

**ROBERT NOZICK'S ENTITLEMENT THEORY AND RESOURCE
MANAGEMENT AND CONTROL IN NIGERIA**

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Abstract

The State is commonly described as a nation or an organized political community under one government. It is a foremost concern of justice theorists how the State should relate with her citizens; is the relationship supposed to be one of absolute domination or one that respects the absolute liberty of the masses? To what extent is the state supposed to interfere with the personal life of the citizens including their rights to ownership of property? Will the state be acting legally if it claims total ownership of all the properties within her territory? Are the laws of the state supposed to engender the freedom of the citizens or promote the absolute power and domination of the state over all? Robert Nozick's theory of justice provides logical answers to the concerns expressed in the above questions through the principles of acquisition, transfer and rectification. Effort is made in this article to expose these Nozickian principles and apply same to resolving the injustices in the Nigerian state due to unjust management, control and distribution of state resources. The article finds out that in Nigeria there is almost a blatant disregard by the state for what Nozick describes as justice in acquisition and transfer. This justice abuse is a consequence of ethnic and religious chauvinism. This has led to dissatisfaction among some ethnic affiliation in the country who considered themselves neglected by the state. The article presents Nozick's notion of justice as a corrective to this misrepresentation of justice in the Nigerian State.

Keywords: Distribution, Entitlement, Ethnicity, Justice, Management, Politics, Resources, State

Introduction

The justification for the existence of the state depends on the ability of the state to provide enabling environment for the realization of justice for all especially in regard to the State's control, management and distribution resources. This is often a common aim in the minds of political thinkers whilst they propose different political doctrines. One of such political thinkers is Robert Nozick, an American scholar who attempts to propose a state that will not just protect its citizens from foreign interference but will also allow the citizens the much needed liberty and freedom, as rational beings, to acquire, develop and manage their resources. To him, the state is justified if and only if it limits its functions to protecting its citizens from foreign invasion; not interfering in the citizen's rights to just ownership and use of their resources. Nozick's theory of justice emphasizes minimal interference on citizen's freedom, right and liberty by the state. Its main concern is to defend the institution of private property by proposing the notion of a minimal state with the responsibility of serving as a watchman; one limited to the function of protection of the citizens against force, theft, fraud, enforcement of contracts, and so on. In the Nozickian ideal, therefore, the State as a governance mechanism is prevented from imposing its will on the citizens. Control of resources is based on who is entitled to what; not who or what the State ultimately desires.

Effort is made in this article to apply Robert Nozick's idea to resolving the prevailing injustice in the system of resource allocation and control in vogue in Nigeria. The article will argue that the imbalance and obvious injustices evident in the resource distribution system in Nigeria is a consequence of the prevalent tendency toward ethnic chauvinism in Nigeria especially among the political office holders. Using Nozick's perception of justice the article will demonstrate how this anomaly may be resolved.

The Entitlement Theory

Robert Nozick introduced novelty in the concept of justice by affirming that justice is not about who get what but rather who is entitled to what. The rationale or the significance of Robert Nozick's entitlement theory is that it not only describes what justice requires in a social relation of distribution but also, and more importantly, it persuasively demonstrates why other theories of justice are defective. One important pitfall of the other theories, according to him, is that whilst endorsing a view of the good that may guide decisions of distributive justice, they tend to discriminate against certain groups by limiting their rights and liberties to act in certain ways they would have preferred to. Hence, his theory promises to be value - neutral.

Before he articulated his theory of justice, he first (in the first part of his book- *Anarchy, State and Utopia*) sketched a minimal state, which, as it were would provide a framework for the theory. Most critics of the libertarian minimal state complain that it allows for far too little government and thus conclude that a more-than-minimal state is necessary in order to fulfill the requirements of distributive justice. So their theories of distributive justice or what I may simply like to call distributive models include: capitalism (to each according to their work); socialism (to each according to their need); egalitarianism (to each equally); aristocracy (to each according to their “inherited station”) and kraterism (to each according to their power to grasp what they want).⁴⁷ John Rawls, for example, insists that the State must engage in redistributive taxation in order to ensure that a fair distribution of wealth and income obtains in the society.⁴⁸ Nozick's answer to this objection constitutes his “Entitlement Theory of Justice”.

Nozick started by emphasizing that it is only the individuals' efforts and transactions in a free market that give them moral claim over what they obtain provided that certain principles of justice in holdings are observed. Thus he criticized the idea of conceiving ‘distributive justice’ as if there is a distributor, different from the distribution itself, which doles out shares to people according to some earlier specified criteria. This is what he finds wrong with Rawls' theory of justice, first and foremost. He states that distribution does not imply a system whereby something or mechanism uses some principles or criteria to give out a supply of things. There is no central distribution; no person or group entitled to control all the resources, jointly deciding how they are to be doled out. What each person gets, he gets from others who give to him in exchange for something, or as a gift.⁴⁹ A true understanding of distribution according to Nozick is akin to the sort of distribution that occurs (or happens) in people choosing their mates in marriage. When fresh students of a particular university, for example, gather in the campus, choosing of new friends in the new environment represents the sort of distribution Nozick is referring to here. He stressed that “there is no more a distributing or distribution of shares than there is a distributing of mates in a society in which persons choose who they shall marry.”⁵⁰ So Nozick's entitlement theory is simply suggesting that anybody is entitled to

⁴⁷Michael Boylan, "Justice, Community and the Limits to Autonomy", in *Social and Political Philosophy: Contemporary Perspectives*, ed. James P. Sterba (London: Routledge, 2001) p. 190.90

⁴⁸Robert Nozick, *Anarchy, State and Utopia* p.149

⁴⁹Ibid, p.150.

⁵⁰Casey Rentmeester, “The Need for Basic Rights: A Critique of Nozick's Entitlement Theory”, p.25. <https://www.google.com/search?q=The+Need+for+Basic+Rights%3A+A+Critique+of+Nozick%E2%80%99s+Entitlement+Theory&oq=The+Need+for+Basic+Rights%3A+A+Critique+of+Nozick%E2%80%99s+Entitlement+Theory&aqs=chrome..69i57.10088j0j4&sourceid=chrome&ie=UTF-8> retrieved on 11/5/2022

whatever he gets in the above described sort of distribution insofar as the three principles of justice in holding are fulfilled.

The three principles of justice in holdings according to Nozick are: (i) The principle of justice in acquisition (ii) The principle of justice in transfer and the (iii) The principle of justice in rectification. Nozick tells us that these principles together specify what justice requires about holdings. They justify a person's entitlement to or claim of ownership of a holding.

The Principle of Justice in Acquisition

This principle concerns the appropriation of resources that no one has ever owned before. It specifies how things not previously possessed by anyone may be acquired. A just acquisition following this principle is the one carried out according to the 'Lockean Proviso'. Thus a person is entitled to initially un-owned things that she has made useful by working on it. In his theory of property, Locke argued that a person owns anything that she mixes her labour with when that thing is previously un-owned. He posits, "A person (being a self-owner) owns his labour, and by 'mixing his labour' with a previously unowned part of the natural world (e.g. by Whittling a stick found in a forest into a spear) thereby comes to own it."⁵¹ Nozick qualifies his first principle by appealing to Locke's Proviso that there be "enough and as good left in common for others," which is "meant to ensure that the situation of others is not worsened" by one's original acquisition.⁵² For instance, a person may not hoard all of the drinkable water in a region to oneself even if that person was the one who found the supply of water. Rather, since hoarding the water supply would result in the worsening of the situation of others in the region, a person must make this resource available to others. This does not mean that the person has to give away any claim to this resource; rather, the initial acquirer merely has to set up a system in which others are able to have access to the water by making it available for purchase or trade.⁵³ This is clear by Nozick's assertion that "though others can no longer appropriate, there may remain some for them to use as before."⁵⁴ So the principle of acquisition stipulates the rules and procedures governing the appropriation of un-held things. Nozick says, "This includes the issues of how unheld things may come to be held, the things that

⁵¹ John Locke cited in Robert Nozick, *Anarchy, State and Utopia* p.151

⁵² Nozick, *Anarchy, State and Utopia* p.150.

⁵³ Ibid.

⁵⁴ Robert Nozick cited in U. Precious Obioha and O. Oluwayemisi Adegboyega, "An African-Communitarian Response to Robert Nozick's Political Philosophy", *Journal of Humanities Kampala International University* ISSN: 2415-0843; (2020), p.100.

may come to be held by these processes, the extent of what comes to be held by a particular process, and so on.”⁵⁵

The Principle of Justice in Transfer

This principle governs the manner in which one might justly come to own something previously owned by another. Thus it concerns how possessions may be transferred from one person to another. This second principle naturally follows from the first. Once the initial acquisition of something is made, it remains in the hands of the holder unless it is transferred to another holder or passed into an unheld state. Nozick says that the principle involves “general descriptions of voluntary exchange, and gift, and (on the other hand) fraud, as well as reference to particular conventional detail fixed upon in a given society.”⁵⁶ In particular, the principle states that “individuals are entitled to things that they have acquired from others, if the others legitimately acquired it, and the transfer was made voluntarily.”⁵⁷ This principle can also be restated as follows: “Holdings (actually) freely acquired from others who acquired them in a just way are justly acquired.”⁵⁸ The principle seems to follow from respect for person’s right to use the fruits of his labour (his self-owned talents, abilities) as he pleases.

The Principle of Justice in Rectification

This principle is concerned with those actual situations of holdings that are not generated (or which did not arise) in accordance with the above two principles of justice in holdings. In other words, it is all about what must be done to rectify injustices arising from the violation of the above two principles. Thus, the principle governs the proper means of setting right past injustice in acquisition and transfer.⁵⁹ The principle of rectification is aimed at restoring holdings to their rightful owners. This principle ensures that just steps are followed in acquisition and transfer of holdings. In other words, the principle tends to give a description of holdings in the society in its attempt to unearth the previous violations of the first two principles of justice in holdings. It treats the whole dynamics of past injustices and the various ways they shape and determine present holdings. Thus it is a historical principle, and by virtue of this we say that Nozick’s entitlement theory is historical as contrasted with end-result principles. Its goal is to rectify injustices to the

⁵⁵M. ImoterShenge and T. TerkuraMchia, “An Appraisal of Robert Nozick’s Entitlement Theory of Justice”. *Nasara Journal of Philosophy*, Vol. 6, No1, p.181-182.

⁵⁶ Robert Nozick cited in Osita Gregory Nnajiolor and Chinedu Stephen Ifeakor in their work, “RobertNozick’s Entitlement Theory of Justice: A Critique”. *Ogiris: A New Journal of African Studies* Vol. 12, (2016), p.181.

⁵⁷Robert Nozick, *Anarchy, State and Utopia* p.151.

⁵⁸ Ibid.

⁵⁹Casey Rentmeester, “The Need for Basic Rights: A Critique of Nozick’s Entitlement Theory,” p. 21.

best of its ability. Thus, the third principle is a justice-rectifying principle. This principle sees to it that the rules of acquisition and transfer are kept and in case of their violation, seeks to rectify them. This study believes that the rectification theory of Nozick would offer the most needed help. So that before one is cleared of any corruption charge especially embezzlement of the public coffer, he must have restituted all he had stolen both during and after he left office.⁶⁰ Its general maxim or statement is “whatever arises from a just situation by just steps is itself just.”⁶¹

A distribution is just if it has arisen in accordance with these three sets of rule.⁶² These three principles are a statement of Robert Nozick’s entitlement theory of distributive justice. It therefore follows that a distribution of wealth obtaining in a society as a whole is a just distribution if everyone in that society is entitled to what he has, i.e. has gotten his holdings in accordance with the principles of acquisition, transfer and rectification. Nozick summarizes his entitlement theory of justice by declaring that:

- A person who acquires a holding in accordance with the principle of justice in acquisition is entitled to that holding;
- A person who acquires a holding in accordance with the principle of justice in transfer, from someone else entitled to the holding, is entitled to the holding.
- No one is entitled to a holding except by (repeated) application of 1 and 2.⁶³

Suppose (in a given society) that the third principle is applied to the people’s current holding and they are all found to be just. The justice or injustice of further distribution will only depend on the principle of transfer (provided no more initial acquisition is made). In Nozick’s opinion, taxation is the chief source of injustice in such a society. Johnson remarks, “If people’s current holdings are justly acquired, then the transfer principle alone determines whether subsequent distributions are just. Consequently, any taxation over the amount required to preserving institutions of just transfer, acquisition and rectification - that is, preserving entitlement- according to Nozick, are unjust.”⁶⁴

⁶⁰Robert Nozick, *Anarchy, State and Utopia* p.151.

⁶¹R. N. Johnson, “Nozick: Political and Social Philosophy,” (2005). <http://www.missouri.edu/philmnj/nozick>. Retrieved December 11th, 2023.

⁶²Nozick, *Anarchy, State and Utopia*, p. 175.

⁶³M. ImoterShenge and T. TerkuraMchia, “An Appraisal of Robert Nozick’s Entitlement Theory of Justice,” *Nasara Journal of Philosophy*, Vol. 6, No1, pp.181-182.

⁶⁴Casey Rentmeester, “The Need for Basic Rights: A Critique of Nozick’s Entitlement Theory,” <https://www.google.com/search?q=The+Need+for+Basic+Rights%3A+A+Critique+of+Nozick%E2%80%99s+Entitlement+Theory&oq=The+Need+for+Basic+Rights%3A+A+Critique+of+Nozick%E2%80%99s+Entitlement+Theory&aqs=chrome..69i57.10088j0j4&sourceid=chrome&ie=UTF-8>. Accessed 11/5/2022.

Nozick's Theory of Justice and Resource Management and Control in Nigeria

The resource allocation and the policy's determination in Nigeria are often epitomized by ethnic chauvinism. Government policies of almost every sort suffer from this terrible defect. This underlines the reason there is intense struggle for political power and representation among the major ethnic groups, federating units and geographical zones in the country. Obviously, the game is such that the group that controls political power in the country enjoys the largest share of the national goods or commonwealth. What does Nozick think about this? Can Nozick's theory of justice help put to rest this unusual manner of power struggle and resource management and control in Nigeria? This research is convinced that Nozick's principles of acquisition, transfer and rectification can help Nigeria improve on her system of resource management and control; and hence boost national integration and unity in the country.

Resource Management and Control via the Principle of Acquisition

In the principle of justice by acquisition, Nozick specifies how things not previously possessed by anyone may be acquired. A just acquisition, following this principle, is the one carried out according to the 'Lockean Proviso'. Thus a person is entitled to initially un-owned things that she has made useful by working on it. Nozick qualifies his first principle by appealing to Locke's Proviso that there be "enough and as good left in common for others," which is "meant to ensure that the situation of others is not worsened" by one's original acquisition.⁶⁵ He cites an example: a person may not hoard all of the drinkable water in a region to oneself even if that person was the one who found the supply of water. Rather, since hoarding the water supply would result in the worsening of the situation of others in the region, a person must make this resource available to others. *This does not mean that the person has to give away any claim to this resource; rather, the initial acquirer merely has to set up a system in which others are able to have access to the water by making it available for purchase or trade.*⁶⁶

Note here that even though Nozick's theory of justice is willing to permit that anyone who has the right of first ownership to a property or resources in an area must not claim absolute monopoly of same (especially when the resources concerned is one necessary for survival); Nozick is yet unwilling to permit that the first acquirer can or should relinquish his resources freely to others. This is because Nozick sees the right of the individual as sacrosanct. The individual must not be coerced by others or even the state to give up

⁶⁵Nozick, *Anarchy, State and Utopia*, p. 175.

⁶⁶A. Salahuddin, "Robert Nozick's Entitlement Theory of Justice, Libertarian Rights and the Minimal State: A Critical Evaluation". *J Civil Legal Sci* 7: 234. DOI: [10.4172/2169-0170.1000234](https://doi.org/10.4172/2169-0170.1000234). (2018), p.2

ownership of a part or the whole of his holding (property) simply because the holding is crucial to the survival of all in the state. Nozick's principle of justice by acquisition is handy to proper resource allocation and control in Nigeria.

In Nigeria, one of the most common ways citizen's rights are abused is evident in the forceful acquisition of citizen's original holdings (properties) by the state or prominent politicians. In some cases, the State makes policies that exclude local communities from benefiting from resources founded in their localities while those far off from the communities where the resources are founded are made to benefit from it. The discovery of crude oil in the Niger Delta- the use of the revenue accruing from same to develop other parts of Nigeria, especially the northern region while local communities in Niger Delta region were left to decay in environmental hazards is a good example of the abuse of the principle of justice by acquisition in Nigeria.

Given the postulations of Robert Nozick, the oil in the Niger Delta is exclusively the property of locals in that area. The Nigerian State is not supposed to acquire the oil wealth and make it into a commonwealth of the state. The management and control of the oil wells in the Niger Delta region is supposed to absolutely be under the management and control of the Niger Deltans. If the country as a collective wish to benefit from the oil holding of the Niger Delta, she is supposed to reach a fiscal agreement with the region that would be decided upon by the representatives of the region, not the State's. Had the Nozickean principle of justice by acquisition been applied in the management and control of the oil wealth in Niger Delta region, the region and Nigeria as a collective would have benefitted more from the oil boom. Unfortunately, this was not to be. At the dawn of the discovery of oil wealth in the region, the struggle for power and control of resources by the various nationalities in the country did not allow justice and equity to take their natural course. Unscrupulous political elites, especially from the north, who manned core institutions of the State, took total control of the region. They began channeling the wealth of the region toward their self-aggrandizement and the development of their region. The result was the full blown war that engulfed the Niger Delta. The State sent her military to destroy her own citizens who out of frustration began destroying their own property since the State would not allow them benefit from it.

The government at all levels in Nigeria also abuse Nozick's principle of justice by acquisition while implementing town planning procedures and constructing new roads. What do government bodies do in such cases? They simply mark off houses, stores or shops (holdings or properties) that are founded on unwanted areas and destroy them subsequently. Most times, the State does not compensate the original owners of these properties; and when they do, the compensation is terribly poor. Many *bona fide* citizens

have lost their homes and legitimate sources of livelihood due to this abuse of power by the state. Ordinarily, the citizens are supposed to be pleaded with to cede their lands or properties to the government so that they will be used to run projects that would benefit the public. Such properties are not supposed to be confiscated without proper compensation, to be decided upon by the owners of course, not the government. One grave consequence of this blatant disregard for the property rights of acquisition of citizens in the Nigerian State is that the citizens see the state, the government as their enemy. They become so unpatriotic that given the slightest opportunity they destroy State properties.

Resource Management and Control via the Principle of Transfer

In the principle of justice by transfer, Nozick presents the manner in which one might justly come to own something previously owned by another. Thus it concerns how possessions may be transferred from one person to another. This second principle naturally follows from the first. Once the initial acquisition of something is made, it remains in the hands of the holder unless it is transferred to another holder or passed into an unheld state. In particular, the principle states that individuals are entitled to things that they have acquired from others, if the others legitimately acquired it, and the transfer was made voluntarily. This principle can also be restated as follows: "Holdings (actually) freely acquired from others who acquired them in a just way are justly acquired."⁶⁷ Nozick underlines two important points here:

- No state, authority, or individual can legitimately acquire a property from the original owner except transfer of ownership is made voluntarily.
- Even when transfer of ownership has been made voluntarily, if the initial owner of the property acquired it unjustly, the person receiving the property from this unjust owner is also acting unjustly.

This principle of justice by transfer protects the interests of the weak or minority groups in the state. The principle is absolutely necessary in a complex society like Nigeria to help check the excesses of power-drunk political elites who do anything possible to deprive other ethnic nationalities of their rights inasmuch as the nationality they represent continue to feature prominently and benefit profusely from the commonwealth. It is common occurrence in Nigeria to see state policies that are made to favour some groups more than others in the country. Sometimes, these policies even make demands of other nationalities to necessarily surrender aspects of their legitimately acquired holdings to the

⁶⁷U. Precious Obioha and O. Oluwayemisi Adegboyega, "An African-Communitarian Response to Robert Nozick's Political Philosophy," *Journal of Humanities Kampala International*, (2020), p.100.

government for same to be used by the state to further the interests of other ethnic nationalities in the country. A good example of this kind of state policy or legislation in Nigeria that directly undermines the principle of justice by transfer is the national policy on grazing reserves. The Grazing Reserves Act was first enacted in 1964 by Nigerian Federal Government, in order to separate certain areas for pastoralist activities. This law was the first official step to encourage sedentarism among pastoralist herders. According to the Act, the government designated 415 specific areas for grazing purposes.⁶⁸ This policy restricts communities in the southern parts of Nigeria and parts of the north central to free use of their legitimately acquired lands because the State wishes to use same to further the businesses of the Fulani nationality who are predominantly herdsman. Imagine how early into Nigeria's existence as a nation such an obnoxious policy was made. This further confirms the position of this research stated earlier that almost all policies of government in this country bear the mark of ethnic chauvinism. Why should a state make a policy that requires parts of her citizens to forfeit their legitimate property to be used by other citizens in furtherance of their private businesses? The State clearly acts unjustly in this regard seen from the context of Nozick's theory of justice. Obviously, the State did nothing to ensure that such lands to be reserved for grazing are justly acquired from the original owners following Nozick's principle of justice by transfer. The horrible effects of this age-long policy are the perennial farmer-herder clashes in Nigeria. Anyarogbu captures this succinctly, thus:

With the creation of new administrative units after independence, some of the grazing lands became parts of two different local governments. The Land Use Act which was accepted in 1978 gave the decision-making power about land leasing and renting to these units with powers conferred on the State Governors and sometimes Local Government Chairmen (Oladotun & Emmanuel 7). Herders, owing to their lifestyle and cultural disposition (land is everybody's), could not benefit as expected from the promulgation of the Land Use Act. They continued to depend on their perceived freedom to graze wherever they wish, heightening the tension between local farmers and herders. Moreover, the political elites, those occupying public offices lack the political will to deal with the situation. No arrest of any kind has been made in spite of the very destructive actions of some herders. The general view among farmers and other observers is that herders enjoy some level of protection from the government in spite of the fact that they

⁶⁸Justin C. Anyarogbu, "Farmer-Herder Ecological Crisis in Nigeria vis-à-vis Gabriel Marcel's Intersubjective Philosophy," *African Eco-Philosophy: Cosmology, Consciousness and The Environment*, Ikechukwu Anthony Kanu ed., First Edition, 2021, 251- 274, p. 259.

have been declared one of the most dangerous terrorist organizations internationally.⁶⁹

From the submissions of Anyarogbu in the above excerpt, it is evident that the National Grazing Reserves Act of 1964 was ill-fated. It was doomed from the very date of its passage into law because it was an unjust legislation as it unjustly and forcefully captures and cedes the land of some ethnic nationalities to another. The federal government of Nigeria, at that time, if only it was not blinded by ethnic sentiments, should have known that such a policy would introduce endless chaos among local farmers and herders in Nigeria in the future. Unfortunately, the subsequent creation of states- federating units and the rise of the land use act created more problems as cited above. These would have been corrected if the State was just enough. But because the State has always been ethnically chauvinistic from creation, she didn't move immediately to resolve the obvious disagreement that existed between the Grazing Reserve Act of 1964 and the Land Use Act of 1978. Hence, while herders continue to lay claims to grazing reserves across all parts of the federation; farmers too legitimately claim that the 1964 policy is now extinct as lands are now under the control of state governors based on the Land Use Act of 1978. Moreover, some of the sites mapped out in 1964 are nonexistent as legitimate geography in contemporary Nigeria since they have been repositioned due to creation of more states.

Today, this crisis would have been resolved easily if the Buhari administration wasn't unnecessarily too ethnically chauvinistic. Instead of looking into the legitimate concerns of the farmers who are being helplessly butchered by the deadly herders, the Buhari regime proposed RUGA⁷⁰ as the way to resolve the perennial conflict. RUGA is an even worse policy than that of 1964 because it makes the same errors of the previous policy and hence further emboldens the herders to continue to claim the right to graze their flock wherever they wish across the country.

Had the government of Nigeria applied Nozickian principle of justice by transfer to the management of farmer-herder clashes in Nigeria, the conflicts would have been reduced to the barest minimum or even totally eradicated. Based on the principle of transfer, the state cannot legitimately apportion lands to herders for grazing of their flock without first compensating the original owners of the land, the locals who are mostly farmers. In fact, even with government compensation, the locals have the rights to decide not to cede their lands to the government or herders. Hence, they are supposed to have surrendered their

⁶⁹ Ibid.

⁷⁰ Note that the Ruga policy is a human settlement policy introduced by the Buhari administration to help checkmate the farmer-herder conflicts. Ruga (rugga) is the Fulani word for human settlement but policy-wise, it is an acronym for Rural Grazing Area.

lands freely, not being compelled to vacate those lands by some unjust government policies. Had the herders been openly told by the State that they have no rights over lands outside their villages except such lands have been legally acquired by them following the principles of justice by transfer, these clashes would have been undone by now. Unfortunately, the State keeps making the Fulani herders feel superior to other nationalities by making policies that unduly favour their trade. Fulani herder-farmer crises may therefore be described as a State-motivated conflict given a Nozickian interpretation.

Conclusion

This article has made rigorous attempt to expose Robert Nozick's theory of justice and apply same to understanding and resolving the perennial crises is unjust resource management, control and distribution in Nigeria due to ethnic and religious chauvinism. Nozick's theory of justice is libertarian according to which an action is just if and only if it does not violate the absolutely free property rights of an individual or a group. These libertarian property rights include:

- Initial full self-ownership: each autonomous agent initially has full property rights in him/herself (paradigmatically rights of bodily integrity, which rule out killing or physically assaulting one without one's permission);
- Initial rights of common use of the external world: the right to use non-agent things (as long as this violates no one's self-ownership);
- Rights of initial acquisition: the right to acquire full property rights in 'unowned' things as long as one leaves "enough and as good" for others;
- Rights of acquisition by transfer: the right to acquire any property right in a thing held by another by voluntary transfer.

This research insists that the Nigerian State due to her structural imbalance negates most, if not all, of the Nozickian rights to holdings pointed out above. A bracing manifestation of the abuse and misrepresentation of this rights by the Nigerian State is exemplified in the Grazing Reserve Act of 1978 and the RUGA initiative of the Buhari administration. This misrepresentation is of course a creation of ethnic politics. The consequence of this is the perennial herder-farmer clashes across boards in Nigeria.

Nonetheless, it must be admitted here that the libertarian sentiment in Nozick's justice theory sounds radical at times. The rights of self-ownership, he claims, "reflect the Kantian principle that individuals are ends and not merely means; they may not be sacrificed or used for the achieving of other ends without their consent." For him such self ownership rights express the inviolability of others and reflect the fact of our separate

existences. This position appears plausible, but it can have terrible implications for the individual too. For instance, one could question whether this right holds even where the harm to the holder is slight and the benefit to others is great (e.g., a small prick to my finger saves the lives of many). One could also question whether one has the right to enslave or harm oneself voluntarily (as full self-ownership asserts). Specifically, can one morally claim the right to take his life (suicide), and the need that the State or others respect this right since the right to self-ownership “reflect the fact of our separate existences.” The point being made here is that Nozick’s apparent recourse to libertarian principles, even though aimed at protecting the rights of the individual, may end up setting the individual on the path to self-destruct.

This having been said, Nozick’s theory of justice will function appropriately if applied in Nigeria for the protection of the rights of the citizens. This is because it gives massive priority to the rights of the individuals as separate entities over that of the state. In a clime like Nigeria where abuse of minority and individual rights is rife, the provisions of the Nozick’s code of justice would go a long way to curtail the excesses of the State. Such a justice system would limit the almost tyrannical powers the heads of the Nigerian state enjoy over her citizens. It would make political office-holders accountable to the citizens since the almost ‘unguided’ liberty regime would leverage the citizens the opportunity to criticize government policies and influence the direction of such policies to their favours. Hence, the perennial problem of embezzlement of public funds would be defeated entirely or reduced to the barest minimum because public office-holders would become more accountable and transparent.

In such a Nozickian justice regime, the central government loses the maximum powers it wields currently in the system. Devolution of power would become constitutional and decentralization of governance will be institutionalized. The federating units will be freed from the shackles of the central government; and hence, allowed to thrive at their individual paces. The almost perennial suspicion that exists among the ethnic nationalities will therefore be defeated since the center will become less attractive and the various regions and ethnic affiliations will be given the fundamental rights to manage the resources at their disposal without any form of external interference. This would surely reduce to the barest minimum the menace of ethnic politics and all forms of chauvinistic sentiments in Nigeria.