own interests will accept in an initial position of equality as defining the fundamental terms of their association are universalized and carried to a higher level of abstraction.

The main focus of Rawls' *A Theory of Justice* is the development of a politically liberal society. His theory is predicated on the notion that reasonable people collectively establish fairness principles in the formation of a society under specific hypothetical circumstances in which all

goods (social, material, and political) have not yet been distributed in society and, moreover, no one is aware of their own status. These principles are produced by agents from the initial position in the first aspect, and they are concealed by the veil of ignorance in the second. Following the lifting of the veil, agents logically choose regulations that ensure they obtain the greatest amount of liberty feasible in proportion to the lowest level of social standing. According to Rawls (1971), there are two principles that define "the fair terms of cooperation among citizens and specify when a society's institutions are just." The first is the liberty principle, which states that everyone has several fundamental rights, and the second is the difference principle, which states that social and economic disparities should be set up to benefit the least fortunate while maintaining equality of opportunity.

Since his ideas provide a framework for allocating a society's financial gains and costs, Rawls' theory is a distributive theory of justice. Just distributions can be made via an equitable procedure that is accessible to all. According to Rawls, legal principles are insufficient to support a politically liberal society or guarantee that political disputes may be settled amicably to the satisfaction of all parties. As a solution, society's shared conception of the good and the processes by which it is implemented, maintained, and safeguarded are referred to as Rawls' overlapping consensus of reasonable comprehensive doctrines. Rawls asserts that "in such a consensus, the reasonable doctrines endorse the political conception, each from its own point of view" (Rawls, 1993:134). Consensus over the political conception is the foundation for social unity and stability. Overlapping consensus implies that people agree that the twin principles of equality and liberty embody the political conception of justice and that people have a means of deliberation to rationally settle differences regarding the meaning of those principles within their own conceptions of the good. The ideals of justice are dictated by political liberalism's aspirations for stability, and both freedom and justice are made possible by overlapping consensus. According to Rawls, the most desirable democratic stability can be achieved by an overlapping agreement (Barnhart 2004). John Rawls' first and second principles of a theory of justice should be given immediate attention because their proper application will be a panacea to the crises of ethnic relations in Nigeria. In the Nigerian case, such principles have been searched for a long time to solve the problem of inequality in our societal affairs. Rawls' principles of justice are justified by democracy since stability based on an overlapping consensus is superior to a simple balance of power among citizens who hold opposing worldviews. Additionally, the Nigerian constitution ought to be

founded on John Rawls' theory of justice and his concept of overlapping consensus. In fact, Rawls' theory of justice is a good foundation for Nigeria to achieve her long-held goal of a new Nigeria where justice and the rule of law coexist harmoniously.

Conclusion

The purpose of this article is to draw attention to the significance of John Rawls' theory of justice and attempt to contextualize and apply it to Nigeria's constitutional democracy issues in order to argue for its relevance, suitability, and feasibility in the Nigerian context. It has long been demonstrated beyond dispute that Nigeria's constitutional democracy faces numerous obstacles. The Nigerian state can achieve good governance, which is arguably a result of democracy. However, this is only possible if the fundamental tenet of Rawls' theory of justice—the equitable distribution of the country's wealth—is impartially applied to the democratic Nigerian state. Only when that is accomplished will an equitable society be established here, which will minimize the frequent demands for different requirements in the Nigerian government.

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