

# The humanism of Gani Fawehinmi

By Edwin Madunagu

**A**N embattled revolutionary once advised compatriots who might find themselves in personally tragic situations to be careful not to judge a historical epoch by their own personal fates. Let us attempt an elaboration of this admonition. A historical epoch, or development, may be considered tragic for a large section of a given segment of humanity, or even for humanity as a whole. And one may share this tragedy as a social being, as a species being, as a member of a family, as a member of a social class, group or community, as a partisan, etc. But the tragedy may in addition, impact on you in a unique, personal way.

The revolutionary was advising that while admitting the full extent of the personal impact you should not judge "the general" by "the personal", however devastating the latter may be. I have had reasons to remind myself (and sometimes, others) of this admonition several times in the recent past. The latest reminder came in the build-up to the 4<sup>th</sup> Fani Fawehinmi Annual Lecture Series organised by the Ikeja Branch of the Nigerian Bar Association (NBA), and held in Lagos on Tuesday, January 15, 2008.

In the third week of November 2007, I received a notification, through multiple sources, of the Gani Fawehinmi event. The notification included a request for my participation as a speaker on the topic; "Impact of corruption on the socio-economic development of Nigeria" within the theme "Challenges of legitimacy in governance and the war against corruption". I quickly assessed the situation and concluded, mainly on account of the constraints placed on me by the present order of things, that I would not be able to participate in the event. I communicated my fears and regrets immediately. Towards the end of the year, I committed this response to paper, and dispatched it to a number of comrades and friends. I had

concluded the letter with the words: "Those who know me and my relationship with Gani can guess how distressed I am at this point". The communication was followed with a very brief telephone discussion with the subject, Gani Fawehinmi.

It was at this point that I cautioned myself against visiting the pain of this disappointment on my assessment of the present social order. Specifically I decided that such a visitation would not objectively make the social order any darker than it is. Indeed, it would make my assessment less capable of withstanding the test of time. Thereafter, I decided on this piece, an introduction to a substantive work on this exceptional being, Gani Fawehinmi.

Gani Fawehinmi is one of the most productive, prolific, reported, analysed, debated, and documented public figures in Nigeria. This is not simple a product of the computer and internet revolution. My observation applies even to the period before the information and communication revolution, or before the revolution expanded to these parts. The result is that anyone who wants to conduct a research on the subject or aspects of his life, career struggles, politics, law and morality, revolution and the law, etc, will have to battle with the problem of "over-documentation".

My practical approach to this problem is two-pronged: first, to proceed from some of the most significant encounters I have had with Fawehinmi. Not encounters in general - for this will create new problems - but encounters that were at once personal and emotional, as well as political and of enduring public interest; and, secondly, to revisit three or four of the articles I had written on him, or which he had inspired. The two approaches will be complementary and mutually re-inforcing. The opening theme is humanism.

My first encounter with Gani Fawehinmi took place in a court room in Lagos in March

1975: I, as a political detainee produced in court on the orders of a High Court Judge; Gani as my unpaid lawyer. I had never seen him before then. I shall return to this first encounter. But let me continue with the listing. The second encounter, according to my list, was in September 1978. A national protest by Nigerian students had been staged earlier that year. It was tagged "Ali Must Go". A number of students and non-students were killed by armed agents of the state. Later, a number of University teachers and administrators, including my spouse and I, were dismissed by the military regime headed by General Olusegun Obasanjo. I contacted Gani Fawehinmi. The third encounter was in October 1983 when I was arrested at the Lagos Airport on my way to Ghana. From the airport, I was taken to the Awolowo road headquarters of the security agency. Somehow, the report of my secret arrest got to Gani before we even got to Awolowo Road! Mind you, we were at least a decade away from the information and communication technology revolution.

My fourth encounter with Gani Fawehinmi was in January 1987 when my colleagues in the Political Bureau (appointed by General Babangida) prevented me from further participation in the work of the body. I met Gani. The fifth encounter was in the second half of 1988 when, in company of some comrades, I went to see Gani at his chambers for a particular favour. I shall also return to this particular encounter. The sixth encounter was in December 2000 when a high profile comrade, a victim of political vendetta and incredible malice, was arrested in Calabar and falsely accused of murder. He was changed to court and detained in prison. I called on Gani, and he answered

me. He dispatched a lawyer to Calabar and made a public statement - both within an hour of my speaking to him. The comrade was freed. Gani charged no fees. The seventh encounter was in the year 2002 when Gani visited Calabar on professional and political engagements. He paid me a loud courtesy visit at home. He later addressed a mini "rally" in my office, and another one in my spouse's office.

In returning to the first encounter, I shall merely quote, with minimal editing, from the article which appeared in this column on November 30, 2000, and titled *For Fawehinmi and Umar*: "I first met Gani Fawehinmi in March 1975. Before then, I had heard and read about him for about two years. The scene of this first encounter was the Lagos High Court, Ikoyi. I had just been brought, by road, from Sokoto Prison on the orders of the court. The order was made upon a motion filed by Fawehinmi on behalf of the Students' Union of the University of Lagos where, six months earlier, I had been appointed Lecturer in Mathematics. According to the order of my detention, presumably for attempting to overthrow the military government of General Yabuku Gowon, I was to be held in Sokoto Prison. But the military government decided to keep me and my three comrades somewhere behind Dodan Barracks.

"How Fawehinmi learnt of this, and the identities of the people who assisted him in uncovering this state deception, are for him to reveal in his memoirs. Some of these people are already dead; some are in retirement; others are still in the service of the Nigerian State. When the order to produce me in court was made, the authorities decided, as a cover-up, to rush me to Sokoto Prison. The story of my journey from Lagos to Sokoto, the attempted interception at Ilorin, my five-day stay in Sokoto Prison and my journey back to Lagos, will

be sweeter in Gani's mouth. It is sufficient for me to say that Gani Fawehinmi knew all this and brought his knowledge to bear on the brilliant and fearless motion he brought before the court. Gani had never met me before then. Not only did he charge no fees, he radically and absolutely supported my fiancée (now my wife), friends and comrades, in cash and in kind, against those who preferred a policy of "gradualism" and "supplication".

"Gani's attempt to free me, of course, failed. But back in detention, after my brief appearance, I read in newspapers smuggled to me Gani's angry denunciation of the judge's capitulation to the pressure mounted by the government. He ended with the words, "I am sorry for your soul, my Lord". Even in captivity I was afraid for Gani. When we were eventually released, Gani, at his expense, organised a welcome party for us at his Surulere home and chambers. He did not attempt to recruit me for his "cause". He could not recruit me not because I was not recruitable but because his cause was universal liberation which defied political, ideological and organisational boundaries". I shall return to this theme.

"Gani Fawehinmi has remained essentially the same, except for changes in tactics demanded by changes in circumstances. In the struggle for democracy, human rights and freedom, Gani Fawehinmi is an exceptional being. He is in a class of his own. In political history he could be called a revolutionary democrat. In the history of philosophy, he could be called a radical humanist. Fidel Castro once remarked that if Che Guevara, his late comrade-in-arms, had been a Catholic, he would have been made a saint. I would say the same of Gani Fawehinmi - only that saints are not made in their lifetime".

I wrote that in the year 2000. I endorse it today.

•To be continued next Thursday





# The humanism of Gani Fawehinmi (2)

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THE inspiration for this series of articles was the 4<sup>th</sup> Gani Fawehinmi Annual Lecture held in Lagos on January 15, 2008 under the auspices of the Ikeja Branch of the Nigeria Bar Association (NBA). I could not attend the event and so could not speak on the assigned topic, "Impact of corruption on the socio-economic development of Nigeria" under the theme "Challenges of legitimacy in governance and the war against corruption". The Bar Association appropriately chose a theme which, in the last few years, appears to have become the dominant issue in Gani Fawehinmi's politics.

In the first part of this article I listed seven encounters I had with Gani Fawehinmi between 1975 and 2002. I also quoted from my article: *For Fawehinmi and Umar* (November 30, 2000). In this concluding piece I shall draw from both the encounters and my article: *Radical humanism and true generosity* (September 18, 2003). I shall subsequently take up Gani's politics – for his politics explains his "war against corruption". The event which I listed last week as my "fifth encounter" took place in Lagos in 1988. Under the organisation, Action Centre (for) Information and Documentation, we had decided to do a documentary on the legendary labour leader, Comrade Michael Imoudu (Labour Leader Number One) who died a couple of years ago after a life of over 100 years. In 1988, Comrade Imoudu, though old and in retirement, was still mentally alert and physically strong.

At a stage in the "Imoudu project" a delegation of two, including myself, was sent to seek support from Gani Fawehinmi. We went to his Anthony Village Chambers. While waiting to see him I observed that many people were also waiting. Although this was to be expected, I was

struck by the fact that most of the clients and visitors I saw were either students, or young people, or members of the lower classes. I did not notice any "big" person. I later realised that most of the people we met were waiting to see Gani for the same purpose that we had come: not to give something, but to seek free legal representation, or material assistance, or both.

My question to Gani Fawehinmi when we finally met him was direct: "Gani, how do you manage to survive as a lawyer when most of your clients are not in the position to pay and are, obviously, defended free of charge? How do you manage to survive when many of your non-fee paying clients are even supported by you to solve some of their ancillary material problems?" Our host smiled, and his response was so simple that an observer could describe it as anticlimax: "From the proceeds of one big case from a big person, I can have the means to support several cases from poor people and also pursue one or two political or constitutional cases free of charge". He quickly changed the topic to the matter that had brought us. I was profoundly struck by this declaration, and the principles it embodies have never left me. In fact this simple answer to my question (from each according to his/her ability and from each according to his/her needs) is part of the philosophical foundation of the project we now run in Calabar.

From this encounter with Gani Fawehinmi, I drew two conclusions: First, that there is a difference between philanthropy and humanism; and second, that there are variants of humanism. The ordinary meaning of humanism is "any system or mode of thought or action in which interests, values, and dignity predominate". A humanist is therefore a person whose thoughts and actions are dominated by "human welfare, values and dignity". Philanthropy, on the other hand, is defined, again ordinarily, as "affection for mankind, especially as manifested in donation of money,

property, or work, to needy persons, or to socially useful purposes".

Going by these definitions, a humanist may be rich or poor. Prophets were not known to be rich; on the contrary most of them were, in fact, poor, very poor. Many revolutionary leaders were poor. Many martyrs were poor. But they could all be described as humanists. It is however conceivable for a person who can hardly feed himself or herself to become a philanthropist – in practical or real terms. Furthermore, whereas a wealthy person who gives a greater part of what he or she has to the "needy" or to "socially useful purposes", but does not show human solidarity in any other way, can hardly be called a humanist, he or she can still be called a philanthropist. Finally, a person who has a "strong interest in or concern for, human welfare, values, and dignity" but does not donate to the "needy" or to "socially useful purposes" – when she or he is in a position to do so – cannot be called a humanist. Gani Fawehinmi is an embodiment of these clarifications.

*To summarise:* It is not necessary to be rich to be a humanist, but it is necessary to be rich to be a philanthropist. Put differently: Donations alone can qualify one to be called a philanthropist, but donations alone cannot qualify one to be called a humanist. From these considerations I would describe Gani Fawehinmi as a humanist, a radical humanist – for there are conservative humanists. Although he is more philanthropic than most philanthropists, the terms philanthropist is inappropriate to describe him.

This brings me to the distinction which Paulo Freire made between false charity and true generosity in his book *Pedagogy of the Oppressed*. False charity, according to

Freire, "constrains the fearful and the subdued, the 'rejects of life' to extend their trembling hands" in supplication. On the other hand, true generosity "consists precisely in fighting the causes which nourish false charity. True generosity lies in striving so that those hands – whether of individuals or entire peoples – need be extended less and less in supplication, so that more and more they become human hands which work, and by working, transform the world". I would describe Gani Fawehinmi as a dispenser of "true generosity" as distinct from "false charity".

I run a free library in Calabar. I also use the same space to run a male adolescent programme which is supported by some organisations and individuals. The adolescent programme, in turn, supports the library project in the sense that the library space is paid for from the budget of the adolescent programme, and the staff of the programme double as librarians. The library houses about 15,000 books, excluding journals, newspapers, magazines and documents. Most of these materials have been donated by my spouse and me and others by individuals and organisations, the largest donation in the later category coming from Comrade P.A. Curtis-Joseph, a Nigerian Marxist and socialist who died in December 2006 at the age of 86. The users of the library are mainly students, but not many are aware that they are beneficiaries of the radical humanist principles that Gani Fawehinmi upholds.

One question I am made to answer virtually everyday since the library was opened about 12 years ago is this: Where do you get the money to maintain and run this huge and rich library? Many of the people asking this question are my friends and comrades. There are also university teachers and operators of non-governmental organisations (NGO) among my interrogators. And some of them ask the same question several times as if

the answer is too complex to understand. My answer has always been this: Books are not bread whose consumption cannot be repeated. If a book is well kept and used, and suffers no accident, it can last indefinitely and be read by an infinite number of people. What do I lose by placing my books for free use when an agency is paying for the space and the library staff, including myself, receive salaries from another programme? That is the simple answer I repeat almost on daily basis. But on each occasion I end my explanation with the words: Go and ask Gani Fawehinmi.

Radical humanism and true generosity. Of course, these can be abused, and are often abused, not only by recipients, but also by dispensers. But that is not an argument against them. One common abuse by dispensers is to use humanistic pretences to exploit desperate people. Another is to assume that the mere act of giving can somehow mitigate one's crimes, especially anti-people crimes. Yet another is to hope that the force of example can generalise radical humanism and true generosity and that this, in turn, will lead to the transformation of society. It is also an abuse of radical humanism and true generosity to behave like "Mr. Donatus", throwing money about to obtain instant popularity. Such people are, in fact, dispensers of false charity. I would refer them to Gani Fawehinmi.

As for recipients of radical humanism and true generosity, the commonest abuse is to fake pathetic stories or exaggerate them in order to obtain assistance. Abuses can also be embodied in opportunism and cynicism. Abusers have been heard to say: Since the fellow appears not to know what to do with money, let us "obtain" as much of it as possible from him or her. Very provocative, isn't it? But it is not an argument against radical humanism and true generosity. Ask Gani Fawehinmi.

• *Concluded*