

**The
Journal**
...reason, truth and equity

AN ANTITHESIS OF JUSTICE

ON SAIL OR FOR SALE: HOW NIGERIAN
LAWYERS STALL JUSTICE

SUPO SHASORE:
CONTESTED INTEGRITY

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THE NIGERIAN JUDICIARY **BENCHMARKS OF INJUSTICE**



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STORIES AROUND THE GLOBE

NIGERIA

ONDO: OVER 5000 CARD READERS DESTROYED AS FIRE RAZED DOWN INEC OFFICE

The Resident Electoral Commission (REC) of INEC, Amb. Rufus Akeju unveiled to newsmen the fire outbreak that razed the State's Electoral Commission Office in Akure around 7:30 pm on Thursday.

The commissioner confirmed that about 5,141 Smart Card Readers were destroyed in the fire that was later put under control by the Ondo State fire service officials.

He also assured that, the fire incident will not disrupt the coming election in the state, as necessary arrangements are being put in place to replace the burnt electoral materials.

NIGERIAN DOCTORS SHELVES PENDING STRIKE OVER PAY

The nationwide strike by the National Association of Resident Doctors (NARD) which began on over unsettled payment of wages, inadequate facilities, insurance coverage and lack of protective kits, beds and drugs in hospitals, has been put on hold to give government enough time to meet its demands in this pandemic period.

Osagie Ehanire, Minister of Health, had appealed to the

doctors to return to work, describing their action as 'ill-timed and ill-advised', at a time when Nigeria is battling the pandemic.

Aliyu Sokomba, NARD President, in his statement said, 'The NEC (National Executive Council) of the association has resolved that the strike be suspended because nobody has received a dime anyway, but because we have received commitment from the government.'

NIGERIA CUSTOM SERVICE ARRESTS DUBAI-BOUND PASSENGER CAUGHT WITH OVER 2000 ATM CARDS

Abdulumuni Bako, Deputy Comptroller Enforcement announced the arrest of Ishaq Abubakar, a suspected criminal who had been caught with 2886 Automated Teller Machine (ATM) cards and four Subscriber Identification Module (SIM) Cards carefully concealed in noodle packs.

He was apprehended by Officers of the Nigerian Custom Service (NCS) at the Murtala Muhammed International Airport (MMIA) in Lagos, while trying to board a plane to Dubai.

Abdulrasheed Bawa, the EFFC Lagos Zonal Head who received the suspect on behalf of the commission, assured the NCS on carrying out a

thorough investigation and to bring to book everyone involved in the criminal offence.

BAUCHI FLOOD KILLS 16, LEAVES THOUSANDS HOMELESS

Alhaji Shehu Ningi, the Permanent Secretary of the Bauchi State Emergency Management Agency (SEMA), told the News Agency of Nigeria (NAN) that flood disaster hit 11 out of the 20 local government areas in Bauchi. The flood was reported to have killed 16 people and destroyed about 3,042 houses and farmlands in the state.

Ningi said that the state government had directed the agency to provide relief materials such as food items, medicine, beddings, canoes and temporary shelter to victims affected.

He further said that 'The Agency has embarked on a high level of sensitisation to religious bodies and communities through jingles and other means of communication to urge the people to avoid indiscriminate dumping of refuse and erecting structures on the waterways.'

TWO SUSPECTS ARRESTED OVER GERMANY PPE FRAUD- NIGERIAN POLICE

Authorities have announced the arrest of two male suspects in Nigeria's Capital City, Abuja aged 41 and 50, who falsely presented themselves as members of a Dutch Company to defraud Freiherr Fredrick Von Hahn, a representative of the German State of North Rhine- Westphalia.

The suspects who were members of a 'Sophisticated Transactional Criminal Network' were said to have cloned the corporate website of the company, ILBN Holdings BV before carrying out the fraudulent transaction of about €1.5 million for the supply of PPE.

An investigation by Dutch Police in collaboration with the Cybercrime Unit of the Nigeria Police Force and Interpol in Nigeria's capital city led to their arrest. Other 'cohorts' of the suspects were also detained in the Netherlands

However, the Independent Police Investigative Directorate (IPID) investigation into the incident resulted in charges, as two police officers involved in the shooting had been arrested and charged with murder and other charges related to the shooting.

POLICE ARREST TWO SUSPECTED KILLERS OF PHYSIOTHERAPIST

The Kano State Police Command announced the arrest of two suspects in connection with the death of Atiku Tijjani Shuiabu Rabo Ringim, a Physiotherapy staff with Aminu Kano Teaching Hospital.

It was reported that the hoodlums allegedly attacked and killed the victim on Thursday night while attempting to forcefully snatch his phone from him on his visit to his friend around red bricks, along Gwarzo Road, Gwale Local Government Area of the state.

OGUN STATE: MALE TEACHER ARRESTED FOR SEXUALLY ASSAULTING STUDENT

Matthew Adebayo, a 26-year-old teacher of a private school, has been arrested for defiling a 15-year-old Senior Secondary School (SSS) 3 student in Sango, Ogun State.

The victim who was sitting her final examination, reported that the suspect intimidated her by telling her that she will not pass the WAEC exam if she didn't allow him have sex with her. And upon that threat, he had been having sex with her repeatedly since the resumption of school.

However, the suspect got arrested after the

victim reported the case to the proprietress, and subsequent to his arrest, the Commissioner of Police, CP Edward A. Ajogun ordered the transfer of the suspect to the Anti-Human Trafficking and Child Labour Unit of the State Criminal Investigation and Intelligence Department for further Investigation and prosecution.

RIVERS STATE MOST WANTED ROBBER ARRESTED

Nigerian Police Force Officers of Rivers State Police Command have announced the arrest of the State's most wanted armed robber and kidnapper; Honest Digbara, popularly known as Bobisky.

Bobisky, a terror to many residents in the Ogoni area of the State, has been linked to most of the criminal activities recorded in the area.

He was arrested on Saturday at a burial ceremony in Korokoro in Tai Local Government Area in a sting operation led by Superintendent Bako Angbashim, the Divisional Police Officer of Bori.

However, Governor Nyesom Wike had earlier placed the sum of N30 million reward for any member of the public who can provide useful information that help lead to the arrest of the criminal.

FLORENCE OBI EMERGES AS FIRST FEMALE VC OF UNICAL

Professor Florence Banbu Obi of the Faculty of Education in the University of Calabar (UNICAL) emerged as the first female Vice-Chancellor of the University.

It was reported that, out of 13 aspirants, Obi had clinched the position on Thursday, September 10 after hours of meeting by the governing council of the Institution.

Prior to her recent appointment, she was the Deputy Vice-Chancellor (DVC) Academics. She was also a member of the University Governing Council before being appointed as the first female and 11th Vice-Chancellor of the University after 45 years since the Institution was established.

AFRICA

SOUTH AFRICA: DOWN SYNDROME TEEN SHOT DEAD BY POLICE

Nathaniel Julius, a 16-year-old Black teenage boy with Down Syndrome, was shot and killed by the police in Johannesburg's Eldorado Park in South Africa, after he was unable to answer the officers' questions due to his disability, which has affected his speech.

The case of Nathaniel's death has reignited a debate about police brutality in South Africa with protesters demanding accountability for the teenage boy's killing.

Down Syndrome International said 'this tragic killing at the hands of those whose job is to protect the community is a stark reminder that worldwide people with Down Syndrome and disabilities continue to have their fundamental rights violated.'

STRANGE AFFAIR AS WOMAN DIES IN CATHOLIC PRIEST'S HOUSE

A married woman in Zambia is reported to have died inside a Catholic priest's house after she lied to her husband she was attending a funeral.

The deceased who is said to be the priest's lover is a member of the Catholic Women's League from St. Maurice Catholic Church in Lusaka.

It was said that Father Abel Mwelwa had invited the woman who also happens to be his lover to the parish house before the incident happened. Lusaka Times, however, reported that Archbishop Alick Banda has suspended the clergyman shortly after the incident.

An unconfirmed source said that the priest reportedly injected some substance into the deceased in an attempt to abort her pregnancy.

But further investigation is presently ongoing to unravel the real cause of her death.

SOMALIA: LIVES CLAIMED IN SUICIDE BOMBING OUTSIDE MOSQUE

About six people have been killed and 20 injured in a suicide bombing outside a mosque in the Somalian port city of Kismayo, Somalia.

Abdulnasir Gulleh in his statement to the media said, 'A suicide bomber wearing a heavy vest of explosives targeted the Muslims congregation at the Qaadiim Mosque in the centre of the town, as people were exiting the mosque after performing Friday prayers.'

The armed group, which has ties to Al-Qaeda regularly launches attacks on government officials, press officials, businessmen as well as civilians, in the nation.

THE REST OF THE WORLD

76-YEAR-OLD SOLDIER SENTENCED TO 133 YEARS IN PRISON FOR MURDERING FIVE PRIESTS

Innocent Orlando Montano Morales, a 76-year-old former Salvadoran Colonel, who served as El Salvador's Deputy Minister for Public Security between 1989 to 1992, had been sentenced to 133 years in prison for murdering five Spanish Jesuit Priests, who

were acting as a mediator trying to end the Civil War between the government and FMLN guerrilla.

The killings took place outside the priests' residence on the campus of the Central American University (UCA) as El Salvador was gripped by a deadly battle between government forces and the FMLN which lasted for more than 10 years.

According to the statement released by court, among the victims was Father Ignacio Ellacuria, a Spanish Priest, UCA's rector and one of the country's most important political analysts.

WOMAN DELIBERATELY CUTS OFF HER HAND TO CASH IN ON INSURANCE CLAIM

Julija Adlesic, 22-year-old Slovenian woman, was found guilty and sentenced to two years in prison for attempted insurance fraud. According to Police, Julija's family claimed she lost her hand while sawing branches at their home in the capital of Ljubljana.

Adlesic denied that she's intentionally cut her hand with a circular saw, saying that her 'youth has been destroyed' by the incident and that 'no one wants to be crippled... only I know how it happened.' She stood to gain more than \$1.16million

in payout had had claim not being foiled by the police.

Adlesic's boyfriend was found to have searched online for artificial hands in the days before she deliberately sawed off her hands.

Authorities however, recovered the body part which was later sewn back on.

10 DEAD, 16 MISSING IN NORTHERN CALIFORNIA WILDFIRE

The wildfire in Butte County which broke out in the Sierra National Forest in the centre of the State is said to have claimed 10 lives, and destroyed about 2000 homes and other buildings. It has been rated as the State's deadliest wildfire this year.

The week-old fire fed by drought-sapped vegetation amid warming temperature attributed to climate change, have spread at an alarming rate, giving people less time to run to safety.

Sheriff Captain Derek Bell in his statement said more bodies could be found as his crew manage to make their way into devastated areas. However, air quality throughout the region remains unhealthy, with conditions in the Sacramento region rated very unhealthy for sensitive group.

CHINA OKAYS TRIALS FOR COVID-19 FIRST NASAL SPRAY VACCINE

China has approved for human trial, the first nasal spray vaccine against the coronavirus that has claimed over 904,000 lives globally. The nasal spray vaccine is expected to start phase 1 clinical trials in November.

According to Global Times, it is the only vaccine of its type that has gained approval by the China's National Medical Products Administration.

A Beijing based Immunologist revealed that compared with injections, a nasal spray vaccine is easier to administer and would also be easy to mass-produce, and distribute as it adopts the mature influenza vaccine production technology.

AN ANTITHESIS OF JUSTICE

‘We do not see things as they are. We see them as we are,’ said Anais Nin, a famous American diarist. The manner in which the citizens of any nation adjudge their position with the law and its capability to produce well-deserved justice for everyone is as important as life and death.

It is no wonder then that the symbolic representation of Justice – the lady in blindfold – captures the essence of impartiality of reason and judgement in any collective existence. Indeed, the core elements of any good body of law is adjudged to include fairness and equity. The ‘naturally’ good law cannot be perceived as harmful or pernicious by society. It is for this reason that many comparative assessments of law and jurisprudential practices across the world fortify the assumption that justice is not only dispensed, but should be seen to be dispensed in record time.

This normative social reality is made possible because legal luminaries make it a point of duty to uphold and hold governments and leaders accountable to the principle of Social Contract, which is fundamental to peace and social development in any nation. Amartya Sen highlights the Demands of Justice to include reason and objectivity, social choice, and a relationship between institutions and persons which precludes partiality in any of its forms or ramifications. John Rawls himself had identified these factors in his own treatises on justice. Truly objective approaches to the law and to justice naturally and ‘technically’ ensures a foreclosure of partiality in the interest of engendering a just society.

When lawyers, and indeed Nigerian legal practitioners, speak of ‘miscarriage of justice’, they do so often in reference to an understanding that what emerges as an outcome in a court judgement, does not align with the logical and ideal expectations of the average unbiased watcher, participant or non-participant. According to Oxford’s Lexico, the idea of ‘miscarriage of justice’ also signposts a ‘failure of a court or judicial system to attain the ends of justice, especially one which results in the conviction of an innocent person.’ Essentially, it is usually an outcome in a court proceeding perceived as unacceptable in light of essential elements or ‘ingredients’ of a case. The Nigerian legal space is replete with



illustrations that are at once distasteful and disappointing in this respect.

The Human Rights Watch, for instance, observed that Nigeria’s prosecution of suspected Boko Haram members has been so far marred by serious judicial shortcomings. According to the group, government has failed to give priority to the prosecution of key actors, such as people that were most responsible for fuelling Boko Haram’s killings and other atrocious acts. While some of the suspects had been apprehended and detained since 2009, trial only commenced in 2017. While many of the 1,669 suspects prosecuted until now were charged with providing material and non-violent support to the group, it is astonishing that the victims of brutal attacks in various communities in Borno are completely excluded from observing and testifying in the court proceedings.

The May 2020 Supreme Court judgement which nullified the conviction of Orji Uzor Kalu, former Governor of Abia State, is illustrative of how the Nigerian judiciary uses technical



elements to undermine the idea of justice. Early in December 2019, the Federal High Court in Lagos had convicted the former governor and an accomplice over the looting of N7.65billion. At a time when many Nigerians believed the two were already serving their time, which was to be between 10 and 12 years in prison, the rude shock came as the Supreme Court nullified the ruling of the High Court. The reason adduced was that the authorisation given to the sitting High Court judge, Justice Mohammed Idris, who proceeded to conclude the case, had counted only as a nullity, given that the judge was already elevated to the Court of Appeal before the ruling took place. It becomes more interesting that this court verdict took at least seven years in coming.

With these and other similar scenarios that colour the Nigerian legal landscape, the Nigerian judiciary pitches itself in a direction that is antithetical to an idea of justice, the eradication of corruption, and the establishment of a fair and just society. There is a culture of partiality which

favours the political class across the country, while ordinary citizens face the full wrath of the law in similar situations, and other cases that bear little weight. The Nigerian society is being propelled on changing principles of justice that offer advantages and disadvantages to different sets of persons and groups in similar legal situations.

While judicial outcomes of cases in the nation's courts have become more relative and without consistency in their recourse to principles and rules, a very troubling situation today is that of justice delayed. People go to court to seek redress for one perceived injustice or the other, and remain in court until they die, or until the redress they seek, if it ever comes, has lost its value. This is the greatest injustice being perpetrated and perpetuated by the nation's judicial system, and the judges and lawyers help one another to make it so. Wittingly and unwittingly, they collude with criminally-minded people who use "delay tactics" to deny justice to citizens in various civil and criminal matters. The average

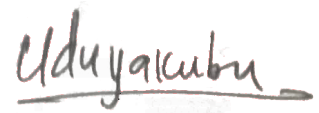
lifespan of court cases in Nigeria today is 12-15 years. This is a travesty of justice, and the judges, court registrars and lawyers cannot exonerate themselves, not under any circumstance. The beneficiaries of this mockery are the judges, the registrars, the lawyers, and the guilty parties, criminals included.

The judges and registrars continue to earn their living from tax-payers monies for services not rendered or poorly delivered. The lawyers often create and exploit the situation and continue to live off their clients as long as a matter is in court. For many guilty parties and criminals, a core objective and strategy is for a matter to be stalled in court, and to all intents and purposes, that judges and lawyers are on their side. Invariably, the Nigerian judicial system as presently constituted is designed to rewards criminals and punish law-abiding citizens.

Until a few years ago, persons with stolen electoral mandates were sworn in as state governors and were in office for two to three years before the courts eventually threw them out. All they needed to do was ensure, with the collaboration or connivance of the judges and lawyers, that the matter remained in court till almost the end of their tenure. And they always had their way. That situation has changed a bit in the political sphere, but it has not in any other. The nation and her citizens are still under the chokehold of judges, lawyers, and people that would rather have justice not served, or delayed long enough to enable them to continue to enjoy the benefits of their criminality.

There is so much that is wrong with the Nigerian Judiciary and the dispensation of justice. Why should citizens go to court to seek justice, and they spend more at the end of the day than the value of the redress they seek or get? Thousands of Nigerians have died while in court and the justice they wanted never came after many years of expending a lot more resources in the process. Double wahala for dead body, ala Fela Anikulapo Kuti. Many of them could have died of despair with the justice system. Why are criminals in Nigeria comfortable with the justice system? Many of them believe it can be manipulated, and they do manipulate it.

The Nigerian judicial system is in dire need of reformation, and it behoves the Federal Government and all concerned parties to quickly and critically look in this direction if Nigeria must become a nation of truth, fairness and equity. The judiciary today is not a bastion of hope for the common man; many have died with hope buried in their chests, and many continue to live in despair because of justice delayed and denied. Nigeria is in need a responsive judiciary that is a true bastion of hope for citizens on the right side of the law.


Udu Yakubu

WHERE IS THE INCORRUPTIBLE JUDGE?

Jude Nwabuokeyi

About three decades ago and beyond, Nigerian children at the primary and junior secondary level were familiar with the dramatic piece *The Incorruptible Judge* by D Olu Olagoke. This play was an apt portrayal of the law as the 'last hope of the common man' and the final arbiter in the temple of justice. In the play, a young job-seeker, Ajala is compelled to give a bribe in order to secure employment in the Government Development Department as a Clerk. Asides from the fact that he cannot afford to bribe his way into employment, he is not comfortable with the idea of bringing 'Kola' to get a job. He eventually goes to a police officer, Detective-Sergeant Okoro for help. The officer gives him some marked five-Pound notes to give to the Establishment Officer, Mr. Agbalowomeri who is eventually implicated and tried for his offence. The play reaches its climax when the judge of the case between Mr. Ajala and Mr. Agbalowomeri, Justice Faderin, rules in favour of Mr. Ajala, as opposed to Mr. Agbalowomeri who, apart from being guilty of demanding for a bribe

from a job-seeker, also attempted to bribe the judge. In the play, Justice Faderin represents the ideal judge who follows the dictates of the Latin maxim 'Fiat justitia ruat caelum', which means 'Let justice be done though the heavens fall.' Despite being the son-in-law to Mr Agbalowomeri's friend, he lets justice take its course.

Now the prevailing questions are, 'What happened to the incorruptible judges of the Nigerian Judiciary? What happened to the moral and humanitarian spirit that birthed the noble profession called Law? Have lawyers, or in this case, the Judiciary, being the last hope of the common man like Justice Faderin of the aforementioned play, or have they been the last rope that hangs them on the gallows of injustice and corruption? It is necessary at this point to employ the method of citing cases of corruption in the judiciary as lawyers are wont to do when they present their case in the court of law, examining the causes, before attempting to proffer some possible solutions.



Sometime in October 2018, Nigeria's judicial authority, the National Judicial Council (NJC), recommended the sacking of two senior judges for corruption and misconduct. Justices Rita Ofili-Ajumogobia of the Federal High Court and James Agbadu-Fishim of the National Industrial Court of Nigeria were suspended based on findings that Justice Ofili-Ajumogobia ran a private business to which she was sole signatory with several other individuals. Some of these individuals were government officials and business partners who had lodged money in her private accounts. For Justice Agbadu-Fishim, it was a case of receiving money from litigants and lawyers who had cases before him. It was also reported that he received money from some of these litigants under the pretense that he was bereaved or that there was a delay in the payment of his salary. Most of the corruption charges levied against these judges border on financial crimes. As a matter of fact, the word 'corruption' has assumed a reflected meaning of either bribery or other forms of inducements in kind, that is aimed at getting a desired objective. Even in the political scene, the mention of the word evokes images of naira notes that change location either from hand to hand or from account to account, often confirmed by the awaited beep of credit alerts in their mobile phones. Last year, Femi Falana, a Senior Advocate of Nigeria, lamented the corruption in the judiciary as well as calling for reforms to redeem their image. Again, as mentioned earlier in this piece, the corruption he refers to is tied to money. In his words, 'If you steal money in China, it is public execution. Nigeria is the only country where you hire drummers and people wear aso-ebi to court premises...' Falana goes on to give a diatribe on the different instances where the judiciary had put justice on its head in order to frustrate cases against corrupt public officials. He cited the cases of politicians who used their money and influence to either use the legal system to delay proceedings by filing for interlocutory appeals for stay of proceedings or bringing up technicalities that would delay the entire process. Popular cases like that involving Adolphus Wabara, James Ibori and Mohammed Abacha were deliberately delayed until all the major witnesses and actors in the drama of the court proceedings were either lost or, in the case of the judges, promoted.

It thus becomes a matter of national urgency to take the pertinent step of examining the spirit of the Nigerian legal system. There are obviously a lot of brilliant and outstanding lawyers who can hold their own anywhere

in the world. But it is evident that they have only displayed their knowledge of the letter of the law and not the spirit that birthed the law. The law as we know it today was informed by numerous moral codes of ethics which has its roots in religion. Nigeria's legal system emanated from the legal system of Britain. Britain's legal system and in fact all legal systems in operation in the world today have their roots in religion. Akhverdiev and Ponomarev stated in their 2018 paper titled 'Religion as Factor in Formation of Law' that 'religious values and tenets are reflected in both historical development of legal provisions and in modern society'. What this shows is that laws were formulated with the intention of bringing order to the society. Numerous lawyers in Nigeria are adept in the citation of cases and selected parts of the Nigerian constitution that support their arguments in court. Some others regularly keep themselves up to date with the latest rulings and proceedings of the apex court through legal journals and reviews. However, only a few have truly displayed the morality and humanitarianism that was, and remains a vital part of the spirit of the law they practice. If the Nigerian Judiciary wants to regain its dignity, it must begin to abide by the spirit that formed it. It must be truly blind to inducements from family, friends and litigants. It must use the sword and the scale to wage war against injustice. Like the statue of justice suggests, the law must be practiced without fear or favour. It will not be possible for them to do all these with 'open-eye' as this will make them focus on using their hallowed office for personal aggrandizement.

The blame does not fall entirely on the Nigerian Judiciary as politicians who have been empowered by a cowed and dominated public, who have, over time, emasculated the judiciary through their lack of regard or respect for the rule of law. This blatant disregard for the rule of law was occasioned by military rule with its decrees that gave no room for questions followed by economic recessions and 'adjustments' that made many Nigerians, including the stern-faced judges scramble for their share of the national cake. Even in seemingly ordinary routine matters like obtaining affidavits and other legal documents, one has to go through agents who are generally called 'touts'. These touts who collaborate with some of the officials in the magistrate courts and high courts remit some of their proceeds to the Commissioner of Oaths or any other person whose signature or seal is required to validate the document. This has been going on for so long that the Nigerian public has normalized it. A good example is the civil

service which is replete with civil servants who falsify their age with affidavits with the aim of reducing their age and prolonging their years of service.

One of the main problems of the Nigerian Judiciary lies in the delay of judicial processes. Criminal proceedings, for instance, could take up to 14 years. Nigeria is one country where Appeal Courts have become the legal machinery for delay tactics. This was evident in the bank saga of 2009 involving several bank executives where criminal proceedings commenced in 2009, only for the court of appeal to strike down the case in 2015 on the basis of lack of jurisdiction. While one must acknowledge the fact that a declaration of a lack of jurisdiction might have been essential in the judicial process, it did not have to take six years for the court to strike it down. This abuse of the appeal court was not possible when James Ibori tried to persuade his lawyers in the UK. According to Femi Falana, SAN, the lawyers told him that any attempt to delay the judicial process in England could cost them their license. Based on these two scenarios one can only wonder why the NJC has not adopted the same pattern to curb unnecessary delays. Again, in 2016 the Supreme Court overturned the court of appeal's decision and ordered a re-trial of the bank executives, ten years after the commencement of the initial trial with room for further appeals. At the moment there is nothing to indicate that this phenomenon will come to an end especially with an avalanche of unwarranted adjournments by defense lawyers.

Another issue that begs for consideration is the difference in the treatment of high-profile offenders versus ordinary Nigerians. This inequality is portrayed in the case of Cecilia Ibru, the only convicted bank executive who was sentenced to six months in prison in addition to forfeiting shares and assets worth USD1.2billion. When one compares this to the case of someone who stole N50,000, who will likely get a stiffer penalty. Rich offenders can afford skilled lawyers who are armed with the arsenals to delay or prevent successful prosecution. One can only hope that the introduction of the Administration of Criminal Justice Act of 2015 which aims to promote speedy dispensation of justice will improve the situation. The National Judicial Council should also ensure that they are not selective in enforcing discipline on errant judicial officers. They should also work closely with the media, especially when they go out of their way to investigate institutions of government that are prone to engaging in corrupt practices. Political

interference must also be considered when trying to rid the Nigerian judiciary of corruption. Legal scholars agree that the two most common types of judicial corruption are political interference and bribery. Hence, politicians in the executive and legislative arms of government should endeavour to steer clear of court proceedings, especially electoral tribunals. The 2019 general elections have come and gone, yet courts are still deciding who the winners of these elections are. In a country where courts, rather than the electorate determine the outcome of elections, it not only spells doom for democracy, it also affects the public perception of the judiciary. The judiciary is supposed to occasionally interfere in cases of electoral malpractice, but when it is always involved in political affairs, its credibility is questioned. Just recently, the Independent National Electoral Commission announced that it had withdrawn 64 certificates of return due to the emergence of winners declared by the courts. There is need to remind the Nigerian judiciary that Nigerian courts should act as last resorts in cases of electoral result disputes. The Nigerian courts have been unnecessarily put in the spotlight because of elections thereby making them assume the role of arbiters rather than umpires.

Democratic institutions like the Independent National Electoral Commission (INEC) should be strengthened. They should be given more powers to resolve electoral disputes so that the courts can attend to only extreme cases. When the judiciary's involvement in political matters reduces, their perception in the public sphere will be positively affected. This positive public perception is one of the factors that will usher in the rule of law. The importance of an independent judiciary cannot be overemphasized. Everyone, especially the poor, loses when justice is corrupted. The 2019 Corruption Perception Index (CPI) of Transparency International states that 'Governments must promote the separation of powers, strengthen judicial independence and preserve checks and balances.' The Nigerian judicial system has been pinned down with the two-pronged fork of politics and bribery and this is a reflection of Nigeria's level of development. One can only hope that the judiciary will strive towards becoming incorruptible by also ensuring that appointments of judges are based on merit rather than federal character. Although the idea behind federal character was aimed at practicing inclusive politics, its underhanded implementation has resulted in lopsided appointments that fan the embers of division and marginalization.

Going back to the story of the incorruptible judge, one notices that Justice Faderin, the judge, is pressured by his father-in-law to rule in favour of his friend Mr. Agbalowomeri. Friends and relatives of Nigerian Judges must stop defiling the temple of justice with their 'Just Us' mentality. They should not see their filial or fraternal connections to these people as an avenue to thwart the course of justice. For a religion-loving people like Nigeria, the doctrines and tenets of the various religions in the country should be adhered to. Religious leaders have more work to do in this regard, especially as custodians of knowledge and texts that have played a pivotal role in the creation of the law. Like judges, religious leaders should ensure that their involvement in politics is minimal as too much involvement may equally affect their image in a negative way. Again, parents should set good examples for their children to follow because corruption has become an integral part of the Nigerian society. A former governor of Lagos State, Mr Babatunde Fashola, who happens to be a lawyer, attributed part of his success as a governor to family values.

Nigerian institutions of higher learning with their faculties of Law must also strive to mould the character of the students in their care. The lecturers in these faculties must assume the role of parents to their law

students who look up to them to quench their thirst for legal erudition. While assessments of moot court sessions should not only be focused on academic intelligence or skill, points should also be given based on character and demeanour. The Nigerian judicial system is not lacking in skill; it is lacking in character and one of such is compassion. A website on legal matters called attorneyatwork.com identifies compassion as one of the attributes of exceptional lawyers. Compassion is an emotional response where one perceives another person's problem with the intention to bring a resolution. People come to lawyers with their problems and it takes a compassionate lawyer to empathize with them and bury his or her biases, in order to help them. Compassion is the foundation for good human relations which is a skill that successful lawyers possess.

Finally, good judgment is an aggregate of certain qualities like decisiveness. In every case, a judge must arrive at a decision that will inevitably favour one side and this depends on the integrity of the judge in question. A judge who has soiled his hands with bribes cannot make a good judgment thereby giving little chance for cases to be ruled in the spirit of equity, justice and good conscience.



JUSTICE JUSTIFIABLE

Prof. Mark Nwagwu

There are those things which, when said, raise questions about what was said. If a man married to his dear wife for fifteen good years asked his wife, 'do you love me?', he immediately sets into motion all sorts of thoughts in his wife's mind. She might wonder why he is asking her this question; or, think of what she might have done or not done lately to deserve this type of question. It could get worse: has he found some nice lady who loves him and tells him how much she loves him? Is he planning a divorce and is looking for reasons? Finally, she answers the question and says she loves him and then comes up with her own questions: 'why are you asking me this question?' 'It is only morning and we'll leave for work soon; have you a girlfriend at work who loves you and is swooning over you?' 'Is that how you would like me to treat you?' It was a simple question with possibly a simple endearing answer but it has raised serious doubts in the mind of the dear wife who is now confounded.

Is Nigeria's justice justifiable? You will assume I am simply asking a rhetorical question that needs no answer. This is an example of the axiom that answer is in the question. To make it a real question, then, I shall place justice in quotes: Is 'justice' justifiable? The workings of 'justice' in Nigeria leave us to wonder what we consider justice to be. That would be defending the indefensible. Sometime in 2014, we were in Madrid for the beatification of Don Alvaro, the second prelate of Opus Dei. We were directed to a street where we could purchase materials on Opus Dei in English. Dr. Nwanne and I walked into this magnificent building that looked like everything but a shop. My friend was not keen on going in because it was clear we were in the wrong place. We walked into a corridor and met a charming lady who made my asking the question easier: 'Please is this where we can get mementos of St. Josemaria Escriva, Founder of Opus Dei?' She smiled and answered, 'Very sorry sir



you are in the wrong place. This is the headquarters of the Bar Association. We don't deal with anything holy here.'

We all burst out into laughter and she patiently directed us to walk far down the same street to the correct address. The judiciary does not deal with saints; it deals with criminals, liars, and all manner of evil-doers, and passes judgements on them. It does more than that. The judiciary comes in as our saviour when we seek redress for the violation of our human rights by whomsoever, especially by the government that is supposed to guarantee our freedom from unjust persecution. The Judiciary is made up of people some of whom, unknown to us, may be criminals, liars, and evil-doers and it is supposed to deliver justice to whomsoever appears before it. We therefore need to be quite clear in our mind that whatever may be the limitations of the individuals in the judiciary they must administer justice.

We could go all the way back to the military regime of Murtala Muhhamed, to the exit of the great luminary Chief Justice of Nigeria, Justice T. O. Elias, and some other justices, to mete charges of illicit behaviour against sitting justices. The former President of Nigeria, Chief Olusegun Obasanjo, in Chapter 6, 'Social Tuning', in his book *Not My Will*, treats the matter thus: 'One issue of integrity that was raised and the accusation against him was the empaneling of a Supreme Court body to hear the appeal of a land case brought by the Chief Justice's brother on which the Chief Justice was alleged to have sat, and he chaired that panel which decided in favour of his brother. If it was right legally, we considered it improper and offensive to public morality.' Mr. Allison Ayida, the Secretary to the Federal Military Government, sought to set the record straight in an article published by *The Guardian* of 1 April 1990. Mr. Ayida gave different reasons why Justice Elias was removed from office the most important of which was that he had served for too long in government! This would be the first time a sitting Chief Justice of Nigeria was removed from office albeit militarily dictated in a highhanded manner. Was this justice? Was it justifiable?

Is the administration of justice in Nigeria justifiable? This is much like asking a question which raises a number of other compelling questions one of which is who is the judge as to what is justifiable or not? You and I can in conscience readily answer that what is just is justifiable. You then ask what is just? In his Foreword to the Report

on Investigations of Human Rights Abuses committed in Nigeria since the last dispensation, the chairman of the Commission, Justice Oputa says: 'Public perception about the work of the Commission varied enormously. But a common denominator was the concern with justice. In some cases, justice was equated with revenge.' This is where the Bar plays a vital role in the search for justice. A defendant is charged for having committed an offence, true or false by the State true or false. Each side present its case to the court which will now beyond reasonable doubt determine that justice is served to both the defender, and the State, and thus to society. The court will not go outside the evidence presented in its adjudication. The Bar has a huge role to play here. They are the first evangelists of justice. But I ask is this the case? Is the bar interested in whether justice is justifiable or, rather, in whether justice is as only they see it administered according to their own conceptions or idiosyncrasies of what constitutes justice?

The courts are supposed to be impartial, but are they? According to Justice Njemanze, Chief Judge of Imo State, in his address at the opening of the 2011/2012 Opening Year and Assizes, 'Some lawyers now have the boldness to malign, denigrate and abuse judges on the pages of newspapers. By so doing such lawyers forget that they are equally maligning themselves because they are also members of that one family called the legal profession to which both lawyers and judges belong... Some lawyers have now resorted to spending client's money and as a result they betray the fiduciary relationship between them and their clients.' Thus, we have questions for both the Bar and the Bench.

I am concerned with the rule of law as the bulwark of the social order and in this regard, I am particularly sensitive to the applicability of the rules to those who make and administer the rules. According to Prof. Folarin Shyllon in his Inaugural Lecture at the University of Ibadan, *Freedom, Justice and the Due Process of Law*, 'A legal system exemplifies the rule of law to the extent that its rules are sufficiently stable to allow people to be guided by their knowledge of its content of the rules and that those people who have authority to make, administer, and apply the rules in an official capacity are accountable for their compliance with rules applicable to their performance and do actually administer the law consistently and in accordance with its tenor.'

The practice of the legal system in Nigeria leaves much to be desired as those entrusted with the authority to act according to law do not comply with law and its rules. The Acting Chief Justice of Nigeria, Mr. Tanko Muhammad was reported in a July 27, 2019 publication by Premium Times to have said that he would not be surprised if some judges were corrupt since they were part of the Nigerian society. I take serious issue with the Chief Justice. I do not mind his saying he knows some judges were corrupt. But I am disappointed when he says that those corrupt judges simply reflect the corrupt Nigerian society from which they come. Were these same judges not thoroughly screened and found worthy professionally and morally by the Nigerian Judicial Council (NJC) before their elevation to the bench? The Chief Justice chairs the NJC and to a good extent, is the one to be held accountable for any lapses of judges. Institutions are established to help society rise above the

prevalence of evil as well as to help raise the standards of probity to the highest possible level. The Chief Justice could say that the corrupt judges in the judiciary only reflected the corrupt Nigerian society. After all, his predecessor in office, Chief Justice Walter Onnoghen, was convicted by the Code of Conduct Tribunal on a 6-count charge involving false declaration of his assets. The tribunal ordered the removal of Justice Onnoghen as NJC Chairman and he was barred for ten years from holding public office. This was the first time a Chief Justice of Nigeria has been put on trial and convicted. What a shame!

May Nigeria's legal system offer justice. May its judgements be right and justifiable.

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THE NIGERIAN JUDICIARY IN ATROPHY

Tade Ipadeola

Worldwide, instances of executive and partisan meddling in the affairs of the judiciary are growing. These occurrences sometimes happen in countries otherwise regarded as stable democracies. Court packing in the United States of America, Hungary and Turkey have recently come to light with a puzzled world looking on. In India, Poland and Russia, sophisticated meddling and interference in the affairs of the judicature are on the increase with national and geo-political implications for citizens and allies. In China, the courts are on a short leash with the ruling party dictating acceptable limits for courts to work on questions of human rights.

Nigeria is not exempt from world trends as far as the judiciary is concerned. Unlike what obtains in most of the jurisdictions mentioned earlier, however, the factors at play in Nigeria are well beyond the executive and partisan politics. Religion, nepotism, systemic and structural flaws, sheer incompetence and a national economy in recession have all contributed so far to the death by a thousand cuts, that the judiciary is suffering from. In a widely divergent national terrain in which component units are not on equal economic footing, some courts are starving while some are choking from

obesity. All Nigerian courts are overworked with dockets of sometimes up to sixty cases per judge. Cases run into years at the court of first instance and into decades between High Court and Supreme Court. Unless something drastic is done, the administration of justice in Nigeria will suffer systematic strangulation from the myriad challenges facing it.

For those watching the Nigerian judiciary, an arm of government often referred to as the last hope of the common man, the picture is quite depressing today. Once upon a time, the judiciary in Nigeria furnished the world with some of the most capable of legal minds. The World Court with its seat at the Hague sought out Justice Taslim Elias who eventually became President of that Court. In Africa, Justice Akinola Aguda rose to prominence at home and abroad serving in courts of superior jurisdiction in both territories, and ending an illustrious career as the Chief Justice of the nation of Botswana. Justice Adio of Nigeria served on the Gambian bench before ascending up the appellate court structure back home. The list of these sterling legal minds is long indeed but it appears, all of a sudden that the pool from which they emerged has since dried up or



is so shrunken that singularity of the kind these worthies represented is now vanished.

At home and abroad, Nigerian judges have been caught on tape demanding bribes, negotiating gratification and transacting rulings. From a time when it was taboo to hear of a judge taking gifts from lawyers or litigants, it is now regular to learn of a petition or two against a judge over some underhand deal or the other. Far from the rarity it once was to have a Nigerian judge on trial for corruption, a simple search on the internet now yields a harvest of such instances complete with every kind of alibi and false pretence on the part of judges caught pants down. In one of the many modern sagas involving judges in Nigeria, the Economic and Financial Crimes Commission began probing the activities and bank accounts of former Justice Rita Ofili-Ajumogobia, fact and fiction compete for attention in the narratives from the accused to the prosecutor. The case spanned several years and involved damaging testimony by bank officers who testified to moving last sums of monies into the accounts of the judge on trial and into the accounts of her children.

Judges are, by constitutional provision, to be paid from the Consolidated Revenue Fund created under the Nigerian constitution. They are appointed by the executive arm of the state acting on recommendations from the judicial service commission of the various states and of the Federal Government. Over the years, religion and nepotism have found their ways into the deliberations of judicial service commissions in Nigeria. The results are what we see today. Whereas the twin criteria of integrity and soundness of legal reasoning used to be the overarching theme of appointments unto the bench, the country has seen an upsurge in religious pressure groups clamouring for equal representation in appointments to the bench. From the agitation of these religious groups, judges now occupy various levels of the judicial hierarchy on the strength of their religious affiliations. In the same vein, nepotism has found its way into the appointment of judges, so much so that the Public Law section of the Nigerian Bar Associations had cause very recently to comment on the number of children of serving senior judges recently appointed to the bench at the Federal Capital Territory of Abuja.

Contemporary developments in the judiciary from the High Courts to the Supreme Court are symptomatic of

what is wrong with the system as a whole. A governor in the Niger Delta recently purchased top-of-the-line Range Rover vehicles for judges in the state he governs. Not done with his display of magnanimity toward the judges, a house or the sum of N150million, whichever the judge preferred, were provided each judge. All of these perks come outside the provisions of the Consolidated Revenue Fund. In the predictable scenario that an aggrieved person has a case against that state in the near future, it is unlikely that the judge before whom the matter is brought will soon forget the circumstances leading to his or her svelte automobile or well-appointed dwelling. The invasion of residences of some justices of the Supreme Court of Nigeria leading to the removal of the former Chief Justice of Nigeria and his replacement with another member of the Supreme Court without recourse to disciplinary procedure as stipulated by law in cases involving judges of superior courts of record has brought about lowered expectations of the impartiality expected from the Supreme Court.

In the wake of many rulings and judgements in election petition cases, the courts in Nigeria have come into the public eye over the course of the two decades since Nigeria returned to civil rule in 1999. Perhaps no species of proceedings bring out the dilemma of the judiciary in Nigeria as these cases tend to do. On the one hand, it is good for society to have peaceful recourse to law and order to resolve differences, even electoral differences, which politicians, left on their own, are wont to resolve by violence and intimidation. On the other hand, the fees charged by lawyers in these cases are so astronomically high that the litigants are inclined to ask for guaranteed outcomes before they or their parties shell out the monies to prosecute these cases. No lawyers worth the name gives confident assurances in these cases but over the years, lawyers, including senior advocates of Nigeria, have been disbarred for improper conduct and untoward relationships with judges in electoral cases.

More than regular constitutional, commercial, criminal or maritime cases, electoral disputes affect the balance of power in society with their outcomes. These cases shape society in ways that other disputes cannot and so they are rightly seen as high stakes both for parties directly involved and for the parties they represent. In Nigeria, there is a long line of cases in which utterances such as “my hands are tied” have issued from judges. In some other cases, judges have decided cases on a basis they

themselves consider suspect and have pronounced that those cases should not serve as precedents in the future. These kinds of developments destroy the judiciary from within and destroy the credibility of an institution that should be impartial and above board. That they occur in the context of adjudication in electoral cases should worry every Nigerian.

The spectre of incompetence haunts the Nigerian judiciary as well. Over the years, the quality of education generally and of legal education specifically has lowered the bar such that the judicial service commissions charged with staffing the bench have had to make do with what materials they get. The commercial sector has won in the contest for the brightest young lawyers among whom judges are picked. It is a dire situation in some states of the federation where not enough persons qualify as lawyers to begin with. In the sixties and seventies, states were not particular about the state of origin of the candidates being interviewed for the bench. This has changed and a new insularity in states has meant an unwillingness to recruit from outside the state. The bench is seen, thus, as a locus of power which must not be ceded to a 'non-indigene' under any circumstances. The disastrous results take a while to register properly but those results come surely. They are what manifest today as a thoroughly lacklustre judiciary in need of redemption from itself, an arm of government in need of reinvention.

That there is decline in the judiciary is plain to see to both insiders and outsiders. There is an effort to get a more efficient judiciary in place - judges who can use office automation better, for example. Courts that have functional electronic registries worth talking about in the 21st century. These are commendable in themselves but sadly do not go far enough in addressing the obvious lapse into which the judiciary has fallen. What is needed are far reaching reforms which guarantee both quality of judges and a judiciary that is once again the cynosure of all eyes. One reform without the other will not work. The public, private businesses and the international community must see and be assured that there is indeed quality in the Nigerian judiciary. As a nation, we can no longer afford a situation in which the international business community is reluctant to invest in Nigeria because of legal proceedings that take forever to resolve. We cannot have a legal environment that shields the corrupt and incompetent at home when the same persons and businesses are punished abroad

by courts abroad. We most certainly cannot afford a situation in which politicians reserve their energies and resources for getting guaranteed outcomes favourable to them in court instead of delivering tangible value to their constituencies.

The interesting twist to criminal proceedings against judges in Nigeria is how often the children of judges are involved in proceedings involving the parents. This is disturbing in itself and even more so when those children are legal practitioners themselves who might end up on the bench someday. If corruption is institutionalized this way, the rot deepens and accelerates with predictable consequences for the judiciary and society generally. The sad reality is that this is the situation today and we have not arrived at this point overnight.

With every passing year, the judiciary and the legal profession as a whole appears to lose legitimacy in the eyes of the public. The number of people in cities who would rather rely on enforcers from the streets or resort to self-help is frightening, all things considered. The growing popularity of arbitration and the growing trend to have commercial agreements with clauses that situate the UK or some other territories abroad as the seat of arbitration should there be a conflict of difference, is real cause for concern. The present nightmare for Nigeria involving a record-breaking arbitral award at the expense of Nigeria is case in point. The sheer incompetence involved in the entire case which is now like an albatross hanging from the neck of the country should make us call a halt to all shoddy work in judicial circles. These things have consequences for all of us and in fact for our generations still unborn.

There are infinitely more judges in Nigeria today than there were at independence in 1960 when the country got her independence. In spite of this numerical increase and despite the evolution of what might be described as Nigerian jurisprudence, the prestige of the judiciary and indeed of the entire legal profession has atrophied in such a way that scions of respectable generational law firms are choosing increasingly to be comedians, musicians, disc jockeys and even spoken word artists rather than pretend to be ministers in the temple of Nigerian justice. If this is not a parable worth pondering, we have to ask ourselves what else is.

JUSTICE ON SAIL OR FOR SALE? HOW LAWYERS STALL JUSTICE IN NIGERIA

Abiodun Bello

Of all its national symbols, the Nigeria Coat of Arms and its national anthem stand out for their representation of a national dream of peace, faith and development as well as the promotion of justice to make this dream feasible. Interestingly, without justice, it is highly impossible to realise peace, not in the least to keep such peace. Besides the ubiquitous presence of the Nigerian military who work to safeguard the national integrity of the nation, the presence of lawyers, judges and other allied practitioners in the legal profession often embodies an ideal of social equity, a social world in which no one is less than another because justice is real enough to establish peace in the land.

‘The judicial powers of the Federation shall be vested in the courts...’ and ‘The judicial powers of a State shall be vested in the courts...,’ states the Nigerian constitution.

Also, ‘... the exercise of legislative powers by the National Assembly or by a House of Assembly shall be subject to the jurisdiction of courts of law and of judicial tribunals established by law, and accordingly, the National Assembly or a House of Assembly shall not enact any law, that ousts or purports to oust the jurisdiction of a court of law or of a judicial tribunal established by law.’ That is how greatly important the judicial arm of government is in Nigeria, like many other countries.

Like a bride-in-chamber chanced upon momentarily by her yearning groom, lawyers and judges are also endeared to many Nigerian citizens because they occupy a beautiful place in their social psyche. Having occasional opportunities to watch Nigerian lawyers posit and pontificate on arrays of matters of national, sectional and private interests more than often gives



a good impression of hope for such a time that the almost defenseless citizen will be equal before the Law because they have professional lawyers to defend them before judges who themselves are also ethical in their duty enough to recognise the appellant or defendant to whom justice is due in any judicial circumstance.

But this was a world whose picture was already painted by philosophers, priests and professors of law since John Locke, Rousseau and Immanuel Kant. Justice lives only in this transcendental world whose ideals many a society has found itself in pursuit of, ever since. A society is as good and noble as its laws. Not only this, citizens' sense of patriotism and nationalism towards their country tends to improve when they can trust the law as well as the system that expedites its situational application.

A classic example in recent global memory is found in the Christchurch shooting incident in New Zealand. The culprit, a 29-year-old Brenton Harrison Tarrant, had opened fire at a mosque on March 25, 2019, killing in the process about 51 persons who happened to be Muslims, during a Friday prayer. By August 2020, after Tarrant's admission to the murder of 51 people, the attempted murder of another 40 people and one charge of terrorism, Judge Cameron Mander sentenced the accused to life imprisonment without any parole. The judgement, coming in less than eighteen months, was the first of its kind in the national history of New Zealand.

Back in Nigeria, the lingering case between the Economic and Financial Crimes Commission (EFCC) and a current-serving senator representing the Benue South Senatorial District, Abba Moro, is yet to come to a terminal conclusion since the prosecution entered its case. The senator, who is also a former Minister of Interior, was sued over the botched recruitment exercise that witnessed the death of up to twenty applicants. Consequent upon this incident, he was charged to court by EFCC for criminal involvement in the recruitment process in which his private firm, Dretex Tec Nigeria, was allegedly involved as a proxy frontier in a recruitment scam worth up to N677,000,000. The firm would later be acquitted and discharged by a Nigerian court sitting in the country's capital, Abuja. In 2019, while the court case yet lasted, the ex-Minister contested and won election that brought him into the Senate. In June 2020, the criminal charges were dismissed by Justice Nnamdi Dimgba on the basis that the EFCC could not establish

grounds of fraud that could connect the lawmaker with the alleged offence. While many families linked to the unfortunate fatalities of the recruitment exercise are still reeling from the painful memories of their losses, the now-serving senator presently looks forward to opening his defence on October 29, 2020.

Certainly, these developments will come across as preposterous to much of the global community, especially to nationals of countries where the wheels of justice grind so swiftly that it is taken for granted. But the Nigerian jurisprudential clime is a separate world unto itself. The thesis to this antithetical twist of judicial trends is that, in no distant past, Nigeria had produced notable judges of noble fames, such as Justices Teslim Elias, Karibi Whyte, Kayode Eso, and Justice Isiaka Ishola Oluwa, among other distinguished members of the Nigerian Bench. Indeed, besides the referenced example of the senator, there remains an endless list of judicial cases involving many high-profile murder cases connected to victims that include a former federal Attorney-General, a prominent journalist and a host of political assassinations yet to be unravelled, needless to say determined.

Developments, such as this one, have indeed crystalised into a judicial crisis which sees the perpetuation of a culture of delay of justice, many times leading to the denial of justice for those who truly deserved it. Represented by the Vice President during the Annual Conference of the Nigeria Bar Association that took place in August, the president of Nigeria in his presentation titled 'Step Forward' made an open advocacy for speedy dispensation of justice, calling that all criminal trials up to the Supreme Court should not go beyond twelve months, while the prosecution of civil cases should not exceed a period between twelve and fifteen months.

This call, coming from the Buhari government, is one that was already long overdue and reflects the position of thousands, if not millions, of well-meaning Nigerian citizens, majority of whom have suffered systemic and systematic violence in the hands of the Nigerian judicial system. Even the government at national level is not spared of the negative consequences of this menace. The ongoing P&ID saga is a typical case for reference. While the Nigerian society is constantly kept on her toes in unending efforts to sanitize other sectors of the polity, it many times tends to leave out the judiciary. Could this be a matter of natural oversight or a deliberate 'sacred-

cow' treatment of the judiciary? The maxim that 'justice delayed is justice denied' has long been retired into oblivion in the Nigerian legal space since the Lady Justice herself has since, in the Nigerian context, unveiled her visage and wielded the capacity not only to dispense justice, but to identify potential highest bidders among parties brought together in litigation.

In Nigeria, the perceived corruption in the judiciary is both administrative and professional. For instance, Nigerian legal practitioners have a way with 'technicality' in their bids to stall justice. The idea in many cases is simply to design a situational process, a series of events in which a legal case is ensured to remain in court for as long as possible, depending on the intension of the higher spender. Lawyers, judges and other ancillary judicial officers form the chain of culpability in this judicial racket. Regardless of a party's position as plaintiff or defendant, the counsel is, as the practice dictates, expected to be open to the offers of the opposing side in the litigation. An innocent client is often unaware that their counsel is hand in glove with his colleague on the other side, who may receive financial offerings that are paid as 'settlement' to judges and all legal and institutional parties connected to the case at hand. From thence, the case takes on a new life as the assigned judge may adjourn or sit as his or her whims dictate.

There is certainly gross inefficiency in the Nigerian judicial system, a stark reality that is signposted by the people who operate the system. It is sheer inefficiency that the Nigerian judiciary cannot dispense with justice in a short time, just as it is a sign of inefficiency that the Nigerian governments, across many political administrations, have a long history of losing legal battles for which it often had all the locus standi, all on account of inefficient prosecution skills or underhanded compromises on the part of those representing the government in cases. Only in few intermittent cases can the country boast of recording legal wins that pass as locus classicus. In a landmark judgement that took place in August 2020, for instance, the Nigerian Supreme Court had vindicated Gladys Ada Ukeje, daughter of deceased Lazarus Ogbonna Ukeje, when it ruled that cultural practices and loric traditions that run contrary to the nation's constitution by preventing female offspring from sharing in their father's estate, were at best discriminatory. In the suit referenced as SC 224/2004, the Supreme Court had upheld the position of an Appeal Court establishing that such practices violated

section 42(1)(a) and (2) of the 1999 Constitution. But the victory for Gladys did not come until after sixteen long years.

A second legal scenario perhaps is even more critical. First declared wanted in 2013, billionaire kidnap kingpin, Chukwudumeme Onwuamadike, also known as Evans, is yet to have the suit against him, which was opened in 2017, come to a logical legal conclusion, even as of this time. While the accused has been in and out of the courtroom on different occasions, the public is slowly but surely losing memory of any such case involving Evans and six others connected with the alleged kidnap of one Mr. Donatius Dunu, the Chief Executive Officer of Maydon Pharmaceutical Ltd, in Lagos.

Currently, the Nigerian judicial system is both a carcass and shadow of its golden age, a mockery of what justice should be. Far from the ideals of any just society, justice is served in the manner of kebab under an Arabian night. Many lawyers who swore to the oath of professionalism, now offer their time as legal consultants servicing the treasonable interests of powerful enemies of the Nigerian state. Today, many Nigerians who have legitimate cause to go to court for redress are wary of lawyers for the critical reason that a plaintiff is nevermore sure if the counsel whose service is being sought is not himself or herself a potential compromiser of judicial processes. Many lawyers-to-be only wait to graduate from the Nigerian Law School and make straight for this 'Black Market' of legal barter.

The president's latest call for a more efficient and proactive judicial system is a subtle acknowledgement of a major national crisis. In a nation whose motto is 'unity and faith, peace and progress', and which expresses the desire for a country 'where justice shall rain', both government and the citizenry must be reminded that, the absence of justice is the precondition for underdevelopment. For a pluralist country like Nigeria, where mutual ethnic suspicion and sectional bickering mar the sociocultural landscape continually, the judiciary has the immediate responsibility of filling the systemic gaps left by years of perceived injustices and lack of equity and fairness. The failure of the judiciary to come to Nigeria's rescue at such trying times as these leaves the citizenry in the cesspool of obnoxious jurisprudential practices that grounds the country in the perpetuity of legal corruption.

SUPO SHASORE CONTESTED INTEGRITY

Suleiman Galadima

Supo Shasore, a celebrated legal luminary and a former commissioner of Justice in Lagos State has been fingered in connection with underhand dealings on the Process & Industrial Development Ltd. case contracted to him by the Federal Government. The FG hired Shashore to defend its interest against the claim of \$10billion damages to the Irish firm, PI&D, but to the surprise of the pew and the common, Shashore was accused by a British court of conniving with P&ID to subvert the Nigerian Government.

It can be recalled that an independent tribunal found Nigeria guilty for renegading on the terms and agreement it signed with P&ID in 2010, to build a gas facility. The British Virgin Island firm has sought the enforcement of the ruling of the tribunal in a United Kingdom Court and knowing full well that further disobedience would lead to the seizure of Nigeria's asset to manage the accruing liabilities incurred by

the Irish firm. The London tribunal found Nigeria liable in 2017 to the tune of \$6.6billion and the bill rose to 9.6 billion in 2020. The Nigerian government appealed the case with the representation of Supo Shasore, where the country was asked to pay 200 million dollars while the case proceeded in the meantime.

The P&ID contract had been called one of the major corrupt public contract heists in Nigeria, because it raised concerns that, if the he P&ID won the case, it would bear grave consequences to the country's foreign reserves. Investigative media has also shown that the P&ID are an offshoot of Shell, who had long been dislodged from the Niger Delta for their involvement in the killing of Ken Saro Wiwa and nine others. Headed by Micheal Quinn and Brendan Cahill, the P&ID was reported to be an unknown company without an address, a website, but with deep connections with the



Nigerian political class. The Economic and Financial Crimes Commission has since intervened to find out whether due process was carried out in the award of the contract and whether there were evidences of international corruption and bribery. It had collaborated with law enforcement agencies in the United Kingdom to ascertain the depths of corruption claims.

Nigeria positioned Supo Shashore to defend its integrity in its bilateral business dealings. Supo Shasore is a Senior Advocate of Nigeria, a fellow of the Chartered Institute of Arbitrators and a former President of the Lagos Court of Arbitration. He has championed major reforms in the Lagos State Judiciary as Attorney General and Commissioner of Justice, Lagos State. He is also a respected historian for his celebrated books such as *Ministering Justice: Administration of Justice in Nigeria* (2019), *Platter of Gold: Making Nigeria* (2016), *Possessed: A History of Law and Justice in the Crown Colony of Lagos* (2014), *Commercial Arbitration-Arbitration Law & International Practice Practice in Nigeria* (2011), *Jurisdiction and Sovereign Immunity in Nigerian Commercial Law* (Practice and Textbook by Johnson and Shasore). He was co-founding partner Ukiri and Shasore, later a partner at Ajumogobia and Okeke, before his appointment as Commissioner of Justice in Lagos State. Given the fact that he knew the law and the dimensions of negotiations both in history, theory and practice, the Nigerian government must have rested knowing that it had pitched its best to wage the frontiers of safeguarding its foreign reserves.

It is therefore a rude shock that the sparkling legal luminary was found guilty of receiving bribes from the P&ID in order to lobby some public officials working for the NNPC to the tune of \$200,000.

This was revealed by Sir Ross Cranston of the United Kingdom Court of Justice, Queen's Bench Divisional Commercial Court which found Shasore unworthy of his pedigree and legal standing on the 4th of September 2020. Nigeria's Lawyer, Mr Howard, a British counsel, had accused Shasore of conniving and colluding with P&ID in order to undermine the defence of the FG in the case. Howard asserted that he defended Nigeria without much vigour.

In advancing his case, Mr Howard asserted that 'Mr Shasore had advised speedy settlement, as in his 17 July 2013 letter to the then Attorney General, without investigating the obvious defence that P&ID, a British Virgin Islands company with no experience, asset or finance, would not perform.'

He accused Shasore of not seeking disclosure of files available to Mr Quinn, co-founder of P&ID, as a useful source of evidence, neither did he distil any evidence from statement drafted from Mr Oguine of the NNPC. Howard also said that Shasore did not challenge Mr Quinn on the P&ID's capacity to perform the contract, as well as provide evidence the \$40 million, the company reported to have expended on the botched project. He asserted that he noticed the loopholes in Shasore's defence when he did not challenge significant portions of Mr Quinn's statement, and had further claimed that he was unaware that Mr Quinn had passed.

Mr Howard extended his claims against Shasore when he said that Shasore was found 'dragging his feet' when the arbitration process was transferred from the Ministry of Petroleum to the Attorney General for the 'quantum stage'. He said without the cooperation of Shasore, the new counsel to Nigeria, Mr Ayorinde, found it difficult to proceed from where he stopped.

Although, Mr Mill, the P&ID lawyer put up a defence for the Nigerian lawyer, Supo Shashore, implying that the latter was reasonable and fair in his defence, having a full grasp of the consequence of the matter. He denied that Barr. Supo Shasore was conspiring with P&ID to undermine Nigeria's defence. He also denied that Shasore had conspired with P&ID to subvert his own client, saying that there was no evidence available to cast such stance in stone. Mr Mill said it would be impossible for Shasore to have a full understanding of the import of the case and yet work assiduously from August 2012 till the Final Award in January 2017 to lose the same.

'As to the liability hearing, submitted Mr Mill, Mr Shasore tried his hardest – having misapprehended the implications of Procedural Order No. 9, and the discussion at the case management conference – to get himself out of a hole. By reference to the transcript and the Tribunal's reasons, Mr Mill also submitted that there was nothing to prevent Mr Ayorinde from reopening the matter at the quantum stage of the arbitration'

Despite the Defence, Sir Ross Cranston, the Judge, repudiated the defence of the P&ID lawyer, and he asserted that despite his intervention, sterling defence of Nigeria, and his urgency to negotiate with P&ID, 'Mr Shashore' was found wanting for paying \$100,000 each to Ms Adolore of Ms Taiga and Mr Oguine; an official of the NNPC.'

'However, what persuades me of the prima facie case of dishonesty in Mr Shasore's conduct of the arbitration are his payments of US \$100,000 each to Ms Adolore and

Mr Oguine. Ms Adedire occupied Ms Taiga's position at the Ministry as the senior lawyer, and Mr Oguine was her counterpart at the NNPC. Their salaries as Public Servants, according to the Attorney General, Mr Malami, were some US\$500 Per Annum.'

Although Mr Mill had dissuaded the court from linking what he described as 'gifts' from Mr Shasore to bribery claiming that Shasore had made this information available to the EFCC. Yet the court stood its ground that Mr Shasore must have compromised the Nigerian government officials by soliciting favours to secure a settlement for P&ID and by frustrating the witness process that would bolster Nigeria's defence.

'In the result there is a possibility that Mr Shasore had been corrupted. At the least I accept Mr Howard's submission that there is a prima facie case that Mr Shasore made the payments to Ms Adedire and Mr Oguine to purchase their silence in relation to his conduct of the arbitration and settlement negotiations. There is therefore a prima facie case that the arbitration proceedings were tainted.' said Judge Cranston. The judge said that given the ample evidence, it shows that Shasore made underhand moves to 'extract money from Nigeria through contrived settlement negotiations or arbitration.'

'When Mr Shasore was replaced for the quantum hearing and Final Award, I also accept Mr Howard's submission that Nigeria's new counsel, Mr Ayorinde would have no reason to suppose that Mr Quinn's evidence to the Tribunal had been perjured, that P&ID was not a legitimate business which was ready and able to perform the GSPA, or that Mr Shasore was implicated in illegitimate payments to senior civil servants acting with him.' Judge Cranston further asserted.

Supo Shasore had made a statement available to the media where he asserted that he represented Nigeria at the first and second stages of the case with fear or favour, without receiving little or no cooperation from relevant government officials, and that he filed the urgent objections that should lead to the termination of the case. He described the prima facie case against him as 'demonstrably false, unfounded and spiteful personal attacks'. He said that he got only the support of the legal adviser of the NNPC who provided him with the few relevant documents he had to prosecute the case. Shasore said he engaged the UK firm of Shephenson Harwood, a respect law and arbitration firm in England to help set aside the liability accrued to Nigeria in England. Shasore said that despite the fact that he faced a hostile tribunal and was

contesting the written testimony of a co-founder of P&ID who had long died before the proceedings showed that the UK court were not being fair. Shasore had gone further to protect himself by asserting the 'falsity of that testimony; in the 'High Court of England'.

Perhaps, Mr Supo Shasore sold out his hard-earned integrity and robust qualities in the elite and learned world for perhaps the threats within the framework of international politics. These political actors, cooperating to drum palpable threats beneath the veil of this national crisis may have caused Shasore to shift his gaze off his hard-earned integrity. He may prefer to commit a slight of logic much akin to treasonable felony against the State, which the State must take up whether false or true, in order to engender equity, equality and justice. Shasore, being a legal luminary cannot be said to be oblivious of the grave implications of being smeared with such labels-with dependable proof, that if not displaced, may remain in annals of history.

While we must not sweep this grave offence under the carpet, we must still give Supo Shasore the opportunity to defend himself from bombardments of the media. The media is justified to spark a discourse using the perceived tragedy of his act as a troupe for all that is wrong with supplanters of their legal representatives in the courtrooms in Nigeria and all that is wrong with the elite of a postcolonial hell. A lot of Nigerians hope that this would not be one of those many stories that remain beer parlour gossips that justify the efficacy of corruption, and preponderance of long ties with political actors to protect one from justice, as prevalent moral dosage to the evolving dystopia to bedevil Nigerians on a daily basis. Shasore presently stands in the presence of a huge moral burden to prove to Nigerians beyond reasonable doubt, within the confines of all legal frameworks that he is already familiar with, that he is patriotic and forthright with his dealings with his fatherland.

THE NBA IN THE MARGINS OF POLITICS

Femi Morgan

The Nigerian Bar Association (NBA) is a professional organisation of all lawyers admitted to the bar and all members of the jury, admitted to the bench. Its website touts the association as the ‘oldest professional members organisation and Africa’s most influential network of legal practitioners, with over 120,000 lawyers on its roll, in 125 active branches across the 36 States and the Federal Capital Territory of Nigeria.’

The NBA’s mission statement ‘to use the law as an instrument for social change in Nigeria’ aligns with their duty to courageously engage in the promotion and protection of human rights, the rule of law and good governance with integrity, excellence and professionalism in the country.

The NBA Constitution (2015 as amended) states the aims and objectives of the professional body, which can be summarised into maintenance and promotion of the

independence and integrity of the Judiciary, the defence of human rights, and the establishment of the rule of law. It also serves its members by making sure that qualified, trained and disciplined lawyers make the fold. In the past, legal beacons like Barrister Femi Falana were not seen as rebellious outcasts amongst the fold because he represented an extension of legal luminaries like Alao Aka Bashorun, Gani Fawehinmi and Olisa Agbakoba who took an activist stance against military dictatorship outside the collective umbrella of the Nigerian Bar Association. This showed that these individuals were prepared to commit class suicide for the collective good of Nigerians when the NBA was perceived to be in conspiratorial alliance with the military. Some of these men were jailed, molested and monitored but they forged on till democracy was enthroned. Their acts, speeches, pronouncements gave ample respect to the Bar and the Bench in the eyes of the public.



On the flip side, the lawyers in the NBA in the present times have taken a backseat in the defence of the common man. The spate of extrajudicial killings, incarceration of persons without trial and the gross negligence of issues of human rights and rule of law for the pecuniary gains in Oil and Gas Law, Entertainment Law, Commercial Law and election tribunals. This has made the Nigerian rely heavily on media trials or self-judicial actions as a precursor for the distrust for delayed justice in the courts. The NBA as a body has not been able to resolve the excruciating delays and postponements that stifle the administration of justice, neither have they come together to give direction to the spate of our prisons. They have also been silent on election violence amongst other issues in the Nigerian polity. The common man is now left with only support from highly underfunded legal aid NGOs for defence.

A study of the 2019 Policy Book of the Annual General Conference of the NBA shows that the NBA focused on matters of international affairs and the implications to Nigeria, professionalism amongst its members as well as the economic decision of the Federal Government above human rights issues. Paul Usoro (SAN), then President of the NBA, stated that the focus of the NBA was to discuss the implication of the Africa Continental Free Trade Agreement and the implication for the legal community and to engage the implications of BREXIT on the Nigerian economy. While other issues such as information sharing, artificial intelligence, the NASRDA act on space intelligence, and the need to protect female lawyers from sexual molestation came second on the front burner. Human rights matter was squeezed into the agenda in a country where grave human rights atrocities, nepotism and corruption take centre stage in public discourse.

Although in 1999, the NBA went on strike to assert that rule of law must be adhered to by the Federal Government, and in 2013, the Ondo State Branch had gone on a full-blown protest, the reality of the general NBA today is that they do lack the courage to be the critical voice in the protection of the common man and the reformation of the administration of justice in Nigeria. The victory and the pedigree of lawyers have begun to slide into the annals of disrepute as top lawyers become mouthpieces for unpalatable and grinding government policies. This shows that legal professionals are only simply out to promote, protect and advance their careers.

The fate of the career of the Bar and Bench seems to be directly and variously in the hands of the Executive and Legislative arms of government – most especially the Executive arm which exerts great influence over the National Judicial Council, and has the powers to appoint an Attorney General of the Federation at the Federal level and a Commissioners of Justice at the States. With the exerting influence on the NJC, the appointment of judges in the Supreme Court, High Courts and Courts of Appeal, as well as the elevation to the high Bar position of Senior Advocate of Nigeria is now heavily and unashamedly politicised along the paths of many vested interests. This, in many ways, undermines justice. It also turns the legal luminaries from critics to career lobbyists. Lawyers are now found to belong to the elite class of society while they are meant to fairly navigate the logic and balance of justice between the haves and the have nots instead of being well-propped to sustain elitist agendas and helping to assert the superstructures of oppression.

Another matter that has emerged in the NBA is the balkanisation of the force of the NBA by the establishment of the New NBA, a legal body comprising of Northern lawyers who assert that the NBA has been sectionally marginalised and has not been fair in the disinvitation of Mallam Nasir El-Rufai, Governor of Kaduna State. This news, for many, further indicates the ability of external political powers, and social and tribal nuances to disrupt the collective decision of the leadership of the NBA. On the other hand, it reflects the internal wrangling caused by lack of equal opportunities and equal representations that signify the different nationalities within the NBA. Headed by Barrister Nuhu Ibrahim, Esq and Abdubasit Suleiman Esq, the factional NBA leadership, has boasted recently that over 5000 aggrieved former NBA lawyers have joined their ranks. They claim that they would serve as a competitive alternative to the NBA.

The NBA cannot be thoroughly criticised without been praised. They have improved the mechanisms for reporting misconduct amongst lawyers and the investigative panel has taken up quite a lot of cases about the underhand dealings of lawyers who sabotage their clients, and misrepresent the legal process. Nevertheless, more of these cases need to be showcased in the public to prove that lawyers who have breached the codes of professional ethics do not collude with the officers of the panel to the detriment of unlearned folks.

Barrister Olumide Akpata, the current President of the NBA, in a campaign interview in July 2020, convulsed at the challenge facing the NBA and by extension the legal infrastructure when he said, 'As I said not too long ago, the consequences of failures of the administration of justice system in Nigeria include the fact that the lawyers themselves who are key stakeholders in the system largely consider the process to be tedious and inefficient; the economy continues to suffer on account of the apparent lack of synergy between it and the system, and perhaps most importantly, the citizenry has lost faith and confidence in the justice delivery system. Using the illustrative example of the court system, the justice delivery system in Nigeria has been historically plagued by fundamental ills such as delay and congestion of cases in courts, stories of judges who do not sit and sadly do not inform counsels in advance only for the counsel, who sometimes come from outside jurisdiction, to find out after waiting long hours in court; or judges with overloaded dockets without basic facilities and resources and who sometimes keep counsel in court from morning till 4pm before adjourning; over crowded

court rooms that are inadequate and unfit for purpose; archaic systems of filing and storage of court processes; undue delays in delivering rulings and judgments, etc.'

Mr Akpata emerged as the first non-Senior-Advocate President because of the internal shocks and complaints of non-SANs who feel diminished and ostracised from the decision-making process of the body. His also validates the urgency of young lawyers to subvert established lawyers who have complained of being underpaid over the years. The challenge before Akpata is to change the landscape by making major reforms that would suit both SANs and Non-SANs. Tough decisions await him and his executive team in reconciling, reformation and realigning the values of the NBA with the realities of the practice.

As the story of the NBA continues to unfold in the latest dispensation, Mr. Akpata certainly must weigh the enormity of the task before him as he must also know and fully appreciate what is at stake for the NBA.



CURATING ALTERNATE REALITIES IN DARK TIMES

Suleiman Galadima



It has been proclaimed a tough time for countries, businesses and people due to the COVID-19 Pandemic. With the ease of the lockdown, a lot of events and projects are reinventing the wheel in a 'crawl mode' as they await a major and positive shift in the times.

Sylvester Aguddah is plunging in headlong by bringing positive art to art enthusiasts and Nigerians in general. He is not waiting for the dark clouds to move. The visual artist and collagist who have worked on beautiful mixed media works using paper, fabric, recycled material and nostalgic memorabilia for over three decades, exhibited 20 new works at Freedom Park, Lagos Island, Lagos, on the 5th of August, 2020. The exhibition was named 'The Times' in order to revert the mood and feelings of Nigerians towards positive thinking despite the changes caused by the lockdown. It in many ways

also challenged many creatives who had given up to reintroduce themselves to the audience virtually and physically. Sylvester Aggudah has organised some virtual exhibitions during the lockdown to a small audience of friends, associates and art lovers, but since there has been an ease in the lockdown, he has shown exceptional boldness to exhibit these new works. This was his first physical and solo exhibition in the year, due the rude interruption of the COVID-19 Pandemic. The project is about reenacting good and great memories of the African people.

'It has been a tough moment for a lot of families and when you dwell on the negatives too much, it would lead to depression. So, I decided to do works that will give people hope. God has placed it in my heart to do these works because he is gradually healing the world,'



said the artist. He also said that the works also helped him stay afloat the news, shocks and depressing silence as an artist.

Ifeanyichukwu Oraemeka, curator of the exhibition, said she felt that this was the best time to exhibit the works, in order to help ease the tensions and angst, uncertainties and the absence of communalism that the pandemic had created for many Nigerians. The event was organised in accordance to strict COVID-19 prevention guidelines. She also noted that the event would continue until the 17th of August.

Aguddah said he had to counter the negative waves of happenstances caused by the COVID-19 through the use of his craft. 'For over a month during the lock down I was emotionally drained as an artist, my environment influences my mood. I look for exciting African stories to tell, but this was not one of those times, the whole world was going through a pandemic. And we all just needed to stay safe. After doing nothing for a month,

God just laid it in my heart to start making art pieces with a positive theme and with vibrant colours. This was an assurance that this pandemic too will surely pass and our lives will return again,' he also said.

Aggudah makes art pieces with paper, cardboard, recycled materials and fabric. This self-taught mixed-media style gives credence to environmental preservation and the celebration of craftsmanship. This time, he decided to explore bright colours in bringing to light elements of hope, grace, family, history and culture, the human face, beauty at a time when news of a strained economy, of deaths and pain pervades the country.

Sylvester Aggudah's work as an artist comes largely from a functional perspective; he considers art as part of everyday living, therefore his works are considered as aesthetics for homes, as part of the interior decoration, and to improve the humanistic nuance of office spaces. He also believes that anyone has the potential to be a visual artist, with a bit of mentorship, training and





concentration. This is because Aggudah was not influenced by any of the established art schools within the institutionalised art communes. Nevertheless, Aguddah, a former brand sales expert, has relied on inspiration from God, books, mentorship, and a competitive advantage to create art. His most important tools are paper (Card paper), his cutting knives and a collection of potentially useful paper, fabric and other recyclable materials-while many would consider them junk, his ardent creative gift shapes them into connected imageries that tell stories and preserves personal, social and public history. His works have been exhibited in

several countries but most prominently in major hotels in Lagos Nigeria.

Sylvester Aguddah's craft also meanders through photography, social work and artistic tourism. He is the chief curator and head of business operations at SylverScreen Integrated Concepts, a facility that houses a gallery, a visual arts workshop, a biking club, and a culture tourism business for folks interested in art, life and leisure in Nigeria's neighboring countries.



Culture & Lifestyle

Showcase



Maka (Nwamaka Sam-Ejehu) is an Afro-soul singer and songwriter who explores soul, hip hop, jazz, reggae and rap. She left her law career to pursue music full time and has since performed alongside Bez, Simi, Mi Casa, Tuface, Asa, Modenine, among others. She is known in the alternative music lovers circle for her first EP, *The Truth* in which songs like 'Mu na Gi', 'Loving You', and 'Good Time' became an anthem, gained airplay and won major deals. She has performed at the Lagos Jazz Series, Badagry Festival, Social Media Week, Griots and Bards, Revolving Art Incubator, Hard Rock Cafe, and Freedom Park, Lagos. She wrote the soundtrack for Ebony Life TV's web series *Indigo* and went on to release a Sza Inspired EP, *Ctrl+M* in 2018. Her latest LP titled *It's Not You; It's Me*. Maka is an independent artiste who has created a niche for herself – for those who have taste for lyrical, poetic, philosophic and experiential music.

Show case



Aduke (Aduke Ayobankole Aladekomo) is a Neosoul singer, songwriter, art educator and performance artiste. She started out with a 6-year stint as a member of the Crown Troupe of Africa, a theatre and performance arts organisation. She has since found her voice. Her voice blends with folk, soul, Afrobeat, jazz and Highlife to bring to fore a unique musical experience. Aduke has engaged society through her 'Hear the Voice' Video, which was shot and directed in the midst of the 2012 fuel subsidy protests. Since then, she had been working on an album. *Peace and Light*, her first album which was released in 2019, has been performed in Brazil, China and the United Kingdom, with signature songs like 'Made in Lagos' and 'Far Away'. She has performed in different festivals, conferences and residencies in Brazil, China, the United Kingdom and Nigeria alongside Femi Kuti, Nneka, Ade Bantu, Ekow Alabi, and others.

Aduke represented Nigeria at the Shenmo Education Centre, Lang Fang in China, where she was named the 2019 Shining Star, and was honoured as a member and international consultant at the Shenmo Women's League.

POLIO: A VICTORY WITHOUT SCARS

Adebowale Bello



Poliomyelitis, or polio for short, is a highly contagious infectious viral disease that affects mainly children under five years of age. It is caused by the poliovirus, a member of the genus *Enterovirus* which belongs to the *Picornaviridae* family. The virus enters the human body through the mouth and is spread by an infected person through faeces. As the virus is also present in the throat, it can spread through the phlegm or mucus of infected persons when they cough or sneeze.

There are different types of the polio disease ranging from the asymptomatic type to the severe type causing paralysis. People who have the asymptomatic type rarely show any signs (about 72% of cases) but are nonetheless able to infect other people with the virus. About 25%

of those infected show symptoms that are flu-like symptoms which usually resolves between 1-10 days. The symptoms experienced include fever, headache, sore throat, fatigue, nausea, neck stiffness, pain in the arms and legs. A small number of people infected show severe symptoms due to a damage done to the spinal cord and the brain stem. It is in this group of people that paralysis is often observed – about 1% of polio cases.

Polio does not have a known treatment, hence the emphasis on prevention by way of vaccination. There are three different strains of the wild poliovirus (WPV). These are type 1, type 2 and type 3. All the three are capable of causing serious symptoms and should all be protected against. The polio vaccine, developed in

the 1950s, is the main protective measure against the poliovirus.

Organised global efforts for the eradication of all types of poliovirus in the world began in 1988 when the World Health Assembly adopted a resolution for the worldwide eradication of polio. This led to the launch of the Global Polio Eradication Initiative, led by national governments, the World Health Organisation (WHO), Rotary International, the US Centres for Disease Control and Prevention (CDC), the United Nations International Children's Emergency Fund (UNICEF), and later joined by the Bill & Melinda Gates Foundation and Gavi, the Vaccine Alliance. Wild poliovirus cases have decreased by over 99% since 1988, from an estimated 350,000 cases in more than 125 endemic countries then to 175 reported cases in 2019.

In 1996, more than 75,000 children were said to have been paralysed by the wild poliovirus across countries in Africa. This called for renewed and sustained efforts on the part of the national governments of African countries and other development partners.

At the end of 2003, Nigeria, India, Pakistan, Niger, Afghanistan and Egypt were the only countries in the world that remained polio-endemic. The last reported case in India was in the state of West Bengal on January 13, 2011. The WHO gave the directive to remove India from the list of polio-endemic countries on February 25, 2012. Nigeria, however, suffered a setback in 2003 in the fight to eradicate the poliovirus. This was occasioned by a passionate resistance to the oral polio vaccination programme in some parts of Northern Nigeria. Certain clerics had claimed that the vaccination programme was an attempt to reduce the population of the North by including antifertility ingredients in the oral vaccine. By 2013, Nigeria was one of the only three countries which were polio endemic. The other two were Pakistan and Afghanistan.

Since 2016, however, no new cases of wild poliovirus have been reported in Nigeria. The stage was then set for the country's certification as being polio free. On December 9, 2019, the Africa Regional Certification Commission (ARCC) for wild polio eradication began a two-week field visit to Nigeria in a bid to verify the absence of poliovirus and to ensure that the disease surveillance was done according to certification standard. The commission had already accepted the

documentation submitted by 43 African countries at the time of the visit to Nigeria as part of the process to certify the African region free of all types of the poliovirus. The second phase of the visit was carried out in March 2020.

The primary requirements for the region's certification are that no wild poliovirus transmissions are detected for a minimum of three consecutive years in all the region's countries and that a high-quality certification standard of acute flaccid paralysis surveillance is in place in all countries for those three years. Countries must also maintain high immunisation coverage for the oral polio vaccine, have a robust national polio outbreak preparedness and response plan and a functional National Polio Certification Committee.

The ARCC accepted Nigeria's documentation on polio eradication having verified that the reality on ground agrees with the records. In June 2020, the WHO accorded the country a wild polio-free status. Then in August, two months later, Africa as a whole was certify polio-free.

The economic impact of the polio disease has immense dimensions. According to the WHO, the polio eradication efforts have saved the world more than US\$27 billion in health costs since 1988, and it is estimated that a further US\$14 billion savings would be realised by 2050. This is a remarkable achievement when compared with the cost countries incur to keep controlling the virus indefinitely.

With the public health challenges posed by the poliovirus being brought under control, the permanent damages done to its victims linger on. The socioeconomic implications for victims of its paralyzing power is far from being addressed. In a country where unemployment rate is on the increase, few chances are provided for those who are physically incapacitated. As of the second quarter of 2020, the unemployment rate in Nigeria stands at 27.1%. This implies that over 21 million Nigerians are unemployed. Of this number, a large percentage have one form of training or the other.

It is a more worrying situation for a number of paralytic polio victims, most of whom have no training or skill sets with which to compete for jobs. While majority have to wait on their state governments and benevolent individuals for support, a few have the moderate luck

of being engaged by Non-Governmental Organisations and charities. Like other physical challenges, the paralytics are being treated like unneeded species as a whole. Only recently has the bill for the protection of physically challenged people scaled to being a law. But beyond making laws, there remains huge work to be done.

As the government of the day keeps asserting its commitment to bringing many out of poverty, this group of people whose enemy – the poliovirus – is said to have been stamped out, needs to be freed from the shackles which the enemy left in its wake. Empowerment for them should go beyond offering them mobility aids. There should be a structured system for both formal and informal education for this class, as each may choose his or her own preferred path.

Individuals who have had their limbs paralysed should not in any way be looked upon as, and treated as, being less than humans. A huge bank of talents, creativity and economic power is being lost by not treating them like fellow compatriots.

In all efforts made to address unemployment, adequate attention should continually be given to those who have been paralysed by the poliovirus. The virus may have been eradicated, but the attendant social, economic and psychological effects still live with us.

Adebowale Bello is a trained physiologist, public health writer and a keen observer of global trends.



Oustanding Careers

LANRE TOWRY-COKER



Seasoned architect, consultant, arbitrator, and administrator, Dr. Lanre Towry-Coker's sphere of influence stretches beyond his core professional field of Architecture. Although his expertise in matters related to housing development, urban planning, integrated designs and construction management is top-notch, he has demonstrated equal capability in other fields of endeavour, including private and public service. He is the Chairman and Chief Executive Officer of Towry-Coker Associates (TCA), a prominent Nigerian architectural firm which he established in 1976. As well as requiring that he demonstrate his professional nous ensuring that projects are delivered to high standards, the position also demands of him a level of administrative and management capability to keep the firm's operations running at optimum levels. In both regards, he has delivered admirably. The company has since inception delivered architecturally exquisite projects both for residential and commercial purposes across Nigeria. Through his business development expertise, he has

placed the company at the forefront of competition in the industry by forging consortia and winning design and construction contracts from both public and private organisations.

A measure of Arch. Towry-Coker's industry impact can be gleaned from his role in the development of the Abuja master plan, an architectural masterpiece he delivered in collaboration with a team of expatriates. It was he also that developed the original concept of the Federal Capital's first hotel, Sheraton Hotel, a job that he did to world-class specifications. This brilliant architect further earned for himself industry bragging rights when he beat other competitors to land for his company the design project for the Abuja Conference Centre. By 1992, Dr. Towry-Coker's professional approval rating had hit the roofs with his outwitting of a hundred other competitors to win the contract to design the World Bank Resident Mission Headquarters and Residences in Abuja.

Lanre's accomplishments in the field of Architecture tell only a part of the story of this man of many parts. The success that trailed his public service only serves to complement the full range of his abilities. His appointment as Lagos State's Commissioner for Works and Housing between 1999 and 2003 brought an era of a mini revolution in the area of housing in the state. In four years on the saddle, he spearheaded and implemented policies for the development of about fifteen housing estates for middle class residents in Lagos; completed about four abandoned estate projects, and facilitated the Lagos urbanisation process. Prior to his appointment, he had had intermittent stints serving in different parastatals and agencies in Lagos State. He was the Chairman of Lagos Waste Disposal Board between 1984 and 1985; the Chairman of Lagos State Luna Park in 1985, and a member of Lagos State Tenders Board. His extensive involvement in both public and private practices amply prepared him for the managerial and leadership demands of his role as commissioner.

While still a commissioner, he was appointed a member to the Presidential Technical Committee on Housing and Urban Development between 2001 and 2002. Further and much higher recognition came his way with his appointment as Special Adviser on Housing and Urban Development to President Olusegun Obasanjo. He was required to provide leadership and technical advice in the country's attempt to emulate South Africa's successes in housing delivery to its citizens. Having made his mark in politics, he returned to his private practice as the CEO of Towry-Coker & Associates.

As an Arbitrator, Dr. Towry-Coker has assisted the Nigerian Institute of Architects (NIA) in making international connections, leading several delegates of the professional body to different regional and international professional gatherings as Chairman of the Public Relations Committee and International Relations Committee of the institute. He also represented the NIA at the World Photo-voltaic Association, a programme organised by the International Union of Architects. Other delegations he led include the ones to the Commonwealth Institute of Architects in Australia and the United States Building Business Symposium, among others.

Lanre Towry-Coker is a member of the Nigerian-Asian Chamber of Commerce, the Nigerian-British

Chamber of Commerce, and the Nigerian Institute of International Affairs (NIIA). He is a founding member of the Nigerian-German Business Council, a member of the Nigerian Finnish Chamber of Commerce and a member of different boards of companies and charitable organisations that include the Chris Ogunbanjo Foundation, the Centre for Conflict Resolution, and the Centre for the Promotion of an Industrial Society.

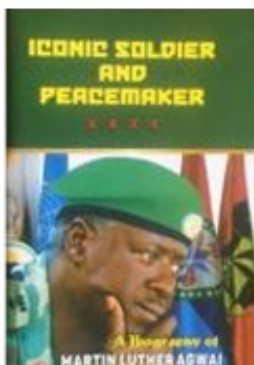
Dr. Towry-Coker attended the Architectural Association School of Architecture in London, and Thames University for his architectural training. He holds a Postgraduate Diploma in Architecture from the University of North East London, and also attended the world-famous Royal Institute of British Architects (RIBA). He has a PhD in Geography and Planning from the Lagos State University. An Associate of the Chartered Institute of Arbitrators in the United Kingdom (ACI. Arb.) and a Fellow of the Nigerian Institute of Architects (FNIA), he is a graduate of the Harvard University School of Business Administration (OPM), United States.

Towry-Coker is also the President of GTI-SA, an international engineering conglomerate with a desire to engage in the development of Africa through infrastructure development projects. He is also the Chairman, CityScape International Limited. He is happily married with three children, all of whom are graduates from prestigious overseas Universities. Architect Towry-Coker is a member of numerous elite social and sports clubs like the Lions Club International, Metropolitan Club (Lagos), Ikoyi Club (Lagos), Polo Club (Lagos), the Lagos Motor Boat Club, and Yoruba Tennis Club.

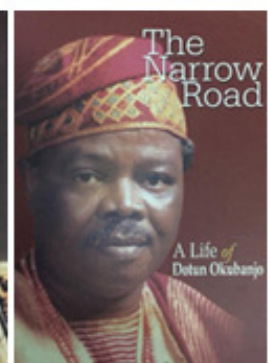
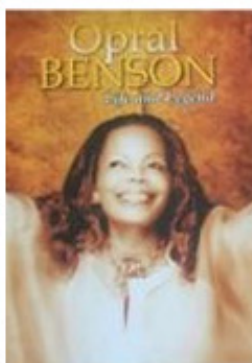
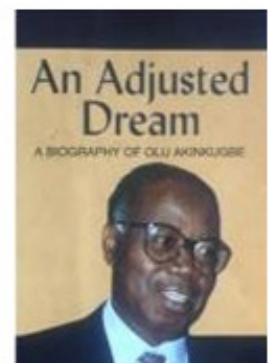
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OLUFUNKE OSIBODU

ELITE BANKER AND MANAGER



Funke had always known she wanted to be a banker. She went for her dream and made it big, in the process heading several positions in a number of top-notch banks. But this was not all; she also became very instrumental in the introduction of several banking innovations in Nigeria. She continues to play relevant roles in Nigeria's financial sector.

Birth, Background and a Balance

I was born on 11 January 1959 in Lagos to a family of diverse origins. My mother, Muriel Marion Johnston, came from two country lineages – Nigeria and Sierra Leone. Her mother was from the Efik ethnic group of Cross Rivers State, Nigeria, while her father was an immigrant from Sierra Leone. My father also had roots from two different countries, namely Nigeria and Brazil. His father's Nigerian ancestry, the Agbe-Davies family, is traced to both Lagos and Ijebu-Ijesha whilst his mother's, the Emanuel family, represented the Lagos and Brazilian side. This was the setting prior to my birth.

Despite having a good background, my childhood experiences were with my mother. My late father, Arthur Ademola Davies, the only son of his reasonably wealthy parents, lived a carefree and fun-filled life. He lost his dad quite early and was raised by his mother, Feyisayo (Emanuel) Davies. He later had several children from different women but found it difficult to stay for long with any. Therefore, my siblings and I (seven of us) were raised by our mothers. There were two of us from my mother (Muriel Marion Johnson), my elder sister Omolara Davies and myself. Thirteen years after I was born, I had a baby sister, Edith Lardner (now Edith Atobatele).

I can recall that when I was very young my father was with us at Layeni Street, Lagos, with his eldest son (my oldest brother) now Professor Ebun Davies. My father later joined his mother at Glover Street, Lagos where he lived until he died. The responsibilities for our welfare rested mainly on our respective mothers and slightly on



our paternal grandmother, Mrs Feyisayo Davies. She made it compulsory for her grandchildren to visit her during holidays. I enjoyed the visit. Her cooking was never completed without her adding garlic to season meat, chicken, etc. She was a very pretty woman from a well-to-do landed family and often travelled abroad for vacations. At some point in time, she lived somewhere around Fadeyi in Yaba, which probably prompted our calling her 'Mama Yaba' before she moved to Lagos Island around Omididun/Oshodi (Glover Street).

In our early days, I can recall that my mother had to keep multiple jobs to take care of us. She worked at Elder Dempster Agencies, a shipping and sea-based company which she complemented with another job to give her children very good education. 'Mami' (as we fondly called her during our growing up) was a very hardworking and determined young woman. She never wanted any excuse for failure and was tough on us her children so that we would turn out to be useful to ourselves and to our communities.

Childhood with mother certainly evokes mixed feelings. This is because no one could appreciate her sacrifices.

Cooking was, as expected, given prominence and mother ensured we were well grounded in the art. We made meals that were not of Nigerian origin and endured some torrid times grinding pepper on the local stone slabs. On Good Fridays, we made a delicacy called 'frijon' made out of over 12 hours boiling of black beans, sifted and boiled with grated coconut milk. Since meat was forbidden on Good Friday, this was eaten with fried fish stew and fried gari. Our favourite food every Saturday was the cassava dough, fufu, with mixed okra or bitter leaves soup. We did eat enough to last a lifetime as I've never eaten it after my 'freedom' from it!

My mother no doubt had a big impact on my life and I owed much of my early training to her commitment. She helped me attain a balance at those formative years, when father was very rarely available. She was always up and doing and willing to go the extra mile to get the desired result. She was also very fussy about education and schooling, always looking for the best, no matter the cost. She still plays this role for her grandchildren even today. She is indeed a model to women in such a condition today.



Olufunke Osibodu with President Olusegun Obasanjo

Growing Up in Post-Independence Lagos

I grew up in Layeni Street, a community close to Tinubu and the now notorious Oluwole Street, which is central to the entire Lagos Island. Lagos, as the capital of the nation then, was expectedly busy and rough but not as terrible as we have it today. The city was very peaceful to the extent that one could leave one's door unlocked in the night till the next morning without fear of any harm or robbery. In fact, people frequently slept outside and it was considered fun. Life at that time was more communal than it is today and children rarely misbehaved, knowing that any adult, known or unknown, could mete out the punishment even without the consent of the parents.

I lived in the 'agbole' arrangement, which is a compound occupying several family members. We, however, were the only ones living upstairs but had to regularly come down to fetch water, especially at nights. Our compound had its own tap inside its compound in addition to the public tap in the street. Whenever we went to fetch water, my sister and I were usually addressed as 'Omo Saro', which in its true adaptation meant, 'the child from Sierra Leone', a reference to our mother's origin. Household chores usually filled our days and one could not give any excuse for not participating. Even when we brought assignments from school, we were only allowed to quickly finish them before resuming our home duties. We ensured that the house was dust-free despite

its windows and doors always flung open to allow for ventilation. I do not have pictures of old and new Lagos, but I am sure they are a world apart from each other. Old Lagos had Brazilian architectural designs which made the environment beautiful. The surroundings were clean and devoid of filth. The Marina also had a Love Garden, where many people went to unwind after work. It was such beautiful scenery. There was order and the public system worked, with sanitary inspectors checking virtually every part of the homes. There was discipline in the whole place, despite the high-density nature of the city.

As a child during those early periods of independence, one always savoured the merriment that went along with its annual celebration. All the schools in Lagos staged a march past at the Tafawa Balewa Square, which must have been thoroughly rehearsed long before October 1, Nigeria's Independence Day. Whilst waiting for the dignitaries coming to grace the occasion, we the children would line up the streets waving the Nigerian flag and singing. This could take several hours. We were usually eager to get a glimpse of the head of state and were not bothered about the weather condition. We were proud to be Nigerians. But the story is different today.

I blame us Nigerians for our lack of discipline and inability to continue with the orderliness left by the

British colonialists. However, even if the blame is not given then, out of the excuse that Nigeria was still a young nation grappling with the complex issues that came with being independent, what about now after almost a half century of self-government?

No Excuse for Failure: The Successful School Days

I began formal schooling at St. Mary Nursery School, Ajele but spent a short time there, before moving to Auntie Ayo Preparatory School in Keffi for both nursery and primary education. Experiences at these schools, especially at Auntie Ayo, remain fresh in my memory, as they were exciting and sometimes amusing. It was fun for many of us to trek from our base in the central part of Lagos Island to Obalende, where our school was located. It was more enjoyable for us, especially when it rained and we had to occasionally hop into moving buses, many times from Tinubu Street. Our parents would of course become concerned at our dripping selves and prepare hot beverages for us.

The proprietor of Auntie Ayo School, Ayo Manuel, was a renowned disciplinarian and she left a huge impression on my young mind. The school was a co-educational one and had its 'dos and don'ts' which no pupil dared disobey. Mrs Banigo, the headmistress and a host of caring teachers contributed significantly to our memorable experience. There was a sand-filled field just behind the school's premises. It was a playground behind St. Gregory's College, Obalende, and it had an escape route that led to Awolowo Road which many students passed, even with the protective cable around the field. With the proprietor however, the chances of playing truancy was minimal as she had a proper grip on most of the pupils and did not tolerate laxity.

My progress from Auntie Ayo to Holy Child College, Obalende (which was a walking distance from the former) was never an issue to me. I saw it as the next stage for every student. At Holy Child I was a day student, more of an Art than a Science student, and reasonably intelligent. To a large extent, my experience at Holy Child prepared me for a career in the financial sector. It was an all-girls Catholic mission school with the attendant standards such institutions tend to propagate. It once operated the boarding house system, which I never resided in, before it was later scrapped. Close to us was the boys' school, St. Gregory's College, which engendered relationship between students of the two schools, but there was limit to the truantries one

could play in such a situation as the reverend mothers and fathers were always very watchful. The distinctive feature of our school from the famous Queen's College was our reputation for working and playing hard. The motto of the school 'Action not Word' was very well practised.

Schooling was fun because one had high-quality facilities and good teachers. This facilitated one's success at examinations. Discipline was the watchword and there was no other way, what with such personalities as Mrs Sosan, the school principal. She was a tough woman and enforced order in the school. We all respected her a lot. The tradition was maintained with Mrs Majasan, our former English teacher who became the principal after I had left. Other teachers that made impression on me included Mrs Ogunleti (History), Mrs Ojomo (French) and Mr Obi (Art). I met Mrs Ojomo at a function some time ago and remembered how pretty and stylish she was and still is. Mr Obi, on the other hand, could qualify as one of the best artistic persons I have ever met. There was nothing he could not draw. He was particular about giving attention to details, especially the drawing of a female figure using specific ruler dimension. I kept some of his works even after leaving the school.

With such an array of qualitative tutors, one could not give excuses for failure, and unlike nowadays where the need to retake several examinations is very common. The teachers then, besides being tough, were very thorough with duties and always engaged their students with homework. The implication was that one had a very limited playing time, which proved beneficial to the students. There was no need for extra lesson teachers.

After I completed my secondary education, the options were to either go for 'A' Levels at Queen's College Yaba, or proceed straight to the university. This resulted into a heated argument between my mother and her younger brother (Uncle Benji), who was living with us at the time. While my uncle insisted that I should take up the preliminary (pre-degree) admission offered by the University of Ife, Mom felt I was rather too young for such a challenge and should do the A' Levels first. The resolution was when I decided to accept the admission and proceeded straight to the university. My mother was not particularly pleased with the decision as I was still relatively young and had never left home for a long period before. She was later proven right when I had to repeat my first year in the university.



University, Obstacles and Springboards

I was barely 16 years old when I first went to University of Ife and was totally a greenhorn. I was immediately fascinated by the environment, which was very much unlike Nigeria! It had most beautiful scenery – good hostels, stylish architectural designs and well-watered plants and manicured lawns. In fact, we used to tease our Vice Chancellor then, Professor Aboyade, for preferring to tend his vegetation first before giving us water. The surroundings were well managed and maintained, everywhere indicated an orderly society. It was a closed community devoid of the problems of the larger society and conducive for scholarship. We all lived within the premises of the institution, and were able to relate well with one another.

At the time I got into the university it was two students per room. This increased to four by the time I was leaving. The senior students, however, still had the privilege of more comfortable accommodation and exclusivity. They were allocated the accommodation on either one or two students per room basis. We were all well catered for and comparatively pampered. I was shocked when I visited the same university years later to see my junior sister. It had become more or less a dormitory with eight or more persons in a room.

It was a big challenge to a teenager having to take up responsibilities for the first time. Many of us saw leaving home for university as ‘freedom’ to live the way we had always imagined. This distorted view of freedom later proved to be the number one barrier in facing our studies for some of us undergraduates. Part of freedom was travelling with friends sometimes from school to other places without the knowledge of our parents. Once, my roommates had to cover up for me when mother paid me an unannounced visit while I was away for a party at Ibadan. She was told that I was somewhere reading and it worked. Now, even though these were part of the growing-up process, I look back and shudder at the risks we took. I have learnt many lessons from this.

Part of growing up as a young lady meant that one would also be exposed to female harassment in various ways. I can recall two early incidences, one just before leaving secondary school by a family friend regarded as an uncle and the second at the end of my first year in the university by the lecturer handling one of my elective subjects. The latter resulted in my repeating

my first year in the university. In both circumstances it was obvious that each wanted to use the situation where one needed assistance or was vulnerable to seek sexual or compromising favours. I learnt at this early stage that being just an average or marginal person could make one susceptible to the whims of people who wished to victimise you. One of the keys to success is to be above average and also live by the age-old and tested values of life. It does not matter the circumstances one finds oneself, there is no shortcut to lasting success, and the only route is to be above board.

I settled down for my academic studies in the Economics Department. Events and people that I met at the Economics Department restored my zeal for learning and hope of a brighter future. The department was eminently staffed by highly qualified personnel such as Dr 'Mark Fabro' Fabayo, who later became head of department and a Professor; Dr (later Professor) Ojo, who later left to work in the private sector and later at the Ford Foundation; Professor Popoola, who later served as a commissioner and the dean of the faculty, and the tough Professor Ekundare, who was the then head of the department of economics. We were given the very best quality of education the country could afford at the time and were vast in our field.

The university period also provided the opportunity of starting several friendships, with some apparently lasting for a lifetime. Some of the closest friends were Deola Okin (now Bako) and now based in Kaduna; my roommates Aunty Agbeke, Mrs Sanwo, Bimbo Phillips (now Dada); Ada Gwam; Sola Oduntan (now Showale); Toyin Balogun; Bukola Degun, Mercy Edoorho and others. During my various vacations, there were always jobs available in the financial services, oil & gas and accounting sectors of the economy. My first vacation job as an undergraduate was at National Oil & Chemical Marketing Company Ltd but subsequent times were at an accounting firm, Pannel Fitzpatrick.

Preparations for a Banking Profession

I was quite ambitious after my university education and wanted to immediately work in a bank. The NYSC posting eventually came and I was to go to the north. I later found myself in Lagos. In Lagos I wanted to work in a bank, but found myself in the classroom as a teacher at Methodist Boys High School. This was pretty tough for me and proved to be one of my defining moments. Although I spent just a little above three months with them, it toughened me for the challenges ahead, and gave me the skills of how to handle unfriendly circumstances.



Opposition came in form of ridicule. As one entered the classes, I was frequently greeted by whistles and 'boo' from the boys. My case was not helped by the fact of my being skinny.

I, however, weathered the storm and had spent a little above three months at the school before I was re-posted to the corporate finance department of the Nigerian Acceptances Limited (later renamed NAL Merchant Bank Ltd), which was the oldest merchant bank in the country then. It was no doubt a step in the right direction for me even though I still loved teaching. I loved the teaching profession so much that it made me continue at the school even while working at the bank. The school then had the evening adult education classes. Some of the teachers invited me to join, which I did since my home was at Tinubu, not far from the school. It was convenient for me to partake in the programme because it didn't disturb my work during the day. More so, the fulfilment I derived from it made it such an exhilarating experience. Several times when I walked along the road and I met people – old and young – who introduced themselves as my students, I was flattered to say the least. It is especially gratifying to be part of the process that actualised some people's dreams of attaining formal education.

The banking experience garnered as a youth 'corper' was invaluable as it was my definitive moment as a future banker. I worked with Atedo Peterside (current MD of IBTC Chartered Bank) who was the head of the department. Wale Edun, former commissioner in Lagos State was also there, as well as Olu Odejimi in charge of the subsidiary of the bank (NSL), among others. It was a small department with several corporate finance mandates and I worked like any other staff there, not as a NYSC recruit. The experience I gained working at the bank could surely be more than two years working somewhere else. I hoped to be retained at the bank after the service year but when I got no assurance from its hierarchy, I applied and got an appointment with another finance institution, Chase Merchant Bank, also a merchant bank. My former NAL employers later contacted me with their offer but it was too late as I had already commenced work in Chase. I picked up my appointment with Continental Merchant Bank Limited (then called CHASE) in 1981 at their treasury unit and worked my way up to become its undesignated head within the first year. I felt my NYSC past experiences had groomed me for the challenges of the new job. It was

not difficult to adjust. I constantly reminded my new employers that they were lucky to have me as I could return to where I did my NYSC any time. I never wasted an opportunity to contribute my quota during my stay. I surprised several of the bank's top executives when I presented an impeccable budget during a budget retreat meeting. They were about to skip treasury department budget presentation (because the head of treasury had just left the bank and I was too junior and still learning the ropes), until I told them that I had a presentation. My presentation that day was one of the landmarks of my life and career as a banking professional.

I met my husband, Gbolade Osibodu whilst in CHASE. After four years, I left CHASE with some of my colleagues, including Yemi Cardoso (a former Lagos State Commissioner), who had been trained by the American Citibank to start with a new bank called Nigerian International Bank (NIB) Limited, the bank being majority owned by the Citibank Group.

Life at NIB was a different kettle of fish and shaped my adulthood. It was during this time that I got married, lived in Ikeja, worked in Victoria Island and was also given the full treasury responsibility at my place of work. I rose to the position of a general manager and vice president in charge of treasury division, having spent over 13 years with the bank. During this time, however, one of my major preoccupations was teaching, as I had to impart practical banking knowledge on the upcoming bankers. This sometimes took me out of Nigeria to different parts of the African continent (Uganda, Tanzania, Kenya, etc). NIB was really an innovative bank and I thoroughly enjoyed my stay there as the treasurer.

In 1996, I left NIB as the most senior Nigerian with the request by my employers to go to an international post whenever I was ready for it. I was already married at the time and as a woman had my limitations. I was very much at the top of my job. I was head-hunted by a couple of recruitment agencies for various CEO positions. I subsequently moved to MBC International Bank Limited as their managing director. As managing director in my new employment, I had the great privilege of fulfilling my ambition for the profession by serving in this capacity for six years. I also subsequently became the managing director at Ecobank Nigeria Plc between October 2002 and March 2006, before leaving as the combination director at Ecobank Transnational Inc,

the parent banking group, in August 2006. The banking profession, more than any other I know, takes a lot of time out of an individual. One may be well remunerated but hardly has time for oneself. As a female, no matter the advancement in the office, the home must not suffer and I, with the help of my understanding husband, did my best in juggling and balancing these two areas. One just has to make the most of every time at one's disposal and never indulge in frivolity.

Spearheading Banking Innovations

Prior to the coming of Nigerian International Bank (NIB) (an offshoot of Citibank), the Nigerian banking industry was populated by cashiers and tellers who were non-graduates. It was the period when one had to repeatedly call one's tally numbers before being attended to. You could spend three hours waiting to cash a cheque. NIB revolutionised the banking system by employing graduates and second-degree holders as tellers. This made the banking process less cumbersome. Although people found it hard to accept the change initially, they were persuaded after seeing the efficiency of the new arrangement. One graduate teller was doing what six people previously did and was faster at it. The bank had a standard of customers cashing cheques in less than five minutes.

As the treasurer at NIB, I was part of the introduction of several new products and innovations brought by the Citibank Group. Most of the new developments in the Nigerian money and foreign exchange market involved us teaming up with other banks to ensure the workability of such innovations.

There was the introduction of the open market operation (OMO) in treasury bills, the two-way dealing in the foreign exchange market; the trading in various money market securities (commercial paper, banker acceptances, treasury bills); and other money & foreign exchange market process innovations. I was also a pioneer member in the development of the NIBSS (Nigeria Inter-Bank Settlement Systems). This was a payment system owned by all banks to handle interbank and clearing settlement in the country. I was one of its first directors. With this new arrangement, transactions could be carried out between different banks on the same day, and sometimes within a short period.

After assuming headship at MBC International Bank Limited as managing director, we commenced the

management trainee programme, which was basically for the purpose of integrating fresh employees (young graduates) into the fundamentals of banking. We observed at the time that the quality of education in the country was below average, with many 'graduates' unable to defend their certificates. The programme was therefore introduced to serve as a fast-track process of changing the orientation of the new workforce. In addition to training on various aspects of banking, we organised talks and seminars, reading of motivational books to build self-confidence and focus. The programme ran for between six to eight weeks. The same programme was introduced at Ecobank when I joined the bank as CEO.

One of the current innovations in banking today is the use of electronic cards in place of cash. It was not, however, as straightforward for the Nigerian banking environment to relate with the new development as it was in other parts of the world. The early adventurers in the invention included Société Générale Bank and All States Trust Bank, but they really could not take it off. Whilst I was in MBC International Bank Ltd, a Spanish gentleman, Dr Merino (one of the pioneer members of the Lagos Business School, where I was also a faculty member), approached a group of us to jointly look at setting up an electronic purse to be used under one platform by various banks, with ability for the point-of-sale terminal (POS) to accept/acquire transactions by a multiple of banks. This was, however, an era where banks were only interested in competing not co-operating with each other. I thought it was interesting and worth trying out, as it would be the first of its kind in the world in terms of multiple POS acquisition.

Dr Merino, Dr Joseph Sanusi, who was the MD of First Bank Nigeria Plc (and later became the governor of the Central Bank) and myself commenced this process to push for the introduction of this jointly owned smart cards company by Nigerian banks. The idea was sold to several banks that joined the consortium and it signalled the birth of ValuCard Nigeria Ltd (formerly called SmartCard Company Ltd), which in some way revolutionised the Nigerian banking industry in terms of card utilisation and awareness. Dr Merino became the first chief executive of the company. I became a director of the company and later the chairman of ValuCard. Visa is now a substantial shareholder in this company.

In 2005, Ecobank Nigeria Ltd subsequently became the

first bank to commence the issuance of foreign currency credit card in Nigeria and indeed the whole of West and Central Africa. This was the MasterCard credit card which most banks in Nigeria have also now commenced issuing.

Spreading Across the Frontiers

Although I spent the most part of my life with the banking world, I still have other aspects to my life. I have been lucky with several positions that I held. As the foregoing has revealed, I have held top positions in the banking industry since my post-university experience. One secret to this, I could say, has to do with my work ethics and attitude to work. Like my husband, I am someone people sometimes referred to as 'workaholic' whilst trying to balance this with other aspects of my life. One important thing I do in whatever capacity I find myself, however, is to observe what people who are two to three steps ahead of me do and put in similar level of work. It may sound unpopular and sometimes unrewarding but it has proven as a good strategy for me. It is no surprise to anybody, therefore, whenever I get my promotion in double-quick time than most people, as I was always working at above my level.

As much as possible, I have tried to use my experiences and exposure in whatever capacity as may be demanded of me by the Nigerian society. To this end, I have served in some occasions outside the banking world. I was a member of the Vision 2010, a committee set up by the Federal Government to direct the process of creating a vision for Nigeria. It proved to be a learning opportunity for me. One had to interact with people – old and young – from different cultural backgrounds and different agendas who were supposed to come together to forge a united front. I was subsequently made a member of Vision Foundation, which was a body developed to continue the Nigerian Vision process

I am also a founding director in the Nigerian Economic Summit Group (NESG), a major private-sector initiative to create partnership between government and private sector for Nigerian economic development. It is a scheme that has experienced more successes in creating a bridge/partnership between the private and public sector. I was chairman of the Lagos State Economic Summit in 2001 and treasurer of International Chamber of Commerce & Industry (ICCI), Nigeria, between 2000 and 2002. I was a director of two stock brokering firms at different times: ESL Securities Limited from 2002 to 2006 and

MBC Securities Ltd from 1996 to 2002.

I was also a director of two discount houses: First Securities Discount House (FSDH) between 2003 and 2005 and Consolidated Discount House Ltd from 1997 to 2002. I am director at Centre for Law and Business Studies since 2003. I was also chairman of the bankers' subcommittee on code of conduct, as well as member of other CBN committees set up on various banking-related matters. I have also been involved as a director in a nongovernmental organisation, Enterprises for Development International (EFDI), since 2002, besides being on the board of various other private and family-related companies.

Besides being in position of authority, I have also served in other capacities which include being an honorary member of Money Market Association (MMA) of Nigeria. I still remain a faculty member of Lagos Business School (LBS), where I have delivered a number of lectures. Teaching has always been my second love and I have had the privilege of delivering lectures in such notable places as the Wharton Business School (USA), The Lagos Business School, Citibank in various African countries, Money Market Association, Chartered Institute of Bankers and other financial institutions training centres. I was a council member at Lagos Chamber of Commerce & Industry, trustee at the Anti-Fraud Foundation, Nigeria and member of the board of advisers at AIESEC. I am currently a member of the board of trustees at Holy Child College; a member of the standing committee of the Cathedral Church of Christ, Marina Lagos; a member of the diocesan board of the Lagos Anglican Communion, and a synod delegate.

Even with all the above, life continues to be a learning process and acquiring new knowledge and education is a continuous process. In 2002, I took a break from work to attend the Advance Management Program (AMP) in Harvard University. It was an intensive three months' training which further opened my eyes to new learning.

Managing the Home Front

My husband and I only became seriously interested in each other while I was working at CHASE. He is a brother to one of my university mates and friend (Busola). We knew each other whilst I was in the university based on the same social circle. He, however, repeatedly came looking for me at the bank and, with the connivance of some of my colleagues who were his friends (especially Wale Edun who later became a Commissioner in Lagos



Family First, The Osibodus

State), took me out on dates where our relationship formally commenced. Sometimes in our marriage he makes fun of me for playing 'hard to get' for too long. His persistence however paid off when we got married on 29 December 1985, at Christ Church Cathedral in

Marina, Lagos.

Marriage has been interesting because I married someone who is a friend and also an encourager. My husband, Victor Gbolade Osibodu, is an Ijebu man from Ilisan Remo. He is a pharmacist by profession, though he

only practised the profession for three years before starting his own business. He is the typical example of a workaholic, as I got to know soon after our wedding. He told me of his intention to have our honeymoon both in London and Hong Kong. I was excited about this until I later realised that it was also a working honeymoon! I was happy to know that he was a lot more ambitious than I was.

He is what could be called a model entrepreneur as he is involved in a conglomerate of businesses cutting across different sectors, namely oil and gas, marketing, power, finance, among others. Vigeo Ltd, Citiserve Ltd, and Global Utilities Management Company Ltd are some of the successful companies which he started in addition to being a pioneer shareholder and director in Guaranty Trust Bank Ltd. In recognition of his entrepreneurial achievements he was honoured with an MFR (Member of the Federal Republic). There seemed to be a synergy between us and we have remained good friends and lovers ever since.

Our marriage has been blessed with three lovely children: Tobi, Tosin and Tolu (all boys). They are all doing fine and are at advanced stages of their education. Despite his successes in the corporate world and the publicity that this entails, my husband is a firm believer in family life. One of our policies at home is to have dinner together, irrespective of our tight schedule for the day, and he ensures we keep to it. No marriage, however, is a bed of roses and we've had our own difficult times, especially when we were still a young couple. No matter our differences at the time, we resolved never to sleep over an unsettled matter and never to involve a third party in our conflict. This really helped our marriage as my husband, whenever he sensed anything amiss, would sit me down and pester me for the cause of the problem, which would then be resolved amicably. It was initially challenging to cope with working in Victoria Island, arriving at our Ikeja home late at night with my husband, and still having to prepare food and finish any office work not yet done. It was even more tasking when Tobi our first son was born.

The deep freezer gift we received on our wedding day from my eldest sister-in-law proved to be the most valuable present in helping me meet the challenges of work and home. With such experiences, I believe no woman who is able to manage her home effectively would find it difficult doing the same at work. Women are

probably better managers given the right environment. One of the major steps we took within the first four years of our marriage was to change accommodation. We were staying in Ikeja; I was working on the Island while my husband was working in Ikeja. Most times I spent a reasonable part of my time, productive time, in the traffic, to and fro. The stress of that type of living was beginning to take its toll on us. My husband suggested we move to the Island, in order to reduce the stress on our daily living. Our mothers thought we were out of our minds. We were still reasonably young struggling workers, and it was expected that we would have been saving to build our own house, rather than deciding to rent a house at an exorbitant price. Moreover, they felt the money we were to use to rent a house on the Island could be judiciously used to buy a land on the mainland. However, my husband and I looked at the issue differently.

Thanks to the good foresight of my husband, our lifestyle was affected positively. Rather than spend two to three hours in traffic every morning and evening, we spent far less time, and were more productive at work. His own office was still in Ikeja, so in the morning and evening he drove against the traffic. For me, within a maximum of 30 minutes I was in the office. It was easier for me to take the children to school, sort things out, and even pop in at home during lunchtime. Yes, the money we spent in renting the house on the Island could be termed 'crazy', but it challenged us to work harder so that we could earn sufficient money for us to keep on staying on the Island. This way, we eventually built our house on the Island, and we've been living there ever since.

Motherhood and a Word to Fellow Females

My husband and I were particular about the kind of schools we sent our children to. We wanted a secondary school that would teach them other creative things apart from the purely academic stuff. As busy parents, one was not always there with them as one would have wanted to be. We had to send them to secondary schools that had God-fearing environments. We were particular about secondary school education because this is during the formative stage in the life of a child. It is at secondary school that one makes some lifelong friends, and starts to keep permanent company. So, the secondary school a child is sent to matters a lot. It must be able to inculcate in the child what you, the parent, want or desire to see in your child.

We wanted our three children not only to be close to each other and to us, but also to learn to live independently of us. Tobi is in his penultimate year at the university. Tosin is doing his 'A' levels exam this year; and Tolu will be doing his GCSE exam next year. Some parents tend to make up for the lack of parental care and attention they did not give their children by spoiling these children with money and material things. But they forget that money cannot buy love or character. It is what you put into children that matters. That is why, right from an early stage, we believed that character-building values must be inculcated into our children. For my husband and I, it was important that we brought our children up to be able to relate to people as themselves, not who their parents are.

Even though they are all boys, we still made them value some chores socially earmarked for girls and women. During the holidays, they have specific chores they see to. This training helped them a lot as boarders during their secondary school days. They were able to cope in taking care of themselves. They did their laundry themselves once in secondary school, and coped with other chores that came their way as well. It is important that parents or guardians recognise each of their child's or wards' abilities. For instance, my husband and I had to change our last child's school. We realised he was very artistic and athletic and the conventional schools could not satisfy this part of him. This affected his interest and performance in the academic study, until we placed him in a secondary school that had structures that could develop his creative interests and sports. Understand your children and what makes them happy, and assist in building that up.

In today's world, just like in anywhere else, the womenfolk have fewer opportunities at the top level of businesses and professional set-ups. It is therefore important to more than excel in whatever one does in order to be noticed and given a chance. I think it would require a world reorientation to get people into accepting the role of women in society.

I once had a tough boss while working at NIB who would only give me assignments when we were about to close from office and expected it back first thing the

next morning. Several of my colleagues took advantage of his absence during office hours to idle away their time. I disliked his style and the work pressure he used to pile on me. It was later that I realised the manager was indirectly training me to be hard working. Many of us today, on the other hand, would prefer to work with those who only commend and not correct us. In the course of seeking admiration, we fall prey to the whims of the moment. When a female develops her inward qualities and abilities, she is not easily influenced into doing what does not befit her. No matter the economic condition, a lady eventually determines whether she wishes to be molested or not

Ladies, especially, should know how to read between the lines whenever they sense any form of molestation. Essentially though, it is their comportment and carriage that determine how people regard them. I feel challenged whenever I see the efforts of the women during President Obasanjo's administration and believe it should also challenge every Nigerian woman today. This is not much of a surprise to some of us employers, however, as we've found females to do better at interviews than their male counterparts. Whenever the opportunity arises, I have been open-minded in giving fair consideration to my fellow female gender.

Nigeria is a country blessed with a lot of creative people, but much of her potentials and assets are still untapped. One way of harnessing the human resources should be the deliberate and constant mentoring by the past generation. Occasionally, I receive girls and women who probably take me as model and counsel them as much as I can. I have always believed that balancing the four main aspect of our lives ensure a complete person. These four aspects are our family, our religion, our work and our friendship/service to the community. I believe if the mentality and work ethics are right, the sky is the limit for the emotionally intelligent woman.

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