

The Certificate Elephant in Abuja

By Lasisi Lagunju

The Charleston Gazette was an American newspaper that was born in 1907 but stopped bearing that name in 2015. One of the newspaper's 1952 editions contained a piece with a clause that may have been written for Tinubu's Nigeria: "Chicago, that's an old Indian word meaning 'get that elephant out of your room'." Someone said coincidence is God's way of remaining anonymous. I would say that this 'Chicago' sentence perfectly fits into Nigeria's current basket of trouble. There is no way you'll be a user of the English language and you won't have come across 'an elephant in the room.' The first time you heard or read it, you probably wondered how the elephant got into the room in the first place. My English teachers and my dictionary told me that 'an elephant in the room' points at a major problem or a solution or a matter, knotty and controversial; manifest and obvious to everyone but is deliberately ignored or avoided for discussion by everyone because it is a taboo or a potential source of trouble or sorrow or embarrassment.

The biggest questions among President Bola Tinubu's family and friends should be: Why again? And who was the enemy within who procured the contentious "replacement certificate" for him? Those questions are very big, like an elephant, the biggest land animal the world has yet seen. Yet, it is possible for it to be present and remain unseen, particularly if the world fears the consequences of seeing it. It is 'see no evil, hear no evil' around the president. That is the definition of loyalty in imperial palaces.

No one around Abuja is asking the right questions; no one in Abuja is offering the right answers because nobody wants to be quoted as saying the wrong things and losing influence in the royal court. No one is telling the president the truth that this Chicago certificate problem is a real problem. They are clapping for the naked king and abusing the critical bard. Why would a supposedly wise man fall twice at the same spot? The first time was when he contested and won the governorship of Lagos State, and now this – right in the centre of the world market

Tinubu spoke with so much confidence at Chatham House on December 5, 2022. He mocked his critics as he announced that he had collected a replacement copy of his degree certificate from the Chicago State University. An applause followed that announcement. But that university last Monday said on oath that Tinubu did not collect his degree

certificate from the institution. So, where and how did our president get what he announced in London? After his technical escape from Gani Fawehinmi in 1999/2000, he was not expected to play games with certificates again. He said he had got the replacement certificate from the issuing authority, the school.

But there is nothing on record showing that he travelled to the United States to personally collect the certificate from the university. The big man probably sent someone, and who could that be? And if the person faked the stuff without his knowledge, why did he do that to our president? Now, the whole world knows that what the president holds is not from the university; it is a counterfeit made by characters who would easily con Ali in 'Ali and the Angel.' Everyone around the president is saying the same thing: how a certificate is procured does not matter. They endorse what they themselves won't accept from anyone. No one among the president's men is seeing the big elephant in the Villa.

People who deceive kings don't speak to problems; they avoid them. Why fake a certificate you supposedly earned? That is a question we are asking on this side which Tinubu's men dare not ask. A friend who said she was sure Tinubu schooled at the Chicago State University asked the question, sighed and said it was "deeply puzzling." I can't understand it either. You claimed that you were in that school and the university swore that you were their student. The university claimed that you applied to the school for a certificate. You did not go pick that copy up but when it was time to submit one to INEC, you went to a fake certificate website and printed one! Who did that to you? Even then you had other options; our law does not make having a university degree mandatory for eligibility for elective positions, including the presidential post. All you needed was "educated up to school certificate or its equivalent." We may not have ever seen your O' Level results/certificate but we saw a copy of an A' Level certificate among the many documents released by Chicago State University to Atiku Abubakar last week Monday. The certificate with number 28705 for November/December 1970 bears your name: Bola A. Tinubu with Physics, Chemistry and Biology recorded for you and it says you passed the three subjects. Why did you not simply submit that Cambridge A' Level certificate to INEC and avoid this Chicago certificate wahala completely? It is puzzling. I am sure the people around the president are humming these questions, but they are afraid to ask him. It is political and financial suicide to tell the king that his nose is mucky.

No one is telling the president that the present issue is not whether he schooled in Chicago State University and graduated. No one has told him that the issue is that he submitted to INEC a certificate that was not produced by the authority that had the legal authority to produce it. The raging issue is not about what qualified him for the election; it is about what disqualified him.

I read some persons of knowledge arguing that anyone could print a certificate if he earned the qualification. The ones I argued with, I told them that would be a criminal offence under our laws. One of them told me I was wrong. He likened my argument to someone being accused of stealing their own property. And I found that funny too and told him so. I told him he could be found guilty of theft of a property even if he was the owner. I told him to ask lawyers and ask the Supreme Court.

Our constitution and the Electoral Act say anyone who has ever submitted a forged certificate to the electoral commission is disqualified from all elective positions in Nigeria. And, our Supreme Court has said 'certificate' goes beyond educational certificates. A document is deemed forged when the maker is not the authority statutorily empowered to make it, or it contains falsely made or procured content. The Black's Law Dictionary defines 'forge' as "to fabricate, construct, or prepare one thing in imitation of another thing...to counterfeit or make falsely." And counterfeit means "to forge; to copy or imitate, without authority or right, and with a view to deceive or defraud, by passing the copy or thing forged for that which is original or genuine."

'Forgery', according to the dictionary, is "falsely making or materially altering, with intent to defraud, any writing which, if genuine, might apparently be of legal efficacy or the foundation of a legal liability." Our criminal laws adequately capture these definitions in their provisions against the crime of forgery.

In Chicago's United States, what the courts have said there are no different from what our law says here. In the case of Moskal vs United States (1990), the Supreme Court held that a "falsely made" document includes a document which is genuinely what it purports to be, but which contains information that the maker knows to be false, or even information that the maker does not know to be false but that someone who causes him to insert it knows to be false. The certificate which our president submitted to INEC contains signatures of persons who were not where the document says they were when it was made. The document is dated 1979 but Tinubu did not claim losing the original certificate in 1979 so the replacement could not have been made in 1979. The people who signed it held no position in that university in 1979 but the document says they did. The legal authority that should issue it says it never did.

'The Emperor's New Clothes' is an old story we've read in

adaptation. In some places, the story says: 'The King is Naked.' While something tells me Tinubu may not have personally ordered that a certificate be downloaded and printed for him from the Internet, I am, however, shocked that neither he nor any of his famed smart boys saw the obvious errors on the face of the document before it became a snake in the bed of power. The man may have mismanaged himself in the past but with that document, his present managers have done him "irreparable damage." If he had real friends around him and they saw what he held, he wouldn't be caught wearing magnificent uncladness as his royal robe.

I know you've heard or read 'The Emperor's New Clothes'; it is the cultural equivalent of Tinubu's new certificate and the consequences of its creation. The story is of an emperor who conned himself into uncladness and danced nude through the length and breadth of his empire. I give the credit of the lore to Danish folklorist, Hans Christian Andersen, who wrote the original story, and of the borrowed paragraphs to Jean Hersholt who rendered its translation in English so that you and I could benefit from its lessons. It is the story of an emperor who loved great clothes and would give anything to have the latest in town. The emperor in the story loved dresses and coveted being celebrated as the greatest strategist in town. One day, the smart emperor received two swindlers as guests. They told him they were weavers of the finest fabrics anyone could get.

More importantly, they told the emperor, in the presence of his people, that the cloth they would make for him would be invisible to any one among the people, especially his ministers, who was a fool and too stupid to hold a public office. The emperor loved that. "Those would be just the clothes for me. If I wore them, I would be able to discover which men in my empire are unfit for their posts. And I could tell the wise men from the fools." The emperor paid the two swindlers a large sum of money to start work at once. The 'weavers' set up two looms and pretended to weave, though there was nothing on the looms. The whole town knew about the cloth's peculiar power, and all were impatient to find out how stupid their neighbors were. The people trooped there, saw nothing but praised what they saw. Then the Emperor himself came out and went to his miracle workers. The dress was ready, the emperor saw nothing but because he mustn't be said to be stupid, he said what he saw was magnificent. The comen dressed him up in fakery. "His Majesty looks great," he got praised by everyone around for the beauty of the nothing he was putting on. That was how the emperor was clothed in uncladness and led in a procession round, the town.

Then the voice of a little boy rang out in the market square: "But he hasn't got anything on." One person whispered to another what the child had said, "He hasn't got anything on. A child says he hasn't got anything on. But he hasn't got anything on!" the whole town cried out at last. The Emperor shivered, for he suspected they were right. But he still decreed that "this procession has got to go on." And the emperor walked more proudly than ever around the town, in utter nudity. The king is naked. If you are truly his friend, tell him.