2027: Let Voters, Not Judges, Decide Elections – Onaiyekan, Osigwe Warn



The growing tendency for Nigerian elections to be decided in courtrooms instead of polling units came under heavy criticism at the 22nd All Nigeria Editors Conference in Enugu. Catholic Archbishop Emeritus of Abuja, Cardinal John Onaiyekan, former NBA President, Mazi Afam Osigwe, SAN, and political economist, Prof. Pat Utomi, warned that democracy is at risk when the judiciary becomes the final decider of who governs. The conference, convened by the Nigerian Guild of Editors, NGE, had as theme: "The Ballot, the Media, and the Task of Keeping Democracy Alive," and sub-theme: "When Lies Look Real: Detecting and Debunking AI Misinformation Before, During, and After Elections." In attendance were NGE President Eze Anaba, Information Minister Mohammed Idris represented by NAN MD Ali M. Ali, Obi of Onitsha Igwe Alfred Achebe, Enugu Governor Peter Mbah, Jigawa Governor Umar Namadi, Enugu Deputy Governor Ifeanyi Osisi, Vanguard publisher Sam Amuka, former Ogun Governor Olusegun Osoba, Prof. Auwal Yadudu, SAN, Chief Onyema Ugochukwu, Prof. Stella Okunna, and INEC Chairman Joash Amupitan represented by Enugu REC Chukwuemeka Chukwu.

In his keynote, Onaiyekan said the judiciary was meant to settle disputes, not to pick winners. "The judiciary is supposed to be the last stage in the electoral process. It should be stressed that the judiciary is not to determine elections about who wins but rather to adjudicate disputes when they arise," he said. "If elections were well conducted, there ought not to be any need for judicial cases. The tribunals were supposed to be there just in case." He said Nigeria had now reversed that logic. "Our experience in the recent past has almost become that we have been witnessing a situation where our elections are being determined not at the polls, but in the courts by the tribunals," he lamented. "This gives a field day for high-class lawyers with high-level fees, doing their best to manipulate issues on technicalities." Onaiyekan said allegations of unjust judgments had dented the image of the judiciary and called for urgent reforms, including a dedicated election tribunal with strict timelines and conclusion of all petitions before swearing-in. "More seriously, we must do all that is necessary to dispose of all tribunal cases before swearing in any candidate," he said. "A situation where a candidate has been declared a president still going to a tribunal to defend his position using state means and state resources to defend himself against his opponents is not serious as far as natural justice is concerned." He also demanded a more independent INEC, a review of how its leadership is appointed, a 50 percent threshold for presidential victory, and a legal standing for voters whose votes are in dispute. Osigwe said Nigeria now ranks among countries with the highest number of election petitions because courts are constantly called to decide winners. "I see that Nigeria is one of the countries with the highest number of election petitions, and all because the courts are very frequently involved in determining either the outcome or who won," he said.

He described the trend as "judicialization of the electoral process," where political battles shift from polling units to courtrooms. He faulted the evidential hurdles around BVAS and IReV, insisting technology introduced for transparency should not frustrate petitioners. He said IReV should be given meaningful evidential value and opposed moves to stop INEC's non-compliance with its own guidelines from being a ground to challenge elections. He also questioned the popular political taunt "Go to court," saying it signals a pre-knowledge of the limitations petitioners face in getting justice. He warned that public perception of corruption in the judiciary, even if unproven, erodes confidence in democracy's last line of defence.

NGE President Eze Anaba captured the mood: "The credibility of the ballot must be protected so that the courts do not have to replace the citizenry in determining who should represent the people." Information Minister Idris warned that AI has made it easy to fabricate reality. "A false statement can be produced in the voice of a public official. A fabricated video can be circulated within minutes. An old photograph can be presented as a current event," he said, urging verification as newsroom culture. Obi of Onitsha, Igwe Achebe, warned: "A voice that sounds exactly like a governor can now say what he never said. A video can place a candidate where he never was," and proposed a joint Election Rapid Response Desk to debunk viral falsehoods. "When the mirror is cracked, or worse, deliberately distorted, the citizen no longer votes from truth, but votes from illusion," Achebe said. Utomi warned that elections that do not legitimize government waste resources and weaken institutions. "If the people are convinced that there is no point, what is an election? Imagine the amount of money we waste to have elections that are totally meaningless because they do not legitimize anybody," he said, warning of "ultimate collapse" if abnormal practices are normalized. Governor Mbah charged journalists to revive investigative journalism and hold power to account, saying both government and press must serve the Nigerian people.

