



FROM THE PUBLISHER

The Judiciary and INEC Must Stop Interfering In Political Party Disputes

The Nigerian Bar Association has recently cautioned lawyers and courts against involvement in the internal affairs of political parties, warning that such actions could undermine Nigeria's democratic process ahead of the 2027 general elections. In a statement recently, the NBA said it had observed a growing trend of litigation aimed at drawing courts into intra-party disputes, despite clear statutory provisions limiting judicial intervention in such matters. The statement, signed by NBA President, Afam Osigwe (SAN), said recent political and legal developments arising from the interpretation of the Electoral Act 2022 raise serious constitutional and rule-of-law concerns. The association cited Section 83 of the Electoral Act, which it said restricts courts from entertaining suits relating to the internal affairs of political parties. It further noted that the law also prohibits courts from granting interim or interlocutory injunctions in such disputes.

The statement read in part, "Where any action is brought in negation of this provision, no interim or interlocutory injunction shall be entertained by the Court, but the Court shall suspend its ruling and deliver it at the stage of final judgment and shall give accelerated hearing to the matter." The NBA expressed concern that, contrary to these provisions, courts have continued to entertain such cases, sometimes issuing orders that affect party leadership contests and internal governance structures. It also accused some lawyers of filing suits aimed at securing judicial intervention in political disputes through forum shopping and what it described as "mala fide applications" to obtain favorable orders. "This emerging trend of subverting the clear letters of the Electoral Act and dragging courts into the internal affairs of political parties through disingenuous litigation, forum shopping, and mala fide applications designed to secure undemocratic political advantage does no good for our democracy," the association said. The NBA warned that continued judicial involvement in such matters could turn court processes into instruments of political manipulation. It stressed that the relevant provisions of the Electoral Act were designed to prevent abuse of court processes and preserve the integrity of internal party democracy. The association also reminded legal practitioners of their professional responsibilities, stating that lawyers must not act as political agents in pursuit of partisan outcomes. "The filing of actions intended to draw courts into internal political party disputes, particularly where jurisdiction is expressly excluded, constitutes an abuse of court process and a violation of professional responsibility," it said.

The NBA also warned that it would initiate disciplinary action against any lawyer found to have violated these provisions. "Lawyers who deliberately file actions aimed at procuring judicial interference in intra-party affairs, or who seek ex parte or interlocutory orders in clear violation of statutory provisions, risk facing disciplinary proceedings," it added. It said it would petition the Legal Practitioners Disciplinary Committee where necessary, in order to safeguard the integrity of the legal profession. The association also urged the judiciary to exercise restraint and avoid being drawn into politically motivated disputes. "Courts should firmly decline invitations, no matter how artfully crafted, to intervene in matters the law explicitly bars them from," it stated. The NBA further called on the National Judicial Council to sanction judicial officers who assume jurisdiction in matters prohibited by law or grant orders contrary to statutory provisions. It also advised the Independent National Electoral Commission to maintain neutrality and avoid actions that could be interpreted as political interference. "The Commission must not, under any circumstances, be perceived as a participant in political engineering or as an institution whose regulatory authority is deployed in a manner that weakens political pluralism," the statement said. The association reaffirmed its commitment to using lawful and professional mechanisms to prevent the abuse of judicial processes in political disputes, insisting that both the judiciary and electoral bodies must operate strictly within constitutional limits. This is why the recent actions of the Independent Electoral Commission under the leadership of Professor Joash Amupitan are raising serious concern about its neutrality in the electoral process. This has informed our cover story for this month with the caption; **ELECTION 2027, CAN INEC CHAIRMAN AMUPITAN BE TRUSTED TO DELIVER?** Nigerians and indeed the world is watching. What everyone is rooting for is a free and transparent conduct of the 2027 election devoid of actions that will be interpreted as interference or partisanship by the electoral body. The votes of Nigerians must count to produce the right leadership the people. That is the true definition of Democracy and this is what Nigerians are yearning for come 2027. Your regulars and other interesting stories are packaged as usual for your reading pleasure. God bless the Federal Republic of Nigeria. God bless you.

08035986627

DEVELOPMENT Monitor

ISSN 0794-1625

An international Development Magazine published monthly by Media Ideals for Development

EDITORIAL BOARD

Chairman
Prof. Udogie Ivowi
Publisher/ Editor-in-Chief
Peter O. Emuekpere
Managing Editor
Oshionma Imoudu

Director Editorial Board

Aliyu Musa
Special Project
Ugochukwu Ezeh
Staff Writers

Balla Musa, Desmond Orjiakor

BUSINESS DEV./ STRATEGY

Lucky Omogo (South-South circulation Manager)
David Emuekpere
Hauwa Ibrahim

INT'L BUREAU

Cyril Onoja (USA)
David Chapman (South Africa)
George Mulumba (Gambia)
Banje Kofi (Ghana)

CONTRIBUTORS

Ibrahim Musa
Sule Abubarka

ADMIN/ FINANCE

Comfort Ilekha Okhonigie

LEGAL ADVISERS

Aliyu Momoh & Co. (Osigwe Chambers)
Suite 4, Fatimah Plaza, Opp Holy Rosary Catholic Church Mambolo Street, Zone 2 Wuse, Abuja. P.O. Box 7327, Wuse. 72, Crosslands, Stantonburg Milton Keynes MK 14 6AX, United Kingdom
+234 8038460660, +234 7043377777, +234 8187340043, +44 1908321087
aliyumomohchambers@live.co.uk

Business Development

Diana Akpan
Theophilus Akor

PRODUCTION

DESIGN/GRAPHICS CONSULTANT
John Brown Ivu
08066033448

PHOTOGRAPHY

Oyedele Omokhagbor
Rapheal Duru
Joseph Okpalo

Development Monitor is Published monthly by Media Ideals for Development (MIDEV)

Corporate Office:

Suite 45 (GOD'S OWN PLAZA EXTENSION)
Plot 1037 Takum Close Area 11, Garki, Abuja.
Tel: 08035986627, 08097104335, 08025707132

Lagos Liaison Office:

Deries Technologies Suite
16, Akinremi Street, Anifowoshe Ikeja, Lagos

Tel: 08035986627, 08097104335

Email: devmonitormag@gmail.com
devmonitornig@yahoo.com



<https://www.developmentmonitorinternational.com>