PROPOSED ECOWAS COMMUNITY COURT OF JUSTICE, ABUJA.

AN EXPRESSION OF IMAGERY IN COURT BUILDINGS.

BY

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(M.SC ARCH.)

JUNE, 2004.

DECLARATION

I, **YUSUFU, ISHAKU LAMIDO** hereby declare that this thesis has been carried out by me and that it is a documentation of my research work. It has not to the best of my knowledge been accepted in any previous application for a higher degree. All quotations are distinguished by quotation marks, and all sources of information are dully acknowledged by way of references.

_____ _____

Signature **Date**

CERTIFICATION

This thesis entitled: **ECOWAS COMMUNITY COURT OF JUSTICE, ABUJA. "An expression of imagery in court buildings",** presented by **YUSUFU ISHAKU LAMIDO.** Meets the requirements governing the award of a Master of Science degree in Architecture (M.Sc. Arch) of Ahmadu Bello University, and is approved for its contribution to knowledge and literary presentation.

Chairman Supervisory Committee	Date
Member Supervisory Committee	Date
Member Supervisory Committee	Date
Head of Department	Date
Dean of Postgraduate School	Date

DEDICATION

This thesis is dedicated to the memory of my beloved grand mother Malama Aishatu Yusufu, alias Uu'u. You were such a darling.

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Perhaps Rome might have been built in a day but by no means or chance would it have been built by one person. This thesis work is not a days job neither is it the work of one person. This research has availed me the opportunity to work with so many people (too many to mention) that believed in me and by their great contributions have brought out the best in me. It would be awhile before I am able to find the appropriate words to capture my heart felt appreciation for your numerous contributions.

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ABSTRACT

Architecture has a duty to inform. Its various elements, by their individual being and creative synthesis into a physical formal and functional structure, are a reflection of a generating idea. In this way architecture becomes symbolic; it represents the ideas of the creator, who may choose to highlight an aspect of the society or part thereof. This has led in the past years to many varied styles of architecture: classical, neo-classical, renaissance, modern, international, post-modernism. Each gives us insight into the era in which it prevailed. These years have been processes of discovery and re-discovery. People and hence architects, are continuously asking questions; probing about their world, their lifestyles, their values, their religions, politics, education, culture and bodies. It has been in all a series of experiments in search for self-discovery and identity.

There are multiple examples and precedents, which offers a wide range of points of view, interpretation and architectural styles. This research in reflecting upon the role of the court as a building type shall carefully construct a thesis and design through a deliberate and calibrated use of tectonic language where the message and meaning becomes clearly visible and legible to the public.

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CHAPTER ONE.

1.0: GENERAL INTRODUCTION.

A court is a session of an official body authorized to interpret and declare the law as regards the settling of disputes. It also serves as a tribunal before which criminal and civil cases are tried. The image of the mother of justice-a blind folded woman holding a scale and a sword in her left and right hand respectively perhaps epitomizes the dignity, impartiality fairness and sternness associated with the legal practice in carrying out its functions. In proposing a building for the ECOWAS Community Court of Justice, this thesis shall seek to uphold these statutes.

The ECOWAS Community Court of Justice is the primary judicial organ of the Economic Countries of West African states (ECOWAS) which came into existence by the signing of the Treaty in Lagos on the 28th day of May 1975. The countries of the West African sub-region came together and imbibed certain fundamental principles to foster mutual coexistence and co-operation between the member states. The court itself as an institution of the ECOWAS was established in 1991 in accordance with article 11 of the treaty, with the primary aim of ensuring the observance of law and justice in the interpretation and application of the said treaty.

Through the ages, designers of courthouses and buildings have explored various forms and architectural vocabulary all in an

attempt to give the building a character and identity that can be associated to the court system-that which remains most suitable remains a topic for discuss amongst designers.

It must however be noted that while the physical form/image of a court cannot ensure that justice is done, they can assist in promoting the impartially, authority and dignity of the law by providing standards of physical and psychological comfort to support those who use the courts, especially those to whom the surroundings are strange. This thesis research amongst other things shall make an attempt at providing such physical and psychological standards.

1.1: PROBLEM STATEMENT.

The ECOWAS Community Court of Justice by statutory implications is the court with the highest jurisdiction in the West – African sub-region being the judicial arm of government for the ECOWAS. An analytical survey of the building housing this court, however, shows a colossal inadequacy in the provision of functional space and spatial organization. On the other hand, the physical image of the court is a far cry from the power, dignity, authority and importance synonymous to a court with such jurisdiction, which would have only been good legal practice architecturally speaking to

show this synonymity in the physical image of the court building. On issues regarding imagery in buildings, Lynch K, (1960) in the words of Jake Brown asserts that *over and above the provision of functional space, a building generates imagery and can operate as a symbol of order in itself incorporating values which will out last and transcend the legalities and preoccupations of a particular time.*

1.2: AIM OF RESEARCH.

The aim of this research may be summarized as follows:

i. To carryout an analytical study on the concert of imagery in court buildings and the means of achieving such, with a view of restoring legibility as per scale and symbolic clarity.

ii. To analyze the various approaches adopted in the design of court buildings and the extent to which functional concerns have been integrated with symbolic concerns.

iii. Study and document the structure of the ECOWAS community court of justice.

1.3: OBJECTIVES.

The main objective of this thesis research is to culminate in an architectural design solution to efficiently meet the spatial needs of the ECOWAS community court of justice that it may function efficiently as a 21st century international court, it shall also, seek to generate in the physical form an image that can evoke an aura of power, dignity and authority to symbolize the jurisdiction of the court

1.4: MOTIVATION.

Modernization, urbanization and business interaction between nations is a direct function of conflict between the parties involved. The integration of the West African sub-region under the auspices of E.C.O.W.A.S in order to promote and enhance trade between the member nations and the free movement of its citizens within the region, and the possible prospects of a unitary money system *(the Eco)* to further ease the flexibility of trade within the region will no doubt give rise to all sorts of conflict -*but what institution is competent to adjudicate over such?* The quest for an appropriate answer to this question perhaps inspired and gave rise to this research.

1.5: RESEARCH METHODOLOGY.

This research involves the study of court buildings, and court where ever it maybe is a court and all shares similar attributes, thus, this research work will rely on case studies of existing court buildings as a major source of primary information in the formulation of the design brief also, interviews with judicial staff shall be conducted. A documentation of existing related literature with particular reference to court systems and imagery in court buildings as secondary sources shall be made and deductions made thereafter. Photographs shall be relied upon to make graphical illustrations of issues that will be raised in the cause of the study. Other sources of information to be used include internet facilities, magazines and journals. Physical surveys shall also be conducted by the researcher especially in the selection of a project site.

On a whole, the research shall involve three stages viz collection of data, data synthesis, and culminates with a design proposal.

1.6: SCOPE AND LIMITATIONS OF STUDY.

This thesis research shall lay emphasis on the design problem at hand in which case is a court building to house the E.C.O.W.A.S community court of justice, in doing so, the nature and structure of the ECOWAS court shall be studied and documented, however,

theoretical judicial issues of the court and jurisprudence will not be a high point. Spatial and functional needs of the various court users shall be looked at. The concept of building imagery and its means of representation shall be studied with a view of establishing what to consider an appropriate image of a court building of this age and time. Case studies will be taken from both Nigeria and abroad, however the foreign studies will be documented as secondary information as physical studies were not actually conducted. The thesis design proposal shall as much as possible abide with the planning regulation of the area where the selected study site is located.

1.7: ARCHITECTURAL SIGNIFICANCE.

Marginalizing architecture to mere functionalism can be equated to a high crime to the built environment. Beyond function, architecture has potential of evoking aesthetic response from its viewers. Aesthetics in itself is beyond vision; it is beyond the mental image formed in an observer's eye. It is a result of ideas produced by some stimulus to the imagination of one, derived from social experience over time and determined by the state of psychological balance of the entire body.

Court buildings should be symbolic and reflect an image worthy of the exalted judiciary, in effect, this thesis without compromising functional needs will see as to how aesthetic needs can be incorporated in the planning process.

CHAPTER TWO.

2.0: LITREATURE REVIEW.

The importance of studying existing literature as a source of obtaining secondary data as already stated cannot be over emphasized. This chapter shall study and document relevant literature on the ECOWAS and the community court of justice. Concepts relating to imagery in buildings with particular emphasis on court buildings shall also be discussed.

2.1: THE ECONOMIC COMMUNITY OF WEST AFRICAN COUNTRIES.

The Economic Community of West African States (ECOWAS) came into existence by the signing of the Treaty in Lagos on the 28th day of May 1975. The countries of the West African sub-region came together and imbibed the fundamental principles of:

i. Equality and inter-dependence of member states.
ii. Solidarity and collective self-reliance.
iii. Inter-state co-operation, harmonization of policies and integration of programmes.
iv. Maintenance of regional peace, stability and security through the promotion and strengthening of good neighborliness.

v. Peaceful settlement of disputes among member states, active co-operation between neighboring countries and promotion of a peaceful environment as a pre-requisite for economic development.

vi. Recognition, promotion and protection of human and people's right in accordance with the provisions of the African Charter on Human and peoples rights.

vii. Accountability, economic and social justice and popular participation in development.

viii. Recognition and observance of the rules of principles of the community.

ix. Promotion and consolidation of a democratic system of government in each member state as envisaged by the declaration of political principles adopted in Abuja on 6th July 1991.

x. Equitable and just distribution of the costs and benefits of Economic co-operation and integration.

2.1.1: The Ecowas Sub-Region:

The members of the Economic Community of West African States include the 15 countries within the West African sub-region. The member states are as follows:

(i) Benin; (ii) Burkina faso; (iii) Cape verde; (iv) Cote D ivoire; (v) The Gambia; (vi) Ghana; (vii) Guinea; (viii) Guinea Bissau; (ix) Liberia; (x) Mali; (xi) Niger. (xii) Nigeria; (xiii) Senegal; (xiv) Sierra Leone; (xv) Togo.

2.1.2. The Institutions Of The Community.

By article 6 of the revised treaty, the institutions are:

i. The authority of heads of state and governments.
ii. The council of ministers.
iii. The community Parliament.
iv. The economic and social council.
v. The community court of justice.
vi. The executive secretariat.
vii. The fund for cooperation, compensation and development.
viii. Special technical commissions.
ix. Any other institutions that may be established by the authority.

By implications, the institutions of the community are the various working arms that ensure functionality. The community court of justice being the principal legal organ.

2.2: ESTABLISHMENT OF THE ECOWAS COURT.

The community court of justice was established in 1991 in accordance with article 11 of the treaty as the principal legal organ of the community (the revised treaty came into existence in 1993.) to be so constituted and execute it's functions in accordance with the provisions of the protocol on the court.

The community court of justice is fourth after the authority of Heads of State and Government.

2.2.1. Functions Of The Court.

The essential role of the community court of justice is to ensure the observance of law and justice in the interpretation and application of the treaty. Consequently, the functions of the court as ascribed by article 76 of the revised treaty may be specified thus:

i. Any dispute regarding the interpretation or application of the provisions of this treaty shall be amicably settled through direct agreement without prejudice to the provisions of this treaty and relevant protocols.

ii. Failing this, either party or any other member state or the authority may refer the matter to the court of the community whose decision is final and shall not be subject to appeal. (Such decisions of the court shall be binding on the member states, the institutions of the community, on individuals, and cooperate bodies.)

By this, the court carries out a bi-functional role of arbitration and litigation.

2.2.2. The Protocol On The Court.

The protocol on the community court of justice was signed on the 6th of July 1991 at Abuja, Nigeria, and the protocol was entered into force on the 5th of November 1996. The protocol A/P1/7/91 on the community court as published in the Community Court of Justice Information Manual (2001) was ratified as follows: 022/11/00; 14/03/00; 01/12/99; 28/08/97; 16/02/96; 05/11/96; 01/07/94; 07/12/92; 18/07/92; and 23/05/92.

By the above ratification, the protocol is in compliance with article 34 of the said protocol and is enforceable.

2.2.3. Competence Of The Court.

The competence of the community court of justice as ascribed by article 9 of the protocol on the court may be specified thus:

i. The court shall ensure the observance of the law and of the principles of equity in the interpretation and application of the provision of the treaty.
ii. The court shall also be competent to deal with disputes referred to it in accordance with the provisions of article 36 of

the treaty, by member states or the authority when such disputes arise between the member states or between one or more member states and the institutions of the community, on the interpretation or the application of the provisions of the treaty.

iii. A member state may on behalf of its nationals institute proceedings against another member state or institution of the community relating to the interpretation and application of the provisions of the treaty, after attempts to settle the disputes amicably have failed.

iv. The court shall have any powers conferred upon it specifically by the provisions of this protocol.

The protocols also provide for amendments of the provision of the protocol and rules of procedure.

2.2.4. Composition Of The Court.

Pursuant to article 3 of the protocol on the community court of justice, the court consist of seven member justices who have been appointed from member states, with no two being from the same state. The current members were sworn in as justices of the court on the 30th of January, 2001 at Bamako, Mali before his Excellency the President of Mali and the then Chairman of the authority of heads of state and Government of the ECOWAS.

The structure of the court consists of the President, Vice-president and five member justices.

2.2.5. Languages Of The Court.

The official language of the community and by implication the court are English, French, and Portuguese in accordance with article 31 of the protocol and article 87 of the revised treaty.

2.2.6. Vision Of The Court.

The community court of justice has since commenced preparation for its full take off. The vision of the court and some of the envisaged cases of the court are highlighted here below:

i. Fundamental human rights breaches; meaning the right of any individual recognized by the international declaration of human rights adopted on 16th December, 1948 by the United Nations general assembly. Where treaties of the community relate to these rights, same are enforceable.

ii. Actions that are enforceable relating to the application and interpretation of the treaties of the community.

iii. Breach of treaties as stated in article 3 under competence above. To achieve this, the court seeks to under take a process of creating awareness among the populace of member states on the existing treaties among the member states and the fact that individuals could have access to the court through their governments if they feel aggrieved.

iv. Encouragement of member states to amicably settle disputes among themselves through alternative dispute resolution (A.D.R.) process.

v. Harmonization of relationships with relevant international organizations such as the European court of justice, international court of justice, and other international institutions as ascribed in article 19 of the protocol on the community court of justice.

vi. For speedy dispensation of justice, dissemination of information, easy access to proceedings and the judgments of the court.

In consonance with the above, the court shall further move its accessibility by the following methods:

i. The application of fast track procedures by the use of information technology methods in order to effect services of processes on parties.
ii. The computerization of the courtroom and for easy recording of proceedings and access to records room respectively.
iii. The publication and publicizing of judgments.
iv. The establishment of an information unit to provide information services to the various stake holders.

2.2.7. Locus Standi.

The court shall grant audience to member states and the member states may file actions on behalf of their nationals against another member states or institution in respect of the interpretation and application of the treaties of the community

2.2.8. Seat Of The Court.

A decision by the authority of heads of state and governments of the ECOWAS has it that the official seat of the court be situated in Abuja the Federal Capital Territory of Nigeria, and lately concerted efforts have been made in line with this decision.

2.2.9. Departments In The Court.

For the smooth and effective functioning of the court, its various responsibilities are delegated to different units which function together as a whole. These departments/ units are outlined below.

i. **Judicial Unit:** this comprises the judicial personnel and is headed by the chief registrar under the authority of the president. Their functions include hearing and deliberating of cases, writing and passing judgment and carrying out research work on cases.

ii. **Registry:** this section is charged with the registration and fixing of cases for hearing. It also keeps record of all adjournments and closure of cases.

iii. **Accounts and audit:** this is where the public make all payments to the court. This unit keeps account of all money collected, prepares vouchers for staff salaries, and prepares budgets for expenditure. This section is headed by a chief accountant.

iv. **Administration and general services:** this section deals with general operations within the court. Such issues as employment deployment promotion and general welfare of all the staff is handled by this unit.

v. **Library and archives:** this serves as a store of research materials both to the public and the judicial staff. All records of previous judgments are kept in the archives for future references. The law library is headed by a chief librarian.

vi. **Courtroom area:** this is the heart of any court house complex, it constitute the setting for meting out justice. The activities taking place within the courtroom dictates the size of the space and the arrangement required. The judges who are impartial arbiters are usually placed on a podium in front of the court facing all the other occupants of the room. The counsels who are equal adversaries are placed in the well of the court facing the judges. Litigants may seat behind the benchers. The witness box is to the judge's right while the accused/appellate may be seated at the back beside the counsel.

2.3. HISTORICAL DEVELOPMENT OF COURT BUILDINGS.

History records that in earlier civilizations, the setting of disputes took place in large open spaces in the heart of the town. The Greeks called this an "agora". Later these large open spaces where developed to covered colonnades known as "stoas". The

Romans halls of justice took the form of “basilicas” and were more sophisticated than the Greek stoas.

In later developments of court buildings, the building form of the Roman temple was adopted as a source of inspiration, perhaps due to the fact that judicial matters were partly the prerogative of religious leaders. The raised podia, stately columns, portico and the setting of the building conferred on them an aura of dignity and importance. A practical example of this is seen in the Virginia state capitol which included the state supreme court designed by Thomas Jefferson in 1785. His idea was to express the continuity of the classical ideas of democracy and rule of law being realized anew in the American Republic to strengthen the republics roots by demonstrating the intellectual tradition to which it was heir and to signal to the world the greatness to which it aspired. The organization of the capitol in plan also has symbolic significance as the legislative chamber and Supreme Court were exposed as co-equal branches of government.

The temple front of the United States Supreme Court designed by case Gilbert clearly refers to Jefferson Virginia State capitol and the sculptural program, motto and inscription deals with related themes/architectural vocabulary to amplify further, justice and the court system.

The beginning of the twentieth century saw the gradual fading of the neoclassical revival of the great architectural system of the past and the advent of modernism. With the discovery of new materials and increasing structural techniques, court buildings became more radical in appearance. Noticeable was a deviation from the classical tradition of symmetrical arrangements, and stylistic dressing of parts. In most buildings, however, the theme of the classical portico continued, though in a variation of forms. These qualities of a modern expression of the form of courts are evident in the High Court of Chandigarh, designed by Le Corbusier in 1954. The classic portico was expressed here as three massive pylons, adorning the front in a spacious setting.

Designers of modern court houses have sought for a new character, scale, height and aesthetic in interior and external finishes. This vocabulary is evident in the supreme court of Japan complex at Tokyo designed by Shin Chi Okada in 1974. The building is solidly massive, bold, imposing and perhaps mirrors the designer's perception of monumentality in the urban scale.

Sir Richard Rogers, in the design of the European Court of Human Rights in Strasbourg France which was completed in 1995, calling on a somewhat high tech vocabulary proposed a bold and massive curved double headed building in an attempt to symbolize function in an organization head-quarter that was initially bipartite.

However, since this is no longer the case, Rogers', very symbolism will be somewhat enigmatic for future users.

2.4. THE CONCEPT OF IMAGERY IN BUILDINGS.

Marcus Vitruvius Polis in his catechism of proportion defined the attributes of architecture as *utilitas, firmistas, and venustas.* (Utility, solidity, and beauty/delight.) Utility referring to the suitability of the building for its purpose, solidity referring to its structural stability and constructional efficiency, and beauty referring to the aesthetic pleasure it gives. Even though these qualities are interdependent on each other, the first two are linked to the functional value of a building, while the third is concerned with the aesthetic value of the building and in other words the **imagery generated** by a building. It is this quality that is capable of arousing a particular emotion in the observers which we generally refer to as aesthetics. The aesthetic interest of a building form capable of provoking a physical or psychological response from the observer vaguely defines the concept of imagery. To this effect, Ruskin (1956) asserts that *all architecture proposes an effect on the human mind and not merely a human service to human frame.*

This abstract concept of imagery propagates architecture as a vehicle of meaning and expressionism and for a proper comprehension of this, it is necessary to appreciate form and space

in architecture, as all imagery is expressed in terms of form and space.

2.4.1. Form And Space.

Form and space are fundamental to the practice and philosophy of architecture as everything we can visualize is determined by an interplay of form and space. The dimension of space determines the expanse of the world in which we live, and the objects (form) therein define the space. The architect concerned with giving visual expression (imagery) of his perception only does so by creating and recreating form in space, in the absence of which there can be no visual communication.

Knowledge of form is the basis for a whole range of visual imagery, as we retain images of the shapes and the sizes of the forms around us. It has been discovered that we have different reactions of thought and feeling to the presence of different types of forms.

The evidence of form having aesthetic potential dates back to when man began to give his shelter a shape and size not wholly dependent on functional requirements. Instead it was calculated and conceived to give aesthetic pleasure. When he began relating solids to voids, shadows to light, and smooth to rough surfaces. When

such pleasure in a structure was first subconsciously felt, that probably was the first aesthetic emotion generated by form.

2.5. DEFINITION/ MEANING OF IMAGERY.

Lynch (1960) has defined imagery as *that quality in a physical object which gives it a high probability of evoking a strong image in any given observer.* However, this thesis posits that imagery can rightly be said to be when form is charged with meaning, when it invites and arouses our emotional and psychological intellectual participation, then for a moment we become involved in the mystery of an aesthetic response. This probably, is what Graham (1969) had in mind when he said "……*words convey but poorly the mysterious power of the visual image."*

This expressive quality of imagery can further be understood by examining the conceptual design process in terms of:

i. The symbolic emphasis of purpose.

ii. The symbolic expressiveness of forms.

2.5.1. Symbolic Emphasis of Purpose.

Buildings are erected primarily to meet specific functional requirements for which the building is supposed to serve. It then becomes dramatic when building requirements are met and one

building is aesthetically pleasing to the observer and another a far cry from the expected mean. One has character and the other does not. A building should express in some way its purpose as well as have unity in it self. The final form of a building should be so integrated to its purpose that it may easily be distinguished from other building types.

Symbolic emphasis of purpose comprises the architectural expression of ideas associated with the purpose of the building, the essential character of which is determined by its purpose. If the purpose is known, then you have its character. The object of architecture in this case is the emphasis or the expression of that character by the emphasis or the expression of that character by the means of architectural forms and elements.

In the Gothic cathedrals whose main functional purpose was to be a place of worship, this emphasis of purpose is evident. Practical requirements did not require the vertical pillars, arches and lofty vaults so characteristic of these cathedrals.

However these forms were expressive of worship and devotion of a looking upward to God. It is then fair to say that they were employed to symbolize the exalted function of the building.

The Greek temple which is one of the most beautiful architectural compositions in history exemplifies another structure

whose purpose was expressed in its forms. The Parthenon for example was a temple built to house a Greek goddess.



Plate 2.5.1. (a) Gothic style at the Canterbury cathedral, England.
Source: *Edition Microsoft Encarta Encyclopedia 2001 Deluxe*
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Plate 2.5.1. (b) Remains of the Parthenon in Greece.

Source*: Microsoft Encarta Encyclopedia 2001 Deluxe Edition.*

The building was conceived as more than just a mere shelter of walls and a roof. It was a structure raised on a podium having carefully thought out elements, exhibiting an aura of grandeur, dignity, and power. The temple besides fulfilling its functional purpose was also an edifice emphasizing the solemn and exalted purpose of the building.

Such was the character that Cass Gilbert sought to evoke in his design of the supreme court of the United States of America.



Plate 2.5.1. (c) Supreme Court building of the United States Of America.

Source: *www.bluffton.edu/sullivanm/washdc*

2.5.2. Symbolic Expressiveness Of Form.

Architectural forms and elements have been used through time to express abstract ideas, such as power, dignity, repose, gaiety, grandeur, and the list is endless. This architectural expression of ideas gives a building added interest and when perceived, it increases aesthetic appreciation.

In an examination of the place of expressiveness of forms, in relation to building imagery, it is important to understand why

certain forms are associated with certain ideas. Why for example long vertical lines terminating in a vault express aspiration, why the curves and diagonals of masses of ornamentation in the baroque architecture express a restless vigor and strength.



Plate 2.5.2. (a) Emperors hall at the Residenz in Wurzburg designed by Balthazar Neuman is one of the finest examples of the Baroque style.

Source: *Microsoft Encarta Encyclopedia 2001 Deluxe Edition.*

This is probably due to the fact that the mind instinctively uses certain forms to express certain ideas.

The lipps theory proposes that these associated forms are derived from bodily feelings. On this Rasmusseen (1976) says that, *the whole of architecture is in fact unconsciously invested by us with human movement and human moods. We transcribe architecture into terms of ourselves."* From this theory, Gamba (1992) inferred that if

an architect wishes to express repose, strength or some other character in his building, he derives from his body how this should be done. For example a sense of repose can generally only be expressed by the use of horizontals with a subordinate balance of verticals. Lipps in his theory further propounds that the concept of horizontality expressing repose is certainly derived from the human body, and on the other hand, a man with his arms stretched upwards expressing an upward striving can be related to strong vertical emphasis.

Expressiveness of architectural forms must be considered closely in order that buildings may have a living character. Rasmussen further summarizes this thus, *".....if an architect wants his building to be a real experience, he must employ forms and combination of forms which will not let the spectator off easily, but force him to active visual participation."*

2.6. IMAGERY IN COURT BUILDINGS.

The Courthouse has taken on many forms throughout history. Each of these has represented in one way or another not only the political ideals of the society of that era, but the religious and cultural beliefs. The middle Ages saw the proceedings of the court being held in the open air. The court space was defined by two essential elements, the tree of justice and a surrounding hazel

thicket. The tree sheltering the litigants evoked the pagan image of a pillar supporting the world, offering protection and support. At its base, a ring of branches marked the area within which the proceedings took place. Over the centuries, these symbolic elements became enriched with new elements and meanings.

During the twelfth century, oblong two storey buildings with a double-pitched roof were built in order to house the functions of the court. These were usually located nearby Cathedrals, emphasizing the close ties between religion and politics. A grand staircase usually led from the ground to the second floor where the judicial proceedings took place. The ground floor, known as the "conciergerie", served as the prison. Although the move was to the interior, the large bays of the second floor could be opened to the exterior. The ring of branches was now replaced by a wooden fence as still is used today, and the tree was eventually replaced by a symbol of Christianity, located above the judge's bench. At first this symbol was an image of Jesus Christ at the Last Judgment only to be replaced later by the Crucifix. When the functions of the Church and State became more defined and distinct, the Crucifix was eventually replaced by a logo of the state.

Throughout the sixteenth century and seventeenth century, changes occurred in the imagery of the courthouses. The

buildings took on a square form and a distance between the judge and the defendants and prosecution parties was established. An elaboration in the functions housed on the second floor also occurred – courtrooms, waiting hall, chapels, and offices for the clerks and prosecutors were added, while the ground floor was completely shut off from the outside world as its sole use was for detention. This new aesthetic showed a clear preference for symmetry and all the facades of the law court building tended to look the same - a cube–like construction in the city. Surrounding public spaces were created, isolating it from its environment. The building closed itself off from the outside world and the judicial first floor became accessible through a single door surrounded by columns and allegorical motifs. The monumental entrance became the most characteristic image that the outside world was to have of the legal system. It was a period that saw justice distance itself from the people and surround itself with symbolic defenses. The middle of the 17th century saw the temple model establish itself as the dominant architectural model for courtroom buildings.

Eventually, around the time of the French Revolution, the purpose of the courthouse became even more defined as the architecture turned to reflect neoclassical structures of Greek and Roman temples. The ground floor was no longer used as a detention center. Later during the 19th century, the use of columns and

pediments in embellishing the building became more popular. During this era many new courthouses were built especially since the European nations had expanded to the west in the Americas. The classical style was thought representative of natural perfection and democracy and so was deemed suitable for this typology of building. As the European powers colonized the Americas and the West Indies, this style was brought across to the regions. This was the accepted style for a period, up until the 1960's when changes in the legal landscape appeared.

In his essay, "*Symbolism in Architecture: Courtrooms", The Public Face of Architecture,* Allan Greenburg talks about the decline in symbolic representation as a result of the emergence of the International Style around the 1920's. Modernity's desire for clean cut lines and efficiently produced building components was the reason for the sterility and homogeneity in architectural design of the period. Seldom did buildings express their functions. Courthouses were usually found as part of non-descriptive federal buildings, lacking any dignity, formality or sense of importance. Greenburg stresses that consideration of the cultural and social values embodied in the court system is therefore, a pre-requisite to the design or evaluation of any courtroom. The architectural forms should be seen as a "sign system through which society tries to

communicate its ideal model of a relationship between judges, prosecutors, jurors and others involved in judicial proceedings.

Apart from the planning of courthouses, the fabric and exterior articulation of the courthouse are of due importance. The construction materials used and method of construction may represent the wealth and even economic class divisions of that society. The treatment of the landscape around the building may give clues to the concept of the role of law in a society. Thus, each particular element of a courthouse embodies a value of the society it serves.

Modern ideas of symbolic imagery for the courthouse have lead to such expressions of "transparency of the court proceedings and workings", "...public and cultural identity...", "...representative of the democratic process and the environment...", "...Architectural monumentality that equates with our democratic concept of the law..." Added with this challenge of creating a symbolic architecture, architects must deal with issues of security, programmatic requirements, site requirements and circulation of three types (public, defendants or prisoners and the judicial workforce). A casual shows that many have moved away from the traditional Neo-Classical Architecture of the 18th-19th century.

2.7. THE MEANS OF REPRESENTTION.

Imagery as the expressiveness of form and purpose has been represented in different ways and through different media by architects through the years. It is true that the final form of a design is dictated by the structural system, the purpose of which the building is to be constructed, the materials employed and its immediate environment as well as by political, social and economic forces. However, different architects have employed different means in the conception of their buildings which have generated imagery and left a mark on architectural history. These means shall be outlined here briefly with relevant examples.

2.7.1. Clearly Defined Forms.

In determining form the primary concern of the architect is with the relative values of mass, volume, plane, and lines. These are the elements that subdivide, bind and articulate one area in relation to the other. Form may be defined by a careful articulation of mass and void, and light and shadow. It may also be achieved by the rhythmic repetition of a motif or an element. Eric Mendelssohn in his design of the Potodam observatory took the forms of optical instruments as a motif for his rhythmical and decorative forms. He attempted by these forms and by the play of light and shadow, to suggest a sense of mystery for a building designed for the scientific investigation of

the nature of the universe. This was his means of representation, by which he achieved imagery.

2.7.2. Emphasis Of Scale.

In monuments or buildings (like courthouses.) that should express their importance in the society, the scale is usually emphasized to make the image bold, massive and imposing. Okada in his design of the supreme court of Japan made this an overriding factor, to instill a sense of awe in the users of the building.

2.7.3. Emphasis Of Entrance.

A celebration of the entrance to express the transition from external to internal space is often employed to generate imagery. The entrance, being the focal point of the composition is usually arrived after a succession of platforms and steps, separated by stately columns must have been passed through. The use of reveals and recesses to enhance the play of light and shadow or surface treatments of entrance halls are to a lesser extent, the techniques employed to create an aesthetically pleasing composition.

2.7.4. Formal Contrast.

Formal harmony occurs when a number of similar or related units are arranged in an orderly and unified composition that achieves a

static balance. Imagery is however more often than not, generated by formal contrast. Formal contrast occurs when a tension between opposites is established, so that their polarity is clearly visible or when one part of a building dominates another, in a dynamic composition.

The planning of a vertical element against a horizontal component generates visual imagery by the contrast created. This illustrates the effectiveness of balance between dominant and passive elements. This quality is seen at the Seagram building by Philip Johnson and Mies Van Der Rhoe. Set back on a marble and granite plaza, the tower block raises dramatically, flanked by two low horizontal wings which provide a backdrop and accentuate the impression of sheer height.

2.7.5. DIRECTIONAL EMPHASIS.

When a dynamic quality in a building is sought, emphasis is placed on the horizontal. This can make the main building form seem more powerful. Tall buildings acquire a soaring quality through a definite vertical treatment. The united nations headquarter building in New York is an example of such a design.



Plate 2.7.5. (a) United Nations Headquarters Building, New York.

Source: *Microsoft Encarta Encyclopedia 2001 Deluxe Edition.*

Frank Lloyd Wright on the contrary emphasized the horizontal in a number of his buildings. This gave them a unique quality and character and the impression that they grew out of the site. An example of such is seen in his popular “falling waters.”



Plate 2.7.5. (b) The Falling Waters.

Source: *Microsoft Encarta Encyclopedia 2001 Deluxe Edition.*

2.7.6. Use Of Materials.

Stone, glass, concrete, marble, etc if creatively used can accentuate the character of architectural forms. Flat surfaces can be given an expressive quality or a sharp contrast in adjoining materials employed to bring out the attributes of these surfaces.

Mies Van Der Rohe used cut stones as his tool of expressing massiveness and monumentality in the design of the Liebnecht and Luxemburg monument in Berlin. In his German pavilion in

Barcelona, the architect gave the pure and precise building an air of opulence by the use of rich materials.

2.7.7. PLASTIC DEVELOPMENT OF FORMS.

Jorn Utzon's Sydney Opera House and Frank Lloyd Wright's Guggenheim Museum share a quality of expressive abstraction of architectural form. The free plastic development of the forms employed has been a means of achieving forceful visual images. This quality is also recognized in the Ronchap chapel, designed by Le Corbusier.



Plate 2.7.7. (a) The Sydney Opera House.

Source: *Microsoft Encarta Encyclopedia 2001 Deluxe Edition*



Plate 2.7.7. (b) The Ronchamp Chapel. Shaped like a ship, incorporating the idea of Noah's ark, St. Peter's ship, and the architects own love of the sea.

Source: *Microsoft Encarta Encyclopedia 2001 Deluxe Edition*

2.8. DEDUCTIONS.

From history, we discover that lords, spiritual and temporal have attempted to manifest their power and magnificence by monumental buildings. We see the search for a quality in architecture that goes beyond the mere fulfillment of functional requirements. They understood that buildings which were to function as the venue for important deliberations should by their image generate in the beholder some response.

It is of concern observing that current emphasis on flexibility and accelerated construction has led us to justify mediocrity and

anonymity in most of our buildings, and in this case court buildings in particular.

Judicial functions in any organized society is given optimal importance and commands due respect from the populace. The buildings which then should enclose such exalted functions should be imbued with symbolic importance and their very image should command awe and respect. Imagery in court buildings becomes significant when we realize that the message which the buildings communicate to the tax paying public and attorneys, witnesses, jurors and litigants by their unimpressive image is that their needs, both functional and psychological, do not warrant attention or expression.

From the fore-going, this thesis puts forward the following question, "....but what image should a court of this time and age seek to generate?"

Law courts, to a greater extent than almost any other building type, have a symbolic function in their architecture. Court buildings need to represent the concept of justice, equality before the law and the importance of the authority of law, whether the justice is between individual parties (civil justice) or between the Crown and individuals (criminal justice). However they must not be intimidating. The emphasis today is on the scales of justice rather than the sword of punishment. Court buildings need to be seen to be there and seen

to be public, authoritative and important in society, whether an individual has reason to use them or not. Unlike other buildings therefore, court buildings cannot be hidden away on an industrial estate or be anonymous suburban office buildings, nor can they be seen to be high security compounds or visually oppressive.

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CHAPTER THREE.

3.0. CASE STUDIES.

In studies like this the need to study existing repertoire of similar buildings is of paramount importance, in order to identify functional arrangements and relationships, and also establish whether the symbolic needs of such buildings have been fulfilled. Such studies also, more often that not yields valuable data which can profitably be applied to ones own work. To this effect, this chapter is a documentation on the researcher's study of selected court buildings.

3.1. Categorization And Choice Of Case Studies.

This chapter shall essentially study two classes of case studies, viz: local and international cases. In the choice of the cases to be studied, priority was given to court buildings with international jurisdiction as is the case with the proposed ECOWAS Community Court of Justice. However, the Supreme Court of Nigeria though not of international jurisdiction being the most superior court in the country was studied. Also, the Peace Palace at The Hague and the European Court of Human Rights, Strasbourg were studied.

3.2. SUPREME COURT OF NIGERIA, ABUJA.

3.2.1. Introduction.

The Supreme Court is the court with the highest jurisdiction in Nigeria, initially situated in Lagos but has since been relocated to Abuja the new federal capital of the nation, in accordance to federal government directives. Officially completed in October of 1999 by Bouygues, Nigeria Ltd the Supreme Court of Nigeria is located in the three arm zone of the federal capital territory-Abuja.

3.2.2. Appraisal.

The Supreme Court complex is a three-storey building with a basement floor housing the stores, central air-conditioning units, phone exchange rooms, and the CCTV control room. The court building has three court rooms centrally located with all the other functional spaces revolving around them. The administrative block wing first from the public entrance, at the rear the justices chambers with a separate entrance and at the wings is a transition of other supporting functional spaces. The front is raised on a high podium approached by a wide flight of steps, giving access to the main floor (first floor), the court rooms standing out massively on a bold scale with a distinct brick facing. The general zoning is such that services and less important spaces are found at the basement and the lower floor, while the court rooms and other semi-public spaces are found

on the main floor. Such is the zoning transition with the justices' chambers on the highest floor.

The structural system is of reinforced concrete beams and columns. In the interior finishing, there is an extensive use of polished marble and ceramic tiles. On the overall, symmetrical balance is achieved and the dramatization of volumes gives the building a symbolic quality.

The high points of the complex lie in the fact that there is a total segregation of access to the court between the public and the justices', and the scale of the building expresses its symbolic importance. On the other hand, the distance from the justices' chambers was not properly considered, the court rooms are solely dependant on mechanical ventilation, and relative to the rear view, the approach is poorly celebrated.



Plate 3.2.2. (a): Main Entrance of the Supreme Court of Nigeria.

Source: *Researcher's snap shots. (2003)*



c

Plate 3.2.2. (b): View of the Supreme Court of Nigeria.

Source: *Researcher's snap shots. (2003)*



Plate 3.2.2. (c): Supreme Court of Nigeria at the Justices' Entrance.

Source: *Researcher's snap shots. (2003)*

3.3. ECOWAS COMMUNITY COURT OF JUSTICE.

(Temporary Site.**)**

3.3.1. Introduction.

The ECOWAS community court formerly located at the National Assembly Building, Tafawa Balewa square in Lagos was established in 1991 and has since moved to Abuja where the permanent seat of the court shall be located.



Plate 3.3.1. (a): View of the ECOWAS Court of Justice, Abuja

Source: *Researcher's Snap Shots. (2003)*

3.3.2. Appraisal.

This three-storey building located at Wuse II in the central area of Abuja the federal capital territory of Nigeria was initially designed and constructed by a private investor to serve as office spaces to-let. In the ground floor of this building, the general administrative staff and the court clerk are found. The first floor accommodates the protocols department, accounts section and the interpreters, whilst the justices' (seven in number) and conference room occupy the second floor. The single court room is detached from the main building and is of a great disadvantage. The building structure is a reinforced concrete frame with hollow sand Crete block work; however, most of the interior spaces are defined using aluminum frame partitions.

The symbolic quality and image anticipated and synonymous to court buildings is conspicuously absent in the building composition. This and other numerous shortcomings of this building as a court complex can be understood in the context that it was not initially conceived to operate as such, for example, site constraints has led to insufficient and inadequate parking spaces, and unsuccessful segregation of judicial and public circulation. The building can however confidently boast of sufficient natural ventilation and lighting.



Plate 3.3.1. (a): Courtroom Interior of the ECOWAS Court Justice, Abuja

Source: *Researcher's Snap Shots. (2003)*

3.4. EUROPEAN COURT OF HUMAN RIGHTS, STRASBOURG.

3.4.1. Introduction.

The European court of human rights is an outgrowth of the European Convention on Human Rights, signed in Rome on November 4th, 1950, and applied since 1953. Through two branches,

the commission and the court of human rights, this organization is in principle at the disposition of those persons who feel that their guaranteed human rights have been violated. Initially based in a 3,800 sq. meter building since 1962, the court was granted a 2 hectare plot of land, and asked to build a new 20,000 sq. meter building by a resolution of the European council of ministers on April 26, 1986.

3.4.2. Appraisal.

The European court of human rights in Strasbourg France was officially inaugurated on June 29, 1995. The city of Strasbourg who donated the land, through a design competition commissioned Sir Richard Rogers as the architect in September of 1989.

Rogers calling on a some what high-tech vocabulary proposed a curved-double headed building in an attempt to symbolize function in an organization headquarters that was initially bipartite. When Rogers was chosen, the 240 million French franc construction cost corresponded to facilities for 25 member states, but with the fall of the Berlin wall, that number increased to 34 and 3,000 sq. meters of new office space was added to the project in the spring of 1992.



Plate 3.4.2. (a): View of the European Court of Human Rights capturing the bridge crossing River Ill.

Source: *www.arch.mcgill.ca/prof/mellin/arch671/european.htm*

The final project cost increased to 455 million French francs by December of 1994. The final project a 28,000 sq. meter structure, includes 860sq meters for the main court room, 520sq meters for the meeting room of the commission, 4,500sq meters of meeting rooms, and 16,500sq meters for the offices.



Plate 3.4.2. (b): View of the Courtroom during a session.

Source: *www.arch.mcgill.ca/prof/mellin/arch671/european.htm*

It should however be noted that the so-called “protocol 11” signed by all of the member states since May11, 1994, and already ratified by nine of them, provides that the current bipartite organization will be dissolved in favor of unique court structure. Thus through no fault of his own, the very symbolism of Sir Rogers’ building will be somewhat enigmatic to future users as it no longer corresponds to the actual function of the European Court of Human

Rights.



Plate 3.4.2. (c): View of the European Court of Human Rights.

Source: *Microsoft Encarta Encyclopedia 2001 Deluxe Edition.*

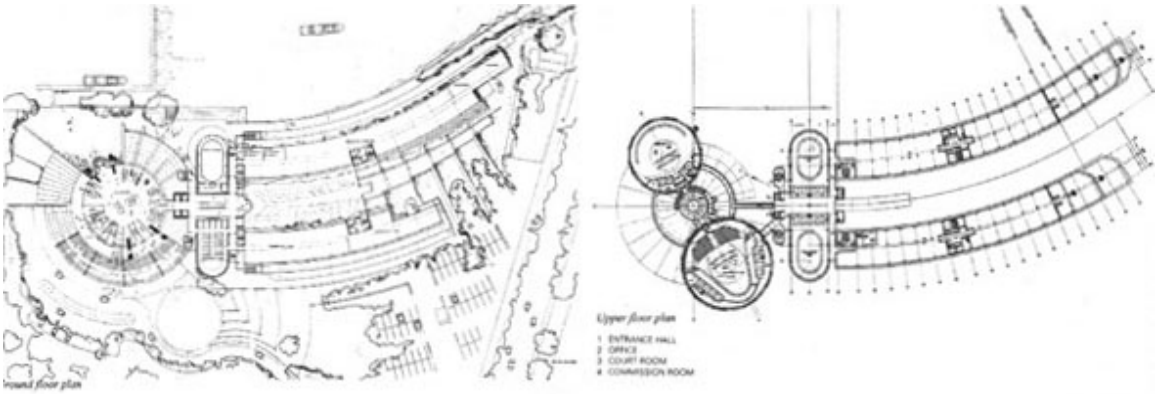


Plate 3.4.2. (d): Ground and First Floor Plans.

Source: *www.arch.mcgill.ca/prof/mellin/arch671/european.htm*

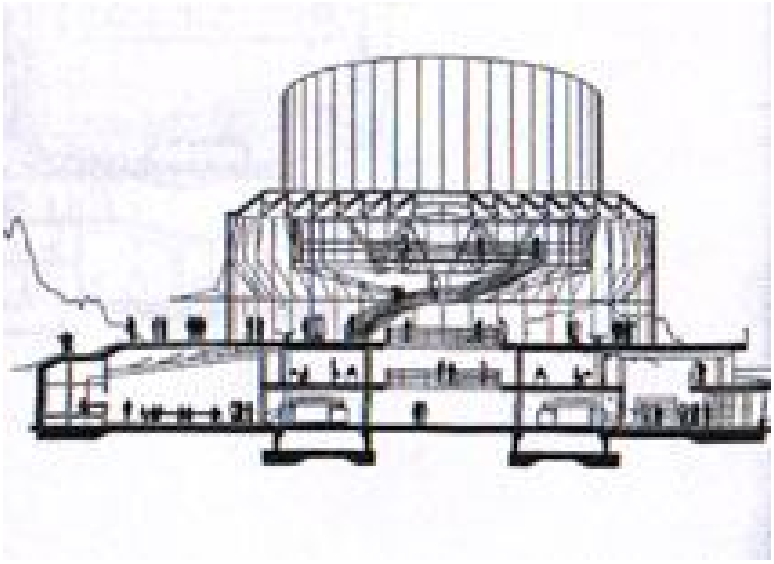


Plate 3.4.2. (e): Section across the cylinder at main entrance

Source: *www.arch.mcgill.ca/prof/mellin/arch671/european.htm*

The European Court of Justice serves an international public. Grievances from most members of European nations are heard and solved by this court. This is perhaps one justification for the radical design solution created by Richard Rogers. The European Court bears no semblance of the traditional courthouse. The building is clad entirely in steel and glass, with a small portion of concrete on the exterior walls. The stone lobby may be the only opulent material used, while coloration with primary colors helps to spruce up the building. The parts of the building were developed in a response to

the site and functional requirements of the program. The core elements were grouped together at the head, while the supporting functions form the tail of the structure. The head is a circular drum consisting of the courts and library while the foot is a long curving tail filled with administration offices. Growth of supporting functions can thus be accommodated by the lengthening the tail. The curve of the tail reflects the curve of the nearby lll

The entrance is located within the cylindrical drum. Within the entrance lobby are located the main circulation routes. Plaintiffs, defendants and counsel use floating spiral stairs or glass elevators, while the judges use separate bridges leading to deliberation chambers and private offices.

Efforts to make the project environmentally responsive have resulted in the inclusion of the following components;

i. Naturally ventilated office façade with an external sun blind.
ii. Concrete planting boxes along the facades and planted rooftops.
iii. Natural lighting of major rooms.
iv. Air conditioning of major rooms by the use of heat exchangers using ground water some 10 meters below the site.

While Futagawa reports in a GA document that the building " is a desire for the transparency of justice,.....a building that seeks to be in harmony with its immediate environment whilst giving a powerful civic image for the town of Strasbourg and the institution itself.", Architectural Record's Hugh Aldersey-Williams states more convincingly that " the building bears little resemblance to a traditional court, whether this makes it more approachable remains to be seen. It still has the imposing bulk of official architecture and justice literally hangs heavy in the air as you walk beneath the cantilevered court-room drums into the glass lobby." This concept of the courthouse seems too industrial to convince one of its civic symbolic duties.

3.5. INTERNATIONAL COURT OF JUSTICE, HAGUE.

3.5.1. Introduction.

Also known and called the peace palace, this is the "seat" of international law and home to the principal judicial organ of the United Nations as well as the permanent court of arbitration the oldest institution for dispute settlement. It was built with money donated by American philanthropist Andrew Carnegie after the first international peace conference (The Hague Peace Conference) was held in 1899. That conference was organized by Czar Nicholas II of

Russia. Carnegie saw the need for a formal home for an international justice system, and put up £1,000,000.00 to have it built. Technically, it is not part of any country in the same way that an embassy is considered foreign soil. In this case, The Netherlands donated the soil for the building. Other member nations also donated items: wood from one country, stone from another, glass from a third, etc-in order to make this a symbolic international project. When the doors opened in 1913 it was occupied by the Permanent Court of Arbitration, which was replaced in 1922 by the now-defunct Permanent Court of International Justice created by the League of Nations, which evolved into the United Nations. On April 18, 1946 the first session of the International Court of Justice was held. The court acts as the judicial branch of the United Nations and settles disputes between its member countries. It is also the setting, although rarely, of war crimes trials.

3.5.2. Appraisal.

The Peace Palace completed in 1913 is located at Carnegieplien, Hague in the Netherlands. The design is attributed to the French Beaux-Arts architect L. Cordonnier, Lille, being the winning design for an international competition organized by the Carnegie Foundation in 1905; his design was however reworked by Dutch architect J.A

van der Steur, assisted by the architects Wijdeveld and Slothouwer.



Plate 3.5.2. (a): Design for Peace Palace by L. Cordonnier, Lille, first prize.

Source: www.vredespalais.nl/

A limited competition was held for the design of the garden. The winner was English landscape architect Thomas Mawson from London.

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Plate 3.5.2. (b): Garden at the Peace Palace.

Source: www.nai.nl/e/collection

Besides housing the International Court of Justice, the Peace Palace accommodates The Hague Academy of International Law, Peace Palace Library of International Law, which is one of the most famous law libraries in the world. Apart from these judicial functions in the Palace, it is also a regular platform for special events on international policy and law.

The style is Gothic, but the period is all wrong, so this building is known as "Mock-Gothic" architecture. On the whole, the building is bold, massive, and imposing. It is widely considered to be very

conservative. It is an interesting building, nonetheless, on account of the unique cultural climate in which it took shape rather than of its contemporary design. This was a period in which the pacifist movement was emerging internationally. An ever burning Peace Flame in front of its gates symbolizes the main function of the building.



Plate 3.5.2. (c): View of the Peace Palace at The Hague.

Source: *Microsoft Encarta Encyclopedia 2001 Deluxe Edition.*

3.6: SUMMARY OF CASE STUDIES.

In conducting the case studies the researcher noted the high and low points in the cases studied, the summaries which shall be of utmost importance in taking vital design decisions are stated here below:

i. Conscious attempts are made to light and ventilate the buildings natural. Notably is the Supreme Court of Nigeria where a courtyard planning was adopted.

ii. The separation of circulation of the different categories of court users is a major programme requirement in all the cases. This is a major short coming of the E.C.O.W.A.S court in Abuja.

iii. There are attempts by the designers in giving the buildings an identity that can be associated with the legal system.

iv. The buildings are mostly bold and imposing, and the architecture can rightly said to be formal.

3.6.1. Images Abstracted From Case Studies.

In the cases studied, through the use of various forms and elements, and the interplay of such, the designers have made conscious attempts to create abstract images of concepts relating to the court system and, or circumstances surrounding the building as the case may be.

I. Supreme Court Of Nigeria, Abuja.

This building can be regarded as a conventional expressive form, making use of concrete extensively with glazed openings. Through a careful dramatization of volumes central in the building, the designer sought to express concepts of hierarchy within the court system. Clad in brick, it also suggests permanence and conservatism associated to law and the court system.

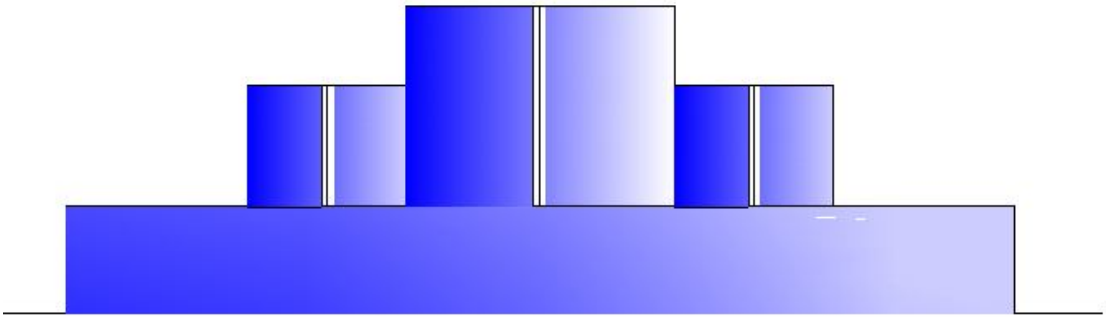


Figure 1: Much is achieved via the play of volumes in the central core, as far as concerns relating to concepts hierarchy. However, the stretch of offices in the front reduces the effect sought to be created.

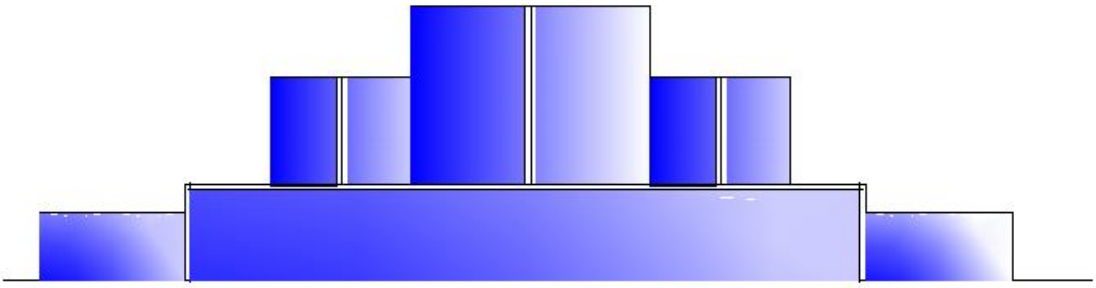


Fig 2. Diminishing by volume the stretch of offices in front harmonizes the whole form to the emphasized core, and

still maintains the concept of hierarchy sought above.

II. The European Court Of Human Rights.

This building completed in 1995 is truly a building of or time. Closely likened to concepts relating to “hi tech” architecture, it is clad entirely in steel and glass. The designer in this form sought to portray such metaphors as the transparency of justice in a new emerging Europe. The image of the curved-double headed building is symbolic of the function of the organization initially conceived to be bipartite in nature (the commission and the court.)

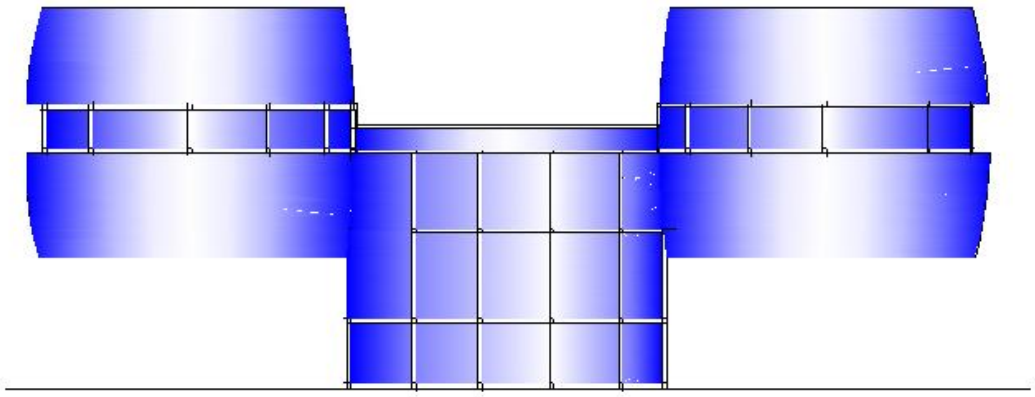


Fig. 3. The extensive use of glass, arguable though, expresses such metaphor as the transparency of justice. On the other hand, the cantilevered cylindrical drums seem to reflect on the abstract metaphorical scales of justice.

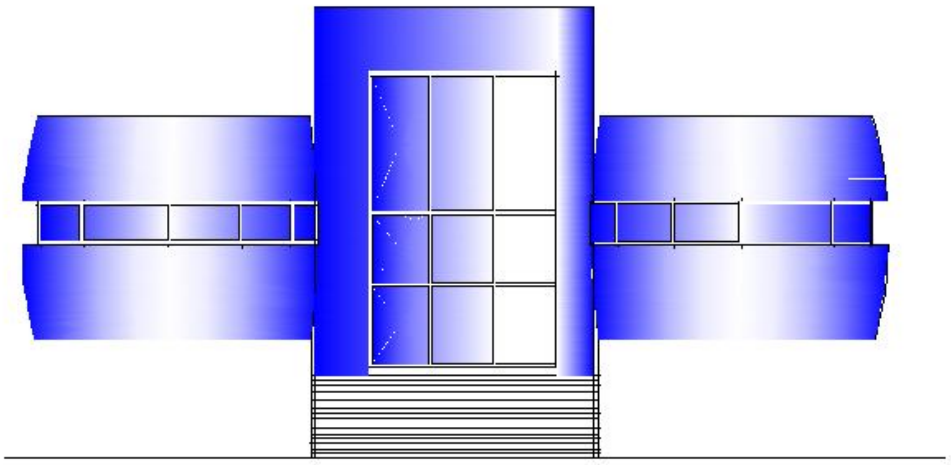


Fig. 4. Maintaining the major theme sought by the cantilevered drums, doubling the volume of the central core, and reducing the glazing to vertical slits gives the form a more traditional image with the entrance approached by a flight of steps seems to be more defined.

III. The Peace Palace, Hague.

Ribbed vaults, pointed arches, large window openings, stained glass art, flying buttresses, pinnacles, large massive and tall buildings are terms reflecting on elements and forms reminiscent of

Gothic architecture (as seen in this building) a term that has long been used to describe one of the greatest periods of historical architecture. To this extent, in 1840-1900 nearly every church in Western Europe, British Empire and the United States was in the Gothic style; likewise most public buildings were either gothic or classic. A sizeable number of these buildings where destroyed during the First World War.

The peace palace was built at a time when such architectural traditions had abruptly been broken due to the need for stern economy in buildings. However, it deviated from this norm finding solace in an iconic Gothic form, restoring an architectural tradition common to nations in political strife who had jointly signed a peace treaty. To further foster the unity sought by the image of this form, materials used were provided by the various parties of the treaty.

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CHAPTER FOUR.

4.0. THE THESIS SITE.

The thesis site is located in Abuja the federal capital territory of Nigeria, in consonance with the decision of the ECOWAS Heads of State to locate the permanent seat of the court in Abuja which was temporarily in Lagos. Abuja is centrally located within Nigeria and not necessarily to the other member states; however the presence of the Nnamdi Azikiwe International airport in Abuja provides easy access to the other member states.

4.1. SITE SELECTION CRITERIA.

In the selection of an appropriate thesis site for the ECOWAS Community Court of Justice, certain criteria were taken into consideration. These criteria are outlined and discussed here below.

4.1.1. Land-Use Consideration.

In the Abuja master plan as is the case for every organized town or city, it has been zoned according to categories of land-use such as residential, industrial, civic and institutional, and so on and so forth. The selected site has to fall within the allocated land-use designated for civic and institutional uses.

4.1.2. Locational Hierarchy.

In the legal system, there exists a hierarchy in the structure and manner in which courts are to be located. The location of the selected site should reflect this hierarchy. It is not appropriate for an inferior court to be situated adjacent to a superior court.

4.1.3. Adequate Size.

The selected site should be of adequate size and have ample space to accommodate all the required facilities. It is of great advantage for the site to provide provisional space for future expansion and development.

4.1.4. Accessibility.

The selected site should be served with efficient and effective road network, so that it is easily accessed from all parts of the town with relative ease.

4.1.5. Topography.

The landscape characteristics of the site should be favorable. It should be of good topography having good surface water drainage, and of a favorable gradient. However, this may not be an overriding factor as the designer should be able to manipulate unfavorable site topographies to achieve his design.

4.2. SITE ALTERNATIVES.

Using the above criteria as an overriding parameter, various site were considered, two of which were selected. The advantages of one over the other were carefully considered and studied and “A” has been selected as the thesis site.

4.2.1. Alternative "A”.

This is situated within the Garki district area of Abuja the Federal capital territory of Nigeria. Bounded to the south by Tafawa-Balewa way and to the west by Herbert Macaulay way (south), the Site is just opposite the Radio House and adjacent to the International Conference Center. The site falls within the land Use area designated for civic and institutional developments. It is of adequate size and of good topography with a gentle sloping terrain Southward.

Generally, this site fulfilled most of the requirements outlined in the selection criteria, result of which led to its selection for the proposed development of the ECOWAS Community Court of Justice.

4.2.2. Alternative “B”.

This is also situated in the central area of the Federal Capital Territory of Nigeria, Abuja. Located off Ibrahim Babangida Drive in Garki area two, it is some distance away from the National sports center and somewhat adjacent to the National hospital. The site zoning falls within the diplomatic area for international organizations, it also meets most of the stated criteria for the site selection, however its greatest disadvantage is that it bound on all sides by a vehicular artery which will no doubt constitute a major source of noise to the site.

4.3. THE FEDERAL CAPITAL TERRITORY (F.C.T.) ABUJA.

The F.C.T is located in the arbitral geographical center of Nigeria. Lying between latitude 8º 45'- 9º 20' and longitudes 6º 45'- 7º 30' the F.C.T is bounded to the north by Kaduna state, to he east by Nassarawa state, to the west by Niger state and to the south by Kogi state.



Figure 4.3. (a): Map of Nigeria.

Source: *Microsoft Encarta Encyclopedia 2001 Deluxe Edition.*

The capital territory is easily accessed from all parts of Nigeria and some of the principal West African cities. The F.C.T is linked presently to the rest of Nigeria by roads and air transportation. Lately, attempts have been made in providing navigational inland waterways through the dredging of the River

Niger, commencing from the costal areas. Plans are also being made to link the capital territory by rail transport.

The Capital City is situated In the Northeast Quadrant of The F.C.T *(made up of six area councils namely; Kuje, Abuja municipal council (AMAC), Gwagwalada, Abaji, Bwari and Kwali*) occupying an area of about 250 square kilometer with an axial focus towards the Aso hills. The city area occupies about 3% of the F.C.T land area of 8000 square kilometers.



Figure 4.3. (b): Abuja Area Map

Source: *Abuja Master Plan*

The city is planned in six phases, each with its own design proposals for city planning, functions and projected populations. The first phase which has already been developed to a large extent is divided into seven districts. Construction has also commenced in the second phase of the city center's development. The seven districts each of which is administered by a chairman and a team of counselors are as follows:

i. Central area.
ii. Garki I District.
iii. Garki II District.
iv. Wuse I District.
v. Wuse II District.
vi. Asokoro District.
vii. Maitama District.

4.3.1. Central Area District.

According to the city's master plan, the central area amongst other things will accommodate diplomatic building and low density residential buildings, the core of which has been zoned to house the following:

i. The 3 arms zone: The National Assembly, The Presidential Complex and The Supreme court Building

ii. The Ministerial and State government liaison offices to house governmental activities.

iii. The National Hall Square

iv. The Cultural Spine: The International Conference Center, National archives, National Museum, Mosque, Cathedral, Library, and monumental communication tower.

v. The Central Business District (C.B.D.) for commercial and economic activities.

vi. The Central Transportation Terminal, which will form the nerve center for transportation in and out of the territory.

vii. The Central Market

viii. The National Sport Complex.

The other six districts are mainly for residential housing and supporting facilities for both public, private ownership and prospective developers. The necessary infrastructure- road, water, electricity, waste disposal, telecommunication are provided by the appropriate service organization and under the supervision and guidelines laid down by the Federal Capital Development Authority (F.C.D.A.).

4.3.2. Geo-Technical Data.

(i) Geology: plains underlie the whole of the Federal Capital Territory, consisting of two main kinds of rock, viz

a. Crystalline rocks (metamorphic and igneous rocks of the pre-Cambrian age).
b. Sedimentary (they are formed in layers of varied thickness, ranging from coarse to fine grains).

Examples of particular rock type found in the area are; migmatite, granite, gneiss and biotite. All these rocks are of medium or high strength, which are expected to present minimum engineering problems for construction works.

(ii) Physiography: The F.C.T generally surrounded by gently undulating terrain interlaced by riverine depressions. The central area consists of uplands and plains with numerous rock outcrops. The highest variation between peak altitudes and depression is about 50m.

(iii) Soils and vegetation: The soils are typically deep and well drained. They can be classified into ten complexes on the basis of parent materials and texture. The soils are well too imperfectly drained, with moderate run off potential, and erosion tendency depending on localized clay content and occurrence of iron pan. Fringes of thickets and high trees

typically skirt riverine depressions. Occasional patches of forests and heavily wooded areas are also evident.

4.3.3. Climatic Data.

This refers to the weather conditions of a place recorded over a period of time. Climatic elements include temperature, humidity, rainfall, wind, sunshine and cloud cover. The climatic seasons in Nigeria can be classified into two:

i. Dry season (November – March).

ii. Wet (rainy) season (April – October).

a. TEMPERATURE.

The Federal Capital Territory records its highest temperature during the dry season, when cloud cover is least with diurnal ranges of up to 17 degrees Celsius. During the wet season the temperature values drop due to dense cloud cover, with diurnal ranges as low as 7 degrees Celsius.

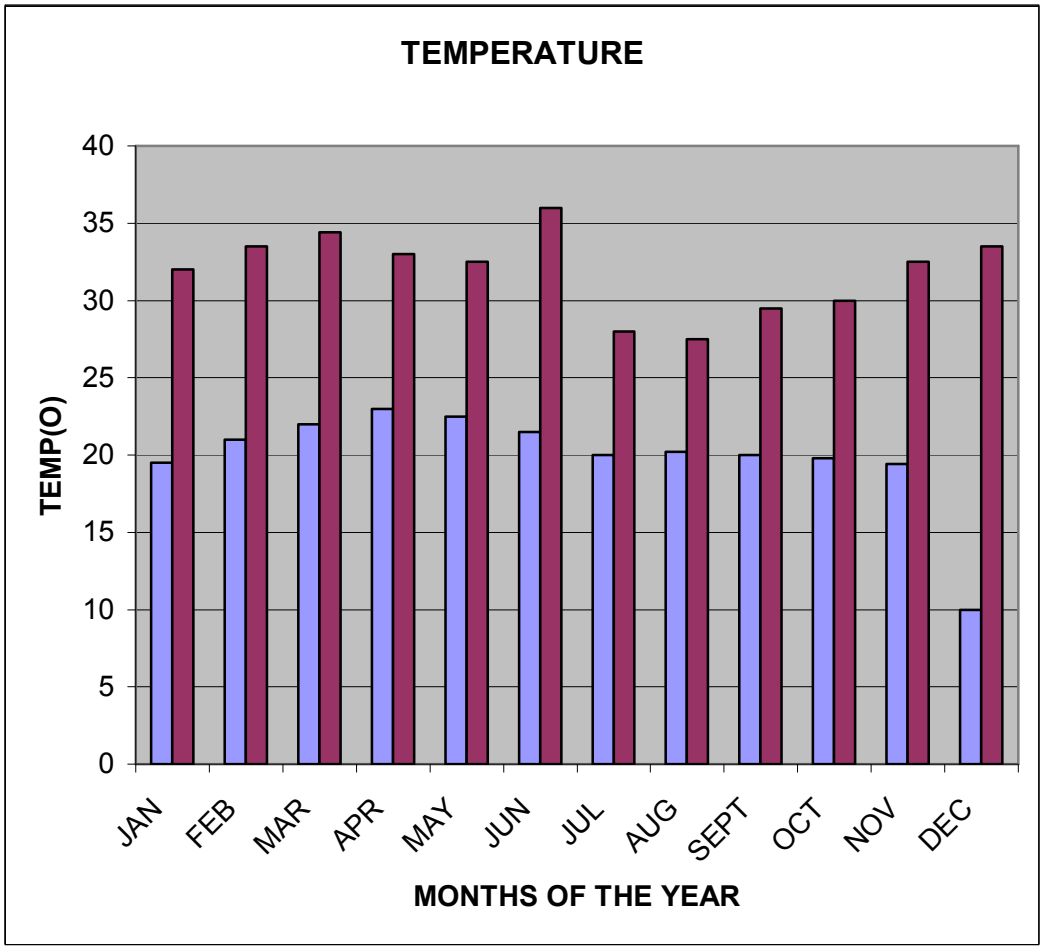


Figure 4.3.3. (a): Abuja Mean Daily Minimum and Maximum Temperature

Source: http://www.abujaclimate.com

b. HUMIDITY.

Human sensibility to temperature is greatly affected by relative humidity. During the dry season, relative humidity falls to values as low as 20%. In the rainy season, such values can be as high as 95%.

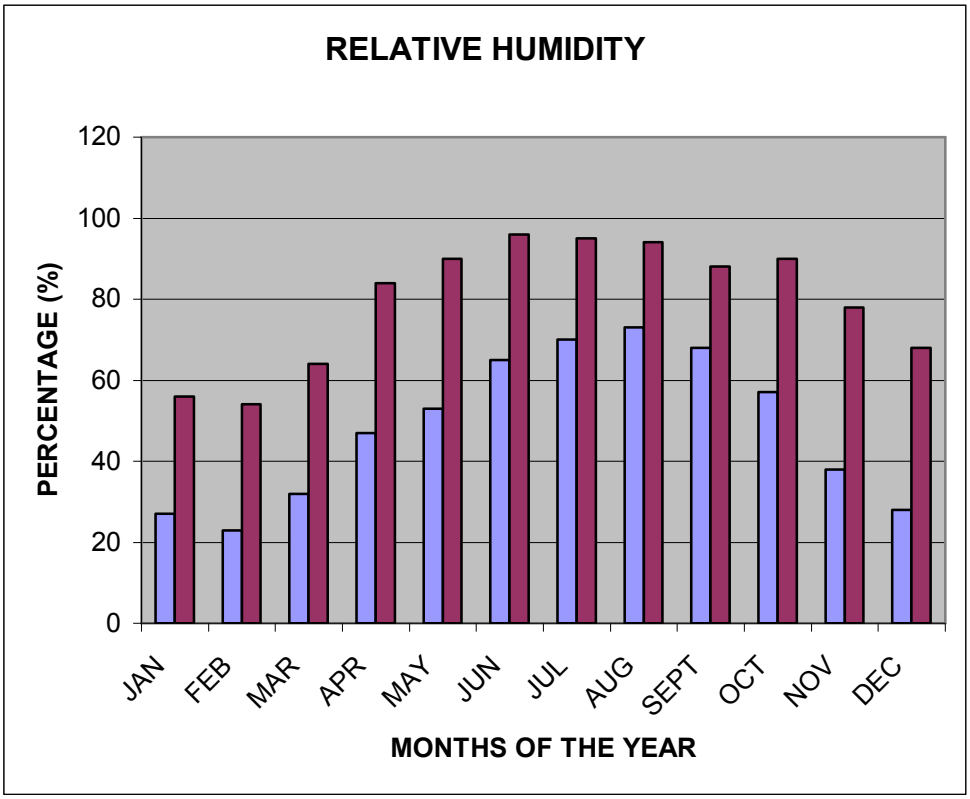


Figure 4.3.3. (b): Abuja Relative Humidity.

Source: http://www.abujaclimate.com

c. RAINFALL.

This is usually between April and October (duration of about 180 – 190 days). 60% of the rainfall recorded occurs between the months of July and September. This concentration of rainfall shows the need for drainage systems that can handle large volumes of water very quickly.

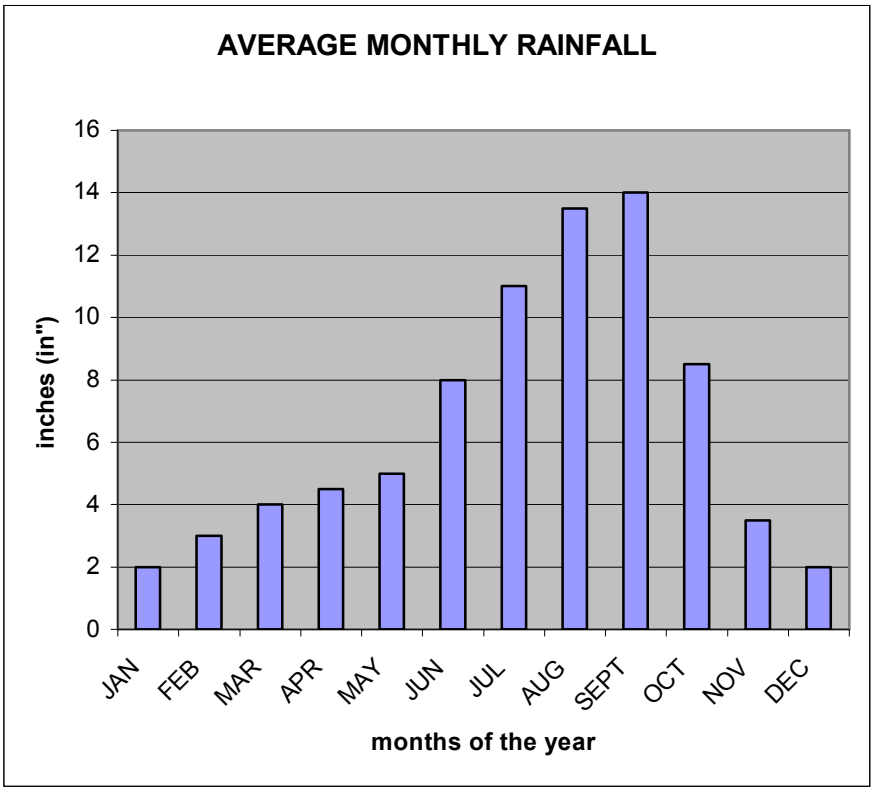


Figure 4.3.3. (c): Abuja Average Monthly Rainfall.

Source: http://www.abujaclimate.com

d. WINDS.

Two major air masses dominate the climate of the Federal Capital Territory, i.e.

I. South-west trade winds; they are warm and moisture-laden formed over the Atlantic Ocean. This tropical maritime air mass is closely associated to the wet (rainy) season.

II. North-east trade winds; they are warm and dry developed in the Sahara Desert blowing in the opposite direction (north-east to south-west). This tropical continental air mass brings about the dry season.

e. SUN AND CLOUD COVER.

Generally, there is a general increase in the total hours of sunshine further north of the Atlantic coast. During the dry months (November-April), sunshine values may exceed 275hours. In the rainy season, sunshine values decrease while cloudiness increases. Sunshine duration reaches its lowest value in the month of August.

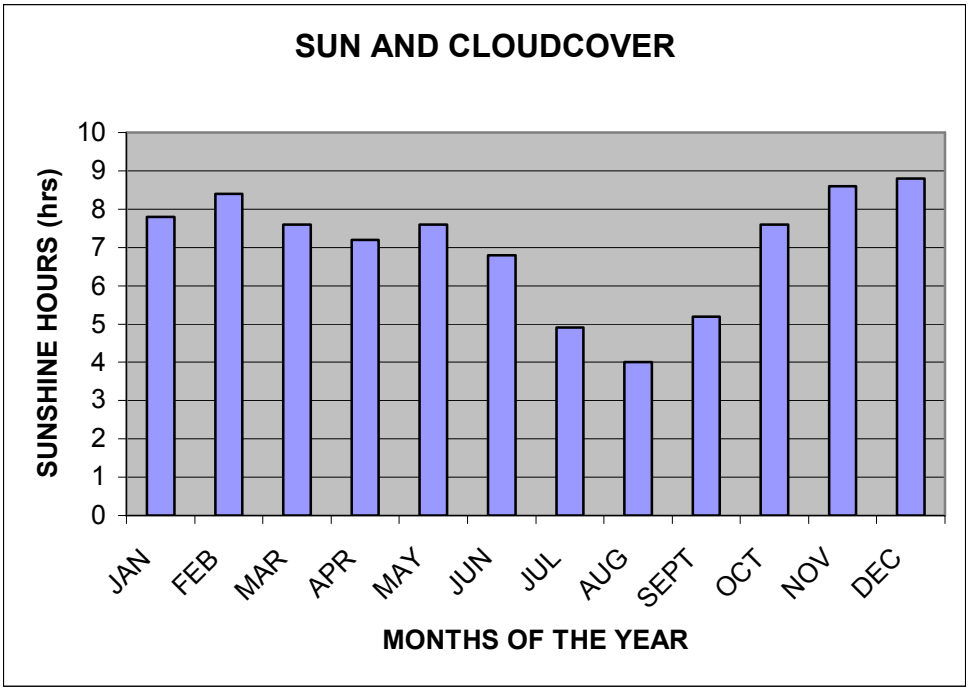


Figure 4.3.3 (e): Abuja Mean Monthly Sunshine Duration.

Source: http://www.abujaclimate.com

4.4. SITE PHYSIOGRAPHY.

This refers to a study of the physical geographic conditions of the site with a view to seeing how it may affect the overall thesis design.

4.4.1. Topography.

The general relief of the site is characterized by a gently undulating terrain. Sloping gently southwards, the site has no

protruding rock formations and the underlying soil (of magmatite granite genesis) is suitable for building development purposes.

4.4.2. Surface Water Drainage.

The site is a virgin land and drains southwards along the slope. The creation of an impervious built area naturally increases the volume and rate of storm water run off on the site and as such the design should provide proper drainage lines to accommodate this increase.

4.4.3. Vegetation.

The site which is a virgin land is characterized by scanty scattered grasses with few shrubs characteristic of the savannah grassland.

4.5. SITE FEASIBILITY.

4.5.1. Ingress And Egress.

The site is bounded on two sides by Herbert Macaulay way and Tafawa-Balewa way. The former being on the shorter side of the site and the volume of traffic in comparison to the latter makes it unsuitable for the choice of entrance. Thus the Tafawa-balewa way is more suitable as a source of ingress and egress.

4.5.2. Airborne Noise Level.

The traffic on roads bounding the site to the South and West serve as a major source of noise to the site. Proper zoning based on noise should be considered in the design, such that immediate spaces in this direction should be for functions that do not require total exclusion of extraneous noise. Also, planting of trees and shrubs will be advantageous to reflect noise and to act as a buffer zone.

4.5.3. Site Views.

The view west of the site is toward the Radio house which is a multi-storey building. To the North is the side of the Abuja International Conference Center. The eastern view is toward the rear of the Soffitel Hotel. The southern view which is a fairly interesting view is toward Warri Street, Malumfashi Street, and Agbor Close, with clusters of buildings.



Plate 4.5.3. (a) The site view due North.

Source: *Researcher's snap shots. (2003)*



Plate 4.5.3. (b) The site view due West.

Source: *Researcher's snap shots. (2003)*



Plate 4.5.3. (c) The site view due South.

Source: *Researcher's snap shots. (2003)*

4.5.4. MICRO-CLIMATE.

Major climatic problems anticipated as they affect the site include excessive heat gain due to intense solar radiation, dust laden winds, and fluctuating humidity and temperature levels.

The building form as a necessity will be a response to the orientation of the site, also a unique form incorporated with sun shading devices to aid in reducing the intensity of solar radiation shall be adopted. Trees and shrubs will also be used to serve as wind breakers and filters to dust laden winds.

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CHAPTER FIVE.

5.0. DESIGN CRITERIA AND BRIEF DEVELOPMENT.

5.1. APPROACHES IN COURT BUILDING DESIGN.

The approaches used in the expression of the physical configuration of court buildings varies from one designer to the other based on their personal conception of the court building and what it should be. Three approaches adopted by designers of modern court buildings have been identified.

5.1.1. The Official From.

This form retains traces of neoclassicism. The building is usually rectangular with stone facing and a discreet use of copper, marble, limestone and bronze. This usually bears a large coat of arms on the front façade as seen in the Commonwealth Law Court in Sydney, Australia.

The building usually has many openings and the structural members project as aesthetic elements. The advocates of this form argue that a place where justice is administered should be friendly and open handed.

5.1.2. The Introverted Form.

This adopts a monumental approach and designers tend to give the building a new character, scale, height and aesthetics in

both interior and exterior finishes. The buildings are bold and massive with little openings in the form of vertical slits and horizontal dashes. This form is typified in the Supreme Court of Japan.

Designers of this form argue that the house where justice is administered should be endowed with visual characteristics that give them power, respect and dignity. It is claimed that such buildings should be frightening and intimidating so as to play on the psychology of pilgrims to the house.

5.1.3. The Ordinary Expression.

This approach treats the court building as any other social service, using bricks, block work, or concrete with the expression springing directly from the nature and arrangement of the accommodation. This approach has resisted the conventional and superficial trapping of pomp and civic dignity.

Advocates of this approach argue that though a court house should carry some awe, it should be accommodating on the other hand so that people are given a chance to plead their case.

5.1.4. Deductions.

In all the approaches, deliberate efforts by the proponents have been made to create a visual and psychological impact on the users. The extent to which this has been achieved and their appropriateness as it relates the function and ideals of the court system has remained an issue for debate.

The ordinary expression treats the court building as any other civic or office building. The official form is a mutation of the ordinary expression but still lacks an identity with function; this probably explains why it is embellished in most cases with a coat of arms. The introverted expression which advocates unusually bold imposing forms will naturally pose more questions; in effect it is expected to have a greater impact on people.

This thesis however posits that the introverted expression as an approach to court design possess in it greater potentials of evoking a physical or psychological response from the observer and other court users. It should however be noted that the position of this thesis is not on the basis of empiricism as there are no efficient rules/formulae to effectively measure physical or psychological response generated from architectural forms.

5.2. DESIGN SOLUTIONS.

Design solutions in the design of court buildings are greatly influenced by numerous factors such as the availability of land, an attempt to give the building a judicial identity, a sentimental attempt at exhalation. However, solutions conceived by court designers can be classified into two:

i. Scattered solution.

ii. Compact solution.

5.2.1. Scattered Solution.

This is a conglomeration of similar functions in groups and housing them in different buildings resulting in a complex of detached, semi-attached or semi-detached buildings all linked in a system of corridors or large lobbies. This solution is suitable where there is large and ample space for development or where the physical site conditions and terrain is inadequate for a compact solution.

The main disadvantage of this solution is that certain functions tend to be duplicated. Also the court house users spend a lot of time traversing long distances to get to different departments. Another serious issue is inability to effectively control traffic thereby posing security problems.

On the other hand, the site is fully utilized and there are hardly any complicated building structures thereby giving rise to very economical designs.

5.2.2. Compact Solution.

This involves the incorporation of all the court house functions in one building in the form of a mono-block or attached buildings all coming under one roof, with one block dominant as a focal point. In this case, the spread of activities is limited.

In the zoning of functions, one school of thought maintains that the administrative functions are more related to the public and as such be on lower floors and the court should be on the upper floors. A second school of thought advocates that the reverse should be the case.

This solution demands complex structural systems making them expensive. Services, lighting and ventilation solutions become more complex usually requiring mechanical/artificial augmentations.

Its advantages include ability of grouping similar functions around a circulation core thereby reducing the length of corridors. Control and separation of traffic is easier thus checking security lapses. Limited site is optimally utilized. Due to its resultant size, scale and massiveness, the desired identity and monumentality synonymous to court buildings is more easily achieved.

5.2.3. Deductions.

The scattered solution gives rise to a movement pattern that will be difficult to control and monitor even though the use of electronic devices may ease this problem, however, duplication of some functional spaces and circulation areas becomes inevitable. The fact that it requires more space may be considered as a shortcoming. Of merit to this solution is that construction tends to be more economical as it comprises small units with less complexity.

The nature of the compact solution would naturally require more complex structural solutions making it more expensive to construct. In any case, the compactness of this solution gives rise to its greatest advantages i.e. circulation/movement patterns becomes easier to control and monitor thereby ensuring tighter security, the characteristic scale of court buildings which is usually bold, massive and imposing is easily achieved with this solution.

5.3. MAJOR DESIGN CONSIDERATIONS.

In order that high standards of functionality is achieved in the interior planning/arrangement of the functional spaces within the building and to enhance security, public comfort, and safety, certain factors must be closely considered in the planning of the court complex.

5.3.1. Accesibility.

Access to the court building should be properly defined and separated according to the category of users to ensure a high degree of privacy and security.

5.3.2. Segregation Of Adminstrative And Judicial Functions.

Administrative and judicial functions require very different kinds of spaces, the separation of which is necessary, because the former require flexible office spaces in which the layout of partitions can be altered to respond to administrative changes. The court room on the other hand is not likely to change during the life span of the building and as such should be treated with some permanence.

The connection between segregated circulation routes and public lobbies must be minimized and carefully controlled.

5.3.3. Interdepartmental Proximity And Zonning Requirements.

Consideration should be given in selecting locations for the various departments and functions, as certain functions require direct access to the public while others require a more private access. Functions prone to high public access should be located on the lower floors so as to reduce the traffic on stairs and elevators.

The justices' chambers, conference rooms and other functions requiring privacy can be located on the upper floors. The court room should normally be located in the mid section of the building, symbolic of its place in the building.

5.3.4. Public Conveniences.

The convenience of the public coming into the court requires careful consideration. To enhance comfort the following should be considered:

i. Provision of adequate circulation and waiting spaces to avoid over crowding at peak periods.
ii. Adequate provision of public toilets and stairs/lifts.
iii. Functions serving large number of people should be grouped at the lower floors.
iv. Information booths should be located at the main concourse of the building at the entrance.

5.3.5. Acoustical Privacy.

In certain specialized areas of the complex such as the courtroom, conference rooms and the library, it is important to maintain a noise level to the barest minimum and at the same time exclude extraneous noise from within such areas. In the courtroom for example raised timber floors laid over with carpets is good

practice. Walls should be treated with absorbent surfaces and must penetrate the suspended ceiling.

5.3.6. Thermal Comfort.

Thermal comfort is a function of the interplay of climate variables such as air movement, temperature, humidity, and solar radiation. Theoretically, the comfort zone lies between 22 and 27 degrees Celsius corrected effective temperature with air velocity of 0.15-1.5m/s, and a relative humidity of 30-70%. In order to maintain these standards of thermal comfort, all excess heat gained must be released to the surrounding. This can be controlled by mechanical means (using air conditioners, fans and humidifiers) and by natural means to control air exchange and solar radiation by:

i. **Courtyard planning:** courtyards can be used to achieve cross ventilation, however, in its design care must be taken so as to prevent the movement of dust particles within the courtyard. Theoretically, it is suggested that the depth of the courtyard to the prevailing wind should not exceed three times its width indoors.

ii. **Building orientation:** wind flow at 45 degrees to the façade of the building increases indoor air movement since the wind shadow on the outlet side of the building will be broader.

iii. **Effect of external features:** external features of building can also assist ventilation by creating a pressure point for air flow, for instance parapets can create a tunneling effect.

iv. **Use of external barriers:** a belt of trees and other landscape elements can be used as wind breakers to reduce wind speed considerably and to filter dust laden wind**.**

5.4. COURTROOM DESIGN.

The courtroom is the heart of any court building constituting the venue for the most important function of the court system. It is the most specialized area in the complex thus, requires special consideration in its design in terms of the following important areas:

i. **Layout.**

ii. **Shape.**

iii. **Micro-environment.**

5.4.1. Courtroom Layout.

The layout of the courtroom is a function of the relationship of the various participants within the courtroom such as the judge, counsels, witnesses, public, press, and defendants. Judge, witness and counsel must be closely related, see and hear each other clearly at all times even without mechanical aids and without

excessive turning from side to side. The theory behind these relationships can be summarized thus:

i. The presiding judge(s) should be able to observe the whole courtroom and to see clearly the principal participants as well as the defendants in the dock.

ii. The court clerk administering the case should also have a watching eye over the courtroom. He often advises the judge thus, he should be able to stand and speak to the judge without being overheard.

iii. The face of the witness must be clearly visible to the counsel and the prisoner/appellant, although his replies are addressed to the judge, and at the same time the counsel (barristers and solicitors) must have clear vision of the judge and the witness to whom they address their remarks to.

iv. The public comprising every other person in the courtroom including the press, relatives, and those dismissed from the case, and those allowed in the courtroom to see that justice is done also ought to have a clear view as possible of the judge, witness, and counsels.

In the light of the above, the following courtroom layouts have been identified, each presenting a different view of the relationship between the parties involved:

i. **Courtroom-in-the-round.** This reduces the distance between the participants in the court, thereby creating a sense of intimacy. It however increases the sight angles and hence induces physical strain. Gamba (1992) has queried the appropriateness of a courtroom-in-the-round, especially in serious criminal litigation.

ii. **Courtroom with judge's bench in the corner.** This layout keeps the witness between the judge and the jury but moves the bench into a corner and turns it almost 90 degrees so as to optimize the judge's view of the witness and (jury). A major short coming of this layout is that these adjustments grossly increases the distance between the counsel tables and witnesses.

iii. **Courtroom with witness located opposite the jury.** This optimizes the judge's, jury's, and reporter's view of the witness but limits counsels to a profile. This is just but a variation of the traditional courtroom layout.

iv. **Traditional/conventional courtroom layout.** In this courtroom layout, the justices being the impartial arbitrators are positioned on a raised podium at the central area of the front of the courtroom. Litigants are equal adversaries and as such are provided with seats at the well of the courtroom facing the justices. The public are positioned in the rear of the

courtroom. The witness box is placed adjacent to the podium of the justices facing the attorneys, and the dock is at the side of the courtroom opposite the witness box.

5.4.2. Shape Of Courtroom.

Courtrooms can take any shape but the three most widely used shapes adopted in the design of court houses are documented as follows:

i. **Rectangular Courtroom.** This is the traditional courtroom plan and it provides the best relationship between the public, counsel, and judge, however it imposes some strain on jurors seated farthest from the witness. Its flexibility and the direct view it provides between the courtroom participants have made it the most popular and widely used courtroom shape.

ii. **Circular Courtroom.** This is usually an offspring of a courtroom-in-the-round layout. It reduces the distance between participants in the courtroom resulting in a psychological feeling of intimacy, but it increases sight angles, thereby inducing physical strain.

iii. **Octagonal-shaped Courtroom.** This shape provides more sides to which facilities can be attached, at the same time creating openings for natural ventilation and lighting. The

construction of this is cost intensive and perhaps explains its limited use.

Other justifiable shapes that have been used in courtroom design include ellipses, parabolic/ hyperbolic shapes.

5.4.3. The Micro-Environment.

The various elements that constitute the micro-environment within the courtroom need to be controlled to provide favorable physical and psychological standards within the courtroom.

i. **Lighting.** This makes a vital contribution to the internal operation. Most times, due to the size and depth of the courtroom, relying on natural lighting becomes impossible thus it becomes necessary to incorporate artificial lighting. Natural light must be considered because windowless courtrooms has been argued creates fear in certain occupants as they feel isolated and insecure because they do not have a visual link or contact with the outside world. Windows may therefore be necessary but they should be placed on a high level so that the lighting will be diffused and not distracting. On the other hand, the artificial lighting adopted should be bright (but not such that it will cause distraction/glare to the users during hearings) and attractive so that users can rest eyes on it during lengthy hearings.

ii. **Ventilation.** The hot tropical climate makes this a critical issue in courtroom design. The use of natural means has on it some restrictions in an attempt to avoid extraneous noise sources, thus artificial means of ventilation (air conditioners, fans, dehumidifiers, etc.) may greatly be relied upon, especially when the capacity of the courtroom is considered. The use of double volume spaces may also arise.

iii. **Acoustic consideration.** The major requirement of acoustic performance in a courtroom is intelligibility by preserving the natural qualities of a speaker's voice in order to ensure that each member of the audience appreciates the nuances and dramatic effects sought by the speaker. The problem of acoustics within the courtroom falls into two categories:

a. **Acoustics within the courtroom:** the general level of audibility should allow a soft spoken witness or defendant to be heard in all parts of the courtroom. Reverberation time needs to be assessed and the room designed with sufficient absorbent surfaces to give required standards. The acoustic performance should be maintained regardless of the occupancy level, this implies that all seats should be adequately upholstered. A certain amount of widespread conversation is expected at the bench and the surfaces in this area should have

sufficient absorption. Floor finishes in the courtroom should be sound absorbent to reduce noise as people move in and around. The finish should be non-squeal. Ventilation systems should be designed to the accepted noise level. However, where the courtrooms are large, sound/speech reinforcement becomes necessary.

b. **Exclusion of extraneous noise:** This refers to noise generated from outside the courtroom itself that need attention such as from road traffic, activities from adjoining sites, and other sources within the building as a result of normal day to day activities. Precautions should be taken against all of such. Generally, courtrooms should be provided with a lobby with two sets of doors (sound lock), operating as a baffle against noise source outside the court hall. Courtroom doors should be detailed to be sound excluding and in operation. The courtroom walls need to be treated to provide adequate absorption and noise reduction. Openings for lighting and ventilation should also be detailed to curtail extraneous noise sources.

iv. **Vision:** this is one of the means of communication between the active participants in courtroom proceedings. In order not to create fear in certain participants, there should be visual

continuity in the courtroom. Proper sightlines and visibility of all activities going on in the courtroom promotes the orderliness and confidence of the court users.

v. **Security:** irrespective of the form of courtroom layout adopted, achieving maximum security should be a paramount objective in the design programme. The following guidelines are helpful in ensuring that is achieved.

   a. Justices should have direct access to the courtroom from their private areas and this access should be some distance away from the dock.
   b. There should be direct access from the custody area to the dock.
   c. The witness box should be on the opposite side of the courtroom to the dock.
   d. Justices should be on one side of the courtroom and the public on the other side.
   e. Law enforcement agents should have access to the public area of the courtroom.

5.5. BRIEF DEVELOPMENT.

In synthesizing a coherent design for the E.C.O.W.A.S, community court of justice in the absence of an official brief, it is expedient that the various components necessary in evolving a workable design concept are established.

This chapter on the basis of the organizational structure of the court shall identify various functional units and establish their inter-relationship, zoning requirements and also analyze activity pattern of users. This in turn will level a hierarchy of activities for which the programme must offer a solution. All this put together form the basis for the preparation of relevant functional diagrams; these diagrams in turn give rise to design concepts which influence the final design proposal.

5.5.1. PROJECT DESCRIPTION.

The decision of the E.C.O.W.A.S "Authority of Heads State and Government" in 1991 for the establishment of community's court of justice, led to its immediate take-off at the National Assembly Building, Tafawa Balewa Square Lagos-Nigeria pending a decision on the permanent seat of the court. Presently, the same authority has made Abuja the federal Capital of Nigeria the permanent seat of the court, where it is expected to commence its full judicial functions.

The main functions of the court are contained in article 76 of the Revised Treaty as earlier discussed *(Chapter 2.2.1.).* Objectives of the project include a facility efficient in operation with direct and easily understood spaces, aesthetically pleasing to the environment. It is expected that the physical image of the building housing the court should reflect the dignity and grandeur associated with the legal process and at the same time acting as a sign system for the 21st century court system.

5.5.2. Design Programme.

In generating an effective design programme for the complex, the different categories of courthouse users and their antecedent functions were examined. They are as follows:

i. **Justices:** they are seven in number and are responsible for hearing and deliberating on cases, writing and passing judgment and doing research on cases.

ii. **Judicial staff:** registration and fixing of cases for hearing. Recording judicial transactions and proceedings, being directly responsible to the justices.

iii. **Administrative staff:** general coordination of all the courthouse activities.

iv. **Legal Practitioners:** representing clients and making submissions to the court. Consulting witnesses, clients and other attorneys, and doing research work on cases in the law library.

v. **Public *(litigants, spectators, witnesses)*:** watching court proceedings. Testifying in court and also making payments to the court.

vi. **Security Agents:** maintaining law and order, and guarding restricted persons appearing before the court. Also provide security in the court.

vii. **Prisoners:** defending allegations leveled against them. They may also appear before the court as witnesses.

The categorization of users and their functions resulted in the provision of certain spaces which have been grouped into wings, with each wing comprising closely related and interconnected activities. The five resulting wings are listed here below:

i. **Courtroom Wing:** this comprises functional spaces such as courtroom, retiring rooms, press/conference rooms, main entrance hall, court hall/concourse

ii. **Justices' Office Wing:** justices' chambers, conference rooms, library, lounges, robbing rooms, etc.

iii. **Court Offices Wing:** law library, litigation department, records, archives, etc.

iv. **Judicial Administration Wing:** registry, protocol and correspondence unit, accounts and audit department, information unit, etc.

v. **Maintenance and General Services Wing:** stores, machine rooms, transport section, canteens, mini-clinic, workshops, security unit, etc.

5.5.3. Schedule Of Accommodation.

Anthropometrics, proxemics, ergonomics, and other dimensional disciplines have been employed to help achieve functional space allocations. The main aim of allocating spaces to functions is first the provision of sufficient activity area for human comfort, then the separation of spaces according to the dictates of incompatibility in function.

i. **COURTROOM WING.**

a. **Main Courtroom:**

Courtroom	320m^2
Justices' Retiring room	72 m^2
Robbing rooms. x (2).	30 m^2
Store.	15 m^2

b. **Miscellaneous Facilities:**

Entrance Hall.	150 m^2
Court Hall.	240 m^2
Press/conference room.	110 m^2
Attorneys' room.	
Court clerk.	30 m^2
Secretary.	25 m^2
Court attendants.	40 m^2

ii. **JUSTICES' OFFICE WING.**

a. **President's Chambers.**

Office.	36 m^2
Conference room	40 m^2
Personal Secretary.	20 m^2
Visitors' waiting.	24 m^2
Robbing room & W/C.	9 m^2

b. **Justices' Chambers. X (6)**

Office.	180 m^2
Secretary/waiting.	120 m^2
Robbing room & W/C.	60 m^2

c. **Miscellaneous Facilities.**

Justices' library.	110 m^2
Justices' lounge.	48 m^2
A.D.R. conference room.	105 m^2
Justices' staff common room.	30 m^2

iii. **COURT OFFICES WING.**

a. **Law Library.**

Entrance hall.	70 m^2
Main reading area.	315 m^2
Stack area.	105 m^2
Photo copying room.	48 m^2
Chief Librarian's office.	20 m^2
Secretary's office.	12 m^2
Librarians' office. X2.	24 m^2

b. **Archives.**

Archives.	70 m^2
General office.	30 m^2

c. **Reproduction Unit.**

Printing room.	35 m^2
Publicity secretary.	20 m^2
Office.	20 m^2

iv. **JUDICIAL ADMINISTRATION WING.**

a. **Registry.**

Chief registrar's office.	36 m^2
Secretary/waiting.	30 m^2
Conference room.	40 m^2
Deputy Chief Registrar.	36 m^2
Secretary.	30 m^2
Assistant chief registrar. X (2)	50 m^2
Secretary. X (2)	40 m^2
Registrars x (4)	80 m^2

b. **General Administration.**

Open registry.	50 m^2
Confidential registry.	40 m^2
Protocol.	40 m^2
Correspondence.	40 m^2
Staff's lounge.	30 m^2
Toilets.	30 m^2
General office.	40 m^2
Conference room.	40 m^2

c. **Accounts and Audit Department.**

Chief accountant's office	30 m^2
Secretary.	20 m^2

Accounts offices. X (3)	60 m^2
Cash office.	20 m^2
Internal audit.	60 m^2
General office.	40 m^2
Conference room.	40 m^2

d. **Information Unit.**

General office.	40 m^2
Offices. X (4)	80 m^2

v. **MAINTENANCE AND GENERAL SERVICES WING.**

a. **Canteen Area.**

Kitchen.	70 m^2
Store.	40 m^2
Eating area.	150 m^2
Changing room.	20 m^2

b. **Clinic.**

Consultation room	20 m^2
Dispensary.	20 m^2
Treatment room.	15 m^2
Waiting area.	20 m^2
Store.	15 m^2
Rest room. X (2)	70 m^2
Records.	15 m^2

c. **Security Unit.**

Chief security officer.	30 m^2
Secretary.	20 m^2
General office.	40 m^2
Duty room.	20 m^2
Store.	20 m^2
Staff Lounge.	40 m^2
CCTV room.	50 m^2
Cells. X (4).	70 m^2

d. **Maintenance Unit.**

General store.	60 m^2
Workshops.	60 m^2
Messengers/cleaners.	40 m^2
Offices. X (4).	80 m^2

e. **Transport Section.**

Chief driver's office.	20 m^2
Secretary.	20 m^2
Drives lounge.	40 m^2
Store.	20 m^2
Office.	20 m^2

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CHAPTER SIX.

6.0. DESIGN REPORT.

From the conceptualization of every design, goals must be mapped out to provide a clear direction of emphasis. These goals constitute design parameters for measuring the level of success achieved at the end of the task.

The primary aim of the design proposal for the community court of justice without compromising functional requirements is to create a building that would enhance visual participation and aesthetic appreciation in its viewers through various means- creative use of forms and elements, use of materials, play of light and shadow, etc. To this effect, the role of symbolism and the need to generate visual imagery was incorporated as a prime design programme requirement right from the onset.

6.1. DESIGN PARAMETERS.

The design proposal is the result of a research into courthouses and the concept of imagery as implored in such. At the end of the design, before pen was put to paper, certain conclusions were arrived at. These conclusions will serve as guiding principles, restricting the researcher on how to go about the design. Conclusions made include the following:

i. Access to the courtroom for the three main categories of users *(justices, public, and restricted litigants)* should be separated.

ii. The conventional, rectangular courtroom has so far proven the best courtroom solution; however, certain modifications to further improve efficiency in court proceedings shall be attempted.

iii. It is expedient that the whole structure be naturally lighted and ventilated as much as possible.

iv. The image a designer should aim at portraying in the design of a courthouse is of utmost importance.

v. The introverted approach, mono-blocks, sculptural forms, and massive structures are most suitable in generating an appropriate image for a court building.

vi. Symmetrical balance is an overriding factor in formal buildings.

vii. Clear and well defined entrances adequately celebrated should be the focal point in a courthouse complex.

6.2. FUNCTIONAL PARAMETERS.

In preparing the functional flow diagrams for the facility, certain criteria were established in judging the flow and articulation of the various spaces. These criteria include the following.

i. Total separation of judicial staff from the general public.
ii. Separation of vehicular and pedestrian traffic.
iii. Integration of various functions by the linking the spaces.
iv. Separation of public and service entrances.

6.3. DESIGN CONCEPTS.

A concept is that strong underlying idea that facilitates the unifying and integration of elements into a meaningful whole. Most architectural concepts emanate from the development of ideas symbolic of important design themes. A concept functions as a medium through which inferred images inherent in a design, are transferred to the casual observer. A concept thus provides the discriminating criteria by which a designer determines what is included or excluded from a design scheme.

In evolving a concept for the design, certain basic response to proportion, ventilation, light, space texture, mass, and voids are

relied upon. The resulting design concept is a hybrid resulting from the juxtaposition of three concepts. These concepts are:

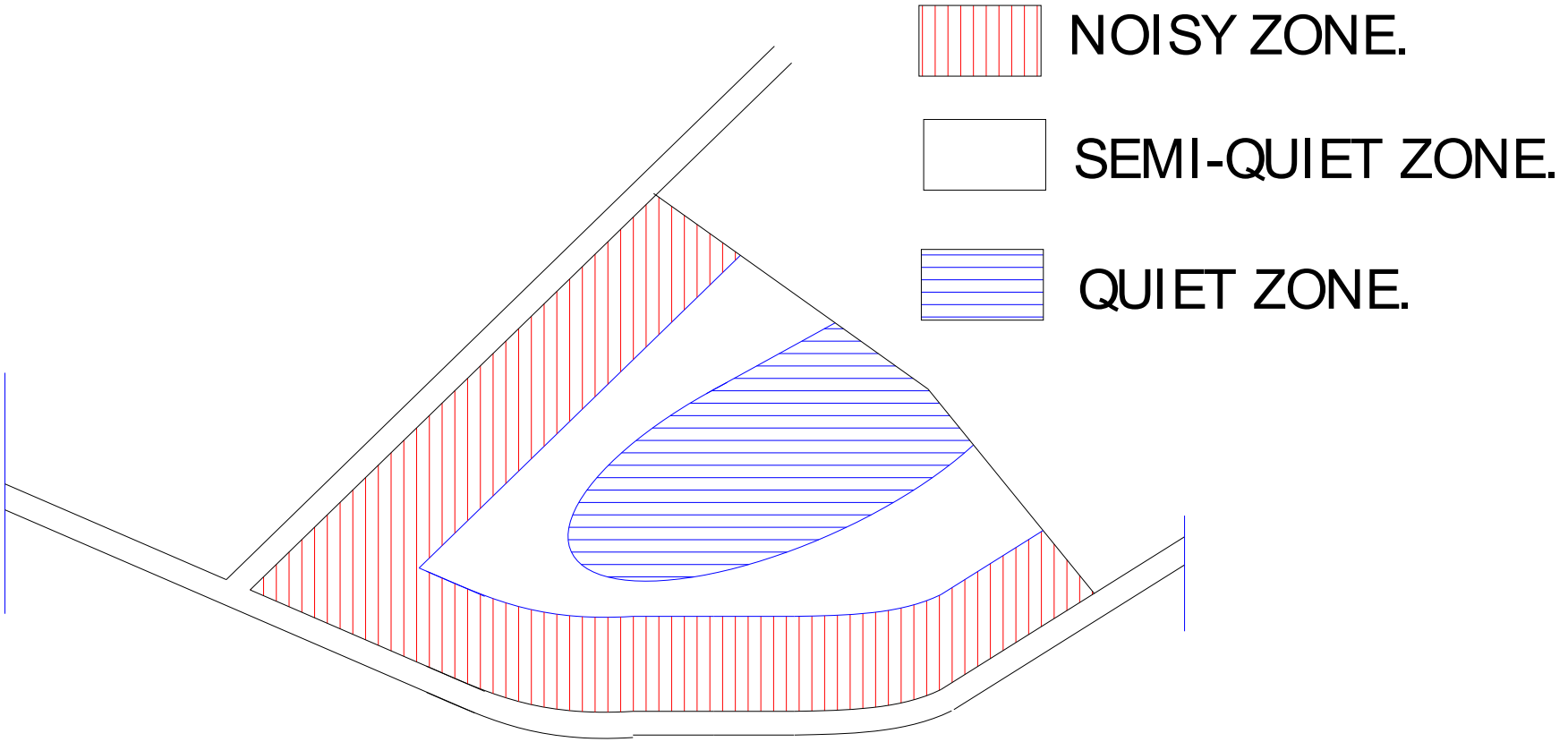
i. Zoning/site structure concept.

ii. Form concept.

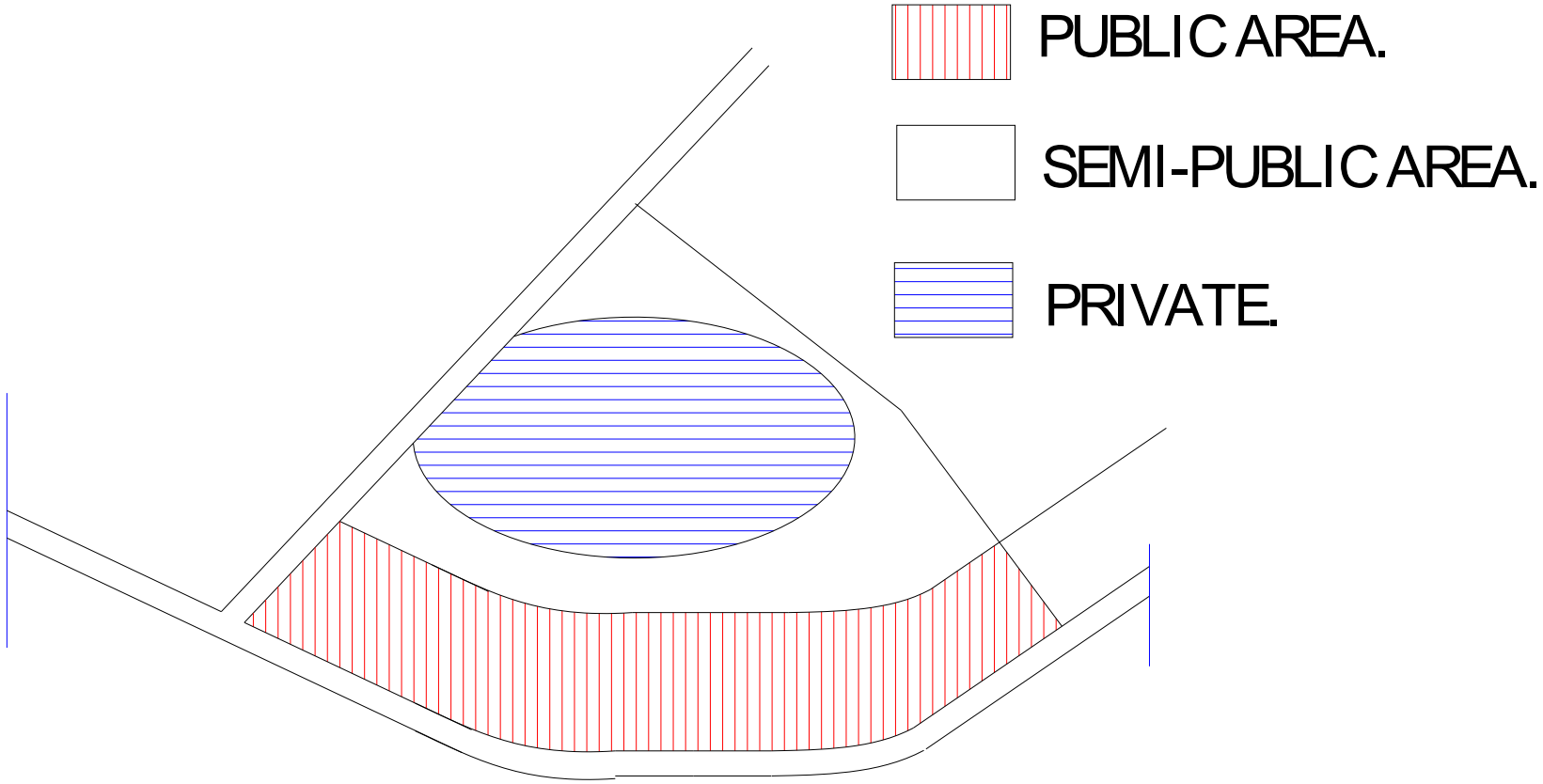
iii. Spatial organization concept.

6.3.1. Zonning/Site Structure Concept.

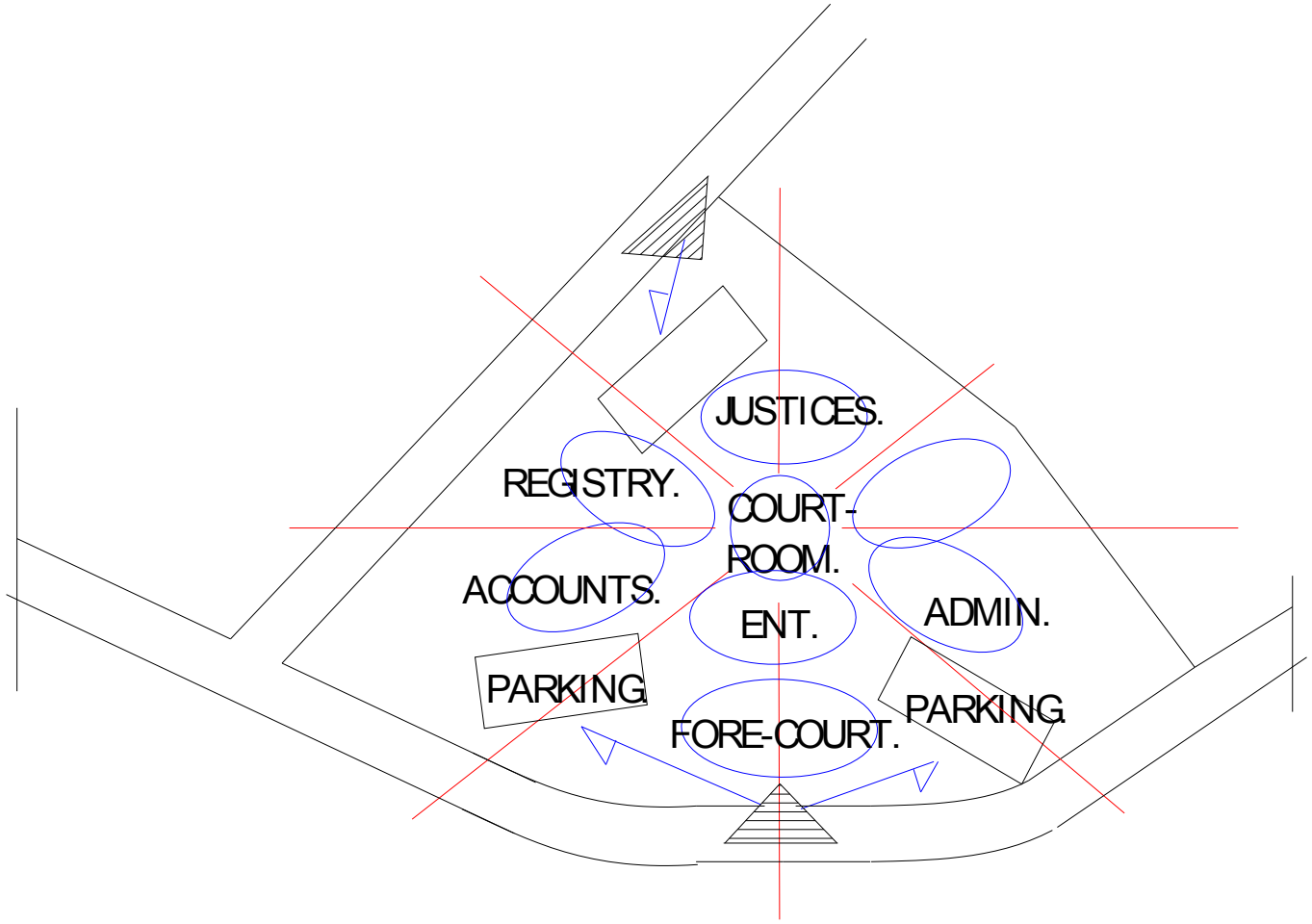
From an analysis of the site, its peculiar characteristics such as the shape, surrounding environs, sources of noise orientation to the cardinal points, access roads etc where identified. These findings made it possible to zone the site based on privacy *(i.e. private, semi-public and public)* and on noise levels *(i.e. noisy, semi-noisy and quiet).* Access to the site was also established *(public access tapped from Tafawa balewa way and access for the judges from Herbert Macaulay way).* All other functions are planned relative to these accesses.



- Fig. 6.3.1.a: Site zoning based on noise levels



- Fig. 6.3.1.b: Site zoning based on privacy.



- Fig. 6.3.1.c: Site structure/planning concept.

  A radial design approach, like ripple effect, functions extend from focal pint in cardinal directions. The courtroom serves as the focal pint.

In the site planning, a radial approach was adopted. As in a ripple effect, a focal point was established with a perpendicular axis to the access road and public entrance point. Thus, functions radiate from this point towards their respective zones. The focal point is the arbitral mid point of the site which also falls within the quiet zone of the site making it suitable to locate the courtroom at this dignified spot being the most important space within the complex.

6.3.2. FORM CONCEPT.

Good architecture consists of multiple, overlaid messages. This ambiguity and multiplicity of meaning is the heart of post modernism. In this referential modernism, “inherited symbols of the past are transmitted through a genetic code”. Successful communication occurs when familiar idioms of architectural language are employed in expression. Images must be relevant to their context of application.

The key metaphor in the legal system remains the symbol of law *(the mother of justice),* however marginalizing this symbol to just the scales of justice she carries will be a fair judgment going by the argument put forward by Allan Grenburg,” *…….the emphasis today is on the scales of justice rather than the sword of*

punishment". This thesis subscribes to this concept of expressing today's court system.

The overall physical form adopted of a towering central core with varying descending wings on either side is borne out of the perception of hierarchy in the legal structure. The president and the other member justices are the highest ranking thus are placed on the highest floor of the building, however, the courtroom being the nucleus of the complex as a whole is compensated in volumes making it to tower and subdue the other floors.

In the core, an octagonal tower there is a deliberate attempt to abstract the metaphorical scales of justice is made.

6.3.3. Spatial Organization Concept.

From an analysis of the optimum space necessary for the specific activities and the shape that best lends it self to these, programme requirements are accommodated in a spatial form. In the court building, certain spaces like the courtroom need to be designed deliberately to evoke a sense of grandeur. From the spatial organization concept, certain activities in the design should encourage social contact by means of common entrances and ample opportunities for visual contact. The circulation should be facilitated by a harmonious flow of spaces without abrupt changes and having sufficient connecting elements such as lobbies, concourse, foyer,

etc. the aim is to minimize the total length of circulation. The concept is aimed at influencing a design in which the users' sense of location would be quick and easy as they move around the building.

In an attempt to achieving such objectives, a courtyard system of design is adopted. Various related functional spaces are grouped together and carefully articulated around a courtyard, whereas the courtroom is given a central location in and within the complex.

6.4. SITE PLANNING.

The main public entrance into the complex is via a road south of the site tapped from Tafawa Balewa way. A separate entrance tapped from Herbert Macaulay way is also provided for justices and other senior judicial staff. Parking spaces provided have been restricted to areas of the site zoned as noisy and public.

Lawns and a fore court having a statue of the symbol of justice, define intersecting axes. Trees and shrubs serving as buffer zones and wind breakers are also provided for. Also of major consideration is the segregation of pedestrian and vehicular traffic.

6.5. FLOOR PLANS.

The compact solution, of providing all the facilities together was adopted to achieve a circulation system where maximum security is enhanced. The plan consists of a central core separating two wings on either side consisting of intersected squares tilted at an angle of 45 degrees. Large open courtyards were used in the middle of the squares to enhance natural ventilation and lighting.

6.5.1. Main (First) Floor.

The main entrance vestibule located at the approach of the central core is accessed by a wide flight of steps and takes one right to the first floor. The entrance hall which is of double volume is provided with ample space for circulation providing access to the courtroom hall situated in the central block. It is flanked to the left by the registry, to the right offices for attorneys and press are provided. The wing behind the court room accommodates the chief registrar, deputy chief registrar, court clerk, and other related offices. The social services and administrative departments are located on the lower floors to reduce human traffic on the courtroom level.

6.5.2. Ground Floor.

The ground floor when accessed from the central core beside the steps ushers one to a large lobby and gives a direct access to the library and archives which are directly below the courtroom. Flanked to the left are the accounts and audit department and to the right, the protocols and general administration department are located. The wing at the extreme right accommodates the staff canteen and mini clinic. The wing at the extreme left accommodates the general store, workshops, drivers waiting areas, and messenger and janitors lounges. The wing behind the library and archives accommodates the security and all law enforcement agents, it also provides for cells which have a direct link to the courtroom via stairs.

6.5.3. Second Floor.

This floor is restricted to the central core alone and accommodates the president, vice-president, and the other five member justices with their accompanying secretaries. Provision is also made for a library for the use of the justices. To the presidents office is attached a conference room.

6.6. COURTROOM.

The traditional courtroom layout was adopted as it has proven to be the most functional; however slight variations have been made. First and foremost, the seating arrangement is done along the shorter distance to minimize the distance between participants in the courtroom in an attempt to create a feeling of intimacy during court proceedings. Also the attorneys seating is curved within the well of the courtroom making them fall within 90 degrees view of the presiding judge as provided by standards.

In an attempt to improve acoustic performance, timber panels serving as sound absorbers on the walls, acoustic tiles on the ceiling, carpeting over raised timber floors, and padded seats have been used.

At the sides of the courtroom, large high windows are provided to provide a degree of natural lighting and ventilation. Tinted glazing for the windows is more desirable to reduce the effect of glare due to solar radiation. Artificial means have also been implored to improve the lighting and ventilation levels to acceptable standards.

6.7. PHYSICAL IMAGE.

The aim of this design as earlier stated is not just to satisfy programme requirements but also to evolve a building form well integrated to its purpose with a distinct character and identity.

The physical image attempted by various means to express ideas associated with the purpose of a court building. Some of these ideas include grandeur, dignity, respect and power.

6.7.1. Approach Elevation.

This façade faces southward towards the Tafawa Balewa way. The entry point is distinguished by a wide flight of steps. The composition which is bold and massive- subscribing to the introverted approach has a central core that tries to abstract the metaphorical scales of justice using projected fins. The wings which are of varying volumes are harmonized using vertical elements serving as sun shading devices. A symmetrical balance is achieved in the composition depicting the formalism associated with the court system.

6.7.2. Rear Elevation.

This façade is due north of the site and somewhat replicates the composition of the approach elevation; however the scales are not visible. The judges' entrance is given a central position and is

accessed through a ramp serving as a drop off. The vertical sun shading devices are repeated and on the whole symmetrical balance is also achieved.

6.7.3. Typical Side Elevation.

The facades due west and east are typical. Clearly visible are the projected fins showing one half of the scale seen on the approach. Use and placing of elements is consistent with those of the two previous elevations.

6.8. MATERIALS AND FINISHES.

In specifying materials for the various components of the building *(floors, walls/partitions, surfaces, roof, etc.)* certain factors influenced the decisions made. Some of the factors that were considered include the following; durability, appearance, acoustical properties, ease of cleaning, etc.

6.8.1. Floors.

In areas where heavy human traffic is anticipated, finishes need to be hard wearing and resilient. At the entrance lobby and court hall, well polished granite will be laid over the concrete floor. In the administrative areas, judges' chambers, lobbies and corridors,

attractive pigmented terrazzo will be cast-in-situ. However in the courtroom, carpet will be laid over a raised timber floor.

6.8.2. Walls And Partitions.

The wall conditions are detailed to achieve practicality, good appearance and moisture resistance. Masonry walls of 225mm hollow sand Crete blocks were generally implored for all the walls. In the courtroom area, cavity walls were used in an attempt to reduce sound transmission from extraneous sources.

6.8.3. Surfaces.

The exterior face of the central core will be finished in marble, giving it an air of opulence. Most of the other external surfaces will be coated with textured paint; the use of colors will be such that a formal contrast will be generated to break any form of monotony.

6.8.4. Roof.

In the choice of roofing system to be used, slope, appearance, permanence, workability, and cost in use amongst other factors were considered.

The courtroom is covered with long span aluminum roofing sheets supported by I-section steel members. The main entrance lobby is covered by a 150mm reinforced concrete slab, laid with 2-ply bituminous roofing felt. The wings of the complex are covered with long span aluminum roofing sheets supported with timber roof trusses.

6.9. AIRCONDITIONING.

Despite the fact that natural means of ventilation have been exploited in the course of the design, air conditions will also be relied upon especially in the courtroom considering the uncomfortable weather conditions recorded in Abuja. Vertical pipes carrying services wires between floors and horizontal ducts distributing same to desired areas on the walls will be used. Split units are recommended due to the high cost of maintenance associated with using central cooling systems.

6.10. CONSTRUCTION METHODOLOGY.

".....from an architectural point of view, the initial fluid state of concrete and its monolithic nature became an inexhaustible source of static, construction ideas and plastic possibilities...."

P.L. Nervi.

The major materials employed this construction are; reinforced concrete, mass concrete, steel and glass. The structural system consists of a simple beam and column construction, to form the buildings main frame, making all the masonry walls non load bearing.

CHAPTER SEVEN.

7.0. SUMMARY AND CONCLUSION.

7.1. SUMMARY.

The thesis started by introducing the court system as an institution responsible for the administration of justice, the Community Court of Justice being the primary judicial organ of the ECOWAS. Issues concerning what architectural forms are most appropriate in courthouses was also raised in chapter one. The thesis relying greatly on existing relevant literature in the second chapter made a documentation of the ECOWAS Court with a view of identifying its peculiarities. Concepts relating to imagery in buildings with particular emphasis on court buildings were also discussed and deductions made thereafter. A survey of court buildings within and outside Nigeria was conducted with greater emphasis on form rather than function. Four of such buildings studied are documented in chapter three after which a generalization based on their architecture was made. The study area and a proposed site for the project were then studied with its peculiarities highlighted to the advantage of the design. Based on functional requirements, a design criterion was then established and a design brief developed. The penultimate chapter deals with design parameters, design concepts developed, and ultimately the design proposal is discussed

in detail with particular emphasis on the image of the court so generated by the design. The seventh chapter which is the final chapter contains the summary and conclusion.

7.2. CONCLUSION.

The Court House as a building type embodies one of the most powerful potentials for architecture to express meaning and symbol in our civic life. It demonstrates the ideal for a democratic process and its legal system to function in order to protect the public by balancing freedom and constraint, the visibility, openness and accessibility to this institution are balanced by necessary security separation and privacy through specific and intricate ritual and internal organization.

This thesis has demonstrated though not based on empiricism that architectural forms and elements can be used to express meaning and symbolize the court system without compromising functional requirements. In achieving this, cost considerations though important is not a limiting factor. Also appreciating the designers concepts and the means of representation is an envisaged problem, thus they should be as explicit as possible.

On a general note, the aims and objectives of the research have been met even though no consensus on clear cut solutions has been reached.

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