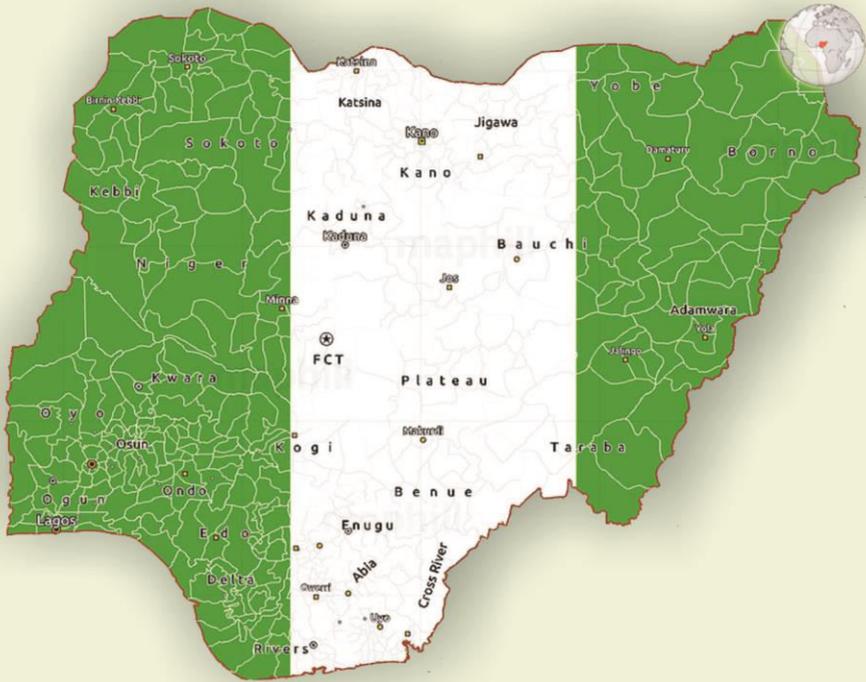


# OVERCOMING NIGERIA'S CHALLENGES OF CORRUPTION AND OPACITY IN GOVERNANCE



Jide Ojo

# **Overcoming Nigeria's Challenges of Corruption and Opacity in Governance**

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## **Preface**

This book, “Overcoming Nigeria’s Challenges of Corruption and Opacity in Governance” is one of the project activities I am implementing under the Anticorruption and Accountability Project being coordinated by the Centre for Information Technology and Development (CITAD) Kano, with funding support from MacArthur Foundation, Nigeria. There is no gainsaying that opacity in governance promotes corruption and as such all means must be explored towards achieving greater transparency to promote good governance.

While legal means, such as arrests and the prosecution of corrupt leaders may be pursued as means of deterrence, civic engagement and education, through informed commentary, news analysis and sensitisation of the public also play key roles in the fight against corruption and bad governance. Hence, this book is my modest contribution to the public discourse on how to find lasting solutions to the nagging challenges of corruption and the lack of accountability in our politics, elections and governance.

This volume is my third book. The first, published in 2010 to commemorate the twentieth anniversary of my media advocacy, was entitled, “Nigeria, My Nigeria: Perspectives from 1990 – 2010.” The second, published in 2016, goes by the title of, “A Nation in Tow: Essays on Governance and Leadership in Nigeria.” Although this is a compilation of selected articles already published in some Nigerian national newspapers from 2015 to date, these 60 carefully selected articles are in tune with the thematic focus of the project, under which the publication is being funded – issues of anti-corruption and accountability.

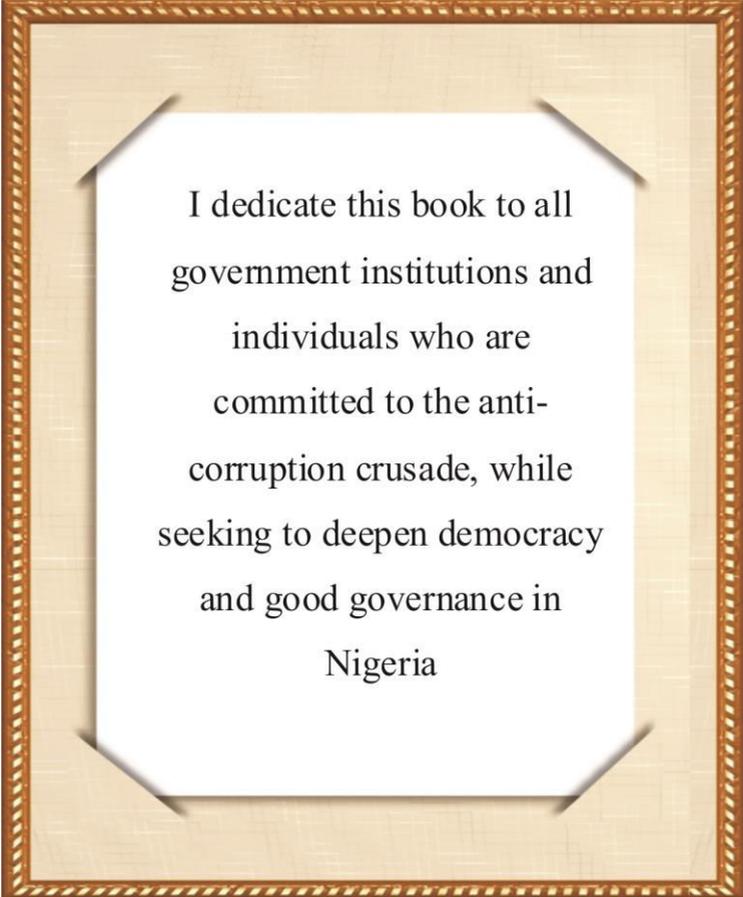
This book contains seven chapters. Chapter One is on 'Anticorruption', Chapter Two focuses on 'Politics', Chapter Three is on 'Election', while Chapter Four dwells on the 'Governance'. Chapter Five is on 'Economy', Chapter Six focuses on 'Education', while the last, Chapter Seven, is on 'Labour'. As earlier mentioned, there is a common thread which runs through all the selected articles that have made it into this book, which is that they speak directly or indirectly to anti-corruption and accountability issues. This book, supported by MacArthur Foundation, will be in soft and print copies and will be distributed globally for free. Print copies will be sent to government agencies, tertiary institutions, public libraries, and would also be shared among members of the public.

For feedback, tweet at me @jideojong or email me at [jideojong@gmail.com](mailto:jideojong@gmail.com)

**Jide Ojo**

**May 2019**

**Dedication**



I dedicate this book to all  
government institutions and  
individuals who are  
committed to the anti-  
corruption crusade, while  
seeking to deepen democracy  
and good governance in  
Nigeria

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## **Foreward**

There is a consensus among Nigerians that corruption is a major problem. In fact, President Buhari puts it well when he averred that we have to kill corruption or else it will kill the country. It has indeed, been killing the country, and not just metaphorically. Resources that should go into social services or that can finance infrastructure development to transform the economy and the country are looted by government officials (politicians and civil servants) and private sector actors. Social services such as education and healthcare have been compromised. Institutions that should help punish corruption such as the judiciary, the police and other law enforcement agencies are themselves mired in corruption. In this context, corruption has been normalized and institutionalized such that when in the few exceptional cases public officials perform with probity, they are seen as abnormal, threat to the functioning of the system. At best they are subjected to derision but often they suffer, including in some cases, paying with their dear life.

In this situation, writers and journalists have very important duty to perform for the good of the country. First, they need to amplify the voices demanding for accountability, transparency and combating corruption. Second, they should contribute in enabling citizens' structures and processes for holding public officials accountable. But the voice of the citizens is not only feeble but also incoherent as they cannot make head or tail about the narrative of the corruption they hear. For journalists therefore to amplify their voices, they have to also help in creating the voice. This they can do by demystifying corruption and make it more real in its impact on the lives of ordinary people.

Most narrative about exposing corruption appears too abstract for the people to comprehend and make sense of. What they keep hearing are that billions are looted from the national or state treasury. For example, how does an ordinary person make sense of the statement “The nation is being saved N24.7bn monthly with the full implementation of the TSA” or “The elimination of ‘ghost workers’ has saved the nation N120bn”? Ok, N120bn had been saved, but how does this impact directly to problems that the ordinary persons suffer? Ordinary people don’t even know where these treasuries are. Corruption as figure means nothing because they cannot make sense of what these stupendous amounts of money can do to their lives or even connect with their lived experience nor do these exposés speak to their existential realities.

A more nuanced and useful thing to do is to explain corruption in terms of the everyday life reality of the ordinary people. How does he or her connect corruption to the grinding poverty that has made him or her a subhuman? How can corruption be explained as the cause of the lack of shelter for his or her family? How is it that they toil day and night yet are unable to afford a decent living? Why is it that they cannot afford modern healthcare services when they or their children are sick? Why is it that they cannot afford to train their children? How come the schools their children attend and the hospital they patronize are ramshackle, not worthy of their names?

Corruption is not just stealing stupendous millions of public funds: it is the daily harassment and extortion that police met out to citizens on the road. It is the inability of poor people to get justice in our courts even when everyone knows the truth. It is the insidious force that makes life brutish for the poor: they are not safe in their homes nor on the roads. It manifests in the scandalous high maternal and infant mortality rates in the country that leave poor people helpless as they see their loved ones dying for what should otherwise be a common treatable ailments such as meningitis, cholera or malaria.

We need to get the ordinary citizens to make the connection between corruption and their lives. This is the voice that I hear as I

read the articles in this collection by Jide Ojo. His tales about corruption are not about foreign bank accounts or mind boggling loots by some unaccountable leadership that has reduced ordinary people to life of penury and destitution. It is the lack of dignity that citizens have.

It is this type of contextual reading of corruption that will denormalize it and make ordinary people to see their misery as a consequence of corruption. It is this kind of reading and interpretation of corruption that will turn the struggle against corruption into a mass movement that it needs to take away from the fight as solely that of the government but that of all citizens, a requirement for a successful campaign to win the battle.

Ojo's narrative is simple, accessible but rooted in logic, rule of law and situated in a context that is framed by an overarching concern about the weakness of our democracy. A great deal of attention is therefore also devoted to examining the instances of corruption in the institutions of our democracy, how corruption manifests in them and the consequences of corruption in the dysfunctional nature they have taken. Election is a key process in a democracy and once the process is corrupt, you end up with leaders who are unaccountable and corrupt. One clear instance of manifestation of corruption in the electoral process is vote-buying or vote trading as the writer captures it here. Voters living under extreme poor conditions are exploited on Election Day with gifts of soap, condiments, souvenirs or few wads of Naira for them to vote a particular candidate or party. That is corruption. He picked on several institutions, including the political parties, the electoral commission and discusses how money is becoming the reference point in their operations.

The media itself is not left out of his gaze: from its being used to spread hate speech and fake news to being used to otherwise misinform the public or create confusion in the minds of electorate, he sees these as distortion of the noble role the media should play in enabling citizens to hold duty-bearers accountable to one of colluding with the corrupt elites to hoodwink the ordinary people.

Ojo is very clear about the link between corruption and the absence of political accountability. This is why he is strident about galvanizing the voice to demand for political accountability so that public officers can be held accountable for their deeds. In doing so, he allows us through his reportage to see some of the consequences of the absence of political accountability as in the many abandoned projects that littered the landscape of the country and in the unfulfilled campaign promises of the political class as well as in the poor state of our social infrastructures. We cannot of course hold public office holders accountable if our votes do not count in the way they get to the offices they occupy. The author therefore sees getting our election right as key to improving political accountability in the country.

In this collection of essays, we have a rich campaign content to galvanize the voice for promoting accountability and by the same token, combat corruption. Mobilizing the mass of the people is critical and this is why education is important. Ojo's foray into the education sector in this publication shows that it has crumpled under the weight of corruption. While political class siphons money and allow educational institutions to rot, they are not unmindful of the fact that an uneducated citizenry cannot ask critical questions, cannot demand for accountability and cannot know how to do this. This point is crucial to understanding what needs to be done to deepen accountability and combat corruption in the country. We must get people to know and to be critical of what they know so that they can act as vehicles of our human agency for change. If this book stirs that motion in the citizens, the labour of the author is worthwhile!

Dr. Y Z Yau  
Executive Director, CITAD  
June 2019

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I will like to use this opportunity to appreciate the management and staff of CITAD for their unflinching support in coordinating the MacArthur Foundation's social influencer cluster of the Anti-corruption and Accountability Project, to which I belong. I specifically thank Dr. Y. Z. Yau, Maryam Ado Haruna and her indefatigable team. I also thank the management and staff of MacArthur Foundation, ably led by Dr. Kole Shettima and supported by highly skilled lieutenants such as Oladayo Olaide and Dr. Amina Salihu.

My appreciation equally goes to my wife, 'Bukola and children, Ayomide, Ayodeji and 'Mayomikun. Gratitude is also due to my friend, Olumide Olaniyan, as well as colleagues at Arise TV and the management of *The PUNCH* for giving me the platforms to express myself regularly.

Specifically, I appreciate my Managing Editor at Arise News, Mr. Bayo Awosemo (JP), my editor at The PUNCH, Joel Nwokeoma (JP), Kunle Adeniyi and Pheel Owigo Okolo of Kiss 99.9 FM, Lawrence Umoette of Silverbird TV, Mr. Bayo Bodunrin, Mr. Imoni Mac Amarere, Chief Gbenga Aruleba, Dr. Amaechi Anakwue, and Ms. Ijeoma Osamor all of African Independent Television, Deji Bademosi of TV 360, Seun Okinbaloye and Kayla Megwa of Channels TV, Okey Anya, Akin Oyewole, T-Brown, Peniel Diala and Mr. Patrick Otoro of Love 104.5 FM. Mrs. Asabe Abubakar, Mr. Wada Ibrahim, Mr. Wilfred Ewalefoh, Mr. Mohammed Labo, Mr. Kingsley Osadolor, Mr. Femi Johnson, Mr. Agboola Elufwoju, Oyeyemi Ajayi, Abdulsalam Jubril, Mrs. Kemi Fateye, Mrs. Ronke Kolawole, Mrs. Patricia Esami Luba and Mrs. Blessing Abu all of Nigerian Television Authority.

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## About the Author

‘Jide Ojo is a development consultant (Executive Director, OJA Development Consult), author and public affairs analyst. He holds first and second degrees in Political Science from the Universities of Lagos and Ibadan respectively. His strength lies in research, advocacy and training, particularly on development and governance. Jide has been a development worker since 1998 and has worked for both local and international non-governmental organisations such as International Foundation for Electoral Systems (IFES), United Nations Development Programme (Democratic Governance for Development project), Forward in Action for Education, Poverty and Malnutrition (FAcE-PaM) and Electoral Reform Network. He has consulted for USAID-OTI, UKAID (DfID), UNDP, Gender and Affirmative Action (GAA), Centre for Social Justice (CSJ), Women’s Rights Advancement and Protection Alternatives (WRAPA), Voices for Change (V4C), CLEEN Foundation, European Centre for Electoral Support (ECES), Westminster Foundation for Democracy (WFD), Facility for Oil Sector Transparency (FOSTER), and Nigerian Women Trust Fund, among others.

‘Jide is a 1998 winner of the Delta State NYSC Honours Award, a 2005 Global Rights Delegate to the 61st Session of United Nations Human Rights Commission in Geneva, Switzerland, a Carter Centre Short Term Observer to Ghana Presidential Election in December 2008, IFES Delegate to observe the US Mid-Term Elections in November 2010, African Union Short Term Observer to observe the May 2014 presidential election in Egypt and EISA Short Term Observer to observe the February 2016 Ugandan general election.

‘Jide Ojo is an International IDEA trained BRIDGE (Building Resources in Democracy, Governance and Elections) workshop

facilitator. He has trained management and staff of election management bodies (the Independent National Electoral Commission and State Independent Electoral Commissions), political party chieftains, chairmen and councilors of local governments, civil society managers and media practitioners, etc. He has equally presented several academic papers at conferences and workshops, and has written chapters in 10 books. He has also written over a thousand published commentaries in 24 Nigerian newspapers and is a columnist with *The PUNCH* newspapers (one of the most widely read and influential Nigerian newspapers). Until his voluntary resignation from IFES-Nigeria, he was the editor of the organisation's monthly *Political Finance* newsletter.

Jide has been a guest analyst on several national television and radio stations, such as Arise TV, Silverbird TV, African Independent Television (AIT), Channels Television, Nigerian Television Authority, Peoples TV, Independent Television (ITV), Galaxy Television, Kaftan TV, TV 360, Signature TV, Clearview TV, Roots TV, Broadcasting Corporation of Oyo State. In addition, he has appeared on Oluyole 98.5 FM Ibadan, Hit 95.9 FM Calabar, Faaji 106.5 FM Lagos, Rhythm 94.7 FM, OGBC 2 FM Abeokuta, Vision 92.1 FM, Love 104.5 FM, Ray Power 100.5 FM, Hot 98.3 FM, Radio Nigeria, Kapital 92.9 FM, Rockcity 101.9 FM and Voice of Nigeria. Furthermore, he has been on Kiss 99.9 FM, WE 106.3 FM, Greetings 107.5 FM, WAZOBIA 99.5 FM, Cool 96.9 FM, Armed Forces Radio 107.7 FM, Human Rights Radio 101.1 FM, Nigeria Info 95.1 FM, Invicta 98.9 FM Kaduna, Premier 93.5 FM Ibadan, etc.

# Chapter 1

## THE ANTI-CORRUPTION STRUGGLE

**This chapter contains eight articles that examine the anti-corruption war of this administration, issue of vote trading in our elections, the trial by the media approach by some of our anti-corruption agencies as well as how the war against corruption can be won.**

## **The Opportunity Cost of Vote Trading in Nigeria**

***The PUNCH, January 23, 2019***

One of the most worrying developments in Nigeria today is the ugly phenomenon of cash-for-votes by political parties and candidates. Desperate politicians are not leaving any stone unturned to ensure their victory at the 2019 general election. The Chairman of the Independent National Electoral Commission (INEC), Professor Mahmood Yakubu has raised an alarm over this ignominious behaviour twice in two weeks. The first was on Monday, January 7, 2019 while meeting with the 91 political party chairmen and the second time was on Monday, July 21, 2019, while receiving a delegation of the European Union Election Observation Team.

Here is an excerpt of what the INEC Chairman said to the party chairmen on January 7: “A new method of vote-buying is being devised. We have received credible information that some partisan actors are now going around buying up the Permanent Voters Card (PVCs) from voters or financially inducing them to collect the Voter Identification Numbers on their PVCs. In some instances, telephone numbers and details of bank accounts of voters have been collected. By collecting the PVCs, their intention may be to deprive the voters of voting since no one can vote without the PVC. By collecting their phone numbers and bank details, the intention is to induce voters by electronic transfer of funds to their accounts since it will be difficult to buy votes at polling units.”

Yakubu further stressed that, “By collecting the Voters Identification Number (VINs), they may be acting on the mistaken notion that our system can be hacked into and the card readers somehow preloaded ahead of election and compromised. We want to assure Nigerians that we are aware of the new tricks. It is a futile effort; we will work with security agencies to deal with the violators of our electoral laws, including those who may be trying to compromise our staff responsible for making the PVCs available for collection by the legitimate voters.”

The INEC Chairman explained that political actors planned to use food vendors “around polling units with large voter populations as collection points for cash-for-votes, as well as other forms of material inducement of voters on election day”.

It is important to note that vote trading, whereby a voter agrees to vote for a candidate as a result of financial or other inducements in-kind by agents of political parties or candidates themselves, is not new. It has been with us from time immemorial. It is also not peculiar to Nigeria or Africa but is a global phenomenon. It is just that the manifestations or techniques employed by the culprits are different. It is also noteworthy that cash-for-vote is not limited to the election day. It happens throughout the electoral cycle from the pre-election phase, to election day and the post-election period. For instance, in the August 18 to October 7, 2018 political party primaries, there were several allegations that some of the aspirants induced delegates and the leadership of their political parties to emerge victorious. During the campaigns that started on November 18, 2018, there were a lot of voter inducements at political rallies. Branded clothing materials, food items, souvenirs and cash were blatantly shared at many of the campaign rallies.

I have participated in several voter education programmes aimed at dissuading voters from receiving inducements before or after they vote. I have conducted trainings and engaged in media advocacy on this issue. On January 21 and 22, 2019 alone, I was involved in radio discussions on the ugly phenomenon, through which I educated the electorate both in pidgin English and Yoruba languages. Although the notion is that vote trading takes place between politicians and voters, that description is elementary. Vote trading tangentially includes the security agents, media, civil society organisations, and indeed poll workers. There are empirical evidences to show that these critical stakeholders also get induced by political actors in order to gain undue advantage during elections. A former Deputy Senate President had openly admitted to this, while over 200 INEC staff members were allegedly induced through

the slush funds provided by a former petroleum resources minister in the lead-up to the 2015 general election.

I maintain that vote trading or cash-for-vote is a criminal offence as stipulated in Sections 124 and 130 of the Electoral Act 2010, as amended. In Section 124, it is termed “Bribery and Conspiracy”. It is striking that it is not only cash that is forbidden in such transactions. Also prohibited in exchange for votes, according to Section 124 (2), are gifts, loans, or valuable considerations, including office place or employment. Punishment for the breach of this involves a fine of N500,000, 12 months imprisonment or both. Section 130 of the Act labels it as “Undue Influence”, with a penalty of N100,000, 12 months imprisonment or both.

Beyond legalese, those who indulge in vote trading should know that there is an opportunity cost to what they are doing. The buyers, I mean the political gladiators and actors, who engage in this ignoble act should know that by their actions, they are discrediting our elections. Turning our elections into bazaars diminish the credibility of these elections and over-monetises our electoral process. More importantly, the voters need to be informed that the token being given to them in exchange for their votes is the opportunity cost of the social infrastructure they are perpetually denied by our political leaders. Truth be told, there is no “free” goods and services offered by politicians in a bid to woo voters that they will not recoup with interest when they get voted into power. Thus, while in the rat race to recover their election expenses, the execution of developmental projects is perpetually deferred. It is thus in our enlightened best interest as critical stakeholders in Nigeria’s democratic project to shun any form of inducement. Rather, we should unanimously demand the fulfillment of campaign promises.

On the part of INEC, it is gratifying that the Commission is doing its best to tackle this negative political phenomenon. For instance, apart from tracking the campaign finance of political parties and candidates in the lead-up to the 2019 elections, INEC has come up with modification of the administration of polling units to make it difficult for voters to expose their marked ballot papers on the days

of election. The Commission has also introduced a partial ban on the use of mobile phones and other electronic devices by voters while in the voting cubicles and the rolling and flattening of ballot papers by voters during election. Strict enforcement of the legal provisions against vote trading should also be applied. Security agents should track and arrest politicians involved in vote buying through “sting operations”. Anyone apprehended should be thoroughly investigated and prosecuted in order to serve as a deterrent to others.

## **Halting the Wheel of Corruption in Nigeria**

***The PUNCH, March 28, 2018***

The issue of corruption in Nigeria is a lingering one. The phenomenon is as old as humanity itself. The most intriguing thing is that most people claim to know much about it and condemn every other person but themselves for the scourge. The issue has become like that of the proverbial lost knife that no one is willing to admit being its last user. From time immemorial, government claims to be waging war against the ugly spectacle but rather than it abating, like cancer, it is metastasising.

On Monday, March 19, Vice President Yemi Osinbajo blew the whistle on the last administration. All the newspapers reported the VP criticising the administration of former President Goodluck Jonathan, alleging that while it spent a paltry N14 billion on agriculture in 2014, N15 billion on transport and only N153 billion on infrastructure in three years, it shared N150 billion two weeks to the 2015 elections. Incredible! He was reported to have said this at the Seventh Presidential Quarterly Business Forum for private sector stakeholders at the State House Conference Centre, Abuja. Osinbajo said the administration of President Muhammadu Buhari has been unable to deal decisively with corruption because it is endemic and has fought back on all fronts.

The same day the Vice President was making the above startling revelations, I was privileged to attend a town hall meeting organised by the Yar'Adua Centre, Abuja on the issue of corruption. The

forum was tagged, “A Spanner in the Wheel of Corruption Town hall Meeting”. It featured a stage play entitled, “The Wheel”, a 30-year-old play written by the great Nigerian environmentalist, scriptwriter and poet, Ken Saro-Wiwa. Performed by Arojah Royal Theatre, the play was a searing political portrayal of corruption in the Nigerian society. It illustrated how corruption has permeated every strata of the society. Indeed, if the truth must be told, most Nigerians are complicit in the chain of corruption. As the play depicted, most people within their spheres of operation indulge in corrupt practices. Civil servants, market men and women, artisans, journalists, academics, contractors, politicians and people from all walks of life are grossly involved in the act, which is why the ageless monster has refused to die.

The Special Guest of Honour at the town hall was the pioneer chairman of the Economic and Financial Crimes Commission (EFCC), Mallam Nuhu Ribadu. He commended the different anti-corruption agencies for their efforts at fighting the scourge but charged them all to do more. He claimed that the EFCC alone has about 3,800 cases of corruption in courts in a society where the corrupt use their entire arsenal to fight against the staff of the agencies. Ribadu claimed that Nigeria was doing better than all other African countries in the fight against corruption and that while many other countries had no single anti-corruption agency, Nigeria had a number of these, including the Independent Corrupt Practices and other Related Offences Commission and the Code of Conduct Bureau. He claimed that only Nigeria had succeeded in recovering looted funds in Africa, and finally charged all and sundry to stand against the menace of corruption.

There was also a panel discussion involving representatives of government, citizens, the media, and the judiciary. The Executive Secretary of Nigeria Extractive Industries Transparency Initiative (NEITI), Waziri Adio, represented the government agency on the panel; Professor Umaru Pate of the Bayero University, Kano represented the citizens; Rosemary Othowo, Senior Programme Officer, International Centre for Investigative Reporting, represented

the media; while Aare Isiaka Abiola Olagunju, Secretary General of Nigerian Bar Association, represented the judiciary. Patrick Okigbo of Nextier Limited moderated the session. The panel discussion, as well as the questions and comments segment that followed it, were eye-opening. Clinical diagnoses of the pull and push factors of corruption were highlighted, and efforts of government at fighting corruption were also acknowledged. However, at the end of the programme, it was clear that the country is in a marathon race against corruption and not a 100-metre dash. It was like holding a mirror to oneself and asking the person in there about who is responsible for the societal malaise.

It is patently clear that Nigeria needs a change of mindset in order to overcome the corruption challenge. We must all inculcate and imbibe the right attitudes. However, in my opinion, the high and mighty in the society, the elites in politics, business, the military, religion and the economy must lead the way. There is an adage that the pace of the horse in front is what the one at the back uses in setting its pace. Value reorientation must be a virtue demonstrated by our leaders. They must be the role models the younger ones will emulate. It is like parenting; the cotton harvested by the mother is what the daughter will thread.

As the saying goes, examples are better than precepts. While sanctions may not be a sufficient deterrent of corruption, they have a utilitarian value. Imagine if all the big shots who have been dragged to court for charges of corruption were successfully prosecuted and made to serve jail terms or pay heavy fines, many who are nursing ambitions of corruption would be discouraged from it. Unfortunately, we have a near state of impunity in our fight against corruption as many corruption cases have lingered for more than a decade in our courts. Not even the Administration of Criminal Justice Act 2015, which prescribes the accelerated hearing of criminal cases, has made the desired impact on cases of corruption in Nigeria.

Furthermore, in resolving this corruption challenge, it is imperative to make the welfare of workers paramount, both by government and

private sector employers. A situation where workers are owed a backlog of salaries and allowances is an incentive to corruption. Hunger and poverty can make some people to misbehave. It is also most desirable to tie the nuts and bolts of our anti-corruption laws and make sure the agencies established to fight corruption are well-resourced. After all, money is the wheel of the gospel. It is impossible to make a brick without straw, neither is it possible to make an omelette without breaking an egg. Above all, our anti-corruption agencies must not be subjected to undue political influence.

## **Buhari as Africa's Anti-corruption Czar**

***The PUNCH*, February 7, 2018**

*“Corruption and its effects have many sides. It poses real threat to national security, unity and survival of the African State and people. The African Union Agenda 2063, under Aspiration 3 recognises that corruption erodes the development of a universal culture of good governance, democratic values, gender equality, respect for human rights, justice and the rule of the law.”* – President Muhammadu Buhari in his speech at the launch of 2018 as the African Anti-Corruption Year on January 28, in Addis Ababa, Ethiopia.

It was the first time that the African Union will declare a year-long focus on the fight against corruption. To lead the assault, the AU, on July 4, 2017, at its 29th Ordinary Session of the Assembly of Heads of State and Government in Addis Ababa unanimously endorsed President Muhammadu Buhari as flag bearer of the crusade. Was this a meritorious appointment? Is there no better African leader to lead the fight against corruption in Africa? How has Buhari fared on this at the home front? What are the hurdles the President has to scale to succeed in this onerous task?

On Monday, January 29, 2018, I was a guest analyst on this topic on “Business News” at 3 p.m. on the Nigerian Television Authority. However, the programme’s duration was too short to examine the

entire parameters of the assignment, hence my decision to pen this commentary.

To my mind, Buhari's appointment is laudable. That the endorsement was unanimous speaks volumes. It shows the trust and confidence that the African leaders have in our President. It is a recognition of his administration's efforts and commitment in fighting corruption in Nigeria. We should recall that this government came to power on a three-point agenda of fighting corruption, tackling insecurity and revamping the economy. I concede the fact that the war against corruption in the country is far from being won. However, while we may not be where we ought to be, we are not where we used to be. It will be uncharitable to say that this administration has not done anything or achieved much in terms of the onslaught against corruption.

Recently, while responding to some allegations by former President Olusegun Obasanjo against the incumbent administration, the spokesperson for the government, who is also the Minister of Information and National Orientation, Alhaji Lai Mohammed, said, *inter alia*, that: "Our determined implementation of the Treasury Single Account has stopped the haemorrhaging of the treasury. Some N108 billion has been saved from removal of maintenance fees payable to banks, pre-TSA. The nation is being saved N24.7 billion monthly with the full implementation of the TSA. The elimination of 'ghost workers' has saved the nation N120 billion."

As part of the measures to fight corruption, the Federal Government in December 2016, came up with the Whistle-blower Policy. According to the Finance Minister, Mrs. Kemi Adeosun, as of July 2017, over 5,000 reports had been made through various reporting channels, and 365 actionable tips received from the 5,000 reports. She said that over half of the reports came from public servants. The minister noted that the tips related to issues of contract inflation, 'ghost workers', illegal recruitment and misappropriation of funds. Others, according to her, included the illegal sale of government assets, diversion of revenues and violation of the TSA regulations.

The Acting Chairman of the Economic and Financial Crimes Commission, Ibrahim Magu, said on Monday, February 5, 2018, during the 2018 budget defence at the House of Representatives, that the total asset recoveries by the anti-graft agency amounted to more than N473 billion, \$98 million, €7 million, and £294,000, among other stolen assets, between January and December 2017. Under this administration, an unprecedented number of very important personalities (VIPs), including politically exposed persons, have been arrested and are currently being prosecuted in various courts across the country. These include former governors, ministers, commissioners, heads of departments and agencies, party chairmen, legislators and even judges.

As a measure of support for the administration's anti-corruption drive, the Chief Justice of Nigeria, Honourable Justice Walter Onnoghen, on September 18, 2017, announced the creation of a special court for corruption cases, while the Justice Suleiman Galadima-led Corruption and Financial Crime Cases Trial Monitoring Committee was also established.

On the flip side, not many convictions have been secured by the anti-corruption agencies. The EFCC, in particular, has been widely accused of shoddy investigations and the lack of diligent prosecution. The Commission has also been indicted of shadowboxing, and engaging in witch-hunts and media trial. This administration has equally been accused of double standards in the fight against corruption. According to Senator Shehu Sani, a lawyer and chieftain of the ruling All Progressives Congress from Kaduna State, "When it comes to fighting corruption in the National Assembly and the judiciary and in the larger Nigerian sectors, the President uses insecticide, but when it comes to fighting corruption within the Presidency, he uses deodorants." This observation was made in respect of the President's tardiness in the handling of the corruption allegations against the immediate past Secretary to the Government of the Federation, Babachir David Lawal. Other corruption scandals that have rocked this administration include "Mainagate", the Kachikwu versus Baru face-off over NNPC

contracts and the indictment of the acting chairman of the EFCC, Ibrahim Magu, by a report of the Department of State Services, leading to his non-confirmation by the Senate.

Back to the continental assignment to champion the fight against corruption, President Buhari has his job cut out for him. He did acknowledge the Herculean task ahead of him and has promised to do his best on this. Among others, the President observed that, “strong institutions are a necessary condition in any society which aims to fight corruption. In building strong national and regional institutions, we must adequately empower our national anti-corruption agencies and insulate them from political influence. We have to encourage increased institutional collaboration between law enforcement agencies and anti-corruption agencies in order to win this fight.”

That was spot on! The President was also on point when he noted that a judiciary, which stands firm against arbitrariness and injustice by the executive, is a vital pillar in the anti-corruption fight.

The three priority areas the President intends to pursue this year are: To organise African Youth Congresses against corruption, in order to sensitise and engage our youths to the fight against corruption; to mobilise all African Union member states to implement the African Union Convention on Preventing and Combating Corruption, and lastly, to advocate the strengthening of criminal justice systems across Africa through the exchange of information and sharing of best practices in the enforcement of anti-corruption laws.

Perhaps, if these are faithfully implemented, the estimated \$50 billion being lost annually on the continent to corruption will be halted. The big questions are: Will African leaders walk the talk? Will they give maximum support and cooperation to the leader of the crusade? Will the crusader also tighten the nuts and bolts of the anti-corruption war in his home country? Time will tell.

## **DSS, EFCC and Buhari's Anti-corruption War**

***The PUNCH, March 22, 2017***

President Muhammadu Buhari was voted into office on March 28, 2015 because he promised 'change from the norm'. The President pledged, among other things, to fight corruption to a standstill, wage war against insecurity, revive the economy and make life better for citizens. In truth, the anti-corruption war is on course. The administration has set up a presidential advisory committee on the anti-corruption battle under the leadership of Professor Itse Sagay; its implementation of the Treasury Single Account, initiated by its immediate predecessor in office, has yielded trillions of naira in savings; while the sustained use of the Integrated Personnel Payroll and Information System has assisted the government in weeding out a huge number of "ghost workers", as well as save billions of naira hitherto being diverted into personal pockets. Through the Bank Verification Number (BVN) introduced by the Central Bank of Nigeria, many corrupt persons have been exposed, whilst the newly launched Whistle-blower policy, wherein anyone with genuine information leading to the exposure of corrupt person earns five per cent of the recovered loot as well as protection, has been commended.

In order to re jig the anti-corruption war, on November 9, 2015, Assistant Commissioner of Police, Ibrahim Magu, was appointed as Acting Chairman of the Economic and Financial Crimes Commission (EFCC). On June 6, 2016, the Vice President, Yemi Osinbajo forwarded Magu's name to the Senate for confirmation. However, the Senate was not in a hurry to screen the nominee. It was not until October 2016 that Magu was invited to the Senate for the exercise. Then, the bubble burst. Two Department of State Services reports on the nominee surfaced. Both letters were dated October 3, 2016 and were written and signed by the same DSS official. One of the letters addressed to the Clerk of the Senate leveled a myriad of allegations against Magu and claimed that he failed the integrity test. The other letter exonerated him of any wrongdoing and asked the Senate to confirm him. The second letter

was addressed to the Senior Special Assistant to the President on National Assembly Matters (Senate), Senator Ita Enang. How can the same source blow hot and cold, approbate and reprobate, commend and condemn in the same breath? Does this not smack of mischief?

The Senate acted on the DSS communication to the Clerk, the one that said Magu failed the integrity test, and decided that he was not worthy of being appointed. His nomination was rejected, even without hearing from the gentleman. Shortly after, President Buhari asked the Attorney General and Minister of Justice to investigate the allegations against Magu. In a letter dated December 19, 2016, Magu was asked to state his side of the story within 48 hours. In a detailed response dated December 21, 2016, Magu offered a robust response to all the DSS allegations against him. The Attorney General seemed satisfied with Magu's response and must have so communicated to the President. Consequently, Magu's name was re-forwarded to the Senate for confirmation a second time. Unfortunately, on Wednesday, March 15, 2017, the candidate was screened by the Senate and rejected. His rejection was based on the two DSS reports on him (another was requested and submitted on March 14, 2017), as well as allegations of human rights abuse, disobedience of court orders and unsatisfactory response to many probing questions asked him. Many of those who watched the Senate screening of Magu live on television, testified that he was probably jittery and somewhat uncoordinated in his response.

Hours after his rejection, I was a guest of Silverbird Television on the station's News at 7 p.m. programme to offer insights into the import of the Senate's rejection of Magu as the EFCC chairman. The day after, on "Good Morning Nigeria", a discussion programme of the Nigerian Television Authority (NTA), I was also a privileged discussant on the same issue alongside the Chairman, Senate Committee on Anti-Corruption, Senator Chukwuka Utazi, and Alhaji Ibrahim Moddibo, a public affairs analyst. I have read the DSS allegations against Magu, as well as his response to the query from the Office of the Attorney General of the Federation. I have

also read a number of interviews on the subject matter. My conclusion is that there is more to the issue than meets the eye. There was obviously no sufficient housekeeping by the Presidency on this issue. How do I mean?

According to Utazi, the nomination of Magu was not accompanied with a security report on him when it was sent in June 2016. This was said to be against the customary practice and was the reason why the Senate had to ask its Clerk to officially write to the DSS for the missing vital document. Could the Vice President, who is a Professor of Law and a former Attorney General of Lagos State, not have known that such a nomination is accompanied with a security report on the nominated candidate? Could he not have been properly advised or briefed? Two, why did President Buhari not ask the DSS to substantiate its allegations against Magu and rather chose to write to the AGF to investigate the matter? I think it is a trite law that he who alleges must prove. The onus is on the DSS to prove its allegations against Magu and not for the AGF to be asked to investigate allegations against Magu. I do not think that the Office of the Attorney General, with due respect, has the capacity to investigate such a sensitive matter which borders on criminal allegations and abuse of office. If at all the AGF intended to do that, it should have asked the DSS to substantiate its claims against Magu and cross-check that with the defendant's response.

Third, why did the President not accompany the re-nomination letter of Magu as the EFCC Chairman to the Senate with his response to the query on the matter by the AGF? Why did Magu himself not come to his Senate screening with a copy of his response to the AGF and other documentary evidence that would have helped his case? Did anyone promise him that he was simply coming to "bow and go", as it is done by the Senate for some privileged individuals? On what basis and in whose authority did Senator Ita Enang write to the DSS for security vetting on Magu? Is that the norm? Why did the DSS write conflicting security reports on the same individual, on the same issue and on the same day?

There is no gainsaying that the Senate might have acted mala fide (in bad faith) by rejecting the nomination of Magu as the EFCC Chairman as a vendetta against him for prosecuting some of its members for corruption. However, as the African adage goes, “If you must blame the hawk for wickedness, first blame the mother hen for exposing her children to danger”. It is obvious from the many lapses and lacunae in the handling of Magu’s nomination that the Presidency did not do the needful to help its nominee. Opinions are divided on whether Magu can stay in office perpetually in an acting capacity and if he could still be re-nominated. Well, the court may have to be involved in the interpretation of the EFCC Act and the Public Service rule on this matter. But I do know that under former President Olusegun Obasanjo, Chief Onyema Ugochukwu was nominated four times before his nomination was confirmed by the Senate as the Niger Delta Development Commission (NDDC) Chairman, while Professor Babalola Borisade, a former Aviation Minister, was nominated thrice by the same President before his confirmation as minister. One thing boggles me, though: Why is it that all EFCC Chairmen ended their tenures in controversial circumstances? From Mallam Nuhu Ribadu to Ms. Farida Waziri, to Mallam Ibrahim Lamorde and now Magu. Is it corruption fighting back or that the system hasn’t been able to identify the best person for the job?

## **Avoiding the Mob Mentality in Nigeria’s Fight against Corruption**

***The Authority on Sunday, October 16, 2016***

On October 7 and 8, 2016, the unprecedented happened in the history of the Nigerian judiciary: The homes of seven judges were invaded by operatives of the State Security Service, better known as DSS (the Department of State Services). The exercise, which was carried out at night in a Gestapo-like fashion led to the arrest of Justices Sylvester Ngwuta and Inyang Okoro, both of the Supreme Court; the suspended Presiding Justice of the Court of Appeal, Ilorin Division, Justice Mohammed Tsamiya; Justice Kabiru Auta of the

Kano State High Court and Justice Adeniyi Ademola of the Federal High Court, Abuja. Others arrested were a former Chief Judge of Enugu State, Justice I. A. Umezulike, and Justice Muazu Pindiga of the Federal High Court, Gombe Division.

Opinions are divided among Nigerians about the propriety or otherwise of the purported sting operation of the DSS against the affected judges. Many Nigerians, who subscribe to the notion that the judiciary is the most corrupt arm of government, lauded the action of the security operatives. (I don't know of any empirical or scientific study that has proven this). These Nigerians, including senior lawyers, swallowed every bit of information released by the DSS on the arrested judges, hook, line and sinker. They concur to the saying of a philosopher that, 'a dose of autocracy is the cure for liberty misuse'. Left to this group of people, the indicted judges should not be tried in court but should be tied to the stake and shot like armed robbers are. They are quick to recite the immortal words of the former Chief Justice of Nigeria, Hon. Justice Muhammadu Lawal Uwais, that, "A corrupt judge is more harmful to the society than a man who runs amok with a dagger in a crowded street. The latter can be restrained physically. But a corrupt judge deliberately destroys the moral foundation of society and causes incalculable distress to individuals through abusing his office, while still being referred to as honourable."

Let me briefly recount what the DSS accused the judges of. It was alleged that they were corrupt, having, in the opinion of the DSS, been living ostentatious lifestyles. It was reported that during the sting operation, huge amounts of raw cash in various denominations of local and foreign currencies were recovered from the suspects. DSS gave the summaries of these to include: N93,558,000.00; \$530,087; £25,970; and €5,680 (a total of over N270 million). A judge was accused of having 15 cars, among which was a Rolls Royce and a house worth over a billion naira. The National Judicial Council (NJC), which has the responsibility of disciplining judges, was accused by DSS of shielding these corrupt judges by either not

acting on its petitions or giving the accused judges light punishments, which DSS referred to as 'soft-landing'.

Many gullible Nigerians believe all of these accusations and join the mob that wants these accused crucified. I refuse to join the fray. I believe that irrespective of the alleged crimes, the onus of proof is on DSS, as it is a dictum in law that he who alleges must prove. More fundamentally, since the allegations made against these judges are criminal in nature, the DSS must prove these beyond reasonable doubt in competent courts. I am not in support of corruption but in fighting the menace, due process must be followed. This is a democracy for God's sake! I won't fall for the bait that we need to go autocratic in order to solve our corruption challenge. During the military junta, various regimes made scapegoats of every other institution, except members of its constituency. The military claimed to be fighting corruption by arraigning politicians at its kangaroo tribunals and condemning accused persons to long terms of imprisonment without fair hearing. At the end of the day, it is now common knowledge that the military as an institution is even more corrupt than the political class. There have been lots of missing funds under successive military juntas, while the Abacha loot alone is in billions of dollars and is still being repatriated almost twenty years after his demise.

The statement issued by the NJC at the end of its emergency meeting of October 11, 2016 showed that the DSS has been feeding the public with half-truths at the best. Here are a few examples: While DSS informed the public that it sent petitions to NJC on the Supreme Court Justices Ngwuta and Okoro, NJC claimed that it never received any such petition against the aforesaid judicial officers. Also, while DSS claimed that Justice Tsamiya received a bribe of N200 million (two hundred million naira), the NJC clarified that he only demanded but did not receive the bribe. Even at that, at its meeting of September 29, 2016, NJC suspended the judge and recommended his compulsory retirement from the bench to President Muhammadu Buhari.

Furthermore, the DSS' allegation of corruption against Hon. Justice Mu'azu Pindiga of Gombe High Court was investigated, with both parties sending legal counsels to defend their positions. According to the NJC, "at the end of the investigation, the DSS could not substantiate any of the allegations of corrupt practices either by documentary or oral evidence against the Hon. Justice Pindiga. Consequently, at its Meeting of 15th July, 2016, Council decided to exonerate Hon. Justice Pindiga of the allegations of corrupt practices leveled against him by DSS". NJC claimed that unlike the impression created in the media by DSS, it only received two petitions from the security agency against Justice Nnamdi Dimgba and Justice Pindiga, both of which were investigated. The Council dared the DSS to contradict it on this claim.

The Council said all petitions and complaints forwarded against judicial officers bordering on corrupt practices and professional misconduct have been attended to and investigated, where applicable, by Council since year 2000 till date. It even went ahead to publish its scorecard. According to the NJC, from year 2000, when the National Judicial Council held its inaugural meeting to 2016, 1,808 petitions and complaints against judicial officers, including Chief Justices of Nigeria, Justices of the Supreme Court and the Court of Appeal were received. 82 of the judicial officers were reprimanded (through suspension, caution or warning) by the Council, in the exercise of its exclusive constitutional disciplinary power over judicial officers. 38 of the judicial officers were recommended for compulsory retirement from office to the President or Governor, where applicable, while 12 were recommended to the President or Governor as the case may be, for dismissal from office. Can both the executive and legislative arms of government come up with their own scorecard at self-cleansing?

There is no doubt that there are corrupt judges, just like there are corrupt officials in every institution of government and even the civil society. The NJC has been dealing with corrupt elements in its fold within the ambience of powers vested on it by the Nigerian Constitution. The wheels of justice grind slowly but surely, and we

should allow due process to take its course in the fight against corruption. The alternative to the judicial process is anarchy or self-help. The media trial of judicial officers, as currently being done by DSS, will erode people's confidence in the institution and that, in my opinion, is very dangerous. Many uninformed or misinformed criminals may seize the opportunity of this open ridicule of judges to attack even the innocent ones among them. We should not forget that some judges and members of their families have been kidnapped and attacked in the past. The DSS should expedite actions to charge the accused judges to court and lay bare the purported overwhelming evidences it has against them to ensure their conviction. In my view, the best anti-corruption strategy is to adopt preventive measures.

## **Nigeria and the Trial by Media Syndrome**

### ***The Authority on Sunday, June 5, 2016***

On June 1, 2016, I was among the resource persons at a roundtable organised for judicial correspondents of Nigerian media organisations. The event, held at Rockview Hotel, Abuja, was put together by a non-governmental organisation known as the Law, Media and Social Justice Development Initiative. The themes of the roundtable were "Reporting Court Proceedings by the Media: Uses and Abuses" and "Justice Development In FCT Judiciary." Among the dignitaries that graced the occasion were Hon. Justice Ishaq U. Bello, the Chief Judge of the Federal Capital Territory High Court (he came in company of five other justices of the FCT High Court); Mr. Waheed Odusile, the National President of the Nigeria Union of Journalists; Prof. Paul Idornigie (SAN); Chief J. K Gadzama (SAN); and Charles Odenigbo Esq., who was the chief host. There were five papers presented, and I spoke on the topic, "Trial By Media: Understanding Implications Through Case Studies."

In my presentation, I defined the media and also did an overview of the legal framework for media practice in Nigeria, before going to discuss the main issue. According to Wikipedia, "Trial by media is a

phrase popular in the late 20th century and early 21st century to describe the impact of television and newspaper coverage on a person's reputation by creating a widespread perception of guilt or innocence before, or after, a verdict in a court of law.” The problem with this syndrome or phenomenon, according to Ugur Nedim, a lawyer, is that it is a collision between the right to a fair trial on one hand and the freedom of speech and public interest (including ‘open justice’) on the other. While the public has a right to know if politicians are involved in less than ethical behaviour, there comes a point where excessive media coverage could impact on a fair trial. Finding this balance often proves elusive.

To buttress the negative impact of this practice of trial by the media, I cited an opinion article published in 2012 by Urvashi Singh of Singh Associates, India, who said: “Media has now reincarnated itself into a ‘public court’ ...and has started interfering in court proceedings so much so that it pronounces its own verdict even before the court does. It completely overlooks the vital gap between an accused and a convict, keeping at stake the golden principles of ‘presumption of innocence until proven guilty’ and ‘guilt beyond reasonable doubt’”. A school of thought believes that trial by the media is a contempt of court. It opines that it is tantamount to scandalising, prejudicing trial, and hindering the administration of justice. This phenomenon is not peculiar to Nigeria, but is a global challenge.

In trying to discuss how this syndrome plays out in Nigeria, I quoted a *Nigerian Tribune* editorial published on March 16, 2016, entitled: “Corruption and trial by the media.” The newspaper, which is the oldest surviving print medium in Nigeria, having been established by the late sage, Chief Obafemi Awolowo, in 1949, opined that: “Between the anti-corruption agencies and the media, there appears to be a symbiotic alliance which ensures that, rather than in the law courts where the prosecution and the accused go through the rigour of marshaling evidences for and against conviction, conviction is not only ten-a-dime on the airwaves and on the pages of newspapers, it

is offered in a peremptory, at-the-drop-of-a-hat manner which should bother society.”

The editorial went further to state that: “These days, there is a predictable pattern to the media conviction of accused persons: media organisations are given the minutest details of allegations against the accused a few days before their arrest, the accused are subsequently arrested and, almost immediately, likely charges fly about in the media. The circus is in turn enlivened on the day of the arraignment through a hyped feast on the case by a multiplicity of Nigerian media organisations that are thirsty for ‘exclusive’ stories.”

Some of the instances of trial by the media or prosecution via ‘court of public opinion’ pertain mainly to cases of corruption, and include the trial of bank chief executives such as Cecilia Ibru, Erastus Akingbola, and Francis Atuche in 2009. Also, the Femi Otedola versus Faruk Lawan fuel subsidy probe saga; the trial of the immediate past National Security Adviser, Sambo Dasuki and beneficiaries of the largesse from him, especially Peoples Democratic Party (PDP) chieftains and the military high command, including ex-Chief of Defence Staff, Alex Badeh and several other military top shots. There is also the case with the trial of the immediate past Senate President, Bukola Saraki, at the Code of Conduct Tribunal. It is noteworthy that trial by the media also takes place in murder cases, as well as in other matters involving high profile individuals, especially politically exposed persons.

How is this trial conducted? There are several ways media practitioners do this. It is done through the publishing of editorials, news reports, features stories, including the opinion articles of columnists and public affairs analysts, and the broadcasting of vox pop pieces. It is also done through the use of social media, in blogging, tweeting, posting on Facebook, and the parade of suspects on camera and many more. This trial by the media exposes perpetrators to libel suits, as in most cases it leads to the defamation or assassination of the character of the accused. It is instructive to note that trial of accused persons in the ‘court of public opinion’ is not rooted in law and as Hon. Justice Ishaq Bello pointed out at the

roundtable, the conclusions reached by the public most times will be at variance with that of the legally constituted courts, whose decisions will be arrived at after considering the weight of evidence provided by the prosecution team.

My recommendations on the way forward include: The need for Nigerian anti-corruption agencies, especially the Economic and Financial Crimes Commission to stop leaking vital evidences and charges to media houses and to learn to engage in the diligent prosecution of suspects. Also, there is the need for our media practitioners to use the appropriate language of reportage in reporting cases of alleged corruption. There is the imperative of training and retraining Nigerian journalists on how to report on judicial matters; and legal counsels should stop maligning judges when they grant press interviews after court sessions. Lastly, media regulatory agencies should be alive to their responsibilities by ensuring that appropriate sanctions are meted to any media house indulging in trial by the media.

## **Dasukigate and the Limitation of Money Politics**

### ***The Authority on Sunday, January 31, 2016***

In November 2015, news broke that the Office of National Security Adviser, under the leadership of Colonel Sambo Dasuki (Rtd.), had been used as a conduit pipe to fund the failed re-election bid of President Goodluck Jonathan. It has been alleged that part of the sum of \$2.1 billion meant for the procurement of arms and ammunition to fight insurgency, particularly in North-East Nigeria, was funneled into the presidential campaign of former President Jonathan in the lead up to the 2015 general election. Dasukigate, otherwise known as Armsgate, has thrown up many revelations. Aside the diversion of funds for the election purpose, fraudulent arms contract deals had also been uncovered by the military audit panel set up by incumbent President Muhammadu Buhari to look into arms procurement in the last eight years.

A January 15, 2016 press statement issued by the Senior Special Assistant to President Buhari on Media and Publicity, Mallam Garba Shehu, said a number of offences were outlined by the military panel established to audit the procurement of arms and equipment in the armed forces and defence sector, from 2007 to 2015, against 17 top military brass, both serving and retired, as well as against certain other non-military individuals and companies. Such breaches, as identified by the audit committee, included “non-specification of procurement costs, absence of contract agreements, award of contracts beyond authorised thresholds, transfer of public funds for unidentified purposes and general non-adherence to provisions of the Public Procurement Act.” It added that, “the procurement processes were arbitrarily carried out and generally characterised by irregularities and fraud. In many cases, the procured items failed to meet the purposes they were procured for, especially the counter insurgency efforts in the North East.”

On the political angle, billions of naira were also allegedly distributed by Col. Dasuki as National Security Adviser for political patronage. In his Statement of Witness/Accused Person reportedly filed in the High Court of the Federal Capital Territory and published in *The Nation* newspaper of December 14, 2015, the erstwhile NSA purportedly admitted to having handed over N10 billion given to the Peoples Democratic Party’s presidential primary convention delegates to former President Goodluck Jonathan’s Special Assistant on Domestic Affairs, Waripamowei Dudafa and his Aide-de-Camp. Dasuki reportedly said the money was ultimately disbursed by the two aides, on the directive of Dr. Jonathan. The ex-NSA was also alleged to have authorised the payment of N380 million for further disbursement to members of the House of Representatives as a campaign contribution.

The newspaper equally quoted the former NSA, now on trial for corruption, to have said that: “In respect of funds given to Amb. Bashir Yuguda between December 2014 and 2015, I authorised the payment of N1.5bn from the Office of the National Security Adviser for political campaign in the last elections. I remember paying

DAAR Communications the sum of N2.120bn from ONSA for media activities for the Presidential Campaign 2015.”

Indeed, some of those who collected the monies have admitted doing so. They include Chief Olu Falae, Chairman of the Social Democratic Party, who confirmed to have collected N100 million for his party to mobilise support for the re-election bid of President Jonathan. Former Governor Rashidi Ladoja of Oyo State, who is a leader of the Accord Party, also admitted receiving N100 million on behalf of his party for a similar purpose. The National Publicity Secretary of Peoples Democratic Party, Chief Olisa Metuh is equally standing trial for collecting a sum of N400 million from the Office of the National Security Adviser (ONSA) for undisclosed business. Even former PDP Chairman, Haliru Bello and his son Abba Bello, have been arraigned in court for collecting the sum of N300 million from the same source. Details of the fraudulent disbursements are still unraveling, with several persons and companies already charged to court for collecting out of the largesse from the ONSA.

However, the most instructive lesson from all of the sordid details unfolding is the limit of money in ensuring electoral victory. It would be recalled that on December 20, 2014, ahead of the 2015 general election, PDP organised a fundraising dinner, where a princely sum of N21.3 billion was garnered. This huge sum, we are told, was to be expended on the election campaign of former President Goodluck Jonathan, as well as for party administration. This was aside the supposed N12 billion allegedly realised from the sales of expression of interest and nomination forms from aspirants seeking to contest on the platform of PDP in 2015.

It is most unfortunate that with all these humongous resources deployed into the 2015 general election, PDP still suffered its worst defeat in 16 years. The party not only lost the presidential seat to the hitherto opposition All Progressives Congress (APC), it also lost its majority in the Senate, the House of Representatives, the State governorships and the State Houses of Assembly.

A number of companies have also dragged the former ruling party to court for defaulting in paying for rendered services. For instance,

*The PUNCH* of January 12, 2016 reported that an Abuja-based firm, Twinkle Nigeria Limited, sued the Peoples Democratic Party and some members of the party's 2015 presidential campaign committee for their alleged failure to pay a N350 million fee for the job it executed for them. Earlier, a company, Silon Concepts Limited had sued the PDP and the party Chairman, dragging them to appear before the High Court of the FCT in 2015 for their alleged refusal to pay it an outstanding N70 million balance of the cost of the services it rendered during the Jonathan campaign.

The misfortune of PDP, in spite of the financial war chest it deployed to prosecute the 2015 elections, is a pointer to the fact that there are other variables beyond money that guarantee electoral success. It will also be interesting to see the content of the election expenses report of PDP to the Independent National Electoral Commission, as stipulated in S. 92 (3) of the Electoral Act 2010, as amended and election contributions report, as specified in S. 93 (4) of the Act.

## **Is Buhari's Anti-corruption War a Ruse?**

**The PUNCH, Wednesday, January 27, 2016**

The magic wand that got President Muhammadu Buhari electoral victory in the March 28, 2015 presidential election was his anti-corruption antecedents and pledges. While he was Head of State between January 1, 1984 and August 27, 1985, he set up several military tribunals to summarily try elected politicians of the Second Republic (1979 – 1983). Many of them were found guilty of graft and abuse of office and sentenced to long years of imprisonment. The electorate in 2015 wanted change from the deepening rot in governance and decided to vote for a man who had done it before and who had promised to do it again. That was how Buhari, on his fourth attempt as presidential candidate, was able to do the impossible in Nigerian history by defeating a sitting president!

President Buhari has been in the saddle for the past eight months and expectations are high. Since his inauguration on May 29, 2015,

Mr. President has taken a few bold steps aimed at fighting corruption. They include the sacking of some purportedly corrupt heads of government agencies, such as the Nigerian Maritime Administration and Safety Agency (NIMASA), the Nigeria National Petroleum Corporation (NNPC), and a few others. He also decided to enforce the Treasury Single Account initiated by his immediate predecessor in office. Buhari has equally been junketing across the globe seeking help and signing bilateral and multilateral agreements with some countries for the repatriation of the country's stolen wealth.

On Tuesday, January 19, 2016, he signed the Mutual Legal Assistance on Criminal and Commercial Matters, which will allow the government of the United Arab Emirate to return monies hidden or invested in banks and real estates in the country to Nigeria. Since his second coming, all the anti-corruption agencies have become energised. Many past and present political office holders, including governors, lawmakers, ministers, commissioners and indeed a National Security Adviser have been dragged to court to answer corruption charges.

We heard that some former top government officials have, of their own accord, decided to return part of their loot to government coffers. Nigerians await the official announcement of how much has been voluntarily returned, who collected the returned loot and where it is being kept. While it may be true that this administration, through its anti-corruption agencies, have charged many to court for corruption, the government has yet been engaged in more media trials than actual prosecutions. In addition, very vital documents that should have been used to prosecute those arrested for corruption are finding their way to the public through various media outlets. There have been much of name-calling, labeling, spurious statistics of corrupt officials and how much they have purportedly stolen, bandied around.

Take, for instance, the alarm raised by the Minister for Information, Alhaji Lai Mohammed that 55 well-placed Nigerians stole a whopping sum of N1.34 trillion between 2006 and 2013. At a world

press conference he addressed in Abuja on Monday, January 18, 2016, to mark the beginning of the war against corruption in Nigeria, the Minister was quoted as saying that: “Out of the stolen funds, 15 former governors stole N146.84 billion; four former ministers took N7 billion; 12 former public servants, both at federal and state levels, stole over N14 billion; eight other Nigerians in the banking sector made away with N524 billion, while 11 businessmen cornered N653 billion.” How reliable are these figures? These are mere allegations that are yet to be proven in court. Moreover, they are sweeping statements devoid of details of the identities of those accused.

Now, for a government that says it is committed to fighting corruption, I found it difficult to reconcile that stance with the humongous amount allocated to State House in the 2016 budget. How on earth can this government justify the purported increment of the capital budget of the Presidency from N4.3 billion in 2015 to N19 billion this year? What defence has the Presidency for voting a whooping N15 billion as security vote; N3.2 billion for the State House Medical Centre; N5 billion for the Integrated Personnel and Payroll Information System; N3.63 billion for the purchase of BMW saloon cars; and N800 million for a website, to mention but a few of the line items in the budget? Why is the Buhari administration sustaining the profligate legacy of past administrations by voting monies for the sponsorship of pilgrimages to Saudi Arabia and Israel?

A government that was voted to power on the mantra of change cannot rule the way of its predecessors and expect people to believe that it is different. Philosophers say that it is insane to do things the same way and expect a different outcome. Given that a chunk of the 2016 budget will be financed through loans, then I expect to see none of those ridiculous and incredible budget sub-heads. If at all there is justification for them to be there, under this zero-based budgeting, I do not expect the mind-blowing sums earmarked for them.

To expose the wrong priorities of this present administration, while increasing the budget for the Presidency, the total vote for nine anti-corruption agencies is put at a mere N27 billion, according to *The Nation* of January 12, 2016. The newspaper stated that, “the Economic and Financial Crimes Commission, for instance, had about N13.8bn allocated to it in 2011. It suffered a decline to N10.6bn in 2012, N9.8bn in 2013, N10.2bn in 2014 and N10.4bn in 2015. The Independent Corrupt Practices and other Related Offences Commission received N3.6bn in 2011, N4bn in 2012, N4.5bn in 2013, N4.6bn in 2014 and N4.9bn in 2015. For the Code of Conduct Bureau, it was N1.4bn in 2011, N3.9bn in 2012, N2.9bn in 2013, N2.8bn in 2014 and N2.3bn in 2015. The Code of Conduct Tribunal was allocated N359.6m in 2011, N461.2m in 2012, N517.1m in 2013, N512.6m in 2014 and N806.9m in 2015. The Fiscal Responsibility Commission got N336.8m budget in 2015; Bureau of Public Procurement had N1bn and so did the Nigeria Extractive Industries Transparency Initiative. The Public Complaints Commission had N2.5bn and the office of the Auditor-General of the Federation had N3.2bn.”

The Chairman of the Independent Corrupt Practices and other Related Offences Commission (ICPC), Mr. Nta Ekpo, was reported to have cried out to the Chair of the Senate Committee on Anti-Corruption and Financial Crimes, Senator Chukwuka Utazi that the anti-graft agency had been unable to successfully carry out its statutory responsibility of fighting corruption due to insufficient funds. Nta stated this on Friday, January 15, 2016 when he hosted the members of the committee, in his office. The ICPC boss allegedly told his visitors that the yearly budget of his agency was insufficient to carry out its responsibility of fighting corruption. He said, “In 2015, the commission proposed N9.5 billion, but N4.9 billion was appropriated, while N4.2 billion was released. Note the differentials between the amount proposed and that budgeted vis-à-vis actual release.”

If the anti-corruption agencies of government are starved of funds, how can this administration win the war against the monster? I

laughed at the recent order by the new Comptroller General of Nigerian Customs Service and Chief of Army Staff that all their personnel should declare their assets. While it may be a good idea, the question is: what follows? How will the Code of Conduct Bureau (CCB), whose mandate is to verify declared assets, go about that operation in the face of dwindling financial resources for its operations? This administration, if it is serious about fighting corruption, should have ensured that the anti-corruption agencies are well resourced. It needs to be emphasised that this administration will be judged, not on the number of media trials it conducts or indeed the number of persons charged to court for prosecution, but the number of persons convicted for corruption.

# Chapter 2

## POLITICS

**This chapter contains seven articles that advocated for issues-driven campaign, media and political accountability, dispassionate analysis of the management of two leading Nigerian political parties, that is, Peoples Democratic Party as well as the All Progressives Congress. It also condemned the abuse of State Administrative Resources by a political party.**

## **Nigerian Media and Political Accountability**

***The PUNCH*, December 5, 2018**

*“Only a redeemed media can redeem the nation from drowning in the turbulence of malicious misinformation and hate-mongering that is already gathering.”* – Professor Ayobami Ojebode on Thursday, November 29 at the Radio Nigeria 2018 Annual Lecture in Abuja.

History has it that the first edition of Nigeria's premier newspaper, *Iwe Irohin*, came out on November 23, 1859. The newspaper, founded by Reverend Henry Townsend, was published every 15 days and sold for 120 cowries, which was equivalent to a penny. That means the Nigerian media has been in existence for 159 years! There is an estimated 103 television stations operating in Nigeria, with hundreds of print and other electronic media outlets. In order to add to the plurality and vibrancy of the Fourth Estate of the Realm, news broke on Tuesday, November 17, 2018 that the Federal Government had approved the issuance of operating licences to 213 new public and private broadcasting outfits in the country.

There is no gainsaying that the Nigerian media has scaled a lot of hurdles to maintain relevance and contribute to nation-building; they played key roles in the struggle for the decolonisation, demilitarisation and democratisation of Nigeria. Newspapers like the *West African Pilot*, *Nigerian Tribune* and *Daily Times* were thorns in the flesh of the British colonialists. The role of newspapers like *The PUNCH*, *National Concord*, *The Guardian*, as well as weeklies such as *News watch*, *The News* and *Tell* magazines in the return of Nigeria to civil rule from successive military juntas cannot be over-emphasised. These news media outlets were banned by various military regimes on several occasions.

Section 22 of the 1999 Constitution of Nigeria proclaims that, “The press, radio, television and other agencies of the mass media shall at all times be free...to uphold the responsibility and accountability of the government to the people.” While playing this vital role, many journalists have lost their lives. The *Independent* of the UK, on Tuesday, October 9, 2018, reported that, “According to the

Committee to Protect Journalists, a New York-based organisation defending the freedom of the press, at least 43 journalists have been killed in 2018 so far.”

As Nigeria prepares for the sixth general election in this Fourth Republic, there have been a lot of capacity building programmes for political correspondents in the country. In fact, the Independent National Electoral Commission, in November 2018, trained its press corps in election reporting. A recurring decimal on the agenda of the training of the journalists is the need for “conflict sensitive reportage.” There is a growing feeling that the Nigerian media are purveyors of fake news and hate speech, which usually spike during political campaign seasons.

Bothered about this negative development, the Federal Radio Corporation of Nigeria, better known as Radio Nigeria, decided to make the issues the theme of its 13th Annual Lecture held on Thursday, November 29, 2018. It was a rainbow gathering of media juggernauts in Nigeria. The event, anchored by ace broadcasters, Tope Ojeme and Harriet Parkinson, also had in attendance the Minister of Information and Culture, Alhaji Lai Mohammed; Permanent Secretary in the Federal Ministry of Information, Deaconess Grace Isu Gekpe; Chairman, House Committee on Information, National Orientation, Ethics and Values, Olusegun Odebunmi; Director-General of Voice of Nigeria, Mr. Osita Okechukwu; and representatives of the Directors-General of the Nigerian Television Authority, the National Broadcasting Commission and News Agency of Nigeria. Also in attendance were the board Chairman of the Federal Radio Corporation of Nigeria (FRCN), Mallam Aliyu Hayatu; the Director-General of FRCN, Dr. Mansur Liman; and zonal directors, management and staff of the Corporation.

The guest speaker was the Head of Department of Communication and Language Arts of University of Ibadan, Professor Ayobami Ojebode, while lawyer-cum-journalist, Lillian Okenwa and I, were the discussants. Speaking on the topic, “Fake News, Hate Speech and the 2019 General Election: The Role of the Nigerian Media”,

Ojebode said, “There are many definitions of fake news but they all come to two: the definition that we know and the one imposed on us by the politicians. Fake news is an account that did not occur. It is the product of a person’s imagination for purposes that may or may not be mischievous.” The speaker believes that we are in a post-truth era where nothing is sacred anymore. According to him, “Telling the truth no longer matters, and respecting the truth when told no longer matters. What should worry us is this: When we close our eyes to the truth long enough, we become totally blind to it.”

According to the scholar, “Hate speech emerges from a deliberate act of reducing the humanity in a person or a group, a process of making them a thing, an object of little worth. It follows a process of essentialisation: collectively sizing up a group of people, selecting what annoys us most about them, and tagging it on their forehead as their name or identity or word by which they should be known. This tagging is then fuelled by relentless repetition until it sticks.” The academic opined that what should worry us more are twisted or fabricated contents driven by greed, while we should also gang up against nonfactual, twisted or fabricated news content, which are meant to harm and are driven by hate.

Ojebode submitted that for the media to lead or support the fight against fake news and hate speech, it must first redeem itself. According to him, “Within the last one year, the National Broadcasting Commission has recorded and sanctioned 260 cases of hate speech on radio and television. It has sanctioned 347 cases of unverified claims, which is a cousin of fake news.” He enjoined the National Broadcasting Commission (NBC), News Agency of Nigeria (NAN), the National Press Council, and other stakeholders to take the lead in the compilation of a directory of hate words and expressions, and also proposed that media organisations could have an item on their website menu named “FAKE NEWS”, like a flying banner, where citizens in search of truth can check and find the latest fake news.

In my presentation, I cited several cases of fake news in the past and quoted Section 95 (1) and (2) of the Electoral Act 2010, as amended,

which bans hate speech, especially during political campaigns. I also brought to the attention of the audience the latest effort of First Draft, an organisation based in the United Kingdom, which seeks to tackle the global problem of fake news. I informed the participants that Punch Nigeria Limited and 14 other major news organisations have formed a coalition against fake news. The verification project, known as Cross Check Nigeria, has launched a website, [www.crosschecknigeria.org](http://www.crosschecknigeria.org). I called for strict adherence to the newly revised “Nigerian Media Code of Election Coverage”, while also emphasising the need for stiffer penalties for fake news and hate speech, as well as enforcement of extant laws on the ugly phenomena.

No doubt, it is harvest season for the media, more so as candidates and their political parties jostle to outspend one another in political adverts. Although making money is important, I enjoin media practitioners to be politically accountable by rejecting adverts that promote fake news and hate speech. As Ms. Okenwa observed at the FRCN lecture, whatever does not uplift the people and unite the nation should be avoided like a plague!

## **2019: Between Political Accountability and Electoral Integrity**

### ***The PUNCH*, November 28, 2018**

As we count down to Nigeria's next general election, which are 80 days away, I took it upon myself to unravel the mystery of the country's electoral albatross and found out that legally, the framers of our laws had done the needful to ensure credible elections. Today, I am looking at the provisions of the laws meant to enhance political accountability and electoral integrity.

Starting with the appointment of the leadership of the electoral body, I mean the Chairman and 12 national commissioners, as well as the 37 Resident Electoral Commissioners of the Independent National Electoral Commission, better known as INEC, they are meant to be men and women of integrity. In fact, their appointments are “double-decker.” Although they are appointed by the President, this is

subject to the confirmation of the Senate. According to Section 14 of the Third Schedule of the Constitution of the Federal Republic of Nigeria 1999, as amended, these appointees shall be non-partisan and persons of unquestionable integrity.

It should be noted that prior to the 2010 constitutional amendment, it was possible to appoint card-carrying members of political parties into INEC because of the provision of Section 156 (2) of the Constitution, which then required that for anyone to be appointed into any of the 14 federal executive bodies listed in Section 153 of the Constitution, they must satisfy conditions similar to those of an aspirant into the House of Representatives, which in Section 65 (2) (b) of the Constitution, makes it mandatory to be a member of a political party. It is gratifying that the error has been corrected.

As part of efforts to ensure electoral integrity, the Electoral Act 2010, as amended, herein referred to as the Act, in Section 10 (2), expects anyone who wants to register to vote to apply in person (that is, there is no voter registration by proxy). That section also requires anyone who wants to register to come with a valid means of identification, be it a birth or baptismal certificate, driving licence, travel document, National Identity Card or “any other document that will prove the identity, age and nationality of the applicant.” Were these provisions strictly adhered to, we would not have had cases of underage persons and foreign nationals on our national register of voters.

To further enhance the integrity of the voters' register, INEC in 2011 introduced the advanced biometric voter's registration, whereby both the face and fingerprints of registrants are captured on the Direct Data Capturing Machine. We should recall that the 2006 Voters' Register of INEC was so flawed that it was reported that names of deceased people and non-Nigerians featured prominently in the document. This was why Professor Attahiru Jega insisted on compiling a fresh voters' register when he was appointed Chairman of INEC in June 2010. As part of enhancing the integrity of our voters' register, Section 19 of the Act makes it mandatory for INEC to display the list of voters for between five and 14 days to give

voters the opportunity to make “objection and complaints in relation to the names omitted or included in the voters register or in relation to any necessary correction.” This was done between November 6 and 12, 2018.

Are Nigerians aware that INEC’s introduction of the chip-embedded permanent voter’s card (PVCs) and smart card reader (SCR) in 2014 was in order to enhance electoral integrity? These were regarded as the game changer in the 2015 general election. This was because unlike in the 2011 elections, when Nigerians voted with the temporary voter’s card, which could not be electronically verified, in the last general election, the introduction of the PVC and the SCR for purposes of accreditation of voters was helpful in ensuring that those who voted were actual persons who had registered and that no one had the opportunity of voting more than once.

Again, as part of measures to shore up the credibility of our elections, Section 45 of the Act recognises and allows all political parties to submit the names of their polling agents to INEC and to deploy them after accreditation by the commission. Section 43 (4) of the Act entitles polling agents to be present during the distribution of election materials, as well as at places where voting, counting, collation and the announcement of election results were going on. Section 50 of the Act says that, “A candidate or a Polling Agent may challenge the right of a person to receive a ballot paper on such grounds and in accordance with the procedures as are provided for in this Act.” Are people aware that, according to Section 63 (3) of the Act, polling agents are entitled to copies of election results that they supervise? Unfortunately, many candidates and political parties do not deploy agents to represent their interests in elections.

It is in a bid to enhance electoral integrity that the Electoral Act in Section 61 recognises the presence of INEC accredited election observers at polling units.

On the part of political accountability, the law also speaks! To prevent the corruption of our electoral process, the 1999 Constitution of Nigeria, as amended, forbids political parties from receiving foreign donations. Section 225 (3) of the legislative

grundnorm states that, “No political party shall – (a) hold or possess any funds or other assets outside Nigeria, or (b) be entitled to retain any funds or assets remitted or sent to it from outside Nigeria.”

There are also several disclosure principles in our laws, aimed at ensuring political accountability. Section 225 (2) of the Constitution states that, “Every political party shall submit to INEC a detailed annual statement and analysis of its sources of funds and other assets together with a similar statement of its expenditure in such form as the Commission may require.” According to S. 226. – (1), “INEC shall in every year prepare and submit to the National Assembly a report on the accounts and balance sheet of every political party.”

According to S. 89 (4) of the Act, INEC is mandated to publish the report on the independent audit of the account books of political parties in three national newspapers. Is this being done by the regulatory agency? Section 92 (3) says, “Election expenses of a political party shall be submitted to the commission in a separate audited return within six months after an election...” How many political parties are in compliance with this law? What sanction has INEC brought to bear on erring political parties?

Section 92 (6) of the Act makes it mandatory for political parties to publish the election expenses report submitted to INEC in at least two national newspapers. To further enhance political accountability, Section 92 (8) states that, “The commission shall make available for public inspection during regular business hours at its headquarters and state offices the audit returns of the political parties required by sub-section (3) of this section which shall include the names, addresses, occupation, and amount contributed by each contributor to a party.”

According to Section 93 (4) of the Act, “A political party sponsoring the election of a candidate shall, within three months after the announcement of the results of the election, file a report of the contributions made by individuals and entities to the commission.” Also, to enhance electoral integrity and political accountability, Sections 124 and 130 of the Electoral Act 2010, as amended, has

criminalised bribery, vote-buying and other forms of inducement in the electoral process.

It is worth mentioning that the culture of political debates, which is being institutionalised by the Nigerian media and civil society organisations, is part of measures to promote political accountability. On Thursday, November 22, 2018, the Nigerian Election Debate Group and the Broadcasting Organisations of Nigeria announced schedules for the 2019 presidential election debates. According to the Group, the vice-presidential debate would hold on December 14, 2018, while the presidential debate will hold on January 19, 2019 at the Transcorp Hilton Hotel, Abuja.

### **2019: Issues-driven Campaigns, Please!**

#### ***The PUNCH*, November 14, 2018**

It's exactly 94 days to the first tranche of elections holding on February 16, 2019. On November 18, 2018, the official campaigns for the presidential and National Assembly (Senate and House of Representatives) elections will start in accordance with the provisions of Section 99 (1) of the Electoral Act, as amended. That section says, inter alia, "...the period of campaigning in public by every political party shall commence 90 days before polling day and end 24 hours prior to that day." Against this backdrop, it is needful to interrogate the type of campaigns that will define the 2019 elections. Will they be issues-driven or smear campaigns?

Before going into the kind of campaigns I look forward to, let me do a recap of some of the major political activities that have so far been carried out in preparation for the all-important sixth general elections in Nigeria's Fourth Republic, which commenced on May 29, 1999. Hitherto, there had been the registration of political parties, (now we have 91 of them officially recognised and certified by the Independent National Electoral Commission). Continuous voter registration was held from April 27, 2017 to August 31, 2018, and we now have 84 million registered voters. There was also the 2018 amendment to the electoral law, with the President signing five

constitutional amendments into law between May 31 and June 8, 2018.

Among the new constitutional amendments are that issuing from the Not-Too-Young-To-Run bill that was signed into law on Thursday, May 31, 2018. This new law has reduced the age qualifications for aspirants to the office of the President and for seats in the federal House of Representatives and state Houses of Assembly from 40 to 35 years and 30 to 25 years, respectively. INEC now also has the number of days for the conduct of run-off elections increased from seven to 21 days. Equally signed into law was the bill putting a time limit to the resolution of pre-election disputes and the bill banning any vice president or deputy governor who serves out the time left of their Principal's term of office from contesting more than once. The only bill that is not directly related to elections is the one granting financial autonomy to the state judiciary and the state Houses of Assembly.

On November 7, 2018, the National Assembly, for the fourth time, transmitted the Electoral Act (amendment) Bill to President Buhari for assent. The issue of funding for the forthcoming elections has also been laid to rest with the National Assembly's approval of the entire budget of N242billion for the conduct of the polls. Only N189billion is due to INEC from this sum, while the rest is earmarked for security agencies to provide election security. There have also been sustained voter education and training for different stakeholders in the electoral process.

One of such capacity building initiatives was embarked on by the International Press Centre (IPC) in Lagos. IPC, with support from the European Union, recently revised "The Nigerian Media Code of Election Coverage". The Centre has also been training Nigerian journalists for the Herculean task of election reporting. I have had the privilege of being part of the team of resource persons, which include eminent journalists like the founder of Journalism Clinic, Mr. Taiwo Obe; the editor of *ThisDay* newspaper, Mr. Bolaji Adebisi; Nigeria's first female professor of Mass Communication, Professor Chinyere Stella Okunna, and an Assistant Director of

Programmes with the Federal Radio Corporation of Nigeria, Mrs. Funke Treasure Durodola. I was also part of the experts who trained some journalists at the “Capacity Building Media Workshop for Political Correspondents” in Abeokuta from October 31 to November 1, 2018, as well as the “Media Workshop on Best Practices and Professional Reporting of the Electoral Process” held in Enugu from November 12 – 13, 2018.

Among the papers presented at the two workshops were, “Challenges of Election Coverage in Nigeria: A Reporter’s Account”, and the “Do’s and Don’ts of Election Reporting” by Bolaji Adebisi, and “Covering the Political Space using Digital Media Tools and Apps” by Taiwo Obe. In addition, there was, “Integrating Socio-economic and Human Index Development Data Into Political Reporting Ahead of 2019 Elections” and “Reckoning With Accountability and Transparency Issues In Election Reporting”, which I was privileged to speak on.

At the Enugu training, papers were presented on: “According Ethics and Professionalism Deserved Priority In Reporting Elections In Nigeria” by Professor Okunna and “Mainstreaming Reports of Gender and People Living With Disabilities In the Electoral Process” delivered by Mrs. Durodola. According to the Director of the International Press Centre, Mr. Lanre Arogundade, the reporters shortlisted to attend the two workshops were among the over 500 applicants who expressed interest to be trained at the workshops.

Now that the campaigns are about to start in the next 72 hours or thereabout, I wish to see improvements in the media coverage of the campaigns and the elections, arising from the capacity building that some of the political correspondents and journalists covering other beats have received from organisations like the IPC. Having said that, however, I want to specially appeal to political parties and contestants in the forthcoming elections to eschew hate speech, character assassination, mudslinging, inflammatory comments and the propagation of fake news. Heating up the polity is an illwind that blows no one any good. Electoral violence should not be part of the characterisation of the 2019 elections. Therefore, candidates and

their political parties should not engage in killing and maiming of political opponents nor should they sponsor thugs to disrupt the campaigns of fellow contestants.

What are needful at this critical juncture are issues-based campaigns. As I said in my presentations at the aforementioned training, media practitioners must take candidates to task on their campaign promises by clinically examining those pledges in terms of their feasibility quotient. The media must set the agenda for the campaigns. Political debates, town hall meetings and other campaign strategies must be veritable platforms for asking candidates the right questions. Questions about the country's socio-economic developmental challenges and what they intend to do about these should also be asked. It is a known fact that politicians campaign in poetry but deliver in prose. The media must not just indulge in publishing or broadcasting campaign promises, journalists must ask how these promises are to be achieved and within what timeframes.

On Monday, November 12, 2018, the acting Chairman of the Economic and Financial Crimes Commission, Ibrahim Magu, boasted to have recorded 703 convictions and recovered trillions of naira within three years of being at the helm of affairs of the anti-corruption agency. Magu announced that the EFCC under his watch recouped N794billion, \$261million (about N77.8billion), £1.1million and 407 mansions from looters. Can these be independently verified by investigative journalists?

I look forward to learning about the stance of the 73 presidential candidates and hundreds of governorship candidates in the 2019 elections, on how they intend to fight corruption and run accountable governments when voted into power. What new legislations do the thousands of contestants to the national and state assemblies intend to sponsor to promote accountability in government? These are germane questions to ask, by journalists and the electorate, from candidates as they crisscross the length and breadth of the country trying to woo voters ahead of the 2019 elections.

## **Is This the Beginning of the End of APC?**

***The PUNCH, May 9, 2018***

The All Progressives Congress (APC) commenced the election of new party executive members with the ward congresses held across the country on Saturday, May 5, 2018. Unfortunately, the party, whose motto is 'Justice, Peace and Unity', ended up with an exercise that was marred by widespread violence, the alleged imposition of candidates, holding of parallel congresses, confusion and controversies. What happened at the elective congresses gave credence to the initial resolution of the party on February 27, 2018, when the National Executive Committee of the APC decided to extend the tenure of the current executives by a year, beginning from June 2018.

It took the intervention of President Muhammadu Buhari, who asked the party to rescind that decision because it was illegal and unconstitutional, before the party agreed to have elective congresses and a national convention. Initially, the party had scheduled the ward congresses for Wednesday, May 2, 2018; local government congresses for Saturday, May 5; state congresses for Wednesday, May 9 and national convention for Monday, May 14. However, it later postponed the convention till June, while rescheduling the congresses to May 5, 12 and 19 for the ward, local government and state levels respectively.

The whole essence of the party congresses was to elect new party executives that will pilot the affairs of the APC for the next four years, as well as to elect delegates for the national convention. Unfortunately, power tussles among the different interest groups in the party robbed the ward congress held of any legitimacy. There were reported cases of violence. For instance, in Delta State, a chairmanship aspirant in Jeremi Ward 10 (III), Ughelli South Local Government Area, Mr. Jeremiah Oghoveta, was reportedly stabbed to death. There were also reported cases of violence in Oyo, Rivers, Taraba, Anambra, Ondo, and Imo States. In some others like Adamawa, Imo and Ebonyi, parallel ward congresses were allegedly held. Among the issues raised pertaining to the APC ward congress

include the hoarding of nomination forms, election by affirmation or consensus rather than through the popular vote, diversion of voting materials, imposition of candidates, late commencement of voting and vote buying.

The APC spokesperson, Mallam Bolaji Abdullahi, in a statement issued on Sunday, May 6, 2018, described the ward congresses as “generally peaceful”, even as he acknowledged that there were some issues arising from the conduct of the elections in some states. According to him, “With this in view, the party has set up various appeal committees which will begin sitting from Monday, May 7, 2018. We therefore call on all party members to remain law abiding and where there are issues, they should seek redress through the appeal committees in their respective states.”

While the ward congresses were underway, another epochal event was taking place in Ekiti State. It was the APC primary to elect the party’s torchbearer in the State’s July 14 governorship election. Unfortunately, that exercise too was enmeshed in a swirling controversy that led to its indefinite suspension. Reports had it that some hoodlums with sympathy for some of the 33 aspirants disrupted the voting, when they perceived that a number of the delegates, especially the uneducated ones among them, were receiving instructions from an agent of one of the aspirants on who to vote for. It was alleged that the agent was taking down the serial numbers of the ballot papers of the delegates, with a view to purportedly pay them later for their votes.

It was also alleged that the secretary of the election committee was a business partner and a friend of the same aspirant whose agent was allegedly influencing the delegates’ choice. Here is what Segun Oni, an ex-Governor in the state and one of the aspirants in the party election said to the press on the unfortunate incident: “How would one feel to get to the field of play and find out that the referee was nominated by one of the teams? We found out that the secretary of the committee, Aliyu Mogaji, was nominated by an aspirant, and Governor Tanko Al-Makura later got to know about this and dropped him from functioning as the returning officer. Even the

fraud festered to the ranks of the security agencies. I quite appreciate the fact that violence was not the right way, but it was caused by anger.”

Many a time when APC gloats over the sunken fortunes of Peoples Democratic Party and blames the party for all of the woes in our body polity, one is quick to say that it has no moral justification to pontificate and call the PDP names. Both parties are working with the same play-book. In 2014, ahead of the party congresses and convention, the APC governors and a prominent leader of the party allegedly colluded to give the exercises predetermined outcomes. As it was in 2014, so it is now in the APC.

President Buhari was so concerned about the growing disaffection within the party that he set up the Bola Tinubu-led national reconciliation committee on February 6, 2018. The committee has obviously achieved limited success since it was initiated. This may not be unconnected with the fact that Tinubu himself is among the aggrieved party members, having openly called for the resignation or removal of the incumbent party chairman, Chief John Odigie-Oyegun. In a February 21, 2018 letter to the APC Chairman, which was copied to the President, Tinubu accused Odigie-Oyegun of seeking to undermine the mandate given to him by the President to reconcile aggrieved members and ensure party cohesion by engaging in some “dilatory tactics.” His words: “Drawing from your behaviour in Kogi, Kaduna and with regard to the state chapter assessment requested, I am led to the inference that you have no intention of actually supporting my assignment. Instead, you apparently seek to undermine my mandate by engaging in dilatory tactics for the most part.” Given what happened during the ward congresses and party primary in Ekiti, are we seeing the beginning of the end of the APC? Time will tell. However, it is in the best interest of the ruling party to correct its past mistakes rather than continue to live in denial. It is on the brink of collapse because of too much vested interests among its many power brokers, namely the governors, ministers, senators, House of Representatives members and the major party financiers. It is a legitimate ambition

to contest and win elections, but such should not be earned through underhand tactics and sharp practices. Internal party democracy should not be sacrificed on the altar of political interest. If the APC will survive the brewing crisis, it must embrace equity, justice and fair play in its party affairs.

## **Dangers of Using State Funds for APC's Congresses**

***The PUNCH, May 2, 2018***

It is no longer news that the ruling All Progressives Congress has chosen the path of honour, constitutionalism and legality by publishing the timetable for its congresses. It will be recalled that in February, the National Executive Committee of the party resolved to extend the tenure of the National Working Committee members for a year, starting from June 2018. However, President Muhammadu Buhari saved the day when he declared the controversial move as illegal and unconstitutional during the March 27 NEC meeting.

Now, the party has announced that the ward congresses will hold on May 5; that of the local governments on May 12; while the state congresses will hold on May 19. However, there is a raging controversy on how the party elections will be funded.

On April 27, online news portal, *Premium Times*, broke the news that the APC had asked each of its 24 state governors to donate N250m each for the purpose of funding the party's congresses and convention. This will amount to a whopping N6bn! It is presently unclear if the Federal Government and local governments under the party are also being taxed for the same purpose. After an initial dismissal of the story as illogical, the national spokesperson of the party, Mallam Bolaji Abdullahi, on Saturday, April 28 issued a press statement as follows:

“At the meeting of the National Working Committee and the governors of the party held at the party secretariat on Thursday, 26 April, it was pointed out that many of the governors had fallen behind in the payment of their party dues. While some of the

governors have been up-to-date with the payments, a few others have not paid at all. The governors were therefore requested to pay up, especially in view of upcoming party activities. It is therefore possible that a governor that falls in the category of those that have not paid since inception could be owing up to N250 million. For the avoidance of doubt, party dues are paid by all members of the party holding positions, either by election or appointment. Therefore, members of the National Assembly as well as cabinet ministers also remit a percentage of their earnings to the party.”

The main opposition party, the Peoples Democratic Party, in a statement on Sunday, April 29, accused the APC of diverting N6bn meant for the development of states under its control to finance the ruling party's national convention. The PDP was quoted as saying, “The APC is corrupt. Our investigation reveals that many of the APC governors are being coerced under the orders of the Presidency and the leadership of the party to move in huge sums of money in cash into the APC coffers, the bulk of which has already been frittered away by corrupt leaders in the party and agents of the Presidency”. Could this be true?

Sticking to the official response of the APC, how much is the percentage of the salaries of elected government officials and political appointees due to the party monthly? For instance, in April 2017, when Governor Nasir el-Rufai of Kaduna State published his net monthly salary (after tax and other deductions), it was N470,521.74. Even if we go by the gross monthly pay, which is N555,926.25, there is no way any defaulting governor would have accumulated a debt of N250million in party dues. Again, how come all governors are to pay the same sum of N250m? Truth be told, the APC is being clever by half. Although the governors are supposed to pay personal membership dues and donate a percentage of their earnings for the running of the party, in practice what they simply do is to use state funds to make the payment. I recall that 21 PDP governors made a donation of N50m each, amounting to N1.05bn on December 20, 2014, when the party organised a fundraiser in support of former President Goodluck Jonathan's re-election bid.

Thus, the PDP accusing the APC of being corrupt is a case of the pot calling the kettle black.

Truth be told, using state funds to support political party activities is illegal, unconstitutional and an abuse of state administrative resources. It is also unethical. According to the *Premium Times*, as of February 23, twenty four governors were enmeshed in one salary row or the other, according to the Trade Union Congress. Only Lagos State has continued to meet its obligations to workers and pensioners. Many of the governors owe salaries or pensions or both for extended periods that range between four months and above. It therefore constitutes a moral challenge to owe workers their salaries and still find it convenient to give out a princely sum of N250m to your party from the state purse. The only way the APC governors will not be running afoul of the law is if the monies are paid from their personal accounts and not their states' coffers.

Another serious issue this donation to the party will raise is the potential unsparing influence the governors will wield on the process and outcome of the planned congresses and convention. If they are expected to donate such huge sums of money for party activities, then one can rest assured that they will do everything humanly possible to ensure that their preferred candidates for the various elective positions emerge victorious at the forthcoming party elections. They will spare no expenses in bankrolling their choice candidates to be elected into the new party executives at the various levels. This is how party structures are hijacked by governors ahead of general elections. It is simply antithetical to the promotion of internal party democracy.

If the governors are not paying their membership dues and have to be asked to pay lump sums ahead of major party activities, it shows that they are not loyal and faithful party men. This indicates that they are not good leaders. I know for a fact that the major challenge of political party administration in Nigeria is the lack of financial commitment by members to their parties. This is what usually paves the way for party hijack by a few moneybags who make huge financial donations to the party to curry favours.

This N250m levy on the APC governors does not look good on the image of a party whose mantra is 'change'! It is a negative trend that should not be encouraged because of the dangerous implications it has for democratic consolidation. Political parties have a wide range of legal and legitimate ways for raising funds. Apart from membership dues, there are also opportunities for political parties to charge the Expression of Interest and nomination fees, receive donations from wholesome sources, earn profits on investments made, as well as take loans to fund their activities. A level-playing field is needful in the conduct of party elections, be it congresses, conventions or primaries. Encouraging big donations from a few individuals is an indirect way of promoting godfather politics and party capture. This is a negation of sound democratic practices.

### **Is Politics Really Not For the Poor?**

***The PUNCH, December 13, 2017***

*"Politics is not a game to be played by the poor. A poor person has no role in politics. A poor man cannot win election in Nigeria; how will you campaign? If you are poor, stay in your house."* –A former Minister of Works, Senator Adeseye Ogunlewe.

Senator Adeseye Ogunlewe is a former senator and minister, as well as a governorship aspirant in Lagos State. I watched him on "Politics Today", a political programme of Channels Television anchored by Seun Okinbaloye, on Friday, December 1, 2017. The topic of discussion was the chairmanship tussle of the Peoples Democratic Party. The party's elective convention was held on December 9, 2017 in Abuja. The politician answered the questions posed to him deftly, and revealed that he was backing Chief Olabode George for the chairmanship position because the man had sacrificed a lot for the party. Ogunlewe described the move for a consensus candidate from Lagos State or the South-West as undemocratic.

In his opinion, Jimi Agbaje, who is from Lagos State, as George is, should not be persuaded to step down, and neither should any of the

other five aspirants from the South-West be asked to do so. He was of the view that if George lost, he would congratulate the winner because it was about service. Then, he was asked about the rumoured plan by some aspirants to bribe the delegates. To this he said that although Chief Bode George's camp was not planning to induce delegates, politics is not for poor people. He said, "They will not buy (delegates) but it is not going to be on empty hand. Politics is not played on empty stomach." Eventually, when the chips were down, only Professors Tunde Adenran and Taoheed Adedoja contested the position, as the others, including George, pulled out of the chairmanship race for one reason or the other.

I have heard a lot of people make that assertion that politics is not for the poor. This I consider fallacious or what my philosophy professor in the university would call the fallacy of overgeneralisation. Do you need money to participate in politics? Yes! Whether as a party or as an aspirant or candidate, one needs money, among several other resources. But money alone may however not deliver electoral victory. Nigeria's political history is replete with stories of men and women of little means who ended up becoming giants in politics. How much did Senator Osita Izunaso have before he defeated the maverick billionaire businessman-cum-politician, Senator Francis Authur Nzeribe, in the Imo West senatorial election of 2007? Nzeribe then was a two-time senator, while Izunaso was a member of the House of Representatives.

How much did Mallam Ibrahim Shekarau have in his bank account before he defeated the then incumbent Governor Rabi'u Musa Kwakwanso in the 2003 governorship election in Kano State? History tells us that Shekarau was a retired civil servant, a former teacher. How much was his salary to have been able to defeat an incumbent? Was Alhaji Lam Adesina a moneybag when he defeated other candidates to win the governorship seat of Oyo State in April 1999? This was a retired school principal who many knew for his poor status, to the extent that he was said to be a distinguished member of the "free readers association", a name given to those who

gather at newsstands to plead with vendors to allow them read newspapers for free.

Was Mallam Aminu Kano not poor when he won the Kano East federal seat as a candidate of the Northern Elements Progressives Union in 1959? Was Alhaji Balarabe Musa a millionaire when he won the Kaduna governorship election of 1979? If money and plenty of it is all one needs to win elections in Nigeria, as asserted by Ogunlewe, why did the Anambra people not vote for business mogul, Ifeanyi Ubah, as their governor in 2013? Why was he defeated in the PDP primary in 2017? Rochas Okorocha is a wealthy man who wanted to be President of Nigeria and had vied on several occasions to realise that ambition but never did. He eventually had to go to his home State of Imo to contest the governorship election in 2011 and got lucky and won. He is currently serving out his second and final term as governor.

Ahead of the 2015 general election, no political party had the humongous cash at the disposal of the Peoples Democratic Party. We should recall that on December 20, 2014, ahead of the 2015 elections, the PDP organised a fundraising dinner where a princely sum of N21.3bn was realised. This huge sum, we were told, was to be expended on the reelection of then President Goodluck Jonathan, as well as for party administration. That was aside from the supposed N12bn allegedly realised from the sales of Expression of Interest and nomination forms from aspirants wanting to contest on the platform of the party in 2015. On top of this was the \$2.1bn arms procurement fund, part of which was reportedly diverted for electioneering by the immediate past National Security Adviser and the \$115m raised by former Minister of Petroleum Resources, part of which was allegedly used to bribe election officials.

Despite the financial “war chest” deployed into the 2015 elections, the PDP suffered its worst defeat in 16 years. The party not only lost the presidential seat to the All Progressives Congress, it also lost its majority in both houses of the National Assembly, state governorships and the state Houses of Assembly. The party’s misfortune, in spite of its financial muscles in prosecuting the 2015

elections, is a pointer to the fact that there are other variables beyond money that guarantee electoral success.

Some of these include the aspirant's courage, social capital in terms of antecedents, political experience, activities within the party, political platform under which she/he is contesting, religion, ethnicity, tribal affiliations, internal power rotation agreements, and political networks. Many people are in political office today because they read the signs right. And, they joined the political parties most popular in their areas. Ibikunle Amosun and Abiola Ajimobi both contested the governorship seats under the All Nigeria People's Party in Ogun and Oyo States in 2007, but failed to realise their ambitions because the party was not well known in the South-West. But the duo got lucky in 2011 when they defected to the Action Congress of Nigeria, ahead of the then general elections. Courage was what paid off for Governor Yahaya Bello of Kogi State. He contested the APC primary in 2015 against a more popular aspirant and former governor of the State, Prince Abubakar Audu. He came second, lost all hopes of becoming governor until Audu suddenly died midway into the election. The party pushed his name forward as the runner up in the primary and, pronto, he became elected governor of the Confluence State.

To me, a poor but courageous person can win elections, if the odds favour him or her. Politics is a game for all those who dare to believe in the power of their dreams.

## **The Beginning of the End of PDP?**

***The PUNCH, May 25, 2016***

Formed in 1998 by a Group of 18 and later 34 Eminent Personalities cutting across different members of the military, business, political and bureaucratic elite, the political association known as the Institute of Civil Society was later registered as the Peoples Democratic Party by the Independent National Electoral Commission alongside other political parties, the All Peoples Party (later renamed the All Nigeria Peoples Party) and the Alliance for Democracy. That was in

December 1998 after the conduct of the local government election of that year.

Since its formal registration, the PDP has come a long way, winning a majority of seats at all levels of governance (federal, state and local government) in four out of the five electoral cycles, namely: 1999, 2003, 2007 and 2011, before meeting its political Waterloo during the 2015 general election. That was when it fell electorally to its arch-rival and political nemesis, the All Progressives Congress, which was formed in 2013.

Buoyed by its string of contrived electoral successes, one of the party's past chairmen, Prince Vincent Ogbulafor, in 2008, boasted that PDP would rule Nigeria for 60 years. Unfortunately, because the party did not know how to manage success, instead of 60 years, the party ruled for 16 years. In fact, there are not a few political analysts who are of the opinion that the PDP never genuinely won any election; rather, the party was believed to have always rigged its way into power. This extreme position may not be altogether true. The PDP, I dare say, was the only true national political party the country had before the advent of the APC in July 2013. The party had been able to win elections in all the six geopolitical zones of Nigeria, unlike its counterparts such as the Alliance for Democracy (AD), whose electoral victories were mainly in the South-West zone; the All Progressives Grand Alliance (APGA), whose catchment area is the South-East zone; and the All Nigeria Peoples Party (ANPP), whose electoral victories had majorly been in Northern Nigeria, particularly in the North-West and North-East.

In truth, the PDP's electoral successes were believed to be largely through electoral manipulations. Nobel laureate, Wole Soyinka, allegedly referred to the party as harbouring a "nest of killers", following the series of political assassinations witnessed ahead of general elections. The PDP was also fingered as sponsoring political crises, which degraded some of the main opposition political parties, notably the AD and ANPP. It was alleged that the political machinations of the PDP led to the loss of five out of the six AD-controlled states in the South-West during the 2003 general election.

Only Lagos State under Bola Ahmed Tinubu survived the PDP onslaught. A similar thing happened to the ANPP. From controlling seven states between 1999 and 2007, the party's electoral fortunes dipped when two of its governors, Mahmuda Shinkafi of Zamfara State and Isa Yuguda of Bauchi State were poached by the PDP after the 2007 elections. The party also poached the two governors of the Progressive Peoples Alliance (PPA), Ikedi Ohakim of Imo State, and Theodore Orji of Abia State.

Opposition political parties were quick to always accuse the PDP of rigging them out of elections. They often claimed that the PDP used money and other state administrative resources, such as instruments of coercion, to deal with other political parties. They alleged that the PDP government used the police and other security agencies to intimidate and harass their chieftains and candidates across the country. In addition, anti-corruption agencies such as the Economic and Financial Crimes Commission and the Independent Corrupt Practices and other Related Offences Commission were sent after opposition elements during the 16 years of the PDP at the Presidency.

Truth be told, the PDP has never been a party of saints. It is a potpourri or amalgam of strange political bedfellows, whose common interest was and still is to capture power and share the spoils of office coming with electoral victories. The party's unwritten philosophy is the use of the Machiavellian principle of 'the end justifies the means'. A former President, Olusegun Obasanjo, ahead of the 2007 general election, openly said the polls were "do-or-die" for him and his party, the PDP. Those elections were adjudged to be the worst in the political history of Nigeria, as both local and international accredited election observer groups were unanimous in condemning the polls as being below international and regional standards.

The behemoth called the PDP is now terribly sick and in the Intensive Care Unit of Nigeria's political hospital. The party is gasping for breath as aftermath of the protracted crises that have buffeted it. Although the party has always been embroiled in

internal wars of attrition due to its high deficiency in internal democratic norms and ethos, the aftermath of the death of President Musa Yar'Adua in 2010 led the party into committing a big blunder by nominating Dr. Goodluck Jonathan as its presidential candidate for the 2011 election. This precipitated the current round of internal crisis it is entangled in. Section 7 subsection 3 (c) of the PDP Constitution, as amended in 2012, talks about: "Adhering to the policy of the rotation and zoning of party and public elective offices in pursuance of the principle of equity, justice and fairness." The alternation of power at the national level was to be between the North and South, hence a northerner was supposed to have been nominated to serve out the remaining one term of President Yar'Adua. Not doing so upset the apple cart.

Many PDP chieftains from the North never forgave those who circumvented the PDP Constitution to allow a Southerner come to power so soon after the eight years of the Obasanjo presidency. It was part of the ensuing anger that culminated in the formation of the new PDP (nPDP) in 2013 after former Vice President Atiku Abubakar and seven PDP governors walked out of the special convention of the party on August 31, 2013. Of the seven governors, only Chibuike Amaechi of Rivers State was from the South. Five of the seven governors, as well as Vice-President Atiku Abubakar, were later to join the opposition APC, which had been registered by INEC on July 31, 2013.

Since that time, the APC became a Mecca of some sort, with the exodus of many PDP chieftains into the party.

The PDP never recovered. It was a depleted and divided PDP that went into the 2015 general election. By the time the polls were over, the party had lost the Presidency and its hitherto majority seats in the Senate, House of Representatives and state Houses of Assembly. Out of the 29 governorship elections held on April 11, 2015, the PDP managed to win nine, with many of those won coming from the Southern States of Rivers, Akwa Ibom, Cross River, Delta, Ebonyi, Abia, and Enugu. The other two governorship seats won by the PDP were those of Gombe and Taraba States. It was the party's worst

electoral outing since inception and the colossal loss made the party to hemorrhage the more, as members left in droves after the general election to join the new party in power, the APC.

Now, the attempt to rebuild the party after the electoral fiasco has been largely unsuccessful. Many of the party chieftains have been arrested and are being tried in courts for corruption. The Deputy Senate President, Ike Ekweremadu, led a PDP post-election review committee to look into the crisis rocking the party and proffer solutions. Unfortunately, the recommendations of the committee have been largely ignored. In the last three years, the party has had about four chairmen. From the time Alhaji Bamanga Tukur was forced to resign in January 2014 and Alhaji Adamu Mu'azu took over, only for him to also be forced to resign after the 2015 general election, there has been Prince Uche Secondus, who took over in an acting capacity and had to be booted out via a court order. After this, a former Borno State governor, Ali Modu Sheriff, was brought in as the new chairman, only to be removed on May 21, 2016 at the party's controversial convention in Port Harcourt, River State.

It is patently clear that the PDP is on its way to political Golgotha. However, like a Phoenix, it may yet survive if all the varied interest groups pulling and pushing each other will sheathe their swords, reconcile and rebuild the party into a genuine and vibrant opposition party, which will serve as a watchdog of the present government in power.

# Chapter 3

## ELECTIONS

**This chapter has 13 articles, the highest among all the seven chapters. This is principally because the project under which this publication is funded is about electoral integrity and accountability. This chapter critically examines the preparations by the Independent National Electoral Commission's for the just concluded 2019 General Election. Some of the opinions here speak to issue of vote-buying, role of Polling Agents in ensuring electoral integrity, implications of the late release of funds for the 2019 General Election as well as some of the factors that aided the victory of President Muhammadu Buhari for the Second Time in office.**

## **Factors That Aided Buhari's Re-election and Challenges Ahead**

***The PUNCH, March 6, 2019***

President Muhammadu Buhari's re-election on February 23 did not come to me as a surprise. It actually should not amaze any keen observer of political development in Nigeria. The President had a lot going for him. His integrity, power of incumbency and above everything, he had built up a lot of social capital ahead of the poll.

What did people think President Buhari was doing when he corrected the errors of 25 years by moving Nigeria's Democracy Day from May 29 to June 12 and conferred the highest national honour, the Grand Commander of the Federal Republic on Chief MKO Abiola, the winner of June 12, 1993 presidential election? Not only that, he also conferred the second highest national honour, the Grand Commander of the Order of Nigeria on the renowned human rights activist, Chief Gani Fawehinmi and Abiola's running mate, Babagana Kingibe. That move was a political masterstroke by the President! It was meant to placate the Yoruba people of South-West Nigeria. We should recall that most of the pro-democracy activists and indeed the Yoruba socio-cultural group, Afenifere, lauded the move.

Not only that, like in 2015, the choice of Professor Yemi Osinbajo as the President's running mate was another strategic move. Osinbajo is a legal luminary, academic juggernaut and Pentecostal pastor. He is also a son-in-law in the family of the late Chief Obafemi Awolowo, a still highly revered former Premier of the old Western Region. As a Senior Pastor in the Redeemed Christian Church of God and spiritual son of the General Overseer of the church, Pastor Enoch Adeboye, millions of members of the church were likely to have voted for an illustrious member who is a number two citizen of the country and who has, on a number of occasions, served as the Acting President. As an Acting President, while Buhari was away to attend to his failing health in 2017, Osinbajo discharged his duties very well to the admiration of his principal and, indeed, many Nigerians.

Buhari had a very good outing in the North-East geopolitical zone because he is seen there as having succeeded in considerably weakening the grip of the Boko Haram insurgents on the area. Unlike in 2015 when 17 local governments were under the control of the insurgents, the Nigerian military has succeeded in chasing the insurgents to the fringes of Nigerian borders from where they now carry out sporadic attacks. The inhabitants of Borno, Yobe and Adamawa States will tell you that many roads hitherto impassable for the fear of being attacked by the insurgents have now been freed, while many shut down schools have been reopened. Even the University of Maiduguri, which is at the epicentre of the conflict, has remained open for academic activities. Many internally displaced persons (IDPs) have also returned to their ancestral homes. Yes, the war against the insurgents is not over; however, their stranglehold on the zone has slackened.

Not only that, Bauchi State has been extremely lucky under this administration. The Chief of Air Staff, Air Marshal Sadique Abubakar; Minister of Education, Alhaji Adamu Adamu; Executive Secretary of Tertiary Education Trust Fund, Professor Suleiman Bogoro; the Acting Chief Justice of Nigeria, Ibrahim Tanko Muhammed; the Speaker of House of Representatives, Yakubu Dogara; and the Group Managing Director of the Nigerian National Petroleum Corporation (NNPC), Dr. Maikanti Baru are all from Bauchi State. The President of the Court of Appeal, Justice Zainab Bulkachuwa, though from Gombe State, is married to a man from neighbouring Bauchi State. Above all, the signing into law of the North-East Development Commission in October 2017 resonates with the people of the zone, who see the President as their liberator and one who cares about their development. Little wonder then that despite his main challenger, Atiku Abubakar, coming from the north east zone, President Buhari won outright in four of the six States (Borno, Yobe, Bauchi and Gombe) and received over 40 per cent in the other two, i.e. Taraba and Adamawa States of the zone.

The North-West zone is the home front of the President. Although from Daura in Katsina State, Buhari lived more in Kaduna State,

which is his adopted home. He has always won in the zone right from the time he started competing for the Presidency in 2003. In 2007, the votes were split between him and Umaru Musa Yar'Adua, as both of them are from Katsina State. It then did not come as a surprise that the President defeated his main challenger hands down in the seven States in the zone, including Sokoto, whose governor, Aminu Tambuwal, defected to the Peoples Democratic Party in August 2018.

Pundits had expected the PDP candidate to win in the six states making up the North-Central due to the pervasive killings by herders and the influence of the Senate President, Bukola Saraki. Unfortunately, he only managed to win marginally in Plateau and Benue States. The other four States of Kwara, Kogi, Niger and Nasarawa were won by the President. The logical explanation to this is that the people of the zone did not want to be in opposition to the Federal Government.

On a general note, other factors that worked in favour of President Buhari included the Social Intervention Programmes (SIPs) of his administration. The over N500 billion SIPs, which include the N-Power graduate employment scheme, through which 500,000 youths have been offered two-year temporary employments, with a modest N30,000 monthly stipend each; the home-grown schools feeding programme, in which millions of primary school children are fed once a day, as a way of increasing enrollment; the Conditional Cash Transfer scheme through which thousands of poor people are given token monthly allowances of N5,000 each and the Tradermonni, by which artisans and traders are assisted with interest-free and uncollateralised loans of between N10,000 and N50,000 to boost their trade investment, all helped in endearing the President to the Nigerian "proletariat".

Also, the increase in the salaries of officers and men of the Nigeria Police and the approval of a N30,000 minimum wage for federal workers may have also wooed workers to the side of the President. We should recall also that in November 2018 the President approved the reduction in the costs of forms for some terminal examinations

like the Unified Tertiary Matriculation Examination, the West African Senior Secondary School Examination, as well as the Basic Education Certificate Examination.

Furthermore, on Wednesday, January 23, 2019, Buhari assented to the Discrimination Against Persons With Disabilities (Prohibition) Act, 2018. This bill has been in the works for 18 years, with two former presidents refusing assent to it when passed by the National Assembly. There is an estimated 27 million Persons With Disabilities in Nigeria who may have been gladdened by the noble act of the President and as such rewarded him with their votes on Saturday, February 23, 2019.

Ahead of the elections, the PDP was already a damaged brand, with the party itself contemplating a name change at some point. It was branded as the party of looters by the ruling APC. Also, while the plan to restructure Nigeria may have resonated with the people of Southern Nigeria, those from the North felt they would lose more if the country is restructured, hence their sticking with Buhari. The planned sale of the Nigerian National Petroleum Corporation and other national assets and the promise of Atiku to “enrich his friends and cronies” did not go down well with many Nigerians, especially the workers.

Anyway, the election has been won and lost. It is time for the President to honour his electoral promises of fighting corruption, improving the economy and combating insecurity. It behooves him to commence electoral reforms for more credible future elections early enough to impact positively on the 2023 polls. The Next Level promised by the APC should be that of prosperity and not that of sorrow, tears and blood.

## **Polling Agents and Electoral Integrity**

***The PUNCH, January 9, 2019***

Since the Thursday, January 3, 2019 appointment of Hajia Amina Bala Zakari as the head of a 10-member committee in charge of the

logistics for the national result collation centre, opposition political parties have called for her removal based on her purported relationship with President Muhammadu Buhari. There are reports to suggest that her father married a sister of the President, which makes her a niece in -law to the No. 1 citizen. But she has denied being a niece of the President. My independent finding of the true situation is that the committee she is heading is made up of three national commissioners and seven directors.

At inauguration, the Chairman of the Independent National Electoral Commission, Professor Mahmood Yakubu, said: “The ad- hoc committee, which is entirely internal to the Commission, shall be responsible for the national collation centre from where results of the presidential election will be announced. As was the case in 2015, the Commission will use the International Conference Centre in Abuja...It will serve as the secretariat for collation of results and venue for briefing of international observers and the media. It will also be accessible to agents of the 73 political parties fielding candidates in the presidential election. Facilities such as power, access to the internet, live transmission for national and international media as well as accreditation for access to the ICC and security of the venue shall be handled by the committee.”

As I have said on several media platforms where I have had the privilege of discussing this controversy, the woman has nothing to do with the actual collation of election results and is not able to influence the outcome of the presidential election. For clarity, she is not the sole member of the committee; there are two other national commissioners and several other directors of the Commission as members. Secondly, the collation of presidential election results starts from the ward to local government to state levels before getting to the national level. If the results are not manipulated at the lower levels, it will be difficult to do so at the final collation point. The Chief Returning Officer for the presidential election is the INEC Chairman and not Hajia Zakari. In my own estimation, the call for her removal is a needless distraction.

What I will enjoin political parties and candidates to do is to appoint credible people as their polling agents. In this clime, many do not understand the enormous powers that the electoral laws have given to polling agents, better known as party agents. What does the Electoral Act say about the role of polling agents? Section 45 of the Act recognises and allows all political parties to submit the names of their polling agents to INEC and to deploy them after accreditation by the Commission. Section 43 (4) of the Act entitles polling agents to be present at the distribution of election materials, while also being present at the voting, counting, collation and announcement of election results.

Section 50 of the Act says: “A candidate or a Polling Agent may challenge the right of a person to receive a ballot paper on such grounds and in accordance with the procedures as are provided for in this Act.” Also, according to Section 64 of the Act, “A candidate or a Polling Agent may, where present at a Polling Unit when counting of votes is completed by the Presiding Officer, demand to have the votes recounted...” It is noteworthy that polling agents are also given the opportunity to countersign results of elections and are given official copies, according to Sections 63 (3) and 74 of the Electoral Act 2010, as amended.

These are some of the measures put in place to ensure that political parties and the candidates they sponsor for elections have their interests protected. On Monday, January 7, 2019, during its quarterly consultative meeting with political parties in Abuja, where he presented the 2019 voters' register and electoral guidelines to the parties, the INEC Chairman advised leaders of political parties to start compiling lists of party agents for submission not later than 14 days to the elections, in line with the timetable and schedule of activities for the 2019 elections. The Commission planned to train the agents on their role in the forthcoming elections.

From experience, many political parties will either not submit the list of their polling agents on time or not at all. This is done either out of ignorance, mischief or due to the lack of resources to pay for the appointed agents. Ordinarily, party agency at elections should be

a voluntary exercise by members of political parties. However, due to our lack of a culture of volunteerism, those recruited as polling agents must be paid by either their political parties or candidates. I do not blame the agents for demanding to be paid by their political parties, given the high nomination fees they must have collected from the aspirants ahead of the party primaries. After all, a party like the All Progressives Congress was said to have made N6.9bn from the sale of Expression of Interest and Nomination forms. Unfortunately, it may still be the candidates who will pick the bill for the payment of the polling agents.

My experience on the field while observing elections in Nigeria is that many of the political parties will not submit a list of the polling agents to INEC but will rather print badges for their own agents. Even where they do present their list to INEC for accreditation, the deployment schedule is not shared with INEC for the Commission to know who is assigned to a Polling Unit or Collation Centre. More importantly, the polling agents' badges are not customised. Unlike those of accredited observers, which have the name of the organisation being represented, as well as name and photo of the observer, the party agent badge only has the name and logo of the party. This presents credibility issues as the badges become transferable. Non-accredited persons can wear the badges, and even persons who are not members of the political party can claim to be representing their interest and hence take possession of it. My advice is that INEC should henceforth customise the badges of polling agents by having their names, pictures and the logos of their political parties inscribed on them and refusing to admit anyone without these customised tags to the polling units or collation centres.

It is also an open secret that some ruling political parties print badges for the polling agents of opposition parties as a way of shoring up the credibility of their victory at the elections. This is often done for political parties who do not deploy agents. Another sharp practice is the buying out of the polling agents of other parties. Ruling political parties or those who have enormous resources to prosecute elections do induce party agents to commit electoral fraud.

A former Deputy Senate President admitted this on a TV programme last year, while confessing to his “electoral sins”.

In my opinion, should all the political parties fielding candidates in the 2019 elections recruit, train and deploy trustworthy persons as their polling agents, electoral fraud will be checkmated as they will be whistle-blowers on sharp practices and malpractices. Such deployment should be from the point of the distribution of election materials down to polling units, to various collation centres. Should they decide not to deploy agents, they have themselves to blame and not INEC.

## **Towards Ensuring Credible 2019 Elections**

### ***The PUNCH, January 2, 2019***

It is a new dawn for Nigeria as it's an election year for the country; the sixth general elections in this Fourth Republic. It's about six weeks to the February 16 date, when national elections into the presidential, Senate and House of Representatives positions will be held. Governorship, state Houses of Assembly and Area Council elections of the Federal Capital Territory will hold two weeks after the first one on March 2, 2019.

Because politics is in the air, political gladiators are junketing around their constituencies marketing different ideas of how they intend to govern, if elected. Thus far, the campaigns have been largely peaceful but there is no guarantee that this will remain so in the days ahead, given the penchant of the political contestants to adopt the Machiavellian principle of the “the end justifies the means”.

As the election day draws near, it is important for security agencies to carry out the mapping of election hotspots and put in place counteractive measures. Ekiti State has been in the news for the wrong reason in the recent past. On August 10, 2018, Bunmi Ojo, a Commissioner of the Federal Character Commission, was murdered alongside two other persons at a viewing centre in Ado-Ekiti. The

dust of that heinous crime was yet to settle when unknown gunmen shot dead a 37-year-old councillor representing Ado Ward 9 in the Ado-Ekiti Local Government Council, Deji Akeredolu, on Friday, December 28, 2018.

Despite the signing of a peace accord by presidential candidates on December 11 and 12, 2018, there have still been mudslinging, incendiary comments, hate speech and fake news peddled by political contestants. I agree with President Muhammadu Buhari in his 2019 New Year statement that, "Elections need not be do-or-die affairs, and we should not approach that eventuality in a democracy with trepidation and mortal fear." That's right but there is no gainsaying that in Nigeria, elections are uncivil wars. They are so because, like the late renowned Professor of Political Economy, Claude Ake, rightly observed, "Nigeria is running democracy without democrats." Our politics is run as a business venture where funds are invested with the hope of recouping the investment with a super-profit.

Peace accords and codes of conduct for political parties are paper tigers because they have no force of law. However, there is the Electoral Act 2010 and the 1999 Constitution, as amended in 2018, which have criminalised electoral violence. In order to forestall violence, Section 95 of the Electoral Act prohibits certain conducts at political campaigns. Subsection (1) says: "No political campaign or slogan shall be tainted with abusive language directly or indirectly likely to injure religious, ethnic, tribal or sectional feelings". Subsection (2) says, "Abusive intemperate, slanderous or base language or insinuations or innuendoes, designed or likely to provoke violent reactions or emotions shall not be employed or used in political campaigns." Subsection (3) notes that, "Places designated for religious worship, police station, and public offices shall not be used: (a) for political campaigns, rallies and processions; or (b) to promote, propagate or attack political parties, candidates or their programmes or ideologies." The police and other security agencies have their work cut out for them. I enjoin them to enforce the above-mentioned electoral laws.

The Nigeria Elections Debate Group, in conjunction with Nigeria Broadcasting Organisation, has scheduled the presidential election debate for five out of the 73 candidates for January 19. Nigerians should follow the debate in order to assess the candidates, with a view to making the right choice on election day. I am aware that various civil society organisations are also partnering with media groups to organise debates for candidates at different levels. These are commendable steps, which the electorate should take advantage of to scrutinise the candidates. Not only that, voters should monitor campaign rallies closely and dissect the campaign documents of different candidates.

President Buhari has promised “free, fair and credible elections” several times. I would have believed him more if he were not a candidate in the forthcoming polls. However, I hope the President will drum it into the ears of the security agencies under his command not to be biased in favour of his candidacy and political party in the lead-up to, during and after the polls. There is palpable fear that the nationwide “Operation Python Dance” embarked on by the Nigerian Army from January 1, 2019 and the planned retention of the Inspector General of Police, Ibrahim Idris, who is due for retirement this month, are aimed at clamping down on political opponents. I enjoin Nigerian security agencies to be very professional and provide national security, rather than regime security before, during and after the 2019 elections.

I appeal to my compatriots who have endeavoured to register but are yet to collect their Permanent Voters' Cards to hurry up and collect them. As the saying goes, the Independent National Electoral Commission will not count prayer points but votes. If indeed anyone is disenchanted with the way things are or wants the incumbent political office holders to succeed in their re-election bid, the only way to play a role in ensuring their conviction prevails is by voting. Not just that but voting for the right candidate who will better our lives.

Apart from the aforementioned penchant to unleash electoral violence, Nigeria's desperate politicians are also notorious for vote-

buying. This is a criminal offence according to Sections 124 and 130 of the Electoral Act 2010, as amended. While I charge politicians to eschew this ignominious pastime of voter inducement, the electorate themselves must resist the temptation of selling their votes. As I often say, politicians are not charitable people. Their acts of charity are always with strings attached. It is aimed at wooing voters, after which they embark on mindless looting of state resources for personal aggrandisement.

INEC must ensure electoral integrity and accountability in the forthcoming elections. The Commission must guarantee value for the N189 billion election funds received. Men and women of good character should be recruited to conduct the 2019 elections. Among the youth corps members, students and staff of federal tertiary institutions being recruited as ad hoc staff are good and bad people. Measures must be put in place that poll workers who will not soil the image of INEC are the ones trained and deployed to conduct the forthcoming elections. In addition, the nagging challenge of results collation must be resolved. As a former Soviet Union President, Josef Stalin, rightly observed, "It's not the people who vote that count, it's the people who count the votes." INEC must make our votes to count in the choice of our new leaders.

Finally, after the inauguration is actual governance. According to the 52nd Governor of New York, Mario Matthew Cuomo, "politicians campaign in poetry but govern in prose", which translates into painting a rosy picture of what one would do when voted into office, as if by merely saying it, this means it will happen without raising a finger. Uneasy lies the head that wears the crown. Nevertheless, Nigerians must join hands to demand for good governance and accountable leadership. Politicians asked for the job of governance and they must be pressured to deliver on their campaign promises.

## **2019 Elections: No Funding, No Electoral Reform**

***The PUNCH*, September 5, 2018**

It's 163 days to the February 16 commencement date for the two-legged 2019 general election. However, and strikingly too, barely five months to the sixth general election in this Fourth Republic, the funding proposal for the elections has yet to be approved by the National Assembly, while the long awaited presidential assent to the proposed Electoral Amendment Bill 2018 has, for the second time this year, been withheld by President Muhammadu Buhari over what he called "clerical and drafting" errors.

I am very unhappy with the aforementioned development as they threaten the success and credibility of the planned 2019 elections. As things stand now, it is becoming very likely that next year's elections may be postponed. Even then, all elections have to be concluded at least 30 days to the expiration of the term of the current office holders, according to the 1999 Constitution of Nigeria, as amended in 2018.

How did we get to this sorry pass? How come the election budget of the Independent National Electoral Commission was not included in the 2018 national budget? Why did President Muhammadu Buhari choose to fund next year's election through virement, from the approved constituency project fund of the National Assembly members? Why did the President delay the request for legislative approval for INEC funding till July 17, when he should have known or ought to have been informed that the National Assembly usually goes on its annual recess from July to September every year? Could it be that the President, in spite of assurances and reassurances to foreign heads of state and Nigerians in the Diaspora, was just being cynical or paying lip service to ensuring credible 2019 elections?

In an unprecedented manner, Buhari has twice, within a year, withheld assent to the Electoral Reform Bill 2018. Is the President trying to frustrate the 2019 elections from holding as scheduled?

We should recall that after two weeks' consideration of INEC's 2019 election budget, at its final meeting on Thursday, August 30,

2018, Senator Suleiman Nazif disclosed that the committee anchoring this had reduced the N143 billion approved for the Commission by N200,272,500. The lawmakers also recommended that the funds should be sourced from the other service-wide votes under the Special Intervention Programme, to avoid inflating the 2018 budget. This is the recommendation that has been forwarded to the National Assembly leadership and the Committee on Appropriation for consideration and final approval. All this is happening barely five months to the general election.

On the legal framework, the bill was initially passed by the National Assembly and sent to President Buhari in February 2018. The President, on March 3, 2018, vetoed the bill, citing three grounds: The first was that the amendment to the sequence of the elections in Section 25 of the Principal Act may infringe on the constitutionally guaranteed discretion of INEC to organise, undertake and supervise all elections in Section 15 (a) of the Third Schedule of the Constitution. Second, that the amendment to Section 138 of the Principal Act, to delete two crucial grounds upon which an election may be challenged by candidates, unduly limits the rights of candidates in elections to a free and fair electoral review process. Third, that the amendment to Section 152 (3)- (5) of the Principal Act may raise constitutional issues over the competence of the National Assembly to legislate on local government elections.

After initially threatening to override the President's veto, the National Assembly passed the bill for the second time in July and re-sent it to the President for assent on August 3, 2018. Quite unfortunately, this time around, according to Senator Ita Enang, the Senior Special Assistant to the President on National Assembly Matters (Senate), Buhari has again declined assent to the bill 2018, due to "some drafting issues" that remain unaddressed following the prior revisions to the bill. Enang listed the outstanding issues involved as including a cross-referencing error in the proposed amendment to Section 18 of the bill.

Is this bill jinxed?!

My heart sank when I heard of the latest development. This should never happen. Why should there be inelegant drafting of this all-important bill? Is this an error of omission or commission? Is this part of the plot to allow the old order to remain? Can we have better elections in 2019 without this electoral reform? Before you answer that, let me highlight some of the key provisions of this proposed amendment for your information, as I have done on several platforms between July and now.

There were 41 amendments in all. The highpoints of the revised version are as follows: Section 8 attempts to make INEC staff non-partisan; In S. 36(3)(a) and S. 112 (4)(b), political parties now have a right to conduct fresh primaries within 14 days to replace any of their candidates who dies midway into an election, as was the case during the last governorship election in Kogi State. The presentation of a false affidavit by a candidate or political party to lead to disqualification by the court (Section 31 sub. 6). The permanent voter's card got a mention in Section 18 ('Replacement of PVC'); the smart card reader was also legalised by the amendment to S. 49.

The ban on electronic voting is lifted (S. 52); the National Electronic Register of Election Results to be created by Section 65 (a); Section 87 of the amendment puts a ceiling on the amount to be charged as nomination fees of aspirants by political parties. The new figures are: Local Government Councillor – N150,000; Local Council Chairman – N250,000; State House of Assembly member – N500,000; House of Representatives member – N1 million; Senate member – N2 million; Governorship applicant – N5 million, and aspirants for President – N10 million. If this bill had been signed, the All Progressives Congress would not have been toying with the idea of charging N55 million for presidential nomination forms and N22 million for the Governorship Expression of Interest and nomination forms.

Section 78 (4) of the bill gives INEC 60 days, instead of 30 days, to respond to applications of political associations seeking to register as political parties. INEC monitors now to endorse or certify results of party primaries (S. 87). The bill also seeks a re-ordering of the

sequence of party primaries, with that of the National Assembly coming first (S. 87 subsection 13). Section 91 subsections 2 – 7 increases the expenditure ceiling of candidates, with that of the President set at N5 billion from N1 billion; Governor - N1 billion from N200 million; Senate – N100 million from N40 million; House of Representatives, N70 million from N20 million; State Houses of Assembly – N30 million from N10 million; Local Council Chairman – N30 million from N10 million and Local Council Councillorship – N5 million from N1 million.

Section 91 (9) increases individual donations from N1 million to N10 million, while fines are now one per cent of the ceiling or 12 months imprisonment (subsection 10). Section 99 increases the campaign period from 90 to 150 days. Penalties for non-compliance with Section 100 subsections 3 and 4, which pertain to media coverage, has been increased from N500,000 to N2 million and N1 million to N5 million for subsequent contraventions. There are also stricter penalties for the omission of party logos and names (s. 140) at a N2 million fine or two years imprisonment. A stricter penalty for non-compliance with a court order to produce, inspect or take copies of election materials by the Commission now attracts two years imprisonment (s. 151). In this bill, candidates have an opportunity to vet the sample ballot up to 20 days to the election date as prescribed in Section 44 (3). If this law had been signed by President Buhari, would it have enriched and enhanced the betterment of our future elections? You bet!

## **Electoral Violence, Vote-buying and Nigeria's Future Elections**

### ***The PUNCH, August 22, 2018***

*“In INEC, we are not so much concerned about who wins or loses but in the integrity of the electoral process. What we saw last Saturday was the lowest level of electoral discredit. INEC was ready but the elite aided by the uniformed security personnel spoilt the process. What is clear from our observations is that the elite of Rivers State will determine the electoral progress of this state. Their*

*conduct last Saturday is condemnable and reprehensible by the standard of any decent society.*” – Rivers State Resident Electoral Commissioner, Mr. Obo Effanga, speaking on the aborted Port Harcourt State Constituency III bye-election on August 18, 2018.

For the umpteenth time, some Nigerian politicians have demonstrated their bestial nature by turning a routine civic exercise to a power struggle between two contending political camps. A state constituency election in Rivers State on Saturday, August 18, 2018 turned into a nightmare for election officials and the electorate. There were thousands of security personnel deployed to secure the environment but they were not armed in accordance with international best practice. Unfortunately, according to reports, their colleagues who were at the behest of political gladiators in the State provided cover for hoodlums to destroy election materials, harm polling officials and voters. A similar thing happened in Kogi State barely a week before that. According to news reports, two people lost their lives in the State on Saturday, August 11, 2018 as widespread violence marred the bye-election conducted to fill the vacant position of Lokoja/Koton-Karfe Federal Constituency in the House of Representatives.

Electoral violence is not a modern-day phenomenon in Nigeria. The First Republic (1960 – 1966) collapsed due to the widespread violence unleashed by politicians in the disputed 1964/65 general elections. Historians and political scientists recall the ugly incident tagged, ‘Operation We-ti-e’, literally meaning ‘Operation Douse It With Fuel!’ in the Western Region in which many notable politicians and their supporters were murdered in broad daylight. This largely warranted the first military coup of January 15, 1966. At the return to civil rule in 1979, politicians displayed their incorrigibility as they, again, resorted to electoral violence and fraud, especially during the August 1983 general election. Political observers also recall the Akin Omoboriowo versus Governor Adekunle Ajasin saga in the old Ondo State, where the electoral fraud allegedly perpetrated by the National Party of Nigeria stalwarts in the State, led to three days of mindless killings and

arson. That again was part of the reasons the military struck on December 31, 1983.

Fast forward to the Fourth Republic. Nigeria has had five successive general elections (1999, 2003, 2007, 2011 and 2015), with each of them recording high levels of electoral violence. Indeed, over 800 lives were reportedly lost to pre- and post-election violence in 2011, particularly in about 12 Northern Nigerian states. Ten youth corps members serving in Bauchi State were among the casualties. The high number of deaths and destructions necessitated the setting up of the Sheik Ahmed Lemu presidential committee that looked into the immediate and remote causes of the crisis and came up with far-reaching recommendations, which former President Goodluck Jonathan largely ignored. The only major thing done was to pay some modest compensation to some of the victims of the violence. However, nothing much was done in terms of bringing the alleged masterminds and arrowheads of the carnage to justice, till date, to the best of my knowledge.

Seven years after, impunity still reigns. Rivers State recorded the highest number of cases of election-related violence in the run-up to the 2015 general election and afterwards. Attempts by the Independent National Electoral Commission to hold re-run and bye-elections in the State were largely thwarted by political gladiators who are obviously above the law. In fact, the State became the political Golgotha of Nigeria, so much that it was renamed "Rivers of Blood". What an anathema! Thus, Saturday's electoral violence was not an isolated incident.

Another major challenge facing Nigeria's elections is vote-trading. Again, like electoral violence, this is also not a recent development in our polity. It has been with us from the post-colonial era. However, hitherto, it had been discreetly carried out. Then, politicians gave naira embedded loaves of bread to voters as gifts, as vote-buying philanthropic gestures were unveiled close to election periods. For instance, different empowerment programmes were initiated in order to curry the favour of the electorate. While this method is still in use, the phenomenon of vote-buying has become

an open bazaar, where politicians brazenly induce voters with cash. It goes by different names such as “Stomach infrastructure”, “See and Buy”, and “Family support”, among others.

It is important to note that vote-buying is not solely a Nigerian or African problem but a universal challenge. However, the level of prevalence may be more on the African continent. It is also not a one-party phenomenon, neither is it confined to any geopolitical environment or religious suasion. According to Gram Matenga, Senior Programme Officer for the Africa and West Asia region for International IDEA, in an October 11, 2016 article entitled, “Cash for Votes: Political Legitimacy In Nigeria”, he wrote that, “Nearly 80 per cent of voters from 36 African countries believe voters are bribed – either sometimes, often or always. In Morocco and Nigeria alone, only five per cent and six per cent of the citizens believe bribing for votes never happens. This is a particularly chronic problem in Nigeria, where in 2007, seven out of ten voters believed that vote-buying happens either ‘all of the time’ or ‘most of the time’; nearly a decade later, nine out of 10 believe so. Furthermore, 16 per cent of voters in African countries reported being offered money or goods in exchange for their vote during the last election.”

Vote-buying in Nigeria has reached an alarming proportion to the extent that politicians have spread their tentacles of inducements to election officials, security agencies, election observers and even the media. This ugly phenomenon has astronomically increased the cost of elections; created an uneven playing field for electoral contestants; and gives victory to the highest bidder. It has also heightened political corruption, as those who invest mind-blowing amounts to procure election victory are not altruistic philanthropists but shrewd businessmen who hope to reap bountiful rewards through corrupt means. As the saying goes, there is no free lunch in Freetown. Thus, the opportunity cost of vote-buying is the underdevelopment of the country.

Sincerely, the ignominious development of brazen acts of vote-buying has become mind-boggling to the Independent National Electoral Commission, to the extent that the Commission is seeking

partnership with and the support of the Economic and Financial Crimes Commission (EFCC) to assist in the arrest, investigation and prosecution of culprits. However, I don't think that option is viable, considering the fact that the EFCC itself is understaffed and has to depend on policemen who are seconded to it to carry out its mandate.

Meanwhile, INEC has an Inter-Agency Consultative Committee on Election Security comprising about 16 security agencies, military and para-military organisations. These agencies deploy to the polling units during elections, with the exception of the Army, Air Force and Navy. INEC should seek the support of agencies like the Department of State Services and Nigeria Police that deploy their personnel to polling units to effect the arrest of anyone caught within the precincts of these polling units, engaging in vote-buying and even electoral violence. I however endorse the plan of INEC to rearrange the set-up of polling units in a way that will prevent voters from displaying their electoral choices. I also agree with the plan to intensify voter education and ensure proper prosecution of anyone caught involved in voter inducement, which has been criminalised by sections 124 and 130 of the Electoral Act 2010, as amended.

More importantly, the National Assembly should expedite action on the Electoral Offences Commission Bill by ensuring its quick passage, while hoping President Buhari will thereafter sign it into law promptly.

Truth be told, if these twin evils of electoral violence and vote-buying are not effectively tackled and checked, all future elections in Nigeria are doomed. Elections marred by violence and characterised by vote-buying cannot be adjudged as free, fair and credible.

## **The Controversial N242bn Budget For 2019 Elections**

***The PUNCH, July 26, 2018***

On July 17, 2018, President Muhammadu Buhari's letter of July 11 to the National Assembly for virement of N242 billion from the 2018 budget, was read on the floor of the Senate. The money is largely meant for the conduct of the forthcoming 2019 general election.

According to the President, out of the needed figure, N164.10 billion would be provided through virement or supplementation of the 2018 Budget. He also requested that the balance of N78.34 billion, mostly related to personnel allowances, fuelling and other costs not required until the conduct of the elections be provided for in the 2019 budget.

The sum of N189.21 billion is earmarked for the Independent National Electoral Commission; N4.3 billion for the Office of the National Security Adviser; N12.21 billion for the Department of State Services and N3.6 billion for the Nigeria Security and Civil Defence Corps. The Nigeria Police Force has a proposal of N30.5 billion, while N2.6 billion is earmarked for the Nigeria Immigration Service. Specifically, President Buhari requested that N164.10 billion of the total funds proposed for the elections should be taken from the N578.31 billion inserted in the 2018 budget by the National Assembly.

Also to be sourced from the "inserted funds", he stated, was the additional N64.75 billion for the reinstatement of critical project cuts in the 2018 budget, bringing the total figure from the "inserted funds" to N228.85 billion. The letter stated that the request to deduct N228.85 billion from the N578.31 billion was in view of fiscal constraints, which would not allow for the over-burdening of the 2018 budget.

In its official reaction to the proposed virement, the main opposition party, the Peoples Democratic Party, said President Buhari's request to the National Assembly to vire N242 billion already approved for other projects in the 2018 budget to finance INEC and other agencies was a plot to frustrate the 2019 general election. The party further said that the request by the President was a booby trap deliberately set to drag the elections into a financial controversy and ultimately subvert the entire process.

My take on the raging controversy is multi-fold. First, was there a prior discussion with the leadership of the National Assembly on this proposed virement? Did the President get assurances that this was the best way to fund the 2019 elections, which is barely 200 days away? If there was no such informal meeting and assurance, why did the President not seek virement from other budget heads? Indeed, why were the funds for the 2019 elections not part of the 2018 budget, given the fact that INEC had served a two-year notice on the dates for the 2019 elections? Should the National Assembly turn down the President's request, what is the government's Plan B?

One is saddened by the fact that we treat elections in this country as an event and not a process. In an earlier article in *The PUNCH* of May 16, 2018, I raised three major impediments to a credible 2019 elections. They are: Insecurity, non-conclusion of the reform of the legal framework and funding for the elections. About three months after, none of the three concerns has been fully attended to. Yes, the President has signed five constitution amendment bills, with three of them having direct bearing on the elections. However, since June 25 that the revised Electoral Amendment Bill 2018 was passed to the President for assent for the second time, mum has been the word. The conundrum of insecurity has not been resolved, with Boko Haram baring its fangs in Yobe and environs recently, while the killer herdsmen are still having a field day. To worsen matters, the funding for the elections is just being sought when it should have been readily available to INEC for proper planning and disbursement.

We should recall that INEC, on March 9, 2017, informed the nation that the 2019 elections would hold on February 16 and March 2. It has even gone ahead to give the dates of the general elections for the next 55 years. The Commissioner for Voter Education and Publicity at INEC, Prince Adedeji Soyebi, on Tuesday, April 3, 2018, on "Sunrise Daily", a programme on Channels Television, said that although the conventional budget for the running of the Commission had been approved, the budget for the elections, which was submitted separately, had not been approved, adding that it was

worrisome, given the fact that the 2019 elections are less than a year away. That was before the 2018 budget was passed and signed into law. I ask again: Why was the funding for the 2019 elections not part of the 2018 budget? Why is the President just seeking virement to fund the polls? Is there a ploy to frustrate INEC or orchestrate a postponement of the elections as being insinuated by the PDP?

I have read opinions suggestive of padding or inflation of the costs of the 2019 elections. Someone even said the N242 billion meant for the polls should be shared out to Nigerians like the Abacha loot, while the current holders of office retain their positions. Balderdash! Elections everywhere are generally expensive, more so when technology is being deployed. Besides, INEC will need an estimated one million ad hoc staff to conduct the 2019 polls. The Commission's staff strength is barely 16,500. Also, it seeks to procure additional 27,000 smart card readers ahead of the polls. Most of the procured direct data capturing machines being used for voter registration since 2011 have become obsolete and need to be replaced for the purposes of the ongoing continuous voter registration.

Apart from the aforementioned, monitoring of the congresses, conventions and party primaries of the 68 political parties has huge financial implications, likewise the annual audit and monitoring of campaign finance of political parties. Voter education on a comprehensive and sustainable scale attracts enormous costs, most of the sensitive and even non-sensitive election materials are procured abroad with the attendant need for foreign exchange. When politicians mess up their candidate nomination process or are aggrieved with the outcome of elections, they join INEC in their election petitions. In many instances, INEC has to outsource its defence to private lawyers, with huge legal fees attendant upon this. This has to be done because the Commission does not have a sufficient number of lawyers to take on the huge task involved. On top of this, it is expected that INEC should prosecute electoral offenders. The prosecution of such cases equally have their own costs. When courts order the re-run of elections or an elected person

dies and there is need to conduct a bye-election, these attract huge costs. I am sure INEC did not envisage the recall bid of Senator Dino Melaye earlier in the year, but that alone, we were told, gulped about N100 million. All these are capital intensive obligations that the Commission is statutorily saddled with.

This is why it is painful when an estimated 17 million persons who registered to participate in elections refuse to collect their permanent voter's cards. Hence, one is rankled when there is low voter turnout at elections and the huge resources spent on preparing for the elections are wasted. This is why I am happy that good sense prevailed when the National Assembly decided to remove the offensive Section 25 of the Electoral Act Amendment Bill 2018, which seeks not only to reorder the sequence of elections but also added another day to the two that INEC initially proposed. That alone would have increased the costs of elections by about 30 per cent. If Nigerians must know, but for the support that INEC is getting from international donor partners, the cost of running elections in the country would have doubled.

While I am in full support of INEC being well resourced for its duties, the Commission must also ensure value for money. It must make its audited reports for previous elections public, especially from 1999 till date. That way, we all will know if the Commission's spending is justified.

## **Ekiti 'See and Buy' Election Bazaar**

### ***The PUNCH, July 18, 2018***

*"What we are doing is not election. It is money competition. The PDP started it by paying N3,000 into the accounts of civil servants and pensioners. I am a pensioner and I received an alert of N3,000 to vote for the PDP. I called the pension office to ask if my pension was now N3,000. They told me that it was meant for logistics to and fro, that we would meet on the field for the balance." – Abiodun Aluko, Accord Party governorship candidate in the July 14, 2018 Ekiti poll.*

The July 14, 2018 Ekiti governorship election has come and gone, with Dr. John Kayode Fayemi emerging victorious at the poll. I join well-meaning Nigerians across the world to congratulate him. There was a lot of tension ahead of the election, given the fact that the State, nicknamed 'Fountain of Knowledge' and 'Land of Honour', was notorious for election-related violence. I was privileged to be one of the thousands of accredited observers of the election. My team arrived Ado Ekiti, the capital of the South-West State on Thursday, July 12, 2018. In order to give us a better understanding of the situation on the ground, we had meetings with relevant stakeholders ahead of the election.

Although there were 35 candidates in the election, we could only meet with the candidates of the PDP and the APC. Other stakeholders we met included the top echelons of the Independent National Electoral Commission, heads of the security agencies, led by the Deputy Inspector General of Police, Joshak Habila, as well as some civil society organisations. These meetings afforded us a rare opportunity to have firsthand information on the preparations for and about the conduct of the election.

On the election day, my team observed voting in several polling units in six out of the 16 local government areas of the State. These are Ado Ekiti, Irepodun/Ifelodun, Ido-Osi, Oye, Ikere and Ekiti South-West. There were lots of positives from the Ekiti election, and these include the early starting of the election in most of the polling units; the massive turnout of voters; the largely peaceful nature of the polling; the adequacy of election materials; and the inclusiveness of the process, as special interest groups like youths, women and persons with disabilities (PWDs) were taken into consideration in the electoral planning. For instance, the bulk of the polling officials, as well as the accredited observers, journalists and party agents were youths and women between the ages of 18 and 35. Persons with disabilities were also specifically accredited to observe the election, while PWD Official Voting Day Instructions were printed and made available to the polling officials.

Unlike in the past where some National Youth Service Corps (NYSC) members on election duty held the Commission hostage by refusing to go to their deployed polling units due to allegations of the non-payment of their allowances, in Ekiti, INEC ensured that the corps members' training and transportation allowances were paid ahead of the polling day, while they were assured of prompt payment of their election duty allowances immediately after the poll. Thus, there was no single incident of protest or refusal to go to work. It was also commendable that INEC ensured that members of the National Union of Road Transport Workers who provided transportation for the election materials and personnel did not disappoint, as was the practice in the past. The transporters were prompt at their duty posts and also efficient. This made it possible for the election to commence as scheduled. The poll was also well-policed with over 30,000 officers from the security agencies, made up of the police, Department of State Services, Nigeria Security and Civil Defence Corps, Nigeria Immigration Service, Nigeria Customs Service, Federal Road Safety Corps and the Nigerian Army, deployed to provide pre-election, election day and post-election security.

Also heart-warming was the fact that INEC officials were able to transmit the results electronically, from the polling units to a central server, using the smart card reader. Equally laudable was the conclusion of the election at the first ballot. It will be recalled that between 2015 and 2017, INEC was rechristened 'Inconclusive National Electoral Commission' by some critics, due to the need of the Commission then to conduct supplementary elections in polling units where violence had caused the nullification of results, before a winner eventually emerged. This played out in the last governorship elections in Bayelsa and Kogi States.

On the flip side, there were, however, pockets of violence during the election. I witnessed a fight among party loyalists at Unit 011, Ward 07, St. Peter's Primary School, Ilawe, Ekiti. There was poor crowd control in many of the polling units that witnessed large voter turnout. I also observed that the Party Agents Identification Tag was

not customised to contain pictures and names of the party agents, as was done for those of us who were observers whose affiliated groups, names and passport photographs were embossed on our accreditation badges. The horizontal folding technique of ballot papers by voters, instead of the vertical folding style was responsible for the bulk of the 18,857 rejected votes. I also observed that persons with disabilities on wheelchair or crutches had difficulty accessing many of the polling units, as their locations were not disability friendly. There were also isolated glitches with the smart card reader, as the device could not authenticate some voters. It was also disheartening that the outgoing governor of the State, Ayodele Fayose, had to resort to self-help by going on the State broadcast media to unlawfully announce the election results.

But, by far, the biggest dent or minus that blighted the many success stories of the Saturday election was the prevalence of vote-buying, which was ingeniously nicknamed, 'see and buy'. In a report of the July 15 edition of *Sunday PUNCH* newspaper, a voter alleged that an agent of the All Progressives Congress offered him a bribe of N5,000 to vote for the party. The man, who spoke on condition of anonymity, was quoted as saying, "I was offered N5,000 to vote for the party but I rejected it. I am a 73-year-old retired teacher. I cannot allow the future of my children to be bought by moneybags. I don't know how we descended to this level where people brazenly offer money to people to secure their votes. It was not like this in the past. Will our votes count with this problem?"

Apart from many other observer teams confirming widespread cases of vote-buying during our meeting at the CSO Situation Room held on Saturday night, I personally witnessed the ugly phenomenon at Polling Unit 008 A, Sawmill, Ifaki-Ekiti, in Ido-Osi Local Government Area. This heart-rending phenomenon has become a recurrent decimal in our polity, with allegations of extensive vote-buying reported in all the elections held in this Fourth Republic, since 1999. It will be recalled that there were similar reports of vote-buying, under the euphemism of 'stomach infrastructure', in the

same Ekiti State in 2014, as well as in the more recent Ondo and Anambra governorship elections.

Unfortunately, while Sections 124 and 130 of the Electoral Act 2010, as amended, criminalises voter inducement, bribery or vote-buying, with penalties ranging from a N100,000 and N500,000 fine or 12 months imprisonment, no one, to the best of my knowledge, has been prosecuted for this electoral crime. While the police claimed to have effected some arrests in Ekiti, it remains to be seen if these new catch will have their days in court and get the maximum punishment for the offence. Many analysts have wrongfully accused INEC of failure to act on this issue but beyond the power to monitor party finances and campaign funds, the Commission lacks the statutory power to arrest and investigate voter inducement claims; it only has the power to prosecute. For me, the way out of this menace is voter education and enforcement of the extant legal provisions against vote-buying. This is the more reason the National Assembly needs to expedite action on the Electoral Offences Commission Bill before it, so that it can come into force before the 2019 general election. This election bazaar must stop!

## **The Burden of June 12, 1993 Poll on Nigeria's Future Elections**

### ***This Day, June 19, 2018***

*"We recognise that an error has been committed. We will no longer tolerate such perversion of justice. This honour is for the grievous injustice done to the country. It is meant to assist at healing the wounds and building national reconciliation of the 25 years of wounds caused by the annulment. I earnestly urge Nigerians to accept it in good faith and bury the past of June 12."* - President Muhammadu Buhari, while honouring Chief MKO Abiola with a posthumous national honour of the Grand Commander of the Federal Republic (GCFR) on June 12, 2018.

Like a bolt out of the blue, President Muhammadu Buhari (PMB), on Wednesday, June 6, 2018, pleasantly surprised the pro-democracy movement when he issued a press statement changing

Nigeria's Democracy Day from May 29 to June 12, starting from 2019. He did not stop at that, he also recognised the un-inaugurated Bashorun Moshood Kashimawo Olawale Abiola's presidency by conferring the highest national honour of Grand Commander of the Federal Republic on the presumed winner of the June 12, 1993 presidential poll, which was annulled by the military junta led by General Ibrahim Badamasi Babangida on June 23, 1993. Also honoured with the second highest national award of Grand Commander of the Order of Nigeria was Abiola's running mate, Ambassador Babagana Kingibe, as well as the fiery human rights legal luminary, Chief Gani Fawehinmi of blessed memory.

The award ceremony was held on Tuesday, June 12, 2018. At the colourful event, which had in attendance political office holders from the aborted Third Republic, pro-democracy activists such as Nobel Laureate, Wole Soyinka, Femi Falana (SAN), Ms. Ayo Obe, family members of late MKO Abiola, those of late Gani Fawehinmi, as well as serving political officers in this Fourth Republic, the president tendered apologies to the family of late Abiola, as well as victims of the June 12 struggle. A minute silence was also observed in honour of Abiola, Gani and other martyrs of the June 12 struggle.

Since the news broke, I have had the privilege of discussing it on several news channels, including Arise TV, Kiss 99.9 FM, Nigerian Television Authority, Radio Nigeria, Independent Television, Invicta 98.9 FM, Silverbird Television, *The Sun* newspaper and Broadcasting Corporation of Oyo State. I have not only discussed it in formal English language but also in pidgin English and Yoruba languages. The questions I was repeatedly asked concerned the implication of this decision for Nigeria's democracy; whether it was politically motivated, and how that decision would rub off on future elections in Nigeria.

I was an undergraduate student of University of Lagos in 1993 and although I cannot remember voting in that election, I was deeply involved in the struggle to validate the election, as university students, particularly in South West Nigeria joined the labour unions

and non-governmental organisations in demonstrating for the reversal of the annulment of the election.

I am not unaware of the controversies that have greeted PMB's recognition of June 12 as our deserved Democracy Day, as well as the posthumous recognition of Abiola and Gani, more so as legal opinion has earlier been offered that only the living can be bestowed with those national honours, when similar advocacy was made for the late Dr. Stella Adadevoh, who sacrificed her life for Nigeria in the fight against the Ebola virus disease some years ago. There was also the issue of the legality of a change in the date of Democracy Day, which had been held on May 29 for 19 years.

Legal opinions differ on this matter and I've read and listened to many of them. However, news report on June 13, 2018 said the Attorney General and Minister of Justice, Abubakar Malami (SAN) has clarified that the Public Holidays Act will soon be amended to accommodate the declaration of June 12 as public holiday. He was quoted as saying, "So, when the Act has been fully amended, the declaration of the President will come into effect. It is a declaration of intention, a declaration of desire and that will eventually be given effect with the act of amendment of the existing law." This, ordinarily, should lay to rest the lingering controversies about the propriety or otherwise of the President's action of moving Nigeria's Democracy Day from May 29 to June 12. However, I have a feeling that someone, somewhere will go to court to seek interpretations of the National Honours Act, as well as the Public Holidays Act, as it affects this step taken by PMB. As far as am concerned, that will be salutary to our jurisprudence and help deepen our democracy.

As some analysts have rightly observed, May 29 may remain the hand over date for passing the political baton of one government to another, until a possible constitutional amendment is implemented to move it to June 12. In terms of whether the move by the President to validate and venerate the June 12, 1993 presidential election is politically motivated, it will seem so. Given that the 2019 general election is due in about nine months' time, this is a masterstroke by President Buhari to do something heartwarming of South West

Nigeria. There is no crime in this. Politicians are known to explore and exploit such opportunities to give them the edge at polls.

It would be recalled that ex-President Goodluck Jonathan had attempted to honour Aare MKO Abiola by renaming the University of Lagos after the astute politician and business mogul in 2012. This was resisted for two major reasons. First, the Yoruba people preferred a national monument outside the South West geo-political zone to be named after Abiola. This was regarded as deserving, considering his immense contribution to sports, commerce and industry, as well as philanthropy while alive. Secondly, neither the Council nor Senate of University of Lagos was consulted before that decision was made.

Let me recap a few things about the June 12, 1993 presidential election. That was a poll like no other. It was an election contested only by two political parties. That was an era when the military regime of Gen. Ibrahim Babangida had proclaimed two political parties into existence. They were the National Republican Convention and the Social Democratic Party. These two parties were fully funded by the then military regime because they did not want them to be hijacked by moneybags. In fact, government built offices for the two parties in all the local government areas and states of Nigeria, including in the Federal Capital Territory, Abuja.

That election was also conducted using a unique voting system called 'Option A4'. This was an open balloting system whereby the electorate queued behind the candidates they sought to vote for or their posters at the polling units. Some people are even calling for the reintroduction of this voting system, which, as an elections expert, I will not subscribe to. This is because it makes the voters prone to molestation, harassment and violence, as there is no secrecy of ballot. On that day, the Social Democratic Party (SDP), the party on whose platform MKO Abiola contested the presidential election, took a big gamble by fielding a Muslim Presidential candidate, as well as a Muslim Vice Presidential candidate. Surprisingly, it paid off for the party, as voters shunned primordial ethno-religious sentiments and voted for the SDP candidate across the country.

According to the tally from the polling unit collated results by the polling officials and SDP party agents, MKO Abiola won a pan-Nigeria mandate, even defeating the candidate of the National Republican Convention (NRC), Alhaji Bashir Tofa, in his home State of Kano. The election was adjudged as the freest, fairest and most peaceful election in Nigeria's democratic history.

Two institutions played ignominious roles in the subsequent truncation of the June 12 election. They are the judiciary and the military. While some judges gave dubious court injunctions seeking to stop the conduct of the election, the military junta headed by Babangida later annulled the election, after it had held. This led to nationwide protests, which eventually forced the military to leave governance six years after, in 1999. Hundreds of lives, including those of Abiola and his wife, Kudirat, were lost in the sustained protests against the military over the annulment of the election.

Although the military eventually returned power to civilians on May 29, 1999, part of the positive fallout of the struggle for the validation of the June 12 election was the growth in the number of non-governmental organisations working in the areas of human rights, democracy and good governance in Nigeria.

I join all well-meaning Nigerians in tasking the federal government to officially release the results of the June 12, 1999 presidential election, to officially recognise MKO Abiola as the winner of that election, to pay all his entitlements as deserving of a President and name a national monument in his honour. I suggest the renaming of the Aso Rock Presidential Villa in this regard. I also recommend that the Three Arms Zone in Abuja should be rechristened the June 12 Zone. In addition, I will want all the leaders of the struggle for the validation of the June 12 election, living and dead, including Professor Humphrey Nwosu, who was Chairman of the National Electoral Commission that conducted the June 12 election, to be awarded national honours. In truth, without the June 12 struggle, we may not have had the present Fourth Republic. Also, it will be most appropriate to have a curriculum developed on the June 12, 1993 elections and its values of tolerance, electoral integrity and unity in

diversity. This should be thought in our primary and secondary schools as part of Civics, History or Government.

The greatest burden that the June 12, 1993 election has placed on Nigeria's future elections is the need to have polls that are better than that. At present, Nigeria's elections face challenges of the lack of internal party democracy, electoral violence, vote-trading, hate speech, and logistical nightmares. At the Media and Civil Society Organisations roundtable organised by the Transition Monitoring Group in Lagos on Monday, June 11, 2018, these were some of the things we tried to find lasting solutions to. The keynote speaker was the legal luminary and Senior Advocate of Nigeria, Femi Falana.

As I noted in my published interview with *The Sun* newspaper on Sunday, June 10, 2018, beyond the recognition and national honour conferred, the spirit of June 12 demands that we do everything to ensure that going forward, our elections are of international standards - free, fair and credible. That should start from the forthcoming July 14 governorship poll in Ekiti State and the September 22 governorship election in Osun State, before we talk of the 2019 general election. That is when we will know that the All Progressives Congress and indeed President Buhari did not do this out of hypocrisy or mischief, but actually belief in the spirit of June 12.

## **The Nigerian Electorate and Credible Elections**

***The PUNCH*, May 23, 2018**

There are various actors and stakeholders in the electoral process. They are the election management bodies – EMBs (in Nigeria, we have two categories of these, namely: the central Independent National Electoral Commission and the various State Independent Electoral Commissions), political parties and contestants, the media, the judiciary, the security agencies, the legislative assemblies, the accredited observers and the electorate. The EMBs are the umpires who are saddled with the responsibilities of organising, conducting and supervising the electoral process; while the political parties field

the players for the umpire. The parties produce and sponsor the contestants, better known as candidates. The media educates the public on the activities of all the actors and stakeholders.

The legislative assemblies produce the legal framework for the conduct of the elections, the judiciary adjudicates on election disputes, and the security agencies help to secure the electoral environment for the smooth conduct of the polls, while the accredited observers, just like the certified party agents, ensure that the umpire and the contestants strictly follow the rules of engagement. However, the chief of them all are the electorate. They are all the people in a country or area who are entitled to vote in an election. The best of preparations by every other stakeholder, devoid of considerations of the electorate, otherwise known as the voters, make the entire exercises a nullity. Without the electorate, there will be no voting, sorting, counting, collation, announcement of results and the declaration of winners.

The electorate are the real 'kingmakers', as they choose who will govern them at different levels. They enthrone presidents and governors, local government chairmen and councillors, senators, and members of the House of Representatives and state Houses of Assembly.

The Universal Adult Suffrage states that citizens of a country have a right to vote for their leaders. In Nigeria, for one to be among the elite guard called an electorate, one must satisfy five conditions.

According to Section 12 (1) of the Electoral Act 2010 (as amended), "A person shall be qualified to be registered as a voter if such a person – (a) is a citizen of Nigeria; (b) has attained the age of 18 years; (c) is ordinarily resident, works in, originates from the Local Government Area Council, or Ward, covered by the registration centre; (d) presents himself to the Registration Officer of the Commission for registration as a voter; and (e) is not subject to any legal incapacity to vote under any law, rule or regulation in force in Nigeria."

There is a reason why not everyone is qualified to be part of an electorate. The age limit of 18 years and above is to ensure that only people who are mature enough to make informed choices at elections are entrusted with that vital responsibility. This is because the wrong choice of leaders at elections will impact negatively on the quality of governance. And, that is why underage voter registration and voting are not allowed.

How has Nigerians fared in the performance of this sacred responsibility of electing good leaders? Not very well, I must say. Many compatriots have been apathetic to elections. Many do not bother to register as voters; no matter the level of awareness campaign, they are simply indifferent to this. There is another category of people who take time off to register but never bother to go and collect their voters' cards. According to the Independent National Electoral Commission, as of March 2018, there were approximately eight million uncollected Permanent Voter Cards nationwide. On Monday, May 21, 2018, INEC commenced the distribution of an additional four million PVCs of those who had registered in the Continuous Voters Registration between April and December 2017. That makes it a staggering 12 million PVCs awaiting collection by Nigerians. This is worrisome. It is because the registration and collection of PVC are free, unlike when one applies for banks debit cards or the driving licence, which attract fees.

Another group of the electorate are those who collect their voters' cards but do not show up to cast their ballots during elections. They often claim that their reason for collecting the voters' cards is to be able to use them as a means of identification at banks, at airports when flying domestic routes, and generally when transacting business that necessitates personal identification. This set of people cares less about who wins or loses at elections. As far as they are concerned, with or without their votes, winners will emerge.

Another category of the electorate comprises those who register for, collect their voters' cards and troop out to vote during elections. This class can be further bifurcated; there are those who vote

because they have been induced with money or gifts and there are those who vote as a patriotic duty and civic responsibility. Quite unfortunately, people in the latter category are in the minority. Elections in Nigeria are witnessing less and less voter turnout. In some grave cases, there is less than 10 per cent voter participation. There are several reasons adduced for this poor voter response at elections. Some of these include the perceived poor performance of political office holders, in terms of non-delivery on their previous campaign promises, the fear of violence, late commencement of voting by INEC, and previous cases of electoral fraud when votes did not count.

Ahead of the July 14 and September 22, 2018 Ekiti and Osun governorship elections, as well as the February/March 2019 general election, all hands must be on deck to boost voter confidence in the electoral process, to encourage them to turn up to register during the Continuous Voters Registration and then vote when the time comes. Elections without voters can never be ascribed as successful and credible. Elections in Nigeria should cease to be mere hollow rituals. Electorate need to understand the import of their participation in electoral processes.

Yes, it is the right of every 18 year old and above, who meet the prescribed criteria to register to vote; it is also the responsibilities of those who have registered, to collect their voters cards and make sure they vote responsibly at upcoming elections. Lamentations and agonising over the state of the nation is unhelpful and serve no useful purpose. The electorate must put their money where their mouths are by joining the forces of change. They must show interest in electoral processes by following through from party primaries, through campaigns and ultimately the elections. Nigerian electorate, change begins with you!

## **2019 Elections and the Use of State Administrative Resources**

***The PUNCH, April 18, 2018***

*“We campaigned on three major issues – to secure the country, revive the economy and fight corruption. We have elections next year, politicians are already pre-occupied with the polls, but I am bothered more about security and the economy.”* – President Muhammadu Buhari during his meeting with Britain’s Prime Minister, Theresa May, on April 16, 2018.

As we count down to the next general election scheduled for February and March 2019, apprehension has gripped Nigerians. Many compatriots are worried about how governance is often sacrificed on the altar of politicking. As many aspirants declare their ambitions to contest positions in the forthcoming elections, the norm is that governance takes the back seat as those currently occupying elective offices jostle with those seeking to wrest their positions from them. It is a known fact that election in many countries of the world, especially in Nigeria, is war. I quite appreciate the above excerpted statesmanlike statement of President Buhari not to sacrifice governance for politics ahead of 2019. I do hope he keeps to that unforced promise.

I urge current elected office holders to put the country first and ensure that while pursuing their legitimate political ambitions of seeking reelection, they do not lose sight of the need to continue to deliver on their previous campaign promises of bettering the lives of their constituents. It was reported that the attendance of senators and House of Representatives members at plenary sessions has dropped significantly, as many of them are found more in their constituencies perfecting plans to ensure victory in their reelection bids.

Again, as politicians are engulfed in preparations for their elections, I write to remind them of the need to be careful not to abuse the state administrative resources (SARs) at their disposal. SARs are part of the resources used in political contests and in many instances are wittingly and inadvertently misused or abused in order to gain undue political advantage. Among the SARs often abused include money, publicly (government) owned media, security agencies, government vehicles and airplanes, government personnel, as well as administrative powers.

Section 100 (2) of the Electoral Act 2010, as amended, states that “state apparatus, including the media, shall not be employed to the advantage or disadvantage of any political party or candidate at any election. (3) Media time shall be allotted equally among the political parties or candidates at similar hours of the day. (4) At any public electronic media, equal airtime shall be allotted to all political parties and candidates during prime time at similar hours each day, subject to the payment of appropriate fees. (5) At any public print media, equal coverage and conspicuity shall be allowed to all political parties. (6) Any public media that contravenes sub-sections (3) and (4) of this section shall be guilty of an offence and on conviction is liable to a maximum fine of N500,000 in the first instance and to a maximum fine of N1,000,000 for subsequent conviction.” These provisions of the law have often been observed in their breach.

Many state-owned media brazenly disregard this law, as they are often instructed by their appointing authorities not to allow opposition parties and candidates have the same level of access that ruling parties have. Experience shows that many opposition parties and candidates tend to rely heavily on private media to air their campaign adverts and news coverage. Sometimes, the state-owned media are used to demonise opposition parties and candidates, as only negative and fake news about them are aired. The National Broadcasting Commission (NBC) as the regulatory agency for television and radio stations in Nigeria has to rein in this act of impunity and mete out appropriate sanctions against erring stations.

This country has witnessed a lot of abuses of state administrative resources, especially in this Fourth Republic. There was an instance in which a former President declared a two-day public holiday, ostensibly to allow people travel home to vote during elections, but really to prevent the Supreme Court from giving judgment on the matter of the candidacy of his Vice President, who had been unlawfully excluded from the presidential contest. The Supreme Court judgment asking the Independent National Electoral Commission to include the name of the Vice President, who was

contesting on the platform of another party than the one that brought him to power, on the ballot, came barely five days to the presidential election. In January 2018, a governor in a South-West state declared a two-day public holiday ahead of the state's local government election, purportedly to allow people prepare for the election, but really to stall the continuation of the court proceedings challenging the legality of holding the local government polls.

There was also the instance of the Kaduna airport being shut down at a point in time for an emergency repair on the order of a former aviation minister, but with the order really targeted at frustrating opposition political party members planning to fly into the state for their party convention. Oftentimes, opposition political parties and candidates are denied permits to use publicly owned facilities, such as stadiums or parks for their campaign rallies. It is also in the nature of Nigerian politicians, especially incumbents, to use government vehicles, personnel, and other facilities for their campaigns. Even when they use the media or other government facilities for their campaigns, they either do not pay at all or they pay tokens that are not commensurate with the standard rates charged for the use of such facilities.

There have also been instances of abuse of the coercive powers of the state by incumbents during the electioneering period. Security agencies are used to arrest, molest and hound opposition party members; the same way they use the anti-corruption agencies of government to arrest and carry out trial by media of opposition party members nursing political ambitions or known to be sponsoring some aspirants for elections. It gets really bad when laws are also specifically made to target opposition political party members. Worse still is the use of state financial resources to bankroll the re-election of incumbents or to sponsor successors. All these are acts of impunity that often rear their ugly heads during the electioneering period.

These are condemnable because they create uneven political fields for contestants. It's like having one person riding a bicycle and another in a well-serviced car running the same race. The outcome is

definitely predictable. It is important for incumbent elective office holders to take heed and eschew the abuse of state and administrative resources at their disposal. These resources are meant to be used for the public good and not for undue political advantage.

### **‘Saint’ APC, ‘Sinner’ PDP and 2019 Elections**

#### ***The PUNCH, April 4, 2018***

*“The first lesson I learnt in my military training is to never reinforce failure. What we have now is failure. It will be foolhardy for Nigerians to reinforce failure by re-electing an ineffective and incompetent government in 2019.”. – Ex-President Olusegun Obasanjo on Monday, April 2, 2018.*

Nigerian politicians are at it again! They have started to heat up the polity ahead of the 2019 general election scheduled for the first quarter of next year. On Monday, March 26, 2018, the Peoples Democratic Party apologised to Nigerians for mistakes the party made while in power. The National Chairman of the party, Uche Secondus, pleaded for forgiveness at a public national discourse on “Contemporary Governance in Nigeria.” Secondus apologised to Nigerians for “impunity, the imposition of candidates and other mistakes made in the past.” He assured Nigerians that under his watch, there would be no imposition of candidates or any form of impunity in the party’s activities.

However, the All Progressives Congress made heavy weather of the apology. The party asked Nigerians not to accept the PDP’s apology and urged the party to make restitution for “looting” the treasury during its 16-year hold on power at the centre. The ruling party further asked all the PDP members who have allegedly defrauded the country to return the stolen wealth as a sign of true atonement for their sins. Meanwhile, the Federal Government had hitherto prevaricated on the execution of the judgment delivered in July 2017 by Hon. Justice Hadiza Rabiou Shagari, following the Freedom of Information suit number FHC/CS/964/2016 brought by the Socio-Economic Rights and Accountability Project (SERAP), ordering the government to publish the list of Nigerian treasury looters being

prosecuted. The judge had asked the Federal Government to disclose to Nigerians the circumstances under which looted funds have been recovered, as well as the exact amount of funds recovered from each public official.

Seeing a golden opportunity to hit at the PDP when the latter made a public apology for its sins, the APC quickly rushed to the press on Friday, March 30, 2018 with the names of six PDP chiefs currently being tried in court for alleged corruption. This was followed up with a list of 23 others on Sunday, April 1, 2018, which was referred to by cynics as an April fool's list. Of course, many Nigerians were not impressed with the lists for several reasons. I had expected the Federal Government to publish the names of those whose cases had been fully tried and suspects convicted by courts of competent jurisdiction, and not people still being tried in court. If at all the party wanted to grandstand by publishing the lists, these should have been appropriately labeled as lists of *suspected* treasury looters! Under the Nigerian law, an accused is deemed innocent until proved guilty.

Another point of departure I have with the APC on the published lists of alleged looters is that they contained only names of members of the main opposition Peoples Democratic Party. No member of the APC was included in the lists. Are Nigerians to assume that all the APC members are saints and all the PDP members are sinners? Incidentally, a former aide to President Goodluck Jonathan, Reno Omokri, had in a perceived retaliatory move, published the names of 10 APC members who he classified as being corrupt. Like those published by Alhaji Lai Muhammed for the APC, Reno's list is also of those who have been dragged to court by the Economic and Financial Crimes Commission on allegations of corruption or those indicted by panels of inquiry. As of the time of this writing, neither the Federal Government nor the APC has yet to react to Reno's list. It will be interesting to read the defence of the APC. After all, as the old saying goes, what is sauce for the goose should be sauce for the gander.

Truth be told, the Federal Government and the APC are on a wild goose chase by trying to demonise the main opposition party. To my own mind, every political party, the entire 68 of them we currently have on the register of the Independent National Electoral Commission, is made up of good, bad and ugly people. Just like the so-named All Saints Church, this is a fallacy of overgeneralisation. Most elected representatives of the people, irrespective of the political party that sponsored them for election, are responsible for the nation's woes. A pot should not be calling the kettle black. The APC should remember the wise saying that a person who lives in a glass house should not throw stones. In my own estimation, there is nothing the PDP did in its 16 years in government at the centre that the incumbent APC government has not manifested in its three years in power.

A case in point is the illegal and unconstitutional extension of the tenure of the erstwhile National Working Committee of the APC. It will be recalled that on February 27, the APC extended the tenure of the National Working Committee of the party for 12 months. Citing Article 13 of the APC constitution, which empowers the NEC to carry out the functions of the convention, the party said its NEC had decided to extend the tenure of the NWC members and other executive committees at various levels for another 12 months, starting from June 30, 2018. This action led to a lot of controversies, with the Governor of Zamfara State, Abdulaziz Yari, and the Lagos APC distancing themselves from the position of the NEC. Similarly, an aggrieved member from Imo State, Mr. Okere Nnamdi, dragged the APC to the Federal High Court in Abuja, asking it to sack the Chief John Odigie-Oyegun-led National Working Committee of the party.

Okere said the APC NEC erred in law and acted illegally, "unconstitutionally in view of the combined reading of Section 223 (1) (a) and (2) (a) of the 1999 Constitution of the Federal Republic of Nigeria (as amended), Section 85 (3) of the Electoral Act 2010 (as amended) and Article 13 (3) (ii) of the Constitution of the All Progressives Congress 2014 (as amended)." Exactly a month after

the initial decision, President Muhammadu Buhari publicly ordered his party to rescind the decision to extend the tenure of the NWC. According to the President, after due consultations, it became imperative to overturn the resolution to extend the NWC's tenure as it contravened Article 17 sub-section 1 of the party constitution, which recommends a four-year tenure for all elected officials. The President further stated that the tenure extension contravened the Constitution of the Federal Republic of Nigeria, which requires elected officials to present themselves for re-election after four years. He, therefore, stressed the need for members to avoid constitutional infractions that could make the party vulnerable to litigation.

The APC has yet to rescind that controversial decision. Rather, the party decided to set up a committee to look into the issue. Nigerians should also not forget how the party leadership tried in vain to impose principal officers, including the Senate president and Speaker of the House of Representatives on the National Assembly in June 2015. Will a party like this make bold to say it has strong internal democracy and observes constitutionalism? Why is the party afraid of holding congresses and its national convention, as and when due? I am of the opinion that if the party intends to conduct transparent and credible congresses and national convention, it should have nothing to fear. It should remember the saying that he who must come to equity must come with clean hands. Heating up the polity in order to gain undue political advantage ahead of 2019 polls is unwarranted and antithetical to democratic ethos.

## **Enhancing the Integrity of Nigeria's Voters Register**

***Vanguard*, March 3, 2018**

*"Recent reports of violations by underage persons following the local government elections in Kano State are deeply disturbing. The voter register in Kano State is the one used for the 2015 general election. In July 2016, INEC used the same register to conduct a State Assembly bye-election in Minjibir Constituency... No single*

*incidence of underage voting was recorded. What therefore happened in the last local government election conducted by the State Electoral Commission? Was the voter register actually used or not?"* - INEC Chairman, Prof. Mahmood Yakubu on Friday, February 16, 2018, while setting up an investigative panel to unravel the reported incidence of underage voting in the Kano local council elections.

On February 10, 2018, the Kano State Independent Electoral Commission conducted elections into the 44 local government areas and 484 councillorship positions in the State. As usual, the ruling party in the state, the All Progressives Congress, won all the contested positions. That is however not the main news. The real story is that by evening of the election day, pictures and video clips of underage voters casting ballots, allegedly during the elections, surfaced in the media. Many commentators are of the opinion that there are a lot of undesirable elements in the country's National Register of Voters. This is worrisome and heart-rending!

For the records, it is not the first time the country will have issues with her National Register of Voters. For a long time, the voters' registers were compiled manually and without any biometric feature of the registrants being captured. That was when the Optical Mark Recognition Registration Form was in vogue. By 2006, ahead of the 2007 general election, the Independent National Electoral Commission decided to capture the biometrics of registrants. That was when the Commission, under the leadership of Professor Maurice Iwu, decided to use the Direct Data Capturing Machines to capture the fingerprints and faces of the registrants to be enlisted on the voters' register. That exercise was sabotaged and undermined by some unscrupulous elements within INEC, who in cahoots with politicians decided to pad the voters' register with ghost and fictitious names. Of course, there were lots of underage voters registered in that exercise. The National Register of Voters was the one used for the deeply flawed 2007 general election, where at least 13 gubernatorial elections were annulled at either the electoral tribunals or the appellate courts. The elections of that year were

adjudged by national and international accredited observers as the worst in the political history of Nigeria.

By the time Professor Attahiru Jega was appointed in June 2010, his commission tried to audit the voters' register and found out that it was irredeemably bad. That was what led to the fresh nationwide voters registration exercise of January/February 2011, ahead of that year's April general election. Even at that, the voters register was not totally cleaned up in spite of the attempt by the Commission to use the Automatic Fingerprint Identification System (AFIS). The software could only identify and remove multiple registrants, however there was also a significant number of underage registrants who could not be weeded out.

It was the fear that the National Register of Voters was not 100 per cent clean that made the Jega Commission come up with the policy of accreditation before voting during the 2011 and 2015 general elections. It was the belief of the Commission that if the accreditation of voters commenced nationwide at 8 a.m. and ended at 12:30 p.m. in 2011 and 1:30 p.m. in 2015, even if anyone had multiple permanent voter's cards, he or she will not be able to vote in more than one place, given the fact that there would be the restriction of movement on election days and every eligible voter is supposed to be on queue to vote when polling commenced at 12:30 p.m. or 1:30 p.m. It was the fact that the NRV was also not completely clean that made INEC insist that every voter should obtain a permanent voter's card. Prior to 2015, people were allowed to vote with the temporary voter's card. However, with the introduction of the PVC in 2015, INEC went a step further to introduce the smart card reader to authenticate and verify the details of voters. All these efforts were to enhance the integrity of our elections.

Ordinarily, if the Registration Officers engaged by INEC, many of who are ad-hoc staff of the Commission, had followed the provisions of the Electoral Act on voters registration, as well as INEC's guidelines on the exercise, there wouldn't have been this challenge of multiple and underage registrants. Part Three of the Act

comprehensively enunciates the guidelines for the conduct of the voters' register and allied matters. Specifically, section 10 (2) (a,b&c) stipulates that for anyone to be registered to vote, such must produce documentary evidence to support the claim that he or she is eligible to register in accordance with the provisions of section 12 of the Act .

Among the documentary evidence required are the birth or baptismal certificate, National Identity Card, International Passport, National Driver's License or any other document that would prove the identity, age and nationality of the applicant. Honestly, this requirement of the law is observed in its breach by many of the Registration Officers. A similar requirement in section 14 of the Act is also largely ignored. While the Registration Officers may have been pressured or threatened to register underage people, as attested to by senior INEC officials who have publicly commented on this raging issue, in many other instances, the rules are simply ignored or not willingly and voluntarily applied. From the moment the Registration Officers compromised, either by error of omission or commission, what the election management body could do thereafter was simply damage control.

Section 19 of the Electoral Act 2010, as amended, provides a way out of the dilemma of underage voting, as well as that of multiple or erroneous registration. The law says that INEC shall appoint a period of between 5 – 14 days to display the Voters Register for each local government, area council or ward for public scrutiny. This exercise, known as Claims and Objections, is usually not well publicised and as such many voters are not aware of how to engage the process. Section 50 of the Electoral Act also states that candidates and polling agents can challenge the right of a person to receive the ballot paper. The ground of challenge, in my own opinion, includes when such a potential voter is deemed to be underage.

It is a good thing that INEC has set up a powerful technical committee under the leadership of a National Commissioner to investigate the claim of underage voting in Kano on February 10.

The Commission has also promised to make the outcome public. What INEC can do in addition is to ensure adequate protection for its staff currently engaged to conduct the Continuous Voters Registration exercise. This is in order to ward off community leaders and politicians who sometimes mount pressure on the Registration Officers to register ineligible persons. Also, a well-publicised Claims and Objections exercise must be conducted well ahead of the next general election. Thirdly, political parties and the civil society should henceforth endeavour to deploy accredited party agents and observers to watch and report on the ongoing Continuous Voters Registration. The Commission should conduct community outreach to enlighten the people on eligibility requirements to register, as well as hold stakeholder meetings with political parties, to admonish their members to desist from pressurising Registration Officers to commit electoral offences. Identified masterminds of underage and multiple registrations must be properly investigated and prosecuted in accordance with the provisions of section 24 of the Electoral Act. Election is a multi-stakeholder exercise and everyone must play his or her role nobly.

## **INEC and the 2019 General Election**

### ***The PUNCH, February 14, 2018***

It will be one year to the proposed 2019 general election on Friday, February 16, 2018. The Independent National Electoral Commission has been put on the spot recently. Many news media are interrogating the continuous voters' registration (CVR). In fact, *Saturday PUNCH* of February 10 had a screaming headline on its front page: "Voter Registration: Shortage of Manpower, Faulty Equipment Mar Exercise." Earlier, the NOI Polls, on Tuesday, February 6, 2018, published a report of its opinion survey on the Commission's CVR. Apart from that issue, INEC's Chairman, Professor Mahmood Yakubu hosted the Acting Chairman of Economic and Financial Crimes Commission, Mr. Ibrahim Magu, on Thursday, February 8, 2018. During the courtesy visit, the INEC Chairman solicited the support of the EFCC in addressing vote-

buying and the monitoring of the campaign funds of political parties. Furthermore, the National Assembly, on Tuesday, February 6, 2018, passed the amendment of Electoral Act 2010, through which it reordered the sequence of elections, as against the way INEC had earlier arranged it.

On the issue of continuous voters registration, there is no gainsaying that INEC is having some challenges. According to the referenced NOI Polls, the assessment of INEC's CVR revealed that Nigerians scored the exercise 57 per cent, indicating an average performance. The poll, which consisted of a mix of telephone and on-the-ground face-to-face interviews at registration centres, further revealed that about eight in 10 (81 per cent) of the fresh registrants experienced some challenges pertaining to the registration centres, such as long queues (35 per cent); lengthy distances to the centres (25 per cent); inadequate computer systems (19 per cent); late arrival of INEC officials (16 per cent); poor communication skills of INEC officials (11 per cent); and inadequate personnel (seven per cent), to mention just a few.

The polling agency further observed that the on-the-ground, face-to-face assessment of the exercise gave enumerators the opportunity to observe and hear directly from prospective registrants, who complained of having to wake up as early as 3:00 a.m. in order to get to the registration centres on time but still experienced difficulty registering, due to long queues, resulting from the large numbers of people coming out to register. In specific instances, out of over 200 names on an attendance list at a centre, only about 30 prospective registrants got registered daily, due to the inadequacy of INEC officials and computer systems. The poll found out that most registration centres had only a single laptop computer, which had the capacity to register about 30 to 40 people daily without technical disruptions. The poll was conducted in the week commencing on January 29, 2018. The aforementioned was similar to the report by the earlier referenced *Saturday PUNCH* lead story.

I am weighing in on this issue because I have privileged information about the challenges the electoral management body is experiencing

in the conduct of the CVR. By the way, on Wednesday, February 7, 2018, I joined the Chief Executive Officer of NOI Polls, Dr. Bell Ihua, on WE 106.3 FM to discuss the report on the CVR. I was also on 'Focus Nigeria' on Africa Independent Television, 'Vision Nigeria' on Raypower 100.5 FM and another pidgin English programme of Raypower the same day to discuss this topical issue. I also examined the issue on Arise TV on the night of February 10, 2018.

At the INEC retreat on the Mid-Quarter Review of the CVR held in Kaduna on Wednesday, June 7, 2017, Professor Yakubu said, *inter alia*, that on April 27, 2017 when the CVR commenced nationwide, the consolidated register of voters in Nigeria stood at 69,720,350 and that this was the first time in the history of elections in Nigeria that INEC was embarking on a continuous registration of voters in the manner prescribed by the Electoral Act. He also acknowledged that it was indeed ideal and desirable to have the CVR at the polling unit level but for budgetary constraints.

According to him, there are 119,973 (approximately 120,000) PUs nationwide, and no CVR has ever been conducted by the Commission at this level. The indicative core cost for a roll-out at the PU level per day was N1,379,689,000 (approximately N1.4 billion). Meanwhile, the provision for the CVR in the Commission's 2017 budget was N1,216,346,068 for all voters' registration activities, including off-season elections that have become regular since the 2015 general election. One can see the shortfall. What about having the CVR in Registration Areas (the ward) level? The Commission also thought about this. There are 8,809 RAs nationwide. The indicative core cost for roll-out at this level was N101,303,000. Should INEC decide to conduct the CVR at this level, the sum available to it will only be able to carry this out for less than two weeks. This explains why the Commission settled for the least expensive option of conducting the CVR at the local government level. More so, it was not supposed to be a fresh wholesale registration exercise but a mop up for those who just turned 18 years and those who have not previously registered.

It is noteworthy that since that last retreat held in Kaduna, INEC has been trying within its limited resources to address many of the nagging challenges with the CVR. It has increased the number of registration centres nationwide and purchased new laptops for the exercise. I am aware that 10 additional registration centres were approved sometimes ago for all the states and the Federal Capital Territory (FCT). In fact, in the FCT, the number of registration centres has increased from the initial six at takeoff in April 2017 to 33 as at February 2018. I want to appeal to my compatriots to be patient and know that the CVR will not end until 60 days to the election day, according to the provision of section 9 (5) of the Electoral Act 2010, as amended. However, I enjoin INEC to expeditiously create additional polling units and publish the list of those who will vote there well ahead of the election dates.

I have reservations about the reordering of the sequence of elections by the National Assembly. To my mind, it is self-serving. I do know that in Section 25 of the extant Electoral Act 2010, the federal lawmakers have the power of such revision. However, we should be progressive, rather than retrogressive. Why, for instance, can't we have all elections in one day, as it is done in other climes? I have been privileged to observe elections in Ghana, America, Egypt and Uganda. Multiple elections are held the same day. In the August 8, 2017 Kenya elections, six elections into parliamentary and executive positions were held on that day. Why should we have elections over three different days when we could have all of them at once? Remember, when we have elections here, we restrict movement and shut down the economy. Imagine the gargantuan loss the National Assembly's recommendation will inflict on our ailing economy! The advantage that having all the seven elections on the same day gives is that it will save costs and logistical nightmare. It will also shore up voter turnout, as against the current practice where there is voting fatigue.

On the solicitation by INEC for the EFCC to assist in curbing vote-buying and campaign finance abuse, much as it is desirable, it must however be done with caution. The EFCC, in exercising that power,

must be even-handed. It should go after all the masterminds and arrowheads that orchestrate and perpetrate campaign finance abuses, including that of state administrative resources. I do not however see how the EFCC will police the estimated 120,000 Polling Units to arrest, investigate and prosecute those who are usually engaged in vote-buying at that level. The police are the ones who can effectively do that, as they are present at all the PUs. I fully endorse INEC's motive to curb this menace, as we cannot continue to have the best elections money can buy!

# Chapter 4

## GOVERNANCE

**Like the previous chapter on 'Elections', this chapter which is on advocacy around good governance also contains 13 commentaries. They range from opinions on the need to fulfill campaign promises by both President Muhammadu Buhari and the incumbent Governor of Ekiti State, Dr. Kayode Fayemi, the need for the newly established North East Development Commission to avoid the pitfalls of Niger Delta Development Commission as well as x-ray of Buhari administration's anti-corruption war. There is also an opinion on the deplorable situation of Nigeria's Water, Sanitation and Hygiene (WASH) as well as commentary on sharp practices of Nigeria's food vendors. There is equally an article calling on the Buhari administration to restructure the country for better governance as well as another analyzing how the country has fared 58 years after independence.**

## **Nigerian Politics, Economy and Security in 2018**

### ***The PUNCH, December 26, 2018***

It's five days to the end of 2018. There is no gainsaying that it has been a topsy-turvy year for the country. In my estimation, although there are scores of issues that made the news in 2018, three of them got higher mention. These are: politics, the economy, and security.

Being the eve of our sixth general election in this Fourth Republic, politics dominated the airwaves and cyberspace. On January 9, 2018, the Independent National Electoral Commission released the official timetable and schedule of activities for the forthcoming general elections, which kicks-off in about 52 days. In the course of the year, as part of preparations for the polls, INEC has registered a total of 91 political parties and through its Continuous Voters Registration programme, which was suspended on August 31, 2018, was able to register 84.2 million potential voters.

In 2018, the Commission conducted two off-cycle governorship elections in Ekiti and Osun States, as well as several bye-elections and court-ordered re-runs. The polls were largely adjudged credible. The most controversial election conducted by INEC in 2018 was the September 22 Osun governorship election, which was declared inconclusive, thereby necessitating a supplementary election in five polling units in the State on September 27. Many political watchers believe that the supplementary election was not free and fair.

Unlike the 2015 Constitution amendment that was aborted, in 2018, President Muhammadu Buhari was able to sign five out of 12 Constitution amendment bills presented to him. These constitutional alterations have a bearing on our elections. For instance, the Not-Too-Young-To-Run bill signed into law by President Muhammadu Buhari, lowers the qualification age for the office of the President from 40 to 35 and that of House of Representatives from 30 to 25 years. It is instructive to note that in Ghana, the qualification age for parliament is 21 years.

Unfortunately, while the President signed some of the Constitution amendments, in an unprecedented manner, he withdrew assent on

four different occasions to the 2018 Electoral Act amendment bill. This is very disheartening! The funding request for the 2019 elections also came late, as the President either forgot or chose not to include the N189 billion required by INEC for the conduct of the polls in the 2018 budget. It was not until July that the President deemed it fit to ask for virement for the sum of N242 billion meant for INEC and the security agencies involved in the conduct of the elections. The National Assembly's approval for the funds eventually came in November and it is believed that the funds are being released to the relevant agencies now.

The primaries conducted between August 18 and October 7, 2018 in many of the political parties cannot stand the test of electoral integrity. They were defined by the imposition of candidates, violence and the inducement of party delegates. Some deaths were also recorded during the exercises. This shows that internal party democracy is yet to be rooted in our politics. The political campaigns have been on since the November 18 peace accord, spearheaded by the General Abdulsalami Abubakar-led National Peace Committee, was signed by most of the presidential candidates on December 11 and 12.

In a deft political move, President Buhari decided to recognise June 12 as Nigeria's new Democracy Day, while also affirming the late Chief MKO Abiola as the winner of the annulled presidential election of 1993. He also conferred the highest national honour of a Grand Commander of the Federal Republic (GCFR) posthumously on Abiola.

In the area of the economy, it has been a mixed fortune. The year birthed amidst a lingering fuel scarcity that had started from November 2017. The situation was so acute that many could not travel for the Christmas and New Year celebrations with their loved ones. Thankfully, a repeat of that unsavoury experience was averted, when oil marketers recently threatened to go on strike to press home the demand for their outstanding fuel subsidy payments. Regrettably, Nigeria is still importing refined petroleum products. While the 2018 budget was presented to the National Assembly on

November 7, 2017 and was signed into law by President Buhari on June 20, 2018, the N8.83 trillion 2019 budget was just presented to the National Assembly on December 19, 2018. This is rather unfortunate.

However, it stands to the credit of this administration that it has been able to complete some of the projects initiated by previous administrations. Some of these include the Abuja Light Rail Project, the new Nnamdi Azikiwe Airport terminal, as well as the Port Harcourt International Airport terminal. Many road projects are also receiving attention. On December 14, Vice President Yemi Osinbajo, on behalf of the Federal Government, launched another economic blueprint aimed at accelerating human capital development by 2030. Truth be told, Nigeria's economy is still in the doldrums, with worsening poverty and unemployment. Nigeria now has one of the highest numbers of poor people, while unemployment has risen from about 18 per cent to 23 per cent.

The outgoing year has witnessed a lot of labour unrests, leading to a drop in national productivity. As I write this, the Academic Staff Union of Universities is on strike, likewise its counterpart in the polytechnics. Although the Federal Government has grudgingly acceded to the N30,000 new minimum wage for workers, the President is yet to sponsor an executive bill that will give the proposal legal backing. While it is true that power generation has hit about 7,000 megawatts, transmission is still at about 5,000MW. This is grossly inadequate as the country's economy is still being largely run on private generators. The government's anti-corruption war is on course, with the Economic and Financial Crimes Commission claiming to have secured over 600 convictions and recovered over N500 billion in the last three years of this administration. However, as someone said, there is a perception that while the President uses "insecticides" on his corrupt political enemies, he uses "deodorants" on his own corrupt cronies.

The government still faces a Herculean task of making the country secure. In February 2018, about 110 students of Government Girls' Science and Technical College, Dapchi in Yobe State, were

abducted by suspected Boko Haram insurgents. And, although five of them died during this unfortunate experience, all the others, with the exception of another, Leah Sharibu, were returned by their abductors. There has also been a spike in the attacks of the insurgents in recent times, with the Nigerian Military suffering heavy casualties. By far, the most worrying security challenge of 2018 is the herders-farmers clashes, which have led to loss of many lives and displacement of hundreds of thousands of people. According to a report made public on December 17, 2018, Amnesty International said that more than 3,600 people have been killed in clashes between farmers and herders in Nigeria since 2016. Over 2,000 of those deaths occurred in 2018 alone! There has also been exponential increase in banditry, especially in Zamfara State, Birnin Gwari in Kaduna State, as well as in many states of the federation. In December 2018, unknown gunmen assassinated a former Chief of Defence Staff, Alex Badeh, on his way to Abuja from Keffi in Nasarawa State.

It is heart-rending that Nigeria, for the fourth consecutive year, occupies the third position among the countries worst hit by terrorism globally. Apart from 2014 when it was ranked fourth, Nigeria has remained in the unenviable third position in the Global Terrorism Index since 2015. There have been several calls for President Buhari to sack the military chiefs, all to no avail. It is quite disconcerting that despite the huge budgetary and extra-budgetary allocations to the Defence Ministry, including the \$1billion approved by National Economic Council for the fight against insurgency on December 14, 2017, the country is still largely unsafe. This has had adverse effects on farming and foreign direct investment, thereby posing great danger to food security and economic prosperity in the country.

## **Fayemi Should Not Fail Ekiti People**

***The PUNCH, October 17, 2018***

*“I want to assure Ekiti workers that I am going to pay all their outstanding salaries and make life comfortable for them and their families. My re-election as the Governor-elect of Ekiti State was not accidental, but divine intervention... I want all the civil servants to note that my re-election was not to take vengeance, but to restore peace, transformation and development to the State.”— Governor Kayode Fayemi at a news conference in Ado Ekiti on July 15, 2018*

I heartily congratulate Governor John Kayode Fayemi on his inauguration on Tuesday, October 16, 2018. I welcome him back to the seat he vacated four years ago. Fayemi is indeed a man of destiny, an early achiever, who not only excelled in academics but also in development work and governance. He is an academic, journalist, researcher, and administrator par excellence.

As he takes his oath of office again, the second time in eight years, at a colourful ceremony in Ado Ekiti, may I use this opportunity to remind him of his campaign promises and hope that he'll be able to deliver on them.

I have followed Fayemi's career in the civil society since he was Director of the Centre for Democracy and Development, a research and training institution dedicated to the study and promotion of democratic development, peace-building and human security in Africa. I also witnessed his transition to politics in 2006 and I am happy that as a graduate of War Studies in England, he has fought and won many political battles, including the July 14, 2018 electoral battle in Ekiti. I am glad that he discharged his responsibilities very well during his terms in office, first as a governor between 2010 and 2014 and until recently, as Minister of Solid Mineral Development from November 11, 2015 to May 30, 2018.

*This Day* newspaper of July 4, 2018 had this to say, while weighing his chances of victory at the governorship election, that he ultimately won: “The social security scheme, where over 25,000 aged people above 65 years received N5,000 monthly stipends had

been widely applauded across the country. It was the first of its kind in Nigeria... The Youth in Commercial Agriculture that employed 1,500 youths; the Peace Corps with 600 operatives; Volunteer Youth Corps, where unemployed graduates were put on a salary of N10,000 monthly for their upkeep; Operation Renovate All Schools, where over 1,000 schools were renovated; cash grants for community associations for the execution of about N1bn projects across towns; and conditional cash grants to cocoa farmers are among some of his projects showcased at his campaign rallies.”

In a January 15, 2014 opinion entitled, “Ekiti State and the Politics of Stomach Infrastructure”, I reviewed Fayemi’s stewardship, as enunciated on the January 11, 2014 edition of “Sunrise on Saturday”, a Channels TV magazine programme. He had said in that interview, among other things, that his government had reversed the dwindling fortunes of Ekiti State in the education sector through strategic interventions. According to him, his administration refurbished all the secondary and primary schools in the State, and abolished all ‘miracle centres’, where mercenaries were hired to sit for examinations for those who could afford to pay for these. His administration also declared free education in all secondary schools, to complement the Federal Government’s free primary education policy.

According to Fayemi, when he came to power in 2010, Ekiti State was recording about a 20 per cent success rate in the West Africa Senior Secondary School Certificate examinations, but by 2013, the State had achieved about a 80 per cent success rate. His administration’s merger of the three erstwhile universities in the State, which he referred to as glorified secondary schools, into one, also yielded positive results as all the courses on offer in the State’s university were fully accredited by the National Universities Commission.

In the health sector, Fayemi claimed that Ekiti State, which has 16 local government areas, has 22 General Hospitals, with some communities having small populations being served by primary health centres. Many of these hospitals were refurbished. And,

health services were said to be free for certain categories of citizens, such as children from 0-5 years, pregnant women, persons with disabilities, and adults over the age of 65 years and above. The roads in the State were said to have also received prime attention under his administration, with some youths also getting engaged under the Ekiti State Traffic Management Agency.

We should recall that on that TV programme, Fayemi's Special Adviser on the Millennium Development Goals (MDGs) Bunmi Dipo Sami described what was happening in the administration as 'Transformation 360 Degree'. She spoke glowingly about the attainment of 30 per cent affirmative action in gender representation in the Fayemi administration, the passage into law of the Equal Opportunity Bill and Gender Equality Bill, the achievement of the two out of the eight MDGs, and the government's youth empowerment scheme.

I did not set out to make this piece a post-mortem of Fayemi's first term in office. However, it is important to bring the public up to speed with past achievements before I task the governor on what is expected of him in his second term, which began on Tuesday, October 16, 2018. I remember my visit to the Ikogosi Warm Spring in April 2014 and my wonder at the transformation that Fayemi brought to the rustic environment. My travelogue entitled, "A Tourist's Impression of Ikogosi Warm Spring", was published in *The PUNCH* of Wednesday, April 9, 2014. What I saw in Ikogosi confirmed what a former Commissioner for Tourism, Mrs. Ronke Okusanya, said during the above-mentioned Channels TV interview.

Fayemi was able to deliver on his eight-point agenda during his first tenure, so much that he joked that his detractors could not fault him on infrastructural development, except over his refusal to share out state resources to some powerful interest groups.

Mr. Governor believes so much in his past performance that he promised to stick to his seven -point agenda, which are: Good governance, human capital development, infrastructure, tourism development, qualitative education, good healthcare delivery and commercial agriculture. Fayemi was very much aware of the parlous

financial condition of Ekiti State before throwing his hat in the ring to contest to become governor for the second term. He battled over 30 other aspirants to clinch the All Progressives Congress's ticket in the primary election. He also defeated 34 other candidates to emerge victorious in the July 14, 2018 governorship poll. Ekiti people will not want to listen to excuses on why he cannot deliver on his campaign promises. He must do all within his power not to let the good people of his State down.

Ekiti people look forward to accountable governance under Fayemi's watch. He will do well to remember to learn from whatever mistakes he made during his first tenure, and to avoid such pitfalls!

## **Nigeria: A Crippled Giant At 58**

***The PUNCH, October 3, 2018***

'The Crippled Giant' is a coinage borrowed from Professor Eghosa Osagae's classic book, *The Crippled Giant: Nigeria Since Independence*. Although I have not read the book, the African Studies Review's assessment of the tome says it, "is an excellent summary of Nigerian political history... The work is notable for an even-handed analysis of both history and theory. The result is an introduction of the highest quality to the study of Nigerian politics." I have had the privilege of being invited on several radio and television programmes to discuss Nigeria at 58, including reviewing the President's speech on October 1, and my conclusion is that Nigeria, though a well-endowed nation with great potential, is still a perpetual underachiever.

President Muhammadu Buhari's speech to the nation on Monday, October 1, 2018 lacked statistics. He talked about fighting insurgency, corruption, cleaning up Ogoniland, youth participation in politics and governance, the challenge of climate change, his bid to unite Nigeria, support to the Independent National Electoral Commission to be truly independent, the menace of social media and the plan to ensure that Nigeria meets the Sustainable

Development Goals of the United Nations in 2030, alongside Agenda 2063 of the African Union. These, to my mind, are mere hot air, platitudes and rhetoric. Where are the milestones of achievement till date? What do the statistics say about our economy, politics and governance? These are very depressing statistics I dare say.

In its 2017 Ibrahim Index of African Governance, Nigeria scored 48.1 in overall governance, ranking 35th out of 54 in Africa. This is according to the Mo Ibrahim Foundation. It said that although Nigeria ranked 35th, its score was lower than the African average of 50.8 and yet lower than the regional average for West Africa, which was put at 53.8. The Human Development Index, a composite statistics of life expectancy, education, and per capita income indicators, is used to rank countries into four tiers of human development. According to *Vanguard* newspaper of September 15, 2018, Nigeria ranked 157th out of the 189 countries sampled. The country's life expectancy from birth was also put at 53.9 years. In the "Low human development" group, countries that ranked higher than Nigeria are Tanzania, 154 (0.538) and Zimbabwe, 156 (0.535). Nigeria followed at 157 (0.532).

You possibly must have heard that Nigeria has overtaken India as the country with the largest number of people living in extreme poverty, with an estimated 87 million Nigerians, or around half of the country's population, considered to be living on less than \$1.90 a day. According to the Cable News Network, "The findings, based on a projection by the World Poverty Clock and compiled by Brookings Institute, show that more than 643 million people across the world live in extreme poverty, with Africans accounting for about two-thirds of the total number."

According to a 2017 third quarter (Q3) report of the National Bureau of Statistics, Nigeria recorded its highest ever aggregate unemployment rate, rising from 14.2 per cent in the fourth quarter of 2016 to 18.8 per cent. Capital market operators, under the aegis of Association of Stock broking Houses of Nigeria, in August 2018, decried the volatility in the stock market, which led to the loss of over N701 billion or 5.2 per cent of investors' investment for the

eight month period ended on August 29, 2018, blaming it on the heated political environment. The bearish trend has continued unabated. Inflation remains at double digits, just as Nigeria's annual inflation rate rose to 11.23 per cent in August 2018. The rise, which was driven by the increase in food prices, was the first in 2018. The National Bureau of Statistics disclosed this in its latest Consumer Price Index report released on Friday, September 14, 2018, in Abuja.

According to the United Nations Children's Education Fund, Nigeria has 10.5 million out-of-school children – the world's highest number. Sixty per cent of these children are in northern Nigeria. While primary school enrolment has increased in recent years, net attendance is only about 70 per cent; although this figure is being disputed as it might have gone up. According to the Permanent Secretary, Federal Ministry of Education, Sonny Echono, at a meeting with the state commissioners of education, as part of the 63rd National Council on Education meeting in Abuja in 2018, "The only challenge was that we could not provide (an) accurate figure to that effect. International organisations use 10.5 million as the figure of out-of-school children. But our local statistics indicated that 12.7 million was the highest figure and 6.7 million was the lowest figure."

What about corruption? How have we fared in the war against the menace? In the 2017 Corruption Perceptions Index, which is the most current, Nigeria scored 27 out of 100 points and ranked 148 out of 180 countries globally, according to the Berlin-based Transparency International. In March 2018, Professor Mike Ogirima, the President of the Nigeria Medical Association, said that currently there are about 45,000 medical doctors in the country, with an estimated population of 170 million.

In August 2018, the Minister of Power, Works and Housing, Mr. Babatunde Fashola, said electricity generation had hit 7,000 megawatts, while distribution had risen to 5,222 megawatts, an all-time national high. This is what we are celebrating 58 years after independence! As I write this, many industrialists and private citizens still run their businesses and homes on generators. These are

the inglorious statistics the President was clever not to mention in his October 1, 2018 Independence Day speech.

I have rolled out all these heartrending statistics to buttress my claim that 58 years after Independence, Nigeria remains a crippled giant. The potentials of the country are no doubt enormous. We have world class human capital; our population provides ready markets for investors; our oil and gas deposits, including solid minerals buried in the ground of many Nigerian communities, are humongous in quantity; and there are limitless opportunities in agriculture, Information Communication Technology, sports, entertainment and tourism, which are all money spinners, in the country. Unfortunately, from independence, Nigeria has been plagued with bad political leaders, who are majorly concerned with self-aggrandisement, rather than working for the public good. People of ideas and vision are often muscled out of electoral contests by political gatekeepers, political entrepreneurs and godfathers who would rather install “blackmail-able” surrogates and puppets. The Machiavellian principle of the end justifying the means has become an article of faith in the practice of Nigeria’s mercantilist politics.

To emancipate ourselves from this crop of rapacious rulers masquerading as leaders, there is need for citizen action. Not only must good people participate in politics and the electioneering process, we must also, as a matter of right, demand good governance. The 2019 general election looms. As citizens, we must ensure that all of us who are yet to collect our Permanent Voter’s Cards (PVCs) make out time to collect them. Those who have collected theirs must ensure that they come out to vote for credible leaders in 2019. I know many youths who were disenchanted with the process and outcome of the September 27, 2018 supplementary election in Osun State and have threatened to burn their PVCs and apply for visas to leave the country. However, my appeal to them is that there is a judicial Election Dispute Resolution process that has the power to review electoral outcomes and do substantial justice. I believe that our votes will count in 2019 and as such we all must play noble roles in the emergence of credible leaders in the next

general election. When a new set of leaders are eventually inaugurated on May 29, 2019, we must demand good governance from them and the fulfillment of their campaign promises.

## **The Anti-corruption War: Of Scapegoats and Sacred Cows**

*The PUNCH*, September 19, 2018

President Muhammadu Buhari campaigned on a three-point agenda in the lead-up to the 2015 general election. He promised to fight insecurity, revamp the economy and tackle corruption. On these, while he may have recorded some baby-step successes, his performance has been anything but sterling. In all honesty, we cannot in good conscience claim to be more secure now than we were before Buhari came to power on May 29, 2015. While he's been able to contain the Boko Haram insurgency in the North-East, banditry, herdsmen killings and kidnapping have soared. The economy is still on tenterhooks, with Nigeria currently ranked as the country with the highest number of poor people in the world, while the anti-corruption crusade has been largely lopsided.

For over three years that President Buhari has been in power, his administration has done much to demonise the former ruling Peoples Democratic Party, as the locust that ate our patrimony. It has been lamentations galore for the ruling All Progressives Congress. "Oh, PDP destroyed this country!", "Oh, we would have become an industrial giant but for PDP which stole us blind!", the APC and Buhari are wont to say. Now that a new sheriff is in town, what's our scorecard on the anti-corruption crusade?

The Treasury Single Account, Bank Verification Number and weeding out of the Nigerian civil service's "ghost" workers are not initiatives of Buhari's government. They were started by ex-President Goodluck Jonathan, although sustained by the incumbent. I admit that the current administration has recorded greater success than its predecessor did in the anti-corruption war. However, the

perception out there is that a lot of corruption is still going on under this administration. Critics of Buhari's anti-corruption fight are quick to point out the "grass-cutting" scandal that led to the sacking of the immediate past Secretary to the Government of the Federation, Babachir Lawal, as a sore example. While President Buhari vacillated in sacking Babachir, it is instructive to note that the man has not been prosecuted since he was removed from office over a year ago.

There is also the Abdulrasheed Maina case. The former Chairman of the Presidential Task Force On Pension Reform, who was indicted for his inability to account for billions of naira recovered by his committee, was secretly recalled into the civil service and given double promotion from Assistant Director to Director, despite having been declared wanted by the security agencies. In October 2017, the incumbent Minister of State for Petroleum Resources, Dr. Ibe Kachikwu, accused the Group Managing Director of the Nigerian National Petroleum Corporation, Dr. Maikanti Baru, of insubordination and of awarding contracts to the tune \$25 billion without due process. No probe was ordered and the administration has carried on as if nothing happened.

Under this administration, a serving senator, Isa Misau, opened a can of worms concerning the Inspector-General of Police, Ibrahim Idrisin 2017. Rather than set up an independent panel of enquiry, the Attorney General of the Federation and Minister of Justice, Abubakar Malami, only denied the allegations on behalf of the IGP and charged Misau to court.

When *Premium Times* broke the news about the immediate past Minister of Finance, Kemi Adeosun's forgery of her National Youth Service Corps (NYSC) Exemption Certificate and dared her to sue the news medium if she felt libeled, President Buhari maintained a studied silence. It took 69 days before the Minister, of her own accord, voluntarily resigned on Friday, September 14, 2018. Not even the NYSC was able to inform the public whether it approved the request of Adeosun for exemption or on the outcome of its self-imposed investigation into the matter till date.

Early in 2018, the Minister of Information, Lai Muhammed, named alleged looters of Nigeria and all of them were reportedly from the opposition PDP. I asked then if there were no corrupt persons in the APC. In April 2018, the APC asked each of its 24 governors to pay a princely sum of N250 million to help the party fund the congresses and convention it later held in May and June. The alibi was that it was their dues to the party. According to the then APC Publicity Secretary, Bolaji Abdullahi, “At the meeting of the National Working Committee and the governors of the party held at the party secretariat on Thursday, April 26, 2018, it was pointed out that many of the governors... (had) fallen behind in the payment of their party dues. While some of the governors have been up to date with the payments, a few others have not paid at all. The governors were therefore requested to pay up, especially in view of upcoming party activities. It is therefore possible that a governor that falls in the category of those that has not paid since inception could be owing up to N250 million,” Incredible! President Buhari, the anti-corruption czar and the Economic and Financial Crimes Commission did not see anything wrong with using state funds to bankroll a political party.

In a Saturday, September 1, 2018 features story entitled, “Eight politicians with N232bn corruption cases working for Buhari’s re-election”, *Saturday PUNCH* reported that at least eight out of the politicians working for the re-election of President Buhari in the February 2019 election had pending corruption cases, with the cumulative value of the theft leveled against them put at N232 billion. It reported that the amount involved in the various graft cases, which were pending before security agencies, especially the EFCC, ranged from N223 million to N100 billion for each of the politicians. Some of the eight politicians, who used to be members of the PDP and other opposition parties, had defected to the ruling APC to stop the dangling axe of the EFCC and other security agencies from falling on them. Specifically, the politicians, who are currently either under probe or prosecution for allegedly diverting government funds, have separately vowed to ensure that Buhari remains in power until 2023. I expected that since members of the

PDP were the “looters”, the APC and the President should not have allowed anyone from the PDP, who is under prosecution for corruption, to join their rank. However, the party, just like all others, has been non-discriminatory.

In the lead up to the last general election, there was controversy about the propriety of a group, Nigeria Consolidation Ambassador Network, paying for the President's N45 million Expression of Interest and Nomination Forms fees. My take on that is that while this may be legally acceptable, it is morally reprehensible. It is a Greek gift meant to curry favour from the President. Why did the group not pay the N27 million needed for the President's nomination fee in 2014, only for him to take a bank overdraft to pay for the form then?

I have chronicled the people's perception of the President's anti-corruption fight. There is a lot of double standards at play. If it were members of the opposition party who did most of the things being done with impunity by members of the ruling party, they would not only have been hounded and molested by the anti-corruption and security agencies but would have been presumed guilty, even before being charged to court.

Mr. President must know that the three pillars of the rule of law are: Supremacy of the Constitution; equality before the law; and fundamental human rights. These are core principles that should not be observed in breach.

## **Dearth of the Political Empowerment of Nigerian Youths**

***The PUNCH, July 11, 2018***

*“I am very happy to be here. Let me remind you that this place – Shrine – is a music place as well as politics, which is needed to change the society. So, I will say to the youths, politics is important, be involved.”* – French President, Emmanuel Macron, at The New Afrika Shrine, Lagos on Tuesday, July 3, 2018.

It is 220 days to the next general election taking place in 2019. Preparations are on by different stakeholders to make the exercise credible, peaceful and successful. As it happened on Monday, July 9, 2018, political parties are already forming working alliances, with the Peoples Democratic Party leading the pack by signing a Memorandum of Understanding with 38 other political parties and associations. The Independent National Electoral Commission is not left out. As the umpire, INEC has been organising training workshops for many of its staff; Election Management System, Election Project Plan, Election Operations Support Centre are being activated, while a series of meetings are also being held with election stakeholders. I was privileged to attend one of such held with the civil society on Thursday, July 5, 2018.

It is no longer news that the 2018 budget has been signed, albeit late, and as such funding due to INEC for preparations for the election should be getting to it soon. On the legal framework flank, we are almost there, with the President already signing five Constitution amendment bills, of which three of these have direct bearing on the forthcoming elections. Furthermore, the National Assembly has graciously passed the Electoral Act (Amendment) Bill 2018 for the second time, after the initial presidential veto in March, and has sent it to the President again for assent on June 25, 2018. It is hoped that in the course of this month of July, the President will sign the bill into law, thereby giving certainty to the legal framework that will be used for the conduct of the 2019 general election. The only major challenge to the 2019 polls is insecurity, which I hope will be drastically contained before the election period.

According to World meters, “the current population of Nigeria is 195,919,277 as of Monday, July 9, 2018, based on the latest United Nations estimates.” An estimated 60 per cent of the country’s population is youths within the age bracket of 18 – 35 years old. Now, what are we doing with this youth bulge? How does government view this population – as an asset or as a liability? How are we harnessing this teeming population for national development?

How are we mobilising the youth to participate in politics and the decision-making process?

I am involved in a research entitled “Youth Empowerment and Political Voice” supported by Baywood Foundation, an indigenous non-governmental organisation, and spearheaded by the trio of Professor Isaac Olawale Albert, Professor Martin Ike-Muonso and Dr. Ozonnia Ojielo. The aim of the project is to publish a book on the research title, for a possible continent-wide advocacy for the political empowerment of the youth. In July 2018, at the Institute for Peace and Strategic Studies, University of Ibadan, a peer review workshop was held, with each of the researchers having an opportunity to present their findings for value addition.

It is interesting that our collective research on the subject matter revealed that there is no conscious effort on the part of the Nigerian government to politically empower the youths of the country. Many of the youth empowerment schemes are clever ruses for gagging the youth voice and politically disempowering them. The tokenistic approach of supporting a handful of youths in petty trading, farming and vocational skill acquisition will not give them the crucial voice to engage actively in politics and occupy decision-making positions, either in politics or governance.

Our audit of the newly signed Not-Too-Young-To-Run bill shows that the lowering of the age qualification to contest for the position of President, and membership of the House of Representatives and State Houses of Assembly, from 40 to 35 and from 30 to 25 years respectively, as well as the registration of 68 political parties is laudable. However, these steps are not adequate and may not make much impact on youth participation in politics.

As I observed in my presentation at the aforementioned peer review workshop, while the opening up of the political space is heart-warming, it is not far-reaching enough to engender robust youth participation. The Constitution of the Federal Republic of Nigeria needs to be further altered to provide for Affirmative Action for marginalised groups such as youths, women and persons with disabilities. For instance, the Ugandan Constitution makes provision

for special interest groups such as women, youth, workers, persons with disabilities and even the military. They all have seats reserved for them in the Ugandan 418-member parliament. Article 78 of the Ugandan Constitution requires parliament to have at least one woman representative for every district. And, there are 112 districts in the country. Other interest groups are the Uganda Peoples Defence Forces (the military), which has 10 reserved seats in parliament, the youth, workers, and persons with disabilities, who have five reserved seats each. Of these seats, one of them is reserved for women and in the case of the UPDF, which has 10, two are reserved for women.

Other militating factors against meaningful youth participation in politics are the high cost of politics, as well as the prevalence of electoral violence, which ironically is largely perpetrated by delinquent youths. It is important to state that the kind of youths being encouraged to actively participate in politics are not the deviants involved in drug abuse, or those who are illiterate and purposeless. Should the future of the country be handed to these brands of youths, it becomes a *fait accompli* that the nation will be run aground.

I must also hasten to say that it is not only by contesting elections and winning that youths can participate in politics. There are several other avenues for this. These include registering to be active members of political parties, contesting intra-party leadership positions, volunteering to serve as party agents, organising political debates, registering to vote, voting at elections and engaging in mandate protection. Other avenues include elections observation, voter education, as well as the monitoring of campaign promises with the aim of holding government to account.

For the youths wanting to contest elections, it is imperative they learn to network and synergise. They should leverage the Information Communication Technology, particularly the social media, to galvanise the political movement that can earn them victory akin to the phenomenal achievement of a 39-year old Emmanuel Macron being elected as the French president. And for

those who complain of the high cost of politics, my advice is that they should start their political careers at the low level and move gradually up the ladder. My research shows that the following Nigerian political juggernauts – the incumbent Governor of Delta State, Ifeanyi Authur Okowa; a former Edo State Governor, Chief Lucky Igbinedon; a former Oyo State Governor, Otunba Adebayo Alao-Akala; Senator Musiliu Obanikoro; Senator Ganiyu Olanrewaju Solomon; Senator Ita Enang; a former Plateau State Deputy Governor, Dame Pauline Tallen, among others, all cut their political teeth at the local government level, either as councillors or local government chairmen. Today's youths should know that a tree is not climbed from the top but from the bottom.

### **Are Nigerian Food Vendors Merchants of Death?**

***The PUNCH, November 22, 2017***

Every living thing needs food, air and water to survive. They are some of the basic necessities of life; the other needs being clothing and shelter. Ironically, many Nigerians are being fed poison in the name of food. A visit to our foodstuff markets will reveal to discerning minds that many of the raw foods offered for sale are not fit for human consumption. They are either adulterated or contaminated.

Nutrition experts say that most of the chemicals used to preserve much of the foods on sale in Nigeria are dangerous to human health. Some of the poultry products being sold in our markets are preserved with poisonous chemicals. An April 29, 2016 report in *This Day* newspaper entitled, "Imported Frozen Poultry Product As A Silent Killer" stated that, "Medical experts have noted that these imported products are poisonous because smugglers use formalin to preserve and keep them fresh from neighbouring countries till they get to Nigeria. Formalin is a cancer-causing chemical capable of initiating liver and kidney diseases." Even local butchers have been accused of using formalin to drive away flies from their meat, while some fruit sellers use it as well to preserve their fruits from going

bad quickly. I also watched a video clip in which some frozen chickens were being injected with steroids to increase their size.

To reduce or totally prevent post-harvest losses, many commercial farmers use all manner of toxic pesticides and insecticides to preserve their grains. Some of the chemicals applied are supposed to be for six months or a year but in situations where there is huge demand for such grains, they are prematurely brought to the market for sale. With the toxicity levels of these products still high, they end up posing health challenges to consumers.

Some plantain and banana sellers allegedly use ash and carbide to forcefully ripen their products. This is a dangerous practice, as it constitutes health hazards to consumers. Many women who go shopping at local markets will bear witness to the many adulterated products being offered for sale. These range from rice to beans, garri, yam flour, cassava flour, ground pepper, melon seed,, groundnut oil, palm oil to honey and all sorts. Only experienced women and men know how to spot the difference between the fake and the original.

Some canned foods are not left out. They are either fake or expired; yet, they are sold to unsuspecting members of the public. The same goes for many of the bottled drinks. There is a raging controversy that many of the soft drinks for sale contain certain amount of pesticides. In 2017, a Lagos High Court ruled that high levels of benzoic acid and additives in some soft drinks could pose health risks to consumers when consumed alongside ascorbic acid, commonly known as Vitamin C. There is also the fear that the sugar content of many of the soft drinks produced for consumption in Nigeria is too high and makes consumers prone to obesity and diabetes.

Due to epileptic power supply, many of the restaurants, cafeteria and bukataria operating in Nigeria are said to use all sorts of preservatives whose chemical compositions may not be health friendly in the food sold. That is why some of the meals offered for sale in some of these places tend to taste 'funny'. As I write this, despite the warning by the Minister of Agriculture and Rural

Development, Chief Audu Ogbeh, for Nigerians to stop the habit of cooking moi moi (beans pudding) with cellophane (plastic) bags or sheets, the practice is still carried on in many households.

Ogbeh made the disclosure when he spoke at the public hearing on the Food Security Bill, organised by the Senate Committee on Agriculture and Rural Development in Abuja on June 2, 2016. According to him, when exposed to heat, cellophane bags release quantities of dioxins that are harmful to human health once ingested. He advised lovers of moi moi to make use of leaves in the preparation of the delicacy rather than cellophane sheets, adding that leaves do not contain such poisonous substance.

Ogbeh, a farmer, said beans and grains preserved with an overdose of pesticides by farmers and sellers have led to the death of many unsuspecting Nigerians. He also warned that the consumption of (pure) water in sachets exposed to sun at over 28 degree Celsius was poisonous and responsible for many cases of kidney and liver failure among Nigerians. The Minister said poorly boiled meat could cause tuberculosis. He further warned that the wrong application of fertiliser by farmers had led to consumption of poisonous foods. "Unknown to many farmers, there is a specific fertiliser for specific crops in specific states in line with soil texture", he said. Despite this timely warning, more than a year ago, Nigerians still carry on with scant regard for food security and safety.

Food safety is very important, but Nigerians seem to care less about this. Often, I see women drying cassava and grains such as guinea corn, maize, rice and the like by the roadsides. This is a dangerous practice. It is the mishandling of our food that leads to many instances of families dying or having serious health issues after meals. It will be recalled that in June 2015, the local gin popularly known as "ogogoro" reportedly killed 70 people in Woji and Gokana communities of Rivers State. The Director, Public Health Services, Rivers Ministry of Health, Nnanna Onyekwere, while confirming the deaths told the News Agency of Nigeria in Port Harcourt, that two of the survivors had developed visual impairment. The deaths were recorded because of contamination of

the locally brewed drink. It is most disheartening that the government is trying to promote the consumption of genetically modified organisms (GMOs), which are widely believed to be unsafe.

It is imperative for Nigerian health officials responsible for food safety and security to redouble their effort to educate Nigerians about the dangers of some of the foods and drinks being consumed in this country. The National Agency for Food and Drug Administration and Control; the Ministry of Health, especially the Department of Public Health and Preventive Medicine; Environmental Health Officers or Sanitary Inspectors; National Orientation Agency and the media, among others, have big roles to play in sensitising the public and confiscating, as well as arresting anyone who imports or locally manufactures dangerous foods and drinks. There is no gainsaying that many of the itemised unwholesome practices in the handling of Nigerian foods are responsible for the rise in cases of cancer, kidney, heart and liver failures, hypertension, diabetes and, indeed, premature deaths. A stitch in time saves nine!

## **The Birth of North East Development Commission**

***The PUNCH*, November 1, 2017**

*“I expect that the expeditious coming into force of the commission will remedy the long years of under-development suffered by the region. The recovery and redevelopment of the zone devastated by terrorism are expected to last decades.”*– Yakubu Dogara, Speaker, House of Representatives

News broke in October 2017 that President Muhammadu Buhari had assented to the North East Development Commission Bill passed by the National Assembly. I congratulate the Speaker of the House of Representatives and Senator Ali Ndume, who were the lead sponsors of the Bill in the two chambers of National Assembly. I equally felicitate with all the sons and daughters, including residents of the beleaguered North-East region, on this well-deserved federal

intervention. The lamentable development situation in that geopolitical zone is well known. Even when there was no Boko Haram insurgency, the North-East had always lagged in the human development index.

In May 2015, Senator Abdul-Aziz Murtala Nyako did a concept note calling for the establishment of the North-East Development Commission. In that paper, the Senator quoted the National Bureau of Statistics' 2010 data to buttress his campaign for the establishment of the NEDC. According to him, the "NBS 2010 statistics show that the North-East of Nigeria has the worst socio-economic conditions in the country. Its average absolute poverty rate, put at 69 per cent, is above the national average of 60.9 per cent. This characterises the zone as having the highest rate of poverty in Nigeria." The lawmaker did not stop at that. He quoted other credible sources such as the United Nations Children's Fund and the West Africa Examination Council. While the national average of out-of-school children in primary school, as of 2011, was 26.3 per cent, that of the North-East region stood at 44.8 per cent; also, while the country's national average of out-school children (junior secondary school, in 2011) was 25.7 per cent, that of the North-East zone was 49.6 per cent. Similarly, as of 2012, while the national average percentage of candidates with five credits and above in West Africa School Certificate Examination (WASCE), including Mathematics and English, was 30.9 per cent that of the North-East stood at a mere 8.72 per cent. It is that bad!

Before the 2009 kick-off of hostilities by the Boko Haram insurgents, the North-East used to be peaceful, with a majority of the inhabitants of the six States that make up the region, namely, Adamawa, Borno, Yobe, Gombe, Taraba and Bauchi engaging in agriculture. The geopolitical zone has also produced many top politicians, academics and businessmen. Among them are the first Prime Minister of Nigeria, Alhaji Abubakar Tafawa Balewa from Bauchi State; a former Chief of Army Staff and Minister of Defence, General T.Y. Danjuma from Taraba State; ex-Vice President Atiku

Abubakar, from Adamawa State, and incumbent Speaker of the House of Representatives, Yakubu Dogara, from Bauchi State.

In its 2015-2020 Economic Reconstruction and Redevelopment Plan, the Presidential Initiative for the North East succinctly captured the situation in the North-East in its statement that: “In the past, the North-East region was renowned as a bastion of commerce and trade, with prominent local enterprises and well-established trade routes across the Sahara. It was known for its large agricultural potential, with 80 per cent of the population engaged in farming and contributing significantly to the regional and national GDP.”

Over the past two decades, however, the region has regressed, with low education levels, diminished access to health care and other basic amenities and low GDP per capita. A once promising region now trails the other regions of Nigeria across all socio-economic indicators.

As the Chief Executive Officer of Forward in Action for Education, Poverty and Malnutrition, a non-governmental organisation headquartered in Bauchi, I bear witness to the gross underdevelopment of the North-East geopolitical zone. Our intervention, which covers eight thematic areas, namely, education, peace and conflict management, gender and disability issues, water and sanitation, nutrition, health, orphans and vulnerable children, as well as democracy and good governance, has been able to impact positively on the zone, with funding support from many international donor agencies. Yet, our intervention, just like several others in the zone, has been like a drop in the ocean because there is so much to do but the resources are very limited. It is thus heartwarming that the North-East Development Commission will help scale up and speed up development in the zone.

A press release from the Office of the Senior Special Assistant to the President on National Assembly Matters (Senate), Senator Ita Enang, elucidated that the NEDC will, among other things: Coordinate projects and programmes within the master plan for the rehabilitation, resettlement, reconciliation, reconstruction and sustainable development of the North-East Zone in the fields of

infrastructure, human and social services. Also, in the sectors of health and nutrition, education and water supply, agriculture, wealth creation and employment opportunities, urban and rural development and poverty alleviation. The Commission will also liaise with federal ministries, departments and agencies (MDAs), states and development partners, on the implementation of all measures approved in the master plan for the stabilisation and development of the North-East by the Federal Government. NEDC would equally assess and report on any project being funded or carried out in the North-East by any federal MDA or company that has an agreement with the Federal Government and ensure that funds released for such projects are properly utilised.

Additional functions of the Commission include: To liaise with other stakeholders on the tackling of humanitarian, ecological and environmental problems and degradation that arise from natural causes, insurgency and industrial activities in the North-East zone; and to seek humanitarian, human, material, technical and financial support from development partners (local or international) and NGOs with a view to developing the zone. Also, to co-ordinate civil-military confidence building and stabilisation measures and equally activities that lie within the civil-military interface, especially before, during and after military and security operations; and act as the focal point to coordinate and harmonise all other interventions programmes and initiatives that the Federal Government is involved with in the North-East zone.

This is a very wide mandate and I hope that the bureaucrats who will manage this new Commission will learn from the pitfalls of the Niger Delta Development Commission, which over the years has been embroiled in all manners of controversies, including allegations of corruption, project abandonment and inefficiency, largely as a result of political intrigues.

The NEDC is coming at the right time, as the Commission should be able to get its first budgetary allocation from the 2018 budget the President will be presenting soon to the National Assembly. Now that we have the new Commission, will the T.Y. Danjuma-led

Victim Support Fund and the Presidential Initiative for the North-East still exist alongside the new Commission or will they be merged with it? I expect them to be dissolved into the new Commission. For the NEDC to succeed, the insurgency in the zone must be halted; otherwise, whatever is done at the epicentre of the crisis may be tantamount to mopping a leaking roof.

Lastly, I enjoin the Federal Government to prioritise national development, rather than continue to set up regional intervention agencies. We should recall that the bid to set up the South-East Development Commission was botched at the House of Representatives earlier in the year and other regions too may soon be justifiably angling for intervention agencies.

## **FG's Criminal Abandonment of Government Projects**

***The PUNCH, October 25, 2017***

Anyone living in Nigeria needs a shock therapy from time to time, unless, perhaps, one does not listen to the news or follow up with trending stories. Sometime ago, I learnt that there were over 500 abandoned Federal Government projects in Akwa Ibom State alone! The revelation was made by a Commissioner in the state. How could that be? But then, I remember that this is Nigeria where anything goes. A Sunday, June 28, 2015 report in the *Daily Trust* reported that the Director of Administration of the Chartered Institute of Project Management of Nigeria, Mr. David Godswill Okoronkwo, stated in an exclusive interview with the newspaper that there were approximately 56,000 abandoned government projects across the country. He listed them according to geopolitical zones. In his words, "South-East has 15,000; South-West, 10,000; South-South, 11,000; North-West, 6,000; North-Central, 7,000; North-East, 5,000 and Abuja, 2,000." All these projects were estimated at N12 trillion.

Earlier on March 4, 2010, former President Goodluck Jonathan inaugurated the 20-man Ibrahim Bunu-led Presidential Projects Assessment Committee to, among other things, take inventory of all Federal Government projects, assess their levels of funding and

project statuses. The Committee, on June 2, 2011, submitted its report to the ex-President. It did an inventory of 11,886 ongoing projects (at that point) with a N7.78 trillion estimated cost, out of which the Federal Government paid N2.696 trillion to contractors, leaving a balance of about N5 trillion. Volume One of the report shows that of the geopolitical zones, the South-South zone has 1,755 projects, amounting to N2.1 trillion, followed by the North-Central with N630 billion and 1,844 projects. The last in ranking is the North-East zone, with 466 projects amounting to N98 billion.

A July 2, 2017 report in *The Guardian on Sunday* says that Akwa Ibom Integrity Group published over 300 projects abandoned by the Niger Delta Development Commission in the State. Leader of the group, Chief Okon Jim, alleged that the Commission abandoned a total of 121 rural roads, 75 classroom blocks, 69 rural water schemes, 43 mini-electrification projects, among others, across the State.

While the bulk of the abandoned projects pertain to those initiated by the Federal Government, also state and local governments are equally complicit in this ignoble and criminal game of project abandonment. On Sunday, October 22, 2017, *The Nation* newspaper published a feature story where it detailed how seven states, namely: Abia, Rivers, Niger, Ogun, Plateau, Bayelsa and Akwa Ibom, wasted billions of naira on uncompleted projects. The newspaper cited the example of the Monorail Project in Rivers State, which was conceived and began by the former governor of the State, now Minister of Transportation, Chibuike Amaechi, in his first tenure as governor in 2008. It was designed to cover 12 kilometres at the cost of N50 billion. Unfortunately, it was abandoned at the point of 2.6 kilometres when the former governor completed his second term in office. Sources said the work already done, which was described as Phase 1A, gulped some N33.9 billion.

Other abandoned projects in the seven mentioned States, with their estimated contract sum as published by the newspaper, include: Minna Airport City, awarded at the cost of \$600 million, Minna five-star Hotel – N19.6 billion, Abia International Hotel – N6 billion

to complete and would need about \$25 million to expand, Jos Main Market — N5 billion to rebuild, Bayelsa Hotel —N13.9 billion, Ibom Tropicana —N33 billion, Ibom Specialist Hospital (completed but shut down)— N41 billion.

Is it not heartrending that a country with a high level of infrastructural deficit will initiate a plethora of capital projects and abandon them? Why start a project you do not intend to complete? What's the value for money in this mindless pastime of our administrators? Who benefits from this criminal neglect of capital projects?

The Bunu-led Committee blamed the mass failure of public projects over the years on corruption, inadequate budgetary provision, poor project conceptualisation and institutional weakness. Bunu noted that following the Committee's in-depth assessment of many of the projects, "there is indeed evidence of large scale, widespread institutional mediocrity, deficiency of vision and a lack of direction in project management, which result in poor conceptualisation, poor design and faulty execution. Needless to add that this has resulted in avoidable loses of billions of naira to the government." Considering the fact that this report was submitted to the Federal Government six years ago, why has there been no conscious effort by the immediate past and indeed the present administration to have a paradigm shift on the initiation and implementation of capital projects?

From the initial statistics earlier reeled out, it will be noted that the non-completion of capital projects has been continuing distressingly even under the present Buhari administration. This is sad! One would have thought that President Buhari would demonstrate the courage to implement the PPAC report, knowing that government is a continuum. What I thought this administration would have done differently was to categorise the abandoned and uncompleted projects according to those it can fund, those that are white elephants that need to be auctioned off to the public, as well as those it wants to complete through public-private-partnerships. In fact, government can use the proceeds from the auctioning of abandoned projects to complete the viable ones it needs resources to complete.

If Buhari had concentrated energy and resources on completing most of the thousands of abandoned projects across the country, it would have bridged the infrastructure deficit and his government would have had a lot more to showcase in terms of projects completion in its two-and-a-half years in office. For me this is a low hanging fruit that should be plucked. Of what point is the craze to initiate a new project when you're not sure of completing it in the lifetime of your administration? As experience has shown, successors are hardly interested in completing the projects of their predecessors, even if they belong to the same political party. This is untoward. Many of the abandoned project sites have been taken over by weeds, delinquents and reptiles, thereby posing environmental hazards to law-abiding members of the public. This unwholesome practice should be discontinued by all tiers and arms of government. If you cannot find the resources to complete a project, simply get the private sector to build, operate and transfer (BOT) it back to government sometimes down the line, or better still, auction it off!

## **Reversing Nigeria's Deplorable Water and Sanitation Situation**

***The PUNCH, October 11, 2017***

From September 20 – 22, 2017, I was at Yankari Games Reserve for a three-day workshop organised by Water Aid Nigeria. It was an eye-opener! Did you know that 57 million people in Nigeria don't have access to safe water? Did you know that over 130 million people don't have access to adequate sanitation in this country? Did you know that Nigeria is the worst country in Africa for access to urban sanitation? Are we aware that in this country, almost 60,000 children under the age of five die every year from diarrhoea caused by poor water and sanitation? These are not my personal opinions; they are facts from Water Aid, an international organisation working in 37 countries of the world, which has been in Nigeria for about 20 years now.

If the above statistics from Water Aid shocks us, then we should wait for that from the United Nations Children's Fund. According to

UNICEF, “About 70 million people, out of a population of 171 million, lacked access to safe drinking water, and over 110 million lacked access to improved sanitation in 2013. Open defecation rates, at 28.5 per cent, pose grave public health risks. Every year, an estimated 124,000 children under the age of five die because of diarrhoea, mainly due to unsafe water, sanitation and hygiene. Lack of adequate water and sanitation are also major causes of other diseases, including respiratory infections and under-nutrition. Many schools in Nigeria lack safe, private toilets and hand-washing facilities. This affects enrolment and performance, particularly in the case of girls.” Peradventure, this grave situation is partly why the Sustainable Development Goal 6 is on ensuring access to water and sanitation for all by 2030.

Even without official statistics, it is an open secret that access to water, sanitation and hygiene in Nigeria is highly deplorable. Even in urban centres, there is no State in Nigeria, including the Federal Capital Territory (FCT) that is totally covered by public water supply. In the FCT, except for parts of Bwari and Abuja Municipal Area Council (AMAC) Area Councils, other areas like Gwagwalada, Kuje, Kwali and Abaji have no public water supply. In Ibadan where I was born, schooled and lived, there is largely no public water supply. If there is, perhaps, it may be in the Government Reservation Areas of Bodija, Agodi, Jericho, Iyaganku and Oluyole. In fact, since I was born, though water is on the Concurrent Legislative List in the Constitution, access to it has been made the citizens' responsibility and not that of government. So sad! In many communities around the country, people fetch their drinking water from streams or wells. In some instances, animals and human beings share the same water sources, which should not be. Good water is supposed to be colourless, odourless and tasteless. Unfortunately, water in many homes is brownish and has taste, meaning that it is neither potable nor safe for general human consumption.

Since there is hardly water for drinking in many homes, little is available for sanitation and hygiene. As seen from the above statistics, open defecation is still a serious challenge in Nigeria, with

130 million people not having access to adequate sanitation. This is so because many homes, schools, public buildings and business complexes are built with few or no toilet facilities. A visit to many rural communities will reveal that most of them indulge in open defecation, as their homes are built without even pit latrines. Despite the Federal and State Governments' pronouncement of environmental sanitation days, many citizens hardly participate in the cleaning of their environment. Many residential houses are overgrown with weeds, while the drainages are blocked due to the dumping of solid waste in the gutters and water channels. These unwholesome practices, apart from causing flooding, are also harbingers of diseases.

Personal hygiene is alien to many people in this country. Because of the shortage of water, clothes are not washed when due. Many do not even brush their teeth twice daily, as recommended by dental experts. Washing hands after defecation or when one's hands are soiled is a Herculean task for many people, as they see this as a waste of scarce water. Although it is advised that fruits should be washed before being eaten, many people ignore this simple hygiene practice and carelessly eat unwashed fruits.

The implications of not embracing water, sanitation and hygiene (WASH) practices are grave. They affect health and even the economy. Experts say many of the water and insect borne diseases such as cholera, typhoid, malaria, dysentery, and the likes, can be drastically reduced if only we all adopt water, sanitation and hygiene practices. In spite of the acute shortage of water in many metropolitan areas of the country, the few privileged communities that have pipe borne water also engage in water wastage. Because the publicly supplied water is highly subsidised to make it affordable, many residents who enjoy this facility are known to be lackadaisical in the way they use water. Their leaking taps and pipes are not repaired promptly.

Anytime I pass by and see water gushing out of burst reticulated water pipes, this saddens me. This is a scarce commodity being allowed to waste. Another concern is that sometimes water supply

from the water corporation or board is either coloured or full of particles, thereby unsafe for drinking. It behooves the water board to fix these broken pipes promptly. The board should make hotlines available for alerting it to areas where citizens have noticed broken pipes, leading to water wastage. For those who do not have access to chlorinated pipe borne water, they should embrace the simple practice of boiling their drinking water once they are not sure of its safety for consumption.

I do know that the common practice now is for people to buy sachet or bottled water believing that these are safe to drink. That is however not totally true. Many water-manufacturing companies are either not licensed or they adulterate their products after securing licensing for these from the relevant authorities like the Standards Organisation of Nigeria and the National Agency for Food and Drug Administration and Control. Health experts have also recently made it clear that it is unsafe to drink processed water in plastic containers when it has been exposed to too much sun or heat. It has been said by experts also that the indiscriminate drilling of boreholes in search of water is dangerous, as it is not environmentally friendly.

The imperative of environmental sanitation and hygienic practices cannot be over-emphasised. We need to clean our environment as a habit, even without government prompting. Personal hygiene practices, such as hand washing and oral hygiene will make us live healthy lives. And as the saying goes, cleanliness is next to Godliness and a healthy people are wealthy people.

## **Restructure for Inclusive Governance, Justice and Development**

***The PUNCH, June 14, 2017***

*“Rebellion cannot exist without the feeling that somewhere, in some way, you are justified.” – Albert Camus.*

The call for restructuring of Nigeria has never been this strident. Virtually on a daily basis, the trending news is about the need to restructure the country. The demands by the Movement for the

Actualisation of the Sovereign State of Biafra and the Indigenous People of Biafra for self-determination, and similar demands by groups such as the Movement for the Emancipation of the Niger Delta, as well as the Niger Delta Avengers, have kept the issue on the front burner. The agitations for self-determination are borne largely as a result of real and perceived marginalisation by different ethno-religious groups.

Monday, June 12 was the 24th commemoration of the fiendish annulment of the June 12, 1993 presidential election by the military junta of Ibrahim Babangida. The poll was considered by political observers as the most peaceful, freest and fairest in over 90 years of Nigeria's electoral democracy. I recall with nostalgia that the mass protests organised by the labour and civil society organisations, in response to the annulment, sent shockwaves around the world and precipitated Nigeria's eventual return to civil rule and the birth of the Fourth Republic in 1999. The aftermath of the annulment led to the emergence of the National Democratic Coalition, better known as NADECO, as well as the ethnic militia known as the Oodua People's Congress.

The point being made in reference to the emergence of pressure groups and ethnic militias is that they are "children of necessity", formed to demand the redress of certain inequalities, injustices, discriminations and marginalisation. The Yoruba were demanding for the Oodua Republic, until the atonement of the annulment of the June 12 election was done by first naming Chief Ernest Sonekan, who is also an Egba man like the late MKO Abiola, as the Head of the Interim National Government and later in 1999, the fielding of two eminent Yoruba sons (Chief Olu Falae and Chief Olusegun Obasanjo) as presidential candidates, out of which the latter became the first President in the Fourth Republic. The emergence of President Goodluck Jonathan, first as Vice President in 2007 and later as Acting President in 2010 and eventually as an elected President in 2011, cannot be divorced from the cumulative agitations for the emancipation of the Niger Delta by Isaac Adaka Boro and his group in the 1960s, the more recent struggles of Ken Saro-Wiwa and

his Movement for the Survival of Ogoni People lieutenants, and the activism of MEND.

Like I noted elsewhere on the issue of restructuring, the declaration of Biafra Republic and the eventual fratricidal civil war of 1967 to 1970 were borne out of perceived marginalisation and discriminations against the Igbo. The re-emergence of the agitation for Biafra by MASSOB and IPOB in the recent past is also linked to the same issues of injustice, inequality and unfair treatment. The arrowheads and masterminds of these groups are quick to point out the lack of federal presence in the South-East, the bad state of infrastructure in the zone, discriminations against the Igbo in federal appointments under the All Progressives Congress government of President Muhammadu Buhari, the lack of support for an Igbo presidency since 1966 when the tenures of the presidency of Dr. Nnamdi Azikiwe and later that of General J.T.U Aguiyi Ironsi as Head of State, were cut short by military coups in 1966. The members of the House of Representatives from the South-East recently made a heavy weather of the rejection of the South-East Development Commission bill in the Green Chamber. They claimed it was part of the marginalisation of the South-East to prevent the region from developing.

The cry of marginalisation is not only against the presidential action or inaction of the Buhari government, even similar agitations obtain at the state level. The indigenes of Oyo North are clamouring for the introduction of power rotation that will factor them into the governance structure of Oyo State. No indigene of Oyo North has been governor of the State since creation. Likewise, the Yewa/Awori people of Ogun State have never produced a governor since the State was carved out of Western Region in 1976. In Benue State, no Idoma person has ever been governor. The late Governor Patrick Yakowa was the first indigene of Southern Kaduna to be governor of Kaduna State, and his emergence was regarded as largely accidental. In Kogi State, no one from Okun-land in Kogi West has ever become governor. In a similar manner, I am told that only a Kanuri man can be governor in Borno State. All the

aforementioned unjust acts are the underlining factors behind the strident calls for restructuring across Nigeria.

In a bid to contribute to the discourse on the issue of restructuring, as well as proffer solutions to the lingering agitations for it, the National Institute for Policy and Strategic Studies organised a conference on the theme of “Federalism and the Challenges of Dynamic Equilibrium in Nigeria: Towards a National Strategy” on May 30, 2017. I was privileged to be among the participants. According to the Institute’s Acting Director-General, Mr. Jonathan Mela Juma, the conference was designed to provide answers to some of the following questions: “What kinds of policies are favourable for maintaining unity in diversity in the operation of our federal system? How can our federal system be made to increasingly protect and accommodate a veritable crucible of diversities within the country? What mechanisms, among other aspects, could be considered to guarantee equal access to basic services for all groups living within the federation? In other words, are there mechanisms to provide all groups with equal access to economic and political decision-making processes, arrangements for affirmative action to protect the rights of minorities and disadvantaged groups, policies for effective communication, and to ensure equal inclusion of all groups in development policies? What factors have proved key to the success (or failure) of federalism in Nigeria to play its potential role in reversing deep-rooted conflicts? Indeed, how can Nigeria’s federalism maintain a dynamic equilibrium between centrifugal and centripetal forces in the country without excessively overheating the political system?”

Speakers and discussants at the conference included the Attorney General and Minister of Justice, Abubakar Malami; a former Minister of Information, Professor Sam Oyovbaire; Resident Electoral Commissioner Designate, Professor Sam Egwu; INEC National Commissioner, Professor Okey Ibeanu, as well as other academics like Professor Adele Jinadu, Professor Dakas C.J. Dakas, and Professor Etannibi Alemika, who all provided insights into how

best we can restructure our warped federalism in order to have an inclusive, just and egalitarian society.

In the opinion of the Minister of Justice, “It is true that Nigeria’s federal system has been experiencing challenges and there have been agitations and prescriptions to reform and modify it. Reforms and modifications of institutional arrangements, systems and processes are normal in federations but are not done in a single swoop as being advocated in Nigeria. Mega changes are not healthy for federations. Change is a gradual process that must be democratic and subjected to legislative and administrative processes as provided by law”.

The chief law officer of Nigeria further stated that, “As political realities and experiences across the world have shown, all federations, whether established by a ‘coming together’ or ‘holding together’ process, experience deep-rooted conflicts and ours cannot be an isolated case. In Nigeria today, there are demands for restructuring; for deconstructing the excessive concentration of powers at the centre; for a dispersion of power to the lower levels of government along with special provisions for the empowerment of women and other socially disadvantaged groups; for the country to move away from the cooperative federalism of several decades to a more competitive form of economic federalism; for a fiscal federalism that presents the challenge of addressing regional inequalities, and of balancing the concerns of equity and efficiency in intergovernmental fiscal relations, among many others.”

I align my thoughts with those of the AGF. We all know the problems of Nigeria’s federalism. I have earlier in this piece highlighted some of them. Shall we then fashion out enduring solutions to them? For me, whatever will bring about good governance, dividends of democracy, a higher standard of living for the majority of citizens, and inclusive governance, will get my support. End of story!

## **2016: The High and Low Points for Nigeria**

### ***The PUNCH, December 28, 2016***

It is three days to the end of 2016. In another 72 hours, we will be shouting Happy New Year 2017, with a lot of handshaking, backslapping, phone calls, text messaging and other expressions of joy for seeing the end of this year and the beginning of a new one. It is thus in order at this point in time, to weigh in and consider how Nigeria and Nigerians have fared in the last 12 months. I must say that this is a subjective analysis due to the fact that it is my personal view of the situation on the ground. My analysis would span different sectors, such as the economy, politics, education, security, and sports.

In the outgoing year, the biggest news about the economy was the official announcement that the country had slipped into a recession. The budget for the year was passed late, having been embroiled in controversies over “padding” by both the executive and legislative arms. By the time the appropriation bill was signed into law in May, the economy was already in comatose, with no capital release to the ministries, departments and agencies of government. Even the huge debt owed the private sector, particularly government contractors, put at about N2 trillion, led to the sacking of many workers and shutting down of several businesses. The implementation of the budget has been hampered by shortfalls in the projected revenue, both in the oil and non-oil sectors. The 2.2 million barrels per day (mbpd) oil production projection in 2016 could not be met, due to increased cases of oil and gas pipeline vandalism by Niger Delta militants.

Other problems that faced Nigeria's economy in the outgoing year include high inflation, which is over 18 per cent; a weak naira in relation to other international currencies like the dollar, pound sterling and euro; the inability to significantly improve electricity supply for both industrial and residential consumption, as well as the low oil price in the international market.

Truth be told, it wasn't all negatives for the economy in 2016. Some of the high points for the oil sector were government's ability to resolve the lingering fuel scarcity plaguing the country. This came at a high cost to the consumers, as the price of Premium Motor Spirit (PMS) was increased from N87 per litre to a maximum of N145 per litre. Even though this has spawned higher costs of living, more so as many state governments are owing workers' salaries, while the workers' union is now demanding a N56,000 minimum wage, on the positive side, there is now price stability as against when the price of petrol was officially N87 but it was selling at over N200 per litre in many retail outlets. Despite the lingering challenge of electricity supply, there has been a modest improvement in access, with many consumers testifying that they now have more power supply than in previous years. However, huge customer debts, liquidity problems, the vandalism of gas pipelines and inadequate metering of customers remain daunting challenges.

In the outgoing year, government has taken the issue of diversification of the economy seriously and is walking the talk on diversification into agriculture. On July 20, 2016, the Federal Executive Council met and approved the Agriculture Promotion Policy (2016-2019). According to the Minister of Agriculture, Chief Audu Ogbeh, the policy outlines all that needs to be done to achieve self-sufficiency in agriculture. He said: "The document is entitled, 'The Green Alternative' and it outlines virtually everything we need to do, every policy we need to undertake to achieve self-sufficiency in agriculture and also to become a major exporter of agricultural products."

One of the low hanging fruits that have been plucked is the joint venture on rice production between Lagos and Kebbi States, which has led to the production of LAKE Rice now on sale in Lagos State. Still on the economy, serious commitment to "Buy Made in Nigeria", as part of the wider "Change Begins With Me" national campaign launched on September 8, 2016, is commendable. Also, the commencement of the cleanup of Ogoniland by President Muhammadu Buhari this year will create jobs, help restore the

environment and ultimately make agriculture practice possible again. It will equally help tame militancy and youth restiveness in the Niger Delta in the long run.

The enforcement of the collection of N50 stamp duty on every bank transaction, bringing more people and companies into the tax net, weeding out of 'ghost' workers from government payroll, plugging of some of the loopholes in revenue leakages and reduction in the cost of governance are also noteworthy.

Politics in 2016 has been a mixed grill. Unlike in 2015 when there was a general election, in 2016 only two off-cycle governorship elections, bye elections and court ordered re-run elections, were held by the Independent National Electoral Commission. Although the two governorship elections in Edo and Ondo States were concluded on the first ballot, unlike in 2015 when Kogi and Bayelsa governorship elections were inconclusive, vote buying and violence, unfortunately, continue to mar our electoral process. One of the lowest points in our democratic consolidation enterprise was the bloodletting that took place in Rivers state, both on March 19 and December 10 during the legislative re-run elections. This happened in spite of huge security deployments. Despite two re-runs, elections could still not be held in two constituencies in Etche Local Government Area of Rivers state.

Some states also held chairmanship and councillorship elections into their local government areas. Abia State held its own on December 21, 2016. In spite of some states' inability to fund the conduct of elections into their local governments, they are creating local council development areas (LCDAs). Two of such states that did in 2016 were Osun and Ogun. The outgoing year also witnessed more defections from the erstwhile ruling Peoples' Democratic Party to the All Progressives Congress. Many chieftains of the PDP are answering corruption charges in courts, while a lot of intrigues, bickering and legal tussles plagued the PDP, which now has two factional leaders. The Ali Modu Sheriff and Ahmed Makarfi led-camps have been embroiled in a messy face-off that prevented the

party from conducting a successful national convention. Even the party congresses held in the year were mostly controversial.

The educational sector is still crisis-ridden. The Academic Staff Union of Universities embarked on a warning strike to press home the need for the implementation and review of the signed 2009 agreement with the Federal Government. The government, through the Joint Admissions and Matriculation Board in 2016, scrapped the Post-Unified Matriculation Tertiary Examination conducted by universities. Eight new private universities were given provisional licences in November. However, access to tertiary education remains a knotty issue. While there are spaces for admission in many of the private universities, the high tuitions that they demand make them unattractive to indigent students. Ironically, only about 10 per cent of those who apply to public universities gain admission. In the outgoing year, many parents who could not source foreign exchange to keep their children in academic institutions abroad have been forced to withdraw and bring them back home for the continuation of their education.

On job creation, the employment of 200,000 graduates under the government's N-Power scheme will help address the issue of the shortage of manpower in public schools, as some of the new employees will be deployed to teach in schools.

The high points in Nigerian sports were the sterling performances of the Super Falcons, who won the African Women's Cup of Nations for a record eight out of 10 times, as well as the commendable feat of the Nigerian Paralympians to the Rio 2016 Olympics in Brazil. Twenty-three Paralympians participated in three events – para-athletics, power lifting and para-table tennis – to cart away 12 medals (eight gold, two silver and two bronze), which placed them 14th position on the final medals' table and number one in Africa. Security-wise, while a majority of Nigerians agree with the government that Boko Haram might have been decimated, there is however an increase in the cases of crime and criminality, such as kidnapping, armed robbery and rape across the country.

In 2016, there has been an upsurge in the cases of unemployment and poverty, even as government's anti-corruption crusade has spread to the judiciary, where seven justices and some senior lawyers have been arrested and arraigned for corrupt practices. Will Nigerians experience a higher standard of living or higher costs of living in 2017? Time will tell!

## **Nigeria's Democratic Culture and Development Challenges**

### ***The Authority on Sunday, September 18, 2016***

*"The implementation of the Goals must be underpinned by a strong and active civil society that includes the weak and the marginalised. We must defend civil society's freedom to operate and do this essential job. On this International Day of Democracy, let us rededicate ourselves to democracy and dignity for all." — UN Secretary-General, Ban Ki-moon.*

September 15 of every year has been earmarked by the United Nations as the International Day of Democracy. The theme for this year's celebration, which took place on September 15, 2016, is "Democracy and the 2030 Agenda for Sustainable Development". According to the information gleaned from the website of the UN, "In September 2015, all 193 Member States of the United Nations adopted the 2030 Agenda for Sustainable Development -- a plan for achieving a better future for all, laying out a path over 15 years to end extreme poverty, fight inequality and injustice, and protect our planet. At the heart of the Agenda are the Sustainable Development Goals, which call for mobilising efforts to end all forms of poverty, fight inequalities and tackle climate change, while ensuring that no one is left behind."

In a couple of weeks from now, precisely on October 1, Nigeria will roll out the drums to celebrate her 56th independence anniversary. Indeed, the country has had a topsy-turvy democratic culture that has been interspersed with military adventurism in governance. In fact, for a cumulative of 29 out of its 56 years of independence, military juntas held sway in government. Even after the return to

civil rule in 1999, two out of the four presidents we have had are former military Heads of State. I mean ex-President Olusegun Obasanjo, who was Head of State from February 13, 1976 to October 1, 1979 and the incumbent, President Muhammadu Buhari, who was Head of State from December 31, 1983 to August 27, 1985. Thus, the military has had a great influence on our polity.

In Nigeria, all the indices and indicators of democracy are present. Since the return to civil rule in 1999, we have been having periodic elections and at the last count in 2015, we have had five general elections – in 1999, 2003, 2007, 2011 and 2015. We have the three arms of government – the executive, legislature and judiciary – in place. The principle of separation of powers and checks and balances are also in operation. Nigeria's fourth estate of the realm, the media, is one of the most vibrant in Africa. With the advent of new media, free speech has been taken to another level, with citizens holding government to account more and demanding for good governance, using both the traditional and social media platforms.

Furthermore, the principle of the rule of law has also found better expression in Nigeria. The three core tenets of the principle, comprising the supremacy of the constitution, equality before the law and fundamental human rights, are also observed to some degrees in this clime. Nigeria equally has civil society members who have been carrying out incredible work in various communities, both urban and rural, providing support and succor to people. Among several things, with funding assistance from international donor partners, they have been offering a wide range of capacity building initiatives to both state and non-state actors, inclusive of government ministries, department and agencies.

In spite of the semblance of a democratic culture in this country, it is still a long way to democratic consolidation. The performance of our democratic institutions still leaves much to be desired. Despite running a multiparty democracy with up to about 30 political parties accorded due registration by the electoral management body, our parties have failed woefully to perform their critical roles of political socialisation, public policy formulation and credible leadership

recruitment. Political elites in Nigeria are highly fragmented and are a self-serving bunch.

During elections, they do everything to undermine the electoral process, including engaging in all forms of sharp practices and malpractices. They induce voters and other stakeholders, like the poll officials and security agencies, with money in order to gain undue advantage. They also orchestrate violence all in the bid to win elections. Our electoral process is highly volatile because of the adoption of the Machiavellian principle of 'the end justifies the means' by the Nigerian brand of politicians. In government, these politicians have been a disappointment. They have largely failed to deliver on their campaign promises. Many times, the populace have continually asked and hoped for the dividends of democracy, which never tends to come.

The democratic space in Nigeria is still not wide enough; women, youth and persons with disabilities are still highly marginalised. The percentage of these vulnerable groups in elective and appointive positions across the country is still infinitesimally low. Although there are policies drafted to enhance the participation of these marginalised groups in government, however these have been observed more in breach. The Gender Policy, Youth Policy and Policy on Persons With Disabilities are mere paper tigers. The advocacies for affirmative action to be adopted to bridge the gap and redress injustices done to these vulnerable groups have been largely unsuccessful. In order to ease the participation of these groups in the electoral process, there have been strident calls for independent candidacy and the principle of proportional representation to be inserted into our electoral laws. This has been ignored.

Nigeria, unlike many democratic countries of the world, has two electoral management bodies. They are the Independent National Electoral Commission (INEC) and the State Independent Electoral Commissions (SIECs). While the former is responsible for all federal and state elections, the latter is saddled with the conduct of local government elections. These two institutions are at various levels of independence. While INEC is faring better in times of

administrative and financial autonomy, SIECs on the other hand are tied to the apron string of governors. INEC, since 1998, has not failed to conduct periodic elections, unlike SIECs, which are starved of funds to conduct local government polls. As I write this, more than half of the 36 states in Nigeria have failed to conduct local government elections when due. As against the express provisions of section 7 of the 1999 Constitution of Nigeria, many of the local government areas (LGAs) are governed by sole administrators or caretaker committees. This is an aberration!

The Nigerian judiciary, especially at the lower echelon – the magistrate and high courts – has been a source of worry because of the high level of miscarriage of justice going on at that level. Many have alleged widespread corruption in the judiciary and this is a bad omen for democratic consolidation. The Nigerian legislature, both at federal and state levels, has not lived up to their billing. At the state level, parliaments are operating like extensions of government house; they are so pliable that they function according to the whims and caprices of governors. At the centre, both the Senate and House of Representatives have been enmeshed in all kinds of corruption and certificate forgery controversies, including the recent budget padding brouhaha in the Eighth House of Representatives. Equally, executive lawlessness and a culture of impunity have been the norms at all levels of government in this country. Its little wonder that there have been persistent calls for the restructuring of the country to make it efficient and effective. I do hope that this will be urgently addressed so that the country can achieve the Sustainable Development Goals targets set last year at the United Nations General Assembly.

## **Buharimeter, NASS and the School Feeding Programme**

***The PUNCH*, June 15, 2016**

Thursday, June 9, 2016 is a day to remember in the annals of governance in Nigeria. On that day, three important events took place, all in Abuja. The first was the town hall meeting held at

Sheraton Hotels by the Centre for Democracy and Development on the Buhari meter, which is an online platform designed to track the implementation of all the 222 campaign promises made by President Muhammadu Buhari. The second was the celebration of the first anniversary of the Eighth National Assembly, while the third was the launch of the Federal Government Home Grown School Feeding Programme by Acting President Yemi Osinbajo.

Starting with the Buhari meter town hall meeting, which I attended, it was heartwarming to have five of the cabinet ministers of President Buhari give account of their stewardship. In attendance were the Minister of Budget and National Planning, Senator Udoma Udo-Udoma; Minister of Agriculture, Chief Audu Ogbeh; Minister of the Environment, Amina Mohammed; Minister of Information and Culture, Alhaji Lai Mohammed; and the Minister of Works, Power and Housing, Babatunde Fashola. The meeting was moderated by human rights activist, Ms. Ayo Obe and ace broadcaster, Mr. Imoni Mac Amarere of Africa Independent Television (AIT).

The five ministers took turns to address the gathering made up of members of the civil society and the media. They all spoke animatedly about what they had been doing since their inauguration on November 11, 2015. The town hall meeting was highly interactive, as participants took the ministers to task over their party's campaign promises and the slow delivery on these. They asked them probing questions and sought clarifications on some of the things in the public domain, which were not clear to them.

I listened with rapt attention as Minister Fashola, for instance, reeled out his plans and activities since assumption of office. The Minister talked about challenges with electricity supply, which he blamed on the vandalism of gas pipelines, the metering challenge with electricity distribution companies, the high debt profile of electricity consumers, efforts being made to strengthen transmission lines, and others. On housing, he spoke about the model mass housing being planned and asked whether there could be anything like low cost housing when there were no low cost building materials or low cost

labour. He also repeatedly asked whether Nigerians preferred rapid results to sustainable results. When asked if he was not overwhelmed by overseeing three key ministries in one, he answered that he was not because he has a Minister of State, as well as two permanent secretaries and a crop of highly skilled and dedicated staff to work with. He reminded the attendees that as the Governor of Lagos State, he had a bigger task overseeing over 20 ministries and more than 50 agencies.

On her part, the Minister of Environment talked about the various initiatives of her Ministry and the recent inauguration of the clean-up of Ogoniland, while Information Minister, Lai Mohammed spoke on how government was dealing with the security challenges and successes recorded so far. He noted the security challenge posed by the drying up of Lake Chad to the seven countries whose citizens depend on the lake for their livelihoods. He also defended the government when accused of inadequate information on governance from the Buhari administration. According to him, apart from regular press conferences and press releases, his Ministry had also organised four town hall meetings across the geopolitical zones to inform the public about what the Buhari administration was doing. Ogbeh, on his part, spoke about the issue of grazing reserves and ranches as panacea to the incessant herdsmen and farmers' clashes across the country, as well as his Ministry's plan to end rice importation in two years' time, following its proposed programme of rapid expansion of local production. The Minister of Budget and National Planning also talked about the 2016 budget, as well as the robust coordination of all ministries.

On the first anniversary of the National Assembly, it is important to note that at inauguration on June 9, 2015, the two chambers of the legislature were embroiled in power tussles, with the leadership emerging against the preferred candidates of the leadership of their political party, the All Progressives Congress. It took a while before the entire principal officers of both chambers were eventually elected or appointed. The National Assembly has also embarked on several recesses to the chagrin of many Nigerians who believe that

the parliamentarians are not alive to their responsibilities. The trial of the Senate President, Bukola Saraki, on false asset declaration charges by the Code of Conduct Tribunal and the investigation of his wife for alleged corruption by the Economic and Financial Crimes Commission are some of the issues that have dented the image of the Nigerian parliament. There was also the issue of the padding of the 2016 budget with constituency projects not proposed by the executive arm, as well as the double emoluments being received by some former governors, now senators, who are already on life pensions and other welfare packages from the states they previously governed, while still getting paid as legislators.

Overall, the Senate passed only 11 bills in one year. Senator Babajide Omowore, who is the Chairman of the Committee on Rules and Business, said the bills were among the 300 brought before the Red Chamber. He equally said the Senate passed 96 landmark resolutions, confirmations and received 159 petitions. In the House of Representatives, Speaker Yakubu Dogara said the House passed 85 out of the 685 bills received. It is important to note that the conference committees of both chambers still have to sit to harmonise the bills before they are sent to the President for assent. In this second year, Nigerians will like the National Assembly to pass critical bills, such as the Petroleum Industry Bill and several anti-corruption bills before it. Nigerians are also hoping to have a breakdown of the federal lawmakers' N115 billion budget for this year, as well as effective oversight of the Ministries, Departments and Agencies.

On June 9, 2016, Vice President Osinbajo launched the strategic implementation plan for the National Home-Grown School Feeding Programme. The plan is expected to run till 2020 and will form the cornerstone of the nationwide Home-Grown School Feeding Programme, which when fully realised will provide a meal a day to over 24 million primary school children. According to the Presidency, under this scheme, the children will benefit from nutritionally balanced school meals, which will reduce hunger and improve education outcomes. In addition, farmers will benefit from

improved access to school feeding markets and communities will also benefit from new catering, processing and food handling jobs. According to him, “Not only will the Home Grown School Feeding programme help our pupils become better, it will also boost the local economies, and create new jobs along the way.” Osun and Kaduna are the two States already running a similar programme.

The Federal Government said that N93.1 billion had been appropriated for the first phase of the scheme to take care of 5.5 million pupils in 18 states from three geopolitical zones. The school feeding programme is reportedly meant for Primary 1 to 3 pupils, while state governments are expected to cater for pupils in Primary 4 to 6. Unfortunately, many states have claimed not to have money in this year's budget for the welfare programme. More so, given their parlous financial statuses, which have made the payment of workers' salaries difficult, the other issue is whether the Federal Government is not putting the cart before the horse, as this programme is bound to increase school enrolment. This will likely overstretch the existing inadequate school infrastructure. Furthermore, is there any policy or legal backing for this laudable initiative, such that a new administration will not discard it? How do we ensure accountability and transparency in the programme? There are indeed more questions than answers.

# Chapter 5

## ECONOMY

**This chapter has 10 commentaries. Some of the articles here were written on the gains of the state visit of President Emmanuel Macron's visit to Nigeria in July 2018, examination of Buhari's N500 billion Social Investment Programme, how to end fuel importation and the associated corruptive subsidy regime that comes with it in 2019. There are also opinions on the need for improved savings and stabilization mechanisms for Nigeria, factors responsible for low tax compliance in the country, how to live a decent life in Nigeria's recessed economy, feasibility of Buhari administration's Economic Recovery and Growth Plan and many more.**

## **Gains of Macron's Historic State Visit to Nigeria**

***The PUNCH*, July 4, 2018**

*"All Our Visitors Bring Happiness. Some by Coming Others by Going."*- Author unknown.

French President, Emmanuel Macron, was on July 3 and 4, 2018 in Nigeria on a two-day state visit. In his itinerary was a bilateral meeting with President Muhammadu Buhari on issues bordering on insecurity and terrorism, the commissioning of Alliance Française office in Ikoyi and a visit to The New Afrika Shrine in Ikeja, Lagos. I was on Radio Nigeria 7a.m. news on July 3, 2018 to analyse the importance and gains of the French President's visit, beginning with his intention to discuss insurgency and insecurity with Buhari.

In my opinion, this is a welcome development. Terrorism has become a global phenomenon, which France had also experienced in a bitter fashion. Recall that between January 7 and 9, 2015, 17 people were killed in terror attacks ignited by a publication in the French satirical weekly magazine, *Charlie Hebdo*; and the attacks also affected a kosher grocery store and the Paris suburb of Montrouge. Three suspects in the attacks were killed by police in separate standoffs, according to Cable News Network. Nigeria has also been having a running battle with insurgents, killer herders and other bandits. Therefore, it is going to be mutually beneficial to share intelligence and work collaboratively to tackle this hydra-headed monster, which was part of the issues discussed at the 31 Ordinary Summit of the Africa Union held in Nouakchott, Mauritania in July 2018. Nigeria also stands to gain military assistance in the form of capacity building for our security agencies, as well as military hardware support from the French Government.

The commissioning of a new complex of the French cultural organisation, Alliance Française, on July 4, 2018 in Lagos is also very significant. According to news reports, Alliance Française is a not-for-profit devoted to the promotion of French language and culture. It has 10 active representations in Enugu, Ibadan, Ilorin, Jos, Kano, Kaduna, Lagos, Maiduguri, Owerri and Port Harcourt. The

organisation has three broad objectives, namely: the teaching of French worldwide, with classes for all types of audiences; making French culture and the culture of French speaking countries better known; as well as fostering cultural diversity through the promotion of all cultures. The French language is very popular in Nigeria, although we are an Anglophone country. The language is taught in the country from the primary school to tertiary level. In fact, Nigeria has a French Language Village in Badagry, Lagos, which was established in 1991 when Professor Babatunde Fafunwa was Minister of Education. It is meant to promote the study of the French Language in Nigeria.

Of the three reasons made available to the public for Macron's visit, the most significant one to me pertains to his historic visit to The New Afrika Shrine on July 3, 2018. The incumbent French President, who trained in Nigeria as a senior civil servant in 2004, must have been so enamoured of Fela Anikulapo-Kuti's Afrobeat music that he ordered a visit to his son (Femi Kuti)'s legacy nightclub as part of his itinerary. This visit is historic in many respects. First, Macron is the first foreign President to officially visit The New Afrika Shrine. This is a huge endorsement for the clubhouse, run in the tradition of the one founded by Fela. The norm is that when special guests visit Nigeria, a gala night is often organised in their honour. Such a treat usually takes place inside the fortified Aso Villa Banquet Hall, where select cultural troupes in the country are engaged to entertain the guests. In a rare flip of the situation, Macron rather opted to personally seek out the unique cultural institution called The New Afrika Shrine.

Macron's visit has placed the Shrine on the global map, considering the number of international media personalities and dignitaries who accompanied him to the place. That visit has also boosted the tourism potential of Lagos State and Nigeria as a whole. It shows that this country has something to offer the world, in terms of entertainment, culture, music, dance and art.

I am using this medium to appreciate and seek a posthumous national award for Fela Anikulapo-Kuti (15 October 1938 – 2

August 1997), Nigeria's maverick music icon. In his lifetime, Fela was reportedly more popular than the Nigerian President, especially in France. He was to Nigeria what Bob Marley was to Jamaica. While Marley promoted reggae music, Fela created Afrobeat, his unique selling point. The 'Abami Eda' used his talent to fight oppression, human rights abuses and injustices. Fela was fearless. He was a thorn in the flesh of the misgoverning ruling elite, who took turns to incarcerate him on several occasions. I was surprised to hear Fela's music being played at a big music shop in Geneva, Switzerland during my visit there in 2005. In my undergraduate days at the University of Lagos, Fela's music was always used to kick start any major event organised by the Students' Union of the institution, especially protest marches. The celebrated musician released about 50 albums in his illustrious music career that spanned decades. While many of his songs can be tagged protest songs, he also sang about love, social ills and the likes. Songs like "Lady", "Shakara", "Yellow Fever", "Open and Close", "Na Poi" and "Water no get enemy" are in this category.

Fela's music has continued to be relevant because, like a prophet, the social ills he saw and sang about decades ago are still with us today and things only seem to be getting worse. I appreciate the fact that this music legend is being annually celebrated in the music concerts known as Felabration. It is also heartwarming that the Lagos State government has turned his residence in Lagos to a museum. Two of his children, Femi and Seun, have also carried on their dad's legacy and are making waves with Afrobeat music. Femi, in particular, has had four Grammy award nominations, while Seun was a nominee in the 2019 Grammy Edition, where he also performed. I pray that the duo will win the coveted award one day soon.

Now, the challenge for Nigeria is to build on the positive fallout of Macron's visit. I propose that The New Afrika Shrine should be turned into a national monument, a UNESCO heritage site. This is because of its symbolism and identity as the root of Afrobeat music. I commend the yeo-man efforts of the Director-General of the

National Council for Arts and Culture, Otunba Segun Runsewe and his counterpart at the Nigerian Tourism Development Corporation, Mr. Folorunsho Coker, in marketing Nigeria's tourism potentials. However, there is a snag.

Until we contain the raging insecurity in the country, all efforts to attract foreign tourists to Nigeria will yield very little results. Foreigners will not risk their lives coming into an unsecure environment. That is why what is going on in Plateau State calls for concern. The tourism and hospitality business in that place has been badly affected by the lingering conflict in the 'State of Tourism', the same way that food insecurity looms in the country because of the protracted Boko Haram insurgency and the attacks by killer herdsmen ravaging the country's major food producing states. A stitch in time saves nine!

## **A Clarion Call For an Improved Savings Culture**

***The PUNCH, June 6, 2018***

Research has shown that many Nigerians have a poor savings culture. Under the guise that we do not earn enough to meet our immediate needs, we always end up consuming all that we earn. We rarely leave anything for the proverbial rainy day when we will not be able to work. It turns out that as it is for individual Nigerians, so it is for our country. In decades after independence, we have had no savings or stabilisation fund. We have been a mono-cultural economy, depending largely on oil and gas revenue, while failing signally to utilise the proceeds there from to develop other sectors of the economy. When the price of crude oil falls in the international market, our economy is negatively affected, as there are no savings from which to draw to cushion the effects of revenue shortage.

On Thursday, May 24, 2018, I was one of the participants at a roundtable on "The Savings and Stabilisation Mechanism for Nigeria", organised by Shehu Musa Yar'Adua Foundation and the Nigerian Natural Resource Charter (NNRC). The meeting had in attendance dignitaries such as Mrs Obiageli Ezekwesili, a former

Vice President (Africa Region) at the World Bank; Odein Ajumogobia (SAN), a former Minister of State, Petroleum Resources and Chairman of the NNRC Expert Advisory Panel; Osten Oluyemisi Olorunsola, a former Executive Director of the Department for Petroleum Resources; and Professor Adeola Adenikinju, member of the Central Bank Monetary Policy Committee. Also in attendance were other representatives from Ministries, Departments and Agencies of government, civil society, the National Assembly and the media.

Findings of commissioned researches on Nigeria's savings and stabilisation fund mechanisms, made public at the event, included: "Improving Public Awareness and Advocacy On a Stabilisation Mechanism for Nigeria"; "Safeguarding and Smoothing Fiscal Adjustments in Nigeria – Policy Options"; "Nigerian Excess Crude Account Financial Analysis Report" and "Media Analysis of ECA and Emerging Issues".

How many people know that Nigeria has three savings and stabilisation funds, namely: the 0.5 Per cent Stabilisation Fund, set up in 1989; the Excess Crude Account, created in 2004; and the Nigeria Sovereign Investment Authority, established in 2011? Did we realise that Nigeria has gone through five cycles of oil booms and that during these periods, the country earned a conservative estimate of over \$1trillion in oil revenue but made no significant savings, nor have these earnings translated into lasting and productive capital through human development, physical infrastructure and institution building? Did we know that Nigeria's Excess Crude Account was ranked the most poorly governed sovereign wealth fund among 33 resource-rich countries, in a 2017 report by the Natural Resource Governance Institute?

There are four key indicators for a successful stabilisation programme. They are the savings rule, which deals with determining how assets are transferred to the fund; the spending rule, dealing with how assets are withdrawn from the fund; the investment strategy, which has to do with how assets should be invested; and the governance and implementation mechanisms, which define roles

and responsibilities for effective management. On these four counts, Nigeria ranks low when compared to many other countries.

A four-country comparative analysis of the level of compliance to the indicators of a successful stabilisation programme reveals that while Norway, which established its Stabilisation Fund in 1990 has \$1,032.69billion in savings, Saudi Arabia, which set up its fund in 1971, has \$514billion in savings and Algeria, which created its stabilisation fund in 2000, has \$7.6billion in savings. Nigeria, which established hers in 2011, has a paltry \$1.5billion in its Sovereign Wealth Fund.

Other observations made at the roundtable included the fact that the Excess Crude Account lacks transparency and has an unclear methodology for withdrawals and distributions. This has manifested in the unilateral withdrawals by successive governments. Stabilisation mechanisms have been ineffective in Nigeria due to mismanagement and the prevalence of corruption. Furthermore, lack of political will has prevented the proper implementation of the stabilisation mechanisms through successive administrations.

The meeting was not just a finger-pointing, government-bashing exercise. It proffered some solutions to the country's lack of a proper savings culture. Remedies put forward included the urgent need for an amendment of Section 162 of the 1999 Constitution (as amended) with provisions that guarantee the automatic savings of surplus revenues from oil, gas and minerals with the Nigeria Sovereign Investment Authority; the need to politically negotiate and agree on binding rules for ECA revenue inflows and outflows, until such a time as the constitutional amendment is effected to either entrench or liquidate the account. There was also a demand for transparency and accountability, with disclosure and reporting requirements on deposits and withdrawals from the ECA; and that the federal and state governments should seek speedy resolutions of pending Supreme Court cases on the constitutionality of remittances to the Excess Crude Account and the Nigeria Sovereign Investment Authority.

It was further suggested that the Excess Crude Account and 0.5 Per cent Stabilisation account should be collapsed into the Sovereign Wealth Fund, since the latter is the best managed among the three; also the need to strengthen the Nigeria Sovereign Investment Authority with appropriate guarantees on transparent and accountable governance, to re-assure stakeholders; as well as the necessity of a critical mass of people to demand change in the institutional framework guiding Nigeria's savings and stabilisation funds. It was also demanded that oil, gas and mineral revenues should be effectively and efficiently utilised for capital investment, rather than consumption.

The bouquet of other recommendations from the roundtable included the needs to: strictly monitor the implementation of yearly budgets; diversify the economy through investment in non-oil sectors; increase contributions of the oil industry to Gross Domestic Product; and engage in civil society-led national economic governance debates. There was also a call for the revision and full implementation of the Niger Delta Master plan.

It is noteworthy that President Muhammadu Buhari has started to implement some of the aforementioned recommendations. For instance, under this administration, there is a conscious effort to diversify the economy. Also, during his 2018 Democracy Day speech, Buhari said that, "The Sovereign Wealth Fund project portfolio has been expanded with an injection of \$650million so as to strengthen its investment in local infrastructure, power, health, reconstruction of Abuja-Kano road, Lagos-Ibadan Expressway, East West Road (Section V) and the Mambilla Hydro-electric Power project, as well as the construction of the second Niger Bridge." This is commendable.

It was also widely reported that the Federation Accounts Allocation Committee had on Wednesday, May 23, 2018 informed the public that members had resolved to transfer about N24.5billion from the revenue for the month into the ECA, the first occurrence of such since the country's economy went into recession two years ago. The Permanent Secretary, Federal Ministry of Finance, Mahmoud Isa-

Dutse, said the decision to begin saving in the ECA again followed improved accruals from all revenue streams in recent time. This is another laudable step in the right direction.

Nevertheless, it is important for this administration to take some of the recommendations from the Lagos roundtable seriously. There is need for the required constitutional amendment, consolidation of the three savings accounts into one, an improved savings culture and due process in the withdrawal from the stabilisation fund. More importantly, it will be heartwarming to see our money work for us in terms of bridging the country's infrastructure gap.

## **A Recall of Nigeria's Political Economy Issues in 2017**

***The PUNCH, December 27, 2017***

*"It has been a tough year for Nigeria and I hope next year will be a much more prosperous one."*—President Muhammadu Buhari on December 25, 2017.

It's barely four days to the end of the year and what a year it has been! I recently joined Arise TV as an in-house analyst and on Christmas Day, we had a one-hour documentary on the issues that defined the outgoing year. There were so many things tabled for discussion but time was so insufficient, hence many of the issues identified had to be shelved for discussion on another day. But for me, seven key issues defined Nigeria in 2017. They are: the 154 days of medical tourism by President Muhammadu Buhari, the restructuring debate, the budget imbroglio, the herders versus farmers faceoff, the Economic Recovery and Growth Plan, the lingering fuel scarcity, party politics and the preparation for the 2019 general election. All these can be subsumed under politics and the economy.

In year 2017, President Buhari was out of the country on medical tourism for a cumulative 154 days, before which he did the needful by sending a letter to the National Assembly, intimating the legislature of his travel plan, while empowering the Vice President,

Professor Yemi Osinbajo, to serve as Acting President in his absence. This was very much unlike the scenario that played out under the administration of ex-President Umaru Yar'Adua, who failed to either transmit a letter to the National Assembly or empower his deputy, Goodluck Jonathan, to act whilst he was away. This oversight led to the invocation of the Doctrine of Necessity by the federal lawmakers, which effectively resolved the issue before there was a constitutional amendment making it mandatory for the President or governors to hand over to their deputies when on leave.

Buhari's absence generated a lot of furore, with many arguing that as the Acting President, Osinbajo does not have unfettered executive powers. It is however interesting to note that Osinbajo effectively and judiciously utilised presidential powers while his principal was away attending to his health. This ensured that there was no vacuum in governance. The Acting President did a lot, including embarking on conflict mediation missions around the country – in the Niger Delta, in southern Kaduna – and hosting dialogue sessions with political, religious and traditional actors in the country. He initiated and signed four executive orders targeted at the ease of doing business in Nigeria, including the launch of the Voluntary Assets and Income Declaration Scheme, aimed at increasing tax awareness and compliance, as well as granting taxpayers a time-limited opportunity to regularise their tax statuses without penalty. The Acting President signed the 2017 Appropriation Bill into law and inaugurated two newly appointed ministers.

While the opposition party and a section of the civil society made heavy weather of the President's absence, with many claiming he is on life support and is brain damaged, some others flew the kite that the President has indeed died. All said, on August 19, 2017, the President made a triumphant return to the country and effectively took charge of governance of the country again, even making many foreign trips in the process.

In year 2017, the budget remains a knotty issue. The country is still bogged down with the late presentation and passage of the appropriation bill. The financial estimates are also widely reported

to have been heavily padded by both the executive and legislative arms of government. Indeed, a whistle-blower, Abdulmumin Jibrin, published many sordid details about the unwholesome practice by his colleagues in the parliament, especially the leadership of the National Assembly. After some media frenzy, the allegations quietly died down. The 2017 budget was signed mid-year on June 12, 2017 and the capital vote release has been haphazard and uninspiring. In the first five months of the year, only N450billion was released by the Ministry of Finance, with an additional N750billion probably released thereafter. This has caused a lot of economic dislocation and negatively affected delivery on and completion of major infrastructural projects. Indeed, much against the stipulation of the Fiscal Responsibility Act 2007, the Medium Term Expenditure Framework and the Fiscal Strategy Paper, which should guide the budget proposal, were submitted late like the budget itself. The 2018 appropriation bill was submitted in November and news filtering in from Budget IT, a civil society watchdog on budget matters, shows that the budget, like the ones before it, is heavily padded with bogus and bloated estimates. The attempt to go back to the January to December budget cycle has also been thwarted.

In 2017, the National Assembly worked assiduously to complete work on constitutional review. In July, the two chambers passed constitution amendment bills. Unfortunately, they rejected the bill on the devolution of powers, while the 36 State Houses of Assembly are yet to vote on consequential amendments to finalise the exercise. In December 2017, the Speakers of the State Houses of Assembly met with the Nigeria Governors' Forum, which advised them to hold widespread consultations, including public hearings, before they could vote on the constitution amendment bills transmitted to them by the National Assembly. That has effectively stalled the amendment process. The non-passage of the devolution of powers bill, coupled with the push for a referendum on self-determination by the Nnamdi Kanu-led Indigenous People of Biafra, and the launch of Operation Python Dance by the military in the South-East, culminated in the strident call for the political and economic restructuring of the country. The discussion on restructuring led to

heated debate, when some Arewa youth groups gave a three-month quit notice to Igbo residents living in 19 Northern States, to leave their areas by October 1, 2017. The ruling All Progressives Congress, which had pledged the devolution of powers in its electoral manifesto in response to the call for restructuring, set up the Mallam Nasir el-Rufai committee to look into what should be the party's position on the issue.

On April 5, 2017, President Buhari launched his economic blueprint, which was tagged, the "Economic Recovery and Growth Plan". The ERGP seeks to achieve a seven per cent economic growth by 2020. The plan equally promises diversification of the economy, the ease of doing business in Nigeria, increased oil production, reduction of inflation, effective collaboration between the public and private sectors, as well as between the federal and state governments. It also hopes to leverage science, technology and innovation and the building of a knowledge-based economy. To an extent, this plan is working, as its implementation has led to the country exiting economic recession, with bold attempts at diversification of the economy (Nigeria started exporting yam in 2017 and improved local production of rice has led to a significant reduction in the importation of the staple food). Indeed, in October 2017, the World Bank reported that Nigeria had moved up by 24 points in the 'Ease of Doing Business Index', from 169th position on the 2017 ranking and also 170th position on the 2016 ranking to 145 in the World Bank's 2018 report. This is heartwarming!

Unfortunately, the herders versus farmers' faceoff took a turn for the worst in 2017 with some state governments such as Benue, Taraba and Ekiti passing anti-open grazing laws. The menace got to distressing heights in southern Kaduna and Benue, with hundreds of lives lost and property worth millions of naira destroyed, while thousands became internally displaced. Adequate Federal Government response to this threat to food security in the country is still being awaited.

On March 9, 2017, two years ahead of the next general elections, the Independent National Electoral Commission announced the dates for

the 2019 general polls. The Commission said the next presidential and National Assembly elections would hold on February 16, 2019, while the governorship and state assembly polls would take place on March 2, 2019. Apart from holding a credible and successful governorship election in Anambra on November 18, 2017, the Commission also embarked on a nationwide Continuous Voters Registration and distribution of permanent voter's cards exercise, while registering a cumulative 26 new political parties, bringing the total to 67 registered parties in Nigeria. The Peoples Democratic Party was also largely able to resolve its protracted leadership crisis with the holding of an elective convention in Abuja on December 9, 2017. There have equally been a number of defections and cross-carpeting by political heavyweights across the country, with the most significant one being the dumping of the ruling APC for the PDP by ex-Vice President Atiku Abubakar.

The year ended on a gloomy note for many Nigerians due to the resurgence of the hydra-headed monster known as fuel scarcity. Indeed, it was a bleak Christmas for most Christians as many had to observe obligatory curfews due to their inability to source fuel to power their automobiles and generators. This has not only impacted negatively on the ease of doing business but also on the social lives of the citizenry. The question on the lips of most Nigerians is: When shall we overcome this perennial challenge?

### **If Buhari's ERGP Will Not Be A Paper Tiger**

***The PUNCH, April 19, 2017***

On Wednesday, April 5, 2017, President Muhammadu Buhari took a bold step towards revamping the country's comatose economy by launching the Economic Recovery and Growth Plan (ERGP). The ERGP is a blueprint that enunciates the details of how this government intends to get the country out of recession and put it on the path of prosperity.

At a brief ceremony held inside the Aso Rock Presidential Villa, the President said that the ERGP focuses on agriculture with a view to

ensuring adequate food security, as well as energy, while promoting industrialisation and social investment. He observed that the ERGP is an ambitious plan that seeks to achieve a seven per cent economic growth by 2020. Buhari opined that the road map is not just aimed at getting the country out of recession, but to put it on the path of strength and growth, away from being an import-dependent nation. He stated further that the ERGP clearly sets out what his government is committed to doing by creating an enabling environment for businesses to thrive. The President called on state governors to draw inspiration from the Plan and articulate their own plans that will lead their domains to real growth.

Commenting earlier, the Minister of Budget and National Planning, Udoma Udo-Udoma, noted that the Plan has put together in “one place, for easy access, all the sectoral plans that the government has been working on, from inception, including the strategic implementation plan for the 2016 budget.” He claimed that many of the initiatives in the ERGP were contained in the 2017 budget proposal, which was submitted to the National Assembly in December 2016. According to the Minister, “The broad objectives of the ERGP are to restore growth, invest in our people and build a globally competitive economy”. Udoma also stated that the President had already approved the establishment of a unit in the Presidency that would monitor the implementation of the Plan.

I have had the rare privilege of analysing this document before and after its launch. I have discussed it in the *Sunday Guardian* of March 19, 2017 as well on Radio Nigeria and Love 104.5 FM, Abuja. My personal view about the ERGP is that it is a laudable initiative. And as I observed in my earlier comment on the document, the road map looks good, with all the niceties, sound bites and desirable action plans. However, experience from the past has shown that we are long on rhetoric, but always short on delivery of all our noble plans.

The country had several developmental plans in the 1960s and '70s, and in the '90s we had Vision 2010. Under President Olusegun Obasanjo, we had the National Economic Empowerment and Development Strategy (NEEDS). Thereafter, we had Vision 20:2020

aimed at making Nigeria one of the 20 strongest economies by 2020. Under President Goodluck Jonathan's administration, we had the Transformation Agenda. How did they all fare? Woefully! I do hope this ERGP will not follow the path of failed promises and unrealised ambitions.

In truth, I am excited about the promised diversification of the economy, improvement of the ease of doing business, increase in oil production, reduction of inflation, effective collaboration between the public and private sectors, as well as between the federal and the state governments. Also, the leveraging on science, technology and innovation, and the building of a knowledge-based economy. Additionally, it is heartwarming that the economic blueprint is consistent with the aspirations of the Sustainable Development Goals, given that its initiatives address the three dimensions of economic, social and environmental sustainability. It is also laudable that the document is a product of wide consultations.

One of my worries, however, is that the ERGP is coming a bit late. As I observed elsewhere, "Launching this (plan) two years into this administration, with a 2020 deadline is a big minus. This administration will face election in 2019. Should it lose the reelection bid, the ERGP may be in jeopardy, more so that there is no law backing it up. Even if there is, there is nothing that stops a new administration from repealing such law and coming up with a fresh plan."

Another major concern I have about the ERGP is that while the Plan aims at a partnership with the state, it leaves out the 774 local government areas, which are a significant composite unit of the country. This seems like a costly omission. Furthermore, the global ascendancy of protectionism may impact negatively on many of the projections, as several countries of the world and political groups like the European Union, embark on economic protectionism, which will necessitate the review of trade agreements and economic partnerships. Widespread restiveness, terrorism and pervasive insecurity will pose major threats to the realisation of the many beautiful recommendations in the ERGP.

If this Buhari's economic blueprint will not be a mere paper tiger, the nuts and bolts of its implementation have to be tightened. Vertical and horizontal synergies have to be built among the three arms of government, as well as the three tiers of government. The private sector will need to be incentivised through an improved investment climate devoid of undue bureaucratic bottlenecks. The Micro, Small and Medium Enterprises, as we know, are the engines of growth in every society. To stimulate this economic cluster, the cost of doing business needs to be scaled down through the provisioning of adequate social infrastructure, such as electricity, potable water, as well as good road and rail networks. Access to single digit interest rate loan facilities and a robust import substitution policy are needful. It is also imperative to normalise our budgeting process. Our financial year should begin in January and end in December and not remain as the warped system we currently run. Government will also need to eschew wasteful spending and combat corruption in truth and indeed.

## **How Nigeria Can End Fuel Importation By 2019**

***The PUNCH, February 15, 2017***

On February 7, 2017, the Minister of State for Petroleum Resources, Mr, Ibe Kachikwu, said Nigeria would stop importing refined petroleum products by 2019. He made the disclosure at a public hearing on the review of the petroleum pricing template for the Premium Motor Spirit (PMS) organised by the House of Representatives. The Minister said, inter alia, that the country currently refines eight million, out of the 20 million litres of petrol being consumed locally. He also noted that the country was taking a leaf from other Organisation of Petroleum Exporting Countries by planning to stop the exportation of crude oil in the near future and substitute that with exportation of refined petroleum products. Good thinking, I dare say!

I was a guest on "Burgami", a popular radio programme on Vision 92.1 FM Abuja on February 9, 2017, to discuss the feasibility of this

seemingly laudable effort. Without mincing words, I am of the firm belief that it is doable and possible to stop the importation of refined petroleum products even before 2019, if the political will is there. However, there are conditions precedents to realising that ambition. It needs to be emphasised that when Nigeria delved into the importation of refined petroleum products in the early '90s, it was supposed to be a stop-gap measure pending the time the country's four refineries went through the mandatory Turn Around Maintenance, better known as 'TAM' in industry parlance. Ironically, for over two decades, we never got round to carrying out the needed TAM due to acts of sabotage fuelled by greed, arising from the introduction of a subsidy regime meant to ensure that petroleum products are readily available and at affordable prices.

This subsidy regime created emergency fuel importers who indulged in all manners of malpractices and sharp practices to milk the government. Many a time, these importers made bogus claims aided and abetted by some scoundrels in the civil service. The futile attempt by the federal government to ensure a uniform official price for petroleum products across the nooks and crannies of Nigeria brought about further distortion in the supply chain of the much-needed products. Of all the previous attempts at deregulating the downstream oil sector, it was the last effort in May 2016 that got close to a semblance of deregulation. The government had then set the maximum price limit at N145 per litre, from N87 for the same quantity. Yet, with some latitude of price differentials allowed across filling stations, making some of them sell below N145 per litre.

Back to the issue at hand, one of the surest ways to end fuel importation is to ensure that the needed TAM is carried out on the government-owned refineries in Port Harcourt, Warri and Kaduna. Once we can get the refineries to work at optimal levels, we would be one leg out of fuel importation. Still, there is the need for proper deregulation. The market forces of demand and supply must be allowed to determine the prices of all petroleum products. PMS at N145 per litre has become unrealistic now due to the scarcity of

foreign exchange to enable fuel importers bring in refined products. The depot price, which was around N130 per litre in May 2016, has now jumped to N142 per litre. By the time other ancillary costs, such as transport, is added, it becomes unrealistic to sell profitably at N145 per litre. As I write this, some fuel stations in the South-East and North-Central have stopped lifting fuel from the depots or are alternatively buying at N142 per litre and selling for about N150 per litre, which is above the approved control price.

If the downstream sector of the oil industry were fully deregulated, petrol marketers would have been able to sell at a cost recovery price. With the volatility of the exchange rate having the naira being very weak against other international currencies, it will be foolhardy of government to expect fuel importers to sell below the high exchange rate through which they imported the products. It is noteworthy that the over-centralisation of petroleum pricing, coupled with the subsidy regime, which makes fuel importation an attractive option to building new private refineries, is among the reasons why many licensed investors have refused to build new refineries. To the best of my knowledge, only Aliko Dangote has braved the odds to build a private oil refinery located in Lagos.

If we are to exit the importation of refined petroleum products in 2019, the Petroleum Industry Bill before the National Assembly needs to be quickly passed into law. The non-passage of the bill has held up multibillion dollar investments in both the upstream and downstream sectors of the oil and gas industry. The let's-wait-and-see attitude of foreign investors in the oil industry has been due to the cloud of uncertainty currently enveloping the sector. The passage of the bill, which will be highly beneficial to oil producing communities, is expected to reduce militancy in the Niger Delta region. Not long ago, Governor Ifeanyi Okowa of Delta State decried the large-scale vandalism of oil and gas infrastructure in the State, which accounts for the loss of about 250,000 barrels of oil per day.

Pipeline vandalism and illegal oil bunkering have to be decisively dealt with if we are to stop fuel importation by 2019. The trucking

of petroleum products hikes the cost price, besides the high risk of haulage due to the extremely inflammable nature of the products. Thus, transportation of the products through pipelines remains the cheapest means of distributing petroleum products across the country. However, in a situation where the stealing of petroleum products on an industrial scale is taking place, as is currently the situation in Nigeria, it will be difficult to attain undisrupted availability of refined products at this point in time.

Corruption is another menace that plagues our oil and gas sector. Imagine the huge amounts of money allegedly stolen by or recovered from a former Petroleum Minister and a Group Managing Director of the Nigerian National Petroleum Corporation. That is just a tip of the iceberg. The Nigeria Extractive Industries Transparency Initiative has repeatedly published reports of high level fraud and corrupt practices in the country's oil and gas sector. And as earlier hinted, some cabal currently profiting from the importation of refined petroleum products will not want their honey pot smashed. Thus, it should be expected that they would fight tooth and nail to ensure that we do not wean ourselves off the importation of refined petroleum products.

In order to sustain the relative peace in the Niger Delta, federal and state governments must sustain the amnesty programme initiated to lure ex-militants away from the creeks where they indulge in pipeline vandalism, illegal oil bunkering, as well as kidnapping for ransom. The \$1bn clean-up of Ogoniland, which was inaugurated by the Buhari administration in 2016, must be vigorously pursued. If the government can do all the aforementioned, there would be calmness in the Niger Delta, huge inflows of Foreign Direct Investment into our oil and gas sector, and the expansion of the refining capacity of petroleum products for domestic consumption and exportation, which would mean the saving of our foreign exchange, the earning of more FOREX, and economic prosperity for the country as a whole.

## **Towing Nigeria out of Her Economic Quagmire**

***The Authority on Sunday, September 25, 2016***

It is no longer news that Nigeria is in an economic recession. Inflation is officially at 17.1 percent, unemployment is said to be at over 18 per cent, while more people are dropping below the poverty line for surviving on less than one dollar per day. The administration of President Muhammadu Buhari has been greatly criticised for being long on lamentation and serially indulging in blaming past administrations for our present economic woes. The opposition Peoples Democratic Party has called on the President several times to resign; a call that keeps getting scorned at by the ruling All Progressives Congress.

Of recent, different ideas are being pushed forward to tow the nation out of her economic quagmire. Some have called for restructuring, diversification, reduction in the cost of governance, and just as the National Assembly resumed from its six weeks recess on Tuesday, September 20, 2016, there have been a cacophony of voices about the need or otherwise for the country to sell some of her critical national assets.

The kite for the country to sell some of her key national assets to bail out the economy was flown by African richest man and Nigeria's business octopus, Alhaji Aliko Dangote. Among the national patrimony the Buhari administration is being counseled to sell off include the Nigeria Liquefied Natural Gas company (NLNG); the country's comatose four refineries in Port Harcourt, Warri and Kaduna; some of Nigeria's airports, especially those in Lagos, Abuja, Kano and Port Harcourt; the Ajaokuta Steel Complex; Aladja Steel Complex; and the bulk of aircrafts in the presidential fleet, alongside several other assets.

The reasoning behind the call, which has divided the Nigerian Senate and indeed members of the general public, is that if these assets are sold off, monies realised will be used to fix the infrastructural deficits. The argument is that many of these assets are moribund and have become bottomless pits or drainpipes of the

country's scarce resources, since they are not operating at optimum capacity and are simply being used by a cabal to milk the country dry.

My take on the way out of Nigeria's economic woes is that there is no one-size-fits-all solution or a single magic wand that will get us out of the rot. There is need for a cocktail of solutions. I am not against the sale of some of our key national assets. However, the history of privatisation in Nigeria has been heart-rending. There are a lot of underhand dealings and sharp practices involved, as these assets are mostly sold well below their street values and also to cronies and fronts of people in government, who sometimes lack the technical skills to put them to better use.

If we can have a transparent and accountable process, I will throw my weight behind the auctioning of some of these liabilities that we call assets. On June 2, 2011, the Presidential Projects Assessment Committee (PPAC) led by Ibrahim Bunu, said in its report to ex-President Goodluck Jonathan that the Federal Government was then executing 11,886 projects at the cost of N7.78 trillion, out of which N2.696 trillion had been paid to contractors.

Some of these projects are white elephants, which will not add any value to our dear country even if completed. There are those projects whose utility have been overtaken by events and are no longer desirable in contemporary times. Given the parlous state of our economy, I suggest another committee should be set up to categorise these abandoned projects into those that are still important and need to be completed, and those that should be auctioned off.

The resources generated from assets sold off should be channeled towards completing the vital ones. The Public-Private-Partnership or the Build-Operate-Transfer models could be explored for the completion of the key abandoned projects, if the government does not have the funds to complete them.

It cannot be overemphasised that Nigeria's economy needs to be weaned off overdependence on oil and gas, which apart from facing a glut in the international market, are also being viciously attacked

by pirates and vandals in the Niger Delta area. Investment in sports, tourism, agriculture, solid minerals and Information Communication Technology are some of the areas in which Nigeria needs to incentivise people to set up businesses.

I do not subscribe to the school of thought that government has no business in business. That is the fallacy of overgeneralisation. The government has a role to play in business. While it may not put its money in business, it is expected to set up legal and policy frameworks that will inspire investors' confidence to put their monies in identified areas.

I do not support government putting more money into prospecting for crude oil in Nigeria's Lake Chad basin, since it is an effort that has yielded no encouraging result, in spite of the huge quantum of resources invested in exploration in about thirty years. Private investors can, however, be incentivised to continue the search.

If Nigeria will get out of the woods, economy wise, it has to do a number of things. These include the following: Fixing the electricity challenge, which is vital to our economic revival. The cost of doing business in Nigeria is astronomically high due to the lack of affordable and clean energy from the government.

Even though the government has privatised the electricity generation and distribution companies, there is still a huge challenge with the transmission of power generated, due to the weak transmission lines. There is still a huge controversy surrounding the appropriate pricing of electricity due to the lack of prepaid meters. Other issues include the huge indebtedness of government ministries, departments and agencies to electricity providers, energy theft by companies and individuals, and inconsistent government policies.

The government also needs to do something about the cost of doing business in Nigeria. Our global ranking on the 'Ease of Doing Business' rankles. We are in an abysmal position. Something has to be done to ease the bureaucratic bottlenecks in the company registration processes, visa issuance, and access to land, including getting Certificates of Occupancy on acquired land for businesses.

Also imperative is the access to affordable loan facilities with single digit interest rates. It is disheartening that the high-interest rate in Nigeria, which is in double digits, is a business killer, as many entrepreneurs who could not get cheap funds to inject into their businesses have had to fold up, thereby worsening the very dire unemployment situation in the country.

Worst hit are small and medium-scale enterprises, which are actually the pillars of every economy. Many of these MSMEs have been finding it extremely difficult to break even, let alone make profit, because of the high cost of their goods and services, which are not enjoying patronage from consumers due to the low disposable income of workers, many of whom are being owed salaries and wages.

## **Decent Living in Nigeria's Recessed Economy**

*The PUNCH, September 7, 2016*

It is no longer news that Nigeria's economy is in recession. Austerity measures are now trending at both personal and corporate levels. Growth is shrinking; inflation is now officially at 17.1 per cent; interest rate on lending is in double digits; unemployment is soaring and poverty deepening. A time like this calls for introspection and retrospection. At a personal level, I have been "restructuring". As my disposable income becomes leaner, I have had to adjust my lifestyle accordingly. No more expensive clothes and shoes.

Unfortunately, many Nigerians still live in Fantasy Land. They still hold lavish parties and indulge in excesses, even doing so on credit. There are many who still can't eat without soft drinks, wine or beer to "wash it down". There are those who still enroll their children in expensive private schools, even though they are heavily indebted to the school management, as they perpetually default on the payment of school fees and other charges. There are still those trendy guys and ladies who offer arms and legs to buy exotic cars in order to "oppress" their neighbours, friends and relations. These fashionist as

can't dress without wearing perfumes and they play the good fellows by ensuring that they buy all the "aso ebi" chosen for socials. Sincerely, I do believe that it's good to be trendy and enjoy the good things of life but only on one condition – if you can afford it!

My point of argument with many people pertains to the inability to curtail their appetites for things they can't afford. Why live in city centres, for instance, when your income can only get you decent accommodation in the satellite towns? Why live in a duplex or three-bed roomed flat when your lean income can only conveniently pay for a two-bedroom or 'room and parlour' apartment? I live in one of the satellite towns of Abuja and have seen many colleagues and acquaintances paying through their noses for accommodation in the highbrow areas of Abuja like Maitama, Asokoro, Wuse, Jabi, Utako and Gwarinpa. Their excuse being that they want to live close to their places of work. Should that be a deciding factor or your purse?

In truth, this austere time calls for a change of attitudes, lifestyles and priorities. Hanging on to old values and proclivities is what has landed many in troubles, heartaches and depression. Why play the superman or hero when you do not have the financial muscle to back up your presumed status? Why go into consumptive debts rather than borrowing for investment and productive purposes? When I see people being disgraced and embarrassed for defaulting on their rents, I take pity on them. At the same time, I wonder why some of them, especially those who are engaged in private businesses, insist on remaining in an expensive environment like Abuja. I know that the illusory attraction to many city centres are the availability of social amenities like good roads, pipe borne water, electricity, modern houses and offices, and above all job opportunities. However, what many migrants to the cities do not know or choose to ignore is that there are limited opportunities in the urban centres. I have the curriculum vitae of many friends and relations looking for jobs in Abuja or anywhere for that matter. Sadly, much as I tried, I have not been able to assist any of them.

It is high time government at all levels worked collaboratively to develop the rural areas in order to stem the deluge of rural-urban migration. The white collar and blue collar jobs that many desperate job seekers are angling for are thinning out. Look at the sheer volume of people who applied for the recent police recruitment. It was the same story with those who applied for the 500,000 teaching jobs advertised by the Federal Government. It behooves government to make our rural communities livable so that many, especially the youths, who are daily flocking to urban centres will stay back to harness their potentials in their various communities. If there are good roads, hospitals, schools, security, electricity, potable water, recreational facilities, internet connectivity and cottage industries in many of our rural areas, the inhabitants of these communities will not have the urge to seek a different life in the urban centres.

I recall that during the Babangida administration, the military president set up the Directorate of Food, Roads and Rural Infrastructure under Air Vice Marshal Larry Koinyan. Something in that mould is needed now and urgently too. The dearth of basic amenities is what has been responsible for the rural-urban drift.

With rural electrification, efficient transportation systems, including rail and marine transportation, it will be easier for rural dwellers to commute to town daily. This will significantly reduce their living costs and enhance their standards of living. As it is one of the utmost plans of government to diversify the economy, many youths in rural communities can be incentivised to stay back and engage in productive agricultural practice. There have been clamours for the restoration and expansion of farming settlements, whereby government will provide the land, accommodation, farm implements, seeds and soft loans to young people. This is very important. One other good way government can help develop rural communities is by sitting some of its ministries, departments and agencies in these developing areas. There is no gainsaying that the sitting of the Nigeria Law School and Joint Admissions and Matriculation Board headquarters in the Bwari area of Abuja assisted immensely in opening up that area for rapid development.

I think it's time for sober reflection, the adjustment of priorities and living real.

## **Buhari's N500bn Social Intervention Programme**

***The PUNCH, June 1, 2016***

*“For too long, ours has been a society that neglects the poor and victimises the weak. A society that promotes profit and growth over development and freedom. A society that fails to recognise that, to quote the distinguished economist, Amartya Sen, ‘poverty is not just lack of money, it is not having the capability to realise one’s full potential as a human being.’”*—President Muhammadu Buhari in his Democracy Day speech on May 29, 2016.

Hearty congratulations to Nigerians on the 17th anniversary of the Democracy Day celebration held on Sunday, May 29, 2016. My felicitations also go to the All Progressives Congress, the new party in power at the federal level and most of the states, as well as President Muhammadu Buhari, on his first anniversary as a civilian president.

For the records, it is the first time Nigeria will have 17 years of uninterrupted civil governance since obtaining independence from Britain in 1960. The First Republic lasted barely five years (October 1, 1960 to January 15, 1966). The Second Republic was truncated by a military junta after four years of civil rule (October 1, 1979 to December 31, 1983). The Third Republic was inchoate, as the transition from military to civil rule initiated by the military dictator, Ibrahim Babangida, from 1990 to 1993, was aborted with the annulment of the June 12, 1993 presidential election that would have ushered in the government of the late business mogul, M.K.O. Abiola. We are now in the Fourth Republic, which started with the return to civil rule on May 29, 1999 when General Abdulsalami Abubakar relinquished power to President Olusegun Obasanjo after the 1999 general election.

President Buhari is the fourth president of Nigeria in this Fourth Republic and the second former Head of State to be twice lucky to govern the country, after Obasanjo. Since coming to power after the presidential election of March 28, 2015, which saw him defeat an incumbent president, which is yet another unprecedented feat in Nigeria, Buhari, who rode to victory on the mantra of change, has been having to contend with a lot of cynicisms and snide remarks. This is especially from a majority of Nigerians who have expected their lives to be a lot better than it was under previous administrations.

They rightfully wonder why they are still experiencing a high cost of living, rather than a high standard of living. They are yearning and asking for impactful development and not mere rhetoric. Nigerians, one year into the administration of Buhari, are still hoping for uninterrupted and affordable electricity supply, cheaper petroleum products, good roads, employment opportunities, security of lives and property, potable water, cheap health care services, as well as quality and affordable education. These are basic rights and not privileges.

Quite unfortunately, what Nigerians have been experiencing under this government are increased electricity tariff, payment of stamp duty charges on banking transactions, and an astronomic hike in the price of petrol from N86.50 to N145. For the most part of the 2015, there were fuel queues at most of the retailing outlets all over the country, with the product selling well above the official pump price. This was in spite of government paying about N1trillion in subsidy claims on the vital product. Even with the hike in tariff, the electricity situation has remained largely deplorable in most cities and communities across the country. Instead of more people getting employed under this administration, there are records of more job losses. Inflation is about 12 per cent now, as the national currency, the naira, is weak against other international currencies, and the exchange rate has hit the roof in an unprecedented manner, with one American dollar exchanging for about N320. Nigeria also ranks poorly in the international index of Ease of Doing Business.

In fairness, many of the governance challenges faced by the Buhari administration were inherited from preceding administrations. Some others have been foisted on the country by external forces beyond our control. One of such is the dip in the price of crude oil in the international market, from the Olympian height of over \$100 per barrel in 2010 to the nadir of about \$30 per barrel in December 2015. However, the administration has been churning out different policies and programmes to tackle these challenges.

The government has recorded enormous success in decimating the capacity of the Boko Haram insurgents ravaging the North-East since 2009. Many high-ranking government officials (military and civilian) are also in courts answering corruption charges after their investigation and arrest by the anti-corruption agencies such as the Economic and Financial Crimes Commission, the Independent Corrupt Practices and other related offences Commission, as well as the Code of Conduct Tribunal. The Buhari government has also implemented policies such as the Treasury Single Account and the Integrated Payroll and Personal Information System for public servants, through which financial leakages have been plugged. Recovery of stolen wealth is also one issue the government has been pursuing vigorously, both within and outside the country.

By far, the most exciting plan of the Buhari administration is the launch of the N500 billion social intervention programme, otherwise known as the palliative measures to cushion the economic hardship many Nigerians are going through. According to the President, while unveiling the scheme, “I am happy to formally launch, by far the most ambitious social protection programme in our history. A programme that both seeks to start the process of lifting many from poverty, while at the same time creating the opportunity for people to fend for themselves. In this regard, N500 billion has been appropriated in the 2016 budget for social intervention programmes in five key areas.”

“We are committed to providing job creation opportunities for 500,000 teachers and 100,000 artisans across the nation. A total of 5.5 million children are to be provided with nutritious meals through

our school feeding programme, to improve learning outcomes, as well as enrolment and completion rates. The conditional cash transfer scheme will provide financial support for up to one million vulnerable beneficiaries, and complement the enterprise programme – which will target up to one million market women; 460,000 artisans; and 200,000 agricultural workers nationwide. Finally, through the education grant scheme, we will encourage students studying sciences, technology, engineering and maths, and lay a foundation for human capital development for the next generation.”

Since this plan was first made public on December 22, 2015, as part of the 2016 Federal Government budget, I have been highly ecstatic about it. I have been praying that these social safety programmes will be fully implemented. If the eight million people targeted under this scheme are positively impacted as envisaged, it will have a ripple effect on the entire economy. If faithfully executed, it will be Buhari's and the APC's redemption song. About five months have been lost to the protracted budget brouhaha. For this programme to succeed, it must have the buy-in of states and local governments, including the private sector; otherwise, it will be dead on arrival. I do hope by December 2016, we will be singing a melodious song about this intervention and not a dirge.

## **Nigeria's Poor Tax Compliance and Solutions**

***The PUNCH, January 6, 2016***

With dwindling income from the sales of crude oil, it has become imperative for government at all levels to scout for alternative revenue sources. There have been several suggestions on how to boost the internally generated revenue of government, and these include through the right investments and policies in agriculture, solid minerals and sports. Crosscutting benefits will accrue to government from all private and public investments in the identified areas in the form of taxes. An online source defined a tax as “a compulsory contribution to state revenue, levied by the government

on workers' income and business profits, or added to the cost of some goods, services, and transactions.”

According to the Federal Inland Revenue Service (FIRS), which is the federal government agency in charge of tax administration in Nigeria, some of the taxes operational in the country are: Personal Income Tax, Companies Income Tax, Petroleum Profit Tax, Value Added Tax, Withholding Tax, Education Tax, Stamp Duties, Capital Gains Tax and the National Information Technology Development Fund Levy.

There are several advantages accruing to both government and citizens from the payment of taxes. According to FIRS, “The benefits derivable include but are not limited to: Providing sustainable finance and funding for governance, public and social services and economic development; promoting civic responsibility, patriotism by citizens and social responsibility by corporate citizens; and stimulating priority social and economic activities and sectors while discouraging less preferred ones.”

Others include, “bringing about the redistribution of wealth and bridging sharp disparities in living standards; giving taxpayers the moral and legal right to demand for (thereby engendering) a culture of accountability; serving as a gauge for measuring the level, growth and health of economic units and economic activities; individuals and corporate organisations are conferred with definite benefits, rights and privileges in the system based on their tax compliance status; and tax compliance enables law abiding citizens to avoid the consequences, penalties and sanctions of non-compliance.”

Despite the aforementioned benefits and importance, Nigerians are one of the world's worst dodgers of taxes. Tax evasion, though a global phenomenon, however is very rampant in this clime and is committed with impunity. Even when not totally avoided, many Nigerians do not pay the right taxes. Some Nigerians are also in the habit of procuring fake Tax Clearance Certificates, when it is demanded of them.

*The PUNCH*, in a December 7, 2015 editorial, quoted Price water house Coopers as saying that Nigeria has one of the world's lowest tax revenue to GDP ratios. "Estimates vary; while PwC this year (2015) estimates Nigeria's tax revenues at eight per cent of GDP, the World Bank put it at 1.6 per cent in 2012 and the Heritage Foundation at 6.1 per cent in 2013. But in Norway, which manages its oil wealth far more sensibly, tax revenues were 26.8 per cent (World Bank), South Africa 25.6 per cent and Mozambique 26 per cent."

*The PUNCH* editorial under reference also made more startling revelations. It says 80 per cent of taxable adults never pay tax, as revealed at a Chartered Institute of Taxation of Nigeria forum. 75 per cent of companies are not registered with the FIRS for the mandatory Companies Income Tax and 65 per cent of those registered are not up to date with tax filings. The newspaper also quoted the Chairman of FIRS, Mr. Babatunde Fowler as saying that 200 registered oil and gas firms are not paying taxes and that 35,650 corporate bodies have similarly failed to pay taxes. Not only that, the editorial quoted former FIRS chief, Sunday Ogungbesan, as having said in August 2015 that of the 450,000 registered companies once surveyed in Nigeria, only 125 were found to be paying tax.

What are the factors responsible for this high level of tax evasion or non-compliance? They are many. One of them is due to the multiple taxation of companies operating in Nigeria. Private companies in the country complain that they are subjected to too many taxes by the three tiers of government, from the federal to the state and then the local. For instance, they claim to pay huge customs duties on the importation of their equipment and raw materials, after which they still have to pay Company Income Tax, Education Tax and several other sundry levies. Meanwhile, due to the lack or shortage of infrastructure, they have to provide their own roads, electricity, water, and security.

With the exception of government workers who's Personal Income Taxes are deducted from source under the Pay As You Earn scheme, it is practically impossible to assess the tax liabilities of many

traders or those in informal private sector. They deliberately underestimate the values of their businesses in order to ensure that they pay as little tax as possible. In many instances, private companies use the services of tax consultants, some of who assist these companies to under-declare their incomes and those of their workers, to enable them avoid paying the right amount of taxes.

People do not want to pay taxes because they have not seen or felt the positive impact of government in their lives. Yet, they see the wasteful spending and ostentatious lifestyles of political office holders. They read in the newspapers and hear on the news how few individuals holding sensitive government positions use their influential positions to corner huge resources for their personal aggrandisement. Thus, with the high level of corruption in government, ordinary people feel that paying taxes will be like 'emptying their streams into government's ocean of corruption'. The lack of transparency and accountability in government are indeed disincentives to voluntary tax compliance.

Moreover, unemployment and staff retrenchment also combine to rob government of tax revenue. It is impossible to tax a person who is unemployed. I quite agree with the newspaper in the aforementioned editorial, when it observed that: "The critical missing links in our tax administration are efficiency, enforcement and punishment." *The PUNCH* is also on point in its suggestion that the government should be ruthless with tax offenders and roll out a more robust regime of taxation on luxury goods, instead of a blanket increase in VAT. It cannot be overstated that there is need for a strong synergy between the Finance Ministry, the FIRS and other revenue collecting agencies to raise revenues to the minimum of 25 per cent of the GDP as recommended by the World Bank and that tax reforms will also ultimately require very strong backing and political will from President Muhammadu Buhari, as well as the enthronement of stronger tax laws.

Aside these, however, government should make our monies to work for us. Nigerians need to feel the impact of government and see corrupt officials being severely punished for their acts of greed and

sabotage. Government should also not overtax companies operating in the country.

## **Nigeria's Cloudy Investment Climate**

***The PUNCH, September 9, 2015***

The frenzy generated by the 100 days of President Muhammadu Buhari's administration is palpable. So much is expected of the government, which swept into office on the mantra of change. Although the President has said that he never committed himself to any 100 days landmark celebration, his media aides nonetheless took over the media space to highlight some of the quick wins or milestones that the new administration has achieved in its first 100 days in office. For instance, Femi Adesina, the President's Special Adviser on Media and Publicity informed us in an opinion article published in many of the print media that a new sheriff is in town. That piece is simply full of sound bites.

Adesina recounted, inter alia, the bloody nose being given to Boko Haram in the North-East, the rallying of leaders of other neighbouring countries to deploy a Joint Multinational Task Force, the openness displayed about government finances and the welfare package instituted for states that couldn't pay salaries, the Treasury Single Account that would promote transparency and accountability in governance, the fast-tracking of the cleanup of Ogoni land, reduction in the cost of governance, and many others. He said that under the present administration, stealing is now corruption. Adesina also informed us that electricity generation has now climbed to about 5,000 megawatts; that some refineries, which had not produced a drop of fuel for years, have currently cracked back to life and that the perennial queues in our petrol stations have disappeared. These are irrefutable facts!

The President's SA Media and Publicity also said that Nigerians now have faith in their leaders and quoted a NOI polls survey in July, showing that over 70 per cent of Nigerians are happy with the Buhari administration, to back his claim. In June, just one month

into office, the media aide claimed that with the plugging of some leakages and loopholes on the fiscal front, the foreign reserves had surged from \$29 billion to \$31.89 billion.

On September 1, 2015, during the 45th national conference of Nigerian Accountants in Abuja, Vice President Yemi Osinbajo gave some inkling into the Buhari administration's economic blueprint. The VP said that the APC government will give primary school pupils free meals, the multiplier effects of which would help to create 1.14 million new jobs, increase food production by up to 530,000 metric tons per annum, as well as attract fresh investments of up to N980 billion into the economy. Osinbajo also hinted at the intended capacity building programme of the government to improve teachers' quality. Other areas of focus in the Buhari economic plan, according to his Vice, centred around innovation and the fighting of piracy; diversification of the economy in the areas of agriculture to achieve self-sufficiency in rice and wheat production; as well as the planned boosts to manufacturing; entertainment and technology.

As the new administration gradually rolls out its economic plan, I hereby point the Federal Government in the direction of what could make mincemeat of its laudable economic recovery plan. That is, the astronomical cost of doing business in Nigeria. It's important that the new sheriff in town knows that the World Bank has rated Nigeria among the 16 worst nations in the world in doing business. A report by the Bank specifically placed the nation in the 170th position, of 185 world economies polled.

Yes, Buhari has been globetrotting seeking foreign direct investment to boost the economy and thereby tackle the monsters of unemployment, poverty and social insecurity. I recall that the President was in Germany for the G7 Summit in June 2015 and was also in United States of America in July. These diplomatic shuttles were partly to seek foreign direct investments (FDIs), more so in the face of dwindling oil revenues. Attempts have also been made to revive the textile industry, reactivate local arms production and also increase agribusiness. The Federal Government also promised to

encourage and support micro, small and medium scale enterprises, popularly called MSMEs. However, the laudable plan of diversifying the economy and encouraging local and foreign investors would be a mirage or remain a pipedream unless the Federal Government considerably brings down the cost of doing business in the country.

In truth, the World Bank report entitled, "Doing Business: Distance to Frontier" showed that Nigeria moved up by five points in the latest rating, as against the 175th position out of 189 countries polled in 2014. Nonetheless, to be ranked among the 16 worst countries to do business in is not an enviable position. The report, an excerpt of which was published in the September 4 edition of *The PUNCH* offered some of the parameters used in the ranking as: the ease of starting a business; dealing with construction permits; getting electricity; getting credit; protecting minority investors; paying taxes; trading across borders; enforcing contracts and resolving insolvency.

Sadly, Nigeria ranked last in the world in terms of the ease of registering property and emerged the third most difficult country for cross-border trade in the Economic Community of West African States region. In the ECOWAS region, Burkina Faso was ranked the most difficult country for trade across borders at the 174<sup>th</sup> position. Mali came second at 163, while Nigeria ranked third at 159. The Gambia was ranked the easiest country for trade across borders in the ECOWAS region at 77; Senegal came second at 79, while Cape Verde came third at 101.

The report stated that while it takes an average of 19 days to export goods at \$1,040 per container and with six documents in the Gambia, it takes an average of 22.9 days to export goods in Nigeria at \$1,564 per container and with nine documents. The report equally revealed that a trader in The Gambia would require an average of 19 days to import a cargo at \$745 per container with six documents. But in Nigeria, it would take an average of 33 days to import a similar cargo at \$1,959.5 per container, with 13 documents.

To me, the World Bank report is a wakeup call to the relevant ministries, departments and agencies of government such as the Federal Ministry of Finance and its Trade and Investment, as well as Interior counterparts, alongside the Nigeria Investment Promotion Commission and Nigerian Customs Service to work in concert to ease the cost of doing business in the country. The Federal Government also owes the country a duty to set the right investment policy guidelines, strengthen our adjudicatory systems, provide adequate physical security and social infrastructure, such as affordable and uninterrupted electricity, pipe borne water, good road networks and friendly tax regimes. If Nigeria is the largest economy in Africa in spite of the astronomic cost of doing business in the country, just imagine how greater the economy of the nation will be if we are able to clear its cloudy investment climate.

# Chapter 6

## EDUCATION

**This chapter has four articles which highlight myriads of challenges facing Nigeria's education system. There is also a clarion call on the imperative of safety and security in our academic institutions and the desirability of declaration of state of emergency in the country's education sector.**

## **As Nigeria Declares a State of Emergency in Education**

***The PUNCH, October 31, 2018***

*“Among the areas of attention are the issue of out-of-school children, promotion of adult literacy and special needs education, revival of Science, Technology, Engineering and Mathematics, Technical, Vocational Education and Training, strengthening of basic education, prioritising of teacher education, capacity building and professional development, as well as ensuring quality and access to tertiary education and promoting ICT and library services.”—Deputy Governor Phillip Shuaibu of Edo State, while briefing State House Correspondents on the outcome of the monthly NEC meeting on Thursday, October 18, 2018.*

It is heartwarming that the long-awaited state of emergency in the education sector has now been declared with effect from November 2018. The National Economic Council presided over by Vice President Yemi Osinbajo recently urged governors to declare emergencies on education in the 36 states of the federation. It also urged the state and federal governments to allocate at least 15 per cent of their yearly budgets to education, with a view to revolutionising the sector. They were also enjoined to constitute a task force to manage these funds and ensure infrastructural renewal in selected schools nationwide. Shuaibu said the resolutions followed the recommendations of NEC's ad-hoc panel raised in June 2018, after a briefing by the Minister of Education, Adamu Adamu, on the state of the nation's education sector.

Recall that the Minister of Education had on June 28, 2018, made a presentation on the “National Education Policy: Prospects, Challenges and Way Forward” to the Council. Deputy Governor Shuaibu noted that NEC thereafter set up the ad-hoc Committee on the Revival of the Education Sector in Nigeria to review and submit recommendations on how to revamp Nigerian education. And, the Committee had observed that a multi-pronged approach was required to tackle the various factors militating against the achievement of the nation's educational objectives. The Committee then strongly recommended that the federal, state and local

governments should collaborate to vigorously implement and sustain action on the 10 pillars of the Ministerial Strategic Plan developed by the Federal Ministry of Education. The Edo Deputy Governor noted further that, “Council decided that while the interim report is being reviewed by members, a more detailed report (should) be prepared and presented at the next NEC meeting when decisions would be taken on the recommendations.”

For over three years, this administration had been foot-dragging about doing the needful to resuscitate our ailing education sector; however, it's better late than never. The story of Nigeria's education sector is a heart-rending one, with public education having virtually collapsed, while private sector-driven education is also tottering. Since the liberalisation of private education in the '90s, many government owned schools, be they primary, secondary or tertiary, have been allowed to decay. The facilities have become overstretched and dilapidated, such that learning now takes place in classrooms without sufficient furniture, while it's also a common sight to see pupils being taught under trees. Non-teaching staff far outnumber the teaching staff in some public schools, while the quality of the teaching staff is equally suspect with many primary school teachers failing the examinations they administer on their pupils, as revealed by what happened in Kwara State and more recently in Kaduna State, where the governor has had to sack about 22,000 unqualified teachers.

Sokoto State Governor, Aminu Tambuwal, was very concerned with the deplorable state of education in his domain that he did not wait for the National Economic Council before he declared a state of emergency in the seat of the caliphate. In June 2017, Tambuwal set up the Sultan Sa'ad Abubakar-led 27-man Education Revitalisation and Strengthening Committee, with its terms of reference including the rehabilitation, expansion and construction of schools, in collaboration with the schools-based management committees in the State. The Committee was tasked to also work out modalities for the grassroots mobilisation of parents to enroll their children in both Western and Islamic schools. According to the governor, the

Committee was charged with the responsibility of shoring up the school enrolment, retention and completion of pupils; improving the quality of teaching and learning; as well as achieving equity, irrespective of gender.

The nagging questions begging for answers are: Will the government walk the talk? Are we going to see the promised 15 per cent of federal and state budgets being earmarked for education from the 2019 budget? Is this declaration not mere sloganeering to attract votes for public officials during the 2019 elections?

Curiously, funding is not a major challenge to Nigeria's public education sector, as some educationists would want us to believe. If this is the case, why is so much money being allowed to lie fallow? According to information gleaned from the website of the Universal Basic Education Commission, there is over N86billion (N86,951,262,432.64) unclaimed funds by the states under its matching grant scheme, as of September 11, 2018. This is cumulative from 2005 to date.

Indeed, no state has yet accessed its matching grant of N982,555,230.13 for 2018. Under the Commission's matching grant scheme, state governments are to bring an equal amount of the sum allotted to them every year in order to claim the grants earmarked for them. Many states have demonstrated the lack of political will to claim this 'free money' from the Federal Government.

A similar situation is playing out in the Tertiary Education Trust Fund, where billions of naira still remains to be accessed by benefitting tertiary institutions. In May 2017, the Executive Secretary TETFund, Dr. Abdulahi Baffa said, "Out of the N1 trillion allocated to benefitting institutions in the past five years, only 75 per cent has so far been accessed, while 25 per cent remains unaccessed till date". Out of an unaccessed backlog of about N170billion earlier allocated to some tertiary institutions, about N85billion has been accessed, leaving a humongous N85billion.

By far, my greatest worry about Nigeria's comatose education sector is the issue of corruption and lack of accountability by heads of

academic institutions and examination bodies. We should recall that some months back, the nation was regaled with a fairy tale by Philomina Chieshe, on account of N36million that was reported to have been swallowed by a snake in the Joint Admission and Matriculation Board's office in Makurdi, Benue State. It was also reported that the total amount that JAMB remitted to the Federal Government's coffers between 2010 and 2016 was a paltry N50,752,544, just about one per cent of the N5billion that the agency remitted to the government in 2017 alone, under the leadership of Professor Is'haq Oloyede, the Board's new Registrar. One can thus infer the massive corruption that has been going on in that examination body over the years.

Many of our public and private academic institutions are not faring better. A lot of malpractices and sharp practices are going on in that sector. While all sorts of illegal fees and levies are collected from pupils and students, bribery and corruption have so much permeated our institutions of learning that they have become the order of the day; the new normal.

As government at all levels declare a state of emergency in our education sector, it is imperative for them to equally take on the fight against corrupt practices, the lack of accountability by the leadership of academic institutions, while also looking in to the inadequate welfare of workers in the sector.

## **Nigeria's Legendary Lip Service to Quality Education**

***The PUNCH, August 30, 2017***

Nigeria's education system is in dire need of overhaul. Things are not just right in the sector. Unless something urgent is done to arrest and redress the rot in the system, the country's future seems bleak. The leaders of tomorrow being prepared by today's education authorities cannot, sadly, attain global competitiveness. From the primary to the tertiary levels, the entire gamut stinks to high heavens. I am not being uncharitable with my assessment, as the deplorable situation is glaring for all to see. When we strip off all

pretensions and lip service, we would find that the country's education sector is in need of urgent redemption.

From where do I start to analyse the rot? Have we noticed the huge number of private schools currently operating in all the nooks and crannies of Nigeria? Many of these schools operate in very unsafe, unhygienic, and dilapidated structures. Many of them are also unlicensed and are populated by unqualified teachers, who are paid a pittance every month end. In several private schools, both authorised and unauthorised, there is often the high turnover of staff because of the absence of good working conditions by many of the Shylock proprietors. The sad thing is that most of these schools were established primarily for pecuniary purposes. In these schools, no teacher dares fail a student. The creed is to help children to pass, irrespective of whether they deserve to fail or not. Where are the education inspectors who are supposed to monitor and ensure the standards of our schools? In many instances, once their palms are greased, the assessment is going to be predictably favourable.

There are public schools. I mean government-owned educational institutions. However, the deplorable conditions of most of them make parents to prefer sending their children and wards to private schools both within and outside the shores of the country. In public schools, the facilities are overstretched with more students enrolled than the carrying capacities of these institutions. Thus, it's now common to see pupils and students learning under trees or inside dilapidated classrooms and lecture theatres. Also, teachers are more on strike than at work these days.

Let me cite some examples to buttress my point. In October 2016, a former Vice-Chancellor of Usmanu Dan Fodiyo University, Sokoto, Professor Riskuwa Shehu, disclosed that over 60 per cent of teachers in public primary and secondary schools in the State were unqualified. Shehu made the disclosure in Sokoto during a one-day training for field officers for a pilot survey on school needs assessment under the State of Emergency On Education initiative. He added that more than half of the structures in the over 2000 schools across the State were equally dilapidated. The good thing

about the Sokoto example is that Governor Aminu Tambuwal has declared a state of emergency in the State's education sector and is frantically trying to clear the mess.

In February 2016, the Governor of Kaduna State, Mallam Nasir el-Rufai, said that over 42 per cent of teachers in the State were unqualified. The governor, however, stated that despite the large number of unqualified teachers, he would not sack any one of them, but would rather want them to upgrade their knowledge. Before one considers this as essentially a northern affair, it is worth noting that in April 2017, Cross River State detected 758 teachers with fake National Certificate for Education qualifications on its payroll. The revelation was made by the Chairman of the Cross River State Universal Basic Education Board, Dr. Stephen Odey, who added that: "One of the shocking revelations was the case of a head teacher who transferred his late wife's certificates to his new wife and made her a classroom teacher, while some security men and nannies who had acquired the basic teaching qualifications were promoted to classroom teachers." Rather than punish these culprits, the State government granted them amnesty by asking them to go back to school to receive genuine qualifications and certificates.

*Nemodat quod non habet* is the Latin phrase for, "you cannot give what you don't have." There is no way that unqualified tutors can impart knowledge to their students. Any wonder that there is now the mass failure of students, especially in external examinations? Could the generally poor performance of students be the rationale behind the Joint Admissions and Matriculation Board's low cut-off marks announced for the 2017/2018 admission into Nigeria's tertiary institutions? I thought I was suffering from auditory hallucination when JAMB announced that education stakeholders, including Vice Chancellors, Rectors and Provosts in Nigeria had agreed to a minimum cut-off mark of 120/400 for university admission and 100/300 for admission into polytechnics and colleges of education. I read the defence of JAMB's Registrar, Professor Ishaq Oloyede, in *The PUNCH*, wherein he stated that the Unified

Tertiary Matriculation Examination “is not an achievement test. It is not a qualifying examination; rather, it is a ranking examination.”

With due respect to the stakeholders who endorsed these retrogressive cut-off marks, they are not helping the Nigerian education sector. It is better for Nigeria to revert to the pre-JAMB era, when each university set its guidelines and conducted its qualifying examinations. What is the whole essence of the purported ranking examination when these tertiary institutions are still going to conduct post-UTME examinations at a fee? If, as Oloyede said, that with 200 marks as the lowest cut-off, the admissions quotas are not being filled, then so should it be. We already have too many unemployed graduates such that if we don't produce any more for the next decade, we would not experience a shortage.

There is an estimated 10.5 million out-of-school children in Nigeria and in order to incentivise them to get enrolled in school, in 2016 the Buhari administration introduced the ‘homegrown school feeding programme’. Only about 17 states have commenced the scheme. Where this has started, there has been an exponential growth in school enrolment. However, there is no corresponding expansion of school facilities, including classrooms, teaching and learning aids, and teachers. If the programme were well thought through, these should have been taken care of first.

A recent discovery shocked me: While many states are complaining of the lack of funds for education, many of them have failed woefully to provide the matching grants to enable them access the funds earmarked for them by the Universal Basic Education Commission. The funds, totaling approximately N60billion are idling away in the Commission's account with the Central Bank of Nigeria. Ebonyi State has over N4billion unclaimed, followed by Enugu and Ondo States, with over N3billion each. As of March 31, 2017, only Borno and Rivers States have claimed their dues in totality. What tenable excuse do the other 34 state governments and the FCT have for not coming forward to collect their grants? If we're going to get out of this morass, we need to do things differently from the way they are being done at the moment, by not

paying lip service to this all-important sector. Government needs to properly fund education, curb examination malpractice and other sharp practices in the sector, including admissions racketeering, the sex-for-marks phenomenon, the fake teacher syndrome, and inconsistent policy frameworks.

## **Valuing Our Teachers, Improving Their Status**

### ***The Authority on Sunday, October 9, 2016***

According to information gleaned from its website, the United Nations Educational, Scientific and Cultural organisation (UNESCO) proclaimed October 5 as the World Teachers' Day in 1994, celebrating the great step made for teachers on that date in 1966, when a special intergovernmental conference convened by UNESCO in Paris adopted the UNESCO/International Labour Organisation recommendation concerning the Status of Teachers. The recommendation sets forth the rights and responsibilities of teachers, as well as international standards for their initial preparation and further education, recruitment, employment, teaching and learning conditions. Since its adoption, the recommendation has been considered an important set of guidelines for promoting the status of teachers in the interest of quality education.

This year's World Teachers' Day marks the 50th anniversary of the adoption of the 1966 ILO/UNESCO recommendation concerning the Status of Teachers. It is also the first world Teachers' Day (WTD) to be celebrated within the new Global Education 2030 Agenda adopted by the world community one year ago. This year's theme, "Valuing Teachers, Improving their Status", embodies the fundamental principles of the fifty-year-old recommendation, while shining a light on the need to support teachers as reflected in the 2015 Sustainable Development Goals (SDGs). A specific education goal, SDG4, pledges to "Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all".

Teachers, UNESCO rightly observed, are not only pivotal to the right to education, they are key to achieving the targets set out in SDG4. The road map for the new agenda, the Education 2030 Framework for Action, highlights the fact that teachers are fundamental for equitable and quality education and, as such, must be “adequately trained, recruited and remunerated, motivated and supported within well-resourced, efficient and effectively governed systems”. However, in order to achieve this goal, it is necessary not only to substantially increase the supply of qualified teachers but to also motivate them by valuing their work. By 2030, 3.2 million more teachers will be required to achieve universal primary education and a further 5.1 million in order to achieve universal lower secondary education.

On October 5, 2016, Nigeria was not left out of the global community that celebrated the nation builders called teachers. There were seminars, press conferences and the likes organised by the Nigerian Union of Teachers. The theme of the 2016 World Teachers Day was very apt. Do we actually value teachers in Nigeria? Have we done anything to improve their status? How many pupils or children, while choosing a career path, will want to grow up to become teachers in this country? Truth be told, the plight of Nigerian teachers leaves a sour taste in the mouth. Where does one begin to recount this? By the way, my late father, Deacon Isaac Oyeniya Ojo was a thoroughbred teacher who taught in Oyo and Osun States for forty years and retired as a headmaster in 1995, before his demise in 1998. I have also taught, albeit on a part time basis, at both the secondary and tertiary education levels. Thus, whatever I am saying here is that of an eyewitness.

There is no gainsaying the fact that teaching is a noble profession, as teachers rank next to parents in moulding the character and charting the course of life of a child. There is no professional alive, be an engineer, a lawyer, judge, architect, medical doctor, visual artist, journalist or inventor, who was not taught by a teacher. Unfortunately, the banana tree that nursed the cocoa seedling to

maturity ends up being treated with scorn and disdain by its very beneficiary. The teaching profession is in shambles in Nigeria.

Teaching, in our country, has become an all-comers' affair, with a lot of impostors operating in the system. Since the advent of private schools, a lot of school proprietors, who are not teachers themselves, end up populating their schools with non-professionals who, though may be graduates of tertiary education, were never trained as teachers. Even in public schools, there are many of them whose main source of teaching staff is drawn from the National Youth Service Corps scheme. This crop of untrained teachers, many of who only took to the profession after years of fruitless search for better jobs, lack teaching techniques, as they do not know how to write "Notes of Lesson" and have never been involved in "Teaching Practice", which are mandatory for graduates of education in Teachers Colleges, Colleges of Education and Universities.

That aside, there is also the challenge of dilapidated structures and lack of teaching aids. A visit to many public and private schools in Nigeria will reveal their deplorable conditions. Many of the schools have decrepit buildings, lack furniture for staff and students, do not have toilet facilities, lack perimeter fencing, still rely on the use of blackboards and chalks, when the rest of the world now uses whiteboard and markers, as well as interactive multimedia teaching aids. The school curriculum, in many respects, is archaic and not in tune with modern day trends for imparting life skills, numeracy and literacy.

Again, there is the nagging issue of the welfare of teachers, who are generally poorly remunerated. There is a saying in the Yoruba local parlance that, "how much does a teacher earn that s/he uses saliva to count his or her wages?" The salaries of teachers are some of the lowest in the public service in Nigeria, yet that paltry sum is still not paid when due. It is an open secret that many state governments and private school proprietors owe their teachers months in salary arrears and leave bonuses. Many retired teachers are worse off as their pension and gratuities are never paid when due. My father was

a victim of this wicked practice. The old man died three years after retirement, without collecting a dime in pensions and gratuities.

The most heartrending development is the challenge of the safety and security of teachers and students in their workplaces and learning environments. For many years, there have been abductions of students and pupils from schools, with the Chibok girls' incidence of April 2014 being the first to receive global attention. However, on Thursday, October 6, 2016, a new twist was added to the unfolding tragic phenomenon as kidnappers' invaded the Lagos State Model College, Igbonla in Epe and went away with four students, a teacher and a vice principal. The fiends then demanded ransom for their release.

Teachers, as destiny moulders and nation-builders, deserve a better deal from their employers. They need to be valued and their status improved like the theme of this year's World Teachers Day enjoins. It is saddening that despite the early warning from the President of the Nigeria Union of Teachers, Mr. Micheal Olukoya, that the 500,000 teachers being recruited by President Muhammadu Buhari's government should be made up of trained teachers, so that the quality of teaching in our public schools can significantly improve, the administration is pressing on in employing all manners of non-education graduates, with the promise to organise a two-week crash programme for the new recruits in teaching techniques. This sort of abrupt approach should totally be avoided due to its counter-productive consequences. Nigeria has more than enough trained teachers from which government can source half a million new recruits into the teaching profession.

In closing, UNESCO has shown us the way to go by enjoining our government and indeed all employers to ensure that teachers are "adequately trained, recruited and remunerated, motivated and supported within well-resourced, efficient and effectively governed systems". This is the condition precedent to attaining SDG4. It therefore behooves government at all levels to redouble their efforts to ensure that education is well resourced for the attainment of national development.

## **Making Nigerian Schools Safe**

***The Authority on Sunday, March 13, 2016***

On February 25, 2014, fifty-nine schoolboys of Federal Government College, Buni Yadi, Yobe State were murdered in cold blood by suspected Boko Haram insurgents. Before then, from 2009 when the activities of the extremist group turned violent, several schools have been razed in North-East Nigeria, particularly in Borno, Adamawa and Yobe States. However, the abduction of over 200 schoolgirls from Chibok, Borno State on April 14, 2014 nudged the Federal Government of Nigeria to take a drastic step to make the security of Nigerian schools a priority. Thus, in partnership with the UN Special Envoy for Global Education, Mr. Gordon Brown, and a coalition of Nigerian business leaders, the FG established “The Safe Schools Initiative” on May 7, 2014, during the World Economic Forum Africa in Abuja. The objective of the SSI is to urgently protect schools across the country from future attacks and kidnappings.

The SSI is being complemented by other development programmes, such as the Presidential Initiative for the North-East that focuses on medium to long term development projects within the region, and also a Victims’ Support Fund targeted at providing emergency relief and other support to families whose lives and livelihoods have been devastated by the crisis.

Given the enormity of resources needed to implement the SSI, a trust fund domiciled in the Central Bank of Nigeria was set up with a \$10million contribution from the Federal Government. A separate Multi-Donor Trust Fund was also established within the UN system. This MDTF is being managed by the United Nations Development Programme (UNDP), United Nations Children's Fund (UNICEF) and the United Nations Office for Project Services (UNOPS). Since then, many donors have supported the noble cause. According to the former Minister of Finance, Dr. Ngozi Okonjo-Iweala, as at February 2015, the United States government through the United States Agency for International Development had donated \$2million into the MDTF. Other donations, as reported in *Leadership*

newspaper of February 20, 2015, include another \$2million from the government of Qatar, through the Qatar Foundation; €2 million from Germany, and \$1million from the African Development Bank. Other donors include Norway, with \$1.5million, given through the UNICEF and the UK, with £1 million pounds in technical assistance. She said the initiative also received \$10million from a coalition of Nigerian business leaders.

Well, much of the efforts of the SSI have been justifiably concentrated in the North-East region of Nigeria, where the activities of the insurgents have been most pronounced. The Initiative has relocated some of the pupils in the terrorists' areas of operation to safer environment, awarded them scholarships and provided them with learning materials. Be that as it may, given the February 29, 2016 abduction of three female students of Babington Macaulay Junior Seminary in Ikorodu, Lagos, it is imperative that the Safe School Initiative be fast-tracked with nationwide coverage. Truth be told, there would be many more similar attacks on schools by undesirable elements. Indeed, many schools have been invaded in the past by burglars and armed robbers looking for what to steal.

Obviously, the responsibility of making our educational institutions safe cannot be solely borne by government. The Nigerian school system has been deregulated, with both the public and private sectors being major players. While government is expected to provide the overall security architecture to make our schools safe, private entrepreneurs in the sector must roll up their sleeves and key into designing and customising homegrown security plans. Among other things, two-prong engagements must be pursued. There is the "hardware" and the "software" approaches.

By the hardware approach, all public and private schools, from primary to tertiary levels, must acquire security equipment to protect students, staff and the institutions' facilities. More so, scanning machines, closed circuit camera television monitors, perimeter fencing, adequate illumination of school environments, recruitment of security personnel, visitors sign-in registers and badges, the clearing of school premises of bushes and debris, routine foot and

motorised police patrol of school areas, have all become high priority. On the software side, security education for all staff and students has become extremely desirable. They need to be properly and routinely counseled by experts drawn from the security agencies such as the Police, Department of State Services, Nigerian Army, Civil Defence, Nigeria Fire Service and other paramilitary organisations. The security education should be expanded to include safety from fire, flood and diseases. Thus what is being advocated is a robust and comprehensive security and health education.

Security experts have said that students, particularly those in day schools, should learn to move in groups. School buses with plain cloth security personnel should also be provided at affordable costs for day students. There is the need to adequately publicise the telephone numbers of security agencies that the staff and students of schools can call when under attack. Late-coming, loitering and wandering of students around town during school hours should henceforth attract stiff punishments.

Although the focus of the safe school initiative is protection against external attacks, such as Islamic insurgents, armed robbers and kidnappers, however there is the enemy within the school that needs to be dealt with decisively. That is cultism. The phenomenon of schools cultism has festered so much that hundreds of lives and properties worth billions of naira have been lost to the menace. It used to be restricted to tertiary institutions – colleges of education, polytechnics and universities in the past, but these days, it has spread its ugly tentacles to secondary schools. Many teenagers have been initiated into cult groups. While cult attacks have primarily been against rival groups, their breach of campus peace creates psychological fear for the entire school environment. School administrators and security agencies need to work collaboratively to rid our schools of this hazard.

That said, what can bring lasting peace and security to our school environment is the positive turnaround of the economy. The current economic doldrums has heightened security concerns. Thousands of employees have been sacked, while millions of unemployed

graduates are roaming the streets in search of non-available jobs. These have made our youths to resort to desperate measures, hence turning to crime and criminality for survival. This is why introduction of the dole or social safety net is desirable for unemployed youths. Finally, proper home training and well-resourced security agencies will go a long way in making our schools and indeed society safe.

# Chapter 7

## LABOUR

**This chapter contains four commentaries whose central theme is the need to improve workers wellbeing as part of the panacea to corruption in work places. This chapter examines the whole swirling arguments on both the previous N18,000 minimum wage and the current N30,000. The key argument here is that improved workers welfare will improve productivity and reduce incidences of malpractices and sharp practices at work places.**

## **Controversial 'No Work, No Pay' FG White Paper**

***The PUNCH, October 24, 2018***

*"But when workers go on strike, the principle of 'No Work, No Pay' will also be applied because that principle is enshrined in that same Section 43 of the Labour Act. That section says for the period a worker withdraws his services, government or his employers are not entitled to pay and the period for which they were absent will not count as part of his pensionable period in the public service."* — Labour and Employment Minister, Dr. Chris Ngige, while addressing journalists after the FEC meeting on October 16, 2018.

Another industrial unrest is brewing! This is the consequence of the Wednesday, October 17, 2018 adoption of a draft White Paper enforcing the 'No Work, No Pay' rule by the Federal Executive Council. According to the Minister of Labour and Employment, Dr. Chris Ngige, the decision was in compliance with Section 43 of the Labour Act, which he said the National Industrial Court had earlier upheld. The draft document was allegedly submitted by a 10-man committee that the minister chaired, which he said was constituted in 2017 to come up with a White Paper on an earlier technical committee report meant to stem the tide of industrial disputes in the country.

He said following the approval of the White Paper, the Council ordered that it should be gazetted. A sub-section of Section 43 of the Labour Act also prohibits the locking out of workers without following due process. Ngige said following the approval, the Federal Government would take action against any employer who locks out their workers by ensuring that every due benefit to such workers during the period of the lock-out is paid to them.

He also said the White Paper banned the idea of government employees leaving their primary jobs to serve full time in labour unions and remain there for life, forgetting that they were first employed as public officers. According to him, the White Paper will check this trend by henceforth ensuring that trade unions submit

their constitutions to the government, which he said must spell out term limits for labour leaders that must not exceed two terms.

In addition, the White Paper fixed seven years of training for resident doctors. It was discovered that some medical doctors go for residency training only to join professional bodies and become permanent unionists in contrast to the rule. Furthermore, the White Paper seeks to end situations where after collective bargains, one group then begins to circulate fake information that was not contained in the resolution(s) reached at the meeting. In order to put paid to this misdemeanour, "government therefore says all collective agreements must be authenticated by the rightful authorities and domiciled with the Federal Ministry of Labour and Employment."

In a swift reaction, Nigerian labour unions described the "No Work, No Pay" policy as an attempt by government to intimidate the trade union movement and its leadership, in order to subjugate the will of Nigerian workers over the national minimum wage. The unions, in a joint statement signed by Mr. Ayuba Wabba, President of the Nigeria Labour Congress; Mr Bobboi Bala Kaigama, President of the Trade Union Congress and Mr. Joe Ajaero, President of the United Labour Congress, noted that if nothing was responsibly done by the Federal Government to meet their demands, they would proceed on an industrial action by Monday, November 6, 2018.

On October 22, 2018, I had the privilege of weighing in on this controversial White Paper aimed at enforcing the "No Work, No Pay" rule on a magazine programme of the Nigerian Television Authority named, 'Good Morning Nigeria'. I was one of the four panelists assembled to discuss the policy. There were also the Director, Trade Union Services and Industrial Relations in the Ministry of Labour and Employment, Mrs. Omoabie Udeme Akpan; a Professor of Law from the University of Benin, Richard Idubor; and the First Vice President of the Trade Union Congress, Sunday Olusoji Salako.

As said on the programme, my take on this issue is that although government had a noble intention in coming up with the White Paper, it is however doing the right thing at the wrong time. There is

no gainsaying the fact that there is need for government at all levels to rein in workers who it seems have the penchant for going on reckless and senseless strike actions at the least provocation. Trillions of naira is lost to strike actions by different labour unions in Nigeria annually. Aside the monetary loss, there is also the social cost in terms of the loss of productive man-hours, uncountable deaths, discomfort and inconveniences foisted on innocent Nigerians by the labour unions.

In 2016, I lost my younger sister to the cold hands of death as a result of forceful eviction by the University College Hospital of Ibadan authorities, arising from a one-week warning strike embarked upon by the hospital's resident doctors. She was being stabilised for surgery for a heart related ailment. She died barely five days after that forceful ejection from the hospital.

Be that as it may, oftentimes, labour unions embark on strikes as a last resort after government or concerned authorities might have failed to meet the unions' demands. Among the triggers of strike actions are poor working conditions, breach of collective agreements, the unjust sacking of workers, casualisation, as well as the non-payment of workers' emoluments – salaries, bonuses, allowances and all their due entitlements.

A labourer deserves his wages, so the Holy Bible says. Nigerian workers are presently faced with the non-payment of salaries over prolonged periods. I was a victim of that for nine months in 2001/2002. It is a fact that despite the several bailouts and Paris Club refunds given to states by the Buhari administration, many of them are still owing workers' salaries and allowances. Will it be fair to Nigerian workers to continue to work without pay? The resort to strike by many labour unions is meant to pressurise the government to act responsibly.

I have said on different platforms and at workshops that corruption will continue to thrive in as much as government and other employers of labour treat the welfare of their workers with levity. The plight of Nigerian workers is deeply heartrending. Whether in the public or private sector, Nigerian wealth creators are faced with

inclement working environments, and are worse off in retirement as their entitlements – pension and gratuity – are often not paid when due. My late father was a victim of this inhuman treatment in the 1990s. He retired from the teaching service in 1995 and did not receive his retirement benefits until his death in June 1998. Thus, when I read about corrupt workers, I know that some of them could have taken to sharp practices and malpractices due to the pressure to make ends meet and provide for the days after their retirement.

To be fair to workers, any of them being owed up to three months should have a right to down tools and still be paid for the period of the strike. While it is true that the principle of natural justice, equity and fair play dictates that he who does not work should not get paid, there should be exemptions to that rule. Where workers are willing and ready to work but the employer is unwilling to provide conducive work environments, then workers should not be victimised for their lack of productivity. I hope the government will do the needful to avert another round of industrial unrest as threatened by the workers. As we all know, the economy is fragile and a protracted strike at this point may move us back into recession.

## **Will Buhari Deliver on the New National Minimum Wage?**

***The PUNCH, November 29, 2017***

On November 27, 2017, President Muhammadu Buhari inaugurated a 30-member tripartite National Minimum Wage Committee for the negotiation of a new national minimum wage for Nigerian workers. The inauguration held inside the Council Chamber of the Presidential Villa, Abuja, had in attendance governors and senior government officials. Some All Progressives Congress governors, including Rochas Okorocha of Imo State, Rauf Aregbesola of Osun State, Atiku Bagudu of Kebbi State and Simon Lalong of Plateau State, as well as the Peoples Democratic Party's Nyesom Wike of Rivers State and Ibrahim Dankwambo of Gombe State, are members of the Committee.

The President said the inauguration of the Committee followed the recommendation of a technical committee put in place after the increase in the price of petrol in 2016. He also said that the current minimum wage being used in the country had already expired. (It was supposed to be reviewed every five years). After the completion of the work of the committee, an executive bill would be sent to the National Assembly “to undergo scrutiny before being passed into law”.

By its tripartite nature, the Committee is made up of persons from the public sector, (federal and state governments) and the private sector, made up of the Nigerian Employers’ Consultative Association; Manufacturers Association of Nigeria; Nigerian Association of Chambers of Commerce, Industry, Mines and Agriculture; and Nigerian Association of Small and Medium Enterprises. The Committee has a former Head of Service and Minister of Housing, Ama Pepple, as Chairperson, while the Minister of Labour and Employment, Chris Ngige, will serve as the deputy Chairman. The Chairman, National Salaries, Income and Wages Commission, Richard Egbule, will serve as the Secretary of the Committee.

Other members of the Committee are Udoma Udo-Udoma, Minister of Budget and National Planning; Kemi Adeosun, Minister of Finance; Winifred Oyo-Ita, Head of the Civil Service of the Federation; and Roy Ugo, the Permanent Secretary, General Services, Office of the Secretary to the Government of the Federation. The Director-General of Nigerian Governors’ Forum, Asishana Okauru, will serve as an observer to the Committee. On the trade union side are the President, Nigeria Labour Congress, Ayuba Wabba, who leads a team comprising Peters Adeyemi, Kiri Mohammed, Amaechi Asugwuni and Peter Ozo-Eson. The Trade Union Congress is led by its President, Bobboi Kaigama, and other members including Sunday Salako and Alade Lawal. The President, Nigerian Union of Petroleum and Natural Gas Workers, Igwe Achese, is also a member. On the employers’ side are Olusegun Oshinowo, Director General, Nigeria Employers’ Consultative

Association, as well as Timothy Olawale and Chuma Nwankwo. The Director General, Federation of Construction Industry, Olubunmi Adekoje; Chairman, Kaduna East Branch, Manufacturers' Association of Nigeria, Ahmed Gobir; and Francis Oluwagbenro also from MAN are members.

It is important to understand how the issue of the national minimum wage came about. Nigeria joined the league of International Labour Organisation member countries that set the minimum wage for their workers in 1981. The last time a minimum wage was set before the current one being reviewed was in 2000, and this took effect from May 1, 2001. Then, the wage was set at a paltry N5,500. It took 10 years to have this benchmark reviewed through a collective bargaining mechanism. The NLC said the union made a demand for wage increase in 2009 after a thorough study of the salaries of political office holders', pre-and post-consolidation, as well as after a careful examination of the minimum annual wage levels in African countries. The study showed that Nigerian workers were among the least remunerated in the world. In the NLC's estimated cost of meeting basic needs for a representative family done in February 2009, a sum total of N58,500 was arrived at. The NLC however decided to demand a new national minimum wage of N52,200, which the union considered as approximating the least minimum annual wage levels in African countries, the minimum cost of providing basic needs for a worker and his/her immediate family, and data on the cost of living.

To negotiate this request of the NLC and the TUC, the Federal Government set up a tripartite committee made up of representatives of government, labour and the organised private sector. On the part of the government were four cabinet ministers, three state governors and a representative of the National Salaries, Incomes and Wages Commission. Labour drew its representatives from the NLC and the TUC, while representatives of the organised private sector included officials of NECA and those of NACCIMA. The committee was chaired by former Chief Justice of Nigeria, Hon. Justice Alfa Belgore (Retd.).

Information has it that this committee met for over one year, discussing and negotiating with different stakeholders. It was reliably gathered that all the 36 state governors, as well as the Nigerian Governors' Forum (NGF) were formally written to make inputs into the negotiation. While some of the governors were said to have recommended a minimum wage of about N20,000 and above, the committee decided to propose N18,000 in order to make it easy for all concerned employers of labour to implement. It was also proposed that the new wage would apply only to organisations with a minimum of 50 workers in their employment. It was after this consensual agreement that the proposal was drafted into a bill and presented to the National Assembly for passage. This bill was passed and signed into law by former President Goodluck Jonathan on March 23, 2011.

That was the update from the last exercise. Now, Nigerian workers are demanding a N56,000 new minimum wage. Is that realisable given the current comatose economy in which the extant N18,000 minimum wage is not paid when due? The last exercise took about two years to conclude; how long will the current effort take before a new minimum wage comes into force? Is there a genuine intention on the part of the current administration to upwardly review the workers' minimum wage? If yes, why did it take the Federal Government almost two years after the astronomic increment in the pump price of petrol, as well as the expiration of the last minimum wage before the new review committee was inaugurated? Is wage increase the solution to workers' plight in Nigeria?

There is no gainsaying that with the astronomic rise in the cost of living, Nigerian workers are right to demand wage increase. However, this may ultimately be counterproductive. If not carefully handled, it will lead to spiraling inflation and a lower purchasing power. Even without an increase in workers' pay, the costs of food, housing, education and other essential services are on the rise. This will worsen with a publicised wage increment. Furthermore, with about two-thirds of states and most of the local governments in the country not being able to pay the current N18,000 minimum wage,

what assurances are there that they will honour a new wage increase agreement? In July 2011, the governors gave two preconditions for them to pay the new wage increase. These were: a review of the current revenue allocation formula in favour of the states and the removal of subsidy on petrol. Only one out of these two conditions was met. Even at that, since 2015, they have collected bailouts and Paris Club refunds in excess of N2 trillion, yet many of them are unable to pay the N18,000 minimum wage.

Can the Federal Government initiate moves to review the revenue allocation formula in favour of states to enable them pay the proposed new minimum wage? If the government at all levels will fix the infrastructural gap through the provision of low cost housing, good road networks, quality and affordable education and health services, an agrarian revolution that will bring down the cost of foods, improved and affordable electricity supply and other essential social amenities, these will help reduce the cost of living and improve the standard of living of Nigerians generally and workers in particular. Thus, irrespective of their small wages, their purchasing power will be high and they will be able to live decent lives. Will Buhari deliver on the new minimum wage before 2019? That is doubtful and very unlikely!

## **The N18,000 Minimum Wage Brouhaha**

### ***The Authority on Sunday, November 29, 2015***

Trouble is brewing between state governors and Nigerian labour unions over the former's attempt to stop the payment of the N18,000 minimum wage to Nigerian workers. The hint was dropped on November 18, 2015 after the meeting of the Nigerian Governors' Forum at the Old Banquet Hall of the Presidential Villa. In a communiqué read by its Chairman, Alhaji Abdulaziz Yari, who is also the Governor of Zamfara State, he said, inter alia, that the dwindling price of oil had drastically affected their States' incomes. He was quoted as saying that, "The situation is no longer the same when we were asked to pay N18,000 minimum wage, when oil price

was \$126 (per barrel) and continued paying N18,000 minimum wage when the oil is \$41 and the source of government expenditure is from oil, and we have not seen prospects in the oil industry in the near future.”

This is a very good and rational argument. It is a notorious fact that since 2014, the Federal Government had declared austerity measures arising from the fall of oil prices in the international market. The naira also had to be devalued with the country's currency now exchanging for over N200 to a \$1. Indeed, expert says that the manufacturing sector has slid into recession, while the oil sector is weak. Various economic indicators and indices do not look good for Nigeria. Inflation is rising, likewise unemployment and concomitantly poverty. Most private companies are engaging in staff rationalisations and many have placed embargoes on employment.

Many states have been unable to pay workers' salaries since the first quarter of 2015, while the federal government had to arrange bailout funds to assist the states in pay their salary arrears. In spite of these, many of the states have not been able to make up-to-date payments, while the plight of pensioners has worsened as the governments that they served do not seem to spare any thought about the payment of their pensions and gratuities. Giving the above gloomy picture of Nigeria's economy that I have painted, will the governors be in order, to unilaterally renege on the payment of the N18,000 minimum wage? No.

The N18,000 National Minimum Wage is an act of parliament signed into law by former President Goodluck Jonathan in March 2011. This was after about two years of tripartite negotiations by government (represented by the federal and state governments), the Nigeria Employers Consultative Association (NECA), representing other employers (in the private sector) and organised labour. Balking on the payment of the minimum wage will therefore be a breach of an Act of Parliament.

Two, the minimum wage in question has become grossly inadequate in meeting the needs of workers. It had been implemented for five years and was due for upward review, according to Nigerian Labour

Congress. Truth be told, N18,000 has become greatly undervalued by the hyper-inflation and currency devaluation that have weakened the naira. House rent has been increased by many property owners. The cost of transportation has increased due to fuel scarcity and the cost of vehicle spare parts has also risen, thus hiking the cost of maintenance. School fees, access to healthcare, the cost of foodstuffs, as well as of clothing, have all gone up astronomically. Giving the high rate of unemployment in the country, the dependency ratio of workers has equally increased tremendously.

What Nigerians now witness is a high cost of living, rather than a high standard of living. It will therefore be uncharitable to increase the economic burden of workers by reducing their paltry take home pays that cannot take them home. Should this be done willy-nilly, it will affect staff productivity, as there would be no commitment to work, as workers will be too distracted in looking for means of augmenting their meagre salaries, rather than concentrating on their jobs. Another unintended consequence this will engender would be a high level of corruption and economic sabotage, as most workers will be busy seeking ways and means of taking advantage of their positions to defraud government.

Should government decide to further down-size its staff strength as a way of reducing the wage bill, the upshot of that will be an overburdening of the retained staff, as one staff may end up doing the job of more than one person, while the salary and other emoluments remain the same. This again will be counterproductive. Salary cuts and the retrenchment of staff are also bound to lead to labour unrests, as their unions will definitely call for strikes.

What then is the way out of this albatross? This calls for thinking out of the box and doing business in an unusual manner. One veritable way of getting out of government's financial quagmire is to block all leakages in the economy of a state. And, there are quite a number of these. A look the annual appropriation bills, better known as budgets, of many states will reveal that the documents are usually padded with all manners of wasteful and needless expenditure items. Every year, hundreds of vehicles are purchased, while the ones

procured the previous year are still serviceable. This is the same with computers (hardware and software). There are also the huge overhead costs, which are inclusive of entertainment allowance, wardrobe allowance, and the purchase of gift items for distribution during religious festivals such as Sallah (Ramadan, Eid-el-Fitr and Eid-el-Kabir), Easter and Christmas celebrations, etc. Is it not preposterous that the governors who are crying about the low revenue bases of their states are still sponsoring pilgrims to Mecca and Jerusalem? Meanwhile the Nigerian Constitution has made it abundantly clear that there shall be no state religion and that Nigeria is a secular state. Moreover, the sponsorship of these pilgrimages is discriminatory against the adherents of African indigenous religion.

Other areas where government can cut down on waste and block financial hemorrhage are in the significant reduction of the ostentatious lifestyles of the governors and their lieutenants (Commissioners, Special Advisers and Assistants). Is it not ironic that the same governors who are lamenting about empty treasuries have up to twenty cars in their convoys, fly chartered aircrafts instead of joining normal commercial flights and maintain multiple governors' lodges in many states of the federation? Many state governors have done well by fishing out ghost workers through biometric verification exercises involving their respective workforces. Billions of naira have been saved as a result of these activities, which is commendable.

It is also imperative for governors to stop the award of contracts for white elephant projects. A journey across many states will reveal the huge numbers of these projects that were awarded for mere political expediencies, and which have been abandoned. With dwindling income, I will expect governors to do audits of projects already awarded, the percentages of their completion and whether such projects should be completed or auctioned out to private buyers or investors. Concomitantly, they should think through new projects they might want to commence and see whether they will be able to mobilise resources to complete them in the lifespan of their administrations.

The diversification of the revenue bases of states has become inevitable. I am happy that the Nigerian Governors' Forum has also flagged this as one of the options they are weighing. A lot of money could be made by state governments from proper investments in their states' tourism potentials, agriculture, solid minerals extraction and sports. The best way to go about this will be to bring in private investors under mutually beneficial terms and conditions. As earlier mentioned, the reduction of the salary of workers at this point in time will be counterproductive and hence should not be contemplated. Similarly, this is not the time for Nigerian labour unions to engage in the demand for wage increases, as it would appear unreasonable and unpatriotic, even though labour has a legitimate right to do so.

### **N30,000 new minimum wage: Matters arising**

#### **The PUNCH, April 24, 2019**

*The fact that the maize is cooked is not enough to rejoice over; there is work to be done by both hands and mouth — An African proverb*

On Thursday, April 18, 2019, President Muhammadu Buhari threw the labour community into a joyous mood by signing the new minimum wage of N30,000 into law. This is a political masterstroke by the President coming barely two weeks to the May 1 Workers' Day celebration. The law had been due for review since 2016 but the President did not set up the tripartite committee to review the 2011 minimum wage agreement headed by a former Head of Service, Mrs. Ama Pepple, until November 27, 2017. The committee submitted its report to the President on November 6, 2018. On January 9, 2019, Buhari inaugurated the Bismark Rewane-led technical committee to help the government find ways of implementing the new national minimum wage without disrupting the nation's development plans.

On January 22, 2019, the President took the report of the Ama Pepple committee to the National Council of State for approval. The day after, on January 23, he transmitted the National Minimum

Wage Bill to the National Assembly. Six days after, acting with the speed of light, precisely on January 29, 2019, the House of Representatives passed the bill, a day after conducting its public hearing. The Senate however waited till after the 2019 general election to pass the bill. It did so on March 19, 2019. The bill was then sent to the President for assent on April 2.

The President assented to the bill within 16 days. Thereafter, the Senior Special Assistant to the President on National Assembly Matters (Senate), Ita Enang, made public snippets of its content. Enang, who briefed State House correspondents, said the new law had N30, 000 as minimum wage for Nigerian workers and its implementation starts immediately. He said the signing of the bill into law now “makes it compulsory for all employers of labour in Nigeria to pay their workers the sum of N30,000.” However, the law states that employers with less than 25 workers are excluded from paying the new wage.

He said further that the workers of “a ship which sails out of the country and other persons who are in other kinds of regulated employment which are accepted by the Act” are also excluded from the new wage. Enang said with the new law, workers now have the right to sue their employers who fail to pay them the new minimum wage. And that the Act empowers the Minister for Labour or his representative to act in the case of such denial of the new wage.

For the country's labour unions, it was a sweet victory at last. The Nigeria Labour Congress and the Trade Union Congress of Nigeria in separate statements commended the President for signing the bill into law. The NLC described the bill signing as only the first step and called for the immediate implementation of the law, given the fact that the process had dragged on for nearly two years. It advised employers, particularly federal and state governments, to commence immediate negotiations with the appropriate unions on the impact of the new law on the wage structure with a view to timely and judicious implementation. On its part, the TUC said the new wage would in no small measure give workers a sense of belonging. It said while organised labour appreciated the approval of the new

wage, it was also instructive to note that its gains had been eroded by inflation, adding that prices of commodities had gone up even when employers had not commenced payment.

Yes, it was a long-drawn battle to get the current minimum wage. Recall that the state governors had never been in support of the N30,000 minimum wage. They were initially rooting for N22,500. Later, they agreed to N27,000. In fact, the National Council of State was on the side of the governors when it met on Tuesday, January 22, 2019. The Council approved a dual minimum wage. While it pegged the National Minimum wage at N27,000 for the least paid workers in the states and the private sector, it approved N30,000 minimum wage for Federal Government workers.

During the inauguration of the Rewane advisory committee, President Buhari made some instructive remarks in his speech. He said, "As you know, we, at the federal level, have made adequate provision for the increase in the Minimum Wage in our 2019 Budget proposals which we submitted to the National Assembly. Therefore, we will be able to meet the additional costs that will be incurred in moving up all personnel who are currently earning below the new minimum wage. However, we anticipate that after the new minimum wage has been passed into law, we will be going into negotiations for salary review for all the workers who are already earning above the new minimum wage. It is therefore important that we are properly prepared to meet these demands."

To my own mind, the import of this statement is that some Federal Government workers who may currently be earning above the minimum wage may either not benefit from the new wage increase or may actually have downward salary review.

Furthermore, the more challenging issue facing Nigerian labour will be how to convince the state governors to implement the new wage increase without having to lay off employees. As this increase is coming after the elections with many governors having served out their two terms, the incoming governors may not be too inclined to pay given their often used alibi of meeting empty treasuries. Recall that in 2015, at the first meeting that President Buhari had with the

governors, some of their requests were for the President to give them bailouts to be able to pay the backlog of the salary arrears they were owing their workers. Secondly, they demanded the review of revenue allocation formula in favour of the states. Otherwise, they threatened to retrench workers. While President Buhari acceded to their request for bailouts and even shared out Paris Club refund largess to the states, many of the governors are still owing a backlog of salaries. This happened when the minimum wage was a paltry N18,000.

There have been fears expressed that the new minimum wage will cause inflation. I don't think so. Whether or not there is a wage increase, inflation can occur. However, there is no gainsaying the fact that there will be increase in the cost of some goods and services such as food items, transport and accommodation. Public servants and workers in the organised private sector who are primary beneficiaries of this new wage increase are just a fraction of the Nigerian labour force. Therefore, artisans, traders and people in the Micro, Small and Medium Enterprises will likely review the prices of their goods and service in order to benefit from the new wage increase.

Can the new minimum wage curb or reduce corruption, particularly among public servants? Not necessarily. People who have a penchant to be corrupt will still indulge in their pastimes irrespective of how much they earn. In my own estimation, the new minimum wage may not even improve the standard of living of the benefiting workers. Why, you may ask? It is because the value of naira in 2011 when the last review was made was more than what it is now. While the purchasing power of our currency then was higher, devaluation has weakened the value of naira in 2019. Hence, the cost of living is far higher now than it was eight years ago.

All the same, I hope all affected employers of labour will find the political will to pay and that the workers too will reciprocate the financial gesture with better and higher productivity. Lastly, I wish that the National Assembly will find it expedient to act promptly on various bills before it like it did on the 2019 new minimum wage bill.

## ABOUT THE AUTHOR

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## ABOUT THE BOOK

**T**his book, “Overcoming Nigeria's challenges of corruption and opacity in governance” is one of the project activities being implemented by me under the Anticorruption and Accountability Project being coordinated by Centre for Information Technology and Development (CITAD) Kano with funding support from MacArthur Foundation Nigeria. There is no gainsaying that opacity in governance promote corruption and as such all means must be explored to promote good governance.



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