

We call on all Nigerians to join forces across the breadth and length of the country, struggle against fraud and dictatorship, misrule, injustice, and the subversion of democracy as epitomised by the April 14 and 21st 2007 elections. We call upon Nigerians to defend their votes, defend their right to choose and their sovereignty by acting now to end the electoral fraud and rekindle the hopes for a free future.

We call on the Nigerian Labour Congress, the Trade Union Congress, the Nigerian Bar Association, all professional organizations and all Civil Society Organizations to come together and organize to defend the future of Nigeria.

The National Executive Council (NEC) of the Academic Staff Union of Universities (ASUU), at its meeting of March 23, 2007, at Benue State University, Makurdi, examined the state of the nation. The text of NEC position on the State of the Nation was published in a paid advertorial by ASUU in the Guardian (Thursday, 5th April 2007), the Punch (Friday, 6th April 2007) and Weekly Trust (Saturday, 7th April 2007).

THE PAST EXPERIENCE

In that position paper, among other things, ASUU drew the nation attention to certain anti-democratic, dangerous, destructive characteristics of the past elections in our country. Such factors, NEC asserted, include: political thuggery, assassination, state repression, intimidation, selective sorting of political parties, the wide disenfranchisement of the Nigerian people, the dubious use of the Police and the Army, the Electoral Commission, and other Government Agencies, the hounding of political opponents, massive rigging emanating from a variety of rigging strategies, etc.

We asserted that to lay a foundation for reclaiming the people sovereignty, we Nigerians must avoid the sad experiences of the past. We made references to the disastrous consequences of the 2003 fraudulent elections.

THE OMINOUS SIGNS OR REPEAT OF THE PAST DISASTER

We drew attention to the presence in the 2007 situation of the same factors that had in the past robbed the Nigerian people of their right to exercise their constitutionally guaranteed right to elect their leaders. Such factors included, in 2007, prior to 14th April:

- Extra judicial political murders;
- The use of state violence to cow political opponents of the ruling party/government;
- The looting of the Treasury to advance political goals of sustaining power;
- The use of illegal and unconstitutional means to ban Nigerians from exercising their right to be voted for;
- The political use of the EFCC;
- Widespread disenfranchisement of the people through a dishonest and shoddy Voters Registration exercise;

- The pronouncement of the President of Nigeria declaring the elections a do or die affair and appreciating the chief political thug in Oyo State;
- The growing loss of confidence in INEC preparation for the elections;
- The diversion of DIRECT DATA Capturing Machines (DCCM) to the houses of some key ruling party officials and thugs all over the country;
- The “sorting, and clearing” clearing in of contestants largely from the opposition or the ruling party respectively;
- Abuse of power and the rise of arbitrariness, lawlessness in the disqualification of public office holders, including some governors;
- The encouragement of disobedience of court rulings by the office of the Attorney General of the Federation; and,
- The impoverishment of the people by the current imposed World Bank-IMF reforms.

THE 14TH APRIL AND THE 21ST APRIL ELECTIONS

It is sad that once again, the 14th April elections exhibited, at a higher level, the repetition of the experiences of the past, surpassing the 2003 that was called elections. As a result of the monitoring of the 14th April elections at ASUU Branches all over the country and reports from ASUU Chairmen, our observations are as follows:

1. There was widespread and deliberate manipulation of the Voters Registers lists. Not only were there no display of the Voters Registers lists in most wards and local governments; where there was a display, a lot of names were omitted.
2. There was the use of illegal/unconstitutional disqualification of candidates by INEC. The Supreme Court judgement of 16th April 2007 has nullified, by implication, all INEC disqualification of candidates. This will invalidate some of the elections.
3. There was the flouting of court orders by INEC.
4. The INEC gave questionable accounts of its preparedness and the facts on the ground.
5. The Police and the soldiers, on evidence, were used to intimidate voters, and in many places, were observed to have participated in the seizure of ballot boxes.
6. There was widespread use of violence resulting in deaths in several states.
7. Untrained party officials were used in place of INEC trained officials.
8. In some states, what took place could not be described as voting at all. Ballot papers were marked in the houses of party chieftains.
9. In a good number of states, voting materials never arrived and no voting took place. Yet results were announced.
10. In some states, the INEC in Abuja announced a result when the Resident Electoral Commissioner in situ said there was no result.
11. There is evidence of widespread snatching of ballot boxes and electoral materials.
12. There was the use of State Security to intimidate opponents of the ruling party.
13. In some states, police and state officials directed voters, including old men and women as to where to thumbprint.
14. Money was freely used in exchange for votes.
15. On many university campuses, there was either no voting at all or there was manipulation of the process. For example, at University of Nigeria, Nsukka, there was no voting at all. At Obafemi University, only four out of seventeen polling booths operated and a vast number of registered persons could not vote. Hoodlums identified to be connected with the ruling party snatched ballot boxes.

16. In some places, example, Kubau local Government in Kaduna State, voters lists were not used at all. The use of voters slip resulted in multiple voting.
17. By 3p.m., when elections were to close, election materials had not been distributed in Anambra and Enugu States.
18. Party logos and pictures of candidates were omitted in Lagos, Kogi, etc.
19. There was delay in the delivery of election materials in several states of Lagos, Katsina, Abuja, Delta, Edo.
20. There was a massive deployment of the Police and Army, ostensibly, to preserve peace, but most probably to quell resistance to rigging in some states where resistance to rigging was predictable Lagos, Kano, Katsina, Ekiti, Ogun, Adamawa, etc.
21. For questionable reasons, election results in the states of Adamawa, Taraba and Kano took over forty-eight hours to announce.
22. The movement of one of the highest officers of the land during the elections into states hostile to the ruling party, e.g. Lagos and Kano, was observed. This is similar to the 2003 experience.
23. The NTA announced, in respect of Jigawa State, that ANPP had won and two minutes later, the same NTA announced PDP victory. NTA conduct throughout the exercise was more like an official organ of the ruling party than that of a publicly owned institution.
24. Opponents of the ruling party were arrested during the elections for frivolous reasons (e.g. Chief Akande).

The April 21st elections demonstrated the same disaster to many states; Nigerians reacted to the April 14th fraud by staying home or going about their business. All the rigging ways of 2003 and April 14th 2007 were repeated: snatching ballot boxes (at gun point), vote-buying, manipulation of voters registers, use of ruling party members as INEC officials, inflation of votes, etc. the Presidential and Parliamentary Elections have subsequently been described by Nigerian and International Observers as a sham, just like the elections of Governors and members of the State Houses of Assembly. Voters have lost faith in changes by ballot box i.e. the faith of Nigerians in peaceful change has been eroded. Yet Mr. President describes the gigantic fraud as mere imperfect elections when in Nigeria and else where the verdict of independent observers was that what took place was a sham.

THE WAY FORWARD

1. What took place in Nigeria on 14th April and 21st April 2007 were not free and fair elections by any acceptable civilised standard. They did not in any measure represent the wish of the Nigerian people. They were, in fact, subversion of the people right to choose their leaders. In ASUU publication, on the State of the Nation, we said, Nigerians must resist rigging at all levels in whatever forms in order to defend their constitutionally guaranteed right to select their leaders.

We reaffirm this position of ASUU NEC and call upon Nigerians to stand up and reject in its entirety the fraud committed on 14th April and April 2007 by INEC in the name of Gubernatorial and House of Assembly elections, Presidential and National Assembly elections.

2. The Nigerian Constitution states:

The Federal Republic of Nigeria shall be a State based on the Principles of democracy and social justice (Ch. ii, section 14[1])

i. Sovereignty belongs to the People of Nigeria (Ch. ii,

section 14.2)

ii. The state shall abolish all corrupt practices and abuse of power Ch. ii, 51[5])

iii. No person shall be subjected to inhuman or degrading treatment (Ch. iv 34 1[a])

iv. Section 217 provides the raison detre equipping and maintaining the armed forces defence of Nigerians against external aggression, maintaining territorial integrity and suppressing insurrections. The Constitution does not give the Armed Forces the role of rigging elections or aiding the rigging of election.

April 14th and 21st witnessed a rape of the above four provision of the Constitution. We the people have the duty to our country to defend the constitution by rejecting the character and outcome of the so-called 2007 general elections. We salute the judiciary for being faithful to its calling and for earning itself a golden position in the history of democratic development in Nigeria. We commend the Nigerian Bar Association (NBA) for standing for justice and resistance to dictatorship in these difficult times. We express solidarity with all parties who refused to succumb to fraud on April 14th and 21st 2007. We urge them to stand up and resist till the end.

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SIGNED

Dr. Abdullahi Sule-Kano

President

May 1st 2007.