

HAS THE JUDICIARY LOST ITS VOICE?

By Umar Sani

In 162 days, the highest court in Nigeria failed to determine the case brought by eleven PDP governors against the Federal Government. The matter was straightforward yet historic: a challenge to the removal of Governor Fubara and the appointment of a sole administrator in Rivers State. The file has remained on a dusty shelf, untouched. This silence is not accidental. It is deliberate. And it is tragic. The Supreme Court has abandoned its role as the guardian of justice. Once, it stood tall as a symbol of fairness, where ordinary Nigerians could expect the law to prevail over power. Today, it has become a tool of regime protection. Where the matter pits the executive against public interest, the court grows mute. Neutrality is gone, and with it, the credibility of our judiciary.

This crisis is not new. Former Vice President Yemi Osinbajo recently mocked the judiciary in public, caricaturing its weakness when confronted with serious matters of state. His remark was less a joke than a sad reflection of reality. Even the international community now regards our judiciary with suspicion. No businessman will invest in a country where judgments are dictated by those in power. No investor will put money into a system where justice is compromised at the highest level.

The present Chief Justice of Nigeria, Justice Kudirat Kekere Ekun, rose from the Lagos bench to the Supreme Court. Her record has been marked by quiet acquiescence to the will of the executive. Under her leadership, the court has committed infractions that erode public faith. In one case, five justices departed from a precedent established by five other justices, without the mandatory full panel of seven and without offering sound reasons for such a departure. In another, the court overreached by deciding on the botched Rivers State local government elections, even though such matters are meant to terminate at the Court of Appeal.

Perhaps most damaging is the Supreme Court's refusal to rule on the propriety of the emergency rule imposed in Rivers State. By avoiding the case, the court signaled its unwillingness to confront the executive on questions of constitutional importance. Nyesom Wike's insistence that the PDP Governors withdraw their suit as a condition for

peace suggests he feared the likely outcome if the matter had been decided. When that failed, the strategy shifted to delay, leaving the case suspended until Nigerians either lose interest or forget entirely.

This pattern is not just negligence; it is complicity. It is a betrayal of the traditions built by the giants of the bench Justices Kayode Eso, Chukwudifu Oputa, Mohammed Uwais, Karibi-Whyte, Lebo Kutigi, Aloma Mariam Muktar, Alfa Belgore, Anthony Aniagolu, and George Oguntade. These were activist judges who showed fearless courage. They understood that when matters of national importance arose, justice must not only be done but must be seen to be done. Their landmark judgments remain reference points for students, lawyers, and judges alike.

Sadly, the era of landmark judgments is gone. Courage is



in short supply at the Supreme Court. Nigerians no longer trust this bench, for it has shown its bias openly and shamelessly. Today, an ordinary citizen without any legal training can predict with near certainty the outcome of a politically sensitive case. That is the clearest sign of a captured state, where institutions that should protect the people now serve the ruling elite.

But silence is not an option. Citizens, the Bar, civil society, and the press must demand a judiciary that is truly independent and accountable. Judges must rediscover the courage to defend the Constitution, even against the powerful. If the courts remain compromised, Nigeria's democracy will continue to decay. The only way to save the judiciary is to speak up, insist on reforms, and hold those entrusted with justice to the highest standards. For if the courts fail, the nation itself will fail.