

A Pragmatic Analysis of President Yar'Adua's Commitment to the Rule of Law in Nigeria:

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Abstract

In his inaugural speech on 29th May 2007, Alhaji Umaru Musa Yar'Adua presented a seven-point agenda for transforming Nigeria during his tenure as the Executive President of the Federal Republic of Nigeria. The successful implementation of the agenda as he claimed is essentially dependent on the strict observance of the rule of law. In his words, "This government is rooted in the rule of law, anchored on good governance and driven by an uncommon sense of service." In this paper, we examine President Yar'Adua's avowed commitment to due process and rule of law within the theoretical prism of Austin's (1962) speech acts theory and determine the extent to which his various speech acts on the rule of law fulfill the felicity conditions as well as obey the cooperative principles and also conform to Paul Grice's four maxims of quality, quantity, relevance and manner. Results of the analysis tend to show that in a good number of verifiable cases, Mr. President's speech acts on rule of law generates an illocutionary force that is considered infelicitous for falling short of the felicity conditions and also violating the four maxims. The implications of this for sustainable constitutional democracy in Nigeria and also the seven-point agenda intended as a magic wand for transforming Nigeria into one of the developed economies in the world by the year 2020 impose an urgent demand on Mr. President to match his words with actions. Failure in this regard would perhaps provide the tonic for pooh-poohing Mr. President's respect for rule of law quite often touted with parliamentary cadence as shibboleths of the infamous past.

Background

In his inaugural speech after being sworn in as the Executive President of the Federal Republic of Nigeria on 29th May 2007, Alhaji Umaru Musa Yar'Adua presented a seven-point agenda for transforming Nigeria during his tenure. The key points of the agenda include power and energy, food security and agriculture, wealth creation and employment, mass transportation, land reforms, security, quality and functional education. These are in addition to the Niger-Delta and Disadvantaged Groups issues considered as of special interest to the 7-point agenda. The successful implementation of the agenda, as he claimed, is essentially dependent on the strict observance of the rule of law. According to the President, his government would be rooted in the rule of law, anchored on good governance and driven by an uncommon sense of service. His words:

Our goal now is to build on the greatest accomplishments of the past few years. Relying on the 7-point agenda that formed the basis of our compact with voters

during the recent campaigns, we will concentrate on rebuilding our physical infrastructure and human capital in order to take our country forward. We will focus on accelerating economic and other reforms in a way that makes a concrete and visible difference to the ordinary people. Our economy already has been set on the path of growth. Now, we must continue to do the necessary work to create more jobs, lower interest rates, reduce inflation, and maintain a stable exchange rate. All these will increase our chances for rapid growth and development. Central to this is rebuilding our basic infrastructure. We already have comprehensive plans for mass transportation, especially railroad development. We will make these plans a reality. Equally important, we must devote our best efforts to overcoming the energy challenge. Over next four years, we will see dramatic improvements in power generation, transmission and distribution. These plans will mean little if we do not respect the rule of law...

Perhaps, for a better understanding of President Yar'Adua's notion of rule of law and due process on which his 7-point agenda is anchored, it seems pertinent to put the theoretical and practical aspects of the concept of rule of law in more intelligible perspectives. The rule of law as an ancient ideal deriving from Plato, is grounded in divine reason and so inherent in the natural order. According to Shklar (1987: 1), the concept of rule of law is generally associated with such several other concepts as *Nullem crimen, nulla poena sine praevia lege* (No one must be punished over a crime not yet defined as at the time of committing it); presumption of innocence; equality before the law; *Habeas corpus Subiiciendum* etc. As observed by Yu & Alison (2006), rule of law is a contentious term with no universally accepted definition. Its origin is traced to the writings on law and government by mostly western authors, who tailored the term to fit their own conceptualization of a 'just' state.

All the same, the concept of rule of law is classified in terms of whether they emphasize formal or functional properties. In this regard, Dicey (1959: 187) offers three definitions: formal, substantive, and functional. Formal definitions make reference to specific, observable features of the law such as independent and impartial judiciary, public laws, absence of laws that apply to particular individuals or classes, absence of retroactive laws, and provisions for judicial reviews of government standards. The substantive approach centres on the outcomes of such as justice and fair play, one driven by a moral vision of the good legal system and measures the rule of law in terms of how well the system approximates this ideal. The functional perspective focuses on how well the law and the legal system perform some functions such as circumscribing government powers or avoiding preemption of legal decisions or court judgments.

In spite of all these differences in definitions and approaches, the concept of rule of law embodies certain basic principles: equality before the law, constitutional and actual guarantee of basic individual freedoms like as speech, press, association, personal security, religion etc; a legal system that is fair, transparent and has effective judicial institutions. The core of rule of law is that law is an autonomous legal order, which is quite distinct and separate from all other normative structures. To this effect, it implies

three basic things: regulator of government power, equal treatment of all the people before the law, procedural and formal justice. The first implication is that law limits government arbitrariness and abuse of power. The second implication suggests that no man is above the law and that every man is subject to the ordinary laws of the land and equally amenable to the jurisdiction of the ordinary tribunals and all duly constituted courts of law. The third implication points to the fact that justice desired by all the citizens must meet four necessary conditions: a legal system with complete set of decisional and procedural rules that are fair, fair rules of decision and procedure that must be pre-fixed and pre-announced; decisional and procedural rules that must be transparently applied; decisional and procedural rules that must be consistently applied.

Rule of law is in tandem with due process, that is, how policies and rules are made and applied in a fair, transparent and consistent manner. It operates with some measure of rule of person, that is, the human factors which play very important roles in shaping traditions, and general value systems. It is not always the case that the rule of law is strictly followed even in the most liberal or democratic settings. This explains the concept of breach (of the rule of law and due process). As explained variously by Sagay (2006: 178); Kodilinye & Aluko (2007: 5), breach is the failure (of one party) to perform a primary obligation, fulfill a promise, agreement etc. which has the (negative) effect of depriving those concerned (the other party) of substantially the whole benefit, which they intentionally should obtain from the fulfillment of the obligation/promise/agreement, etc. As a bulwark against dictatorial or authoritarian rule, the concept of rule of law, notes Falana (2008), implies governance according to law and due process. The main components of the rule of law are (i) that the State is subject to the law (ii) that citizens are equal before the law (iii) that the judiciary is independent to resolve disputes between government and individuals (iv) that human rights are observed.

This paper, anchored on the theoretical anvil of Austin's (1962) speech acts theory and Grice's cooperative principles, sets out to examine the words and actions of President Ya Adua with respect to the rule of law, considered against the background of his 7-point agenda. In legal terms, the paper determines the extent to which his statements and actions since his inauguration as the President on 29 May 2007 constitute a breach of rule of law as well as the principles that informed the 7-point agenda.

Framework

According to Agbedo (2008), speech act theory originates in Austin's (1962) observation that while sentences can often be used to report states of affairs, the utterance of some sentences must, in specified circumstances, be treated as the performance of an act. In every utterance/sentence, as Austin further observes, a speaker/writer performs an act such as stating a fact, stating an opinion, confirming or denying something, making a prediction or request, asking a question, issuing an order, giving a permission, giving a piece of advice, making an offer, making a promise, thanking somebody or condoling a bereaved person. From the foregoing, it is evident that every utterance or sentence is a speech act, in which verbs categorized as performatives and constatives play very

prominent roles. Although scholars in the field of pragmatics do not agree on the number of speech acts types, three main types have been identified as common to them. These include *locutionary act*, *illocutionary act*, and *perlocutionary act*. Locutionary act is the act of saying, producing meaningful sounds, words with certain reference. Illocutionary act, on the other hand, is a non-linguistic act performed through a linguistic or locutionary act. Equally of significance to speech act theory are what Austin calls *felicity conditions*. An illocutionary act is adjudged *felicitous*, or *infelicitous*, depending on how much such an act meets the felicity conditions.

As Agbedo further observes, Austin also point out that, in uttering a sentence, a speaker also performs a *perlocutionary act*, which can be described in terms of the effect, which the illocutionary act, on the particular occasion of use, has on the hearer. By implication, perlocutionary act results from a speaker's utterance and a product of the hearer's interpretation. Also central to the pragmatic analysis of speech behaviour of man is Paul Grice's cooperative principles, anchored on the four maxims. To understand the verbal strategies we use to deceive each other – it helps to understand how the typical conversation works. Paul Grice, noted that all conversations follow a basic set of rules, which people use to express themselves when speaking. Grice's rules (called maxims) are at work every time we talk to someone. What are these implicit rules we follow when talking to each other? The four basic rules (maxims) include quality, quantity, relation, and manner. *Maxim of Quality* is a maxim, which requires speakers to say what they know to be true. When talking with each other – we expect people to tell us the truth. *Maxim of Quantity* stipulates that when talking, speakers are expected to provide just enough information to get their point across. They should not provide too much or too little information. *Maxim of Relation* requires that the interlocutors stay on the topic. In other words, it is ensured that their comments fit with what is being talked about. *Maxim of Manner* states that comments should be direct, clear, and to the point. Using vague or ambiguous language when speaking should be avoided.

In this paper, we shall subject President Umaru Musa Yar'Adua's speech acts on the rule of law in Nigeria to a critical analysis, using the felicity conditions as stipulated by Austin's theory and Grice's cooperative principles anchored on four maxims aforementioned. According to Austin (1962), "saying is equal to doing." By implication, making an utterance presupposes performing an action; that is what Austin calls speech act. In the case of President Yar'Adua, it is the primary focus of this paper to analysis his speech acts on the rule of law in Nigeria. For instance, he stated several times in unmistakable terms that all his actions in government would be guided by the principles of rule of law. It then becomes pertinent to determine the extent to which his avowed claims to institutionalizing the rule of law as bastion of constitutional democracy met the minimum content of felicity conditions and Gricean maxims.

Textual Analysis

In this section, we examine President Yar'Adua's speech acts, which border on his 7-point agenda and how its actualization, according to him, is crucially dependent on strict observance of the rule of law. In this connection, we shall examine the issue of

legitimacy crisis, which Yar'Adua presidency was embroiled in, and policy reversals as a build-up to the related issues of zero tolerance to corruption and observance of the rule of law.

Legitimacy Crisis

In his inaugural speech on 29 May 2007, President Yar'Adua conceded that the electoral process, which swept him into power, was exceedingly flawed. In his words, "We acknowledge that our elections had some shortcomings. Thankfully, we have established legal avenues of redress, and I urge anyone aggrieved to pursue them..." By that statement, President Yar'Adua was only re-echoing the popular general disenchantment against the wide-spread fraudulence that characterized the 2007 poll. According to the Human Rights Watch Reports (October, 2007), several seasoned foreign observers said that the 2007 poll ranked among the worst conducted anywhere in the world in recent times. (See Human Rights Watch interviews with foreign election observers, Nigeria, April 2007. See also "Big Men, Big Fraud and Big Trouble," *The Economist*, April 26, 2007). The Head of the European Union Election Observation Mission (EUEOM) said that, "The whole thing was not at all living up to the hopes of the Nigerian people, chaotic, and I would say it left them behind, demoralized." (cf. "What Nigerian Election Observers Say," *BBC News Online*, April 23, 2007). The EUEOM's final report stated that "Given the lack of transparency and evidence of fraud, there can be no confidence in the results of these elections." (See Camillus Eboh, "No Confidence in Nigerian Election Result: EU," *Reuters*, August 23, 2007). The US-based National Democratic Institute (NDI) said in its post-election statement that the electoral process "failed the Nigerian people." (cf. National Democratic Institute, "Statement of the National Democratic Institute (NDI) International Election Observer Delegation to Nigeria's April 21 Presidential and National Assembly Elections," April 23, 2007). Surely, Nigeria's failed 2007 polls cast light on patterns of violence, corruption and outright criminality that have come to characterize Nigeria's political system—and on the extent to which officials and institutions at all levels of government accept, encourage and participate in those abuses. As the Report notes further, President Umaru Yar'Adua was awarded more than 70 percent of the total vote and the PDP also won control over 28 of the country's 36 state governorships and a commanding majority in the National Assembly. In many areas, such as throughout the oil-producing Niger Delta, turnout figures in excess of 90% were reported in areas where little or no voting took place.

In the light of the foregoing, Mr. Yar'Adua was not in doubt that he was the number one beneficiary of the electoral farce that threw him up and he should not even be there in the first place and that majority of Nigerians who were disenfranchised and robbed of the opportunity of enthroning real constitutional democracy are aggrieved at him and the powers that smuggled him into that position. As *Africa Confidential* (Vol. 49 Number 3 of 1 February 2008) reported, "At stake is the future of Umaru Musa Yar'Adua's Presidency as the judges consider the weight of evidence from opposition parties claiming widespread fraud. This time the opposition parties are convinced that the

volume of evidence and the independence that Nigeria's judiciary has demonstrated over the past year will work in their favour. They are sure that, for the first time in Africa at least, a panel of judges will throw out an incumbent president and call for fresh elections. Although on 26 February, 2008, Justice James Ogebe and his four colleagues on the Presidential Election Tribunal in Abuja voted 5-0 to dismiss the petitions brought by the two main losing candidates in the 2007 presidential election, the Yar'Adua presidency has continued to suffer crisis of legitimacy, thus raising questions about his avowed commitment to the rule of law and due process. Also reporting in its issue of 10 December 2007 (Vol. 48, Number 25), *Africa Confidential* observes: "The paradox at the heart of Nigeria's latest political drama is that President Umaru Musa Yar'Adua credibly presents himself as a politician who is serious about reinstating the rule of law. Yet his election in April was regarded as one of Nigeria's worst. Yar'Adua himself concedes the validity of some of the local and international criticism of the polls." The Human Rights Watch in its 2008 Report notes that "the credibility of President Yar'Adua's rhetoric about promoting the rule of law is at stake." This nagging legitimacy crisis perhaps provided the needed impetus for President Yar'Adua to set up Justice Muhammed Uwais-led 21-member committee on electoral reforms, which was charged with examining Nigeria's electoral system with a view to coming up with the strategies for achieving credible elections in future. The point being underscored here is that the legitimacy problem of a Yar'Adua presidency tends to rob him of the authority to perform the speech act and therefore violates the preparatory condition of felicity, which seeks to ascertain the status of the speaker as well as the appropriateness of the circumstances and context of the speech act.

A corollary to Yar'Adua's legitimacy crisis, which violates the preparatory and fulfillment conditions of felicity, is his undue deference to former President Obasanjo's leadership style as contained in his inaugural speech. His words:

On behalf of all our people, I salute you, Mr. President, for your vision, your courage and your boundless energy in creating the roadmap toward that united and economically thriving Nigeria that we seek. The administration of President Obasanjo has laid the foundation upon which we can build our future prosperity. Our goal now is to build on the greatest accomplishments of the past few years.

For President Yar'Adua to look up to Obasanjo's economic political roadmap as an inspiration for his policies and programmes smacks of mockery, and crass insensitivity bordering on insincerity. How can any responsible President intent on institutionalizing good governance seek to build on Obasanjo's roadmap, which sole mission was to sacrifice the collective well-being and modest wishes and aspirations of majority of Nigerians on the altar of quaint neo-liberal capitalist philosophy? The startling revelations coming from the many probes in the power, aviation, and steel sectors are quite illustrative of how Obasanjo's roadmap anchored on the quicksand of crass opportunism signed away the future of Nigerians under the hypocrisy of 'economic reforms'. Of course, the all-pervasive pauperizing effects of Obasanjo's roadmap on Nigerians are

visible even to the blind. This explains why Nigeria currently occupies a very prominent position in the global poverty index. In fact, the African Peer Review Mechanism report released on 2 June 2008 in Abuja stated that Nigeria "scores below the sub-Saharan average on several socio-economic indicators, including Gross National Index per capita (\$620 in 2006), infant mortality, access to potable water and life expectancy." This is not to talk about the exceedingly dictatorial character of Obasanjo's administration, which made him a mockery of the rule of law as the hallmark of democracy. Ironically, the same rule of law, which was trampled upon with reckless impunity of a barrack mentality-driven Obasanjo presidency is being frequently touted by Yar'Adua as the basis of his 7-point agenda. One wonders how such legacy bequeathed to Nigeria by Obasanjo holds any such allurements that would warrant President Yar'Adua to aspire to consolidate except to hazard a guess that perhaps, such patronizing statement was intended only as a hollow and contrived compliment to massage the ego of his benefactor. In essence, President Yar'Adua's unbridled compliments for his predecessor, considered from the perspective of Austin's speech act theory, constitutes a locutionary act, which illocutionary force neither meets the felicity conditions nor conforms to the Gricean maxims.

Policy Reversals

In paragraph 5 of his inaugural speech, President Yar'Adua states: "Luckily, we are not starting from the scratch. We are fortunate to have been led in the past eight years by one of our nation's greatest patriots, President Obasanjo..." President Yar'Adua reversed a number of policies of his predecessor such as the increment in VAT, increase in the prices of petroleum products, sale of Port Harcourt and Kaduna refineries, sale of unity schools, merging of universities and colleges of education with universities, etc. Such reversals were in response to the popular disapproval of President Obasanjo's last minute decisions, intentionally taken as a last punch on the people for failing to actualize his ill-conceived third-term ambition. As Rabi (2008) argues, "a look into those reversals would convince any doubting Thomas about the government's resolve to sanitize the system." If actually, the reversals were predicated on the negative impacts, which the obnoxious policies were exacting on the Nigerian people, one wonders if it were appropriate for President Yar'Adua to have described Obasanjo as "one of our nation's greatest patriots." As a corollary, Mr. Yar'Adua's sincerity is highly questionable if he could so eulogize Obasanjo in such superlative terms only to turn round the next moment to reverse his policies considered as draconian and anti-people. Although the reversals were in accordance with the popular wishes of the people, the process adopted by Yar'Adua hardly reckoned with the principles of the rule of law. In this connection, Rabi's (2008) observation is quite illustrative. "President Umaru Yar'Adua's government is only seven months old (January 2008). ...He undertook the reversal of those actions taken by the immediate past government in violation of the rule of law and due process." In essence, President Yar'Adua's speech act neither meets the preparatory, fulfillment and sincerity conditions of felicity nor conforms to the maxim of quality. Even the President himself admitted his administration's failure to implement the

7-point agenda during his first one year in office. According to Falana (quoted by *Saharareporters* of Thursday, 05th June, 2008 5:56:15 pm) "Unlike most state governors who exposed governance to ridicule by celebrating the commissioning of boreholes and market stalls with fun, President Yar'adua was honest to admit the failure of his Administration to implement the 7-point Agenda in the past one year. According to the President, he has pre-occupied himself with planning and thinking of solutions to the myriad of problems plaguing the country. Hence the government has engaged in policy reversals and setting up of panels on the electoral process, power supply, police and security..."

Zero Tolerance for Corruption

Part of President Yar'Adua's inaugural speech dwelt on his avowed commitment to the fight against corruption. His words:

Nigerians have reached a national consensus in at least four areas" to deepen democracy and the rule of law...display zero tolerance for corruption in all its forms. We are determined to intensify the war against corruption, more so because corruption is itself central to the spread of poverty. Its corrosive effect is all too visible in all aspects of our national life. This is an area where we have made significant progress in recent years, and we will maintain the momentum. I commit myself to these tasks.

Also in his remarks at a dinner organised by the Partnership Against Corruption Initiative at the world economic forum summit in Davos, Switzerland on 23 January, 2008, President Yar'Adua said, "We will ensure corruption does not thrive in Nigeria... In nations where corruption thrives, the vast majority are shortchanged, so the measures and the steps you are taking really require courage and I have no doubt that those companies that agree to the Partnership Against Corruption Initiative (PACI) will make their members proud, the kind of pride that comes out of solid achievement as you partner with governments and more institutions to make the world a much better place. I think everybody must commend this initiative. I, in particular am excited and I assure you that in Nigeria, PACI will receive the greatest support from the government and other public institutions." BBC Online (April 2008) agrees that since the administration of President Umaru Yar'Adua was sworn in May last year the EFCC has arrested and charged eight former state governors after their immunity from prosecution ran out. The daughter of former President Olusegun Obasanjo has also been charged with corruption. Professor Adenike Grange and Dr. Gabriel Aduku, former Ministers of Health who were sacked in connection with the N400 million scandal were prosecuted by the EFCC. The N400 million, which was part of the unspent money from the 2007 allocation to the Ministry of health was withdrawn and passed off as Christmas bonus for the year 2007. On 30 June, 2008, the two former Ministers of Aviation, Babalola Borishade and Femi Fani-Kayode were arrested by the EFCC after testifying before the Senate Panel on the Aviation Fund for being the two principal actors at the centre of the N6.5 billion Safe Tower Projects in four major airports in Lagos, Abuja, Port Harcourt and Kano. According to Ojeifo (2008: 6), "...their arrests came on the heels of last week's arrest of the Head of AVSATEL Communication Limited, Mr. George Eider, whose company got the N6.5 billion Safe

Tower Project. The contract," continues Ojeifo, "was confirmed to have been inflated by N4.5 billion, going by the global best estimate provided by the Technical Consultant to the Senate Committee, Captain Daniel Omala."

In spite of these seeming impressive records, Yar'Adua's zero tolerance stance has come under severe criticisms in the light of certain utterances and actions of his that run counter to his claims. For instance, in August 2007, the Yar'Adua administration announced plans to "streamline criminal prosecution of corruption-related offences" and urged all prosecuting agencies, for instance, EFCC, and ICPC to ensure that they report and initiate criminal proceedings with the approval of the Attorney General of the Federation, contrary to the statutory provisions of the Acts establishing these anti-corruption agencies. This has been interpreted in certain quarters as the government's decoy to frustrate the EFCC's efforts at prosecuting a good number of the indicted ex-government. As if to lend credence to this informed speculations, the then Inspector General of Police, Mike Ehinderho had in December 2007 announced the posting of the EFCC boss, Kana Kaseba to Kuru Joe for a one-year course at the National Institute for Policy and Strategic Studies. Observers linked this curious posting to Ribadu's earlier order for the arrest and prosecution of the former Governor James Ibori of Delta State, who has been charged with corruption. The former Governor, who allegedly contributed heavily to Yar'Adua's presidential campaign, was considered within the Aso Rock power house as one of those sacred cows that should be spared the inconveniences of standing trials for his alleged corrupt practices in office as Governor of Delta State.

In its report (30 June 2008), entitled, 'Investigations reveal scams by Yar'Adua's regime', *Saharareporters*, an online investigative news outfit claims that a plethora of recent revelations about former President Olusegun Obasanjo's scam-infested administration has blinded Nigerians to the shady practices that the Umaru Yar'Adua regime has instituted in Nigeria in the last one year:

Nothing exposes this fact more than the expose at the National Assembly where several investigations into the previous administration have unearthed alarming information about the fraud perpetrated by the Yar'Adua's regime. Last week, Mrs. Diezani Alison-Madueke, Nigeria's Minister of Transport who is close both to Yar'Adua and his deputy, Jonathan Goodluck, was in the spotlight following allegations that her ministry made massive withdrawals within four days in late December of 2007. *Saharareporters* has also learned about an unreported revelation by Nigerian Custom officials about Yar'Adua's questionable gift of import duty waivers. Obasanjo's government gave away import duties worth N1.6 trillion to political associates, businessmen, traditional and religious leaders as well as many women linked to him romantically. But a top Customs official also revealed that the Yar'Adua regime in the last year has given out concessions worth N5 billion to his business and political associates for the importation of cement and fertilizers. While these economic scams were playing out in both chambers of the National Assembly last week, a PDP memo also surfaced tacitly calling for the extension of Yar'Adua's tenure from four to seven years. The ruling party's position is an official follow-up to a campaign started by the corrupt former

governor of Jigawa State, and now Senator, Alhaji Ibrahim Semina Turaki. Several sources in Abuja had told *Saharareporters* that Alhaji Turaki, who was widely admired when he first suggested extending Yar'adua's term, was not working hard. He had Yar'adua's blessing and full support in what political analysts regard as a dubious resurrection of the third term agenda that was unsuccessfully pursued by Obasanjo. Yar'adua has changed his former Secretary to the Kaduna State government and current Minister of Agriculture, Alhaji Abba Rumu, to fund his own version of the third term campaign. Alhaji Rumu is to 're-invest' massive profits to be made from contract concessions to fund the campaign. As Yar'adua's government focuses on massive funding of power and energy projects, Abba Rumu is angling to become the next minister of Energy (Power).

It has equally been pointed out that part of Yar'Adua's insincerity in his renewed commitment to corruption war include the Federal Government's frustration of the British government's moves to repatriate the looted wealth of Nigeria; the Federal Government's non-cooperation with the foreign governments in corruptive and money laundering charges against former public officers. Britain has complained about the breach of Mutual Legal Assistance Agreement between her and the Yar'Adua-led Government of Nigeria especially in the fight against financial and economic crimes committed by former Nigerian public office holders. The infamous misappropriation of the Attorney General of the Federation to the British Court trying former Governor James Ibori for corruption, which misled the court into defreezing Mr. Ibori's assets in Britain, was a case in point. Although the court order was reversed later, it goes a long way to illustrate the Federal Government's perceived interest in shielding the former Governor from criminal prosecutions for alleged corrupt enrichment, money laundering and other instances of malfeasance. The inability or unwillingness of the Yar'Adua administration to enforce the asset declaration law with regard to his ministers and other top public office holders (even when the President and Vice President have openly declared their assets) puts a lie to the much vaunted zero tolerance to corruption. Perhaps, adding in recent times has poor-poached President Yar'Adua's anti-corruption stance in laws and and hard terms than *Afenjere's* press release, which Ndejigbo (2007) captured. "How Yar'Adua Can Boost Anti-Graft War" and published in the *Tuesday Guardian newspaper of 9 October, 2007*. According to the release, the pan Yoruba socio-cultural organization urged the Yar'Adua administration not to allow the anti-corruption exercise to appear reversed under his tenure. In their words, "Nigeria might become a third grade" for corruption unless the President took measures to retreat support to her/his administration and the promoters of corruption in Nigeria." In the release, *Obafemi 'Corruption: President Yar'Adua, Choose Your Minister Now'*, signed by its Executive Secretary, Yinka Odumakin, *Afenjere* urged the President not to allow corrupt politicians to hijack his government and implore him to "reflect on his place in the history of Nigeria and choose whether he wants to serve the Nigerian people or remain a puppet leader" to chieftains of corruption who are desperate to hijack his government. The release further said:

The cacophonous hysteria about the rule of law by the array of defence dogs of corruption (including some so-called opposition parties) should not becloud Mr. President into ignoring the angst of the people against the rapport between his administration and promoters of corruption in Nigeria. Three events that happened while the President was away are worth recollecting for him to know how fertile ground for corruption the nation is becoming under him. The former Governor of Plateau State, Mr. Joshua Dariye had the temerity to cry out loud that about N741 million from his loot has been looted. The expose of the letter by Mr. Michael Aondoakaa (SAN) Attorney General of the Federation and Minister of Justice, which granted Chief James Ibori (former Delta State Governor) temporary relief has generated controversy. And it is that Nigeria as one of the 38 countries in the 191 member states of the United Nations that have ratified the UN convention against corruption is expected to cooperate with the British authorities to recover ill-gotten assets or wealth... There is also the irresponsible threat by the PDP National Chairman, Col. Ahmadu Ali that he would personally lead the recall process against any PDP member that supports the removal of Hon. Patricia Etteh as the Speaker of the House of Representatives. The same Ali ordered the African Business School to honour Etteh with an honorary Fellowship award last week. Can President Yar'Adua see the joke the country is turning to under him...

Afenifere equally condemned the plea bargaining option, which the Federal Government entered with Dipriye Alamiyesiegha, thereby letting the former Governor of Bayelsa State convicted of monumental corruption get a mere slap on the wrist; the retention of the Minister of Justice, Mr. Aondoakaa despite public outcry against his activities in office; the issuance of a presidential memo to whittle down the prosecutorial powers of the EFCC shortly after receiving in audience of Dr. Orji Uzo Kalu and colleagues. The release averred that if President Yar'Adua failed to stop alleged proclivity to bend the rule of law to suit corrupt politicians, it might lend credence to allegations that there was a pact between the presidency and the former governors being prosecuted for alleged corrupt practices in office. For the *Afenifere*, President Yar'Adua faces one challenge today that is the decision either to fight corruption decidedly or to let Nigerians have another president through a free and fair election. If Mr. Yar'Adua still feels that he has any business with the Nigerian people, the pan Yoruba socio-cultural organization insists that he takes immediate actions with regards to the following: reassign Mr. Aondoakaa as the Attorney General of the Federation; ensure that the PDP vacates the threat on lawmakers over Etteh saga; drop Ahmadu Ali from the list of ambassadorial nominees; give all necessary support to the anti-graft agencies to prosecute all the former Governors and other public officers accused of corruption.

Another area that President Yar'Adua's zero tolerance to corruption has suffered a setback is the removal of Nuhu Ribadu as the Chairman of the EFCC and subsequent appointment of his successor, Mrs. Faridah Waziri. Of course, the same questionable circumstances that precipitated Mr. Ribadu's removal equally attended Mrs. Waziri's

appointment. The events, which culminated into the eventual removal of Mr. Ribadu as EFCC Chairman began with the move by the Minister of Justice, Mr. Aondoakaa to merge EFCC with ICPC and Code of Conduct Bureau as well as his memo that sought to circumscribe the prosecutorial powers of the EFCC. Those who faulted the memo dismissed it as a product of an opportunistic Attorney General, who saw his appointment as an auspicious leeway to get even with Mr. Ribadu, whose EFCC has been prosecuting former public officers indicted for corruption, some of whom were Mr. Aondoakaa's big time clients as a private legal practitioner. When all these attempts failed, a new flank of onslaught on the fight against corruption was opened. This time, it was outright removal of the EFCC Chairman, Mr. Ribadu, which began with his compulsory posting to the National Institute for Policy and Strategic Studies, Kuru Plateau State, for a mandatory 9-month course. Even when this action of Yar'Adua administration (ably facilitated by the Inspector General of Police, Mr. Okiro) was not only decried as unconstitutional by some notable legal authorities but also perceived in some quarters as a decoy to kill the anti-corruption agency, Ribadu's removal was considered as *fait accompli* following the hurried appointment of Mrs. Waziri as the next EFCC Chairman. Perhaps, the haste with which Mrs. Waziri's appointment was made did not give enough room to cross all the t's and dot the i's, which explains the Senate's initial objection on the ground of having failed to follow due process when her nomination for consideration and confirmation was presented before it. Although, Mrs. Waziri's appointment was eventually ratified by the Senate following its withdrawal and re-presentation, her emergence as the new EFCC Chairman continued to generate controversy. In fact, the cover story of *TheNews*, newsmagazine (Vol. 30 No. 22 of 9 June 2008) described Mrs. Waziri as 'appointed by crooks to kill EFCC'. Writing under the caption, 'Crooks' Candidate,' Johnson (2008: 18) avers that "Mrs. Farida Waziri, the new acting Chairman of the Economic and Financial Crimes Commission, is the candidate of corrupt and powerful politicians seeking to escape prosecution." The report further said that it was her friendship with those who feel threatened by EFCC's activities that recommended her for the appointment. The prominent members of this clan are former and serving Governors, some of whom provided financial and logistical support for Yar'Adua's emergence as president. Chief among them is Ibori who, according to the report, Yar'Adua had wanted to reward with the position of Special Adviser on Petroleum Matters, and Bukuola Saraki, incumbent governor of Kwara State. Also on her list of friends are Ibrahim Babangida, Senator George Akume, Ahmed Sani Yerima, Orji Uzo Kalu, Mike Aondoakaa, Fred Ajudua. She was even alleged to have stood as surety for Akume, who was facing corruption charges, and signed for the release of his travel passport seized by the EFCC.

The document issued by the Movement Against Corruption in Nigeria (MAC) during a press conference at Abuja on 26 June 2008 appraised the anti-corruption campaign under Yar'Adua administration and ended with a damning verdict:

In spite of President Yar'Adua's pledge to sustain and intensify the national war against corruption the mantra of the 'rule of law' has been exploited by Government to castrate the anti-graft agencies. Apart from releasing his asset declaration to the media the President was unable to direct other ministers and

public officers to emulate his good example. The abortive attempt to deny the anti-graft agencies of prosecutorial powers, the "removal" of the Economic and Financial Crimes Commission Chairman, Mr. Nuhu Ribadu and the controversial appointment of Mrs. Farida Waziri as a replacement have shown that the Yaradua Administration is not committed to the anti-corruption crusade.

MAC equally claims that the Justice Minister, Mr. Michael Aadeookaa (SAN) and the Inspector-General of Police, Mr. Mike Okiro are working hand in hand with Mrs. Waziri in dismantling the EFCC under the pretext of "restructuring" the institution. Contrary to Section 8 of the Economic and Financial Crimes Commission Act which guaranteed the tenure of appointment of commission officials, the Inspector General of Police deployed Mr. Ibrahim Lamorde, EFCC Acting Chairman to Ningi, Bauchi State and also appointed directors of operation for the Economic and Financial Crimes Commission and Independent Corrupt Practices and Other Related Offences Commission (ICPC) - a post that does not exist in the ICPC organogram. The on-going restructuring of the Economic and Financial Crimes Commission, MAC claims, has slowed down the investigation of many criminal cases which had reached advanced stage before the deployment of Mr. Lamorde. Information at the Organization's disposal revealed that the Economic and Financial Crimes Commission was in the process of filing charges against Senator Ahmed Yerima, Senator George Akume, Chief Olabode George, Dr. Olusola Saraki and others before Lamorde's redeployment.

Rule of Law

Apart from using his inaugural speech forum to commence the rule of law gospel, President Yar'Adua has used every opportunity since the 29 May declaration to reiterate his commitment to rule of law and due process. While declaring open the 2007 Annual General Conference of the Nigerian Bar Association which held at Ilorin Kwara State, President Yar'Adua stressed the unwavering commitment of his administration to the observance of rule of law and respect for law and order in Nigeria. As reported by Okogbule (2007) in the *Nigerian Tide* (Tuesday, August 28, 2007), President Yar'Adua explained that respect for law and order defines the true existence of society, noting that his administration was determined to fight against corruption, an endemic crime that constitutes a violation of law. He, therefore, called on judiciary officers, police, political institutions and the media to reexamine themselves in the practice of rule of law which his government has pledged to respect since the inception of the present administration. In his interaction with the US President, Mr. Bush at the White House during his maiden visit on 13 December 2007, President Yar'Adua had the opportunity to recite his choric refrain on the rule of law, as quoted by Scott Stearns of the Voice of America: "I have briefed Mr. President on the situation in Nigeria, our efforts to anchor democracy on the rule of law, to have a credible electoral process, and to ensure that the principles of justice and equity will guide the conduct of affairs in Nigeria, transparency, accountability, and the fight against corruption," said Mr. Yar'Adua. ..This will set the principles upon which

we will build and develop a free society capable of growing an economy that will cater for the developmental needs of the people of Nigeria."

Mr. Bush was apparently taken in by President Yar'Adua's rule of law mantra when Stearns quoted him saying, "The president is committed to democracy and rule of law. He was very articulate in his desire to make sure that the people of Nigeria understand that their government will be fair and transparent and will be a government of the people." In February, 2008, President Umaru Musa Yar'Adua also called on Heads of State and Government of the African Union to embrace true democracy, good governance and the rule of law, which he identified as essential ingredients for political stability on the continent. The President who made the call while speaking with the Executive Secretary of the Economic Commission for Africa (ECA), Mr. Abdoulaye Jammeh during the 10th Summit of Heads of State and Government of the African Union, in Addis Ababa on February 1, declared that real economic development and prosperity will continue to elude African nations unless their leaders take urgent action to overcome the recurring problem of political instability.

In an answer to a question (about what he considers as his achievements in his first twelve months in office) during the interview with the *Financial Times* of London on 19 May 2008, President Yar'Adua said: "I think my greatest achievement is the effort to institute a strict culture for respect for the rule of law in Nigeria. All the problems this country is facing can be traced to breakdown of respect for the rule of law, regulations, procedures and due process in almost every aspect of our national life, including interaction between our citizens. Once you have a system, where law and order, established regulations and procedures are not being respected, you find even in personal dealings, business dealings in the market place, between individuals, there is no respect for decent dealings that are governed by civilized behaviour. Respect for the rule of law is the basis for civilization..."

However, while defending the secret trial of Mr. Henry Emomotimi Okah on the ground that the accused had jeopardized national security the President, according to Falana (2008), assured Nigerians that "justice will be done according to the rule of law". In their reaction to the prejudicial comments of the President, the defence lawyers have pointed out that the State resorted to trial in camera in order to cover up the involvement of the military establishment in the sustenance of violence in the Niger Delta. In a mockery of the rule of law which insists on equality before the law Mr. Okah, as *Saharareporters* quotes Falana, has been charged with treason for allegedly receiving and distributing arms and ammunition to militant groups in the Niger Delta from 2003-2007 while the military officers who are alleged to have removed the arms and ammunition from the Armoury have been treated as sacred cows. We also pointed out that the rule of law regime has detained Messrs Edward Atatah and Bassey Umoren for over two months without trial for refusing to be prosecution witnesses at the secret inquisition of Mr. Okah. Apart from ensuring that ex-governors accused of corruption, money laundering and related offences were charged to court within 48 hours other criminal suspects have been detained without trial in dehumanizing detention camps for the past one year. Some suspects are daily executed extra-judicially by the police and the Joint Task Force. A few

months ago the Attorney-General of the Federation disclosed that not less than 300 children were languishing in prison custody with their mothers. Even though the detention of those innocent inmates constitutes a violent violation of the Constitution, the Prisons Act and the Child's Rights Act etc. the rule of law regime has not ordered their release from prison custody.

Although Falana commended the Yar'adua Administration for releasing the N10 billion belonging to the Lagos State local governments withheld by the defunct Olusegun Obasanjo regime, the over N220 billion illegally seized from the Niger Delta Development Commission (NDCC) is said to have expired by the Federal Government. For reasons best known to the National Assembly and the President the new Agency to enforce environmental laws, regulations and standards in Nigeria has been excluded from operating "in the oil and gas sector." The abrupt dissolution of the Governing Councils of Federal Universities, the split of Nigerian National Petroleum Corporation (NNPC) into five subsidiaries, the forceful take over of NICON Insurance breached the establishment laws of the relevant institutions. There were allegations of several violations of the 2008 Appropriation Act by the Executive. From these few examples, it is doubtful if the Administration has fully grasped the full implications of the concept of the rule of law. Otherwise it would not view official compliance with a few court orders as the totality of the rule of law.

Falana, according to *Saharareporters*, equally pointed out the actions of the Yar'Adua administration taken to castrate the anti-graft agencies, which violated the principles of rule of law. Firstly, the anti-graft agencies were directed to obtain the written consent of the Attorney-General of the Federation before charging any criminal suspect to Court. When the attention of government was drawn to the illegality of the directive it was withdrawn. Secondly, an attempt was made by the Attorney-General to take over the cases of ex-governors being prosecuted by the EFCC. Thirdly, the Code of Conduct Bureau was made to stop the prosecution of certain public officers pending before the Code of Conduct Tribunal. Fourthly, following the refusal of the EFCC to stop the prosecution of a few powerful criminal suspects its Chairman, Mr. Nuhu Ribadu was sent on a course by the Inspector-General of Police contrary to section 11 of the Economic and Financial Crimes Commission Act 2004 which provides that "The Commission shall initiate, develop or improve specific training programmes for its law enforcement and other personnel charged with responsibility for eradication of offences created by the Act..." Fifthly, the office of the Attorney-General has continued to frustrate the moves by some foreign anti-graft agencies to bring to book certain corrupt public officers who diverted public funds to their foreign accounts. This action violates Section 6 of the Economic and Financial Crimes Commission Act and the United Nations Convention Against Corruption to which Nigeria is a signatory.

In his timely letter to the Senate, Chief Gani Fawehinmi (SAN) stated the office of the Chairman of the EFCC is not vacant in so far as Mr. Nuhu Ribadu has not been removed pursuant to Section 2 of the Economic and Financial Crimes Commission Act 2004. Professor Taiwo Osipitan has curiously asserted that Mr. Ribadu has been removed

by implication. With respect, a public officer cannot be removed by implication under the Nigerian Labour Law. In *Olaniyan v. University of Lagos* (1985) 2 NWLR (PT 9) 599 the Supreme Court held that a unilateral repudiation of a contract of employment does not per se determine the existence of the relationship of master and servant, rather, such unilateral repudiation results in a wrongful dismissal in respect of which the employment can ask for a declaration of the continuance of the relationship and also specific performance and reinstatement. Falana further argues that it is trite law that notice to remove a public officer must be specific and categorical. Indeed, time begins to run when the notice is served on the public officer. Even in the dark days of the defunct military dictatorship in Nigeria notice of removal of public officers from office or employment was either communicated in writing or announced through the mass media. It was never part of our law that a public officer on study leave or sabbatical will be deemed to have been removed from office. The appointment of Mrs. Farida Waziri' as the EFCC Chairperson "with immediate effect" in defiance of section 2 of the Economic and Financial Crimes Commission Act 2004 which requires the confirmation of the Senate has caused untold embarrassment for the government.

As if that was not enough the Inspector-General of Police has deployed Mr. Ibrahim Lamorde to Ningi, Bauchi State as Area Commander contrary to Section 8(3) of the Economic and Financial Crimes Commission Act 2004 which provides that: "The Commission may from time to time, appoint such other staff or second officers from government security or law enforcement agencies or such other private or public service as it may deem necessary to assist the Commission in the performance of its functions under this Act". While no one has questioned the credentials or suitability of Mrs. Farida Waziri to run the EFCC the changes in the anti-graft agency have been described as "a catalogue of grave breaches of due process" by the Socio-Economic Rights and Accountability Project (SERAP) and the Committee for the Defence of Human Rights (CDHR). The two human rights organizations called on the United Nations Office on Drugs and Corruption (UNODC) to prevail on the federal government to reverse Waziri's appointment.

Saharareporters reports how Yar'Adua's sham commitment to rule of law is also playing out in Adamawa State where he recently abandoned his "non-interference" posture to force members of the state assembly to abandon their plan to impeach the state governor, Mr. Murtala Nyako. The State Assembly members had handed an impeachment notice to Nyako. The notice detailed his numerous acts of corruption, self-enrichment and abuse of office. But Yar'Adua, who once stated that he would not intervene in a popular move to oust former Speaker Patricia Etteh of the House of Representatives, invited the members of the Adamawa legislature to Aso Rock. An authoritative source, a member of the Assembly, told *Saharareporters* that they were offered N25 million each as bribe to stop Nyako's impeachment. A member of the House of Representatives also recently told our correspondent that, contrary to his public posturing, Yar'adua did intervene in a failed effort to help former Speaker Patricia Etteh to retain her job. "Even though Yar'adua didn't publicly intervene in the Etteh saga, he was using Dr. Aminu Shuaibu Safana to buy loyalty for Etteh," said our source. Safana, who slumped and died while supporting

Etteh during a rowdy legislative session, once served as Yar'Adua's Secretary to the State Government in Katsina. "That's why we were able to remove Etteh only after Dr. Safana died," said our source.

Gani Fawehinmi dismissed all the orchestrations about the rule of law as empty rhetoric. In an interview with the *TheNews* magazine (Vol. 47 No. 21 of 26 May 2008), Fawehinmi observed that the rule of law must be in the interest and welfare of the people. Under section 16 and 17 of the constitution, it says you must provide for the Nigerian people medical facilities, but they don't do it. In the constitution, it is stated that you must give to the Nigerian worker a minimum living wage. You give them N5,500 a month equivalent of N183 a day, which cannot buy one tuber of yam, that is a breach of the most fundamental aspect of the rule of law... You denied them access to education, is that not against the rule of law?" the radical lawyer queried angrily. Instances of lopsidedness in the appointments made by President Yar'Adua provide another area where the Yar'Adua administration has violated of the rule of law. Section 171 (5) of the 1999 Constitution states that in exercising his power to hire and fire people, the President "shall have regard to the federal character of Nigeria and the need to promote national unity." In a report captioned, 'A President on the spot,' Ayorinde (2008: 20) notes that "recent appointments by President Umaru Yar'Adua raise the spectre of a return to the past when a section of the country dominated public offices." The report also cited the press statement of the *Afenifere*, which noted that with recent appointments at the federal level, there has been a "deliberate attempt to northernize power" in the past twelve months by the President. Such proven cases of lopsidedness in appointments contravene the federal character provisions in the Nigerian Constitution and therefore constitute a breach of the rule of law, which President Yar'Adua professes to observe strictly as a basis for the successful implementation of his 7-point agenda.

President Yar'Adua's Speech Acts: Felicity Conditions and Gricean Maxims

As Agbedo (2008) notes, the question of how people know what is going on in a text is a special case of the question of how people know about what is going on in the world at all. Put differently, the knowledge of the world is acquired by man through acculturation, observation, personal experience of different socio-cultural, socio-political and socio-economic events as well as linguistic interaction with people. Using the simple principles of *local interpretation* and of *analogy* as a basis for analyzing President Yar'Adua's speech acts on the rule of law predisposes one to interpret the illocutionary act deriving therefrom as what Yule (1996) calls *counterfactive presupposition*. This is in view of the fact that the principles of local interpretation and analogy, according to Brown & Yule (1983: 67) "...form the basis of the assumption of coherence in our experience of life in general, hence in our experience of discourse as well.

In pragmatics, it is taken as axiomatic that the notion of presupposition required is pragmatic presupposition, one that Givón (1979a: 50) defines "...in terms of assumptions the speaker makes about what the hearer is likely to accept without challenge". Similarly, Stalnaker (1978:321) reflects the notion of assumed 'common ground' in the

characterization of presupposition as evident in the following definition: "Presuppositions are what is taken by the speaker to be the common ground of the participants in the conversation." Equally of thematic relevance to the notion of *assumed common ground* in pragmatic presupposition is Bach & Harnish's (1979) concept of 'Mutual Contextual Beliefs' (MCBs), which, in the opinion of the authors are facts, considered well known to both interlocutors and instrumental to the encoding and decoding of messages. Nonetheless, both the non-factive and counterfactive presuppositions violate the preconditions of assumed common ground and MCBs, which are implicit in existential, factive, lexical, and structural presuppositions. In non-factive presupposition, it is not always that the presuppositions are true or assumed to be true.

In general terms therefore, the combined insights deriving from local interpretation, analogy, assumed common ground, and mutual contextual beliefs, provide the theoretical basis for inferring series of counterfactive presuppositions from President Yar'Adua's speech acts on the rule of law. In other words, his speech acts on the rule of law, considered as the anvil on which his 7-point agenda is anchored, fell short of meeting the felicity conditions as well as the maxims of the cooperative principles. This is glaringly evident in the proven instances of failure on the part President Yar'Adua in the preceding sections to observe strictly the rule of law contrary to his avowed commitment in this regard in his inaugural speech on 29 May 2007.

Conclusions

There is no gainsaying the fact that politicians do make promises, and articulates public policies, which they make avowed commitment to implement and therefore, should be held accountable for delivering on those promises. This perhaps, explains the necessity of engaging the government in a public discourse on issues of national concern, especially when government seems to fail in the critical area of policy implementation. Government policies, notes Falah (2008) emerge as the result of a deliberate and a more formal strategic planning process. Designing realistic policies require a valid analysis of the existing problems with a deliberate intent to understand their causes, to study alternative solutions, and to ultimately adopt the best possible strategies to solve the outlined problems. In the sphere of public policy, such extenuating strategies must be in the interest of the general public; this is at the point where societal benefits exceed societal costs. In general, a public policy is a more formal platform of the government concerning the utilization of scarce state's resources to address competing societal needs. Accordingly, the citizens should therefore hold governments accountable to the fulfillment of national policies. It is true that in the realm of politics, changes in the political, social, and economic conditions both at the national and international levels do affect public policies and by extension can influence what a government can or cannot deliver. However, in Nigeria, the political environment is usually, characterized by genetic and atavistic misconceptions regarding the realities and dynamics of public policy formulations and implementations, and the capacity of government to meet the needs of its citizenry amidst competing priorities and limited financial resources. This general disposition of Nigerians leaves no leeway for President Yar'Adua to explain or justify his

proven failures in the critical area of policy implementation as it concerns the 7-point agenda, which is anchored on the strict observance of the rule of law and due process.

From the pragmatic point of view, his avowed commitment to the rule of law and due process fails to meet the minimum requirements of the felicity conditions and Gricean maxims. The insights deriving from the principles of local interpretation, analogy, assumed common ground and mutual contextual beliefs clearly underscore this point. The prevailing situation therefore imposes an urgent demand on Mr. President to take steps to streamline the mechanisms of government in a manner that would minimize policy hiccups and summersaults and avoid costly errors of judgment that result in general inefficiencies, which engender disenchantment and discontent among the citizenry. The imperativeness of this demand is underscored by the fact that the prevailing situation is hardly an ideal one for actualizing the highly ambitious project of making Nigeria one of the twenty largest economies by the year, 2020.

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APPENDIX

Excerpts of President Umaru Musa Yar'Adua's Inaugural Speech on 29 May 2007

This is a historic day for our nation, for it marks an important milestone in our march towards a maturing democracy... "For the first time since we cast off the shackles of colonialism almost a half-century ago, we have at last managed an orderly transition from one elected government to another.... "We acknowledge that our elections had some shortcomings. Thankfully, we have well-established legal avenues of redress, and I urge anyone aggrieved to pursue them... I also believe that our experiences represent an opportunity to learn from our mistakes. Accordingly, I will set up a panel to examine the entire electoral process with a view to ensuring that we raise the quality and standard of our general elections, and thereby deepen our democracy... This occasion is historic also because it marks another kind of transitional generational shift when the children of independence assume the adult responsibility of running the country at the heart of Africa... My fellow citizens, I am humbled and honoured that you have elected me and Vice President Jonathan to represent that generation in the task of building a just and humane nation, where its people have a fair chance to attain their fullest potential... Luckily we are not starting from scratch. We are fortunate to have been led the past eight years by one of our nation's greatest patriots, President Obasanjo. On behalf of all our people, I salute you, Mr. President, for your vision, your courage and your boundless energy in creating the roadmap toward that united and economically thriving Nigeria that we seek... Many of us may find it hard to believe now, but before you assumed the presidency eight years ago, the national conversation was about whether Nigeria deserved to remain one country at all... Today we are talking about Nigeria's potential, to become one of the 20 largest economies in the world by the year 2020. That is a measure of how far we have come and we thank you. "The administration of President Obasanjo has laid the foundation upon which we can build our future prosperity... Over the past eight years, Nigerians have reached a national consensus in at least four areas: to deepen democracy and the rule of law; build an economy driven primarily by the private sector, not government; display zero tolerance for corruption in all its forms, and, finally, restructure and staff our government to ensure efficiency and good governance. I commit myself to these tasks... Our goal now is to build on the greatest accomplishments of the past few years. Relying on the point agenda that formed the basis of our compact with voters during the recent campaigns, we will concentrate on rebuilding our physical infrastructure and human capital in order to take our country forward... "We will focus on accelerating economic and other reforms in a way that makes a concrete and visible difference to ordinary people... Our economy already has been set on the path of growth. Now we must continue to do the necessary work to create more jobs, lower interest rates, reduce inflation, and maintain a stable exchange rate. All this will increase, our chances for rapid growth and development... Central to this is rebuilding our basic infrastructure. We already have comprehensive plans for mass transportation, especially railroad development. We will make these plans a reality... Equally important, we must devote

our best efforts to overcoming the energy challenge. Over the next four years we will see dramatic improvements in power generation, transmission and distribution... These plans will mean little if we do not respect the rule of law. Our government is determined to strengthen the capacity of law enforcement agencies, especially the police. The state must fulfill its constitutional responsibility of protecting life and property... The crisis in the Niger Delta commands our urgent attention. Ending it is a matter of strategic importance to our country. I will use every resource available to me, with your help, to address this crisis in a spirit of fairness, justice, and cooperation... We have a good starting point because our predecessor already launched a masterplan that can serve as a basis for a comprehensive examination of all the issues. We will involve all stakeholders in working out a solution. As part of this effort, we will move quickly to ensure security of life and property, and to make investments safe... In the meantime, I appeal to all aggrieved communities, groups and individuals to immediately suspend all violent activities, and respect the law. Let us allow the impending dialogue to take place in a conducive atmosphere. We are all in this together, and we will find a way to achieve peace and justice... As we work to resolve the challenges of the Niger Delta, so must we also tackle poverty throughout the country... By fighting poverty, we fight disease. We will make advances in public health, to control the scourge of HIV/AIDS, malaria, and other diseases that hold back our population and limit our progress... We are determined to intensify the war against corruption, more so because corruption is itself central to the spread of poverty. Its corrosive effect is all too visible in all aspects of our national life. This is an area where we have made significant progress in recent years, and we will maintain the momentum... We also are committed to rebuilding our human capital, if we are to support a modern economy. We must revive education in order to create more equality, and citizens who can function more productively in today's world... To our larger African family, you have our commitment to the goal of African integration. We will continue to collaborate with fellow African states to reduce conflict and free our people from the leg chains of poverty... To all our friends in the international community, we pledge our continuing fidelity to the goals of progress in Africa and peace in the world... Fellow citizens, I ask you all to march with me into the age of restoration. Let us work together to restore our time-honoured values of honesty, decency, generosity, modesty, selflessness, transparency, and accountability. These fundamental values determine societies that succeed or fail. We must choose to succeed. I will set a worthy personal example as your president... No matter what obstacles confront us, I have confidence and faith in our ability to overcome them. After all, we are Nigerians. We are a resourceful and enterprising people, and we have it within us to make our country a better place... To that end, I offer myself as a servant-leader. I will be a listener and doer, and serve with humility. "To fulfil our ambitions, all our leaders at all levels whether local government councillor or state governor, senator or cabinet minister must change our style and our attitude. We must act at all times with humility, courage, and forthrightness... I ask you, fellow citizens, to join me in rebuilding our Nigerian family, one that defines the success of one by the happiness of many. I ask you to set aside negative attitudes and concentrate all our energies on getting to our common destination.

Appendix

All hands must be on the deck... Let us join together to ease the pains of today while working for the gains of tomorrow. Let us set aside cynicism, and strive for the good society that we know is within our reach... Let us discard the habit of low expectations of ourselves as well as of our leaders. Let us stop justifying every shortcoming with that unacceptable phrase, 'the Nigerian factor,' as if to be a Nigerian is to settle for less... "Let us recapture the mood of optimism that defined us at the dawn of independence, that legendary can-do spirit that marked our Nigerianness... Let us join together, now, to build a society worthy of our children. We have the talent. We have the intelligence. We have the ability... The challenge is great. The goal is clear. The time is now. "I thank you, and God bless you.