

VIEWPOINT

So, who killed Kudirat Abiola?



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Expressway”.

Justice Dada's guilty verdict was reversed last week by the Court of Appeal. While lashing

THIS should be the question on the lips of every man and woman of conscience, considering the acquittal last week of Maj. Hamza al-Mustapha, Chief Security Officer of ex-military dictator, Gen. Sani Abacha. Al-Mustapha, until his acquittal, had been in detention since 1999 for the murder of Kudirat Abiola, wife of M.K.O. Abiola, winner of the June 12, 1993 presidential election who himself died in detention in July 1998.

The state reception and effusive welcome party for al-Mustapha must be gut-wrenching for any Nigerian who lived through the horrors of the Abacha dictatorship. As Abacha's Chief Security Officer, al-Mustapha was the point man of the murderous triumvirate that comprised Ismaila Gwarzo, National Security Adviser and Frank Omenka of the notorious Directorate of Military Intelligence. They had as their henchmen Barnabas Jabila (a.k.a Sgt. Rogers), Muhammed Abdul (a.k.a Katakò), Alhaji Danbaba, and Rabo Lawal amongst others.

The High Court of Lagos State under Hon. Justice Mojisola Dada had on January 30, 2012, found both al-Mustapha and Alhaji Lateef Shofolahan, one of Kudirat's aides, guilty of the offences of conspiracy to murder and murder of Kudirat, contrary to Sections 324 and 319 of the Criminal Code of Lagos State and accordingly had sentenced them to death by hanging. Justice Dada had based her judgment, amongst other things, on the strength of the testimony of two prosecution witnesses, Jabila and Abdul.

Both witnesses had testified that they were “directed to murder Alhaja Kudirat Abiola by Maj. Hamza al-Mustapha; that they were given information on her movements by Alhaji Lateef Sofolahan; and that they, respectively, shot and killed Alhaji Kudirat Abiola and drove the Peugeot 504 car, which they used in trailing her car and bolted away, after killing her at the Cargo Vision Area of the Lagos end of the Lagos-Ibadan

out at the lower court, Hon. Justice Amina A. Augie (presiding justice of the Court of Appeal's Panel), Hon. Justice Rita N. Pemu, and Hon. Justice Fatima O. Akinbami, based their ruling, amongst other things, on the “contradiction in the testimony of the prosecution witnesses” who had during cross examination and re-examination recanted, alleging that they were forced to implicate the accused persons.

It would be interesting to know why the learned justices of the Court of Appeal found it appealing (no pun intended) to believe the latter story of the prosecution witnesses. With the acquittal of al-Mustapha, it seems the Court of Appeal wants to erase our memory and close a chapter in the sordid history of the Abacha dictatorship. That also means that not a single person will be held responsible for the political assassinations that took place under that regime. So much for justice!

Governor Rabiu Kwankwaso of Kano State has described al-Mustapha as a “hero”. In a country where true heroes are in short supply, the governor may well be right. I would add that al-Mustapha is also a “hero” for justice because in Nigeria justice is for the highest bidder. Alhaji Maitama Sule has asked al-Mustapha to “forgive his detractors” who obviously were responsible for his “unjust” incarceration. The Nigerian Army should go ahead and promote al-Mustapha to a General, pay him his salaries and allowances for the past 14 years – if they were ever stopped – and assign him a command to put into good use his experiences in the service of the fatherland.

Today, al-Mustapha is a free man, free to run for governor of Kano State, senator or even the president of the Federal Republic. I hope he appreciates the value of life and liberty, things that he and his former boss denied Nigerians for five years.

If al-Mustapha didn't kill Kudirat Abiola or order her assassination, it would be nice to know

what al-Mustapha and the regime he served so faithfully did to find the killers of Kudirat, Pa Alfred Rewane and others murdered during the Abacha regime.

It is the same question that Gen. Ibrahim Babangida must answer concerning the death of Dele Giwa.

Democracy and its malcontents

Nigeria is a deeply flawed polity. And unless we brace ourselves to this reality and do something about it, we would continue to witness the show of shame that is going on in the name of democracy in Rivers State and indeed across the country.

In July 2003, a pseudo-democrat and putative dictator posing as the democratic president of the Federal Republic in cahoots with political jobbers and miscreants sacked an elected governor of a state. Exactly 10 years later, history is repeating itself.

It was Karl Marx who in *The Eighteenth Brumaire of Louis Bonaparte*, while complementing Hegel's assertion that every major event, phenomenon or personage in history usually appeared twice, stated that the first appearance was usually a tragedy and the second a farce. If Obasanjo/Ngige in 2003 was a tragedy; Jonathan/Amaechi 10 years later is certainly a farce. Or, how else can you describe a situation where five members of the Rivers State House of Assembly – an assembly with 32 members – impeached the speaker and replaced him with one of their own?

The video clips of that attempted coup have become a media sensation. However, beyond the mindless violence that we witness and the comic relief that they provide, the horror show is an indictment of our democracy. But it is much more than that. It is a window into a much deeper national problem. Therefore, if we focus on the Jonathans (Goodluck and Patience), Amaechi as well as their sidekicks and disciples, we miss the point.

For me, the crisis in Rivers State is a reflection of our crisis of nationhood; the outcome of the distorted structure of Nigeria and its power

relations. Many of those who are shouting themselves hoarse today will do the same thing if given the opportunity. Clearly, any attempt to understand the current crisis without focusing on this fundamental problem would amount to chasing shadows.

Prof. Chinweizu captured this reality when he noted during the January 2012 fuel subsidy crisis that, “Many of the deadly problems plaguing Nigeria are maintained by the provisions of the constitution as well as the structures it has set up. Therefore, tackling many of Nigeria's problems would require a comprehensive critique and gutting of the constitution in which they are rooted”.

Last year, a former vice-president, Atiku Abubakar, complained about “the scandalously limitless powers wielded by anyone who occupies the presidential seat in Nigeria”. It is the same limitless powers that governors enjoy in their states. Of course, the political class will complain and do everything except interrogate the very system that makes this scandal of a democracy possible: Whether we are talking about governors sacking local government chairmen with impunity, the president using the apparatuses of the state to solve his personal and intra-party problems or the National Assembly assuming powers it does not have – in this case, the illegal and unconstitutional “take-over” of the Rivers State Assembly

Rather than being fixated on the Jonathan/Amaechi farce, perhaps, this offers us an opportunity to begin discussing the bigger question of restructuring the country. Unless we take that bold step, the affront to democracy we witnessed in Anambra State in 2003 and Rivers State in 2013 will happen again, perhaps on a grander and much more farcical form.

A few days ago, during a solidarity visit to Amaechi, the governors of Kano, Jigawa, Adamawa and Niger states called for State Police. We must not stop at that. We should go a step further to discuss resource control/revenue allocation, citizenship rights and the many problems that make our democracy a huge joke, and our country a grand illusion.