

How APC is Endangering Democracy in Nigeria

BY AZUKA ONWUKA



But Buhari was not the first military leader who became Nigeria's president. In 1999, General Olusegun Obasanjo, after ruling Nigeria as a military dictator in the late 1970s, returned as the first president of Nigeria's Fourth Republic. Even ardent supporters of Obasanjo can attest that he has an overbearing persona and hates being opposed. But Obasanjo never tampered with the independence of the judiciary or legislature. The courts were issuing judgements against him, one of which was his seizing of the Lagos State Government's monthly allocations because the Governor of Lagos State then, who is today Nigeria's president, Bola Tinubu, created new local government areas. In addition, some of the elections conducted under Obasanjo's watch were overturned by the judiciary.

Similarly, the two chambers of the legislature were independent in word and deed. Even though the ruling People's Democratic Party had the majority in the House of Representatives and the Senate, Obasanjo never got his way easily in both chambers. For example, on August 13, 2002, the House of Representatives, under the leadership of Hon. Ghali Umar Na'Abba, issued a two-week ultimatum to Obasanjo to resign or face impeachment because of 17 charges, some of which included his non-implementation of the 2002 budget as approved, disregarding the authority of the National Assembly, travelling too frequently, and failing to control insecurity in the country.

Also on May 16, 2006, the Senate voted against the bid to amend the Nigerian constitution to give Obasanjo a third term. The legislators came under intense pressure and threat, including bribery, shooting, and blackmail, but the Senate President, Ken Nnamani, ensured that the debate on the However, since the APC came to power in 2015, there has been a clear move towards weakening the powers of the

legislature and judiciary, making them do the bidding of the executive, thereby truncating the principle of separation of powers, which is a cardinal principle of democracy. Today, whatever the president wants is delivered by the National Assembly and the judiciary. What has played out in Rivers State is an example of this. On March 19, 2025, President Tinubu declared a state of emergency in Rivers State, suspending Governor Siminalayi Fubara, his deputy, as well as the state legislature for six months. In his broadcast to the nation, the President claimed the action was necessitated by the political conflicts in the state and damage to oil pipelines. Subsequently, he appointed retired Vice Admiral Ibokette Ibas as the new administrator. Only the state judiciary was allowed to continue to operate. Many have asked why Rivers State was singled out at a time when some parts of Nigeria were under the control of insurgents. In such states, communal and government leaders organise protection fees to be paid to outlaws so that there would be relative peace for the citizens. Yet, the President has not deemed it fit to declare a state of emergency in such states. And since the activities of these violent groups pose a threat to Nigeria's sovereignty, many have asked why Tinubu has not declared a state of emergency in Nigeria and appointed a retired general to take over the presidency for six months. Tinubu's action in Rivers State elicited condemnation as it was seen as a ploy to water the ground for the political takeover of the state ahead of the 2027 election, given that the state has been a PDP stronghold since 1999 and one of the richest and most populated states of Nigeria. The Nigerian Bar Association, through its president, Maazi Afam Osigwe, called it illegal, noting that a state of emergency should not remove elected officials. Many pointed out that the conditions described in the constitution were not in existence in Rivers State to warrant the declaration of a state of emergency. In addition, the

Supreme Court ruled that the President does not have the power to suspend elected officials of any level of government.

Even though Obasanjo had done it in some states, the Supreme Court eventually ruled against the removal of elected officials. As President, Dr Goodluck Jonathan followed the decision of the court on May 15, 2013, when he declared a state of emergency in the three North-East states of Borno, Adamawa, and Yobe because of the violent activities of the Boko Haram group. Jonathan did not remove the governors or legislators.

Despite Jonathan not removing the elected officials, Tinubu condemned Jonathan then, noting that it was the attempt of a “mediocre” workman to blame his tools for his failure. He stated that the power to secure and protect the country was domiciled in the Presidency and not the state governments. In 2004, Tinubu condemned Obasanjo when he declared a state of emergency in Plateau State. Another glaring point was that Tinubu completely exonerated his Minister of the Federal Capital Territory, Mr Nyesom Wike, who has been

legislature have lost their bite. Reacting to what is happening in Nigeria, Jonathan noted last week that “no businessman will bring his money to invest in a country where the judiciary is compromised, where a government functionary can dictate to judges what judgement they should give.” The way the National Assembly endorsed the action of the President was dangerous to the future of Nigeria and the people. The Constitution stated that two-thirds of members of each legislative chamber would be in attendance and two-thirds would vote in favour of it for it to be effective. The leaders of both chambers did not clearly do a head count for the sake of transparency. Secondly, they did not allow each member to vote so that the results could be recorded to be sure that they met the requirements of the Constitution.

Furthermore, the action of the members of the opposition in the house was shameful. Even though APC has a majority of members in both chambers, it does not have a two-thirds majority. The PDP, Labour Party, APGA and other parties have representatives in both chambers. The governor who was removed belonged to the PDP. If the representatives of

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openly meddling in the affairs of Rivers State. Many had asked the President to call him to order, but he feigned indifference. Conversely, the same Tinubu did not feign indifference in the leadership tussle in Lagos State. Although an overwhelming majority of the Lagos State House of Assembly followed the law to impeach the Speaker, Hon. Mudashiru Obasa, and elect Hon. Mojisola Meranda, intense pressure was mounted on them to reverse their decision, and they eventually did. Another point that many find curious is the immediate release of the funds of Rivers State to the administrator. While the crisis between Governor Fubara and the House of Assembly persisted, the court ruled that the funds of the state should not be released to the governor because he was not working with the legislators. Surprisingly, immediately after the declaration of the state of emergency, the funds of the state were released to an appointed administrator.

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the PDP and LP had stood firm, the leaders of the chambers would not have circumvented the procedure that would ensure transparency. That buttresses the point about the emasculation of the legislature and the judiciary. The danger is that if Tinubu wants a third term, his chances of getting it are high.

It is sad that for many years, members of the APC condemned the actions of the PDP. They packaged themselves as true democrats. But since they eventually got the opportunity to govern, they have done all the things they condemned and have gone a step ahead by doing the things the PDP never did. Consequently, Nigeria's democracy is increasingly looking like a joke. The people are losing hope in their ability to elect their preferred candidates or get justice in the law courts. Those in power and their supporters may see what is happening as a victory for them, but such portends danger. Tinubu and APC must return Nigeria to the path of democracy.