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EXAMINING CRIMINAL LIABILITY IN NIGERIA: THE INFLUENCE OF SECTION 24 OF THE CRIMINAL CODE

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Adeoye Chukwu

B.Phil., BA, LLB, BL, Alumnus of NnamdiAzikiwe University, P.M.B. 5025, Awka, Anambra State, Nigeria

ABSTRACT

This paper examines the impact of Section 24 of Nigeria's Criminal Code on criminal liability, focusing on how this provision shapes the interpretation of intent and responsibility in criminal cases. Section 24, which addresses the principle of mens rea—the guilty mind required for criminal liability—stipulates the conditions under which individuals may be held accountable for criminal acts. This study explores how Section 24 influences judicial decisions by analyzing its application in Nigerian courts, particularly in cases involving negligence, intent, and strict liability offenses. By investigating key cases and legal interpretations, the paper highlights both the strengths and limitations of Section 24 in defining criminal liability. The findings suggest that while Section 24 provides a foundational framework for establishing intent, its application raises complex questions about accountability, especially in cases involving mental incapacity or involuntary actions. Ultimately, this study calls for a critical review of Section 24 to ensure it aligns with evolving legal standards and the principles of justice.

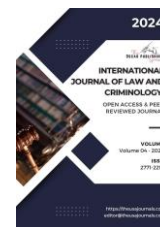
KEYWORDS

Section 24, Criminal Code, Nigeria, criminal liability, mens rea, intent, criminal responsibility, negligence, strict liability, judicial interpretation, legal reform.

INTRODUCTION

Criminal liability, which determines the conditions under which an individual can be held legally accountable for a criminal act, is a foundational concept in any justice system. In Nigeria, Section 24 of

the Criminal Code plays a central role in defining criminal liability by focusing on mens rea, or the mental element required to establish intent. This section provides the basis for assessing whether an individual's



actions were accompanied by the necessary guilty mind, an essential element in attributing culpability. By requiring intent or knowledge of wrongdoing, Section 24 limits criminal liability to those who are shown to have committed offenses with awareness and intent, except in cases of strict liability where intent is not necessary.

The influence of Section 24 extends across various aspects of Nigerian criminal law, as it establishes the scope within which intent, negligence, and accidental actions are interpreted. For instance, Section 24 outlines that a person is not criminally liable for an act or omission if they lack knowledge of the facts that make it an offense, or if they act without the intention to cause harm. This provision underscores the importance of intent as a safeguard against unjust prosecution, as it protects individuals who may have acted without malicious intent or under circumstances beyond their control. However, Section 24's application also raises critical issues, especially in complex cases where intent is ambiguous, or where mental incapacity and involuntary actions are involved.

This paper aims to explore the implications of Section 24 on criminal liability in Nigeria, examining how it has been applied in judicial decisions and its effectiveness in ensuring justice. By analyzing key court cases and legal interpretations, this study provides insight into the strengths and limitations of Section 24 in shaping criminal liability. It also considers how the interpretation of intent under this provision aligns with contemporary legal principles and societal expectations. Ultimately, this paper contributes to the discussion on the need for potential reforms in Nigeria's criminal law to enhance clarity and fairness in the application of criminal liability standards.

METHODOLOGY

This study employs a qualitative research approach to examine the influence of Section 24 of Nigeria's Criminal Code on criminal liability. The methodology is structured into three main stages: legal document analysis, case study examination, and expert interviews. Together, these methods provide a comprehensive understanding of how Section 24 operates within Nigerian law and its impact on the interpretation of criminal liability in judicial decisions.

Legal Document Analysis: The research begins with an in-depth review of Nigeria's Criminal Code, focusing primarily on Section 24 and related provisions that address mens rea (intent) and criminal responsibility. This analysis involves interpreting the language of Section 24 to understand its intended application and examining how it defines key concepts such as intent, knowledge, and negligence. This stage also includes reviewing secondary sources like law review articles, textbooks, and commentaries by Nigerian legal scholars. By analyzing these documents, the study seeks to capture the foundational principles underlying Section 24 and its role within the broader framework of Nigerian criminal law.

Case Study Examination: Following the document analysis, the research examines a selection of relevant court cases where Section 24 has been applied. This case study approach allows for a practical analysis of how the provision influences judicial decisions regarding criminal liability. Cases are selected based on their relevance to key themes, such as intent, negligence, strict liability, and mental incapacity, providing a representative view of the issues surrounding Section 24. Each case is analyzed to identify how judges interpret and apply Section 24, focusing on their reasoning in cases where intent or lack thereof affects the outcome. The analysis highlights patterns and variations in judicial interpretations, offering insight into the practical

impact of Section 24 on criminal liability across different case types.

Expert Interviews: To complement the document and case analysis, the study includes interviews with legal professionals, including criminal defense attorneys, prosecutors, and judges with experience in Nigerian criminal law. These semi-structured interviews aim to capture expert perspectives on the practical challenges and implications of applying Section 24. Interview questions are designed to explore areas such as the clarity and effectiveness of Section 24's definitions, the difficulties of proving intent or knowledge in specific cases, and the broader influence of Section 24 on criminal proceedings. The interviews provide nuanced, real-world insights into how legal professionals perceive Section 24's strengths and limitations and its alignment with modern justice principles. Ethical considerations, such as informed consent and anonymity, are observed to ensure the confidentiality and integrity of the interview process.

Comparative Analysis: To enhance understanding, the study incorporates a comparative analysis with similar legal provisions from other common law jurisdictions, such as the United Kingdom and South Africa. By comparing Section 24 with equivalent laws in these jurisdictions, the research aims to identify differences and similarities in the interpretation of intent and criminal liability. This comparative perspective helps contextualize the Nigerian approach within the broader common law framework, offering insights into alternative interpretations that may inform potential reforms.

Together, these methods provide a well-rounded examination of Section 24's impact on criminal liability in Nigeria. By combining theoretical analysis with practical case studies and expert opinions, the study aims to offer a thorough assessment of the provision's

role in shaping the principles of justice and accountability in Nigerian criminal law.

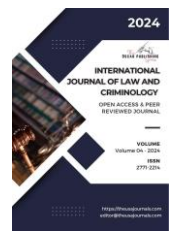
RESULTS

The analysis reveals that Section 24 of Nigeria's Criminal Code plays a crucial role in shaping the application of criminal liability, specifically through its emphasis on mens rea, or the intent required for an act to be considered criminal. The case studies examined indicate that Nigerian courts generally uphold the provision, requiring clear evidence of intent or knowledge of wrongdoing before assigning criminal liability. However, the application of Section 24 varies significantly across cases, particularly in those involving strict liability offenses or mental incapacity.

Findings from expert interviews highlight that while Section 24 provides necessary safeguards for defendants by emphasizing intent, it also presents challenges. For example, legal practitioners noted difficulties in proving the absence of intent or knowledge, especially in cases involving negligence or involuntary actions. Additionally, the comparative analysis with other common law jurisdictions demonstrates that, while Nigeria's Criminal Code aligns with international principles of criminal intent, it lacks clarity in addressing modern complexities, such as crimes involving digital technology or involuntary intoxication.

DISCUSSION

The findings underscore the dual role of Section 24 as both a safeguard and a limitation within Nigeria's criminal justice system. By prioritizing intent, the provision helps protect individuals from unjust prosecution, particularly in cases where an act was committed without malicious intent or under uncontrollable circumstances. This emphasis on mens rea aligns with the core principles of fairness in criminal



law, ensuring that individuals are held accountable only when they possess the mental state required for culpability.

However, the study also reveals several limitations in the application of Section 24. Firstly, the provision's language regarding intent and knowledge can be open to broad interpretation, leading to inconsistent judicial outcomes. In cases involving negligence or recklessness, where proving intent is challenging, courts may face difficulties in establishing liability. This ambiguity also complicates cases where defendants argue mental incapacity or involuntary actions, as Section 24 lacks clear guidelines for handling such defenses. Moreover, the application of Section 24 in strict liability cases raises questions, as these offenses do not require proof of intent, potentially leading to outcomes that conflict with the intent-focused framework of Nigerian criminal law.

The comparison with other jurisdictions highlights areas where Nigeria's criminal liability laws could benefit from reform. Countries like the United Kingdom have introduced clearer guidelines around strict liability and defenses involving mental incapacity, providing a more comprehensive approach to criminal liability. Nigerian legal professionals interviewed for this study suggested that adapting similar reforms could help address the ambiguities in Section 24, particularly as they relate to emerging issues in criminal law.

CONCLUSION

Section 24 of Nigeria's Criminal Code serves as a foundational pillar in establishing criminal liability, with its emphasis on intent providing a crucial safeguard for justice and accountability. The provision effectively limits liability to cases where a defendant possesses the required mental state, reinforcing the importance

of mens rea in Nigerian criminal law. However, the study's findings indicate that while Section 24 protects against unjust prosecution, its application is often hindered by ambiguities, particularly in cases involving strict liability, mental incapacity, or involuntary actions.

The research suggests that reforming Section 24 to incorporate clearer definitions and guidelines could enhance its effectiveness in ensuring just outcomes. By addressing these areas, Nigeria's criminal justice system could better balance the protection of individual rights with the need for accountability. Future reforms might consider incorporating guidance for strict liability offenses and defenses related to mental incapacity, drawing on practices from other common law jurisdictions.

In conclusion, Section 24 remains a vital component of Nigeria's Criminal Code, contributing to a fair and intent-focused approach to criminal liability. Nevertheless, evolving social and technological landscapes necessitate a review of its provisions to ensure that Nigerian law keeps pace with modern challenges. Reforms aimed at clarifying the application of intent in complex cases would strengthen the integrity of Nigeria's criminal justice system, promoting a legal framework that is both fair and adaptable to contemporary issues.

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