

# WIDE SPREAD CONDEMNATION TRAIL Declaration of State of Emergency in Rivers State

\* *'It's civilian coup d'état,' ...Mike Ozekhome*

\* *It is a bad image for Nigeria...Goodluck Jonathan*

\* *Unconstitutional and dangerous precedent for Nigeria...NBA*

the Rivers State government to uphold constitutional democracy as a key factor in his decision. He emphasized that the crisis had reached a point where democratic governance could no longer thrive, depriving the people of Rivers State of the dividends of democracy. As part of the emergency measures, Governor Siminalayi Fubara, his deputy Ngozi Odu, and all members of the Rivers State House of Assembly have been suspended for an initial period of six months. In their place, Vice Admiral Ibokette Ibas (Rtd) has been appointed as the Sole Administrator to oversee the affairs of the state. The

President's decision follows a Supreme Court judgment on February 28, 2025, which highlighted grave constitutional breaches by the Rivers State government. The court had declared that the absence of

a functioning legislature rendered the state government non-existent under the 1999 Constitution. Despite multiple interventions by well-meaning Nigerians and leaders of thought, the crisis remained unresolved, necessitating federal action.

President Tinubu assured Nigerians that the state of emergency is a temporary measure aimed at restoring peace, stability, and constitutional order in Rivers State. He called on the people of the state to remain calm and cooperate with the federal government during this period.

In a decisive move to address the escalating political crisis in Rivers State, President Bola Ahmed Tinubu declared a state of emergency on Tuesday, March 18, 2025. This announcement was made during a nationwide broadcast, marking a significant intervention in the governance of the state. The declaration comes after months of political instability and governance challenges that have left the state in a state of paralysis. President Tinubu cited the persistent inability of



This development has sparked widespread reactions across the country, with many expressing hope that the intervention will bring lasting solutions to the challenges facing Rivers State. The 1999 Constitution, under Section 305, empowers the President to declare a state of emergency under specific conditions. The proclamation must be published in the government gazette and transmitted to the National Assembly for approval. A two-thirds majority of the National Assembly is required to validate the declaration, ensuring a system of checks and balances to prevent abuse of executive powers. Since Nigeria's return to democracy in 1999, Tinubu's action marks the fourth time a state of emergency has been declared by a sitting President. Here are other notable instances: Plateau State (2004) In May 2004, President Olusegun Obasanjo declared a state of emergency in Plateau State following a surge in ethno-religious violence that led to widespread killings and destruction. The governor and state assembly were suspended, and Major General Chris Alli (retd.) was appointed administrator to restore order.

Ekiti State (2006). A leadership crisis in Ekiti State prompted Obasanjo to impose emergency rule in October 2006. The crisis stemmed from the controversial impeachment of Governor Ayo Fayose, which plunged the state into chaos. Brigadier General Adetunji Olurin (retd.) was appointed administrator until the situation stabilized. Borno, Yobe, and Adamawa States (2013). Amid escalating Boko Haram insurgency, President Goodluck Jonathan declared a state of emergency in Borno, Yobe, and Adamawa states on May 14, 2013. Unlike previous instances, governors and state assemblies were not suspended; instead, the federal government deployed more troops and imposed curfews to curb insurgent activities. However, critics have raised concerns about the implications of the state of emergency on democratic governance and the autonomy of states.

destruction of pipelines by suspected militants as a contributing factor to the declaration. However, High Chief Anabs Sara-Igbe, a chieftain of the Pan Niger Delta Forum (PANDEF), disagreed with the president's action on the emergency rule. He stated that all avenues for mediation should have been exhausted before resorting to emergency rule. "President Tinubu's invocation of Section 305 of the Nigerian Constitution at this time is inappropriate. "The president claims to have declared a state of emergency to restore peace, but the real question is: why is the FCT Minister Nyesom Wike, the key figure in the crisis, not suspended," he asked. Sara-Igbe said that it was unconstitutional to suspend or remove elected officials from office. "Unlike in Sokoto, Borno, and other northern states, there is no war or loss of lives in Rivers that warrants the declaration of emergency rule in a peaceful state."

He, however, accused the President of not being sincere with the people of Rivers and had taken sides in the crisis through his actions and comments. Ann-Kio Briggs, a prominent environmental and human rights activist, also decried Tinubu's justification for the emergency declaration, particularly his claim that Fubara failed to brief him or condemn the pipeline explosions. She stated that Fubara had, on multiple occasions, informed the president of developments in the state. "On March 11, PANDEF met with the president to brief him and seek his intervention; the group had also made efforts to mediate peace between Fubara and Wike. "So, for President Tinubu to give the impression that no efforts were made to resolve the crises is misleading. Briggs said that the president's reference to pipeline attacks as a basis for the state emergency was not convincing since pipelines had been vandalized for decades in Niger Delta without such drastic measures being taken. She acknowledged that while the President had the power to declare a state of emergency, he did not have the constitutional authority to suspend an elected governor. "This decision is hasty, rash, and premeditated, posing a grave threat to the people of the state; it is a targeted plot against Gov. Fubara, it is unacceptable," she said.

## PANDEF...Not a viable solution

Meanwhile some elders in Rivers have opposed the declaration of state of emergency in Rivers. They said that the decision was made hastily and was not a viable solution to restore normalcy. In a national broadcast, President Tinubu announced the suspension of Governor Siminalayi Fubara, Deputy Governor Ngozi Odu, and the state lawmakers due to their failure to resolve political differences. The president also cited the



# HOMEF... Unacceptable



Foundation (HOMEF), Dr Nnimmo Bassey, noted that the president's statement was disturbing, one-sided, and unconvincing. He said: "Although the actions that led to the murky situation in Rivers State have been a national embarrassment, declaring a State of Emergency worsens the scenario. "A return of military rule in any part of the Niger Delta is an egregious assault on the psyche of traumatized people. Any action that awakes the nightmarish memories of 1990 must be condemned in the strongest terms. "We will not forget that the region was, and has remained, militarized at the pleasure of multinational oil companies. Communities were levelled, and blood flowed across the land and creeks. In recent months, egoistic barriers have been raised to block dialogue and civility, and militarization is now hoisted as a panacea to the rotten situation. Will military rule allow

the good people of Rivers State to breathe? Is it a ploy to further militarize the region, deepen impunity, and reopen closed wells for barrels of oil under the protection of barrels of guns? There are many questions to ask and many rivers to cross in Rivers State."

**H**ealth of Mother Earth Foundation (HOMEF) on Wednesday, March 19, 2025, described the declaration of State of Emergency in Rivers State by President Bola Tinubu as unacceptable, stating that it left much to be desired. HOMEF in a statement by its Media/Communication Lead Oilwatch Africa Communications Officer, Kome Odhomor, noted that besides the suspension of two arms of government and the appointment of a military sole administrator being an assault on democracy, the action portended new levels of socioecological challenges not only to Rivers State but also to the entire Niger Delta. The statement said: "This action also signifies a grave rupturing of democratic principles, the rule of law, and the expressed will of the people." The statement further declared that:

"Health of Mother Earth Foundation (HOMEF) strongly rejects the recent declaration of a state of emergency and subsequent military takeover of democratically elected institutions in Rivers State. "Although the Niger Delta is not a hotbed of insurgency and terrorism, it has been one of the most militarized regions in the country. This militarization has been entrenched by the need to support oil companies in their colonial extractives modes with unbridled impunity. The history of military rule in Nigeria is particularly underscored by bloodletting and environmental genocide that has left indelible scars in the psyche of the people. Plunging any state into military rule with the attendant abridgement of citizens' rights is deeply objectionable. Military might have been continually used to underscore the regrettable pointers from the government that crude oil is more valuable than environmental and human health."

The Executive Director of the Health of Mother Earth

The statement further said "HOMEF finds very unacceptable, the premise that the State of Emergency became necessary because oil pipelines were being threatened. Governors of the states are not the Commander in Chief of the armed forces. Moreover, decrepit oil facilities have been blowing up on their own accord, without third-party interferences, suggesting that incidents in the oil fields are acts of sabotage without due investigation is specious. "HOMEF objects to any attempts, through means such as militarization, to expand oil drilling operations in the Niger Delta using military force or cover. Such attempts will be ill-advised considering the ecological harms in the region that have reduced lives to a mere whisper. "Furthermore, we condemn the secretive divestment processes conducted without transparency or accountability. We deem the government's silence on these critical matters as cause for serious concern about potential backdoor deals that may compromise the interests and rights of local communities and the nation. "We call for the immediate restoration of democratic governance in Rivers State and respect for the rule of law and the Constitutional order because there is nowhere in the Nigerian Constitution that gives the President the power to replace democratic institutions with military rule. We demand strict adherence to the rule books regarding any resource extraction or divestment decisions and responsible actions that do not undermine our democratic institutions."

# NSCSR

## ...A dangerous threat to constitutional rule

**T**he Nigeria Civil Society Situation Room (Situation Room) has condemned the actions of President Bola Tinubu in declaring a State of Emergency in Rivers State, removing the duly-elected governor and deputy governor from office, and suspending the State House of Assembly for six months. A statement on Wednesday said these actions constituted an egregious assault on Nigeria's constitutional democracy and a dangerous threat to constitutional rule in Nigeria that must not be allowed to stand. It added that: "The President's reliance on Section 305 of the 1999 Constitution (as amended) as a justification for this draconian move is a blatant misinterpretation of the law. While the Constitution provides for the declaration of a State of Emergency under specific and extreme circumstances, it does not grant the President the power to unilaterally sack elected officials or dissolve democratic institutions. "The removal of a Governor and State legislators is a grave violation of the principles of separation of powers and the democratic rights of the people of Rivers State, who freely elected their leaders.

This is a point underpinned by the judgment of the Supreme Court on the Rivers State issue which was ironically referenced by the President himself in his address last night. "It is also evident that the political situation in Rivers State does not meet any of the circumstances to be declared as an emergency. According to the Constitution, valid circumstances for such a declaration include war or external aggression, a breakdown of public order and safety, and threats to the government of a state when the governor neglects to act, among others. "The Nigeria Civil Society Situation Room categorically rejects this unconstitutional usurpation of power and calls on the National Assembly to refuse to approve this illegal declaration. The Senate and the House of Representatives must uphold their constitutional duty to check executive excesses and defend Nigeria's democratic institutions.

We urge lawmakers to immediately reject this unconstitutional overreach by the Presidency, thereby preventing an authoritarian drift that threatens the stability of our nation. "The Civil Society Situation Room unequivocally reject the President's reckless decision, which poses a direct threat to democratic governance, undermines human rights, and

violates the rule of law in the country. "The Presidency is prioritizing political battles and suppressing dissent over effective governance, neglecting the pressing economic and security challenges that the government urgently needs to address." The statement added that: "Situation Room expects that voting on the Rivers State emergency declaration will be televised nationally with each person voting electronically. The Constitution is very clear that what is required for this emergency declaration to pass is two-third of votes of the 360 members of the House of Representatives and the 109 votes of members of the Senate, meaning, that no less than 240 members of the House of Representatives and 72 Senators must vote in support of the declaration of the state of emergency for it to stand. Otherwise, the declaration must fail, and the Governor and the State Legislators be returned to office immediately.

"Furthermore, we note the special place of the judiciary in moderating executive excesses and rascality and do urge it to assert its independence and ensure that this assault on democracy does not stand. "Situation Room also urges the international community, including the United Nations, the African Union, ECOWAS and other democratic nations, to take note of this constitutional breach and exert diplomatic pressure on the Nigerian government to reverse these illegal actions. "Democracy thrives on the respect for the rule of law, due process, and the will of the people. Any attempt to override the electoral mandate of the people of Rivers State is a direct affront to the sovereignty of the Nigerian people and must be resisted by all democratic forces. "The Nigeria Civil Society Situation Room remains committed to defending democracy, upholding the rule of law, and ensuring that Nigeria does not descend into executive tyranny. We call on all Nigerians to stand in solidarity against this dangerous precedent and demand the full restoration of constitutional governance in Rivers State."



# Coalition of United Political Parties

## ...Action is a blatant violation of the constitution

Nigeria's Opposition coalition (CUPP) Coalition of United Political Parties after an emergency meeting has said that nothing warranted the declaration of State of emergency on Rivers State, suspension of Governor Siminalayi Fubara and his Deputy by President Bola Ahmed Tinubu vowing to seek legal action to quash this latest assault on Nigeria Constitutional democracy that have great implications for the survival of democratic governance in Nigeria. We strongly condemn the recent suspension of Governor Siminalayi Fubara, his deputy, and the Rivers State House of Assembly by President Bola Tinubu. This action is a blatant violation of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and an alarming abuse of power.

Tinubu had on Tuesday declared a state of emergency in Rivers State following the protracted political crisis in the state. He made the proclamation during a nationwide broadcast, suspending Governor Siminalayi Fubara, his deputy and all the members of the House of Assembly for six months. Reacting to the development, the coalition in a statement jointly signed by CUPP leaders High Chief Peter Ameh, Ikenga Imo ugochinyere and Comrade Mark Adebayo described the suspension as unacceptable and a democratic coup against the Rivers people in favour of dark ambition of greedy desperados. The coalition recalled that when President Goodluck Jonathan declared a state of emergency in Adamawa, Borno and Yobe States in May 2013 he rejected the illegal advice of some power mongers to remove the elected governors and dissolve other democratic structures in the affected states. Citing some constitutional provisions, the coalition stated that State governments do not answer to the Federal government as they are separate and the President has authority over federal employees and no other. The coalition warned that allowing this unlawful suspension sets a precedent for a dictatorship masked as democracy, adding that usurping national assembly powers to take over powers of state assembly and giving it to federal executive Council is a coup against democracy.

The statement reads, "The suspension of a sitting Governor under the guise of a state of emergency is an illegal and unconstitutional act, amounting to a coup against democracy. This move serves the dark ambitions of desperate political actors and undermines the sovereignty of the Nigerian people. "Since the Supreme Court ruling, Governor Fubara has tried to act right but these guys the local political blackmailers and



propagandist, keep suffering Rivers state. The governor compiled and presented the budget and they ran away from receiving him meaning their interest is not the budget but to ensure the people of Rivers their own people suffer and die from hunger. "The Governor wrote another letter to them and they claimed to have gone on recess on Friday evening and now suddenly the people who went on recess on Friday wakes up on Monday to claim they have commenced a purported impeachment, just to distract the slated budget presentation billed for this week. With this declaration the Federal Government and its political allies have systematically undermined the peace in Rivers State. The recent pipeline explosion—likely a deliberate act by Abuja-backed elements—is a calculated attempt to justify emergency rule. "This suspension is in Violation of Section 1(2) of the 1999 Constitution (As Amended) The Constitution expressly prohibits any forceful takeover of government outside democratic and constitutional processes: The Federal Republic of Nigeria shall not be governed, nor shall any person or group of persons take control of the government of Nigeria or any part thereof, except in accordance with the provisions of this Constitution." Suspending a sitting governor violates this provision, as no state of emergency grants the President the power to remove or suspend a duly elected official.

"The Supreme Court of Nigeria has consistently ruled that the declaration of a state of emergency does not empower the President to remove elected officials. In A.G.

Federation v. A.G. Lagos State (2013) LPELR-20974(SC), the Supreme Court ruled that: "Under no circumstances shall the democratic structures be suspended or dissolved, even in a state of emergency." In the case of A.G. Plateau State v. A.G. Federation (2006), the Supreme Court invalidated the removal of elected officials during a state of emergency in Plateau State. "In 2013, former President Goodluck Jonathan declared a state of emergency in Borno, Yobe, and Adamawa states, yet: He did not remove or suspend the governors. He stated that "all democratic structures remain intact" while security operations intensified." The Constitution is unequivocal in its provisions regarding the removal of a duly elected governor. Section 188 clearly outlines the impeachment process, which is the sole legal mechanism for removing a governor, and it is exclusively the prerogative of the State House of Assembly. Nowhere in the Constitution is the President granted the authority to suspend a governor or their deputy. Furthermore, Section 1(2) of the Constitution explicitly states: "The Federal Republic of Nigeria shall not be governed, nor shall any person or group of persons take control of the

Government of Nigeria or any part thereof, except in accordance with the provisions of this Constitution."\* President Tinubu's actions are therefore unconstitutional and undermine the rule of law and will be vigorously challenged by the coalition. Section 11(4) and (5) of the Constitution allows the National Assembly to intervene in the affairs of a State House of Assembly only in cases where the Assembly is unable to perform its functions due to crisis.

Even in such circumstances, this provision does not extend to suspending an elected governor or deputy. Additionally, Section 308 grants immunity to governors and their deputies from civil or criminal proceedings while in office, raising serious questions about the legal basis for the President's actions. The Coalition praised Gov. Fubara for maintaining peace despite the provocation by those working for Tinubu urging him to remain strong and rally Rivers People to ensure that his constitutional powers are not taken away under any guise including challenging this illegality at the Supreme Court.

## The Ijaw Youth Council ...reverse the decision

**T**he Ijaw Youth Council (IYC) has strongly rejected the declaration of a state of emergency in Rivers State by President Bola Ahmed Tinubu, describing the move as unnecessary and politically motivated. Reacting to the announcement made on Tuesday, IYC President Dr. Alaye Theophilus stated that

there was no justification for the emergency declaration, arguing that the crisis in Rivers State was not severe enough to warrant such a drastic measure. Theophilus accused the Minister of the Federal Capital Territory (FCT), Nyesom Wike, of orchestrating the conflict between the executive and legislative arms of government in Rivers State in a bid to assert control over Governor Siminalayi Fubara. He further alleged that the recent attack on the Trans-Niger oil pipeline in Ogoni was a calculated act by detractors to create grounds for the state of emergency. "We will never accept the decision of Mr. President to declare a state of emergency in Rivers State. This crisis has been engineered by the FCT Minister, Nyesom Wike. We urge the President to reconsider this decision," Theophilus said.

He claimed that the presidency had long planned the emergency declaration to benefit Wike, adding: "It is



unheard of for the President to declare a state of emergency in the 21st century when the crisis could still be peacefully resolved. While Governor Fubara has been advocating peace, Wike and the House of Assembly members have remained confrontational." Despite the growing tension, Theophilus urged Ijaw youths to remain peaceful while

calling on President Tinubu to reverse the decision in the interest of the state. Meanwhile, the President of the Ijaw National Congress (INC), Professor Benjamin Okaba, also criticized the state of emergency, arguing that it violated Section 305 of the 1999 Constitution, which outlines the proper procedure for such a declaration. "The President was too hasty in declaring the state of emergency in Rivers State. The constitutional process was not followed. What about Wike, who has repeatedly threatened to destabilize the state if the judiciary or legislature failed to remove Governor Fubara?" Okaba questioned. He also alleged that Wike's recent visit to Abalama with gunboats and armed soldiers was a provocative act, saying, "What federal project did he go there to commission? This was clearly a trap, and we refused to fall into it." Professor Okaba stated that at the right time, the Ijaw nation would assess the country's political landscape and determine whether it has been treated fairly in national affairs.

# Organized Labour ....Assault on democracy

***Organised Labour in the country consisting of the Nigeria Labour Congress (NLC) and Trade Union Congress (TUC) on Wednesday asked President Bola Ahmed Tinubu to honour his oath of office to defend Nigeria's democracy and immediately reverse the decision to suspend the Governor, Deputy Governor and state House of Assembly members in Rivers state.***

In a statement jointly signed by President of the Nigeria Labour Congress (NLC), Comrade Joe Ajaero and his Trade Union Congress (TUC) counterpart, Festus Osifo, organised labour described the action of the President as an assault on democracy. The statement reads: “the Nigeria Labour Congress (NLC) and the Trade Union Congress of Nigeria (TUC) unequivocally condemn Mr. President's hasty and unconstitutional declaration of a state of emergency in Rivers State. This action blatantly violates the provisions of Part II, Section 305 of the 1999 Constitution (as amended) and constitutes an overreach of executive power. “The purported suspension or removal of the Governor, Deputy Governor, and the State House of Assembly is not only unlawful, but a direct assault on democracy. “It sets a dangerous precedent, eroding constitutional governance and threatening the autonomy of the sub nation governments. “No democratic society can thrive where elected leaders are arbitrarily removed at the whims of the President. This reckless move should deeply concern every reasonable governor and citizen who believes in the rule of law.

“We, therefore, call on Mr. President to revoke this unconstitutional declaration in compliance with Section 305(6) of the Constitution, which clearly outlines the legal process for declaring and sustaining a state of emergency. “The President, as the custodian of the nation's executive powers, must exercise restraint, respect constitutional limits, and act in a manner that inspires national confidence rather than suspicion. “Any decision that jeopardizes national security, economic stability, and

democratic governance must be reconsidered. “Nigeria has suffered the painful consequences of political overreach in the past, and we cannot afford to repeat such mistakes. “Beyond the political and legal implications, this unjustified state of emergency will have severe socio-economic repercussions on workers and the masses. “It will disrupt economic activities, forcing businesses to shut down or scale back operations lead to job losses, wage cuts, and economic hardship for thousands of workers in both the formal and informal sectors; create an atmosphere of uncertainty, discouraging investment and slowing economic growth in Rivers State and beyond; expose citizens to security risks, as history has shown that politically motivated states of emergency often escalate rather than resolve crises. “Accordingly, the Labour movement will not remain silent while the livelihoods of workers and the well-being of ordinary Nigerians are threatened by political machinations. “Given his storied background in political struggle, we urge Mr. President not to betray his democratic credentials by engaging in actions reminiscent of military-era authoritarianism. “Leadership demands wisdom, restraint, and an unwavering commitment to democratic principles. “We demand the immediate reversal of this unconstitutional state of emergency in the interest of democracy, economic stability, and the welfare of Nigerian workers. Nigeria's democracy must not be sacrificed on the altar of political expediency.”

A concerned Nigeria who choose to be unanimous wrote "The recent declaration of a state of emergency in Rivers State by President Bola Tinubu has raised fundamental questions about the limits of executive power, the rule of law, and the integrity of democratic institutions in Nigeria. Firstly, it is essential to acknowledge that the President's decision is not entirely unprecedented. Former Presidents Olusegun Obasanjo and Goodluck Jonathan have also declared states of emergency in various states,



albeit in response to clear and present dangers to national security or public safety. However, a critical examination of President Tinubu's speech preceding the declaration reveals a glaring bias against Governor Siminalayi Fubara. The President's failure to address the numerous provocative statements made by Nyesom Wike, including his arrogant insults against various stakeholders and the sociopolitical group of the South-South PANDEF, is a clear indication of a skewed narrative.

The selective approach to addressing the crisis in Rivers State undermines the legitimacy of the President's decision and raises concerns about his commitment to upholding the rule of law and protecting democratic institutions. Furthermore, the President's decision to suspend Governor Fubara and other officials for six months without due process or recourse to the judiciary is a blatant disregard for the principles of federalism and the

significant implications for the future of democracy in Nigeria. The President's biased approach, disregard for due process, and failure to uphold the rule of law undermine the legitimacy of his decision and raise concerns about the potential for abuse of power. As a concerned citizen of this great Nation, it is essential that we demand a more nuanced and balanced approach to addressing the crisis in Rivers State, one that prioritizes the rule of law, democratic institutions, and the well-being of the people.

The unilateral decision of President Bola Tinubu to remove Governor Similaya Fubara of Rivers State from office is not only unconstitutional but also reckless. It has plunged us back into a state of lawlessness, hugely undoing the progress we have made in these 26 years of democratic journey. By disregarding the rule of law, the President has shown a dangerous willingness to trample

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separation of powers. This move has far-reaching implications for the stability of the state and the country at large. It is crucial to note that the 1999 Constitution, as amended, provides clear guidelines for the declaration of a state of emergency. Section 305(1) states that the President can declare a state of emergency "if satisfied that a situation has arisen which requires immediate attention."

However, the Constitution also emphasizes the importance of consultation with the National Assembly and the need for clear justification. In this case, the President's decision appears to be driven more by political considerations than a genuine concern for public safety or national security. Findings have revealed that it is becoming extremely difficult for the Rivers State Chief Judge to address the case of misconduct leveled against the Governor and his deputy. This has led to speculation that the President's declaration of a state of emergency is an unconstitutional back-door approach to forcefully remove a democratically elected government. This is a clear abuse of power and a threat to democratic institutions. The declaration of a state of emergency in Rivers State is a deeply troubling development that has

on democracy. The declaration of a state of emergency in Rivers State is not just reckless—it is a clear attempt to return us to a state of nature and tighten its grip on power at all costs. It is a degrading back door imposition of martial rule on a strategic part of the federation with all the implied negatives. The political situation on the ground in Rivers does not justify such an extreme measure, and it is also a biased interpretation of section 305(1) of the 1999 constitution. A state of emergency does not mean an elected Governor can be removed unilaterally. This decision does not align with democratic norms or good governance. Instead, it appears to be a predetermined action serving specific interests rather than the collective good of the people of Rivers State and Nigeria. This action constitutes an unconstitutional overreach, setting a dangerous precedent that threatens democracy, the rule of law, and the separation of powers. If left unchecked, it could foster a culture of impunity. Having already been grappling with non-adherence to electoral qualifications, rules, and massive rigging, adding arbitrary removal of elected officials will push us to a state of nature and anarchy. I appeal to the National Assembly and all stakeholders not to allow this to stand, as it only deepens the culture of impunity and brigand already threatening our democracy. A new Nigeria is Possible!

# PDP ...Attack on democracy



democratic right of the people of Rivers State to choose their leader under the Constitution.” PDP said, “the action of Mr. President therefore clearly borders on attempt at state capture. It is the climax of a well-oiled plot to forcefully take over Rivers State for which the All Progressives Congress (APC) has been bent on stoking crisis to ensure that democracy is ultimately truncated in the State. “Nigerians are invited to note that the situation in Rivers State and the reasons adduced by the President cannot justify the declaration of a state of emergency in the State under the 1999 Constitution, rendering the declaration completely incompetent.

“The PDP alerts that the unwarranted imposition of emergency rule in Rivers State is part of the larger vicious plot to foist a siege mentality across Nigeria, decimate opposition, impose a totalitarian one-Party State and turn the country into a fiefdom “In any case, nothing in Section 305 of the 1999 Constitution relied upon by the President in the declaration grants him the exclusive

powers to declare or execute the declaration of a state of emergency without recourse to the statutory approval of the National Assembly.”

**T**he People's Democratic Party (PDP) has rejected the declaration of a State of emergency in Rivers State by President Bola Ahmed Tinubu. Debo Ologunagba, National Publicity Secretary of the in a statement said the opposition party “and indeed, Nigerians listened with dismay the national broadcast by President Bola Ahmed Tinubu in which the President, in utter violation of the 1999 Constitution pronounced an imposition of a state of emergency in Rivers State “The PDP out rightly rejects this attempt by the President to override the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and undermine the votes and Will of the people of Rivers State by seeking to depose a democratic government and foist an undemocratic rule in the State.”

Ologunagba also said President Tinubu should recognize that his order to an unelected individual to forthwith take over government of Rivers State is “illegal and a clear recipe for crisis, threat to the peace and stability of not only Rivers State but the entire nation.” He said, “The unconstitutional declaration by President Tinubu of the suspension of the democratically elected Governor of Rivers State, Governor Siminalayi Fubara and appointment of an unelected individual, Vice Admiral Ibokette Ibas (rtd) to govern the State is a clear attack on our nation's democracy, an abrogation of the votes and

For the avoidance of doubt, Section 305 (2) provides that “The President shall immediately after the publication, transmit copies of the Official Gazette of the Government of the Federation containing the proclamation including the details of the emergency to the President of the Senate and the Speaker of the House of Representatives, each of whom shall forthwith convene or arrange for a meeting of the House of which he is President or Speaker, as the case may be, to consider the situation and decide whether or not to pass a resolution approving the proclamation”. “Mr. President should recognize that his order to an unelected individual to forthwith take over government of Rivers State is illegal and a clear recipe for crisis, threat to the peace and stability of not only Rivers State but the entire nation.”

In a press statement signed by Sen Babafemi Ojodu, CON titled Back to Ground Zero: Who Advised President Bola Ahmed Tinubu to do this? He said ' I have just picked up my phone after breaking my fast to find multiple missed calls and countless messages about an alarming development: President Bola Ahmed Tinubu has

reportedly declared a state of emergency in Rivers State. If this is true, then I must ask: Who advised the President to take this course of action? Whoever it is, they are certainly not a friend of his administration, nor do they have the best interests of Nigeria at heart. How could the President willingly walk into a raging inferno with his eyes wide open? No, no, no... this must be the work of fifth columnists.

The Tinubu I once knew would not have made such a reckless and unnecessary decision. To what end? This is a simple political dispute that requires a simple solution. Call the two gladiators, sit them down, and read them the riot act. One of them, after all, is your own appointee. What will it benefit you, Mr. President, to keep Wike and lose the Nigerian economy? Does the President realize that the Niger Delta crisis twice pushed Nigeria into recession under President Muhammadu Buhari. Has he been informed that at one point, Nigeria's oil production collapsed to below 400,000 barrels per day, down from 2.5 million barrels per day? That catastrophic drop in production was a direct result of political mismanagement and conflict in the region. It took years of painstaking effort and immense risks to stabilize the region, stop the sabotage of oil infrastructure, and restore some level of production. I should know—I was part of that difficult and excruciating process.

This decision threatens to undo all that progress. If the situation escalates, we risk another shutdown of vital oil production facilities. We risk renewed pipeline sabotage,

illegal oil bunkering, and militant activities. We risk another economic nosedive—at a time when Nigeria can least afford it. The global oil market is unforgiving. Investors do not wait for internal political conflicts to be resolved. They simply take their capital elsewhere. Mr. President, this is not just about Rivers State. It is about Nigeria's economic survival. And What About the Soldiers Fighting to Keep Nigeria Safe? While we waste energy escalating political battles in Rivers State, thousands of Nigerian soldiers are still fighting for their lives—and for the nation's survival—against insurgents, bandits, and kidnappers in the North East, North West, and North Central. These are the real emergencies. These are the crises that demand decisive leadership. The men and women of our armed forces are stretched thin, battling terrorists and criminal networks daily. They do not need yet another crisis to divert resources and attention. Nigeria cannot afford to be fighting on multiple fronts—politically, economically, and militarily. Mr. President, do not open a new war front in Rivers State while real wars are still raging elsewhere.

This Is Not the Way to Manage This Crisis, Mr. President. This portends disaster—for your administration, for the economy, and for the nation. A state of emergency is not a strategy—it is an admission of failure. There are far more effective, far less destructive ways to handle this situation. I urge you, Mr. President, to rethink this decision before irreparable damage is done.

## Atiku Abubakar ...Done in bad faith

**F**ormer Vice President and Presidential Candidate of the PDP in the 2023 general election Alhaji Atiku Abubakar has said that the declaration of a state of emergency in Rivers State reeks of political manipulation and outright bad faith. According to him, 'Anyone paying attention to the unfolding crisis knows that Bola Tinubu has been a vested partisan actor in the political turmoil engulfing Rivers. His blatant refusal — or calculated negligence — in preventing this escalation is nothing short of disgraceful.' Beyond the political scheming in Rivers, the brazen security breaches that led to the condemnable destruction of national infrastructure in the state land squarely on the President's desk. Tinubu cannot evade responsibility for the chaos his administration has



either enabled or failed to prevent. It is an unforgivable failure that under Tinubu's watch, the Niger Delta has been thrown back into an era of violent unrest and instability — undoing the hard-won peace secured by the late President Umaru Yar'Adua. Years of progress have been recklessly erased in pursuit of selfish political calculations. If federal infrastructure in Rivers has been compromised, the President bears full responsibility. Punishing the people of Rivers State just to serve the political gamesmanship between the governor and Tinubu's enablers in the federal government is nothing less than an assault on democracy and must be condemned in the strongest terms'.

# NBA

## Unconstitutional and dangerous precedent for Nigeria



The Nigerian Bar Association has faulted the declaration of a state of emergency in Rivers State by President Bola Tinubu, describing the move as “unconstitutional” and a dangerous precedent for Nigeria's democracy. In a statement issued on Tuesday, and signed by its

President, Afam Osigwe, SAN, the association insisted that the President has no constitutional power to remove an elected governor, deputy governor, or state lawmakers under emergency rule. “The 1999 Constitution does not grant the President the power to remove an elected governor, deputy governor, or members of a state's legislature under the guise of a state of emergency,” the NBA asserted. “Rather, the Constitution provides clear procedures for the removal of a governor and deputy governor as per Section 188. “Similarly, the removal of members of the House of Assembly and dissolution of parliament is governed by constitutional provisions and electoral laws, none of which appear to have been adhered to in the present circumstances,” it added. The association emphasized that while Section 305 of the Constitution vests the President with the power to declare a state of emergency, it “stipulates strict conditions and procedural safeguards that must be followed to ensure that such extraordinary measures do not infringe on democratic governance and fundamental human rights.” The NBA argued that the political crisis in Rivers State does not justify emergency rule, questioning whether it meets the constitutional threshold of a complete breakdown of public order. “A declaration of emergency does not automatically dissolve or suspend elected state governments. “The Constitution does not empower the President to unilaterally remove or replace elected officials—such actions amount to an unconstitutional usurpation of power and a fundamental breach of Nigeria's federal structure,” the statement read.

The NBA further pointed out that even if a state of emergency is declared, it must be ratified by the National Assembly within a specified timeframe. “A proclamation issued by the President under this section shall cease to have effect—(a) if it is not approved by a resolution of the National Assembly within two days when the National



Assembly is in session; or (b) if the National Assembly is not in session, within ten days after it reconvenes,” the statement quoted from Section 305(2) of the Constitution. It stressed that “unless the National Assembly duly approves the proclamation, the declaration of a state of emergency in Rivers State remains constitutionally inchoate and ineffective.” The association called on the National Assembly to reject any unconstitutional attempt to ratify the removal of the Rivers State Governor and other elected officials, warning that “suspending elected officials under emergency rule sets a dangerous precedent that undermines democracy and could be misused to unseat elected governments in the future.” “The purported removal of Governor Fubara, his deputy, and members of the Rivers State House of Assembly is therefore unconstitutional, unlawful, and a dangerous affront to our nation's democracy,” the NBA stated. Urging all stakeholders, including the judiciary, civil society, and the international community, to closely monitor the situation in Rivers State, the NBA reaffirmed its commitment to upholding the Constitution and democratic governance. “The removal of elected officials under the pretext of emergency rule is unconstitutional and unacceptable,” the statement concluded. “Nigeria's democracy must be protected at all costs, and the Constitution must be upheld as the supreme legal authority in all circumstances.”

# PeacePro

## .. Wike should be suspended

The Foundation for Peace Professionals (PeacePro) a social and political pressure group has warned that the declaration of a state of emergency in Rivers State without suspending the Minister of the Federal Capital Territory (FCT) will escalate the political crisis rather than mitigate it. The organisation's position followed President Bola Ahmed Tinubu's declaration of a state of emergency in Rivers State in response to the escalating political crisis that has threatened governance and stability in the state. As part of the emergency measures, President Tinubu suspended Governor Siminalayi Fubara, his deputy, and all members of the Rivers State House of Assembly. The president also appointed a sole administrator, Vice Admiral Ibok Ette Ibas (retired), to oversee the affairs of the state during the emergency period. In a statement issued on Tuesday by PeacePro's Executive Director, Abdulrazaq Hamzat, the organisation noted that the FCT Minister was a member of the Federal Executive Council (FEC), which President Tinubu said would be responsible for approving the actions of the Rivers State's sole administrator. Hamzat argued that allowing the FCT Minister, who is a key player in the ongoing political conflict in Rivers State, to remain in office while the FEC oversees the state's administration would create a perception of bias and undermine public trust in the federal government's handling of the situation. "The FCT Minister's

involvement in the Rivers State crisis raises serious concerns about fairness and impartiality. For the state of emergency to be seen as a genuine effort to restore peace, the government must avoid any appearance of favoritism or conflict of interest. "Suspending the FCT Minister would help create a neutral environment necessary for effective conflict resolution," the statement read. PeacePro emphasized that the success of the state of emergency depended on the federal government's ability



to maintain neutrality and fairness. Hamzat urged President Tinubu to demonstrate a strong commitment to peace and justice by suspending the FCT Minister and ensuring that all decisions related to Rivers State were made without undue influence. PeacePro further called for inclusive dialogue involving all stakeholders to address the root causes of the conflict and establish a framework for sustainable peace in Rivers State.

## Chief Bode George

# ...This is Armageddon

Another Chieftain of the People Democratic Party Chief Bode George has described the declaration of State of Emergency in River State by President Bola Tinubu as Armageddon. "This is absolute Armageddon. Total disrespect for constituted authority. The Constitution has been viciously violated. "We can't keep quiet. This is recklessness of the highest order. What did Fubara do? As the Commander-in-Chief, you gave Wike soldiers and security agents to try to destabilize Rivers State.



Nobody has told me what the governor did to warrant this dictatorial emergency rule. "What type of democracy is this in 2025? This is how it started in 1962 and 1983. This is a dress rehearsal of what Tinubu wants to do in 2027. APC wants to get all states through unconstitutional means. "This state of emergency is absolute balderdash. Did he get the approval of the National Assembly before his broadcast? "What happened in Rivers before today was the hand of Esau and voice of Jacob. "Why didn't he declare a state of emergency in Lagos when the lawmakers were fighting?

The governor does not have powers over any security agency. Like a gentleman that he is, he kept his cool.

Why? Why did he invite Diète-Spiff and Niger Delta leaders last week when he knew where he was going? Is Tinubu now becoming a civilian dictator?"

## Mike Ozekhome

# 'It's civilian Coup d'état,'

Constitutional lawyer, Mike Ozekhome, SAN, has condemned the declaration of a state of emergency in Rivers State, describing it as a civilian coup d'état. In a public broadcast on Tuesday, President Bola Tinubu declared a state of emergency in Rivers State and announced a six-month suspension of Governor Siminalayi Fubara, his deputy, Mrs. Ngozi Odu, and all elected members of the Rivers State House of Assembly. The President further nominated Vice Admiral Ibok-ette Ibas (retd.) as the administrator to oversee the affairs of Rivers State during the suspension. However, in a statement, Ozekhome argued that the suspension of the democratically-elected governor, deputy governor, and the entire State House of Assembly is unconstitutional.



emphasized that no constitutional provision, statute, or known convention granted the President imperial authority to dissolve the structures of an elected state government. "This might have been acceptable during the era of military juntas but Nigeria is now governed under a constitutional democracy with a presidential system. Emergency provisions under Section 305 of the 1999 Constitution exist to restore order during grave crises, not to topple duly elected officials," he stated. Ozekhome expressed concerns about the potential precedent this action could set, where presidents might remove governors perceived

as disloyal to the central government. "And now, as Rivers State stands at the centre of this unfolding simulated constitutional debacle, one must ask: Is this the signal of a dangerous precedent for and kite-flying to Nigeria, of a looming maximum dictatorship in the offing in a one-party State?"

He emphasized that the allocation of state funds from the Federation Account to a sole administrator is also illegal, as it contradicts a Supreme Court judgement. Ozekhome further explained that the 1999 Constitution (as amended) was explicit that Section 305, which granted the President powers to declare a state of emergency, did not authorize the removal or suspension of an elected governor. He also pointed out that Section 11(4) of the Constitution denied even the National Assembly the power to remove a governor under emergency rule, indicating that the President could not be granted such authority. "A state of emergency does not and cannot translate to a civilian coup d'état executed through executive fiat in a national broadcast that torpedoes elected structures and whimsically imposes a sole administrator to receive Rivers State allocations in violation of Section 162 of the Constitution and contrary to the Supreme Court judgment that President Bola Ahmed Tinubu claimed to uphold," Ozekhome said.

The Senior Advocate of Nigeria criticized the suspension of elected officials as an unprecedented and unlawful step. He questioned whether Rivers State posed a genuine threat to national stability or was merely a convenient political battleground. "If emergency rule in Rivers is truly about law and order, why was a handpicked administrator imposed while duly elected officials were suspended? Is this about democratic governance, or is it about power and control?" Ozekhome asked. He

Will other "erring" Governors who refuse to align with the central government be next in line? Are we witnessing the return of a dangerous era of impunity where emergency rule becomes the bludgeon of political control rather than a tool for stability," Ozekhome asked? He reminded Nigerians that the Constitution provides only one legal pathway for removing a state governor—through impeachment as stipulated in Section 188 of the Constitution. The lawyer noted that this process was legislative, not executive, requiring a State House of Assembly to initiate and conduct impeachment proceedings as dictated by the Constitution. Ozekhome further questioned why the President interfered, in any event, the Rivers State House of Assembly (whether rightly or wrongly) had already commenced an impeachment process against the Governor. "Why truncate the constitutional process with an unconstitutional executive fiat?" he asked. The lawyer also criticised the President for acting on the state of emergency without first seeking approval from the National Assembly. "In the present scenario, the bicameral National Assembly had not even first met, discussed, and approved the president's emergency proposals before he acted upon it. He did it in advance (in futuro) in expectation of rubber-stamping by a pliable and malleable NASS." He stressed that a state of emergency did not dissolve governance structures.

“The governor, as the chief executive of the state, remains in office, and state institutions continue to function unless expressly provided otherwise by law. “There is no such law in Rivers State or at the national level,” he said. Ozekhome warned that allowing Tinubu's actions to stand could set a dangerous precedent where emergency powers are used for political suppression rather than to address genuine crises. “While the President may take extraordinary measures to maintain peace and order, those measures must align with the Constitution. There is no provision, express or implied, that allows the President to remove a sitting governor and state legislators under the guise of emergency powers,” he argued. He dismissed the reasons cited for the state of emergency, including localized incidents of vandalism, as insufficient to warrant such drastic measures.

“There is no threat of external aggression or invasion either across the country or in Rivers State. All that we have seen have been tussle for power between the Governor and the House of Assembly and the courts had already waded in with the Governor declaring he would comply with the Supreme Court's judgement. A mere blows up of oil pipes in two communities by unidentified persons certainly does not constitute a war or external invasion situation. “President Tinubu lacks the power, authority and vires to suspend democratic structures, especially the removal of Governor Sim Fubara and the Rivers State House of Assembly members. His actions constitute a gross constitutional aberration that could destabilize Nigeria and Rivers State. The Constitution must remain sacrosanct, or democracy will perish,” Ozekhome stated.

## It is a bad image for Nigeria ...Jonathan

Former President Goodluck Jonathan has stated that suspending elected officials in Rivers State could tarnish the country's image. He made the remark at the Haske Satumari Foundation Colloquium in Abuja. “These actions by key actors in the executive and legislative arms of government paint the country in a negative light,” he said. Jonathan while sharing his thoughts about the political turmoil in Rivers State, said although it is not the norm for former presidents to comment on issues in the polity so as not to heat up the polity, he insisted that the image of the country and how much investments a country attracts is heavily dependent on the actions of the executive, legislature and judiciary of the country.

Jonathan's comment on the emergency rule came after the People's Democratic Party governors contended that the President Bola Tinubu's actions were unconstitutional and threatened Nigeria's democratic principles. However, Jonathan said, his comment became necessary after calls from many Nigerians, urging him to speak on the events in Rivers State. He faulted the situation where an individual can dictate to the judiciary, noting that it makes it difficult for anyone to have faith in the judiciary. According to him,



building the society where no one is oppressed is the hallmark of good leadership, leveraging the transformative power of diversity, equity and inclusion for social change. “I believe that it is the hallmark of good leadership and governance to be able to leverage the transformative power of diversity, equity and inclusion for social change.

“As a leader, I have seen how these values can bring people together, foster a sense of belonging and unlock the full potential of individuals and communities. “I have also seen how the absence of these values can lead to division, inequality and social unrest.

“It is, therefore, our responsibility as leaders and change-makers to promote a culture of diversity and inclusion; one that values and respects the dignity and worth of every human being and protects the interests of all,” he said. The former president further stated that any society with these attributes would be deemed to be innovative, resilient and harmonious. “I know this because I saw how policies that promoted gender equality, youth empowerment and regional balance during my time as president helped bridge divides and foster national unity,” he said.