

The Supreme Court, Atiku, and unprincipled politics

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By Okey Ndibe

A week and a half ago, saharareporters.com carried a report to the effect that Nigeria's Supreme Court had finalized a deal to authenticate the electoral process that produced Umaru Musa Yar'Adua as occupant of Aso Rock. It reported that, as part of the deal, Mr. Atiku Abubakar, former vice president and founder of the Action Congress, had agreed to return to the PDP. The highly popular website then alleged that, as part of the deal, some of the justices had been asked to nominate candidates for ministerial appointment.

It was, on the face of it, an absurd report, but one is well aware that Nigeria – in the words of a lawyer friend of mine – is a space where absurdity often makes sense.

My first reaction to the report was one of incredulity. Yes, I knew that sahara reporters had established a reputation for accurate reportage. It had correctly reported how the Independent Electoral Commission (INEC) was going to call the presidential polls. It had given a factual account of how the Justice James Ogebe presidential elections panel was going to rule on the petitions challenging Yar'Adua's enthronement. It was first to report, months before the plan was actualized, that Mrs. Farida Waziri was going to replace Mr. Nuhu Ribadu as chair of the Economic and Financial Crimes Commission (EFCC).

Yet, I hoped, even prayed, that the report was a concoction, a speculation, or straightforward disinformation. Surely the justices of the nation's apex court, who in the last three or so years had offered much hope to Nigerians, would not dabble in an appalling arrangement capable of eroding public confidence in the judiciary. It seemed to me that Nigerians would be hard put to it to weather the effects of a Supreme Court perceived, rightly or wrongly, of being amenable to political manipulation or material inducement. Judges who, out of cowardice, financial inducement or some other extraneous factor, subvert the sacred cause of justice are worse than reprehensible. Judges' traitorous conduct has severe consequences for the ethical and moral fabric of a society. Which is why the justices of the Supreme Court had better decide to guard their reputation jealously and resist the temptation to dive into the mindless quest for lucre that has become a global disease.

My doubts about the report's veracity began to disappear a day after the appearance of the website report. First, Segun Adeniyi, Yar'Adua's mouthpiece, launched a withering verbal assault that mocked the appellate petition filed by General Muhammadu Buhari against Yar'Adua's purported election as "weak." Adeniyi then suggested that Yar'Adua

would talk to Buhari, and possibly invite him to play a role in the regime, after the Supreme Court might have dismissed Buhari's case.

A day or two later, erstwhile chairman of the PDP Board of Trustees, Mr. Anthony Anenih, fired his own salvos against Buhari. The import of a press statement that Anenih personally signed was this: that Buhari was headed for judicial humiliation at the Supreme Court, and that he deserved it.

It struck me as remarkable that neither Adeniyi nor Anenih saw fit to include Atiku, also a petitioner against Yar'Adua's "election," in their raillery. Their excoriation was exclusively reserved for Buhari, a man who has publicly shunned all entreaties – from the northern traditional establishment – to withdraw his case against Yar'Adua. Was it possible, I wondered, that Atiku was spared the stinging lash of Yar'Adua's inner crowd precisely because the former vice president had reached an understanding to abandon his case – and leave many Nigerians counting on his steadfastness stranded?

Last week, a report in the "breaking news" section of The Guardian of Nigeria began to peel away at the mystery. Titled "Atiku may rejoin PDP, aides hint," the account began: "Former Vice President Atiku Abubakar may be heading back to join the ruling Peoples Democratic Party (PDP) if feelers from some of his aides are anything to go by." Among other things, the paper quoted the Atiku Campaign Organization as contending "In politics, anything can happen. Politics is not like Mathematics or Physics which [sic] answers are always static everywhere, anytime." Then there was this concluding

quote, again ascribed to Atiku's campaign organization: "Or put another way, the political situation in the country today requires the attention of a good politician like Atiku."

Nobody should be surprised should Atiku's return to the PDP materialize. For me, the only surprise is that a man of Atiku's brand of politics, one in which self-interest is paramount, held out for so long before capitulating to pressure to retreat from his challenge of Yar'Adua's patently unearned mandate. Myopia and the pursuit of personal aggrandizement strike me as consistent with the man's profile as a public figure.

To the extent that Atiku ever looked good as a politician, he had former President Olusegun Obasanjo to thank for it. For until Obasanjo embarked on a ruinous and doomed pursuit of a third term agenda – handing Atiku a popular oppositional cause to espouse – the former vice president was perceived as one of the primary embodiments of a nation's unprincipled, expedient and cynical approaches to public office. It didn't help that Atiku's former career was in the customs – a department that, in the imagination of Nigerians, surpasses the police as a bastion of corruption.

Until his forced departure from the PDP, Atiku was deeply embedded with Obasanjo in pursuit of an agenda that pauperized the nation. There's a feeling among many watchers of the Obasanjo presidency that Atiku had great leverage – some would argue that he was virtually in charge – during the first leg of Obasanjo's two terms in office, a term remarkable for ineptitude, unbridled graft, and an absence of accountability. At

any rate, for all his zeal for power, Atiku has never really articulated a consistent and transformative vision of Nigeria. An astute and by many accounts genial politician, he is, as leaders go, terribly average, a run of the mill.

Since “losing” to Yar’Adua in last year’s alleged elections, Atiku has spent much of his time shuttling between his pricey mansions in the U.S. and Dubai. A man like him, content to luxuriate in countries built by visionary leaders, is hardly equipped to assume the challenge of inspiring a country like Nigeria to achieve its potential, or nudging it in the direction of greatness. He is therefore far from the answer that Nigeria needs at this time, but it would have been nice to see him remain steadfast, and dedicated, in challenging the impunity that INEC called elections.

From the look of things, the calculating politician in Atiku has overwhelmed the portrait of an unlikely patriot who rose with other Nigerians – even if out of self-interest – to resist the monster of third term. But with the PDP serving notice of its intention to perfect its control of Nigeria for at least sixty years, Atiku may have opted to be on the side of the master riggers.

In the end, Atiku is going to make his choice according to his light. In the final analysis, it is the strictures of Supreme Court justices that ought to preoccupy or bother Nigerians. Last week, Buhari sent a trenchant message to the justices that might as well have been telegraphed by all Nigerians. Speaking through Mr. Buba Galadima, Buhari asked the judges “to guard their integrity jealously against the intrusion of those he regarded as ‘charlatans, thieves and discredited

persons.’” He added: “If the Supreme Court, as reported by Sahara Reporters, is being approached by charlatans, those that I consider as thieves in our society, those people who have been discredited and have been taken to court for embezzlement and the Justices who are supposed to be pious justices of the Supreme Court, can even sit down under the same shade to discuss issues, then this nation must pray fervently for securing its soul.”

There’s nothing more to add.

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Okey Ndibe is a novelist, poet, political activist from Yola, Nigeria. He is the author of *Arrows of Rain*, a critically reviewed novel published in 2000. Ndibe relocated to the United States in 1988, where he founded *African Commentary*, a magazine described as "award-winning and widely acclaimed." Ndibe is also a published poet, and a former associate professor of English at Bard College at Simon's Rock. He currently teaches fiction and African literature at Trinity College in Hartford, CT. Okey Ndibe is finishing his second novel titled *Foreign gods, incorporated*.

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