

# Amupitan: What history?

By Taiwo Adisa, PhD

Parents of the Chairman of the Independent National Electoral Commission (INEC) did a good job when they gave their son a unique name, Amupitan, clearly indicating that the child shall be a man of history. Already, the professor of Law has hit some historical landmarks, one of which is that he became the first Senior Advocate of Nigeria (SAN) to occupy that hot seat. Having been so appointed by President Bola Ahmed Tinubu, whatever history Professor Joash Amupitan makes on the job would be entirely his own making. While the nation is still waiting to see the new INEC helmsman unfold the nature of his character, as the gaze remained on the 2027 national and state elections, April 1, 2026, came and created an opening for the nation to start documenting the kind of history that would be written of Amupitan's tenure. The electoral commission released a statement through its National Commissioner in charge of Information and Voter Education, Mohammed Kudu Haruna, indicating that the African Democratic Congress (ADC), the party that is fast rising in profile as a key opposition enclave, has been amputated. Haruna, in a statement titled "INEC's position on the Court of Appeal's decision in Appeal No. CA/ABJ/145/2026: Senator David Mark V Hon. Nafiu Bala Gombe & ORS," the electoral commission said it received a letter from stakeholders of the ADC, represented by the Senator David Mark-led ADC executive, and another letter from the Summit Law Chambers, representing Hon. Nafiu Bala Gombe, and that a combined reading of those letters and other interventions by the courts, indicated to it that the ADC should practically be suspended from all the ongoing activities ahead of the 2027 polls. Though INEC did not use the exact words, its decision clearly showed that the intention was not just to amputate the opposition party but possibly to castrate it.

Hear what INEC had to say: "Given the above scenario, at the meeting of the Commission on Tuesday, 31st March 2026, the Commission resolved as follows: "To maintain the status quo ante bellum as directed by the Court of Appeal based on the facts and position of the parties existing before 2nd September 2025, when the case was filed by the plaintiff. "That the Commission would, in accordance with the Order of the Court of Appeal in Appeal No. CA/ABJ/145/2026 refrain from taking any step or doing any act capable of foisting a fait accompli on the court or otherwise rendering nugatory the proceedings before the trial court, having regard to all the processes filed before the trial Court. "The Commission refused to accede to the request of the Plaintiff's Solicitors to allow Hon. Nafiu Bala Gombe to take over the affairs of ADC pending the

determination of the case. "The Commission shall not, given the reliefs claimed in the Originating Summons and the pending motions, receive any further communication or deal with any of the parties or groups pertaining the affairs of the party and will not monitor any Meeting, Congress or Convention convened on behalf of the African Democratic Congress (ADC) by any group until the matter is decided by the Federal High Court, Abuja so as not to do any act capable of foisting a fait accompli on the court or otherwise rendering nugatory the proceedings before the trial court. "Since the names of the current National Working Committee members led by Senator David Mark were uploaded on 9th September, 2025 by INEC (7 days after the suit was instituted), the names would be removed from the INEC portal pursuant to



the order of the Court of Appeal to maintain the status quo ante bellum until the matter is decided by the trial court." The commission then concluded thus: "The Commission reiterates its unwavering commitment to neutrality, impartiality, and strict compliance with judicial orders. "Political parties and stakeholders are urged to conduct themselves in a manner that does not jeopardize the Electoral Timetable for the 2027 General Election."

Before now, I had been skeptical of wholly laying the blame for the opposition parties' upheavals on the ruling All Progressives Congress (APC) or President Bola Tinubu. Some writers had suggested that President Tinubu was

ironically adopting the tactics of General Sani Abacha, whom he joined NADECO leaders to fight fiercely against. Despite repeated calls from writers, including Professor Farooq Kperogi, my first instinct was to be skeptical because I know that many existing political parties condone undue indiscipline and errant behavior among members. I know that when indiscipline festers, it will cover the entire body with sores. But the declaration by INEC on April 1 (something that initially looked like an April fool), that it was withdrawing the recognition earlier given to Senator David Mark- led ADC executive cleared my doubts. It is now unmistakable that the said Abacha tactics have fully unraveled on our way to 2027. As naturally expected, the ADC, in a World Press Conference addressed by the National Chairman, Senator David Mark (remember him as the two-term President of the Senate), has declared that it was not obliged to listen to the death sentence pronounced by INEC.

The party stated that the claimant to its national chairmanship seat, Nafiu Bala Gombe, had no locus and that he had voluntarily resigned his position in May 2025. ADC said Amupitan should resign his position or be sacked, while his national commissioners should face the same fate for working towards compelling Nigerians to only the choice of President Tinubu in 2027. The ADC said: “We no longer have confidence in them. We are convinced that they are incapable of conducting any credible election. “Let us also make it clear: we are proceeding with our party programmes, because there is nothing under the law that makes INEC's attendance a mandatory requirement. We have duly served INEC notice, and we will proceed accordingly.” The press conference, which was held at the Shehu Yar'Adua Centre, Abuja, was attended by bigwigs, including former Vice President Atiku Abubakar, presidential candidate of the Labour Party in the 2023 election, Mr. Peter Obi, and former governor of Rivers State, Rotimi Ameachi, among others. Senator Mark warned Amupitan's INEC from toeing “this criminal path that it has chosen to take,” adding: “Let me reiterate for the record, there are no competing claims on the leadership of the ADC. Nafiu Bala has no locus whatsoever.

INEC should have waited for the Court of Appeal to decide this matter. “Instead, INEC went ahead to do the bidding of the ruling party. But let us be clear: the role of INEC over political parties is not administrative: it is not managerial: it is simply supervisory. “For the avoidance of doubt, the leadership of ADC inaugurated at the 29th July 2025, NEC meeting remains the lawful leaders of the party. Party members and all Nigerians should therefore remain calm as there is no cause for alarm whatsoever.” The party stated that INEC's resolution was aimed at undermining its participation in the Osun and Ekiti off-season governorship elections taking place in June and August, as well as terminating its congresses starting on the 9th of April 2026, ending with the national convention on April 14, 2026. Recall that the ruling APC held its convention between March 27 and 28, while the Nyesom Wike-backed People's Democratic Party (PDP) conducted its convention between March 29 and 30th. Senator Mark said it was surprising that President Bola Tinubu, who has 90 per cent of the National Assembly and over 30 of Nigeria's 36 Governors in his party,

could still be afraid. He asked: “What are you afraid of?” I thought Prof Amupitan would put on his legal wig while coming to a conclusion on this matter, but it is obvious he allowed emotion to rule him. If in doubt, leave out is a rule in journalism. Nothing stops Amupitan from adopting that as well. For instance, the court asked for status quo ante bellum; it did not ask Amupitan to stop the ADC from participating in the 2027 election process. By withdrawing the recognition granted to the Mark-led executive, INEC is automatically seeking to terminate ADC's involvement in the 2027 polls, because if that is adhered to, nobody would run its affairs, let alone talk of conducting congresses or conventions.

If, eventually, the court resolves the matter in favour of the ADC, let's say at the end of June, would the INEC Chairman create a special timetable for the party to run its congresses and convention? I watched the INEC Chairman struggle to defend his position on Arise Television during an interview with Dr. Reuben Abati on Friday. He said that the commission's decision was informed by the need to avoid a situation where it would conduct an election that would be nullified by the courts. My reply comes in via a popular voice on the political scene: 'Is it yah election?' He said that elections have been nullified in Zamfara and Plateau States. I wonder why Amupitan is so concerned about possible actions of the courts subsequently, to the extent that he is seeking to kill the dreams of opposition figures who are gathered in the ADC.

The scenario is very clear. INEC had announced the notice of elections, which showed that primaries would take place between April 23 and May 30. Parties are faced with the challenge of compiling an electoral register as mandated by the Electoral Act 2026. The parties also have to conduct congresses and conventions to ratify their executive committees before they conduct primaries for the House of Assembly seats, House of Representatives, Senate seats, the governorship election, and the presidential election. Pray, what time does ADC have to conduct all this in the wake of a legal tango tied around its neck? I think what INEC should have done was to restrict its interpretation of the 'status quo ante bellum' to September 2025, when Bala Gombe declared a dispute. That would have enabled the party to continue with its programmes. There is nothing in the law that stops the courts from correcting whatever it sees as an error, and the court can correct any wrongdoing at any stage. So, why is he worried about the so-called 'foisting of a fait accompli' on the court? Surely, the court can always help itself, and Amupitan himself said elections were nullified in Zamfara and Plateau States to correct pre-election errors. He needs to listen to Barrister Femi Falana (SAN), who has also condemned the decision to delist the ADC executive. Back to Amupitan, the world is at his feet as we march towards 2027. Names would be made or destroyed; it is left to him to decide which story he wants history to package in his name.