

## **THE THIRD TERM: NIGERIANS SHOULD SHOW RESTRAINT.**

By

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The statement silence is golden may not always be correct, and those who shout the loudest may not always be right. On many occasions, they lead the people astray. Others say talk less and by so doing say more, a saying that may not be relevant in our situation as Nigerians. Speaking your 'truth', even though it may carry disagreement or may make you look polarised; but there is inner peace in so doing as it concretises your being in harmony with your personal values and ensuring that your choices are what you believe to be true and correct and not what others' think or believe.

I was moved to comment on the issue of the third term when I read in one of the Nigerian newspaper that the chief executive/governor of Zamfara State is prepared to die for the third term issues. It showed how naïve and ignorant some of our leaders really are. There are comments that should not come from the chief security officer of a state. The above comments are one of such. It is inflammatory and tends towards felony and agitation for insurrection. In another place and may be another time in Nigeria, his state assembly will move swiftly against him if the federal government is reluctant to do so for over-riding public interest and may be for the sake of peace. Freedom of speech does not equate to freedom of incitement.

### **What Constitute a Constitution?**

The 1990s have seen a resurgence of constitutionalism in sub-Saharan Africa with military rule and the one party state being largely replaced by a long list of multi-party states each of which has sought to produce an autochthonous constitution.

The **constitution** of any country is a special type of laws or rules that tells how its government is supposed to work. It also tells how the country's leaders are to be

chosen and how long they get to stay in office; how new laws are made and old laws are to be changed or removed, what kind of people are eligible to vote and to be voted for, and what other rights they are guaranteed, and how the constitution can be changed.

A constitution is a way of Federation.

The questions we should be asking ourselves are as follows. Has the Senate committee to review the Nigerian constitution been properly and legally set up according to the Nigerian Laws? Is the composition of that committee legal? Has the Nigerian foremost legislative body set up the committee? If the answers to all the above are in the affirmative, then if anyone is unhappy or aggrieved with the composition or frame of reference or the modality of its set up, they should seek legal redress. Press conferences that hit up the polity do anyone no good. Democracy is based on majority; it does not imply all Nigerians have to be satisfied before the enactment of any law. In the British Parliament, laws have been made by only a few majorities of the Parliamentarians and that Institution gave birth to the Magna Carta that is the oldest reference point. In spite of the fact that there is no written constitution as such, laws are being made during the various terms of parliaments and old laws are being modified regularly to keep abreast with the changing needs of the electorate. Even in the United States of America, the first constitutions of the confederation of states were replaced because they were judged to be weak and inadequate. Nigeria should not be an exemption in constitutional review.

### **What is the Third term?**

A critical look at the summaries and writings on the issue sees a deviation from what the third term issue really is. The issues of the third term have become personified in one man; the

person of the President. A lot of our people see it as the perpetuation of the present regime in government. Others claim the president is seeking life Presidency hence the plan for constitutional review .Is that really the case? Others have likened the need to change the constitution of Nigeria to the annulment of the June 12 elections while others have likened it to Abacha's attempt to convert from a military president to a civilian president. These are statements and utterances not very well thought out before taking the podium during press conferences.

On the other hand the press who should be the watchdog of the nation have become so polarised and politicised that one takes what they write with a pinch of salt. The few that are objective in their reporting meet with premature deaths. I weep for my country. When will the Blackman learn to follow the path of honour and do things to serve the greatest majority?

None of the above reasons given to resist the third term are tenable nor are they similar by any degree. As a democratic nation, a senate committee was legally set up in line with the constitutional requirement in a democratic society to look at the 1999 constitutions that was thrust on the people by a military regime. If we recall the constituent assembly recommendations was set-aside in the writing of that constitution. If we recall a lot of Nigerian scholars have written against the Nigerian 1999 constitution in the past and stressed its inadequacies. PRONACO has been campaigning against that 1999 constitution since the marriage between PDP and PRM fell apart during the first term of the present administration. Many Nigerians believe that the 1999 constitution is not the people's constitution. If so many Nigerians feel so aggrieved about the constitution, why, one wonders the clamour against constitutional review now?

The senate committee was set up to look at the issue of the third term amongst many others, like the voting rights of Nigerians in Diaspora, electronic voting, the issue of individual candidacy at elections.

The question is why has the third term issue over-shadowed all other issues? An innocuous attempt by the government of the day to review the Nigerian constitution have become so politicised that a governor of a state is prepared to die for it.

There is no doubt that the extension of the present regime is in direct confrontation with the wishes of the people because the organ of government has not carefully dissected and disseminated the issues surrounding the third term agenda to the electorate.

Some Nigerian believes that the President will simply continue to govern and similarly the various governors will continue in their ineptness as governors as many of them have performed under par. In many states of the federation, people are praying to see the back of their governors as they have denied the people the dividends that should have accrued to them as a result of our nascent democracy.

The third term of four years each is the extension of the current two terms for the post of the president and the state governors. It does not relate to only the tenure of the present government. It is supposed to be a change of the Nigerian constitution for posterity. If we prevent it from happening today because some us hate/dislike/detest the present incumbent, what will happen when another Nigerian from another geopolitical region of the nation has performed so well as president that people wish his tenure to be elongated?

In the United Kingdom for example, the British Prime minister is currently enjoying his third term victory in office. If President Bill Clinton had contested a third election, he would have won because people loved him. In his situation, his country's constitution has prevented the best person to continue his service to his nation and humanity. The converse is also true that in a true democracy when the electorate become dissatisfied with their rulers, they are at liberty to punish them at the polls. The addition of a third term to our present two terms does not imply the incumbent will 'just' continue to rule. The incumbent president or governor will have to win his/her political party nomination, thereafter he will have to campaign and win the election before he can rule. Our people should note that. The sensationalism of the third term issue has polarized the nation especially as some of the leaders could no longer contain their greed so have made diabolical statements inimical to a united nation. Even the vice president that has sworn to uphold the constitution of the Federal Republic of Nigeria has recently started back stabbing his boss at every chance. Isn't total allegiance to the presidency by the VP part of the Nigerian constitution? In another country if an incumbent feels so aggrieved about any situation and would not like to be a party to it, dignity and honour dictates that such individual should resign. That is very unlikely in Nigeria as everyone is positioning himself/herself to grab a slice of the national cake. On the other hand the VP or any other Nigerian is totally free to aspire to any position in the Nigerian body politics without fear or favour as it is his inalienable right.

We have allowed tribe, greed and religion to cloud our sense of judgement. Our leaders have thrown caution to the wind hence you hear utterances like the one from the Zamfara State governor that he will die for the third term.

### **The Niger-Delta.**

The one serious issue facing the country is not the third term. It is the issue of the Niger Delta. Mobile phone and Internet has made the dissemination of information like sharing a piece of cake. If NTA refuses to carry a news item, CNN will air it; If CNN refuses to report a news item, the BBC will report it. So there is little or no cover up anymore. The news item may be delayed but it will eventually surface. It is for these reasons that our leaders should conduct themselves in private and in public in a most respectable and transparent manner befitting of a leader of the most populous black nation on mother earth.

What our leaders should be concerned about presently is not the third term but how to solve the problem of the Niger Delta. Recently the present government announced the spending of several billions of naira in the Niger Delta including the establishment of a Federal University; it did not make the front pages of Nigerian newspapers. For those 'clamouring for death because of the third term issue' may have their positions in government overtaken by events in the Niger-Delta. For those who believe in the Nigerian nation and its survival like myself who went to school with many Nigerians from different ethnic groups and took part in the National service when the national service was really a unifying and an integrating force among Nigerian graduates. Nigerians should always find a reason to restrain.

To the government, I would say the purpose of the review of the Nigerian Constitution is right but the implementation and interpretation of the exercise is wrong. The government should now go all out to explain what the exercise is all about to the electorate.

To all Nigerians I would say our country would outlive the present leadership if we allow those in position to carry out their duties for the interest of all. I would add that Nigerians should magnify the good in fellow Nigerians, magnify the good in our leaders, and magnify the good in our country, our neighbours and ourselves as well so as to allow peaceful resolutions of issues bothering on national interest. Finally, I will request the Zamfara State governor not to die for the sake of the third term because he is worth more to the Nigerian nation in life than in death.