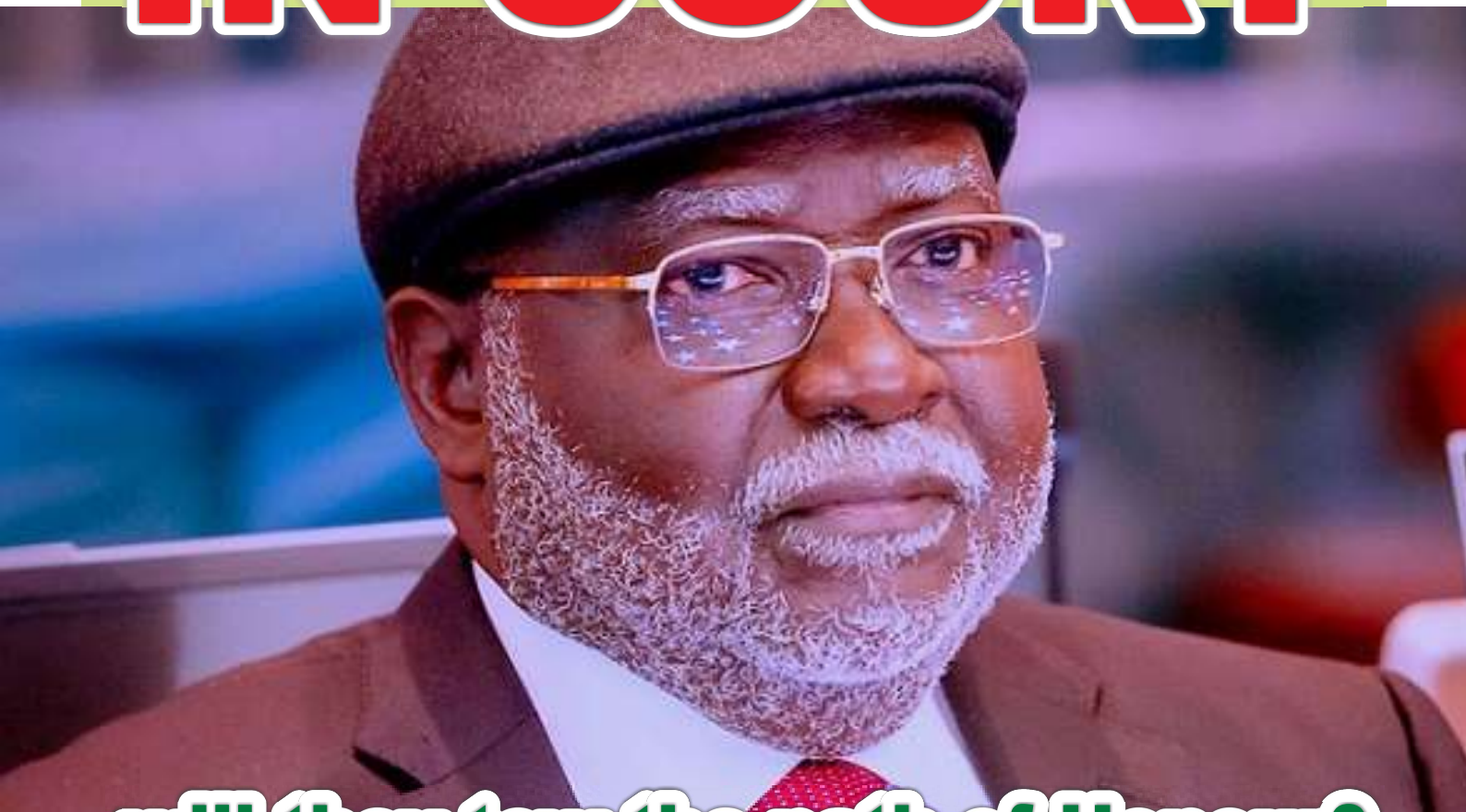


2023 Election

# NIGERIA'S JUDICIARY IN COURT



## will they tow the path of Honour?

The February 2023 Presidential election in Nigeria has come and gone but the issues arising from the polls has created and generated more agitations and disaffection that has ever been experienced in the history of democratic practice in the country. The reasons are not farfetched. The Nigerian electorates are now wiser and better informed than now than in the previous political dispensation. This coupled with the fact that for the first time a greater percentage of young persons are more enthusiastic about the need of a better tomorrow. All the while it has been the same class of people circulating

and perambulating around and within the political cycle. Since the advent of the democratic dispensation the same actors have continued to besiege the system like colossus without nothing to offer. It has always been the same cycle of inept, jobless and classless individuals who see politics as a means of personal aggrandizement and the looting of our collective heritage and patrimony. We had always experienced a group of power mongers who pretend to love the people while offering themselves be voted into political offices. Once they get into offices, they become monsters and do everything possible to alienate

themselves from the same people who voted for them while helping themselves with the common patrimony of the people. They have established themselves as mini gods who do everything possible in every election cycle to grab power at all cost even at the expense of shedding blood and destroying lives and properties. But it appears that the times have changed and Nigerians are beginning to take a stand not only to rescue their country from these political hawks who see leadership as their birthright but also to take back their country and move it towards a progressive future. This is why the slogan of a New Nigeria is awash all over the country. Nigerians are saying big No to Corruption in every form be it political, judicial, economic or otherwise. If we must move forward as a nation thing must be done rightly. It must not be business as usual. This is why the whole world have its eyes on Nigeria Judiciary to do the right thing by addressing all the issues concerning the flawed 2023 Presidential election. The judiciary is in the dock and the nation expects nothing less than for her to creditably absolve itself and do the right thing based on the merits of the various petitions relating to the Presidential election. This should not be the era of compromise and vague technicalities. We must prove to the world that as a nation we are in charge of our destiny and no individuals or group of individuals is greater than the nation.

In the past the case is usually different in Presidential election in the history of Nigeria, the Supreme Court has never overturned the electoral victory of a President or President-elect even when there is ample evidence. Everyone who has ever filed a petition before the Supreme court seeking to overturn a Presidential election has lost.

The Supreme Court delivered its first ruling on a Presidential election in 1979. According to the Nigerian Constitution at that time for a candidate to be declared winner in the first ballot he has to receive not just a majority of votes nationwide but must have at least 25% of the votes in two-thirds of the 19 states in the country as at that time. Even so this historic poll could not produce a clear winner as none could meet the constitutional requirement. However, the electoral umpire still announced Shehu Shagari as the winner instead of ordering a presidential runoff. Feeling aggrieved Obafemi Awolowo who came second took the matter to the Supreme court. They controversially decided that although no one met the constitutional requirement Shagari was the closest having polled the highest number of votes and based on the doctrine of substantive compliance he was declared the winner of the election.

In 2003 Gen. Muhammadu Buhari who had lost to President Olusegun Obasanjo sought redress from the Supreme Court but his petition was dismissed. In 2007 several candidates challenged the victory of President Umaru Musa Yar'Adua.

Local and international Observers described the elections as the worst in history of Nigeria citing non-existent polling booths, stolen ballot boxes, intimidation by hired thugs and at least 200 deaths in post-election violence. Ironically President Yar Adua had also described the election as fraught with irregularity and pledge to introduce electoral reforms. Despite his open admission the Supreme Court upheld his victory.

In a 4-3 decision the Court dismissed the final challenge brought against Yar Adua ruling that the prosecution led by Gen. Muhammadu Buhari of the All Nigeria People's



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Party (ANPP) and ex-vice President Atiku Abubakar of the Action Congress had not presented sufficient evidence to overturn the petition.

In 2011 the Supreme Court similarly threw out Buhari's petition against President Goodluck Jonathan. In all Buhari lost at the Supreme Court thrice before being elected in 2015. Alhaji Atiku Abubakar of the PDP in 2019 also filed a petition before the Supreme Court after losing to President Buhari. He similarly lost.

Though the Supreme Court has remained constant in rejecting petitions against winners of presidential elections. It is more activist for other political offices. At least 10 Governors and Governors -elect have been sacked by various court since Nigeria began its democratic experience.

However recent judgements by the Supreme Court has drawn the ire of the public. In 2020 the candidate of the APC, Senator Hope Uzodinma who came fourth in the Imo State governorship election was mysteriously declared the winner by the Supreme Court, in what appeared to be one of the most controversial judgement to date. Similarly, in 2023 the Supreme Court handed the APC ticket to Senator Godswill Akpabio dismissing a petition by the Electoral Commission that he did not partake in the party s Senatorial Primaries. What an irony for a man that did not partake in an election to be declared the winner. Many Nigerians see this judgement as madness that can only happen in a country called Nigeria.

While the debate was raging the Supreme Court yet again delivered another controversial judgement wherein based on technicalities in the process of Filing, it stated that Senate President Ahmad Lawan was the winner of the Yobe North Senatorial primaries of the APC even though he did not partake in the exercise. This sparked debate on social media, television and Radio stations with many Nigerians disparaging the apex court. They see this judgement not only as miscarriage of Justice but also as a big sell out. They argued that for such a judgement to be declared it means that there are lots of under current and many consciences has been seared and compromised. In a twist and an uncharacteristic manner, the Supreme Court released a statement lambasting critic. 'Our silence must not be mistaken for weakness' It is so disheartening to learn that some individuals and groups of persons who ought to know better and even assumed the revered

position of role model to a larger proportion of the citizens are now sadly the very ones flagrantly displaying ignorance and infantilism in the course of defending the indefensible the Court said.

Even so most Nigerians do not trust the judicial system as many saw the statement from the court as a face-saving strategy to cow its critics instead of taking out time for reflection.

In 2019 just weeks to the Presidential Polls Chief Justice of the Federation Justice Walter Onnoghen was suspended and later convicted for failing to declare his assets in line with the constitution. This move by the Federal Government many believed was hatched to ensure that he will not constitute a spoiler in the much-expected adjudication of the apex court in the aftermath of the election because of his untainted tracks and antecedents. Many believed that Onnoghen was deliberately shoved aside for being an upright judge who cannot be compromised.

In 2022 his successor Justice Tanko Mohammad hurriedly resigned after 14 Justices levelled allegation of corruption against him. He still remained the subject of Senate investigation. Recently the opposition accused current Chief Justice of the Federation Olukayode Ariwoola of hobnobbing with politicians in the ruling party. His picture in wheel chair was trending recently all over the social media alleging that he travelled to the United Kingdom to hold a private meeting with the president elect Ahmed Bola Tinubu who had earlier travelled to France shortly after the latter was declared president -elect in a widely flawed presidential election that has seen many strong contenders already in court to challenge the victory of the APC candidate. A 2016 investigation by federal authorities revealed that a handful of judges received bribes in order to sway the outcome of court judgement in favour of the highest bidder. It is hoped that this time around the Judiciary will maintain its integrity and do the right thing not only in true conscience but also in the fear of God. The sanctity of the Judiciary as the hope of the common man must be upheld and preserved. No matter whose ox is gored the truth must prevail. This time around the destiny of the country and the greatness of our future lies in the judiciary. Any miscarriage of Justice now could spell doom. Only the truth and truth alone must stand.

# The Stolen Crown and the Raw Impunity of 'Go to Court

*By Josef Omorotionmwan*

In Nigeria, every major election is rigged, big time! That also explains why every election year has become a year of war, a big war! It's simply a survival of the fittest in which the major political parties end up rigging themselves into big trouble and these things must keep happening so that the big political parties can have their fun. What a bunch of sadists who benefit only from confusion! Before the NPN could settle down to take the euphoria of their 1983 war victory, post-war hostilities had broken out in major parts of the country, particularly in the Wild-Wild West. These hostilities finally consumed the entire country, culminating in the intervention of the military by the end of that year.

Ten years later, we had the MKO Abiola debacle in which the freest and fairest election ever held in this country was annulled and many notable Nigerians, including the very protagonist of their struggle, MKO Abiola, perished. Every election cycle has succeeded in bringing us to the ruins of war.

For too long, we saw the 2023 hostilities coming. They are now here with us. There are no escape routes for anyone. We asked for an Electoral Act and we got one. Our ELECTORAL ACT, 2022 has been adjudged worldwide as the best for our situation. Rigging has all along been the bane of our elections. Among other things, the Act makes it mandatory for election results to be transmitted electronically direct from the polling booths and uploaded into the BIVAs in which case, the changing of results at the Collating Centres, usually associated with manual transmission would be avoided. This electronic transmission was to be done in real-time – immediately after votes are counted and publicly announced at each of the over 176,000 polling centres throughout the federation. We smelt a rat at that time when what was thought to be a permanent cure to the ills of our elections was stiffly opposed by the Ruling Party, the APC. So stiff was the fight here that some Members of the National Assembly even exchanged blows during the heated debates that took place on the floor.

Finally, however, the Bill was passed and President Muhammadu Buhari quickly gave his assent to it. The President paraded the ELECTORAL ACT, 2022 to the United Nations and the International Community as a sign that he was going to bequeath to Nigeria, a legacy of a free, fair and credible electoral system at the end of his tenure. Managers of our electoral system at the Independent National Electoral Commission, INEC, stood tall and assured Nigerians and the entire world that the era of free, fair and credible elections had finally arrived in Nigeria! We believed them.

From the paragraphs that follow, all the crimes and atrocities committed by the APC Pursuant to the enforcement of the Electoral Act, 2022, were simply pre-meditated. At no time did they believe that the laudable innovations in the new Electoral Act – were meant for enforcement. On what would easily pass for a test-run on the ELECTORAL ACT, 2022, and all the lofty promises and assurances flowing therefrom, Nigerians trooped out in their millions, like never before for the 2023 Presidential and National Assembly Elections on February 25, 2023. The youths in particular, a bulk of whom were voting for the very first time, had been assured that their votes would count.

Alas, their gallant gamble ended in the dust! What was expected to be the best election ever soon turned out to be the worst in the history of elections in Nigeria. In active connivance with the electoral umpires, the Ruling Party had walked the entire voting process on its head. They had jettisoned the much-talked-about transmission of results by electronic means and resorted to the manual transmission of results. Most results had allegedly been manipulated and altered. And they had resorted to the allocation of votes to themselves and other candidates in the opposition parties. At the National Collation Centre, Agents of the Opposition Political Parties pointed out the foregoing anomalies and informed the INEC Chairman who also doubles as Returning Officer for the Presidential Election, Professor Mahmood Yakubu, but he insisted that the collation must continue so that the necessary review provided for can be done after the Completion of Collation. At this point, the Agents of the major opposition walked out on the Chairman. Prof. continued his collation post-haste, and in the wee hours of Wednesday, February 29, under the candlelight, he announced Bola Ahmed Tinubu, the APC Candidate, winner of the Presidential Election. A few hours later, Tinubu was given the Certificate of Return. With raw impunity, the APC is asking the other Parties to "go to court". The APC today has in its hands, a victory that it is unable to celebrate. In spite of all the rigging, the Labour Party had constructively denied the APC of the celebration venues. That's what happened when the Labour Party swept the APC off its feet in all the possible celebration venues. Before we were fairly aware of what was happening, the entire Lagos State had been swept clean by the Labour Party. Nasarawa, the home state, of the National Chairman of the APC had similarly fallen to the Labour Party. Both Daura, the home of the President, and Aso Rock had been swept clean.

Who is afraid of going to court? Certainly not the LP and the PDP who have been beneficiaries of the Judiciary at various times. LP and PDP are already in Court to challenge the process through which Tinubu has been declared President-elect. Admittedly, the INEC may have since become a graveyard of reputations. The same cannot be said of the Judiciary in Nigeria. While Prof. Atahiru Jega remains the only one standing on honour on the INEC side, they are still standing clean in the Judiciary. In the face of the preponderance of the evidence, who says the Judiciary may not finally use this case to fix a few dents brought upon it by some unscrupulous elements that have passed its corridors? Yes, the King's Crown is stolen. But we are yet to see where the thief will wear that crown. Nigeria has happened to Buhari. In a single swoop, he may have squandered all the goodwill he acquired all these years. He presided over an Election Rigging Ring; and was soon consumed by it. At the very peak of it all, he attained the computer height of COPY AND PASTE. In his very backyard, a 2019 result resurfaced in the same polling booth in 2023. Two states in the same region are sitting elegantly on Mahmood Yakubu's return with exactly the same scores! The final icing on the cake came on the presidential election day when our Executive President displayed his vote for the entire world to see. True, even in lawbreaking – There is a President. We're all in this together. The same sun must beat the tortoise and its seller!

Hon. Omorotionmwan writes from Canada

# THE DEBACLE OF NIGERIA'S JUDICIARY

*By Ben Umole*

**T**he climax of any country's decadence is the collapse of its Judiciary. This is talking about the Judiciary in the sense of the bar or the bench. In this regard, the importance and integral role any country's judiciary play in its development cannot be overemphasized and over flogged. One just needs to be modest in postulating the sanctum of the judiciary in a country.

In every country, the Judiciary is regarded as the bastion and the last hope of the common man as the cliché goes. When a society begins to cascade it starts with seemingly little things, which anyone would describe as trivial. But before you could say Jack Robinson, what started as a mere virus, becomes a cankerworm and the consequences are always very dire and acrimonious. They say, every sore starts as a mere wound that was initially undermined or trivialized.

This is the lugubrious situation that Nigeria finds itself today in respect of its Judiciary. This was a country whose judiciary was regarded as one of the best in the world. Nigeria's judiciary was so awesome that the bench and its Justices were the cynosure of eyes nationally and internationally. You could feel the sagacity, wits and courage in delivering salient judgements. Judgements given by courts were regarded as impeccable, sacrosanct and incontrovertible. No one dared raised eye brows over court judgements, especially SUPREME COURT, judgements. Supreme Court Justices were highly revered, adulated, esteemed and dignified. High Court Judges and Justices of the supreme court comported themselves with much aplomb and with every sense of self control. But that verve that used to make Nigeria Judiciary to blossom has evaporated, dwindled and even collapsed. The current Nigeria Judiciary is now in comatose and a relic of its former self. That dreaded malaise and scourge called corruption has crept into the hitherto sacred chambers of both the bar and the bench. But our focus here is more on the bench than the bar.

In the yore, so captivating was the judiciary that three erstwhile Nigerian Justices have adorned the World Court at The Hague in the Netherlands. They were: Justice Onyema, Dr. Olawale Teslim Elias and Bola Ajibola. The first two are now of blessed memory.

Lest I forget, Akinola Aguda, a Nigerian was one time the Chief Justice of The Gambia. Such was the awe and esteem that Nigeria's judiciary was elevated. And the Supreme Court had highly witty, diligent, fearless, courageous, audacious, industrious and selfless judges who gave thought provoking, fecund, well researched profound, and unblemished judgements. One can still vividly remember names like Atanda Fatai Williams, onetime CJN. Other Justices like Udo Udoma, Andrew Otutu Obaseki, Ayo Irekife, Sowimimo, Mohammed Bello, Chukwufidu Oputa, Uwaifo, to mention but a few. These were Justices who wrote their names in marbles as



far as the Nigeria Judiciary is concerned. These Judges were contented with what they had. They made integrity their watch word. To them, money was infinitesimal and secondary.

**Do we still have the same kind of selfless, profound, iron clad and fisted Judges? It is not likely. The modern judges have been entrapped and caught in the web of corruption. Today, Nigerian judges are MC in public ceremonies. Judgement is now for the highest bidder. The richer you are the easier you get sweeter judgement that will favour. Nigerian politicians have penetrated and pull down the iron curtain that once separated and barricaded the Judiciary and the public. The supreme court has become more odious and malodorous in giving questionable judgements. The cases of Hope Uzodimma Vs Ihedioha, and the very recent case of Lawn, current senate President Vs Machina are examples of filthy, questionable and dismal cases, coming from the Apex Court. The judgements from high courts and courts of appeal are getting worrisome, gaudy, tawdry and too superficial. The beauty and dignity of this third estate is gradually ebbing and dimming. Current Nigeria judges have sold their honour for a pot of porridge.**

But this sordid situation can still be redeemed and rejuvenated if only we can take the bulls by the horn and get men who are courageous enough to bell the cat, when occasions call for it. Nigeria still has men of integrity even with our current state of putrescence.

**Finally, after the 2023, Presidential and Governorship elections in Nigeria, petitions are awash with multiplicity and variegated cases of election petitions to election tribunals at the state levels and even to the supreme court. It is only fair to advice that our current judges must deliver judgements with the fear of God in their hearts. They should not forget that as they judge the activities of others, God in His divine and remarkable ways, judges them. God 's judgement will always emerge as the mightiest and the best. This is a clarion call to the judiciary and must call a spade a spade and live up to their billing this around. They cannot afford to fail us anymore. Enough of the fiasco and debacle of the Judiciary.**

## 2023 Elections: Nigeria's Fate in the hands of their Lordships

*By Paul Ejime*

From all indications, the Supreme Court will likely decide the outcome of Nigeria's tightly contested 25th February presidential election and, in some senses, the judiciary could be on trial. The main opposition parties have mounted legal challenges to the results declared by the Independent National Electoral Commission (INEC), but they are not the only ones dissatisfied with the electoral process. INEC has acknowledged that there were logistics challenges and "technical glitches" that led to the delay in uploading results from the polling units to the Commission's Result Viewing or IReV Portal. Introduced by the Commission as part of its ongoing efforts to strengthen public confidence in the electoral process, IReV was successfully piloted in the recent off-cycle governorship elections. With the introduction of the long-delayed amended Electoral Act 2022, which provides for the electronic transmission of election results, coupled with INEC's repeated assurances to improve on the delivery of credible elections by leveraging lessons learnt; Nigerians and the international community had expected nothing less from the Commission on 25th February 2023. However, because an election is a multi-stakeholder enterprise that requires every actor to play their part, it was obvious that some stakeholders dropped the ball on 25th February. Under the American-style executive

presidential system being run by Nigeria, a presidential election is a sovereign national responsibility, which the constitution reposes on the electoral umpire, in this case, the INEC. It is, therefore, not surprising that the Commission has come under severe scrutiny and criticism over what happened on 25th February. Even so, the same constitution and other relevant legal frameworks, including the Electoral Act and guidelines, have also made provisions for how infractions or violations can be addressed. For instance, while peaceful and lawful expression of disappointment/disagreement and peaceful protests are allowed, violent and unlawful actions or statements are prohibited under the law.

The legal frameworks are also very clear on the procedures and conduct of all actors before, during and post-election period. For now, the preoccupation of many concerned Nigerians is what happened on Election Day and immediately afterwards.

In their reports, local and international observers unanimously said that the electoral process was peaceful in large parts of the country. But they also reported violence, vandalism, snatching of electoral materials, voter intimidation and suppression and alleged fraudulent practices, especially in Lagos and Rivers states, where the



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police reported more than a dozen arrests. INEC also noted that polling started late in some polling areas due to the late arrival of polling officials and materials. Consequently, balloting had to continue in some areas, to make up for the late start, while the Commission suspended elections in some trouble spots in at least three of the 36 states of the federation.

The main bone of contention appears to be that despite the reports of disruptions in some parts of the country and particularly the delay in the upload of the results as promised by INEC, the Commission still went ahead to declare Senator Bola Tinubu, candidate of the ruling All Progressive Congress (APC), as the president-elect with 8.7 million of the estimated 25 million votes cast by among the 87 million registered voters. The Commission further announced that former Vice-President Atiku Abubakar, the flagbearer of the main opposition People Democratic Party (PDP), came second in the presidential contest with 6.9 million votes, while former State Governor Peter Obi of the Labour Party (LP) was third with 6.1 million votes. The PDP and LP have rejected the INEC declared results. Obi, who put up a surprisingly impressive showing following his mass followership by Nigerian youths, has claimed that he and not Tinubu won the presidential contest. It is not the first time that Nigeria's major election will be decided by the apex Court.

Even so, the political storm and recriminations generated by the 25th of February presidential election should not be allowed to erode hard-earned incremental improvements to the electoral process in Nigeria from 1999 when the country returned to civilian rule after prolonged spells of

military dictatorships. With all the criticisms over its handling of the presidential election and the potential impact on its reputation, it should not be lost on the public that INEC meant well in introducing the BVAS machine and IReV as tools for the improvement of the electoral process in Nigeria.

As stipulated under legal instruments governing elections in the country, the political parties and INEC are within their rights to approach the law courts for clarifications. It therefore, behoves all political actors, particularly politicians, their parties, and supporters, to eschew violent conducts or utterances that could undermine peace and security in the country. The 25th of February presidential election will not be the last in Nigeria. Since there is no perfect election, an electoral umpire can be forgiven where there are unintended human or technological failures. It is expected that valuable lessons on public information and crisis communication management might have been drawn from the 25th of February experience for improved performance going forward. There were reports that INEC's server was hacked. It is also possible that other security/classified information on what transpired on 25th February is unavailable in the public domain. Nonetheless, the Commission cannot be absorbed of its constitutional responsibility on public information. Perhaps, assuming it had proactively and effectively communicated its challenges, particularly regarding the upload of election results to the IReV in real-time, public response could have been more empathetic and reactions by the political parties might have been different.

There is no doubt that the use of the BVAS machines has brought some improvements to the electoral process by preventing fraud and drastically reducing the erstwhile outrageous vote returns, which characterised Nigeria's past elections. The fact that only BVAS-verified and accredited voters are allowed to cast their ballots is a welcome change as part of efforts to stem electoral malpractices. The opposition parties that rejected the outcome of the 25th of February presidential vote seem generally satisfied with the results of the parliamentary elections held on the same day using the same BVAS machines. Now that the electoral disputes have shifted to the courts, the burden rests on 'Their Lordships' to do their job without let or hindrance. The fate of Nigeria and its more than 214 million citizens are at stake.

The judges are expected to acquit themselves creditably with patriotism and a high sense of responsibility. They owe their allegiance to Nigerians, especially the youths who came out in their numbers to demand what they call transformative changes in the governance systems. Their Lordships must validate the old dictum, which describes "the court as the last hope" of the citizens, knowing that their decision on the 25th of February presidential election could have far-reaching consequences on Nigeria's political future.

# Can the judiciary save Nigeria?

By Emelike Obinna and Iwok Iniobona

Before the February 25, 2023 presidential election, there was a somewhat 'hope rising' feeling in the air, as many Nigerians planned to use their votes to reclaim the country from the selfish and non-performing politicians, who have held the country hostage and its development dwarfed since the return to democratic rule in 1999. Today, that feeling seems to be replaced with anger and frustration as many believe that the result as announced by the Independent National Electoral Commission (INEC) did not reflect what they voted for. As expected, the parties and their presidential candidates that believe their mandates were stolen have since gone to court to challenge the results. All eyes are now on the judiciary. The Nigerian judiciary is struggling to gain people's confidence due to so many opportunities it has had in the recent past to save democracy or set sound precedence, but disappointed with its publicly criticised rulings. That fear that the judiciary cannot be trusted is also a reason to ask if the judiciary can save the country as both presidential candidates of the Labour Party and Peoples Democratic Party are currently in court to challenge the declaration of the All Progressives Congress presidential candidate as the winner of the February 25th poll.

Chijioke Umelahi, former Abia lawmaker and legal practitioner, thinks that the judiciary has never been independent as appointment of the judges is heavily influenced by the President. Considering that lack of independence, Umelahi argued that the judiciary cannot be trusted to save the country in the legal battles following any unpopular declaration by the INEC. "I don't see the judiciary that lacked power to challenge the executive or to checkmate the excesses of the legislature doing something to rewrite its name in gold. The calibre of judges there seems compromised," Umelahi said. Considering the above argument, many decry that it is still the same judiciary that made the very unpopular and undemocratic judgment in the last Imo State gubernatorial election, with the negative fallout still trailing the state. Till date, many mock Hope Uzodinma, the governor of Imo State, as the 'Supreme Court Governor'. Imo people see his government as illegitimate, which reportedly accounted for the high level of insecurity in the state.



Recently, the Supreme Court's declaration of Ahmad Lawan as APC's Yobe North senatorial candidate and Godswill Akpabio as the validly nominated APC candidate for Akwa-Ibom North-West senatorial seat based on technicalities, did not go down well with the generality of Nigerians. Both participated as aspirants at the APC presidential primaries, and by law, forfeiting other political offices. But the Supreme Court ruled in their favour after losing at the presidential primaries of their party. These are some of the worrisome cases that make many Nigerians to further lose confidence in the judiciary, and also do not see it salvaging the country's democracy.

"If the Supreme Court can rule that a candidate who came third in an election can become the governor and today he is, it means it can do more at the presidential level because of the benefit that can come to the judges afterwards," Peter Oseni, a serving senior public servant, said.

**According to him, the judiciary is heavily compromised and the system of appointing the judges is no longer on merit as Mr. President can pick undeserving judges and make them his puppet at the upper echelon court. "If you have followed the kind of judges we have had at the Supreme Court especially since Buhari came to power, you will notice that most of them are not the most senior, most qualified and are considered based on Mr. President's criteria. So, they will be answerable to the President and not to Nigerians. Those Mr. President appointed judges are still at the Appeal and Supreme courts, Abubakar Malami is still there too, so how do you expect good judgment for the people," Oseni argued.**



Toeing a different line, Samuel Onikoyi, a Nigerian academia in Belgium, noted that the Supreme Court may likely save its name and regain people's confidence with a surprise ruling in the presidential election debacle. "We know the court has failed, but not all of them are compromised. Remember that the ruling on Ahmad Lawan's senatorial candidacy for Yobe North was a three-against-two split judgment of the Supreme Court's five-member panel. "So, there are still some upright judges out there at the Supreme Court, Justice Mary Odili proved herself while there, there are others and aggrieved masses can get judgment at the Supreme Court this time," Onikoyi said. Saying that the current cases before the judiciary may be a make or mar for the arm of government, Onikoyi said: Well, Nigerians await the Supreme Court to prove them wrong, regain its lost confidence or allow illegitimacy to thrive." Onyeka Ikwunze, a Political Science lecturer at Abia State University, Uturu, said that there was hope this time at the Supreme Court because the new Electoral Act has been

by questionable judgment. The judiciary is at its lowest ebb now. "But we are hoping they can redeem themselves with this presidential election matter and let the will of Nigerians prevail," Tope Musowo, a public affairs analyst, said. Musowo noted that a reform of the judiciary in Nigeria was overdue. "There are so many things wrong with our judiciary there is no doubt the system needs reform, even from the appointment of judges to infrastructures at the courts," he added.

Eddy Olafeso, a politician, said that the judiciary has opportunity to redeem itself in view of recent criticism, stressing that the international community and everyone would be watching with keen interest. "I think the judiciary is aware of the public confidence in them is now very low, you can see the criticism that trailed the Lawan judgement, but I think they can redeem themselves with the presidential election case. "It is an opportunity for them, all eyes are on them, let's wait and see what would happen this time around. The parties would be presenting

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contravened, and that there is much evidence that cannot be thwarted and the lawyers know all these. "I see the Supreme Court standing with the people because of the clear evidence and the fact that INEC violated the provisions of the new Electoral Act. Again, the fact that the results were written manually rather than using the new machines, which Nigeria spent billions of Naira to acquire, are enough to cancel the result. The fear now will be money to hold another election if the Supreme Court rules for rerun of the election," Ikwunze said.

Some optimistic minds also think that while Abubakar Malami, Attorney General of the Federation and Minister of Justice of Nigeria, is known to support the government of the day, Olukayode Ariwoola, the new Chief Justice of Nigeria, who emerged on merit, may likely set things right. "I think a lot of people are not happy with the judgments coming out of our courts in recent time, look at the Imo State case where a sitting governor was removed

their case and I can tell you that unlike in the past, justice can't be stolen this time around," he said.

**With Bola Tinubu of the ruling All Progressives Congress (APC) declared president-elect by Nigeria's electoral commission and the rejection of the result by the opposition, Nigeria's Supreme Court is expected to decide who will be the country's next president. However, with seven judges already hit with visa bans by the US because of their partiality in various cases, can Nigeria's apex court administer justice?**

Looking forlorn, Labour Party Presidential candidate Peter Obi fought back tears as he addressed the media. "The good and hardworking people of Nigeria have again been robbed by our supposed leaders, who we trusted... I assure you the good people of Nigeria that we would explore all legal and peaceful options to regain our mandate. We won the election and I will prove it to Nigerians," Obi said.