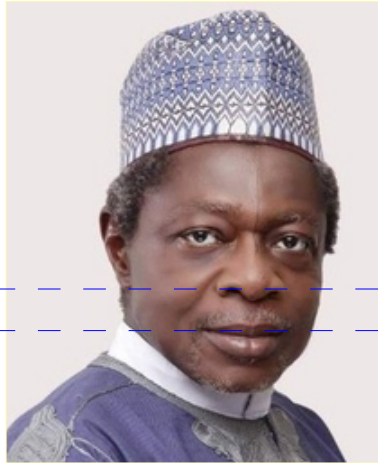


Rivers must not overflow, Mr President!

By Hassan Gimba (First Published on 24/12/2023)

Rivers, a state so rich because God blessed it with abundant crude oil and gas, is named after the many rivers that border its territory. Forty percent of Nigeria's crude oil output is produced in the state. It also has deposits of silica sand, glass sand and clay. According to the National Bureau of Statistics (NBS), ₦1.93 trillion was raked in in 2022 as Internally Generated Revenue (IGR) across the 36 states in Nigeria, including the Federal Capital Territory. Out of this, Rivers State generated ₦172.89 billion, second only to Lagos, with ₦651.15 billion. And despite a 12 per cent decline in the overall allocation in the second quarter of this year, Rivers State was third with N69.73 billion. For December 2022, shared in January this year, for instance, the state received ₦13,700,878,221.58 (₦13.7 billion).

Despite its vast resources and strategic positioning as the nation's goose that lays the golden eggs, Rivers State, created in 1967 with the splitting of the South Eastern State, had always been a calm state with level-headed people as its governors. Apart from military administrators and governors, seven democratically elected governors have led the state since 1979. Among them is its first civilian governor, Melford Okilo, who governed for four years and 91 days, from 1 October 1979 to 31 December 1983. Rufus Ada George was next and was in office for one year and 320 days, i.e. from January 1992 to 17 November 1993. Peter Odili was governor between 29 May 1999 and 29 May 2007, or eight years, and was the state's first civilian governor in the current Republic. The state started its journey to its current 'ignominious' status with the ascendancy to governance by Celestine Omehia, who was there for just 150 days, between 29 May 2007 and 26 October of that year. Omehia, on the platform of the Peoples' Democratic Party (PDP), won the governorship election, but Rotimi Amaechi, also of the same party, went to court claiming to be the candidate of the party and so his name ought to have been on the ballot paper. Amaechi, the speaker of the state House of Assembly, was duly elected at the party's primaries as its gubernatorial flag bearer. The PDP leadership substituted him "in error" in the state on the orders of the former president, Chief Olusegun Obasanjo. The



substitution was done without the due process of informing the Independent National Electoral Commission (INEC).

And so the Supreme Court removed Omehia from office in October 2007 after he had been in office for five months. It ruled that he had usurped Amaechi's ticket for the election, and accordingly handed Amaechi the top job. In any case, the principle is that the party owned the votes and not the candidate, and so even though Amaechi was not on the ballot, he inherited the votes cast for the party as its valid candidate. From that event, when the court gave the Rivers people their governor, a seamless transition vacated the state. Nyesom Ezenwo Wike, who also served for eight years from 29 May 2015 to 29 May 2023, grabbed the ticket from Amaechi's hand with the help of the sitting president, Goodluck Ebere Jonathan, and his wife. But that is not the case with Siminalayi Fubara, as he was handpicked and bankrolled to the office of the governor by Wike. Of course, Wike did not do that out of altruism, but for him to have a firm hold on the government of the rich state. Now, barely 200-odd days into office, his anointed Fubara wants to be allowed to breathe. Sources have it that almost all appointees of the governor came from his godfather.

All major contracts are being approved and dispensed by Wike, and any transaction above ₦50 million must have his seal of approval. According to Dele Momodu, a chieftain of the PDP, Wike usually screamed at Fubara in front of subordinates. Fubara's determination to escape Wike's influence has led to a fierce battle between supporters on both sides, who are fighting to keep their leaders relevant in the political landscape. This has drawn up issues, many of which are testing the elasticity and resilience of our constitution, even threatening the spirit of that constitution. Some 27 members of the State Assembly loyal to Wike left the party, on whose platform they were elected, for the All Progressives Congress (APC), the party ruling at the centre. This made Fubara, his loyalists and the PDP, struggling to regain their foothold in the state, declare

Six elders from the state have dragged President Bola Tinubu to the Federal High Court in Abuja, for allegedly “compelling Governor Siminilaya Fubara into an unconstitutional agreement.” Led by a member of the Rivers State House of Assembly representing Bonny State Constituency, the other five are Victor Jumbo, Senator Bennett Birabi, Senator Andrew Uchendu, Rear Admiral O. P. Fingesi, Ann Kio Briggs and Emmanuel Deinma. To them, the agreement, which was signed on December 18, was not only “illegal but amounted to an usurpation, a nullification, and undermining of the extant/binding relevant provisions of the 1999 Constitution, as amended. “They prayed the court to determine whether President Tinubu, Governor Fubara, and the Rivers State Assembly had the right to enter into any agreement that had the effect of nullifying or undermining the constitutional/legal potency of Section 109(1)(g) and (2) of the 1999 Constitution, as amended. Section 109(1)(g) of the Constitution provides thus: (1) A member of a House of Assembly shall vacate his seat in the House if: (g) Being a person whose election to the House of Assembly was sponsored by a political party, he becomes a member of any other political party before the expiration of the period for which that House was elected: Provided that his membership of the latter political party is not as a result of a division in the political party of which he was previously a member, or of a merger of two or more political parties or factions by one of which he was previously sponsored.

their seats vacant. Unfortunately for both gladiators, their party, the PDP, made toothless by no other than Wike, with expressed support from his erstwhile minions like Fubara and others, could not help.

Perhaps concerned with the happenings in Rivers and worried that what seemed like political pugilism for dominance may overflow and spill over to God knows where, President Bola Ahmed Tinubu called a meeting of the key actors and sought a détente. Coming out of that gathering, a truce was reached, and an agreement signed, with the 27 members of the state House of Assembly back and calling the shots as bona fide legislators. But this is where the problem is. Some stakeholders have already started calling on the president to approach the matter differently. For instance, Robert Clarke, an elder and Senior Advocate of Nigeria (SAN), has said the president had no constitutional right to intervene in the Rivers State crisis. He suggested that if the situation in Rivers State escalated, the president should not intervene but consider declaring a constitutional crisis, pointing out that the only historical instance where the federal government intervened in a state's affairs was during the 1st Republic when a state of emergency was declared in the West. On his part, Ben Murray-Bruce, the commonsense senator, has commended the president and the national security adviser (NSA), Malam Nuhu Ribadu, “for bringing peace in Rivers State.” According to him, their intervention was timely, prudent and states manly, adding that it behoves the disputing parties to abide by the resolution. Others, however, see it differently.

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