

# Andy Uba and an indulgent Supreme Court

Thursday, 27 April 2009

*By Okey Ndibe*

Hand it to Andy Uba, a domestic aide to former President Olusegun Obasanjo: the man has a certain viral persistence, a refusal to take no for an answer.

On June 14, 2007, the Supreme Court removed Uba from his ill-gotten perch as governor of Anambra. In a ruling that drew nation-wide cheer, the court roundly rebuked the electoral commission for conducting gubernatorial elections in Anambra when the tenure of incumbent Governor Peter Obi had not ended.

Allergic to being told no, Uba hired a new set of lawyers and approached the same court. He asked a seven-member panel of the nation's high court to recant its earlier judgment and return him as governor in Awka. In another unanimous verdict, the justices told him, hell no.

Emerging from the court, Uba's lawyers vowed that the last had not been heard. They soon made good on this improbable boast by asking a court of appeal to find that Uba's so-called mandate was secured in a legitimate election. In one of the bizarre twists in the country's recent judicial history, the appellate justices gave a muddled judgment that Uba's camp then held aloft as proof that their man was "a governor-in-waiting." In the

face of fierce legal criticism, the panel that allegedly gave that verdict beat an untidy retreat.

Even so, Uba was far from done. Late last year, he set out on another adventure to the Supreme Court. His singular wish list is for a court that twice turned him back to contrive some legal contortions to impose him as governor of Anambra.

In entertaining this case at all, the Supreme Court is in danger of leaving its reputation in tatters. Mr. Uba seems to have served notice that he plans to harangue the court until he gets an indulgent panel willing to do his bidding.

Many Nigerians already suspect that their judiciary teems with too many men and women with a profound deficit of shame and integrity. The nation's highest court cannot afford to leave the impression that its hallowed chambers are permanently open to the fancies of any client with a huge treasury of inexplicable wealth.

It's doubtful that Mr. Uba's persistent wheedling has anything to do with respect for the rule of law. He comes across, instead, as a cynical man determined to make relays to the high court until he's handed a panel of

sympathetic justices. It's an ill-disguised belief in the rule of money.

Mr. Uba's judicial round-tripping should trouble any Nigerian who wishes to see the enthronement of a fiercely independent judiciary, at once incorruptible and committed to the highest ideals of judicial ethics.

Of course, whenever justice is transparently miscarried, it's the duty of a court to redress it. But in the case of Uba, it is hard to picture how he's been ill served by the apex court.

Uba's latest judicial adventure has everything to do with political calculations. One of the closest confidantes of Obasanjo, Uba was eased into place as the PDP's governorship candidate. He was subsequently declared "winner" of a gubernatorial contest that Human Rights Watch categorized as illustrative of electoral fraud. Here's how ludicrous Uba's so-called election was: the electoral commission initially awarded him more votes than there were registered voters in the state.

When the Supreme Court removed Uba on June 14, 2007 - a mere two weeks after he usurped office - their decision elicited widespread celebration. A man rang me from Kaduna to say that it was not just a victory for the people of Anambra but a triumph for all Nigerians.

There was good reason for the celebratory air. Uba epitomizes the worst tendencies in many Nigerians who occupy elective or appointive office. A man who has not been able to

authenticate that he earned a first academic degree, Uba's campaign website misled people with the information that he holds a PhD. When *The News*, a Nigerian weekly magazine, published a cover on his academic fraud, virtually the publication's entire print mysteriously disappeared.

Prior to joining Obasanjo's administration, Uba ran a middling "healthcare" services operation in California. Yet, in 2004 U.S. officials seized cash of \$170,000 that Uba had taken into New York City. The cash, concealed from U.S. authorities, was then handed over to a Loretta Mabinton. She used most of it to buy a Mercedes Benz car for Uba, and \$45,000 to buy equipment for Obasanjo's farm in Otta.

Confronted on the smuggled funds, Obasanjo blithely stated that Uba was a wealthy man prior to working for the presidency. It was - let's be blunt - a blatant lie.

There's little question that Uba is in possession of a stupendous amount of cash, the source of it a question that Nigerians must raise. It's a mark of the monumental dysfunction that's Nigeria that this man is in court asking to be crowned governor rather than in the dock explaining how he accumulated all that wealth.

Uba's imposition on Anambra would amount to a war on the people's will - to say nothing of the taint on the name of justice.

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Okey Ndibe is a Nigerian novelist, poet, and political commentator. He is the author of the critically praised novel, *Arrows of Rain*. Ndibe relocated to the United States in 1988 to be the founding editor of the *African Commentary*, an award-winning and widely acclaimed magazine published by the novelist Chinua Achebe. He currently teaches fiction and African literature at Trinity College in Hartford, CT. He is finishing work on a novel titled *foreign gods, incorporated*.

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