

World Trade Organisation (WTO): The Impact of Social and Economic Dimensions of Globalisation in Nigeria

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Abstract

Globalisation offers greater opportunity for countries to tap into more and larger markets around the world. It permeates geographical parameters and affects every aspect of human life at every level of development. Behind globalisation processes are the World Trade Organisation (WTO) and other global Multinational Institutions, whose interest is profit maximisation. Nigeria is a country endowed with abundant raw materials, human and natural resources which, with the application of appropriate technology and production processes, will be a decisive global economic player. However, high poverty rate, low industrial development, primitive agricultural methods, increasing decay of institutional and regulatory frameworks, corruption, political instability and erratic power supply, etc, have characterised the country. While globalisation opens the door of new array of economic opportunities for Nigeria, it does appear to have some costs as well. It concludes that globalisation portrays a culture of dominance by developed countries and developing countries may not be able to resist the forces of globalisation.

Keywords: Globalisation, World Trade Organisation, Transnational Capitalism, Multinational Institutions, Nigeria

1. Introduction

Previous attempts to create a global market led to the erosion of social security and the outbreak of World War I.¹ Subsequent protectionism led to Fascism² and Nazism,³ resulting in World War II.⁴ Thus, inequalities and instabilities need to be countered to prevent a repeat of history; a

¹ Steger, M., "The Economic Dimensions of Globalisation", available at <http://www.veryshortintroductions.com/view/10.1093/actrade/9780199662661.001.0001/acrade-9780199662661-chapter-3>. Accessed on 10/11/14.

² Philosophy of government that stresses the primacy and glory of the state, unquestioning obedience to its leader, subordination of individual will to the state's authority, and harsh suppression of dissent.

³ Ideology and practice associated with the 20th century German Nazi Party and State as well as other related far-rights groups.

⁴ Allen, L. *The Global Economic System since 1945*, London, Reaction Books Ltd., (2005), p. 15.

Global New Deal,⁵ that would prevent such devastating economic crises as the Great Depression,⁶ was therefore, required. In order to monitor the world economy, three economic institutions were created. These are: International Monetary Fund (IMF) to oversee the international monetary system; the International Bank for Reconstruction and Development (IBRD, later renamed the World Bank) to provide loans for European reconstruction but later expanded its activities to developing countries and the General Agreement on Tariffs and Trade (GATT),⁷ Trade Related Aspects of Intellectual Property (TRIPS) under which the World Trade Organisation (WTO) was established in 1992, to oversee multilateral trade agreements.⁸

However, by the 1970s, this system had collapsed for several reasons, such as oil crises. The world economy then took a drastic turn from managed economy to neoliberal economy (where market mechanisms, rather than decisions from institutions, shape the economy). Hence, a new economic order that would transform a global managed capitalist system into hyper-capitalism was born.⁹ Since then, the world has undergone tremendous changes as a result of industrialisation. The elimination of barriers to the free or easy movement of goods, services, information and human and financial resources (a.k.a. globalisation) took the centre stage.¹⁰

Though globalisation is now almost a cliché in general discourse, few can be said to understand its real import. Developed countries view it as a process that is beneficial; a key to future world economic development that is also inevitable and irreversible. Developing countries regard it with hostility, even fear, that it increases inequality within and between nations, threatens living standards and thwarts social progress.¹¹ Developing countries also view it as the direct

⁵ Steger, M., op cit.

⁶ It was perceived to have led the world into the World War II.

⁷ The GATT of 1947 continued until the end of 1995, when it was effectively subsumed, with changes as GATT 1994 within the WTO system.

⁸ Monnier, C., "Dimensions of Globalisation", available at <https://globalsociology.pbworks.com/w/page/14711172/Dimensions%20of%20Globalization> Accessed on 18/11/14.

⁹ Ibid.

¹⁰ Ayodele, A. "Globalisation, The TRIPS Agreement and their Implications on Access to Essential Medicine for Developing Countries: A Case Study of Nigeria", Vol. 2, Part 1, *Confluence Journal of Private and Property Law (CJPPL)*, Department of Private and Property Law, Faculty of Law, Kogi State University, Anyigba, (2009), p 100.

¹¹ Okoye, S. E. "Globalisation and the Political Future of Nigeria", available at <http://nigeriaworld.com/articles/2004/oct/131.html>. Accessed on 07/11/14.

consequence of the expansion of Western culture across the planet via colonisation and cultural mimesis.¹² While developed countries contend that globalisation helps to reduce them. Of course, these problems predated globalisation, but it is clear that for globalisation to be politically and economically sustainable, it must contribute to their reduction.¹³

Globalisation is already straddling all aspects of human life in many countries of the world. Though it is essentially an ideology of economic liberalisation,¹⁴ it has profoundly shaped the political, social, economic, technological and cultural landscapes at individual, family, community, local, national, regional, international and transnational levels.¹⁵ Since law reflects political conditions and evolves, in most cases, in harmony with reality, it has to develop a series of rules governing¹⁶ the increasing international economics and trade relations between nations. Currently, the WTO set the rules for free and fair international trade.¹⁷

Nigeria¹⁸ is a country endowed with abundant raw materials, human and natural resources which, with the application of appropriate technology and production processes, will be a decisive global economic player.¹⁹ However, high poverty rate, over population, civil war, low industrial development, primitive agricultural methods, increasing decay of institutional and regulatory frameworks, corruption, political instability, erratic power supply, poor infrastructural facilities and environmental degradation, etc,²⁰ characterised the country, thereby thwarting social and economic progress in line with international best practice.

¹² Maduagwu, M. O., "Globalisation and its Challenges to National Cultures and Values: A Perspective from Sub-Saharan African", available at <<http://www.i-p-o.org/Maduagwu.htm>> Accessed On 11/11/14.

¹³ World Commission on the Social Dimensions of Globalisation, "Social Dimension of Globalisation," available at <<http://www.ilo.org/public/english/wcsdg/globali/globali.htm>> Accessed on 28/11/14.

¹⁴ Ibid.

¹⁵ Ogwumikwe, F. O., and Olukayode, E. M., "Globalisation and Economic Growth in Nigeria: A Multi-Dimensional Analysis", available at <<http://www.medwelljournals.com/abstract/?doi=pjssci.2012.89.95>> Accessed on 11/11/14.

¹⁶ Shaw, M. N., *International Law*, (4th Edition), Edinburgh, Cambridge University Press, (1997), p. 332.

¹⁷ Ayodele, A. (2009), op cit, p 100

¹⁸ Became a member of the WTO since 1995, when it was established.

¹⁹ St. Mathew-Danial, B. J. "The Nigerian Economy in the 20th Century", Online Nigeria, available at <<http://www.onlinenigeria.com/economics/?blurb=498>>. Accessed on 19/01/15.

²⁰ Nchi, S. I. African Environment and Sustainable Development, Vol. 1, *Journal of Private and Public Law, University of jos*, (1996), p. 121.

With this at the background, what choices and opportunities are available to Nigeria under the changing global economic environment? The paper will attempt to provide an answer to the foregoing question by first discussing the theoretical framework, globalisation and the WTO system, as well as the social and economic dimensions of globalisation.

2. Theoretical Framework

The paper is based on the globalisation theory of transnational capitalism. The theory focuses on transnational practices that cut across boundaries including those created by states with the implication that territorial boundaries are of declining importance in capitalist globalisation. Underlying this emphasis on transnational corporations is the idea that capitalism has moved away from being an international system toward a globalising system that has no geographical parameters in its operations. The global economy, from the perspective of the theory, shows that while great technological development and innovations create the basis and infrastructure for economic development, it is because of concrete economic process such as trade that the societies of the world are being drawn into global system.²¹

The fundamental premise of globalisation is that an increasing degree of integration among societies plays a crucial role in most types of social and economic changes.²² For instance, shifts in economic activities in Japan or the United States (US), are felt in countries all over the globe. The internationalisation of financial markets, of technology and of some manufacturing and services bring with them a new set of limitations upon the freedom of action of nation states. In addition, the emergence of institutions such as the World Bank, WTO, IMF, the European Union (EU) and the European Central Bank (ECB), involve new constraints.²³

This is evident in the fact that globalisation processes are deliberately stimulated and steered by particular states and other political forces. In other words, globalisation develops only in the

²¹ Asamu, F., and Olubukola, O., Global Economic Crisis and its Implication on Industrial Relations System of Nigeria, Vol. 1, No. 2, *Nigerian Journal of Labour and Development Studies*, (Nov/Dec. 2012), p.172.

²² Reyes, G. E., "Theory of Globalisation: Fundamental Basis", available at <<http://sincronia.cucsh.udg.mx/globaliz.htm>> Accessed on 11/11/14.

²³ Info.org, "Globalisation: Theory and Experience", available at <<http://infed.org/mobi/globalization-theory-and-experience/>> Accessed on 10/11/14.

conditions of a consensual political order, that is, a state of relations between states which allows for the establishment of interdependence and links above and between national *loci* of power. A globalisation process so conceived is dependent on national authorities and their consent to creation and expansion of a world market and the operation of multinational corporations (MNCs) and non-governmental organisations (NGOs). A very important factor is the policy of the dominant liberal power, which is a precondition of the globalisation process.²⁴

The objectives of this paper is to test and place the theory under spotlight with the view to seeing to what extent the effects of the WTO system on social and economic dimensions of globalisation has impacted on Nigeria. The interconnectivity of the theory to the current global economic integration makes its application to Nigeria's economic system easier.

3. Globalisation and the World Trade Organisation (WTO) System

The term 'globalisation' is used in many different contexts. It has become a buzzword with a multitude of meanings and interpretations. In this paper, however, globalisation is taken to mean the process leading to the growing interdependence of nation-state across political, economic and social spheres.²⁵ This interdependence is characterised by massive daily commercial transactions, the homogenisation of culture worldwide concurrently with the resurgence of an emphasis on ethnic communal identity, some erosion of the political clout of many states and, finally the increasing reliance on communications technology to perform more tasks.²⁶

The paradigm of globalisation advocates for liberalisation of international markets, breaking down national economic barriers, rights to corporations to sell and invest in any country of their choice without restraints or conditions.²⁷ Features such as the proliferation of cross-border trade

²⁴ FITCOM, "Strategic Leadership Planning and Conflict Management", Johannesburg, Isett Seta, 2014, p. 64.

²⁵ Oluwaseun, O. A., "Globalisation and the Politics of Marginality," in Vaughan, O., Wright, M., and Small, C., (Eds.), *Globalisation and Marginalisation, Essays on the Paradox of Global and Local Forces*, Ibadan, Sefer Books Ltd., (2005), p. 204.

²⁶ Ibid, p. 206.

²⁷ Ikeme, J., "Sustainable Development, Globalisation and Africa: Plugging the Holes", available at <<http://www.afbis.com/analysis/Jekwu.html>>. Accessed on 18/11/14.

and instant access to communication characterised the on-going global changes.²⁸ It offers greater opportunity for people to tap into more and larger markets around the world. In essence, they can have access to more capital flows, technology, cheaper imports, and larger export markets.²⁹

Globalisation is not in itself an end, but simply a means towards understanding what is obtainable and what choices are available globally. It is therefore up to each system to decide what it should take or leave. Understanding the forces of globalisation will enable countries fashion their legal systems and policies in such a manner as to derive maximum advantage, while at the same time minimising the risk of structural disruption often brought about by sudden and un-informed changes or reaction to events or developments.³⁰

To ensure that this opportunity is realised, globalisation has to be managed and regulated at the international level, if not, it is likely to be a curse rather than a blessing, to humankind, aggravating economic inequality, social injustice, environmental degradation and cultural depression. The law of the WTO is currently the most ambitious effort to manage and regulate international trade.³¹ The establishment of the WTO, as a United Nations (UN) specialised agency, has given rise to a new world order extending far beyond traditional international trade relations.³²

This has however threatened the sovereignty of nation-state, to the extent that obligations to the UN prevail over all other treaty obligations entered by States.³³ National governments yield some power and policy prerogatives to these international organisations through many international agreements and international institutions.³⁴ This led to the intensification and expansion of political interrelations around the globe, resulting in the modern-nation state system and its

²⁸ Oluwaseun, O. A., (2005), op cit, p. 201.

²⁹ Okoye, S. E., op cit.

³⁰ Ahmadu, M. L., et al, *Nigerian Law and Practice in a Globalising World*, Sokoto, UDU Press, (2010), p. xiii.

³¹ Bossche, P. V., *The Law and Policy of the World Trade Organisation*, Text, Cases and Materials, Cambridge, Cambridge University Press, 2005, p. 3.

³² Maduagwu, M. O., op cit, n/p.

³³ See Article 103 of the UN Charter.

³⁴ Oluwaseun, O. A., (2005), op cit, p. 209.

changing place in today's world, the role of global governance, and the direction of global political systems.³⁵

The UN Charter provides that:

“The UN is primarily an organisation for *inter-alia*, maintenance of peace and security, developing friendly relations among nations, achieving international co-operation in economic, social, cultural and humanitarian areas, developing respect for human rights and providing the requisite means for harmonising international action to attain these objectives.”³⁶

These noble objectives have been met with skepticism and suspicion by the developing countries. They perceived the new economic order as another idea conceived to rationalise the hegemony of the developed countries. No more than mere lip service is being paid to the visionary quest for a new international economic order,³⁷ as commercial interest, at the forefront of developed countries and multinational corporations, has impeded the attainment of these laudable objectives.

As Krautnammer observed:

“What we have today is pseudo-multilateralism; a dominant great power acts essentially alone, but embarrassed at the idea and still worshipping at the shrine of collective security, recruits a ship here, a brigade there, and blessings all around it give its unilateral actions a multilateral sheen.”³⁸

The law of the WTO is complex and specialised. It deals with a broad spectrum of issues, ranging from tariffs, import quotas and customs formalities to intellectual property rights, food safety regulations and national security measures. However, six groups of basic rules and

³⁵ Held, D., et al, *Global Transformations: Politics, Economics and Culture*. Cambridge: Polity Press, (1999), p. 77.

³⁶ See Article 1

³⁷ Onyekwere, E. C. *Communication and the New World Order*, a paper presented at the conference on Africa and the New World Order, organised by the Centre for Development Studies, University of Jos, Nigeria, 13 – 15 July, 1992, p. 20.

³⁸ Krautnammer, C. *The Unipolar Movement*, Vol. 70, NO. 1, *Foreign Affairs*, (1991), pp. 22 – 23.

principles can be distinguished: the principles of non-discrimination;³⁹ the rules on market access, including rules on transparency; the rules on unfair trade; the rules on conflicts between trade liberalisation and other social values; the rules on special and differential treatment for developing countries; and a number of key institutional and procedural rules relating to decision making and dispute settlement.⁴⁰ The main exception to this rule relates to the formation of custom union,⁴¹ where the granting of exclusive privileges to designated members is permissible.⁴²

The WTO agreement retains the pivotal principle of the most-favoured-nation under which states undertake to grant each other the same right and concessions as they have granted or may grant to any favoured third state.⁴³ The merit of this standard is maintained despite the internal, political, social or economic structure of contracting parties and it operates mainly without prejudice to whether a state is developed or developing, agricultural or industrial, market oriented or planned economy.⁴⁴

The WTO has a similar mission with GATT but its writ ranges wider. GATT duties all came within the narrow orbit of merchandise trade, but WTO mounted the throne of watchdog over merchandise trade practices, trade practices in services such as international telephones, and practices regarding intellectual property rights. As part of administering and policing, the WTO also settles trade disputes between member states, brandishing enforcement power that GATT never wielded. The WTO can hand down trade sanctions on countries unwilling to revoke laws and practices that trespass and thwart WTO agreements. The rules of the WTO carry the force of law on member states.⁴⁵

³⁹ See Article I of the WTO Agreement 1994.

⁴⁰ Bossche, P. V., (2005), op cit, p. 39.

⁴¹ See Article XXIV (8) of the WTO Agreement 1994.

⁴² Ahmadu, M. L., et al, (2010), op cit, p. xv.

⁴³ See Article II, WTO Agreement 1994.

⁴⁴ Ladan, M. T., *Materials and Cases on Public International Law*, Zaria, ABU Press Ltd., (2007), p. 352.

⁴⁵ Allen, L. (2005), op cit, p. 163.

Developed countries and multinational corporations use the WTO forum to engage in selective liberalisation. For example, in the name of trade liberalisation, intellectual property rules allow multinational corporations to monopolise the manufacture of certain goods for a lengthy period of time, usually to the detriment of developing countries. Thus, the WTO and its predecessor are neither synonymous with nor promoters of free trade. The international trade system, as promoted by the WTO, is fraught with structural deficiencies and is neither free nor fair. Indeed, the WTO cannot claim to have the legitimacy that comes from the mandate of the average citizens of its member states.⁴⁶

For the critics of globalisation, it is mere deception to suggest that globalisation is a self-propelling social dynamic. In the economic sphere, it is being directed by the WTO, with its underlying goal of economic liberalisation through the powerful means of information technology, dominated by the developed countries. Developing countries may not be able to resist the forces of globalisation.⁴⁷ The global reach of the new economy is such that there emerged two distinct economies, a new highly integrated economy and an old subsistence and survivalist economy. By making two worlds from three worlds, globalisation does not integrate everybody, but affects everybody.⁴⁸

4. Social Dimension of Globalisation

The social dimension of globalisation refers to the impact of globalisation on the life and work of people, on their families and their societies. Concerns and issues are often raised about the impact of globalisation on employment, working conditions, income and social protection. Beyond the world of work, the social dimension encompasses security, culture and identity, inclusion or exclusion and the cohesiveness of families and communities.⁴⁹

Historically, man has always made various attempts to transform the natural world in which he finds himself. Through science and technology, man has been able to create devices, tools and

⁴⁶Oluwaseun, O. A., (2005), op cit, p. 207.

⁴⁷ Maduagwu, M. O., (2013), op cit, n/p.

⁴⁸ FITCOM, (2014), op cit, p. 75.

⁴⁹ World Commission on Social Dimensions of Globalisation, "The Social Dimensions of Globalisation," available at <<http://ilo.org/public/english/wcsdg/globali/index.htm>>. Accessed on 18/11/14.

machines through which the threats of the society are being subdued and brought under his control.⁵⁰ Information communication technology, (ICT) is emerging as an important catalyst for transformation of business, society, and government in the globalising world. Today, ICT forms the “backbone” of several industries, such as banking, airlines and publishing. ICT has facilitated packaging of information and sending the same across the world at negligible cost. The Internet has opened up a vast array of possibilities worldwide. It has become a key element in what is seen as the globalisation of society, providing technology that recognises no national boundaries, has no single owner, and is not regulated or controlled by any single national or international legal framework.⁵¹

In the recent past, the world had interdependent states and actions are taken independently. Of late, globalisation has created a virtual village, by means of information technology, where actions taken in one part of the world has almost instantaneous effects on the other parts.⁵² Globalising events taking place outside Nigeria’s national borders have direct bearing on how its national laws respond to them. In some cases, there is some congruence in the way Nigeria’s national laws are shaped in relation to the over-reaching influence of global developments. It may be subtle in some areas, but obviously pronounced in others. Political, social, economic, religious and technological changes taking place around the world impact on some aspects of Nigerian law and practice to the extent that it has to adopt some of them as part of its domestic laws.⁵³

Globalisation has pushed the demand for intellectual property (IP) protection beyond the borders of sovereign nations. Generally, IP law aims at protecting the application of ideas and

⁵⁰ Adesina, O. S. The Negative Impact of Globalisation on Nigeria, vol. 2, No. 15, *International Journal of Humanities and Social Science*, (August 2012), P. 195.

⁵¹ Ibid, p. 194.

⁵² Okome, M. O. “The Antinomies of Globalisation: Causes and Consequences of Contemporary African Immigration to the United States of America”, in Vaughan, O. and Wright, M., and Small, C., (Ed.), (2005), op cit, p. 92.

⁵³ Ahmadu, M. L., et al, (2010), op cit, p. xiii.

information that are of commercial value,⁵⁴ and these include copyright, trademarks, patents, geographical indications, etc. In case of patents, it provides the manufacturer market exclusivity over the formulation and the right to set its own price,⁵⁵ with limited exceptions.

However, this may have considerable influence on the production, availability and access to essential medicines in Nigeria. Given the fact that if market exclusivity is not granted freely, innovators are deprived of the full benefit of their monopoly rights, as a result, big pharmaceutical companies may be discouraged from investing in drugs that only have a market in Nigeria, for example, for conditions like malaria or dysentery, HIV/AIDS, etc. Ultimately, Nigeria may become isolated, with less control over drugs that may be needed to treat its populations.⁵⁶

The ethical problems brought up by IP rights are most pertinent when, for instance, socially valuable goods like life-saving medicines are given IP protection. While the application of IP rights can allow companies to charge higher price than the marginal cost of production in order to recoup the costs of research and development (R&D), the price may exclude from the market anyone who cannot afford the cost of the product. An IPR driven regime is therefore not a regime that is conducive to investment in R&D of products that are socially valuable to predominately poor populations.⁵⁷

The development of the internet and the widened access to computer technology has created new opportunities for work and business activities, as well as those who engage in illegal activities. The rise of technology and online communication has not only produced a dramatic increase in the incidence of criminal activities, but has also resulted in the emergence of what appears to be a new variety of criminal activities. Both the increase in the incidence of criminal activities and

⁵⁴ Adewopo, A., "Protection and Administration of Folklore in Nigeria", available at <<http://www.law.ed.ac.uk/ahrc/script-ed/vol3-1/editorial.asp>>. Accessed on 28/05/13.

⁵⁵ Schmidt, C. W. "Drugs as Intellectual Property," available at <<http://pubs.acs.org/subscribe/archive/mdd/v04/i06/html/06rules.html>>. Accessed on 29/06/2013.

⁵⁶ Subhan, J. "Scrutinised: The TRIPS Agreement and Public Health," available at <<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2323529/>>. Accessed on 29/06/2013.

⁵⁷ Ibid.

the possible emergence of new varieties of criminal activity pose challenges for legal systems, as well as for law enforcement.⁵⁸

Crime such as cyber terrorism, computer hacking, bank frauds are also rising faster. A cyber criminal can hack from the comfort of his home, infiltrate or infect any computer system even countries away.⁵⁹ It is now evident that no society can successfully police itself using the orthodox techniques of beats and patrol alone in an increased technology driven age, insecurity and sophisticated criminality. Many countries are using technology to ameliorate and investigate any crime committed using scientific and forensic methods, so as to bring perpetrators to book. Nigeria is not left out. There are three (3) forensic laboratories in Nigeria,⁶⁰ functioning at different capacities using biometric technology. Analysis of physical evidence as hair, fiber and blood as well as handwriting and analysis of disputed documents are carried out, Finger printing and ballistic examinations are also carried out.⁶¹

Surveillance cameras are also recognised as a standard device used in crime detection, traffic control and property monitoring. Circuit Cameras Television (CCTV) has proven to be a reliable and cost effective device that can aid in apprehending and prosecuting offenders. In Nigeria, the cities of Lagos, Abuja, Port-Harcourt, Yenagoa and a few other major cities have adopted this modern technology in crime control. The current and emerging technologies for crime surveillance, prevention, and protection are evidence of development in the Nigeria's criminal justice system to meet with the challenges posed by modern criminals.⁶²

However, this is not without challenges; surveillance is viewed as a violation of people's right to privacy, which may result in several lawsuits. It is possible that data obtained during biometric enrollment may be used in ways for which the enrolled individual has not consented. For

⁵⁸ Olayemi, O. J. "A Socio-technological Analysis of Cyber Crime and Cyber Security in Nigeria", Vol. 6, *International Journal of Sociology and Anthropology*, (2014), p. 116.

⁵⁹ Akor, A. A., Yongu, V. M., and Akorga, M. T. "Effects of Globalisation on the Nigeria Economy", Vol. 4, *Journal of Management and Corporate Governance*, (Dec., 2012), p. 3.

⁶⁰ These are: Forensic science laboratory Oshodi – Lagos; The Police Science Forensic Laboratory Alagbon – Lagos, and the Government Chemist Kaduna.

⁶¹ Oluyemisi, B. "The Use of Modern Technology in Crime Control", Vol. 1, No. 1, *University of Ibadan Law Journal*, (October 2011), P. 173.

⁶² *Ibid*, p.147.

example, biometric security that utilises an employee's Deoxyribonucleic Acid (DNA) profile could also be used to screen for various genetic diseases or other 'undesirable' traits.⁶³

The enactment of the new Evidence Act, 2011 in Nigeria is another development for technological growth. The new law amended the 68 years old evidence law in Nigeria. It allows for the admissibility of computer and electronic generated evidence in courts. Nigeria can now make full use of the expertise of certified digital and computer forensic examiners as expert witnesses in court cases.⁶⁴

Prior to the coming into effect of the Evidence Act, it was not uncommon to find courts grappling with the question whether or not to admit electronically generated evidence. The court in *UBA Plc v. Abacha Foundation for Peace and Unity & Ors*,⁶⁵ held that without a clarification by way of amendment or promulgation of an Act, a statement of account contained in a document produced by a computer is not exempted from the conditions of section 97 of the Evidence Act, although the computer printout of the 1st respondent's statement of account was relevant to the case at hand, it did not satisfy the conditions necessary for admissibility.

As far back as 1969, the Supreme Court of Nigeria stated in *Esso West Africa Inc. v. Oyagbola*,⁶⁶ (restated in *Yesufu v. African Continental Bank Ltd.*⁶⁷ by the Court of Appeal in *Trade Bank Plc v. Chami*,⁶⁸ that the law cannot be and is not ignorant of modern business methods and must not shut its eyes to the mysteries of the computer.

In the wake of globalisation and the explosion in communication technologies, new security related threats have emerged that are to a great extent independent of national boundaries. As a result, a new kind of war is being waged in every country all over the world; this is because the primary threats to national security have changed fundamentally. They no longer spring from

⁶³ "Biometrics Technology and Standards Overview", available at <http://www.biometrics.gov/documents/biotechstandard.pdf>. Accessed on 13/02/15.

⁶⁴ Oluyemisi, B., (2011), op cit, p. 174.

⁶⁵ (2004) 3 NWLR (pt 861) 516 at 542 – 543 (per Justice Muntaka Coomassie JCA).

⁶⁶ (1969) 1 NMLR 194 at 198

⁶⁷ (1976) 4 SC 1 at 16

⁶⁸ (2003) 13 NWLR (pt 836) 158 at 216

territorial and ideological disputes among nation states but from how far globalisation, technological threats and criminal networks have grown to challenge nation states.⁶⁹ There is a growing trend in violence, both domestically and internationally, in the form of terrorism. It is present in our everyday lives and in every part of the world. Terrorism takes on many forms and has had an impact on all our lives in one way or another. Whether it affected us directly with the loss of a loved one, for instance, the abduction of 276 *Chibok* girls by *Boko Haram* in Nigeria, or an incident we were a part of, or emotionally by the countless reports and images displayed by the media, and shows no signs of going away anytime soon.⁷⁰

Like other developing countries, Nigeria has had its fair share of the evil effects of globalisation, which have resulted in terrorist activities and have also aided it. The various policies of governments adopted at the instance of the IMF, World Bank and the WTO in the 1980s and 1990s led to untold economic hardships on the citizens, which prompted various groups to react violently against these policies. This period set the stage for terrorist violence in Nigeria, from the militants in the Niger Delta, who adopted terrorist tactics to fight the government, whom they perceived as an agent of transnational capitalists, to the *Boko Haram* followers, who were frustrated by poverty and unemployment, tore their university and college certificates, and destroyed the institutions of government they believed were the cause of their plights.⁷¹

While globalisation might have created emerging international, technologically and information endowed, mobile labour elite, it has also created a growing genetic, dispensable and poverty stricken labour force.⁷² A central tenet of this information revolution is the acquisition of the requisite skills and training by workers in order to compete. However, accessing this proficiency is expensive and largely dependent on various factors including socio-economic status. Therefore, few people are able to avail themselves of the opportunity to become technologically

⁶⁹ ResearchClue.com, "Effect of Globalisation on National Security," available at <<http://nairaproject.com/projects/550.html>>. Accessed on 06/03/15.

⁷⁰ Stibli, F. op cit, p. 1.

⁷¹ Njoku, T. D. "Globalisation and Terrorism in Nigeria," *Foreign Policy Journal*, available at <<http://www.foreignpolicyjournal.com/2011/08/13/globalisation-and-terrorism-in-nigeria/>>. Accessed on 07/03/15.

⁷² Fitcom, (2014), op cit, p. 77.

proficient. Also, the nature of employment in the “high tech” industry and the job market as a whole has become very volatile. Employment security for workers is more uncertain because of growing global economic pressure.⁷³

In every society, the importance of social order cannot be overemphasised. Under traditional Nigerian setting, there are laws, customs, regulations, rules, taboos and others which constitute the moral code and ethics of a particular community that are meant to regulate the conduct of the members for the maintenance of community solidarity. In most cases, breach of these laws are considered as not just wrong to an individual but to the entire community and thus, must be punished by all as a corporate body. For instance, heinous crimes regarded as sacrilege may attract death penalty, banishment, or certain sacrifices to appease the gods. However, the eventual contact with the western culture through colonialism and, with the subsequent upsurge of globalisation, these values are not only being challenged but also eroded.⁷⁴

Globalisation tends to transmit the social pattern of developed countries to the rest of the world. For instance, Nigerian youth have been socially colonised. This is because they now imitate the western consumption patterns, modes of transport, method of communication including their music. Though, it is noticed that this problem does not affect Nigerians only. It is a worldwide phenomenon. This trend would, eventually, lead to homogenisation of social values, thereby eliminating or reducing Nigerian social values to nothing.⁷⁵

5. Economic Dimension of Globalisation

⁷³ Ajayi, O. “Globalisation and the Politics of Marginality”, in Vaughan, O., op cit, p. 227.

⁷⁴ Madukwe, C. A., and Madukwe, B. N., “African Value System and the Impact of Westernisation: A Critical Analysis”, available at http://academicexcellencesociety.com/african_value_systems_and_the_impact_of_westernization.html. Accessed on 29/11/14.

⁷⁵ Abdulrahman, Y., “Globalisation and Nigerian Economic Development”, Being a Paper presented at the 4th Annual National Conference of the Social Studies Association of Nigeria (SOSAN), held at the Faculty of Education, University of Ibadan, Ibadan, on July 19, 2003, P. 8.

The economic dimension of globalisation explores how economic production undertaken by people has changed.⁷⁶ The effect of economic globalisation is that there will be an influx of foreign companies and foreign capital which will create a reduction in overall unemployment and poverty; it can also increase the wage gap between those who are educated and those who are not. Over a long term, education levels will rise as the financial health of developing countries rise, but in the short term, some of the poor will become poorer. Not everyone will participate in an elevation of living standards.⁷⁷

However, globalisation increased specialisation and efficiency, better quality products at reduced price, economies of scale in production, competitiveness and increased output, technological improvement and increased managerial capabilities. Trade and investment can aid efforts at restructuring an economy to make it more competitive and better able to contribute to the globalisation process. Communication and mass media have the traditional function of multiplying mobility and facilitating exchange of information about goods and services. Exhibition, trade fair and media advertising, for example, help in the marketing of goods and services and provide a multiplicity of choices to consumers even if they also trigger unhealthy commercialisation.⁷⁸

The challenges confronting the Nigerian economy in the 21st Century are diverse and enormous. The unacceptable state of Nigeria's economy is most galling given Nigeria's enormous endowments of natural and human resources. Asian countries, such as Singapore and Malaysia, with similar colonial heritage and natural resource endowments, have recorded significant successes in the development of their economies since 1965, when they were at par or even behind Nigeria.⁷⁹ The Nigeria's efforts to revive and grow its economy must be effected within the context of a world economy dominated by globalisation, liberalisation and technology;

⁷⁶ Info.org, (2014), op cit, n/p.

⁷⁷ Mohr, A., "The Effect of Economic Globalisation on Developing Countries", available at <<http://smallbusiness.chron.com/effects-economic-globalization-developing-countries-3906.html>>. Accessed on 28/11/14.

⁷⁸ Akor, A. A., et al, op cit, p. 3.

⁷⁹ St. Mathew-Danial, B. J. "The Nigerian Economy in the 20th Century", Online Nigeria, (2013), available at <<http://www.onlinenigeria.com/economics/?blurb=498>>.

especially information technology.⁸⁰ Otherwise, it would be long match to exploiting the opportunities globalisation has to offer.

Although trade liberalisation can be credited with expansion of the global economy, it also evident the gap between the rich industrialised countries and the predominantly capital-importing countries is widening in favour of the former. The insistence by the major trading powers on incorporating TRIPS agreement into all forms of trading arrangements, granting of agricultural subsidies to their farmers; arbitrary application of tariff and non-tariff restrictions to imports from developing countries raise the prospects for questioning the relevance of WTO to the economic aspiration of developing countries.⁸¹

While recognising the inequalities and wide disparities in capacities between member states in terms of development on economic, financial, political, social and trade levels, the WTO granted a number of concessions to developing and least developed countries, in spite of its most-favoured-nation principle, but these concessions have been more of theoretical than practical. The WTO enjoined developed countries to assist developing countries to gain market access wherever possible. On the contrary, developed countries have never granted preference free from non-tariff restriction thereby restricting market access and rendering non-beneficial the recommended concessions for developing countries.⁸²

With the new economic order, transnational corporations rival nation-states in economic power, and have had a profound effect on the structure and function of the global economy.⁸³ At the insistence of Western lender states, the IMF and its counter-parts compelled states borrowing money to implement structural adjustment programmes (SAP), privatisation, other economic policies as effective ways of ensuring that government hands off from management of business.⁸⁴

⁸⁰ Ibid.

⁸¹ Ahmadu, M. L. (2010), *op cit*, p. xv.

⁸² Ladan, M. T. (2007), *op cit*, p. 357.

⁸³ Steger, M., *op cit*.

⁸⁴ Olatunji, M. O. "Privatisation and Current Regulatory Processes in Nigeria," in Ahmadu, M. L., et al, (Eds.), (2010), *op cit*, p. 117.

Many developing countries, including Nigeria that implemented neo-liberalisation economy are heavily indebted, struggling with the increasing poverty rates and unstable polities.⁸⁵

Contrary to the position of the agents of privatisation who argue that market forces be allowed to determine the provision of services, it has been argued that developing economies are characterised by market failures and non-market institutions, and therefore require greater degrees of government intervention than developed countries. It then means that there is nothing wrong in government's involvement in providing essential services⁸⁶ for its citizens.

Instead of improvement, Nigeria's economic condition has worsened. Pointing to the fact that these policies would only work well with export-led countries of the world and the major export commodities are equipments, machineries, etc, information and technology for the advancement of modern set up. Nigeria being an import-led country would virtually worsen its situation and improve the economic base of foreign individuals and institutions within the context of globalisation.⁸⁷ This is because the rate of efficiency is now technologically determined, thus adaptation of technology becomes the key to the eradication of human misery in any given economy.⁸⁸

Nigeria's development impotence cannot be solely attributable to colonialism, neo-colonialism and imperialism, but also to its own weak domestic economic structure. There is therefore the necessity for the country to diversify its economic base and adapt to technology, in order to confront the challenges of contemporary globalisation process, in order to be relevant in the scheme of world events.⁸⁹

⁸⁵ Oluwaseun, O.A., (2005), op cit, p. 206.

⁸⁶ Adewumi, F. "Beyond Privatisation: Options for Reform of the Power Sector in Nigeria", Vol. 1, No. 2, *Nigerian Journal of Labour and Development Studies*, (2012), p. 77.

⁸⁷ Umaru, A., Hamidu, A. A., and Musa, S., "Globalisation and its Impact on the Performance of the Nigerian Economy", Vol. 2, Issue 8, *Interdisciplinary Journal of Research in Business*, (2013), P. 4.

⁸⁸ Adamson, K., "Sustainable Development: The Implication for Industrial Technological Adaptation in Nigeria", Published in the Proceedings of the Nigerian Society of Chemical Engineers' Conference, available at <<http://www.adamson-economics.org/id8.html>>. Accessed on 18/11/14.

⁸⁹ Danja, K. K., "Globalisation and the Challenge for Nigeria's Development", available at <<http://article.sapub.org/10.5923.j.m2economics.20120101.02.html>> Accessed on 11/11/14.

Globalisation also contributes to the migration of Nigerians to developed countries due to economic, social or political motivations that either pushes immigrants into leaving their countries of origin and settling in a new country or those that pull them into seeking immigration to a given country. Push factors that stimulate migration from Nigeria include low pay, lack of employment, underemployment, and exposure to endemic violence, persecution and oppression. While the pull factors include the possibility of earning a higher income, finding employment and hope for freedom from violence, persecution and oppression. Other factors include the movement of trade, information capital and investment.⁹⁰

However, the movements are asymmetrical rather than reciprocal and overwhelmingly from developing to developed countries. Many of those involved in those migrations have studied abroad for advanced degrees and failed to return home or return only to re-emigrate. Many of these persons will stay given the acute shortages of experts in host countries in critical fields such as engineering, education, and mathematics.⁹¹ However, some of these Nigerian immigrants, sometimes, got involved in shady deals or blatant criminal activities. The presentation of such information to the media portrays Nigerians as bad immigrants while ignoring their positive contributions to the social and economic development of the host country.⁹²

Globalisation does not only affect earnings opportunities in developing countries, but it also increases the ability of rich countries to influence policy in the world's poorer nations. Given the high level of unemployment in Nigeria, there is a ready supply of available labour. Many people are highly qualified, with higher education or university degrees. The minimum wage in Nigeria is currently 18,000 Naira per month.⁹³ As a rule, wages and working conditions tend to be best within the larger, more professional organisations and lowest among the unregistered firms. Sufficient remuneration for the employees is a key condition for a more efficient, committed

⁹⁰ Okome, M. O. (2005), op cit, p. 84.

⁹¹ Moshood, I. "Brain Drain and Skill-Gaps in Nigeria: Issues and Perspectives", Vol. 1, No. 2, *Nigerian Journal of Labour and Development Studies*, (2012), p. 87

⁹² Ibid, p. 107.

⁹³ *The Bureaucrat*, Newsletter of the Association of Senior Civil Servants of Nigeria, Vol. 2, (July 2011), p. 5.

effort to performances. Thus, a high employment rate indicates the ability of an economy to create jobs and to employ a large percentage of its working age population. However, much depends on the ability of each country to cope with the liberalised trade, investment and technology flows that globalisation imply.⁹⁴

Given the current global climate, it is inconceivable that Nigeria have any real alternative but to take steps to gradually integrate into the global economy.⁹⁵ The essential ingredients for success exist. What is required is the will to succeed; as this will impact positively on the process of economic revival. Nigeria's achievements in the 50s, 60s and 70s, and the recent Asian success stories demonstrate, to a greater extent that those goals are achievable with Nigeria's enormous resources and good leadership.⁹⁶

6. Conclusion

In this paper, an x-ray of the WTO: the impacts of social and economic dimensions of globalisation in Nigeria have been carried out. It appears that developed countries and multinational corporations use the WTO forum to engage in trade liberalisation. The idea is to create a free market economy at the detriment of developing countries that are struggling with the shackles of neo-colonialism and its attendance consequences. This therefore, justifies the globalisation theory of transnational capitalism. The rigid rules of the WTO could only but make matters worse for Nigeria.

For Nigeria and other developing countries, globalisation is responsible for the inequalities within and between countries, unemployment, brain-drain, poverty, insecurity, social depression, and other vices of today's world. This however, does not suggest that everything is negative about globalisation. To benefit from the prospects of trade liberalisation, Nigeria should consider every aspect of globalisation side by side with its economic realities and circumstances.

⁹⁴ Elijah, O. A., "Effects of Economic Globalisation on Employment Trend and Wages in Developing Countries: Lessons from Nigeria's Experience", selected paper for presentation at the 22nd National Conference of Labour Economics organised by the Italian Economist of Labour (AIEL), September 13 – 14, 2007, p. 5.

⁹⁵ Ahmadu, M. L. (2010), op cit, p. xvi.

⁹⁶ St. Mathew-Danial, B. J., (2013), op cit, n/p.

Events in this study have demonstrated that technological advancement is the master-key to globalisation, without which Nigeria's socio-economic woes would be worse than ever. Globalisation is a worldwide movement aimed at integrating the world market into a global village accessible to all. Nigeria as a nation cannot stop it but can only study its features and effects and key in to enjoying its dividends.

The challenge for Nigerian policy-makers therefore, remains how to balance the benefits of globalisation against the costs without compromising the principles of sustainable development. Studies do suggest that Nigeria can be transformed into a stable and productive global player, but that this will require fundamental changes in its social attitudes and creating an enabling environment for economic activities to thrive. The success recorded by newly industrialised countries (NIC), the Asian Tigers, India and Brazil can be duplicated by Nigeria in its current efforts toward economic transformation.