

SPIRITED attempts were made about 20 years ago to "recruit" Gani Fawehinmi into the radical wing of the Nigerian Socialist Movement. The radical wing, to eliminate any doubt, was that segment of the movement influenced by Marxism and, hence, explicitly anti-capitalist and anti-imperialist. Looking at the historical trajectory of Gani's politics one can easily guess why "recruitment" attempts were made at this time. It was the period following the murder of Dele Giwa, the founding Editor-in-Chief of *Newswatch* magazine, when Gani initiated a unique form of militant political opposition to the military dictatorship then headed by General Ibrahim Babangida. It was the period when Gani constructed a platform of political struggle which combined left wing populism with demand for rigorous adherence to the rule of law.

The story of Gani's battle over Dele Giwa's murder, and indeed all his major battles, is well-known. But for the purpose of this review I have to recapture and summarise this particular segment.

On Sunday, October 19, 1986, Dele Giwa was killed by a letter bomb delivered by hand at his Lagos residence. Gani strongly believed that the military regime of General Babangida was implicated in the murder and had to clear itself in a Nigerian court of law. Gani was also at this time openly opposed to the direction of General Babangida's economic programme, especially the Structural Adjustment Programme (SAP). Thirdly Gani was very critical of General Babangida's "human rights" record as well as his transition programme which he believed was insincere and manipulated to perpetuate him in power. It was a war between Gani Fawehinmi and the Nigerian State.

The physical and mental toll that this war exacted on Gani, as a person, was monumental and devastating. No documentation can be better than what has been done by Gani himself. At a stage an organisation, Gani Fawehinmi Solidarity Organisation (GFSO), was

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formed in Lagos to support him and defend him. The organisation was initially headed by Tai Solarin, the legendary fighter for comprehensive human rights and democratic governance. Solarin died in popular struggle over a decade ago. We may insert here, as footnote, that Tai Solarin was much older than Gani both in age and in the struggle.

We may return to the attempt made during this period to recruit Gani into the Socialist Movement. Simply put, the Movement - or its radical segment, or the more radical organisations of its radical wing - felt that Gani Fawehinmi's heroism should not be dissipated: it should be channelled, so to say, to a definite revolutionary end, to the cause of popular social transformation in Nigeria. The patriots and comrades who initiated this recruitment efforts must have been informed by this revolutionary idea: "Without a guiding organisation the energy of the masses would dissipate like steam not enclosed in a piston box". But I cannot affirm that they paid much attention to the second (complementary) part of that dictum, namely, that, "nevertheless what moves things is not the piston or the box, but the steam".

In the context of my story, Gani was the steam, and the socialist organisations into which he was to be recruited were the piston boxes. To the best of my knowledge, or as far as I can remember, this recruitment project did not succeed - at least not in the form it was planned, and not when the particular attempt under review was made. Did the recruitment fail because the "steam" could not be forced into the "piston box"? Or, because the "steam" could not remain in the "piston box"? Or, because the "steam" was neutralised in the "piston box"? Or, because the "steam" exploded the "piston box"? Or, because of a combination of factors?

As would be expected, not everyone in the movement approved of the recruitment idea. The majority of the "opponentists" were of the view that it would be impossible to bind Gani to organisational

rules. One main reason was offered: The man believed so much in himself (or put differently, he believed that he knew it all) and had the means to act independently (that is, outside an organisation) on what he believed. Some other "opponentists" simply argued that the man, although neither anti-Marxist nor anti-socialist, was neither a Marxist nor a socialist. It would therefore be dangerous to bring such a high profile personage into the movement. Yet others argued that Gani was simply too active and restless to be "contained" within a left wing revolutionary organisation.

There was, however, a small group of Comrades that held that the cause of the popular masses would be better served by leaving Gani to operate as he was doing - from the "outside", so to say; that "containing" him would be tantamount to "curtailing" him - if not "castrating" him politically. In either case, the masses would be cheated.

We are discussing an internal debate that took place in the second half of the 1980s. On February 4, 1988, as the discussion was going on within our movement, I decided to pursue an aspect of the debate - without revealing its origin - in this column. I gave the piece the title *Gani Fawehinmi*. In the opening paragraph, I said: "Gani Fawehinmi has emerged on the Nigerian scene as an exceptionally remarkable defender, through the law, of fundamental human rights. For this man it has not been a sudden flight to pre-eminence: What he is now is partly a product of clashes of historical forces in Nigeria and partly a product of 20-year single-minded and all-consuming commitment to social justice as seen by him and corroborated by law". That was my first, introductory, thesis on the man.

The second thesis was that the

subject deserved a serious study because "history rarely throws up such people, and when it does, a careful study of their essence reveals the direction in which the solution to existing social contradiction is emerging". I admitted that Gani Fawehinmi was (and of course, remains) a very "complex and difficult character". But then this complexity is not inexplicable, provided an analyst is prepared to "abandon, or demote to a secondary position, the everyday socio-political-psychological categories into which impatient analysts attempt to pigeon-hole their objects of analysis". I was implicitly doing a self-criticism. Gani Fawehinmi, I insisted in that article, is an exceptional character - difficult, but not impossible, to describe. But why study exceptional cases? Because "exceptional cases often reveal the direction in which the contradictions of a given society are being resolved".

We may attempt a collective elaboration of this proposition. Let us take the set of political activists in Nigeria. Let us take from this set the sub-set that are usually referred to as "social critics", "human rights activists", "pro-democracy activists", etc. Finally, let us take from this sub-set a group consisting of personages that can be described as "consistently radical, selfless, honest and passionate". Finally, take from this sub-set another sub-set consisting of ideological personages, where being ideological means having a clear vision of, and being committed to the realisation of, a type of social system and organisation that should supplant the present one.

Our subject, Gani Fawehinmi, has moved, quite easily, from the first sub-set to the subset before this last one. Beyond this point, however, further classification creates immense difficulties. Personages in this last sub-set can be described, variously, as anti-capitalist, anti-imperialist, socialist, Marxist, revolutionary, reformist, liberal, neoliberal, centrist,

etc., or a combination of all or some of these attributes. Each of the tendencies is assumed to be either inherently democratic or to have acquired democratic content along the line. My thesis is that you will have a problem further classifying Gani at this point.

Now, take a break from your task and consider another segment of my 1988 article: "Although Gani Fawehinmi does not challenge the existing capitalist political economy, he is prepared to sacrifice his life in defence of the rights of socialists and communists. His platform for struggle is law, and not political ideology which creates and rationalises law. Although he is a kind and humane man, he advocates toughness in pursuing honest aims. Gani is a deeply religious man, but he will pitch his camp against those who go to war in the name of religion. Although he demands absolute commitment and loyalty from his staff, he would not want any harm meant for him to befall them. And while considering this passage, seek interview with Gani's close political associates, including leaders of his own political party, and ask them what problems (including embarrassments) his actions and public utterances must have caused.

I have sought a resolution of the problem dramatised in the preceding two paragraphs as well as the "recruitment debate" with the help of what Karl Marx called the *categorical imperative*. I have cited, or quoted, this imperative several times in this column. Let me attempt a summary: "Not to aspire to construct an edifice that will last for all time; to subject everything that exists, or has arisen, to critical analysis - fearing neither harm to oneself, embarrassment to associates, nor conflict with the powers-that-be; to go to war in opposition to all situations and conditions in which the human being is exploited, oppressed, cheated, humiliated, or abandoned". Gani may not have consciously embraced this imperative as summarised here. But I believe his politics is guided by it.

• To be continued.

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By Edwin Madunagu

IN the first part of this piece, I advanced some propositions for understanding Gani Fawehinmi and his politics. One of the propositions is that, consciously or unconsciously, our subject adheres to Karl Marx's categorical imperative - this is, the uncompromising criticism of all that exists. I had earlier observed that Gani is "over-documented": You have abundance of reference material generated by Gani himself, the media, his friends and his foes. Our subject's library is one of the richest documentation centres in the country.

For the researcher, this attribute (over-documentation) is both an advantage (you have more than enough material to work on) and a disadvantage (you may not actually be adding anything new - in fact and in analysis - to existing literature). My advice is that if you have any reason for studying the subject then you have to appropriate the advantages to the full while dealing with the disadvantages. You may need to focus more on interpretation or re-interpretation than on mere historical compilation. In this concluding introductory piece on Gani Fawehinmi, I shall try to provide some illustrations for my propositions, and attempt an overall assessment.

I started the last piece with a story of an attempt to "recruit" Gani Fawehinmi into the radical wing of the Nigerian Socialist Movement in the second half of the 1980s. The attempt did not succeed. But barely six years later, in 1994, our subject and his associates came out and publicly announced the formation of a political party, National Conscience Party (NCP). It was an act of open defiance of the bloody military regime of General Sani Abacha who, on seizing power in November 1993, had banned political parties and political activities, especially the type of activity that Gani had embarked upon.

So, what happened between 1988 and 1994? How do we explain this "turn-around"? The easiest explanation is

that conditions were not ripe for Gani in 1988, but were ripe in 1994. Another possible explanation is that there is a world of difference between being recruited into a small political group and leading the formation of a political party; between a small, "underground", cadre-based political group and an open mass political movement; between an explicitly anti-capitalist (Marxist) group and a populist, though radical group; and between a group which is not designed to engage in electoral politics and one formed in defiance of a military junta which was planning, once again, to regiment and control electoral politics.

Gani Fawehinmi's direct participation in electoral politics, culminating in his contesting the presidential election in 2003, was a very small expansion of his politics. This statement can be reformulated: Gani's participation in electoral politics did not add to what I conceive as his politics. What appears like a paradox or irony here will be substantially reduced, if not entirely removed, if we appreciate the distinction between Gani's politics on the one hand, and the politics of the National Conscience Party (NCP) on the other. He led this party at inception and it was on its platform that he contested the presidency.

The NCP is, the context of Nigeria's contemporary political history, a significant political party in the country. In terms of its constitution, programme, messages and campaigns, character, antecedents and membership of its leadership, the NCP is clearly a leading popular-democratic political formation - one of the few to emerge in the country in the last two decades. But if you take some steps backwards and look at Gani and the party whose formation he led, you will discover that the relationship between the two (the man and the party) is not much different from the relationship between the man and other organisations, groups and individuals whom he supports and whom he can embarrass, criticise or denounce when, in his judgment, it is necessary and patriotic to do so.

One of the significant public bat-

les Gani Fawehinmi fought in the last decade was the battle to extend state recognition to political parties other than those registered for the 1999 elections. Like all Gani's public battles, the party-registration battle was as much a political battle as it was a legal one. And Gani went into this battle not as a party leader (which he was officially) or counsel for aggrieved political parties (which he was, officially), but as Gani Fawehinmi - precisely in the same way he fought the battles over Dele Giwa's murder, payment of "dollar-wages" to selected Ministers, Obasanjo's Presidential Library, corruption and the rule of law in the realm of public office, etc.

We may recall that Gani was annoyed with Adam Oshiomhole, former President of the Nigeria Labour Congress (NLC), not for contesting the 2007 election, and not for his choice of political platform. Gani was annoyed with Oshiomhole for registering to fight the gubernatorial election in Edo State, a decision and an act which he regarded as a "climb-down". Gani would have loved to see Oshiomhole contesting the presidency (which he believed reflected the stature of both Oshiomhole and the NLC). Gani took this position not as leader of NCP, but as Gani Fawehinmi.

Gani Fawehinmi, as a person, not as a leader of NCP, supported the presidential candidacy of former military Head of State, General Muhammadu Buhari. If the NCP later adopted Buhari, I believe this was not because of the action of Gani, but more of coincidence. I believe, in effect that Gani's adoption of Buhari was his politics, not the politics of NCP. And this arose from our subject's consideration of corruption as Public Enemy Number One, and Buhari as uncorrupted. Gani believed that Nuhu Ribadu, the former leader of the Economic and Financial

Crimes Commission (EFCC) was the best presidential candidate that never was. I doubt if this was the position of his party.

Gani Fawehinmi's vehement opposition to the candidacy of Atiku Abubakar was his politics, and not that of his party. Since the beginning of Olusegun Obasanjo's presidency (1999-2007) and especially since the creation of Economic and Financial Crimes Commission (EFCC) under Nuhu Ribadu, in 2003, Gani Fawehinmi has waged the war on corruption and abuse of office with passion - a degree of passion comparable only to the passion with which he waged the Dele Giwa battle.

As I had said earlier in this series, Gani Fawehinmi's revolutionary career is built on a platform whose two main elements are popular democracy (or revolutionary democracy) and the law as it is. He is uncompromisingly committed to both. To these two planks we may add public morality and radical humanism. Therein lies the inevitable tension in this platform; therein lies the inevitable contradictions. Tension and contradiction inevitably arise from this platform because the law which Gani so radically and religiously upholds is not meant to serve the popular (or revolutionary) democracy which he, in equal measure, also upholds religiously and radically.

Law is conservative by nature, and the Nigerian law is particularly conservative. But popular democracy, generally and in the historical context of Nigeria (2008), is radical. The contradictions between the two (law and politics) would not have been so glaring if Gani had not been so active, if he had been just a theoretician, or the spiritual head of a movement - leaving his followers to act on his inspiration. But alas, the man is activism itself. So he carries his contradictions with him like a banner. But fortunately for him, and for us, his premises and motives are always clear. His categorical imperative and contradictions are inseparable.

Gani Fawehinmi's long dis-

agreement with the leadership of the Nigerian Bar Association (NBA), and several of his professional colleagues, is explained by the contradictions which we have mentioned - contradictions which most of his antagonists neither understood nor appreciated. Gani's appearance before the quasi-military tribunals set up by Buhari and Idiagbon in the early 1980s. His endorsement of Buhari in 2007, the zeal with which he supports the anti-corruption campaign, his continuous legal battle with the Nigerian State on virtually every act of mis-governance, etc, are all studies in the "law-politics contradictions" as embodied, in a unique way, by Gani Fawehinmi. When you use law to fight for popular democracy and you do this with boldness and great passion as well as massive deployment of knowledge, faith and resilience, you will expose the hypocrisies of the ruling blocs and their state. But you are also bound to run into contradictions.

To conclude: In my 1988 article, *Gani Fawehinmi*, I had written: "Fawehinmi - emerges as a "barometer" for reading the balance of social forces, the state of social struggle as well as the direction of immediate resolution of this struggle. He is indeed a remarkably complex man whose essence cannot be captured by such simple categories like brilliant, progressive, radical, kind or courageous - although he possesses each attribute. He prefigures a turning-point in the long struggle between capitalist dehumanisation and socialist humanism. This turning-point, which will be major victory for the popular masses, is called popular democracy. Anyone who wants to know what popular democracy is, in practice, will gain a lot from a study of this man who is simultaneously a product of historical forces as well as conscious personal determination."

I wrote this 20 years ago. Except for a necessary reformulation of the capitalist-socialist struggle (to take account of current balance of forces), I would re-endorse the thesis today.

• *Concluded*