



2003 Elections: Justice in or Out of Court

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The theatre of Mechanical Engineering Department, Imperial College London hosted one of the most historic events about Nigeria on Saturday 18th Jumada Ula, 1426= 25th June, 2005. The day brought a number of eminent Nigerians to participate in a one day conference under the auspices of the Foundation for Good Governance and Development in Nigeria.

The beauty of the conference was in the calibre of people that were in attendance, as well as the issues discussed; General Muhammadu Buhari, Dr Alex Ekwueme, Alhaji Abdulkadir Balarabe Musa, Alhaji Abubakar Rimi, Air Vice Marshal Mukhtar Muhammad, Governor Ibrahim Shekarau, Governor Bola Tinubu, Chief Bisi Akande, Chief Mike Ahamba and many other notable Nigerians whose name couldn't be mentioned due to the constraints of time and space.

Lamentation about the condition of Nigeria today; high level of corruption, insecurity, unemployment, poverty, inflation, lack of budget implementation, election rigging and a host of other problems that characterised the Nigerian body polity formed the topics of discussion. One is left with the impression that had those at the leadership level live up to expectation; the need for the conference wouldn't have arisen.

General Buhari in his opening remarks identified the expectation of Nigerians when the country returned to civilian administration in 1999, such as putting in place competent public machinery, an independent judiciary, a business climate that will ensure foreign investment and a higher standard in the quality of the life of the Nigerian people, yet what Nigerians got in the last six years is nothing but "exemplary incompetence". But the statement that attracted more attention during the presentation by General Buhari was his conclusion that "**justice will be done in or out of court**".

Buhari further stated that "lack of planning has characterised the Nigerian government while the poor is getting poorer and the rich is getting richer", "dictatorship has been entrenched in the name of democracy, Nigerian people wanted democracy, it is the government that doesn't want it".

Should the Supreme Court ruling on July 1 favour the opposition ANPP with Buhari as the President, what should Nigerians expect? This is a question you and I are entitled to ask, providing the answer by Buhari is a national duty. But the participants were not disappointed. Buhari stated that they want to establish an egalitarian society, respected in the world and admired in Africa. "We intend to redefine the meaning of government in our economy; revamp our national security...create a conducive atmosphere...and the modernisation of agriculture and solid mineral resources".

The powerful speech made by Buhari calmed the atmosphere of the theatre, increased the hope of the participants, gave the conference sense of direction and served as a reminder that disciplined Generals could do well in politics. Buhari made it clear in his speech that the struggle to ensure justice in the 2003 election is not out of desperation to get into power, self enrichment or settling old grudges, but out of the desire to move the nation forward through good governance, and the following statement may be pointing to that direction “in or out of government we will insist on looking for good governance”.

Alhaji Abubakar Rimi who chaired the first session of the conference reminded the participants that the rigging of the 2003 elections started within the PDP, when Ministers, Advisers and other officials appointed by the President and state Governors were made to be part of the delegates at the PDP convention. Rimi made the conference more thrilling with his lively jokes on how he and other contenders in the PDP were rigged against in the party they struggled to form. Looking at Buhari, he said “and my case is still in court, so when yours is over, my own will resume”.

The paper delivered by Mallam Ibrahim Shekarau, The executive Governor of Kano State titled “*Leadership as a Trust: Its Role in Sustaining a Viable Democratic Culture*” was a masterpiece. The paper dealt with so many issues affecting Nigeria as nation. He started with the struggle for independence and how Nigeria assisted other countries to attain self governance. This according to the Governor was made possible by the vast resources God has endowed the country with. Yet the country couldn’t achieve much in terms of development. The Governor hypothesised that this is “Perhaps because for the past four decades since its independence Nigeria has been experimenting with Euro-American inspired concepts, ideas and institutions in the running of the affairs of the Nation without much success”. The Governor concluded that the problem of Nigeria was simply the failure of leadership, and unless we transcend ethnicity, we cannot talk of leadership.

Chief Mike Ahamba, Senior Advocate of Nigeria (SAN) and the ANPP counsel in the petition against the 419 election presented a paper on the Judiciary as the Umpire. Many of the participants were astonished by the rhetorical skills and the intellectual disposition of this great lawyer. To bring to the understanding of all the role of the judiciary in mediating conflict (in this case 2003 election), Ahamba drew an analogy with a football match.

During a football match there is always a referee who oversees the activities of the players, he is assisted by the Lines Men, with Match Commissioners assisting in evaluating the game, where all of them failed to do justice, the case is taken to FIFA. Ahamba’s thesis is that the referee represents INEC, the Police and other Security officers as the Lines men, while the media is the Match Commissioner reporting how the game is played; where they failed, FIFA is there, that’s the Judiciary. According to Ahamba, think of a situation where Christian Chukwu, The Super Eagles Coach, became the referee in a match between Nigeria and another country, not only that, he also decided to put on the No 10 Jersey and preside over the match, he would have performed better than INEC did during the 2003 election.

Ahamba cautioned Nigerians that if something is not done on the credibility of the Judiciary, going by the kind of judgement passed in the election tribunals, a day will come when a judge will make prosecution and the convict will abuse him and walk away. Ahamba said the laws in Nigeria are alright, so formulating new ones will not change the situation, because “if you change the law without changing the attitude of the people operating the law, you are wasting your time”.

Dr Suleiman Kumo in his paper “The Judiciary in Nigeria- An Obstacle to Establishment of Viable and Sustainable Democratic Culture” compared the name of the organisation that called for the conference, Foundation for Good Governance and Development in Nigeria and the Nigerian situation. Kumo said, the name of this organisation tells what we need in Nigeria, citing various provisions of the constitution, and according to him “what Nigerian people are doing is the exact opposite of the provision”.

His paper was followed by that of Former Kaduna State Governor Alhaji Abdulkadir Balarabe Musa, the fire brand presentation of Balarabe Musa contradicted his age, he spoke with a patriotic vibration of an opposition leader as the Chairman of the Conference of Nigerian Political Parties (CNPP), tracing the history of opposition in the world and what obtains today in Nigeria. Balarabe Musa stated that some of the leaders of the opposition are not different from the members of the ruling party. According to him, the main weakness of the opposition in Nigeria is the inability of the legislators to check the excesses of Obasanjo. He said people died from 1999 to date than they did even during the civil war. What shocked everybody was the revelation by Balarabe Musa, that they heard from genuine sources that the PDP had budgeted 500 billion Naira for the 2007 election.

Dr Alex Ekwueme and Governor Bola Tinubu gave the final presentations. Alex Ekwueme spoke on “The Constitution and Sustainable Democracy in Nigeria- Challenges and Prospects”. The intellectual background of Dr Alex Ekwueme was not missing in his paper. He traced all the constitutional development in both colonial and post-colonial Nigeria, as well as the difficulty the country is facing in terms of power sharing. One thing was very clear, age is working on Ekwueme but his presentation was an echo from the heart of an elder statesman.

Bola Tinubu on the other hand, though he made an impromptu speech, because he arrived London Late, he touched on a number of issues, he said its unfortunate that the Nigerian elite are running the country like a dispensary. According to Bola Tinubu, a government that could spend Millions of Dollars on reviving NEPA without anything to show for it does not deserve to be there.

The success of the conference was in the ability to bring Nigerians from different political parties, AD, ANPP, PDP and others. Participants cut across various ethnic and geographical background, and in a summary of the conference, Professor Munzali Jibril opined that its high time Nigerians overlook trivial differences and forge ahead for the good of all.

The conference was a contribution by Nigerians in the Diaspora to contribute in fashioning a path of development for the country especially in this age of information sharing and technological advancement. China and India are already taking advantage, when will my country come on board.

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FGGN Note:

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