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Mass Strikes And Street Protests
That Shook Nigeria In 2012



Owei Lakemfa

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by
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Resident Representative

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Dedication

To Our Comrades Now Gone;

**Alao Aka-Bashorun, who led the way;
Chima Ubani, who rejected compromise;
Beko Ransome – Kuti, the Spirit of Resistance;
Ben Edehru, who was at workers service 'worldwide'
Wahab Omorilewa Goodluck, the ultimate mass organizer;
Tina 'Iron Lady' Oladimeji, the songstress of Street Protests:**

And

**Those who lost their lives,
Or live the scars of
The January 2012 Protests.**

***"Until the lions start to write
their own history about hunting,
only the story of the hunters
will be believed."***

*Hassan Sunmonu, Founding President
Nigeria Labour Congress, (1978-1984)*

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FOREWORD

Nigeria is a country richly endowed with both human and natural resources. It is the most populous country in Africa with about 170 million people, largest African economy, largest oil producer, ethnically diverse with more than 250 ethnic and more than 350 linguistic groups.

The country's economy was rebased from \$264 billion in 2012 to \$509.9 billion in 2015, with a growth rate of 6-8% Gross Domestic Product (GDP) and large informal sector. However, about 85% of her net income is from oil (petroleum) which started in commercial quantity in 1958. The country depends largely on oil from the upstream and downstream sector which has resulted in the mono-economic structure that calls for the diversification of the economy.

One of the pivots on which the Nigerian wheels rotates socio-economically is the price of petroleum products, especially the petrol (PMS), diesel (AGO) and kerosene (KPO). It affects the people in every facets of life in terms of prices of goods and services, rents and transportation.

Over the years the government has subsidized the prices of these products to meet the demand of the people and to stabilise the economy as it reacts to prices in the international market. However, whenever government increases the prices of these products in the form of subsidy removal, it has always met with stiff resistance from the citizens; often times pioneered and led by the workers unions and civil society groups.

One of the most prominent of these strikes and resistance was after the removal of the fuel subsidy at the beginning of January documented in this book as “parliament of the streets: Mass strikes and street protests that shook Nigeria in 2012”, with a view to understanding the politics of oil and fuel subsidy in Nigeria.

The Friedrich-Ebert-Stiftung (FES), present in the country since 1976, is a German independent, non-profit organization committed to promoting democracy, social justice, peace and security.

I hope this book will meet the need and aspirations of Nigerians and the workers in understanding the dynamics of fuel subsidy in the Nigerian society. I therefore recommend the book to all stakeholders, scholars and decision makers.

Seija Sturies (Mrs.)

Resident Representative

Friedrich-Ebert-Stiftung, Nigeria

Abuja, October, 2015

PREFACE

This is not history. It is not even an attempt to chronicle the events that shook Nigeria from January 9-16, 2012 which saw millions of Nigerians pour out into the streets across the country, bringing human activity to a halt in this country of 167 million people. Rather, these are in a sense, a thought process, and preliminary notes I took as history unfolded before my eyes from the vantage position of one of the principal organizers of the strikes and street protests. This is basically an attempt to do some documentation of those explosive days the Nigerian people rose as one, to oppose a government policy that can only impoverish them.

I have strived to present issues as accurately and fairly as possible. Part of the style, is to let people speak directly for themselves, and hopefully, take responsibility for whatever role(s) they played. Expectedly, there were lots of intrigues and people masquerading as Labour leaders, civil society activists and champions of the people. While some hints have been given, the intention however, is not to unmask them now. To unmask some of them at this point, might damage the Labour Movement, and some may turn a new leave. After all, human beings are changeable.

I have tried to be fair, but I must admit that this book is written from the perspective of the Nigeria Labour Congress (NLC) or rather, my perspective. The primary aim is to present some documentation and history, which may be useful to future Generations.

Introduction

Peoples Power: Eight Days That Shook Nigeria

The historic eight-day general strike, mass rallies and street protests in the country from Monday January 9 to Monday January 16, 2012 brought out the best in Nigerians. The Nigerian people were angry, and they showed it; sovereignty belongs to the people from whom all power flows, they reasserted it; they displayed that the country belongs to the people and not to the government in power.

The Nigerian populace showed that unity is an article of faith, a theoretical proposition and a practical demonstration of their oneness as a people. It was the best of times; Nigerians put gender and regionalism aside; political affiliation and party loyalty melted in their hearts; no politician, jobber or government could divide them. Daily, they poured out in tidal waves of humanity in their tens of Millions, walking the villages, filling the towns and occupying the cities; men and women, believers and nonbelievers, the ordinary citizens and the movie stars, the preacher and the congregation, the dancer and the vocalist, the student and the teacher, the employer and the employee, the lawyer and the client, the doctor and the patient. When it was time to pray and the faithful bowed down their heads or closed their eyes, protesters of other faith formed human chains around them; guarding and protecting their comrades. Never had Nigerians been so united! It was the most undiluted, peaceful, solid and focused movement of the Nigerian people. They willingly, voluntarily and completely shut down the entire country for eight days; the airspace and the seaports, the offices and the markets, the formal and informal economy. Communities engaged in self- policing and voluntary enforcement of the strikes. A hungry populace most of whom depended on daily work or sales, endured hunger to reclaim their country. It was a beautiful sight and experience never before witnessed in the country; to crown it all, it was peaceful!

When it was time to hold strikes, mass rallies and street protests, the people poured out daily in huge, unprecedented, and sometimes, frightening numbers in unparalleled display of sovereignty, unity of purpose and oneness in thought and action. Yet, when the burgle was sounded by Labour asking the mass to return, within twenty four hours, the jammed streets, the roads that were clogged by human mass, became empty. The multitudes in another unprecedented display of consciousness and collective discipline simply vanished from the streets.

This historic peoples' movement is also a testimony to the trust, discipline and organizational abilities of Labour, professional bodies and their pro-labour civil society allies. The strikes, mass rallies and street protests showed that in the African peoples' most populous country, Peoples Power is no longer a theoretical issue; the ability, capability and political will of Nigerians to fight for their rights, assert their sovereignty and reclaim their country from unaccountable elites, is no longer in doubt. Although it came at the very high cost of at least fifteen human lives and scores injured, those eight days when all Nigerians irrespective of class and distinction, religion and regionalism, political partisanship and party affiliation united, were undoubtedly, the most glorious in Nigeria's 98-year history of existence as a country. In contrast, it brought out one of the worst instincts and actions in the political class. The preaching and claims by the political elite was that Nigeria is a fractured society ridden by primordial sentiments, irreconcilable religious, cultural and ethnic differences and cancerous corruption that cannot be tackled. But the strikes, mass rallies and street protests showed that these are mainly creations of the political élites who employ them to divide the populace and ensure that there is no united action by the people to transform their country for the benefit of the populace.

So in a period when even the terrorists, ubiquitous armed robbers and kidnappers took holidays, the Government sought to plant disaffection, use ethnicity, regionalism, naked force and thugs to attack labour and the protesters. It even revived and funded militants on whom huge resources had been expended to disarm, all in a vain attempt to stop the mass action and create division in the country. Government wasted hundreds of millions of Naira in public funds on faceless organisations, armed thugs and divisive and illogical adverts. In its disinformation campaigns, it claimed that the aim of the mass action was "Regime Change" and that Labour had not only been infiltrated, but also lost control of the mass action. It claimed that the strikes, mass rallies and street protests were actually an insurrection, and are treasonable. After this expensive and unpatriotic gambit, refusing to listen to the voice of the populace, and with the country on its knees, the government, to avoid collapse, yielded ground to the people.

Chapter 1

History As It Unfolds

The events of January 2012 that were characterized by strikes, mass rallies and nationwide street protests, taught Nigerians the fact that any government that takes the people for granted, will be making a grave mistake, and that a united people can challenge any government or institution no matter how powerful. For me personally, the January 2012 events further reinforced my belief in the people and in their ability to change things they do not accept. I have from teenage hood believed in the unity of the Nigerian people, but never have I seen them more united than they were in those protest days in 2012; when the times called for unity, they gave it; the times called for courage, and it was in no short supply; the times called for action; and the people flooded to the barricades asserting their sovereignty over all powers in and outside the country.

They were strikes, mass rallies and street protests by all the people, including the élites. In past protests, we had to send monitoring teams to enforce strikes in the posh areas. In this case, the elites in such areas as Ikoyi and Victoria Island in Lagos trooped out themselves to enforce the stay-off-the-streets directives. It was like enforcing a “No fly zone”. Protest days, were times my cellular phoned kept ringing for twenty hour periods and I got calls from people I never met before. An uncle called me from the village in the Niger Delta; he did not know exactly what was going on, but workers including teachers and local government employees were off work, businesses paralyzed, and people were coming to congratulate him for the good work his son in Abuja was doing for the Nigerian people. It all seemed rather confusing to him.

Another surprise I received was when an old acquaintance who worked in the Presidency under the Obasanjo administration called me. He had gone to great lengths to get my phone number because a business woman he was acquainted with wanted to speak to me by all means. He handed over the phone to her. She was an economically comfortable woman, but she cannot stand by while others fought for the soul of the country. She knew the protest organizers would need some funds to prosecute the rallies and protests; since I am in Abuja and she in Lagos, can I tell her who in Lagos she can release some funds to? I gave the name and phone number of one of our civil society leaders who was coordi-

nating the protests in Lagos. There were other shocks I was not ready for. One of them was seeing photographs of ladies on some Lagos highways setting up 'apartments' complete with sofa chairs and beds on the roads and listening to music or handing out drinks to protesters as they flowed past. Then there were children at various rally grounds, and in front of various street protests; what do we do to discourage or send them home?

What I also experienced, and which was quite good for us as a people, was that despite the central role I played, and reports by some labour leaders to government officials and security agencies that I was the stumbling block to the peaceful resolution of the crisis, I received neither dead threats nor intimidation from any quarter. All I experienced were some quite influential people and obvious friends of government seeking audience and trying to persuade me to get labour to stop the planned protests, or when they were on, to end them. On such occasions, listened patiently to them, explained the position of labour and asked them to prevail on the administration to reverse itself on the fuel subsidy issue. There were of course dirty propaganda such as one widely circulated in the social media which claimed that I received a bribe of ₦240 million from the President. I thought I knew the source of such blackmail, so I called a friend in the Presidency and said "You people are claiming that I have received ₦240million bribe from the President, if this were true, do you know that both the giver and the taker of a bribe are criminally liable?" He denied that any of them was behind the dirty campaign. This is possible, but the fact was that the campaign ceased.

Another one which was also widely circulated in the social media was that I am not a Nigerian; that I was a foreigner from Ghana sent to destabilize Nigeria. This of course was the work of faceless propagandists who had no answer to the mobilization of the people that was afoot. Ironically, an American-based Nigerian medical practitioner and lawyer, Dr. Emmanuel Olusegun Fashakin, the Managing Director of the Alpha-K Family Medical Practice Group in New York, swallowed the hook, and took it upon himself to circulate this false hood. In a letter to me on January 1, 2012 on the *naija* politics and Our Country Nigeria groups, he wrote: "Mr Owei Lakemfa: Your country of origin, Ghana, removed the last 15% of their fuel subsidy only three days ago, hiking the price of petrol to ₦184 per litre, and there was no riot. Why are you trying to instigate, incite, solicit and propagate violence and riot in Nigeria for doing the right thing by removing expensive and wasteful fuel subsidy to make money available for development?" I did not need to reply him as some Nigerians did. For example, the Save Nigeria Group Spokesman, Yinka Odumakin, making allusion to the fact that myself and

the President Jonathan are *ljaws*, wrote “If Owei is from Ghana, GEJ (Goodluck Ebele Jonathan) must also be a Ghanaian”.

I did not know where the falsehood that I am a foreigner was emanating from, but just in case it was from the security services or some propagandists in government, I replied that since I am an authentic *ljaw* man from the Niger Delta like our respected President, if it has been discovered that the *ljaws* are Ghanaians and not Nigerians, then all of us *ljaw* people should be ready to return to our Ghanaian ancestral home. I did not want to take chances; there was the case of Alhaji Abdurrahma Shugaba Darman, the Majority leader in the Bornu State House of Assembly during the Shagari administration whom the ruling National Party of Nigeria (NPN) regarded as a stumbling block to its dominance. He was labeled ‘a foreigner’ seized on January 24, 1980 by Immigration officers and deported to Chad Republic “as a prohibited immigrant (who should) be deported from Nigeria by the first available means” The High Court, Appeal Court and Supreme Court took turns to annul the deportation order on Shugaba, but valuable time was lost.

My response, and those of other Nigerians seemed to have worked, and the campaign quickly fizzled out. One incident, I cannot forget happened on Thursday January 12, 2012 during the protests. The NLC and TUC leadership was invited for negotiations at the Aso Rock Presidential Villa in Abuja. We went with two civil society representatives in a mini bus belonging to the Nigeria Civil Service Union (NCSU) which had its name boldly inscribed on its side. When we got the first of the three gates leading to the Villa, security men stopped us for the routine check. One of the security men took time to read the inscription on the bus, peered in and recognized the NLC President Abdulwahed Omar, TUC President Peter Esele and myself. He said “You people are going to meet them?” (He meant the Government). We nodded. He took another look at everybody in the bus and said “You can go, but don’t take any bribe from them O! We are all watching you” With that he signaled that the driver move on.

It was surprising to us that even if a security man at the Presidential Villa thought the protests should go on; we did not expect him to tell us so openly. It was another indication that our support was very wide among the Nigerian people, and even in the security apparatus. Indeed, the security agencies in Abuja had been quite supportive; it seemed that they wanted to avoid a confrontation by all means, and wanted us to know that they supported our actions. For instance, on Thursday January 5, 2012, a day after the Labour Movement had decided to

call country-wide strikes and street protests, some security men and government officials contacted us to inform that the government had shopped for a court injunction from the National Industrial Court (NIC) restraining us from calling any strike or protest and that the injunction was to be served on the NLC the next morning. They ask that we evacuated the NLC Secretariat so that the injunction would not be served. Secondly, they informed us that armed soldiers and policemen are likely to invade the NLC Secretariat that Friday January 6, 2012, followed by a swarm of hired thugs. Their advice was same; evacuate the NLC Secretariat. We did evacuate, and the events did happen, except that the armed soldiers and policemen were on the NTA link Road near the NLC and never came to the Labour House premises. But the thugs did invade the NLC and several attempts were made, including by a Minister to serve us the injunction without success. It seemed that there were many high up in government who wanted us to succeed and were willing to risk everything to pass on information to us. Such was the case when on Sunday January 15, 2012, a secret directive was given to turn out the armed forces on the streets to retake them by force from protesters, the information was leaked to us that same morning, with the additional information that the Presidency had summoned all the thirty six state governors to an emergency meeting that Sunday, where a proposal to declare a state of emergency was to be tabled. The events of January 9-16, 2012 showed what a great people Nigerians are, and what a great country we have; one that is worth fighting for, no matter the costs.

Chapter 2

Thorny Road To Protests

The Labour Movement supported the declaration of Dr Goodluck Ebele Jonathan as the Acting President of the country in February, 2010 following the hospitalization of President Musa Yar' Adua. A cabal in the Presidency had done all in its power to stop him from presiding in the absence of President Yar' Adua. Almost belatedly, and with the country facing an uncertain political future, the Senate evoked the Doctrine of Necessity, and Dr Jonathan was sworn in as Acting President, and then as President on May 6, 2010 after Yar'Adua passed away a day earlier. The follow up 2011 primaries of the ruling People's Democratic Party (PDP) and the April, 2011 General Elections were quite fractious. Violence broke out and some parts of the country tottered towards anarchy. With claims and counterclaims, and parts of the country burning, Labour thought it was best to come out openly to condemn the violence and let the country know where workers stand. Subsequently, on April 18, 2012, I issued a public statement titled THE VIOLENCE MUST STOP NOW! In which I stated:

“Following the Presidential elections held on Saturday April 16, 2011, and the announcement of results, there have been cases of violence in some parts of the country. The affected states include Borno, Gombe, Kaduna and Nasarawa. There is also apprehension in the Federal Capital Territory (FCT) due to a bomb scare. These disturbing events are coming on the heels of an election that has been generally peaceful, transparent and fair. It is instructive that in a contest, particularly in the contestation for power, the preferred candidates necessarily must not win, as what is important is the process that threw up the winners. It is inconceivable to visit violence on fellow Nigerians whose only weapon was casting their votes for candidates of their choice. The losers of these elections should know that they have the opportunity in future re-contest.

These primordial sentiments and intolerance incited by politicians are highly condemnable and should be checked. We call on politicians and their agents not to take advantage of the vulnerable in our society by inciting them to violence. Politicians and candidates hold it as a patriotic duty to all their supporters to order. It would be a tragedy if we allow the cold blooded murder of innocent

Nigerians and vandalism to mar elections that are acclaimed nationally and internationally as being free and fair and held under a conducive atmosphere. Indeed, any impartial observer would agree that this year's national elections so far represent a marked improvement in our electoral history, with the electoral body demonstrating openness and transparency. We call on all Nigerians to accept the outcome of the elections and join hands with the winners to deliver the dividends of democracy.”

The next day, NLC President, Abdulwahed Omar and I signed a joint statement recognizing President Jonathan as the winner of the disputed elections and congratulating him. The statement which did not go down well with the opposition declared that: “The Nigeria Labour Congress (NLC) on behalf of the working people of our country joins our fellow compatriots to congratulate President Goodluck Jonathan and Vice President Namadi Sambo for their richly deserved victory in the 2011 Presidential Elections. For us, President Jonathan deserves double congratulations. First, for delivering on his promise to Nigerians that this administration would ensure that the elections are credible, free and fair. Secondly, for receiving the overwhelming mandate of Nigerians to preside over their affairs for the next four years. He is truly a national leader as the votes that saw him to victory cut across all cleavages whether political, class, religion, regional, ideological or even party affiliation. As Nigerians through their votes have spoken so eloquently and given the presidential mandate to him, we urge President Jonathan to be the ‘President of all’ as he has promised. To the NLC, all Nigerians irrespective of who they voted for are winners. We therefore, urge those who were not elected to concede defeat congratulate the winners and contribute to national development rather than become symbols of intolerance and strife. If they feel quite strongly about the outcome of the elections, they know they can seek redress within the laws and constitution of our country.

Again, Congress condemns the spate of violence by some aggrieved persons and calls for calm across the country. The NLC congratulates the Nigerian populace for exercising without fear, their fundamental right to elect Leaders of their choice. We also commend the Independent National Electoral Commission (INEC) for being truly independent and giving the country one of the fairest, freest and most democratic elections in its ninety seven years of existence. We urge INEC Chairman, Prof Attahiru Jega to, in furtherance of the great strides already made, do thorough evaluation of the entire process and courageously bring to bear the needed strengthening of the INEC machinery for greater efficiency in

future assignments. Now that the Presidential campaigns and elections are over and winners with a clear mandate have emerged, it is time for the country to get back to the more demanding and serious task of governance. As evident from the misguided youths who protested the presidential elections, an immediate challenge is mass education and mass employment of the people. Also as agreed, the New Minimum Wage of ₦18,000 and the follow up General Wage Review in the country is an immediate task that must be done to reduce poverty and want amongst the populace. Congress advises President Jonathan and his team to pointedly tackle the growing mass pauperization of Nigerians and one sure way of doing so is to invest in the welfare of the citizenry rather than a blind adherence to so called market forces. The Congress calls on all Nigerians to give democracy a chance now that their votes have counted, and to participate en-mass and peacefully in the rest of the elections”.

So the trade unions were clear in their view that President Jonathan had the mandate of the electorate. However, on the fundamental issue of the economy, we were sure that the new administration was headed towards a path cleared by the international finance institutions and their bosses in the Western World which would not be in the interest of the Nigerian People. The NLC analyzed the body language of the Jonathan administration, and correctly concluded it would take anti-people decisions which would be injurious to the populace. We realized that if such decisions especially the removal of fuel subsidy is taken, the populace will react negatively, and that there would be a mass challenge possibly on the streets. We thought it was an avoidable confrontation; a confrontation that would call for sacrifices and may even lead to bloodshed in the streets. So for labour, this has to be avoided by all means.

With the World bank and International Monetary Fund (IMF) breathing down the necks of various African countries including Niger, Nigeria, Ghana and Kenya, we knew there was the strong possibility that any of these countries may cave into the demands of those institutions which see human being as mere statistical figures that can be equated, balanced up in account sheets, and if necessary, written off. The NLC began a series of campaigns including Press statements to sound the alarm that the Government was heading off on a different direction from the collective interests of the Nigerian people and state, and that it needs to have a rethink.

The NLC's strategy was also to let those who were dictating to the country,

including the foreign institutions and their manipulators, know that the Nigerian people are aware of their machinations and would not accept another season of ruinous Structural Adjustment Programme like the one which decimated the Nigerian people in the 1980s and created mass poverty. In a sense, it was also to mobilize the Nigerian people and get labour prepared to lead them. We were aware that were labour to sit back and watch, the people would still take their destiny into their hands, but they may not have a leadership on the streets. In that case, anarchy may set in and the situation might get out of hand. Many of us were certain that with that type of scenario, we would not be heading for a revolution but to anarchy where power may lie in the streets and would either be torn into parts, with various groups grabbing what they can, or some opportunists would simply seize it, and in the name of Law and order, impose a dictatorship. Either way, the country would be endangered. We had barely escaped the major bloodshed the Niger Delta insurgency was resulting into. Although the Amnesty was still on, the issues that gave birth to the insurgency including the complete neglect of the oil producing areas had not been addressed.

There are also various armed militia in the country including the Odua Peoples' Congress (OPC) in the West, the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) in the East, and a combination of rampaging sectarian groups and islamist Boko Haram in the North.

All these are populated by huge armies of unemployed youths, and marginalized, abandoned and desperate citizens who do not see a future for themselves and their children. The issue for the trade unions is, can we avoid the road to mass confrontation on the streets; can the Government see what we see, and chart a new course? Again, these were not quite good times; the global crises had seen protests in many European cities. The Wall Street protest in the United States had congealed into the Occupy Movement, and disaffection in the Arab world and North Africa, had sprouted into the Arab spring. So labour did not want the national strikes and street protests that would inevitably follow the removal of fuel subsidy. This was more so, when it was in no position to govern, and saw no credible alternative government to that of the Jonathan Administration. Yes the call for "Regime change" can be attractive, but change for what purpose, by whom and which class will take over?

In fact, Labour had bent over backwards to avoid confrontation in June 2011 following the non- implementation of the New National Minimum Wage law. But at least on that occasion, there had been dialogue with a Joint Negotiation

Committee under the Secretary to the Federal Government of the Federation, Senator Anyim Pius Anyim. But on the issue of the proposed removal of subsidy, Government was neither ready to dialogue nor listen to alternative views; it seemed for the administration, total fuel subsidy removal was an article of faith; a sort of creed. But why can't the administration see that its policies would be ruinous and probably lead to bloodshed? Except perhaps, those in the corridors of power believed that they knew and understood the Nigerian people better than Nigerians themselves.

Labour was anxious to let the government see the dangers ahead and not simply assume that labour was unnecessarily, trying to heat up the polity. The Labour Movement was uncomfortable with various government decisions and policies which it felt were injurious to the good health of the people and the country. After seeking formal and informal ways to get government to rethink its actions, the NLC on September 15, 2011 held a press conference in Abuja.

The title of the text "Save The Country" was indicative of the Congress thoughts and reaction to government policies. The Congress began the press conference with the statement: "It is with a sense of sadness that the Nigeria Labour Congress (NLC) welcomes you to this press conference on the state of our dear country. We live in trying times; times that try the soul and the physical being of the citizenry. But tragically, the rulers either are not aware of this or do not care. Most of those in government cannot see the frustrations on the faces of the populace. They do not hear the cry of anguish by the downtrodden. They cannot hear the groaning from children forced to go to bed hungry and faced with a bleak future. Ladies and gentlemen, our country faces possible eruption by the masses of our people, and those in government seem unaware. It is our collective responsibility to warn those in power not to lead our country down the road of anarchy. But if they refuse to hear, it is our historical duty to channel the anger and frustration of the masses towards actions that can lead the country to rebirth and development".

At the conference, the NLC protested against the decision of the Nigeria Electricity Regulatory Agency to increase electricity tariff by between 50-100 percent arguing that "It is inconceivable that the tariff of a sector that generally delivers darkness to the populace is to be so increased. The NLC is making it known to the government that it will not allow Nigerians to be swindled into paying more for poor services or services not rendered in the first place. When government in July 2011 first tested the waters by increasing tariff, Nigerians were angry but

generally kept quiet. It is this that has further emboldened the government to seek a 50-100 percent increase. If government goes ahead with this scam plotted by its IMF-inspired whiz kids and jobbers, Congress will lead Nigerians in mass strikes and protests until the price increases are reversed. Electricity is the basis of modern development and it should be available and affordable. The sing-song on electricity under which the Obasanjo administration purchased darkness for \$16 Billion is again being played by the Jonathan administration. To us, in the modern world, electricity is a right and this right we shall assert. The NLC additionally calls on government to implement the agreements it freely entered into with National Union of Electricity Employees (NUEE) and other unions in the industry. Some of those agreements being breached by government include salary increase and the absorption into permanent employment of the 10,000 casual staff employed by the PHCN”.

Congress also expressed unhappiness about the scam that is the privatization program, stating that “The recent public hearing by the Senate Committee on Privatization confirmed the NLC’s insistence over the years that the scheme was a scam to fleece the country. It is not surprising that there have been desperate attempts to muzzle the Committee and kill the Senate Report. We advise against such brazen acts. Those who committed crimes against the Nigerian people in the name of privatization must be brought to justice and ill gotten wealth recovered and returned as a common patrimony. The NLC will conduct its own investigation into the privatization racket and comprehensively inform the Nigerian people on the scheme”.

It also raised an alarm on the Constitutional Review process: “There are on-going attempts to emasculate the Nigerian people through constitutional amendments. The serious surgical operations carried on the military- imposed constitution should ordinarily lead the nation to producing a new constitution. But the powerful and the rich prefer to tinker with aspects that suit them. Already, some injustice has been done such as the constitutional amendment on the National Industrial Court (NIC) which transformed this tripartite court with an emphasis on arbitration to a Government-owned court with emphasis on technicality and legalism where workers are unlikely to get justice. In line with the proclivity of the political class to pay starvation wages, the new plan is to remove the Minimum Wage payable to the Nigerian workers as well as Labour from the Exclusive List to the Concurrent one under which state governors can choose not to pay Minimum Wage to state public servants. This shall be resisted; the Labour Movement will champion its

own parallel constitution review in which the basic needs of the people and their fundamental human rights will be enshrined.”

The NLC was also angry about the long delays in the implementation of the new Minimum Wage law stating that “the world bears testimony to the fact that the Labour Movement has been peaceful and constitutional although dogged in the pursuit of the new Minimum Wage. It took workers eleven months to see negotiations through with the Federal and State governments and private employers. We had to fight for another six months to ensure the Executive Bill was sent to the National Assembly and another three months to get the bill signed into law in March 2011. Since then we have had to get the Federal and State Governments to sign various agreements with Labour for its implementation.” But it was on the leak of Government plans to increase the cost of petrol (PMS) that the NLC was particularly angry: “It may sound outlandish, but despite the serious challenges we are facing in the country from grinding poverty and mass unemployment to serious insecurity, the government of President Goodluck Jonathan is being goaded into increasing a litre of petrol by over 200 per cent. In the midst of mass suffering despite our huge natural resources and income, it is provocative for the government to want to further increase the price of petrol. In fact, this will tantamount to cruel injustice against the Nigerian people. The primary motive for this planned price increase is the insatiable greed of some politicians to get more money to squander; they see an increase in fuel prices as an easy way to access more of the country’s wealth.

There is also the calculation to render the new National Minimum Wage worthless by embarking on a hyper- inflation-inducing project like the astronomical increase in the prices of petroleum products. The Federal government is making the worn out argument of the need to remove “subsidy” This was the same trick played on the Nigerian people by the General Ibrahim Babangida military regime in the ‘80s under the tragedy called Structural Adjustment Programme (SAP). What the Jonathan administration calls “subsidy” is the opportunity cost of selling all the crude oil we produce at cheap prices and importing finished petroleum products at exorbitant costs. The remaining part of the so called subsidy is simply the cost of freight, insurance, demurrage and port charges which are incurred by the failure of government to refine locally. Apart from hyper-inflation, the planned fuel price increase will further impoverish the Nigerian masses, force more factories to close down and engender mass unemployment. Nigerians have learnt from the so called deregulation of kerosene and diesel that the deregulation of petrol

would only lead to higher prices non availability of the commodity and its control by a cabal.

In summary, the deregulation policy will merely deregulate the lives of Nigerians. The NLC puts government on notice that it will resist any increase in the price of petrol. It also calls on all patriots and progressive organizations including the Nigeria Bar Association (NBA), Nigeria Medical Association (NMA), the National Association of Nigerian Students (NANS) pro-people Civil Society Organizations and professional associations to join hands with the Labour Movement to defend the collective interests of the Nigerian people.” To show its anger and as a warning, the NLC decided to hold a protest march “the Labour Movement will not just fold its hands and watch the erosion of our fundamental rights including the right to life and decent living. As we stated before, the Labour Movement will kick start its campaigns to defend the Nigerian people by staging a rally and street procession in Abuja next Thursday 22nd September 2011.

The “Save the Nation Rally” will protest amongst others issues, government attempts to increase fuel prices, the privatization scam, the electricity tariff gambit, the slow implementation of the Minimum Wage by State governments and private employers, and the plan by the Federal Government to carry out mass sack of workers in the name of reorganizing and merging Federal agencies.” As issues between government and Labour heated up, the NLC sent a defiant message on Independence Day, October 1, 2011 titled, “Nigerians Will Never Give Up” In it, Labour regretted the state of insecurity in the country and saluted the resilience of Nigerians in the face of mass suffering which it attributed mainly to bad governance and misuse of resources over the decades. It argued that Government fixation about the private sector being the engine room of the country’s development must be abandoned for a people-oriented policy. It posited that” Contrary to claims that government has no business in business, we need government building primary infrastructure and providing the basic needs of the people. The private sector is profit-driven and no country has developed on the basis of benevolence from private sector. What is the use of government if it cannot provide welfare and protection for the citizenry?”

The NLC advised government to rethink its poverty-inducing policies such as the proposed astronomical increases in the prices of petrol and a 50-100 percent hike in electricity tariff. Characterizing the Privatization Programme as a racket, Labour said “Those who committed crimes against the Nigerian people in this

programme of prodigals will be brought to justice. On this reflective occasion, we also caution against the creation of more states which is simply the multiplication of the parasitic bureaucracy.”

Its argument is that “It is para logical for a country with very low production capacity and so much poverty to increase the number of governors, Government Houses, Commissioners, Special Advisers and Advisers to Special Advisers in the name of state creation”. It berated those whom it claimed were seeking to emasculate Labour by moving it from the Exclusive to Concurrent List in the name of constitution amendment saying: “We will never allow a situation where State and Local Governments will be allowed to pay Nigerians peanuts in the name of a deregulated Minimum Wage. Nigerians have a right to a better life; our children have the right to a bright future. To ensure these, the Labour Movement in concert with other democratic forces in the country, will ensure that the Nigerian child has the right to free, qualitative and compulsory education. We will strive to ensure that the huge cost of governance is drastically reduced; the fundamental rights of Nigerians are respected and that in practice, sovereignty will belong to the Nigerian people from whom all powers must flow.”

The NLC lamented that the Federal and State Governments had allegedly turned the implementation of the Minimum Wage into a long drawn and disruptive battle. It condemned the emergence of those it termed “lawless governors” in a democratic system. These governors, Labour claim, had disregarded the constitution, law and agreements freely entered into with the Labour Movement which it said had led to “de-regulated strikes” in many states. It threatened that “Given the level of resistance by some governors and the use of thugs against peaceful workers strike in a number of states, the NLC may reconsider its decision not to call a National Strike and mass protests to ensure that the Minimum Wage is implemented in all parts of the country” It ended on the note that “Nigerians are a courageous and selfless people; there is no challenge we cannot overcome whether by bombers of public places or bombers of our economy and collective wealth. Nigerians will never give up” The Commonwealth Heads of Government Meeting took place from October 28 - 30, 2011 in Perth, Australia. The Nigerian delegation was led by President Jonathan. Petroleum Minister, Mrs Deziani Allison – Madueke who was part of the delegation, briefed the media on the sidelines of the meeting during which she claimed amongst other things that Government was yet to take a decision on fuel subsidy and that consequently, no date has been fixed for the removal of the subsidy.

The Congress was livid, and issued a press statement to debunk her claims. Claiming that the Minister's claims were designed to mislead the international community and to lure Nigerians to sleep.

It argued that President Goodluck Jonathan's letter to the National Assembly on the Medium Term Expenditure Framework of his administration stated categorically that the government has decided to remove fuel subsidy and that the take-off date is January 2012. It also claimed that the President on his way to the Commonwealth Summit had told the country that fuel subsidy must be removed as the alternative is the collapse of the economy. Labour's conclusion was that Mrs. Allison-Madueke was being insincere, and urged Nigerians not to relent in their mobilization to resist the increase which it claimed, will further impoverish the citizenry.

NLC argued that the issue at stake is not whether the government is yet to take a position or not, but that fuel subsidy should not be removed. "The fundamental issue is not the per-second denials of government officials, but that the Jonathan administration should side with the Nigerian people." It said. Accusing government of expending huge public funds on a campaign to increase fuel prices, the NLC argued that the country's oil resources should be used for the benefit of the people adding that Nigerians should have comparative advantage on prices of petroleum products over citizens of non-oil producing states. It argued that the Minister's claim that Government cannot check the fraud in subsidy because the country is not in a military dictatorship is a rationalization of criminality and an admission of failure. "We do not need a military regime to deal with criminality, what we need is a democratic process of bringing culprits before a court of competent jurisdiction and dispensing justice" it further argued.

Labour also described as laughable, the Minister's announcement that a Think Tank is being proposed by Government on the subsidy issue. It said that government should have done this and thought through the process before announcing subsidy removal. The workers umbrella body also said the Government should have consulted stakeholders on the removal of subsidy before making the announcement of its decision to remove oil subsidy.

NLC described as gimmickry, the Minister's claims that the subsidy to be removed would be used for road works, public maintenance, mass transportation, youth's skill development, maternity and child care. It wondered what the huge resources

at the disposal of Government are used for. “The reality is that despite the trillions of naira budgeted annually for these basic needs, the roads remain in a deplorable state, public maintenance is absent, mass transportation is non-existent, youths are abandoned as are the public hospitals leading to high mother and child mortality rates”. On the Minister’s announcement that the proceeds of the subsidy removal will be managed by Nigerians of integrity, Labour retorted “The question is, who are those managing the national economy and the annual budgets; if they are not Nigerians of integrity, why not handover the economy to such Nigerians? Recreating a DIFFRI as General Ibrahim Babangida did, or a Petroleum Trust Fund as General Sani Abacha did, is disingenuous.” The Congress said that if government is convinced that only a tiny minority supports subsidy retention, it should subject the matter to a referendum.

Artificial Scarcity Of Petrol

During the Obasanjo administration, fuel stations sometimes ran dry especially outside the cities. This was partly due to the incompetence of a government that was incapable of either refining petroleum products or distributing the imported ones. Intermittent fuel scarcity was also seen as a weapon by that administration to force price increases. With the Yar’Adua-Jonathan administration, scarcity became history. But in 2011, it resurfaced in several parts of the country, and eventually spread to main cities like Abuja and Lagos. With no solution in sight and the authorities claiming nothing was amiss, the NLC sensed a possible adoption of the Obasanjo tactics.

In a press statement, it queried why the Nigeria National Petroleum Corporation (NNPC) is claiming that the country has enough supply of petroleum products while the marketers claimed that the importation of the products have been stopped for two months. It argued that since motorists have difficulties accessing the products at pump stations, it is obvious that NNPC officials are either lying or up to some mischief. “What seems to be the truth is that the government has stopped importation of petroleum products, and even what is available is being sold at exorbitant prices to marketers. We hold the NNPC responsible for the current scarcity as it is the only source of supplies to marketers” it said But the Federal Government Convinced that Government seemed undeterred, the NLC declared: “We restate our opposition to the withdrawal of subsidy on petroleum products because it will further impoverish Nigerians, cripple what is left of

industries, which will throw more people out of jobs and reduce the already overburdened purchasing power of majority of Nigerians.”

Labour was convinced that the country has no business importing petroleum products if only the Government is committed and bold enough to clean up the system, rehabilitate existing refineries and build more. Arguing that the economy is heavily reliant on the industry and so, does not deserve to be dependent on importation and be at the mercy of greedy businessmen, it warned that “if the government goes ahead to effect increases in the pump price of these products in defiance of the popular wish of the people, it may not be able to contain the mass protests that will follow”. The fuel subsidy debate and apprehension over likely steep price increases of petroleum products, particularly PMS became the dominant issue in the country.

Tons of propaganda materials including sustained media advertisements were offloaded on the country. The adverts were so many, and the propaganda so massive that one came away with the impression that a lot of the money Government says would be saved by removing the subsidy had been wasted on this unviable propaganda project which came complete with faceless and fictitious organisations. Nigerians waited to see if despite their pleas, Government would go ahead with the subsidy removal. A major indicator of this would be the budget; if there is a provision for fuel subsidy in the 2012 Budget, it might mean there is still some hope, but if there is none, it means the Government has decided to impose the fuel price increases from the New Year.

The 2012 Budget was presented to the National Assembly, and the fuel subsidy provision was not in it. Logically, the newspapers screamed that the subsidy had been removed, and speculated what Labour would do; we were inundated with all sorts of requests and questions. I consulted my colleagues, other labour leaders and our allies in the civil society. The consensus was that Government had thrown down the gauntlet; we have no choice but to meet the challenge. I was travelling to Lagos for a niece wedding when I got the full briefing on the budget, and did most of the consultations in the NLC mini bus taking me to the airport. I debated whether to turn back to the office to issue the Congress response or to proceed write the statement in the aircraft and send it from Lagos. I chose the latter. The Congress response hit the front pages of the newspapers on December 15, 2011 just as the budget highlights had the previous day. For us, the gloves were off, the Government had chosen to take on the people, and Labour had no choice

but to lead the citizenry. To do so, the Congress position had to be unambiguous. Our admittedly angry reaction read: “A critical perusal of the year 2012 budget proposal submitted to the National Assembly by President Goodluck Jonathan yesterday showed clearly that the present government has no intention to lead the country out of the present socioeconomic crisis.

The budget, which was tagged: Budget of Fiscal Consolidation, Inclusive Growth and Job Creation, is actually an anti-peoples budget designed purely in the service of the World Bank and International Monetary Fund (IMF) and their local lackeys who dictate to the Nigerian government. It is a disaster waiting to happen. In particular, the exclusion of fuel subsidy in the budget is not only tragic, but a declaration of war on the Nigerian people. Thus, the Nigerian people will have no choice but to confront this challenge.

This further attempt to impoverish workers and the Nigerian poor, is coming on the heels of increased tariff on electricity, the move to massively sack workers in the name of merging Parastatals, the attempt to collect more taxes through the return of toll gates, the refusal to adequately fund education, and refusal to pay Minimum Wage, which is an impeachable offence. Despite the country's security challenges, it is curious that the Jonathan government has allocated a massive lion's share of the budget to security. In the first instance, the major cause of the increasing wave of insecurity in Nigeria is lack of education and mass unemployment, which are direct consequences of the general collapse of public infrastructure such as public electricity, roads, education, health etc.

The security challenges are further compounded by lack of political will and abysmal ineptitude of security agencies. No one should underestimate the general mass poverty, unemployment and discontent that has increased bottled up anger in our polity. The removal of fuel subsidy will provide the spark for mass protests such that even the increased security vote cannot buy enough arms to contain. Since the government of Jonathan has elected to punish the Nigerian people through a budget that is poverty- inducing and will cause a lot of hardship, the Nigerian people will have no alternative but to resist.

We call on all Nigerian workers and people to begin preparations for a general strike and mass protests. The people must be prepared in the next few weeks when the Jonathan administration begins to implement the anti-Nigerian policy. Nigerians should prepare to occupy the streets and public institutions to prevent

them from being taken over by unpatriotic forces. The NLC leadership will be meeting on Tuesday December 20, 2011, to firm up strategies and give directive on the commencement of this protest and the resolve of workers and the Nigerian people to reclaim their country. We call on the National Assembly to side with the electorate and the Nigerian people by refusing to pass this budget. We also ask the Jonathan administration to seriously have a rethink by reviewing its budget proposal, or be ready to take on the Nigerian people.”

The Government and Labour never met on the fuel subsidy issue. Rather, both sides dug in. In a number of public platforms on the subsidy debate where representatives of both sides could have met, government's officials were absent. Apart from the media, an organization, The Initiative for Peace and Industrial Harmony founded amongst others by a former NLC president, and now, a prominent leader of the ruling Peoples Democratic Party, Paschal Bafyau and Dr Timiebi Koripamo-Agary, former Permanent Secretary of the Ministry of Labour and Productivity strived to bring Labour and Government to the table. But despite various promises, Government never showed up. The exception was to be the Town Hall Debate in Lagos organized by the Newspaper Proprietors Association of Nigeria (NPAN).

The Federal Ministry of Labour and Productivity once called a meeting with Labour. The invitation had no agenda. I called the Ministry to inquire about the agenda, but was given a vague one about a matter of national importance. We concluded that it was on the subsidy issue, and decided to attend. I called a pre-meeting discussion forum for Congress leaders to discuss our strategies at the proposed meeting with the Labour Minister, Honourable Emeka Wogu. While we were having consultations, the amiable Minister called me saying the meeting venue had been shifted to the Petroleum Ministry and that we would be meeting with him and his Petroleum Ministry counterpart, Mrs Deziani Allison-Madueke. We discussed the change of venue, and the introduction of the Petroleum Minister. We were not sure what other surprises were in store for us. Could we be walking into a well laid plan?

Has the press been called and the impression will be given that Government was consulting Labour, or had consulted us on the subsidy issue? Honourable Wogu had developed strong ties with the trade unions and had been particularly accessible, but this is no Labour Ministry issue, so whatever friendship existed between him and Labour leaders had to take a back seat. The decision was

that Labour should decline the offer. I called Hon Wogu to relay our decision, and to inform him that while Labour was willing and ready to meet government at any time or venue, such invitation should include an agenda and the officials or body we will be meeting. He tried to convince us to change our minds, but we refused. It turned out that it was a well laid publicity stunt with the press well mobilized, but it backfired.

Days later, the Labour Ministry directly invited trade unions to a meeting based on another vague agenda. Our reading was that once the central Labour leadership had declined to attend the previous meeting, Government was trying to achieve the same objectives by calling our affiliates to a similar meeting and by passing the two labour centres.

I made consultations including with our sister labour centre, the TUC, and the consensus was that the trade unions should boycott the meeting. Since we had a twenty-four notice, and I was on my way to Yola, to intervene in a strike by the Adamawa State workers over Minimum Wage against the Murtala Nyako government, there was no time to write letters or send circulars. So from the airport I sent text messages to all trade unions informing them that neither the NLC nor the TUC had been consulted before the Labour Ministry summoned them to the proposed meeting, so they should boycott it. The subsequent boycott seemed to have hurt badly.

All these changed on Saturday December 10, 2011 when President Jonathan who had met a sundry of groups including from the Civil Society, invited Labour to an interactive session slated for December 12, 2011. The forty-eight hour notice was quite short to bring NLC leaders across the country to Abuja; however, we managed to do so, and convened a preparatory meeting at the Labour House. After deliberations, it was decided that a position paper be prepared to which the NLC President should speak during the inter action.

The NLC position paper read: "On behalf of the millions of members of the Nigeria Labour Congress, let me express our appreciation to you for finding time to meet with us. Since your election, we had looked forward to having an opportunity to engage with you on various issues affecting our nation. Among such issues are the failed Privatization Programme, the High Cost of Governance, Corruption, None Implementation of the National Minimum Wage, the Security Challenges in the country, the reorganization of Parastatals, electricity tariffs, non

implementation of agreements freely entered into with unions and some aspects of the proposed Constitutional Amendment.

Under the Presidency of Late President Yar'Adua, an institutionalized framework for constant dialogue was created; the Government-Labour Relations Committee, where Labour was able to engage Government at its highest levels on policies and issues on an on-going basis. It is unfortunate that this innovative feature of governance has been buried with the late President. More recently, your government's public pronouncements on plans to remove subsidies on Petroleum products have made it even more necessary and urgent that dialogue takes place. When, therefore, we received the invitation for this meeting on Saturday, 10th December, 2011 we were determined to surmount all the challenges to assemble the representatives and leaders of our organization from across the country even at such short notice. When we read in the media that the Federal Government had informed the National Assembly, through its Medium Term Expenditure Framework Guidelines, that the existing subsidy on Petroleum Motor Spirit (PMS) would be withdrawn as from January 2012, we were alarmed that government would decide on such a contentious policy without engaging the major stakeholders and without allowing Nigerians an opportunity to air their views on the matter. The issue of the domestic pricing of petroleum products is one in which we have taken keen interest over the years. This has been due to our understanding of the crucial role petroleum products play in the economy.

Those who are clamouring for subsidy removal are focusing on the higher revenues which the subsidy removal will bring about. But such a narrow focus is misplaced. We need to focus on the implications of the higher cost of Petroleum products on various sectors of the national economy. The huge informal sector, for example, is driven by millions of small generators fuelled by PMS. Have we considered the impact of a quantum leap in the price of PMS for the millions of operators in the sector?

Your Excellency, our consideration must be based on an -all inclusive Cost-Benefit or General Equilibrium analysis rather than the narrow fixation on more revenues to be shared among tiers of government. For a nation richly endowed with crude oil, the starting position is to agree that domestic petroleum products' prices should not be determined on the basis of import parity prices. Resources in which nations are rich have been used in history to develop comparative advantages in lines of production which use such resources intensively. It remains

our view that the domestic Pricing of Petroleum Products needs to follow the practice in most of the OPEC countries, where such prices are deliberately kept below the world market prices. Today for instance, eight of the OPEC countries have prices which are far below the prices in Nigeria.

Petroleum Products are not just consumer goods. They are crucial inputs in the production of goods and services. It is clear to us that the resultant escalation in the price of diesel, following deregulation, is majorly responsible for the problems of many manufacturing establishments. PMS is the dominant energy of the informal and small scale industrial sectors. A major increase in its price will undermine the activities in this sector and drive up transportation costs both in respect of goods and human movement. A further draw-back of our present position is that an import-driven arrangement for product supply has instability built into it. It has been established that the demand for foreign exchange is driven highly by the requirements for petroleum product imports. This, therefore, means that as we import products, the exchange rate depreciates. A depreciating naira in turn implies higher prices of petroleum products. This instability will remain as long as we continue to depend on importation of refined products. We are convinced that removal of subsidy at this time is a wrong policy and urge Your Excellency to focus on getting the domestic refineries to work, removing corruption and abuse from the subsidy management system and fixing the power and transportation sectors. Only when there is steady and constant power supply and when there is an efficient and accessible true mass transit system, including rail transportation within and among cities and the rural areas, will the strong link between petroleum products' prices and the social and economic conditions of the masses of our citizens be broken.

We believe, Mr. President, that there is need for us to re-visit earlier work done under the auspices of the Mantu Committee and submissions we have made in the past on the way to manage the domestic market segment of the down-stream sector. President needs to put the full weight of his office behind the development of refineries. We often hear the argument that unless the domestic price of petroleum products is at par with import prices, no private investors will invest in the refineries. What the proponents of this argument have failed to address is how other OPEC members charging prices below Nigeria are able to attract investment in refining, so much so that they are net exporters of refined petroleum products.

Your Excellency, we passionately appeal to you to listen patiently and with an

open mind to the various contributions our members will make in the course of this interaction. Permit me, however, in conclusion to state that the Nigeria Labour Congress is opposed to the removal of fuel subsidy. Our standing mandate is to employ all means at our disposal, including strikes and mass protests to resist the implementation of any policy which raises the fuel pump price of petroleum products”.

After the Congress delegation was seated at the Aso Rock Presidential Villa, we waited for our TUC counterparts to arrive, but it was President Jonathan who came in. He shook hands, when it came to my turn he said “Sece” (Secretary) and said I had been distant from him. I mumbled an apology. He apologized that the interaction session could not hold because he learnt that the TUC President, Peter Esele had travelled, so the organization could not be present. A tentative date of Tuesday December 20, 2011 was then taken. On the new date for the meeting, the NLC leadership met at the Labour House to strategize. Human rights lawyer, Femi Falana who had joined some civil society leaders the previous week for an interactive session with President Jonathan was invited to address this meeting. He said his conclusion was that government was bent on removing the subsidy and stressed the need for labour and the civil society to collaborate and defend the interests of the people.

At the meeting in the Presidential Villa that day, President Jonathan appeared upbeat; he led all present to a pre-meeting buffet. As I queued for the buffet, a tap on my shoulder. It was Dr. Reuben Abati, the Presidential Spokesman. We had been colleagues in the media. Since he took up his present job, whenever we met, he pleaded for my understanding. This occasion was no different. He said my press statements and media outings always cause him problems as he is had put to respond on behalf of the Presidency. “But Owei, how can I be responding to you, we are friends” I grinned, assured him I had nothing personal against the Jonathan administration. I advised him to do his job, while I do mine more so when we have different principals. I took a glanced at President Jonathan on the table he shared with Vice President Namadi Sambo, the NLC and TUC presidents, and myself, amongst others; he ate heartily and shared jokes.

At the interaction proper, he made a few remarks, then Vice President Sambo took us through the proposed Subsidy Reinvestment and Empowerment Programme (SURE-P) which government said will be funded by the funds to be saved from subsidy removal. The summary of the programme which was later

published in the Vanguard Newspaper of January, 15, 2012 was that SURE-P was established:

1. "To mitigate the immediate impact of the petroleum subsidy discontinuation on the population, but particularly for the poor and vulnerable segments...
2. To accelerate economic transformation through investments in critical infrastructure projects...
3. To lay a foundation for the successful development of a national safety net programme that is better targeted at the poor and most vulnerable on a continuous basis."

The components of the Programme to be implanted in the next three to four years, he said, include:

1. "Maternal and Child Health Services: to be established nationwide with 3million pregnant women as potential beneficiaries; mobilization of thousands of female community and village health workers.
2. Public Works/Women and Youth Employment Programme: designed "to provide temporary employment to youth in labour intensive public works; the "direct women and youth employment intervention will target youth from the poorest populations"; "these women and youth shall receive payments based on the amount of work put in"; "the level of remuneration ...will ensure the self-selection of only the poor".
3. Urban Mass Transit Scheme: "objective of this scheme is to increase mass transit availability"; "the project will involve the provision of zero-interest loans to establish transport operators...
4. Vocational Training Schemes: "There will be vocational training centres in all the states in the country and FCT.
5. Road Infrastructure Projects: "The roads that are to be completed under this programme will cover a total distance of 1,326 km. From our analysis, [unspecified] thousands of jobs will be created".
6. Rail Transport Projects: "This component of the programme will entail the rehabilitation and restoration of our abandoned railway infrastructure and the construction of new standard gauge railway lines, thereby providing alternative means of transportation of people and goods across the country...The following specific rail routes will be completed under this [SURE] programme...

Total: 3,877 km.

7. Water and Agriculture Projects: “This programme component will harness Nigeria’s abundant water resourcesthrough sustainable food production and water conservation.
8. Irrigation Projects: The revitalization of the irrigation projects will increase local production of rice by over 400,000 tons per year and other food crops, thereby reducing importation of food into Nigeria... [19 Irrigation projects were listed covering 28,850 hectares and envisaged to increase output by 422,000 tons per year].
9. Urban Water Supply Projects: “The Rural and Urban Supply Projects will upon completion increase the level of water supply available to about 10 million people [or 7% of the population]. It will also increase the national access to water supply from the current levels of 58% to about 75% [an increase of 17%meaning 24.65 million people]. NOTE: 22 water projects were listed.
10. Selected Power Projects: This component will contribute towards the power sector reforms by improving the generation capacity through hydro and coal power plants.... The programme will provide counterpart funding for the construction of the large Mambilla hydropower project that will generate an additional 2,600 Megawatts of electric power.[it] will also provide funding to complete..17 Small and medium ...projects with a cumulative capacity of140.275 [one hundred and forty point two hundred and seventy five] MW...The programme will provide [unspecified] counterpart funding for PPPs with the private sector for the development of Coal Power projects in Enugu, Benue, Kogi and Gombe...to generate 1,000MWs of power.
11. Petroleum/NNPC Projects: The main objective of this component is to restore and improve domestic refining capacity and prevent shortfalls in supply of petroleum products...Three new refineries will be built under counterpart funding arrangement with the private sector in Bayelsa (100,000 bbls/day); Kogi (100,000 bbls/day) and Lagos (200,000 bbls/day)... [Unspecified] thousands of workers will be employed at each of these locations. The refineries will be completed 3 years after contract award [underlining mine]. Upon completion the refineries will contribute about 30 million litres of PMS to the domestic market, thereby making Nigeria a net exporter of value added petroleum products.

12. ICT Projects: This initiative can potentially generate 70,000 new jobs across the country and create another 350,000 spin off jobs over the next 4 to 5years”.

After the Vice President's presentation, Finance Minister, Dr Ngozi Okonjo-Iweala took us through a power point presentation on the cost of fuel in various countries and a load of statistics. Then the labour leaders responded. NLC President Omar made a summary of Congress position on both the non implementation of the Minimum Wage law by some state governments, and the fuel subsidy removal issue. With the Government claim that a litre of imported PMS including freight, insurance, demurrage and other charges will come to N139 and the local refineries were said to be producing at 60 percent capacity, we sort to know the price of a litre at the local refinery gate. We could not get an answer.

All appeared to be going on well, until the NLC Economist, Dr Peter Ozo-Eson began a critique of the Finance Minister's presentation, drilling holes in some of her arguments and challenging the statistics she presented. At a point, the Minister could bear it no longer, she stood and interrupted Dr Ozo-Eson “I don't tell lies” she said.

President Jonathan then took over proceedings; he made a brief summary of Government position, responded briefly to some of Dr Ozo-Eson's submission, and invited labour to come up with its own statistics at the follow up interaction session on the subsidy in the New Year. We took up the challenge, and the session ended.

When we got back to Labour House and reviewed the interaction with government, we thought we had a duty to inform the public about the meeting and its outcome. A press statement titled OUTCOME OF PRESIDENCY – LABOUR INTERACTIVE SESSION jointly signed by the TUC Secretary General, Comrade John Kolawole and myself was released the next morning. It read:

“The Presidency on Tuesday 20th December, 2011 invited the Labour Movement comprising the Nigeria Labour Congress (NLC) and the Trade Union Congress (TUC) to an interactive session. The session was addressed by His Excellency, Dr. Goodluck Jonathan, President of the Federal Republic, Vice President Namadi Sambo, Finance Minister Dr. Ngozi Okonjo-Iweala who doubles as the Coordinating Minister for the Economy, and Petroleum Minister Mrs. Dieziani Allison-Madueke.

The Presidency claimed that the actual cost of petrol supply is ₦139 per litre and admitted that all Nigerians benefit from fuel subsidy but claimed that the rich benefits more. It also claimed that the current ₦65 per litre price was so cheap that it encourages smuggling of PMS across the country's borders.

It also presented a document, Subsidy Reinvestment and Empowerment Programme (SURE) under which it listed amongst other projects, the construction or completion of eight major roads and two bridges, provision of healthcare for 3million pregnant women, six railway projects, youth employment, mass transit, 19 irrigation projects, rural and urban water supply.

In its response, the Labour Movement noted that out of the projected ₦1.134 trillion to be saved from the subsidy removal, the Local Government allocation is ₦202.23 billion, States ₦411.03 billion and the Federal Government ₦478.49billion and concluded that even if the Federal Government alone were to spend the entire ₦1.134 trillion, it cannot execute even a fifth of the projects it had listed. It noted that the Presidency's presentation was simply a repetition of the presentations made by the Babangida and Abacha regimes and the Obasanjo administration and that none of those promises were kept.

It insisted that if non-oil producing nations can refine petroleum products, a big oil producing country like Nigeria has no excuse to be import-dependent. Labour said Government has basic responsibilities to the populace and not make externally driven proscriptions like the IMF did on SAP under the Babangida regime and that its opposition to fuel subsidy removal is driven by its belief that the people must come first on all policies. It pointed out that none of the presentations by the Presidency presented facts on the impact of oil subsidy removal on the populace particularly the informal economy where most Nigerians earn a living.

Labour also pointed out that some of the statistics presented by the Honourable Minister of Finance were joggled to reach false conclusions. President Jonathan in rounding up the session explained that the idea of inviting Labour was not to make it take a decision either in favour or against fuel subsidy removal but to present the government's position and encourage mutually beneficial discussions. He invited Labour to present its counter statistics and analysis of the Government documents for discussions on a future date. Labour accepted this. While government elaborated on how the savings from subsidy removal will be spent on social infrastructure, Labour responded to say that government has shown consistently

that it cannot be trusted considering how agreements and promises have been reneged upon in recent years. Specifically, labour complained that the Federal Government despite signing an agreement with it and issuing an enabling circular that the ₦18, 000 Minimum Wage will be implemented for Federal Public Servants from August 2011, implementation was yet to commence. It concluded that failure or refusal of Government to implement agreements reached is one of the reasons Nigerians do not fully trust government.

President Jonathan in his response said he was shocked to find out two weeks ago that the new wage had not been implemented by the Federal Government. He blamed it on bureaucracy and that he was not informed about any difficulties in paying the new wage. He said he had since directed his ministers and officials to commence immediate payment of the new wage. In conclusion, the NLC and TUC expect that the Presidency will not remove fuel subsidy until it concludes the consultations with all stakeholders including Labour.

Also, Labour is of the firm opinion that given the high level of insecurity in the country, the hardship Nigerians are facing and deepening poverty the removal of fuel subsidy will be injurious to the citizens and the country.”

After the statement was sent out, I called a meeting with the President, Treasurer and National Trustee of the NLC. I presented the strike budget agreed to at the NLC National Administrative Council (NAC) meetings in Benin in October, 2011 and in Abuja two days previous. I suggested that given the fact that they were all travelling out of Abuja for the end-of-year holidays, some money should be kept with the Secretariat for immediate mobilization in case government removed fuel subsidy and increased the price of PMS during the Christmas and New Year holidays. They concluded that it was improbable. Their arguments were, first, Government at the highest level had promised to meet with Labour and other stakeholders in the New Year to conclude the interaction and consultations on the proposal to remove fuel subsidy. Secondly, Government would not be tactless enough to increase the price fuel during national festivities when many Nigerians travel for the Christmas and New Year holidays. I nodded and said despite their arguments that appeared logical, we need to be prepared. They disagreed, and refused to leave even a Kobo to take care of any eventuality.

So when on January 1, 2012, Government removed the fuel subsidy and increased the price of PMS from ₦65 to ₦140, Labour was caught unawares, and most

Labour leaders were out of station, some actually were out of reach. Back to the closing days of December, 2011, after failing to convince the core Congress leadership that Government was likely to increase fuel price during the holidays, I called Comrade Biodun Aremu the Secretary of the Joint Action Forum (JAF) and my Co-Secretary of the Labour and Civil Society Coalition (LASCO). Aremu said the JAF had reached the same conclusion as I had and was going ahead with the mobilization of the populace.

Later he sent me a text after a JAF meeting where decision had been taken to hold a warning rally in Lagos on Wednesday January 3, 2012. I disseminated the text to various trade unions asking them to join the protest march in Lagos which was supposed to be a warning. A number of labour leaders attacked me on this. They claimed that I had no authority to mobilize unions and workers in Lagos for the JAF rally. My response was that JAF is an ally of the trade unions and that whatever programmes and campaigns labour had carried out in the past, JAF had always mobilized and participated in them. So if JAF is planning a rally, on an issue of common interest like fuel subsidy, we do not need a debate on whether workers should join or not.

As for the accusation that I unilaterally gave JAF the NLC Sub Secretariat in Lagos as a base for the protest rally, I said since NLC is in a coalition with JAF, and we have mutually agreed positions on fuel subsidy, it was simple routine, not just mobilizing unions to join JAF but also in allowing them to use NLC premises and facilities. It was strange to me that a number of labour leaders did not understand that Government was bent on removing fuel subsidy and increasing fuel price. I was not sure whether this was mere naivety. As it turned out, this JAF rally slated for January 3, 2012 was to be a saving grace for the Labour Movement; it was the only planned mobilization rally when government made its move.

After the meeting with the President, it seemed that government supporters increased the tempo of their game. The government propaganda and the campaigns by faceless organisations became so intense that in its New Year message, the NLC issued a call to Nigerians titled Role Up Your Sleeves In 2012! It was a prophetic call: "As the year 2012 dawns, we in the Nigeria Labour Congress (NLC) are convinced that unless Government changes its mindset and adopts patriotic and pro-people policies and programmes, Nigerians are in for a tough year. A year of hyper-inflation, more job losses, insecurity, growing

government intolerance and deepening poverty. On the other hand, we are quite confident that a united people that takes its destiny into its hands and asserts its sovereignty, can overcome all obstacles and reclaim their country.

The Philosophy And Policy Direction Of The Jonathan Administration

The NLC has fundamental disagreements with the policies and philosophy of the Jonathan administration; we do not subscribe to the methods of a government that takes a decision like the withdrawal of fuel subsidy before deciding to “consult” the citizenry. We do not agree with the tactics of a government that is not inclined to, or refuses to implement agreements it freely enters into with its people and their institutions. The NLC holds that there is something fundamentally wrong in government allowing the World Bank and International Monetary Fund (IMF) agents to run the economy and co-ordinate ministers. The Congress believes that if the dictates of Breton Woods Institutions run the entire economy and determine the policy direction of government, there is little initiative left to those elected to govern the country in the interest of Nigerians.

Congress recalls that the World Bank which is primarily run by the United States was partly responsible for the underdevelopment of Africa. Over the decades, it decided on development models for the continent and provided loans to execute projects it imposed on Africa most of which ended in the pockets of its consultants and the creditors. In the late 1980s the World Bank had a policy that Nigeria needs technical schools not universities. This was in line with the neo- colonial division of the world in which Africa was condemned to produce raw materials, and the West ordained to be manufacturers. Similarly, the International Monetary Fund (IMF) which is mainly run by Europeans, forced on Nigeria and other African countries, crippling Structural Adjustment Programmes (SAP) under which drastic cuts in social spending, currency devaluation, high fuel prices and trade liberalization were imposed.

Attempts To Remove Fuel Subsidy

Fuel subsidy is simply opportunity cost, but rather than come out to impose huge sales tax on Nigerians in its determination to wrest more money from the populace which it can share with the governors, Government claims it wants to withdraw fuel subsidy. In the guise of its diversionary debate on fuel subsidy removal, Government has diverted huge sums of money to fictitious groups who

produce colourful and expensive adverts published by faceless persons who cannot openly identify with the gambit. Apart from this mindless diversion of public funds, government is also promising to use the proceeds of the subsidy to build or complete projects like the East-West Road for which money had been appropriated and spent since the Obasanjo administration. Also, while government claims to be “consulting” on the fuel subsidy removal, its Commissioners of Police in a number of states are boasting that they are armed and battle ready to smash Nigerians who may publicly protest their feelings against the removal.

Since the concept of “consultations” is nebulous, and there are no objective criteria to determine its outcome, the NLC challenges the Government to conduct a referendum on the issue to determine the WILL of the Nigerian people. If it does not, but rather elects to impose its will on the citizenry, the Nigerian people have the fundamental right to resist. Since the fuel subsidy removal is a war foretold, Nigerians must begin preparations to meet this challenge in the New Year. The NLC is working with other mass organizations in the country including professional bodies, pro-people civil society organizations, market associations and others.

The unfolding tragedy in our country today is that years after the world had discarded these ruinous policies and programmes of the World Bank and IMF, the Jonathan administration decided to embrace them as its abiding religion to the extent of employing and relying on their priests to run the entire economy. This is the fact behind the cuts in social spending, deliberate currency devaluation, deregulation, and privatization and attempts to astronomically increase electricity tariff and withdraw oil subsidy. It is this uncritical and subservient acceptance of the worn out World Bank and IMF policies that is responsible for the on-going divorce of the Jonathan administration from the Nigerian people, and that has created the yawning gap with the populace which had largely supported the administration’s emergence, sections of the populace to organize a peaceful and orderly resistance including rallies, strikes and mass protests. Congress asks the populace to support and attend the mass meetings, rallies and sensitization campaigns which are on-going. If the IMF and World Bank whose agents are strategically placed in government and are running the economy, will not get tired carrying out the anti-Nigeria programmes of their mother organizations, we Nigerians cannot get tired resisting them and reclaiming our country.

The Security Challenges

As a people, we scored a measure of success in the Amnesty programme that brought a large measure of peace to the Niger Delta. On the other hand, armed robbers hold sway in many parts of the East and the West, sectarian strife is still common in the Central areas while Boko Haram terrorists hold parts of the North in a vice grip. Government treats the terrorists as a mere religious sect rather than an urban guerrilla movement that can be defeated if the people are focused, united and mobilized to provide vital information and support to the government. The Congress calls on government to redirect the country's attention from the so-called fuel subsidy debate to a united action against an increasingly sophisticated terrorist group that wears the garb of religion. Also to meet the security challenge, the country needs to provide mass employment for the large army of the unemployed; provide unemployment benefits so that every Nigerian citizen can be guaranteed at least a meal a day; increase, rather than reduce social spending and provide mass education and enlightenment for the citizenry. Government also needs to motivate the security forces who along with the populace have borne the brunt of the terrorist attacks, and promote the use of the intellect and intelligence rather than a reliance on arms and "show of strength".

On The State Of Industrial Relations

The NLC said it relies on dialogue, negotiations and using peaceful means in the industrial relations system. "This tradition we will continue in 2012. However, a peaceful industrial relations system in the new year can be jeopardized if public and private employers do not obey labour laws including the Minimum Wage Act, the Pension Act, the fundamental rights to Collective Bargaining, unionization, job security and the implementation of freely signed agreements.

Conclusion

The NLC appeals to state governors in matters that affect the welfare of the populace, to side with the people and not with the Presidency which is promising them more money to spend. We call on the National Assembly to remain steadfast in its probe of corrupt practices especially in the oil sector and the privatization scam, and in its patriotic stand against the removal of oil subsidy. Congress once again appeals to the Jonathan administration to rethink its anti-people policies

such as its decision to remove oil subsidy and rather, provide the dividends of democracy. As a people, numerous challenges confront Nigerians in 2012; we therefore need to roll up our sleeves to take on the challenges in our collective interests, and in those of our children.” This message was just reaching the people, when government made its move. On Sunday January 1, 2012 everything seemed normal. The electronic media was blaring the usual New Year good will messages. Early that afternoon, my family and I decided to honour an invitation from an old class mate; Mr John Ajiroghene Onwah and his family had invited friends to a New Year lunch in his house in Abuja. As I drove my family to Onwah’s house, I got a call from a friend, Mr. Paul Ibe. He said “Those people have done it” I asked, “Which people?” He replied “Jonathan dem, they have increased the price of fuel, it is now ₦140 per litre”.

Although I had expected the increase all along but I was still taken aback by the news; it seemed quiet insensitive to me that such a decision would be taken on New Year day when people are full of goodwill to others, and when it is traditional for people to wish themselves a happy new year. I had no doubt that the increase of fuel from ₦65 to ₦140 was going to seriously affect people who had travelled generally and would cause hyper inflation in the country. I thought of going back home to drop off the family, I decided it was better to move on to the Onwah’s home, let my family go on with the New Year party while I made calls across the country. Unfortunately almost all the labour leaders I called were out of service area. They had travelled to various villages and there was little that could be done to reach them that afternoon. I knew that the announcement made by the PPPRA increasing the price of fuel was going to result in mass anger and frustration, and that the mass of the people will be waiting for the Labour Movement to give the lead. Even as I tried to make those calls, a number of media houses were already calling me to ask Labour’s reaction. “What is Labour going to do now?” “Will you call a strike?” “Will there be street protests, if so when is it starting?” I had no doubt that the Nigerian people, led by the Labour Movement must resist the new increase and ensure that the policy was reversed. If Labour were to fail in its historical duty to do so, the masses will still fight, except that, the struggle may not have an identifiable leadership, or might be so de regulated that anarchy may result. There was the need for Labour to channel the people’s anger towards result-oriented ends.

The New Year fuel price increase announcement was like hitting the people blow below the belt. The action was like that of a thief in the night; the Nigerian people

were on holidays, Government had actually declared a public holiday, and the people were in a celebratory mood; the announcement turned their merriment into ashes in their mouths. The furry that followed, engulfed the country.

Chapter 3

Subsidy: The State Versus The People Of The Federal Republic Of Nigeria

Nigeria is oil-dependent. This is not just for the reality that its economic life is the so called black gold, but also for the fact that its economy is run on generators, and its mass transit, on diesel and PMS. It means that any increase in the price of petroleum products automatically triggers the hyper-inflation button. The railways that were built by 1898 were long dead, and water transportation is under developed, leaving a huge country of 167 million people having to travel and move goods primarily by road. The country has four refineries which have been deliberately ran aground since the military era, to ensure that the racket that is the importation of petroleum products, runs unhindered. Given the cheap money from the racket, no new refineries are built either by government or the private sector.

Following the June 2000 general strike against the increase in the cost of petroleum products, the NLC had argued that the only solution to the so called subsidy on the products is to refine locally. It posited that with the importation system, there will always be subsidy as there are two primary factors thrown up by importation over which the country has no control. The first is the fluctuating cost of crude oil at the international market which will also dictate the price of imported products. The second is the continuous devaluation of the Naira which means that with every devaluation, the country will need more local currency to buy the same amount of imported petroleum products.

When there were strong indications that the Presidency was bent on the removal of petroleum subsidy, I had a series of interviews in the media including the Channels Television arguing that first; there is nothing criminal in a government running subsidies. Secondly, that the Nigerian situation is like a farmer who decides to sell all his produce at the market place leaving nothing for his home, goes to a five star hotel to buy food for his family and then complains that he is subsidizing the food because the cost is higher than the price he sold his produce at the market place. So, if the government sells the country's crude oil without refining some for domestic consumption, and then imports petroleum

products, it cannot complain about subsidy on the imported products because it is a self-inflicted injury. Soon, the country was engulfed in the subsidy debate.

Government had three basic arguments. The first is that the subsidy was not benefitting the poor, but the wealthy that need to fuel their collection of cars. Second, that the ever rising subsidy payment is unsustainable and that the economy might collapse under its weight. Third, that the funds ‘wasted’ on fuel subsidy can be better spent on other sectors like transportation, health and employment creation schemes that will benefit the mass of the Nigerian people.

The Professor Aghon Testimony

Professor Izielen Aghon, a former Head of Petroleum Engineering Department at the premier University of Ibadan and an expert in the field, made a structured response to the Government’s claims on subsidy. His thesis, to which government, its army of economists and propagandists had no answer, was accepted as the gospel truth by a citizenry weary of making sacrifices and skeptical of government’s true intentions. Professor Aghon’s testimony runs:

“On December 10, 2011, if you stopped at the Mobil Filling Station on Old Aba Road in Port Harcourt, you would be able to buy a litre of petrol for ₦65 or \$1.66 per gallon at an exchange rate of \$1/₦157 and 4 litres per gallon. This is the official price. The government claims that this price would have been subsidized at ₦73/litre and that the true price of a litre of petrol in Port Harcourt is ₦138/litre or \$3.52 per gallon. They are therefore determined to remove their subsidy and sell the gallon at \$3.52.

But, On December 10, 2011, if you stopped at the Mobil Gas station on E83rd Street and Flatlands Avenue in Brooklyn, New York, USA, you would be able to buy a gallon of petrol for \$3.52/gallon. Both gallons of petrol would have been refined from Nigerian crude oil. The only difference would be that the gallon in New York was refined in a US North East refinery from Nigerian crude exported from the Qua Iboe Crude Terminal in Nigeria while the Port Harcourt gallon was either refined in Port Harcourt or imported. The idea that a gallon of petrol from Nigerian crude oil cost the same in New York as in Port Harcourt runs against basic economic logic. Hence, Nigerians suspect that there is something irrational and fishy about such pricing. What they would like to know is the exact cost of 1 litre of petrol in Nigeria.

We will answer this question in the simplest economic terms despite the attempts by the Nigerian Government to muddle up the issue. What is the true cost of a litre of petrol in Nigeria? The Nigerian government has earmarked 445,000 barrel per day through put for meeting domestic refinery products demands. These volumes are not for export. They are public goods reserved for internal consumption. We will limit our analysis to this volume of crude oil. At the refinery gate in Port Harcourt, the cost of a barrel of Qua Iboe crude oil is made up of the finding /development cost (\$3.5/bbl) and a production/storage /transportation cost of \$1.50 per barrel.

Thus, at \$5 per barrel, we can get Nigerian Qua Iboe crude to the refining gates at Port Harcourt and Warri. One barrel is 42 gallons or 168 litres. The price of 1barrel of petrol at the Depot gate is the sum of the cost of crude oil, the refining cost and the pipeline transportation cost. Refining costs are at \$12.6 per barrel and pipeline distribution cost is \$1.50 per barrel. The Distribution Margins (Retailers, Transporters, Dealers, Bridging Funds, Administrative charges etc) are ₦15.49/litre or \$16.58 per barrel. The true cost of 1 litre of petrol at the Mobil filling station in Port Harcourt or anywhere else in Nigeria is therefore (\$5 +\$12.6+\$1.5+\$16.6)or \$35.7 per barrel . This is equal to N33.36 per litre compared to the official price of ₦65 per litre. Prof. Tam David West is right. There is no petrol subsidy in Nigeria.

Rather the current official prices are too high. Let us continue with some basic energy economics. The government claims we are currently operating our refineries at 38.2% efficiency. When we refine a barrel of crude oil, we get more than just petrol. If we refine 1barrel (42 gallons) of crude oil, we will get 45 gallons of petroleum products. The 45 gallons of petroleum products consist of 4 gallons of LPG, 19.5 gallons of Gasoline, 10 gallons of Diesel, 4 gallons of Jet Fuel/ Kerosene, 2.5 gallons of Fuel Oil and5 gallons of Bottoms. Thus, at 38.2% of refining capacity, we have about 170,000bbls of throughput refined for about 13.26 million litres of petrol, 6.8 million litres of diesel and 2.72 million litres of kerosene/jet fuel.

This is not enough to meet internal national demand. So, we send the remaining of our non-export crude oil volume (275000 barrels per day) to be refined abroad and import the petroleum product back into the country. We will just pay for shipping and refining. The Nigerian government exchanges the 275000 barrels per day with commodity traders (90000 barrels per day to Duke Oil, 60000 barrels per day to Trafigura (Puma Energy), 60000 barrels per day to *Societe Ivoirienne de Raffinage* (SIR) in Abidjan, Ivory Coast and 65000 barrels per

days to unknown sources) in a swap deal. The landing cost of a litre of petrol is ₦123.32 and the distribution margins are ₦15.49 according to the government.

The cost of a litre is therefore (~~₦123.32~~+~~₦15.49~~) or ₦138.81. This is equivalent to \$3.54 per gallon or \$148.54 per barrel. In technical terms, one barrel of Nigerian crude oil has a volume yield of 6.6% of AGO, 20.7% of Gasoline, 9.5% of Kerosene/Jet fuel, 30.6% of Diesel, 32.6% of Fuel oil / Bottoms when it is refined.

Using a netback calculation method, we can easily calculate the true cost of a litre of imported petrol from swapped oil. The gross product revenue of a refined barrel of crude oil is the sum of the volume of each refined product multiplied by its price. Domestic prices are \$174.48/barrel for AGO, \$69.55/barrel for Gasoline (PMS or petrol), \$172.22/barrel for Diesel Oil, \$53.5/barrel for Kerosene and \$129.68/barrel for Fuel Oil. Let us substitute the government imported PMS price of \$148.54 per barrel for the domestic price of petrol/gasoline. Our gross product revenue per swapped barrel would be $(174.48 \times 0.066 + 148.54 \times 0.207 + 172.22 \times 0.306 + 53.5 \times 0.095 + 129.68 \times 0.326)$ or \$142.32 per barrel. We have to remove the international cost of a barrel of Nigerian crude oil (\$107 per barrel) from this to get the net cost of imported swapped petroleum products to Nigerian consumers. The net cost of swapped petroleum products would therefore be \$142.32 - \$107 or \$35.32 per barrel of swapped crude oil. This comes out to be a net of \$36.86 per barrel of petrol or ₦34.45 per litre.

This is the true cost of a litre of imported swapped petrol and not the landing cost of ₦138 per litre claimed by the government. The pro-subsidy Nigerian government pretends the price of swapped crude oil is \$0 per barrel (~~₦0~~ per litre) while the resulting petroleum products is \$148.54 per barrel (~~₦138~~ per litre). The government therefore argues that the “subsidy” is ₦138.81-~~₦65~~ or ₦73.81 per litre. But, if landing cost of the petroleum products is at international price (\$148.54 per barrel), then the take-off price of the swapped crude oil should be at international price (\$107 per barrel). This is basic economic logic outside the ideological prisms of the World Bank. The traders/petroleum products importers and the Nigerian government are charging Nigerians for the crude oil while they are getting it free.

So let us conclude this basic economic exercise. If the true price of 38.2% of our petrol supply from our local refinery is ₦33.36/litre and the remaining 61.8% has a true price of ₦34.45 per litre, then the average true price is $(0.382 \times 33.36 + 0.618 \times 34.45)$

or ₦34.03 per litre. The official price is ₦65 per litre and the true price with government figures is about ₦34 per litre (even with our moribund refineries). There is therefore no petrol subsidy. Rather, there is a high sales tax of 91.2% at current prices of ₦65 per litre. The labor leaders meeting the President should go with their economists. They should send economists and political scientists as representatives to the Senate Committee investigating the petroleum subsidy issue.

There are many expert economists and political scientists in ASUU who will gladly represent the view of the majority. The labor leaders should not let anyone get away with the economic fallacy that the swapped oil is free while its refined products must be sold at international prices in the Nigerian domestic market. The government should explain at what price the swapped crude oil was sold and where the money accruing from these sales have been kept. We have done this simple economic analysis of the Nigerian petroleum products market to show that there is no petrol subsidy what so ever. In the end, this debate on petrol subsidy and the attempt of the government to transfer wealth from the Nigerian masses to a petrol cabal will be decided in the streets. Nigerian workers, farmers, students, market women, youths, unemployed, NGO and civil society as a whole should prepare for a long harmattan season of protracted struggle. They should not just embark on 3 days strike/protests after which the government reduces the hiked petroleum prices by a few Naira. They must embark upon in a sustainable struggle that will lead to fundamental changes. Let us remove our entire political subsidy from the government and end this petroleum products subsidy debate once and for all. It is time to bring the Arab Spring south.”

The Debate Of All Debates

In the frenzy that seized the country, the Newspapers Proprietors Association of Nigeria (NPAN) organized a ‘Town Hall Debate’ in Lagos, which brought a broad-spectrum of the elite society together in Lagos and was broadcast live on television. Before the NPAN debate, Government had shunned all debates that would feature its officials and Labour or other critical segments of society. The fact that Comrade Isa Aremu, one of the five Vice Presidents of the NLC was directly invited by the organizers without consultations with the NLC raised the question whether he was representing Labour or was there in his personal capacity. In contrast to the trade unions lone voice, the Government was at the ‘Town Hall’ in full force. Its team included the Minister of Finance and Co-ordination Minister of the Economy, Dr Ngozi Okonjo-Iweala, Petroleum

Minister, Mrs, Deziani Allison-Madueke and the Governor of the Central Bank of Nigeria (CBN) Malam Sanusi Lamido Sanusi. The state Governors had been quite vocal that the fuel subsidy be removed so that there will be more money available for distribution to them in the Federation Account. They were represented at the 'Town Hall' by the Governor of Edo State, Comrade Adams Aliyu Oshiomhole the immediate past president of the NLC.

It was curious that after months of dodging public debates on fuel subsidy, such a formidable Government team will fly into Lagos, the pro-democracy capital of the country to participate in a debate. Is this due to the stature of the NPAN or the Government had a lot of confidence in the body? Where did the funds to organize this 'national debate' come from? The inclusion of two popular lawyers; Femi Falana and Olisa Agbakoba, a former President of the Nigeria Bar Association, meant that Government may not completely dominate the debate. But another curious issue was the appearance of billionaire businessman, Ben Murray- Bruce as the spokesperson of 'the poor' at the 'Town Hall' what was the joke about?

Why We Struck - Coordinating Minister

The Finance Minister, Dr Ngozi Okonjo-Iweala who doubles as the Co-ordinating Minister of the Economy, understandably led the Government charge at the debate. Most Nigerians know her as the World Bank official who has returned home twice from Washington to run the Finance Ministry, first under the Olusegun Obasanjo administration, and now under that of Goodluck Jonathan. Very few know that she is the daughter of the noted educationist, patriotic intellectual and a father figure of the radical Academic Staff Union of Universities (ASUU) Professor Chukuka Okonjo. In a summary of her presentation she said: "This meeting is not meant to persuade you but to let you know that this is just an attempt to answer the questions behind this issue that people normally ask. Sometimes people say there is no subsidy that it doesn't exist, so what is this Subsidy? Right now if you go to certain petrol stations especially NNPC in towns like Lagos, Port Harcourt and Abuja etc in some, you will be able to buy petrol at ₦65 per litre, and this is what the government has set the price at. So the price of this product right now is not likely to be determined by the forces of supply and demand like when you go to the market, you have people who are selling product and you pay whatever the market is selling. In this case the government has set the price, but when we look at what is the landing cost of a litre of PMS that we import we find out that it is ₦123... If you add the distribution, bridging and other cost and some profit margin the cost of distributing it is another ₦15.72 per litre, when you add the

two together you find out that the effective cost of petrol(PMS) is ₦139 per litre compared to the ₦65 that is being charged at the pump". "The difference between the effective cost and the price of ₦65 is what known as subsidy is, and at this present time it is about ₦73-₦74 per litre, that is what the government is actually subsidizing. You get it at ₦65 and this is the extra cost that is known as subsidy".

"When we deregulate and get government out, it means limited intervention in certain prices by the government and it allows for more transparency in the way things are done in the sector. It also allows for free entry and exist of those who want to operate in that sector because they have the incentives to come in the place of better competition...Let's take two cases.

One is the case of telecommunication. We deregulated and liberalized that sector. I don't know how many of you remembered that 2000 and 2001, our telephone company NITEL had just 450, 000 land lines that it supplied in an entire country of over one hundred and fifty million people. Then owning a telephone was a luxury. Not many people could afford or even think of having a phone. You could not even think of phoning people in the rural area. But now how many telephone lines do we have, over eighty million GSM lines compared to four hundred and fifty thousand. So if we have left the sector the way it was most of the people who have GSM today would not have it, because we will not have companies entering and existing that is one good example and a success story on deregulation.

The other one is aviation, many people will remember when we had only one airline; Nigerian Airways, you have to struggle to buy a ticket and sometimes you get there you find someone has taken your seat under the table and you have to struggle and push. Today what happens when you go to the airport you just buy your ticket almost like entering a bus if one airline is not ready you get to the other one. And that again is success story of deregulation.

What we are trying to do to open up this sector so that we can have more competition and more supply of the product and a better price eventually. Reasons for subsidy removal: One major reason to look at is the financial burden to our budget and to our finances in the country. From 2006 to 2011 we spent about ₦3.7 Trillion on subsidy, in 2011 alone up to the end of October we spent ₦1.348trillion and by the end of this year we would have spent up to ₦1.4 trillion on subsidy.

Why does this matter, it matters because it is eating more and more of our

resources. It is 30% of Federal government expenditure, 118% of the capital, that means it is 18% higher than the amount of money we spend on capital expenditure and 4% of our national income. Looking at the table you see how the subsidy has been increasing over the years. Between last year and this year it almost doubled and people say why. There are three main reasons that we found. The amount of PMS that we consume has increased substantially; from about 30 million litres we are now consuming about 35 to 40 million litres per day. Also the price between 2010 and 2011 increased substantially from \$81 per barrel for the price of crude to \$113 today. Then we have some previously unpaid subsidy that we carried over for kerosene so that is why that figure has largely doubled between last year and this year.”

“The subsidy benefits almost everybody, so we are not saying it doesn’t benefit poor people, it benefits the poor and the well off in the society. So do we say let us leave a policy from which the better off in the society benefits more than those at the bottom end of the society who do we really want to help. Secondly, subsidy leads to a lot of smuggling activities and to some, fraud in the way this is handled because people divert the product to neighbouring countries if you have travelled to Benin-Togo you will see people selling these petrol by the side of the road that’s Nigerian petrol... but should we be using our resource to subsidize neighbouring countries, we want to help them, but is that the best way to do it. The other is that subsidy has led to inability of people who want to come in and build refineries to do so. Twenty licensees has been issues by the government since 2000, but because the control price is not attractive enough, there is no entry to build these refineries and I know that one of the fundamental needs of Nigerian is for us to build our own refinery, refine our own products here so we must find a way to make that possible by making it attractive for people to enter that sector. And eventually we feel that the revenue that is used for this subsidy can be used to provide other goods for people who are poorer in the society which will benefit them more.”

“We are concerned about borrowing domestically. This 2011 we borrowed ₦852 billion trying to fund the budget, this 2012 budget we have to borrow ₦1.1 trillion almost a total of our capital. It is not healthy that we should be borrowing money for the capital and current expenditure and be expending it on subsidy.” “Because of the limited trust between the people and the government, over time people do not trust that government will deliver what it says it will deliver. They are worried that what will happen with this money will it really be used for the poor people or for programmes which we will see or is it going to be diverted. Under the leader-

ship of Mr. Vice President, a programme has been developed on how these resources can be used in a way that every Nigerian can monitor, see and check for themselves and that has been made public”.

Government Cannot Guarantee Price Regulation – Petroleum Minister

Petroleum Minister, Mrs Deziani Allison- Madueke, architect turned oil executive, is a former Executive Director of the transnational Shell Petroleum in Nigeria. She believes that Government is powerless against the criminals who suck the country dry in the name of subsidy, therefore, the subsidy should not just be scrapped, but also, Government should hand over the oil industry to local and transnational Corporations. “Is there a Subsidy; at least in the oil and gas sector? Yes there is if we take a product we all know, household kerosene; it lands approximately at a ₦140 that is what it is bought on the international market, we sell it to the middle line marketer at ₦40 per litre, and our recommended price to sell to the public is ₦50 per litre. But as you all know, all those who have bought kerosene, it is generally available at ₦85 and above depending on where you are in the country”.

“There is fuel now which wasn’t the case before. But we cannot control the price simply because the ₦65 that is quoted is generally available only in the urban centres like Lagos, Abuja, Port-Harcourt etc. If you go into the inter land in Bayelsa you will not get the PMS or Petrol at ₦65 and that is because of the bridging cost, the cost of logistics of taking it those places. And why are we doing bridging and trucking, taking our products by road and by water? Because our pipe lines have been vandalized consistently over the years; both our crude pipe lines and product pipelines as well. When you deregulate, some of the (subsidy) funds not to mention the private sector equity investment that comes into these sectors, ensures that they are more adequately, efficiently and expediently controlled, and therefore, you will see in a few years time, we will be efficiently moving our refined products to other parts of the county in a manner that they should be, which is through the pipelines, so yes there is a subsidy and it is very real.

Look at our refineries which have become a topical issue, you and I know that for the last ten years or more, our refineries have not worked in the way that they should, it is common knowledge that the turn-around in maintenance has been consistently abused. Our refineries when I came into government 16 months ago we were running at about 30% capacity utilization, we have worked very

hard and aggressively to ensure that at this point they are between 50% and almost 60% capacity utilization and producing almost 30% of our locally needed refined products at this time. We have gone beyond that to ensure that we bring in the original contractors who built our refineries Kaduna, Warri and Port-Harcourt to handle the turnaround maintenance themselves simply to show the Nigeria public that we are serious and this is the only way we can do it. And they have given us a programme of 24 months, to ensure that in 24 months according to them that they will be able to bring those refineries to 90% capacity utilization starting with Port-Harcourt in about 12 to 13 months and then Kaduna and Warri.

Now it is not in the interest the Nigerian government to remain in the business of refining; it is in the interest of the economy for government to hold a certain equity participation, a certain investment to protect the economy. But really these are entities that should be managed by the private sector. If you come into the business of the day, you will make a slight profit but not a lot of return on your investment. In Nigeria because of our population a refinery is only viable unless if you are producing at least a hundred thousand barrels per day. Hundred thousand barrel refinery will cost you \$3.3 billion to set up that is no mean amount, two hundred thousand barrels about \$4.2 billion dollars.”

“If we deregulate, we would expect that there will be a much more higher inflow in investment interest than already is, but that is because we have begun to sense the possibility of deregulation. And apart from our existing refineries and the three green field refineries which we are planning with private sector investment participation and equity investment, we would expect that other investors will come in and set up refineries and they are already bringing proposals to that effect. It will open the sector in the downstream in the areas of our depots which will also be open for private equity investment; even our pipelines, crude and product pipelines as well. And more than that even the areas that we are pushing very aggressively now as we are implementing a world scheme petrochemical factory, world scheme blending plant, central processing facilities as well as ethanol plant in the whole scheme of our gas industrialization programme. Those things are already being implemented but imagine what will happen if we open up the downstream sector and allow both the indigenous investors and international investors across the board to come into the downstream sector. The jobs that we expect to create already now, with what we are doing to the tune of one million jobs, would more than triple.

In fact the multiplier effect is one that I cannot calculate this time. So there is a

real need to look at the issue of deregulation in the oil and gas sector. Can I just say, subsidies are not necessarily a bad thing, I agree completely in many ways they are a very good thing if they are properly implemented, efficiently and expediently utilized. Where they are not getting to the end user in the manner in which they are expected to, then I think that we have to be realistic as a country even if we go through a little bit of pain in the short term because prices will rise for a brief period in time then they will drop because of additional competition.

If you look at China which is one of the top economies in the world today which is fighting hard against United States at this time you will all recall at least those who are over fifty years will remember that China actually closed its borders completely for well over twenty years, they went through hard times we are not even talking about anything like that. I think we are looking not in fact at necessarily subsidy removal, it is actually a subsidy transfer because we are looking at real benefits to the economy and to Nigerians that can be handed over to Nigerians that all Nigerians across the spectrum will feel and see from the word go. I think that in its self is a critical benefit of what the government is trying to do and government is really serious and intent in doing at this time”

Nothing Wrong With Subsidy–Civil Society

Mr Olisa Agbakoba, who represented the Civil Society at the meeting, is the co-founder and first president of the Civil Liberties Organisation (CLO) veteran of pro- democracy struggles and former President of the Nigeria Bar Association (NBA). “The question is what can we do to get things going. When we met with the president, the consensus was that conceptually there is nothing wrong with the free market, also conceptually there is nothing wrong with the subsidy” “President Obama is pushing a new health bill to introduce thirteen million displaced and disposed Americans to socialized healthcare. So let us stop this nonsense about subsidy being a bad thing; if government doesn’t have the resources, that is understandable so we have to look for new ways to provide them.” “Also there are issues I have; is there really a subsidy? If there is, how much is the subsidy? Is the institutional, legal and regulatory environment ready? Do we want to transfer access from state actors to private kleptocrats? Think about all that. Reference is made to GSM (telecommunications) I do not understand how Nigeria can run without a competition environment... Nobody is against government discussing how subsidy can work better, the Coordinating Minister has done something fantastic obviously she did something important. We are not organizing opposition camp, we are simply saying that the informa-

tion exchange need be; must we do subsidy tomorrow, can't we stay one year, discuss very well and if at the end of one year government really needs to have subsidy removed, I don't think anybody will say no.

We also need to have government sacrifice... The government is not showing any example; when you want to put a burden on us show us the one you are carrying. We have sacrificed for Nigeria so nobody can tell me I am not patriotic; government has not done anything for me since I was born. Let's not give subsidy a bad name because it is not a bad thing. The American subsidizes, the European Union which is going through its crisis did the unthinkable, it conducted the military equivalent of a coup d'état by removing two popularly elected governments in Greece and Italy to save their system. This shows how far they can go to get their system corrected.

In conclusion, nobody is against subsidy removal but the information is inadequate; if you show us the challenges and create the relevant frame work I can assure you that we will come along. When we spoke with the president; I said in my own small sector (maritime) I can mobilize people to raise ₦7 trillion but nobody takes me up on that”.

Let Us Consume What We Produce – NLC Vice President

Comrade Isa Obalowu Aremu, an economist is a Vice President of the Nigeria Labour Congress and Secretary General of the National Union of Textile, Garment and Tailoring Workers of Nigeria. His arguments can be summarized thus: “I think judging from the theme of this debate it is clear that even from the question “REMOVAL OF SUBSIDY IN WHOSE INTEREST?” shows that there is already a problem with this policy, because it seems to us in labour that if care is not taken this is going to be a zero sum policy, our fear is that it is not going to be a win-win policy. Because if we are here to discuss job creation and employment, about reinventing the refineries, about reindustrialization, electrification, I don't think we can pose this question. Even from day one, there is a problem and I think the challenge is for the drivers of this policy to assure Nigerians that this is an all inclusive, a win-win policy. But we haven't seen that from the point of view of labour.

Let me quickly raise one or two issues from the point of facts. I want to commend the Honourable Minister of Finance for throwing some of the figures at us. Again if the facts must be factual, let the facts be there, otherwise the difference between

fact and fiction will not be so clear. And I just want to pick one issue however petty it might look, I don't think the population of Nigeria is 167 million. CBN is fighting against parallel rate for Naira I think we shouldn't have parallel rate for Nigeria population; official population figure is 150 million released by National Population Commission. The danger is when you have this figure it also gives a lot of distortion. What 'am saying is that we need to get it clear, when you also say that the price of products are not market- determined we can debate that, but we need to find out, why is it that the prices are not market- determined? I think there are a lot of inefficiency, it's bad enough that you are importing but it is even worse that you cannot import and you can't deliver the product due to your own inefficiency. So these prices you talk about are virtually paid for inefficiency, demurrage and lots of distortions that have been identified as the case may be.

I am saying that products are not being determined by forces of demand and supply. Comrade (Adams Oshiomhole) you see there is a lot in your court today because after leading us in protest for years, you are now on the other side we will see how you balance that. On a more serious note, when President Yar'Adua was alive we had some engagements(with his government) There was a time the price of crude collapsed to almost about \$50 and we were insisting that why wouldn't it crash the price of petrol. The reality is that Nigerians have never known these market forces, what we know in market forces, is that the prices keep on going up...I think largely the government has been responsible for the distortion in this market and for those who are responsible for the distortions of the market, what trust can we have in them about the need for market forces?

The last few points I want to raise is about telecomm and I agree with Mr. Olisa, I think we are too romantic about this telecom thing and I think our government should talk to us as citizens and not academicians. We need to be clear what values in the real sense; what have we really gotten from the sector aside the hello and talking and transferring money to South Africa. We have not got value from telecommunication and it cannot be our model, that cannot be the future of the petroleum industry; we are not even producing the handset." "If you want a policy change, the language of discussion must be new after all President Jonathan talked of transformation agenda so we need that transformation language that will not just be that we are been romantic about a sector... we should not compare like with unlike, petroleum is far more a serious business compared to telecomm because you are talking of a product for now that there is no substitute... if tomorrow the price changes from N65 to the price you are

giving us, what will be the impact on the level of inflation. Sanusi you are talking of single digit, the official figure from CBN is close to 10% how will any increase in petroleum price impact on inflation rate. And I think what we have seen on ground, is that it is going to increase the cost of transport, foodstuff and worsen the level of poverty. These are the facts we must also bring out.

About deregulation, we have said it so many times; this idea that once we deregulate there will be development reminds me of those days before the new millennium. I think we are too ideological about deregulation and we need to be pragmatic about, it is not supposed to be seen as an end but a means to an end, it is not whether you deregulate or not, the end result should be whether public welfare will be improved upon. I want to ask, why wouldn't we deregulate for instance, the foreign exchange market, we all know the danger that is there".

"In summary, what we are calling for is governance... 'am happy to listen to the Minister for Petroleum; those good jobs you have started doing, improving local content trying to reinvent our refineries are good. Niger Republic within three years, built a new refinery, and the first day they refined about 20, 000 barrels of crude oil. What is good for Niger is even far more imperative for the Federal Republic of Nigeria. So if we say the population of Saudi Arabia is minimal, we should ask ourselves what is the level of their crude production, why should we not meet even our OPEC quota? So why are we seeing problems instead of seeing challenges? If we consume thirty-five million litres, that cannot be a problem; it is good market, then build more refineries and let's start now. Nigerians will resist any attempt to pay higher prices, which is bad enough for imported products, we need correct prices for locally produced oil for our country and that I think is the gospel of President Jonathan about transformation, let's produce what we consume and let's consume what we produce and at appropriate prices."

President Jonathan Must Remove Fuel Subsidy

Comrade Adams Aliyu Oshiomole rose from the factory floor to become two-term President of the Nigeria Labour Congress (NLC) and was thereafter elected the Governor of Edo State. At the Town Hall meeting which was attended mainly by the upper class, he was the only speaker whose speech was disrupted by an obviously enraged audience. The organizers had to intervene to enable him conclude his presentation "I will always be on the side of the people; I told my colleagues at the Governors Forum that if there is a conflict between the interest

of the government and that of organized labour, I have no difficulties as to how to resolve it; I will resolve it in favour of my primary and authentic constituency (Labour). Therefore whatever NLC decides, being part of the NLC, my position cannot be different. However I think the issue before us require that we find courage to be a little more analytical and put the facts across as we understand them.

First, there is a statement of fact that I can claim along with my colleagues to have put this whole question of subsidy or no subsidy on national consciousness. Before I became the president of NLC, I don't think subsidy was an issue; government routinely under the budget, just cuts subsidy and then life goes on. We had to fight it for a couple of reasons and today when I look back and listen, I found out that so many people have changed their position and I find it very interesting even those who used to criticize me and even threaten to deal with me, today they are for retention of subsidy. I don't hear the other voice anymore. I like to think that people have become more conscious one way or the other. But I think that the question "Removal of Subsidy in whose interest" I will say it could be in the interest of everyone; it may also be in the interest of no one because the removal itself does not address the real issue that define who benefits and who doesn't.

Public policy is never value neutral; you consciously choose your policies and target who to benefit and also target who pays for it; there is no free lunch. When a government settles for providing benefits for a certain class of people it must at the same time target those who will pay for it because it must be paid for whether in the socialist economy or the capitalist economy.

This is a fundamental issue, if we must subsidize, what should we subsidize? If we must not subsidize, what should we leave to market forces to determine? These questions must be addressed. Unfortunately my own pain is that we have as a nation resolve not to subsidize production; when diesel was deregulated, when black oil which was used in the textile industry was deregulated; therefore today those who are responsible for production of goods and services and running any business whether banking or manufacturing; you procure your diesel at market rate therefore production is no longer subsidized. Unfortunately, those of us in the civil societies did not address that, so today job creation is not being subsidized that is the truth unfortunately."

"Given the clear incapacity of the Nigerian state to run power supply efficiently, to

the extent that we must for the foreseeable future, live on generator- powered industry if jobs must be created; if the Nigerian productive sector must be competitive, then the alternative to centralize power which is diesel to fire privately acquired generators has to be subsidized. If it is not subsidized you cannot procure diesel at the price you are procuring it and yet compete with China, Taiwan and the rest of the world. This argument has been lost and I believe the destruction of the textile sector and therefore all the jobs of that sector have arisen because we could not get a discernible policy either to get the NEPA to work or to provide the alternative which these industries needs to drive. Therefore for me, we have already abandoned subsidizing the productive sector.

Secondly I also believe there is no question about it that Nigeria does not consume the numbers that translates to ₦1.3 trillion subsidy, we don't. Few people are helping themselves and they have become so powerful, more powerful than any Nigerian government. I have been involved in this, I remember during the period of the late Yar'Adua we had a close review of all the facts and figure and everybody was clear that per capital consumption cannot be explained because if our real income is declining and our productive sector is declining how can we explain such increase in consumption. Obviously, someone is stealing bare faced. But I was told that the problem is that as hard as government has tried to clean up the process, there are serious difficulties. Reputable Nigeria audit companies whether it is Akintola Williams and co and all those consultancy firms in an ideal environment can only put their signature on a document that is clean; but they all endorse these fraudulent numbers before payments are made.

Therefore having led ourselves to believe that even the auditing firms have been compromised like Sanusi said, people just laugh it off when the amount involved is so huge everybody seems to have a price including otherwise reputable audit firms. And what was our conclusion, we concluded that there was nobody in the Nigerian environment that has the moral courage to question the abuses in the oil sector, we therefore resolved that we should invite international audit firms because we have lost confidence in the local audit companies because they have become part and parcel of the fraud that characterizes the NNPC operations as well as the operations of the PPRA. When we took those decisions, that was the last day those meetings were convened, because those who were responsible made sure that we were kicked out, we never got invited anymore. As it is today, Sanusi (Central Bank Governor) made a point and I think that is the point of the issue whether we put it on the table or not, he said if you insist on ₦18, 000 minimum wage how can you complain of higher cost of recurrent expenditure,

but I believe Comrade Sanusi, you know better than that... when a minister is travelling how many aides does he decide to travel with? It include show often we attend conferences that we do not need, it includes all of those reckless visitors that we receive and useless trips that we make that are not designed to add any value to the Nigeria condition, all of that is part of what we call recurrent expenditure.

Having said that let me clear the view so that we do not see the labourer as being responsible for the unacceptable ratio between recurrent and capital expenditure. Today I run a government; when we arrive Edo State the figure was similar to the Federal Government in fact Edo state was worse; 80% was going for recurrent and 20% was going for capital. When you get to the real level of what is actually released, I found that whereas recurrent is awfully exhausted, the capital is never fully released. Therefore if we do post budget audit the real figures are more shocking, they are not as attractive as the budget here. Those of us in government, we celebrate our budgetary presentation but good enough the electorates are not insisting that at the end of the year we should put the figures of what actually transpired. The gap between what was budgeted and what we actually released, if those figures are published there will be riot across the 36 states.

We will then be able to understand why the situation we are in is the way it is. Let's go a little bit down the memory lane; I think we have to credit President Goodluck Jonathan and his predecessor for approaching this issue in the manner that they have done... I think Nigerians have to accept and at least commend this government that for the first time in five years, it is on record that the last president that increase fuel price was the one before Yar'Adua. Yar'Adua never increased the price rather he reduced and of course, Jonathan has left it where he met it, it has never happened before now. And because of that time lag of not moving incrementally, the figures have become what it is, yet talking practically because leadership is not a popularity contest, we must be sure of what we want to achieve and find the courage to do what we have to do.

I do not want my colleagues in Labour to be shocked by the views I am going to express, the truth of the matter is, and I will put it to the house, besides petroleum prices which other prices have remained what it was five years ago? Can we therefore as rational human beings conclude that we are certain that we could have guaranteed stable ₦65 or ₦70 price (unchanged) yet every other price in the system have being changing. Obviously I think we can't argue that every

other thing can change.” “What appealed to me as a young union leader about state ownership is the fact that I understood as a man who wanted a perfect society, that it is not fair for a few to pocket what amounts to being the surplus value that was created by all of us and then majority of us just go home with our wages... Then we must fight for a just egalitarian society. But let’s look at the fact of the Nigerian condition, I was a member of the National Council on Privatization against the wish of some of my colleagues in the NLC, I told them, just like Isa (Aremu) said, one drug cannot be used to cure all ailments; by the same logic, what worked elsewhere may not work here if other things are not the same. Therefore in designing policies that are Nigeria specific, those policies must flow from our understanding of the behavioral pattern of the Nigerian elite, if we do not, we will be designing ideal theories that may not have value application.

I said to my colleagues when I was in the NLC, I said that I support the privatization of NEPA (the Power Holding Company of Nigeria) They said why should I do so when my deputy was from NEPA, I said I do so because in truth we can’t carry this joke much longer; as the President of the NLC, I have a responsibility for our economy - wide job creation; I am looking at all the potentials of the economy and not necessarily at a particular sector... So if we destroy twenty thousand jobs in one sector (electricity) and created ten million jobs in another sector, economy-wide, overall, we should be better off, and in my own trade union literature, I understand that as the world moves up and becomes a global village, and the only thing that is constant is change, I understood for the workers to remain employable there must be a built in scheme so that if they lose jobs in one sector, they move to another sector; industry is not a tribe that you are born into and you live in it, die in it and you children come to inherit it. We must keep moving... we must look at what are those policies government need to put in place so that overall job possibilities in the economy will keep increasing, so that even as some sectors are dying, new sectors are emerging.

If we take an overall static view, will be presiding over job losses. Today as I understand the, I wasn’t present when the Minister of Finance spoke, the situation that President Goodluck is facing is far more complicated than the one before him. Today it is not about if I have ₦200 billion more I could do extra kilometers of road, what I understand from the figures I have seen is that there will be crisis... the choices before the President, and any of us (for that matter) if we are privileged to be there (president) is if I go left I will be stoned, if I go right, I will be stoned; some stones will have the force of bullet and therefore the end could be terminal, the other stone will inflict pain but if I survive I will be able to make up for the scars

and those who stoned me I might in the end deliver a level of comfort that they might in their private church ask God to forgive them for stoning the man for wrong reasons. When I arrived Edo State, the expectations were very high, a union man in government, and the international economic environment was at its worst; our total receipt from Federation Account crashed to ₦1.6 billion and yet my wage bill was close to ₦2billion. Some people said Comrade, you have to just transparently explain why you will not be able to build schools, roads, provide health care and other social amenities, after all it is not your fault everybody knows that the world economy is in crisis. My response was that in my union training, a leader is supposed to be able to find solutions to challenges and not to lament on why things won't work; my business is to see what I can do differently and when I look inward I saw that one of the things I had to do was to ask workers, my own people to pay tax. They said no, that those before me didn't ask and you who is our own why should I ask. I said if you were not going to pay tax you shouldn't have elected a poor man like me a governor because you had no reason to assume that I will use my father's savings to do the road. If I had said so, you won't believe me, so what I offer is that when you pay your tax I will manage it judiciously. People told me that I am going to be unpopular and I say yes in real world of leadership there are two options; at what stage does a leader want to be popular; popular in the morning because people think you are going to deliver.

Goodluck came in with fresh air everywhere, if he does nothing, when it is getting warmer and the fresh air is disappearing, people will begin to frown, when it gets heated in the evening they will begin to stone him. It is not possible that from beginning to end that your popularity rating is going to be 100% it's not going to work. So I think the issue for me is from the figures that we have seen , I believe that there are a couple of people who are candidates for prison and they are walking freely but if the world was ideal the first thing to do is to open the gate and put those guys in prison. I know it is easier to say it Femi (Falana) you tried so hard, you know your frustration in the system getting criminals to prison and getting innocent people out of prison, you know how hard you have to work. I believe that those involved in this business (fraudulent subsidy claims) the Nigerian system is not capable of handling them.

My conclusion is that Honourable Minister don't push people to do what they are incapable of doing. I will say to colleagues(in Labour), when we take over and we have the will, we can reverse some of these decisions but for now those in the system are not in the position to do the kind of things I think we should do

to clean up the system. Therefore in Edo state I believe if this process is cleaned and we have extra, we can deliver on appropriate wages. I know that everybody will expect me, given my past position, to simply go for the popular answer, but listen the situation we are in is fundamentally different. I will rather keep quiet than say what I do not believe to be the truth. I think that the challenge for us is let the Federal Government move on in the direction that it has chosen (removal of fuel subsidy) But as a people we have a right to insist that the resulting additional revenue must be deployed in such a way that it will not be pocketed by a few. When I was in NLC we did a rally against Senators for collecting ₦5 million as furniture allowance... but today they are pocketing how much?.

So I think we have a right to insist that every naira resulting from this policy should not be used for the comfort of the few people in government whether executive, legislative or judiciary. I believe that is the legitimate demand and if tomorrow NLC moves on the street to question why people are taking so much and others are getting nothing, I will join in that protest but as it is today, this president (Jonathan) does not have any option; if he doesn't take these decisions, Nigeria will crash."

Government Should Subsidise Production, Not Consumption - CBN Governor

Sanusi Lamido Sanusi, the Central Bank of Nigeria (CBN) Governor is a former student leader from the royal lineage in Kano and an advocate of the need to carryout cuts, from jobs to subsidy. He argues:

"Let us stop this identity issue about civil society and the government, we didn't just appear as government officials. Isa Aremu and myself were part of every demonstration and riot when we were in the university maybe because we were in the Students Union. After that, Femi Falana and myself were in the progressive movement we fought the military, so I am part of civil society. This idea that there is civil society outside government and there are certain human beings who have sacrificed for Nigeria and those in government are working for exploitation, let us get that out of the way. Let's talk about the ideology around subsidy, the issue around petroleum subsidy is not an ideological issue, ideologically everybody who knows development know that there is need to subsidize something, the question is do you subsidize consumption or production. Do you subsidize the poor or the middle men and rent seekers. We have shown in the last few months that we can move one form to another.

In 2009 when we had an economic crisis, small and medium enterprises were folding up because they could not bear high interest rates, because banks were not giving them loans. In the Central Bank, we put up a fight, ₦200 billion to refinance loans to SMEs give them money for ten to fifteen years at a maximum rate of interest of 7%, four thousand companies benefited over twelve thousand jobs were created, production capacity improved about 10 to 15%, that is subsidy.

We spent years importing fertilizers... The subsidy is still there what we have changed is how it is done; we now make sure that the subsidy goes to the farmer and not the middle man. We had a company in Port Harcourt set up to produce fertilizer locally, it was indebted to banks over the years it had to close down, it couldn't pay interest, could not compete with subsidized fertilizer... (we) refinanced and today it is creating jobs in Nigeria.

So let us look at the ideology and this is where labour should look, if you subsidize consumption of imported products what you are doing is creating production facilities giving them openings abroad, creating jobs for them abroad and labour ideologically should be in the fore front of stopping those subsidies and subsidizing domestic production. Don't subsidize the importation of petroleum products subsidize those who want to set up refineries give them power, this is the first ideological issue. I have been a strong proponent of the removal of subsidy and for that I have been chastised by my colleagues in the civil society as an ideological turn coat. Let's talk about why I got first of all involved in subsidy.

In 2009 we looked at the books and our banks had lost their capital and about to collapse and there were two sectors of this economy that led to the collapse of the banking system, the first was the capital market, banks speculating on stocks, the second was the petroleum marketing. Count the number of human beings that were unknown, that in ten years, have become multimillionaires for being petroleum marketers. I published the names of the bad loans in the banks half of them are petroleum marketers, the money has been taken, LCs have been established, subsidy has been paid, the money (loans) were not paid back to the banks. My suspicion is that a significant part of those products never got into this country because if they came in, they would have been turned to cash and that cash would have serviced the debts. Where did the money go? Let's go back to simple economics, whenever you fix a price below equilibrium what happens, you have a black market. If you subsidize that you have what is called rent. What we call subsidy is rent... when you tell people whatever the cost

of petroleum product is, it will not be more than ₦65; it is not a subsidy it is a guaranteed maximum price". "We moved from an exchange rate of 118 in 2007 to an exchange rate of 160 today, that exchange rate differential is translated into the cost of petroleum products, the government absorbs it, you import and have inefficiency in the port and demurrage.

This is the only country where the government guarantees that it will pay you demurrage you come and claim that your boat was there for one month because you could not off load and the government pays you. It is a business in which anybody can make money. Who are the people that have benefitted from this? I come from Kano, you go to Kano in all those NNPC filling stations you buy ₦65, drive out of Kano and it becomes ₦80 and more many of the people in this room don't know how much is paid for fuel. We work for companies and government and we just enter our cars we don't pay for fuel. We can't remember the last time we went to a petrol station and took money from our pocket to buy fuel. These poor people that labour is protecting how much do they actually pay? If I were in the business of petroleum importation and I establish an LC to import 20,000 metric tonnes and the government gives me the guarantee pay back, anything I make over ₦65, is free. Why is it that in the subsidized environment of Saudi Arabia you don't have smuggling; because Saudi Arabia is surrounded by Kuwait, Yemen, Bahrain, in that entire territory everything is subsidized. You cannot take fuel from Saudi Arabia and make a profit by smuggling it into Bahrain. Here we say we are selling at ₦65, in Cameroun, Niger, Chad, Benin all over West Africa it is ₦140, it does not take rocket science for me to know that if I can import into Nigeria get this subsidy I have a margin of ₦80 to bribe anybody from the border and across. Ngozi said we are consuming 35 million litres a day with the population of 160 million people, how many cars do we have in Nigeria? 35 million is 1/3 of the entire population of Nigeria, how many cars do we have? It is not true. Some of those LCs that are established, go and talk to NIMASA the ship on the sea, vessels go off, load from the sea and take the petrol to Cameroun and Benin, meanwhile somebody at the port see a piece of paper, you will see a list of bill of loading saying that 15 vessels landed in Lagos on the same day. Somebody will tick that he actually saw them, those are the documents that are presented. Why will it not happen, you have created opportunity for rent seeking. The difference between ₦65 and ₦140 is so huge, ₦1 trillion is enough to bribe anybody to sign anything. We talk about corruption but corruption thrives on the opportunity that we create for people to be corrupt and we need to shut down those opportunities. You say you have a subsidy and if the poor people of Nigeria are not buying fuel at ₦65 per litre, then it is not a subsidy it is rent. What

we are saying is that I am not a proponent for the removal of subsidy, I am proponent for the removal of rent. Let's look at the impact of this distortion on the system on the economy, we all agree that there is corruption in government and it needs to be addressed; we all agree that there is waste in government and we have to cut down on expenditure that is not reasonable; we all agree that the government has been inefficient that delivery has not been good and we need to improve on execution and delivery. We are not here to debate that and as Nigerians in the public and private sector We are all responsible. I go to the private sector meeting and they say government is so corrupt and I, ask how many of you can swear that you have not offered government officer bribe because it is the private sector that bribes public officers, so we all have to stop. Let us not argue about that, let us agree that it is not the issue for today.

Let's look at the impact of subsidy on the economy between January and November the total amount of foreign exchange we sold to petroleum marketer sat the interbank was in excess of eight billion dollars over the same period, the total amount of subsidy that was given to these same marketers was another eight billion dollars, that is sixteen billion. The total amount of money at least from my records, the total amount of money that government earned that came to us in the federation reserves from the entire oil sector in the same period was two hundred thousand less than that, we spend more money paying for LCs and subsidy than we earned from the oil sector. Then ask yourself is this a country, is this an economy? We have spent ₦1.4 trillion, 1/3 of total government expenditure subsidizing petroleum products.

Ngozi has given results per capital, Isa Aremu said let's talk about production. We produce 2.2 million barrels per day with the population of 160 million, everyday Nigeria produces one barrel of oil for eighty Nigerians, look at all the other OPEC countries the nearest to us is Algeria which has one barrel for thirty and Algeria is a gas producing country. Saudi Arabia produces one barrel of oil for every three citizens every day. You produce one barrel for eighty, your share of that one barrel is 50%, we can effectively say one barrel for 160 Nigerians; they need power, infrastructure, medical care, food, pay salaries, women are dying every day during child birth, children are dying of malaria, people are dying of AIDS, you need roads, petroleum subsidy; please give me your hierarchy of priorities, which will you subsidize?. We are taking 1/3 of that money and paying petroleum subsidy leaving 2/3, and out of that 2/3, Ngozi will tell you that 70% is used to pay salaries. The same people talking about government expenditure, if you say you are going to retrench workers in the civil service, they will raise hell, how do

you reduce the salary bill? The same people that said we want a Minimum Wage of ₦18,000 are saying you are spending too much. Where is the money going to come from? To maintain those civil servants and provide health care you need to free up resources and this is what economics is all about.

Now to come and tell me that there is going to be hardship is not an economic argument. The economic argument is to say this is the cost of removing subsidy what is the cost of not removing it? Let me tell you something, this government can continue paying this subsidy till 2015 it will not come down, but the next government will be saddled with the debt burden that it cannot maintain and the Greece situation will be nothing compared to where we are. So these decisions are not easy. Europe today is facing crisis, in 2008, the price of oil crashed from \$147 per barrel to \$37, up to three weeks before then, at the World Bank meeting they had different models and projection that oil price will not fall below \$85 per barrel, it came to \$37. The only reason this economy continues growing is that we have reserves of \$62 billion which are now down to thirty, that was the shock absorber. We don't have that shock absorber today, if the oil price crashes again by 30 or 40%, if the naira goes to ₦200 to the dollar, when you can no longer pay salaries, when inflation goes up to 18%, then we will know what crisis is, you have to prepare yourself. You can see Europe, every day, China is slowing down, India has had inflation, the reserved bank has increased rate. All the countries that provided the engine of growth in 2008 are in slow down mode, do you know what we are facing? Are you in this world? Meanwhile instead of preserving your balance sheet so that in the event of crisis you can cope, you want to continue paying ₦1 trillion Naira in subsidy to who?

We talk about cost, I will be the last person to say there are no cost to the removal of subsidy and I am even willing to guess that this policy will never be a popular policy and it is normal, people are paying ₦65 and now have to pay ₦140 it's not going to be popular. But the question is for those of us in government is it our responsibility to pursue a popular policy or to pursue a policy that is right for Nigeria. We are willing to be unpopular; the easiest thing for this government is to do the popular thing, continue paying. Ngozi said we borrowed eight hundred and fifty billion naira this year, the subsidy was ₦1.3 trillion what does that mean; we borrowed to only pay part of subsidy so the entire Federal Government debt was not sufficient to pay the subsidy. The deficit that we want to bring down to 3% how do we bring it to 3%, if there is a shortage in government revenue, a shortage in reserve, what will happen if the deficit goes to 6 to 7% that is how Greece got there. What is this subsidy and who is paying it?

You have this conception that Nigerian government is paying subsidy, Saudi government is paying subsidy; one is true and one is false. If a government is running huge physical savings having provided your basic needs it has extra money like Saudi and it takes part of that surplus to subsidise you, that is government paying. If your revenues are already not sufficient for you to provide the services to your large and growing population, 70% unemployed, 90% living on less \$2 per day, 70% living on less than \$1 a day a population that is poor by every HDI, no power, no infrastructure, the agriculture is disconnected, no irrigation if you are not earning enough to do that, when you borrow to subsidize, it is our children that are subsidizing us because they are the ones that will pay that money, it is not the government.”

“In 2009, inflation was 16% we brought it down 10.5%, I am not happy to get it to 12 or 13% but by the time you create the space of building your refineries, by the time the other reforms go on in the power sector, by the time we begin to reduce the pressure on foreign exchange from the importation of things like rice and wheat we will be able to use the exchange rate, interest rate and general fiscal discipline to bring down inflation. It will not be done immediately but it is about making a choice to take a difficult decision now that is in the medium and long term interest of the economy. Finally this is not about ideology it is about simple economics and common sense.”

Government Should Allow Alternative Suggestions- Femi Falana

Mr Femi Falana, a former student leader is a popular lawyer and past President of the West Africa Bar Association (WABA) in making his presentation said: “My intervention is going to be brief and it is to respond to some of the views that have been expressed particularly by Sanusi Lamido Sanusi. And to say that we are also waging an ideological battle here...(we know that) the ideas of the ruling class are the prevailing ideas in any historical epoch, therefore it is a fallacy of generalization to blame all Nigerians for corruption when we know those who are corrupt. Please you cannot hold me vicariously liable for the sharp practices of a few people who are importing petroleum products in Nigeria. If they brought the products to our sea and divert them to Benin, Togo or Cameroun and we have been shouting out to stop this kind of economic crime... Comrade Adams is here, six times the Olusegun Obasanjo administration increased the price of petroleum in eight years what did we get at the end of the day, nothing.

Ngozi (Okonjo-Iweala) was the Minister of Finance for four years under the Obasanjo administration, we were told the same story, in fact when we wanted to pay the London and Paris Clubs \$12 billion in what has never happened before anywhere in the world, we were paying them what we never owed. We had paid the debt over and over again. Some of the loans for which we were paying back the money never got here, but we paid and were told by the Honourable Minister then \$1 billion with which we were servicing the debt will be saved to stop infant mortality, maternal mortality but today all these things are on the increase. I was in Algeria last week in the house of the Nigerian Ambassador a very dedicated official was almost in tears when he told me that Algeria gives a hundred scholarships to Nigerians almost every year, that is the kind of collapse we presently suffer. I am not here to attack government, I believe government has a problem and we all have a duty to help government. I want to appeal, you (Government) must listen to alternative suggestions and that is the only way to move the debate forward. Once we have identified the cartel that has profited illegally and criminally from the importation of petroleum products, and Sanusi has answered it all, he said we are not consuming 35 million litres of fuel per day, I agree with that. I will say it elsewhere the current reorganization of the PPPRA by the honorable Minister of Petroleum is already yielding fruits.

One hundred and forty eight companies some of them building contractors were importing fuel now that figure has been reduced to only those who have storage facilities and that is the way to go forward. If you allow the current reorganization to go on, I am sure in the next couple of months, we may be thinking of a figure that is lower than N500 billion and not ₦1.3 trillion (as fuel subsidy) Please, the Nigerians government is the most subsidized in the world, government officials are the most subsidized. Sanusi Lamido has just confessed in his own testimony that he wouldn't remember the last time he bought fuel with his money. He knows that cannot happen in Europe and America. Nigeria is the only country where you move to an official quarter when you are leaving, you sell it to yourself.

The current Speaker of the House of Representatives is a tenant because his predecessor sold the official house to himself. They are now negotiating whether to rent it back for between eighty to a hundred million naira, it doesn't happen anywhere" "There are laws that have taken care of some of the contributions of the Minister and the Governor of the Central bank, but the laws are not been enforced. Just like Jesus said, go and sin no more, please go back and enforce our laws. And am happy my very good friend, the Honourable Attorney General is here, please in line with the law you fought for (the Freedom of Information)

FOI,I wrote to the FERMA (Federal Roads Maintenance Agency)... you should have been deducting 5% charge from everybody who bought fuel and diesel in Nigeria since July 2007, and in a prompt reply I was told that we have never implemented the law and that is why our roads are in this mess, so let us enforce that law.

Every user of petroleum and diesel is require to contribute 5% to a fund for the maintenance of our roads, 40% to FERMA, 50% to all the states Road maintenance agencies in Nigeria and this shall be published weekly in the electronic and print media. That is what the law has said. Now what we are doing today, is also captured in the PPPRA law, the problem we have is that PPPRA has not been allowed to do its work. Under the law it is the business of PPRA to check fraudulent practices by importers, to identify genuine importers and pay after verifying what they have brought into the country but that law has not been allowed to be operated.”

“With regards to smuggling, for five years I pleaded with the government because when I was president of the West Africa Bar Association, I discussed with some of our colleagues in government in neighbouring countries, the idea of having NNPC mega stations in various countries so that we can deal with smuggling... so let us go and build mega stations in those neighbouring countries. I am happy the Minister of Petroleum has said they have good policies to build refineries. Twenty licenses were given by General Obasanjo (in 2000) nobody took advantage of any of them because they were given to the same people who are importing petroleum products. Now that government has decided to build refineries, from what we gathered, within the next 18 to 24 months. We are not talking of subsidizing to 2015, we are talking of an interim measure...Government has now agreed belatedly to call those who built those refineries to maintain them for us, and that will take the next four years. Therefore, don't impose punishments on Nigerians... what is Minimum Wage of ₦18,000, it's not a take home pay, 18, 000 naira will not take anybody home.

Therefore you can't blame those who are taking home ₦18,000 for the economic crimes of those who want to go out and have a fleet of 15 cars on the road, it doesn't happen anywhere in the world. I therefore will like to suggest that we allow the regulation going on in the next few months so we can identify loop holes in the system and if the figure comes to ₦400 or ₦500 billion you cannot say that is what you are going to use to fund your budget. Please this year alone the budget of ₦4.7 trillion that was presented by the President to the National

Assembly, 72% of it will go for recurrent, Nigeria is the only country in the world where government officials when they are sick can be flown abroad for treatment. Besides they are entitled to a medical trip abroad for check up every year and for treatment. It is only for the rich, it doesn't happen to the poor.

"When Nigeria deregulated the cost of food because of the Structural Adjustment Programme imposed on us by IMF and World bank we warned them (Government) don't demolish the Marketing Boards, today we are spending ₦24 trillion to import food. ₦1 billion per day to import rice why are you not stopping that? Please let us go on with an honest revaluation of our problem. Build refineries, maintain the four existing refineries and then let us sit down by April (2013) to see how far we have gone.

I will also advice like Olisa (Agbakoba) said, I am challenging the Minister of Finance after this meeting, you must call a meeting of those who have suggestions, Olisa said here again today and I have confirmed that; from shipping alone, we can make ₦7 trillion a year. Most people are going in and out of Nigeria without paying a dime to the purse of the government. And lastly, we must also learn from Obama; when America had the oil leakage in the Gulf of Mexico, America made \$20 billion; we have just had the largest leakage two days ago in the Bonga Oil field, please as you get to Abuja I beg you, call Shell and demand for \$20 billion".

There Is No Subsidy

If the Presidency thought it could turn the tables against the pro-subsidy movement with the Town Hall debate and massive propaganda, it was quite mistaken. A personality that was for long identified with the oil industry, and was not at the Town Hall, was the intellectual and former Minister of Petroleum, and later, of Mines, Power and Steel, Professor Tam David-West. In an interview in the October 28, 2011 edition of The Newsmagazine, the tireless professor weighed on the side of the people:

"There is no oil subsidy in Nigeria. It is a lie and fraud. After the regime of General Buhari, I challenged government after government, from General Ibrahim Babangida and Chief Ernest Shonekan to General Olusegun Obasanjo and President Goodluck Ebele Jonathan, to appear on national television with me to justify their subsidy. Let me introduce you to the basics. Let us say a particular commodity like garri is sold for ₦10 per bag hypothetically and the farmers are producing to

make us self-sufficient at ₦10. But at a time, they can't produce enough because of either bad harvest or natural causes, the government now says since garri is a staple food, the government goes to another country where garri is produced and buys it at ₦20 per bag and brings it to Nigeria to sell at ₦10 per bag. The government now writes off the extra ₦10 - that is subsidy. The extra ₦10 the government pays on behalf of the people for them to still buy at ₦10 is the subsidy paid on that commodity.

No government should exist if it can't serve the people because government is a trust. They are trustees for the people. Edmund Burke, the great British philosopher, said that government is a contrivance of human wisdom and the wisdom should be used to satisfy people's needs. Any government that can't satisfy the need of its people is irrelevant and must be overthrown and kicked out. Coming to petroleum, there is no oil subsidy. Oil subsidy in Nigeria is fiction, it doesn't exist and it is a fraud. During Buhari's time, we had three refineries. When necessary, I mean, whenever there was shortage of oil, we embarked on offshore processing. If at a time, the production of oil couldn't satisfy our needs, we selected oil companies like Shell and others that we would give crude oil to refine abroad, sell at foreign exchange and pay to our account. We got quantum of barrels of crude oil and gave to these companies and after they might have refined it, let's say they got one million litres and we needed only 200 litres, they would give us the quantity we wanted and sell the remaining and give us foreign exchange. We only took our fuel back, never imported fuel. This time what do they do? These fraudulent people will take our oil, refine it and bring it back and sell it at foreign exchange. This is fraud in the highest places. Why is it that during Buhari era, with three refineries we were self-sufficient but at their time, with four refineries we are now importing fuel?

I personally signed the contract of the fourth refinery which we call new Port Harcourt Refinery in 1984. It was one of the best in Africa, with a capacity of 160,000 barrels per day. The first refinery, in Port Harcourt, was built in 1965; Warri refinery in 1978, and Kaduna refinery in 1980. A newly constructed refinery can't have major problem for about 30 years. The problem they will not tell you is that after Buhari, every Minister and Head of State became an oil sheikh, except General Abdulsalami Abubakar. Some ministers have petrol stations and oil blocs. You can't serve the nation and serve yourself at the same time because you can't serve two masters at a time. One must serve his country and the dividends of doing this is satisfaction. Total capacity of our four refineries is 445,000 barrels per day. If the refineries are working even at 80 per cent, we will have more than

enough product. They did not do that but sabotaged our refineries. I have been shouting since 1995 and I wrote that they are killing Nigeria and poor men.

And in 2009, the House of Representatives corroborated me by saying that refineries were sabotaged. Abdulsalami (Abubakar) as Head of State, reacting to the state of our refineries, said he didn't want to open a box of scandal. Why did they do this to the common man? Who are the importers? Big people! A senator said this year, Nigeria spends ₦860 million on fuel importation and they projected that by the end of the year, over ₦1 trillion will be spent on importation of fuel when our budget is ₦4.3 trillion. Insanity! Dan Etete said they needed \$250 million to repair the refineries but the same minister said Nigeria is importing fuel at \$900 million. Is that not insanity? If you need this huge amount of money to repair refineries, why don't you build new refineries? The money you are using to import, use it to build refineries."

"Can he(President Jonathan) remove what doesn't exist? Can't we build our own refineries to serve us and remove the untold hardship they want to impose on us? Ngozi Okonjo-Iweala said the subsidy goes to the wrong hands. If they remove it, will people not suffer the more? Everything will increase. The new minimum wage of ₦18,000 will become ₦2,000."

"It took just two years to build the fourth refinery. I signed its contract. It is between two and three years (to build a new refinery). The problem is that there is intellectual laziness and physical indolence. It doesn't take five years to build a refinery.

"She (Finance Minister) is sermonizing to seduce people to accept the callous oil subsidy removal. Things she promised are palliative, nobody should agree. Labour and Nigerians should make it impossible because you don't take away what doesn't exist. We don't need oil subsidy to build roads, provide water and electricity; vote for capital projects has taken care of that. Degrees don't guarantee good governance... What degree does Shehu Shagari and Balewa have? Schoolteachers. Winston Churchill was among the dullest in his class and he became one of the greatest British leaders. Degrees don't make leaders. Leadership is natural endowment or one acquires it by hard work." "If you know that what you are doing is right, convince people in arguments, facts and figures, not by sermonizing . Now, they have hired consultants with millions of naira to convince Nigeria to accept their rubbish. It was done during Shonekan's time when a Nigerian was given ₦20m for public relations job. He collapsed. They

have started again... There could be corporate protest here, just like what is happening in the Arab world. If you do anything that will make Nigerians suffer more, they will go on the streets because the suffering is already too much. I can afford things but millions of Nigerians that form the majority cannot.

They should know that government is not about commissioning or investment and profits.

Government should have moral dimension.” “NLC should represent the masses well. NLC should not give any condition for the consideration of the removal of oil subsidy. Government has ways of compromising labour. When things are hot, they can approach them with millions and buy them over and they will start to talk with double tongues. NLC should be firm. The government should publish the names of those that are importing fuel and government should sign that if it is removed and the effects are not felt between three and six months, then we must dissolve the present government. If they remove oil subsidy, I will lead a protest. I will organise students for demonstration.”

“We have a bunch of politicians who only think of the next election while a statesman thinks of the future. Nigeria will collapse if we have more politicians than statesmen. Nigeria is a country where a senator is earning more than the President of America. They even buy government houses. They spend billions on cars and they can’t pay ₦18,000 minimum wage... Nigeria is a great country - no natural disaster, there are able men and natural resources. But people are still crying, no job, graduates are driving taxis, doing menial jobs. Many now engage in armed robbery because they have to survive. May God bless us with good leaders”

The debate on fuel subsidy raged across the country; it appeared there was no meeting point; no common areas; no compromises were offered, none was taken. A confrontation between the Government and the people seemed imminent. The Government felt it was right, the people felt cheated and abandoned. To many, they were down and need no fear to fall. The debates in the media, the Town Hall and the massive propaganda seem headed for a resolution on the streets.

Chapter 4

Using The Judiciary To Play Ping Pong

The unilateral decision of the Presidency affected all Nigerians. It bothered amongst other matters on the issues of governance, the rights of the people, their sovereignty over those in power. The Executive did not, at least formally, consult the legislature; but when it reached out to it, the Senate acquiesced while the House of Representatives demonstrated independence in action and support for the populace. The Executive saw the judiciary as an arm of government it can always manipulate, if not dictate to. When the chips were down, and a conflict between the Presidency and the people became inevitable, the Executive decided to get the courts to endorse its actions.

The main route for it was to shop for a judge or judges willing to stake the credibility of the judiciary by granting an *ex parte* order restraining the Nigerian citizenry from exercising its right to publicly protest its feelings or reject an injurious government policy.

In the follow up to the fuel price increase, and in its aftermath, many lawyers had spoken quiet clearly against the fuel price hike, while some had organized public protests against it. The umbrella organization of lawyers in the country, the Nigeria Bar association (NBA) had on December 19, 2011 held a press conference during which it warned government not to toy with fuel prices. Mr Olisa Agbakoba, a leading lawyer and president of the NBA from 2006 to 2008, seemed shocked at the government decision.

He told the press: "It is unfortunate. I am highly disappointed that government disregarded public outcry against fuel subsidy removal. There are on-going public consultations on this issue and it was even debated at the National Assembly without any conclusion. I expected President Jonathan to have waited for the legislators to return from their Christmas break before taking any action on the issue...In spite of the fact that there have been scientific arguments by the government on the need to remove the subsidy, it should not have been imposed on Nigerians. The opinions of the people must be respected in a democratic system...If strike is the only way that the government can readjust the situation, then we have no choice. But at the end of the day, it is the common man who

suffers. I hope the government can deal with the situation and avoid the strike, but if it the strike is inevitable, so be it.

I must say that it is a very bad start in the New Year...Government should always weigh a decision, if the government was economically justified to remove the subsidy which I do not accept, must it be now. When you count the cost of social destabilization, what is the point? I would have personally recommended that the government take a look at what has happened and say that this issue of deregulation requires further and careful study, allow the National Assembly to come back from Christmas break, let them make their input and let there be further consultation with Nigerians at all levels. And then if it must be regulated, then we would be prepared to take the pains knowing that the government has sold us the story.

‘The question I ask is if a particular politician is campaigning, is this the way he would campaign? Would he not want to seek my consent to vote for him? So, President Jonathan should have sought a campaign mode in this approach and go round the country explaining why it is important that we all tighten our belt. Then if we go along with him that is what democracy is all about.’ To now impose a decision, made in Abuja contrary to the national wish of Nigerians is totally ill conceived. It goes against the tenets of democracy. And I am very shocked that in spite of the consultations that President Jonathan had with us, they still went ahead and did it. I know that because I am in the oil and gas sector, I know that by the time fuel reaches the pump, Petroleum Product and Price Regulatory Agency (PPPRA) has already paid the subsidy or would have earmarked the subsidy for payment to the marketer. So, my question is, the petrol that went from ₦65 to ₦141 overnight, is it the petrol that was just imported, or is it not the petrol that was in the pump since last year? ‘We need to know all these questions because I am surprised that the price just jumped up. If it is old petrol it should not go to government paying the fuel subsidy directly. Why are they punishing Nigerians like this? And that tells you that the policy have not been well thought out. But it is never late”.

Prince Bolasodun Abdul-Jabbar Adesumbo Ajibola, the 78-year old former judge at the International Court of Justice in the Hague, Minister of Justice and Attorney General of the Federation from 1985 to 1991 is well known for his measured words. But in this case, he seemed shocked by government action. He called the press to his Asero residence in Abeokuta and declared that the subsidy removal is a time bomb given the mass poverty in the country and the security situation: “With all these socio-political and ethno-religious equations prevailing

at the present time in the country, Mr President, you have now added a new dimension of economic nature to them by this removal of so called oil subsidy just at the end of the year while everybody was wishing everybody 'a happy and prosperous New Year' I think that it is not politically expedient to take all these problems together at the same time. You (President) have been badly advised having regard to the fact that both in the North and South, about 73 per cent of the population living in the country are poor and the removal of the oil subsidy will patently and immediately increase their sufferings in real terms. So why should anybody in his or her own right senses advice you to ignite this time bomb by blowing your own time rocket all at the same time, left, right and centre."

The nervousness in the land as it moved towards mass protests was emphasized by another leading lawyer, Wahab Shittu who told the press:

"I don't want to encourage protest. Nigerians are being pushed to the wall, what is being done is insensitive to Nigerians. This is not the right time to remove fuel subsidy. There is a lot of suffering in the land and it should not be compounded by government to make life unbearable for Nigerians. You should watch out for the reactions of these critical bodies in the days ahead. I am not calling for protest, but I am advising the government to reverse the price. Whatever the merit of removal of the fuel subsidy is, the timing is very wrong and insensitive. This is not the time to carry out the removal. We are just entering the New Year and the tension is high throughout the country, you don't need to add to that tension by more increase to price of petroleum and the hardship in the country .Already, we have bombing across the land. You don't use this period in time to now increase the price of petroleum product".

On behalf of Labour, I reached out to a number of lawyers and had long discussions with some of them like Dame Carol Ajie on how lawyers could be mobilized for the strike. The NBA President, Joseph Bodunrin Daudu, a Senior Advocate of Nigeria (SAN) was in Kaduna during the New Year period, I got in touch, thanked him and his leadership for their principled position and asked for a formal meeting between labour and the NBA. He was for it but felt with his being in Kaduna and some of his executive members not being around, it might not be immediately possible, but he assured me that the NBA was irrevocably committed to the Nigerian people, was confident that the Labour Movement would do what is right and necessary and that we could count on the NBA as a dependable ally.

True to his promise, on Thursday, January 5, 2012, a day after labour called for a general strike and mass street protests, the 79-year old NBA with eighty eight branches and about 55,000 members under Daudu issued what turned out to be the most inspiring solidarity message in this struggle for a better Nigerian society. In the statement, appropriately titled Holding Government accountable and responsive to the People, the NBA said:

“On the 19th of December 2011, the Nigerian Bar Association at a press conference in Kaduna, Nigeria cautioned against the removal of subsidy among other issues. The Bar gave reasons why the proposed subsidy removal was premature and advised Government to adopt a different strategy in the matter. We warned as follows: “Government appears adamant in the quest to remove this subsidy. The people are equally resolved in its opposition to the removal of subsidy. Nigeria is up for rough times ahead. The time has come for a final determination whether those in Government derive their power from the people or whether they are independent and owe their stay in power to other entities other than the people. We foresee a victory and liberation for the people of Nigeria, while those pushing for deregulation in the present form will depart with more than a bloody nose.”

The impression given by Government was that the issue will be debated and the views of Nigerians properly considered. Government led her people to believe that the earliest time any possible action would be taken in the direction of subsidy removal was the 1st of April 2012. Instead, Government took advantage of her people's distress arising from the Christmas bombings and killings by the Boko Haram terrorists and insensitively caused the Petroleum Products Pricing Regulatory Agency (a creature of statute) to announce the withdrawal of petroleum subsidy, thereby escalating the price of PMS from the already suffocating ₦65 to the unbearable range of ₦141- ₦250.

Nigerians have in the past 4 days reacted angrily to Government's action described above. It is considered not only premature, but wicked and insensitive. Nigerians have now concluded that their leaders are truly detached from the reality of economic hardship endured by Nigerians. This is so because virtually all high Government officials and their families feed and live off tax payers' funds, yet they enjoy outrageous salaries and other emoluments. In some cases the amount budgeted for feeding and catering is as much as ₦1billion. Government officials travel limitlessly round the world for the flimsiest of reasons collecting estacode in billions even where the object of most of these journeys can be achieved by simply browsing the internet. Consequently Nigerians have reacted spontaneously to this unwise and ill-motivated maneuver by demonstrations and other forms of protest nationwide.

Government clearly does not understand the seriousness of the situation. It has failed to understand that all Governments be they dictatorial or otherwise enjoy power because the people allow it to remain in power. No Government can outlast the will of the people. It is clear that Nigerians do not and will not tolerate subsidy removal under the terms and conditions set out or laid down by Government. Any removal of subsidy based on the importation of petroleum products is unacceptable to Nigerians. Government must create the infrastructure for the refining 100% of petroleum products in Nigeria and by Nigerians. It had been done in the past, it was sabotaged, and it can and will be done again.

The response of Government has been to say that there is no alternative to the removal of subsidy; with all due respect there are many alternatives.

1. If government should apply half the vigour with which it has pursued the issue of the removal of subsidy to the eradication of corruption in all the arms of Government and in society in general then trillions of Naira would be freed up for developmental projects.
2. Government should identify areas of wastage in governance such as the allocation of largesse and booties in the name of allowances and withdraw same forthwith.
3. Government must embark on a re-orientation of its own values and ethics and those of Nigerians.
4. Law and order must be enforced in accordance with the Rule of law.
5. And many other urgent and indeed numerous measures.

Where and if Government persists on this suicidal course of action, the options open to the people are limited but clear.

They include:

1. A call on the National Assembly to officially and formally declare its position on the removal of fuel subsidy.
2. If as we believe the National Assembly sides with the People, then it must in the same transaction call on the President to rescind or reverse its actions on subsidy removal.
3. Should their call not be heeded by the President then National Assembly should seriously consider impeachment proceedings; the president having

lost the confidence of Nigerians to continue to rule or lead them.

4. If the Legislators fail to take the desired actions then Nigerians will commence the constitutional process to recall them.

The Nigerian Bar Association believes in the Constitution of the Federal Republic of Nigeria and the Rule of Law. Where her elected officials believe that Government and governance have become private property run at the master's whims and caprices, then the time has come for these officials to be reminded that that the people are in charge. It must be mentioned that it appears to be more than a coincidence that Government chose to remove subsidy at a time when the nation was reeling and mourning from the activities of anarchists and terrorists. Be it noted that Nigerians will not be cowered either from the activities of terrorists or those of an insensitive Government. We shall deal with and resolve these issues with or without Government.

The Nigerian Bar Association had since the purported removal of fuel subsidy been in active consultation with the NLC, TUC, NMA and other professional bodies and civil societies. I have also consulted widely with the Branches of the NBA and other senior members of the Bar and our position is unanimous as follows:

- i. That NBA supports and associates itself with all the actions contained in the NLC/TUC communiqué referred to above. For the avoidance of doubt, all members of the NBA shall participate in the nationwide strike commencing on the 9th of January 2012.
- ii. The strike shall be comprehensive with all lawyers withdrawing their services from courts and elsewhere except as it is necessary to facilitate the continuation of pressure on Government to rescind its actions.
- iii. All branches of the NBA are directed to constitute teams of able and dedicated lawyers to assist free of any charge persons who may be unlawfully arrested or manhandled during the period of protest.
- iv. Lawyers should ensure that they monitor the response of government particularly any breaches of fundamental human rights or the protocols of international criminal law for the possibility of prosecution of errant and exuberant officials before appropriate international criminal tribunals.
- v. NBA supports the position of NLC/TUC that there should be no negotiation with the Belgore Committee or any other agent of government on this or any other allied matter because there is in reality nothing to negotiate. The minimum

position is the immediate reversal of this provocative and uncalled for increment of petrol.

- vi. NBA notes that the said increment will regardless of the much touted palliatives destroy what is left of the lives of Nigerians. The level of dishonesty and disorganization in the country at this moment will only ensure that the said palliatives are frittered away. Before public transportation can be embarked on, Government must set at least 18 months planning National, State and municipal routes determined by passenger density and other modalities. It must have a commercial policy in place to ensure the continuity and uniformity of such a program. Government from all indication does not believe in planning. Government is not serious about the business of governance.
- vii. NBA stands with the people and it is ready to put all its resources at the disposal of good governance and the rule of law.

Conclusion

“It is unfortunate that the people must at this point in time be forced to confront government as a result of the latter’s unviable and self-serving economic policies. Government is not in the business of making a profit for itself and her cronies and sponsors who are in the oil trade. If anything untoward happens in the course of this protests then the blood of innocent Nigerians is on the head of President Goodluck Jonathan. In every democracy, a leader or leaders must rule or govern according to the will of the people. No leader has a monopoly of knowledge or wisdom over and above that of the people that put him there. At all times government must remain responsive and accountable to the will of the people or face the consequences”.

This was an unapologetic, patriotic, bold and ringing indictment of the Jonathan administration and the Presidency had very few friends willing to speak for it. Most of those who do, and place adverts in the media are faceless, but one of those who decided to race to the Presidency’s defence was the Attorney-General of the Federation and Minister of Justice, under the Obasanjo administration, Chief Bayo Ojo (SAN) He was a gubernatorial aspirant on the platform of the ruling PDP in the Kogi State, and President of the NBA in 2004 and 2005.

Aware of the credibility of the NBA, its professional and moral authority, and conscious of the devastating critique of the Jonathan administration, Mr Ojo’s tactics was to challenge the authority of the NBA leadership and give the

impression that there is division in the house. He issued a statement titled, NBA can't boycott the courts over removal of subsidy in which he said:

“My attention has been drawn to media reports purporting that the President of the NBA, Mr. Joseph Daudu , has called on all members of the association to boycott the courts as from January 9, 2012 over the withdrawal of the subsidy on petrol by the Federal Government.”Although I normally would not like to join issues with colleagues in the media, it has become imperative to correct certain misconceptions contained in the said reports since Daudu has not come out to deny what was attributed to him in the media on the planned involvement of lawyers in the matter.”As a past president of the association, I must say without any equivocation that the NBA is not a trade union, hence my resolve to intervene at this point.”Furthermore, Daudu ought to convene an emergency meeting of NBA NEC to deliberate over any planned involvement of the association and as a life member of NEC, I know that no such meeting has taken place.

“Since it is obvious that Daudu was not quoted out of context, I want to assume that his statement was an honest mistake and he will reconsider the issue. Daudu has discharged his duties creditably up till this moment and he should not allow an emotive issue to distract him from the creeds of the Bar and following the path of due process.”

In a swift reaction, the Publicity Secretary of the NBA, Mr. Emeka Obegolu told the press: “The NBA president did not take a unilateral decision concerning the strike. We have made our position known in the communiqué issued after the NEC meeting held in Eket, Akwa-Ibom State in which we suggested a phased deregulation. The statement issued by the NBA on the subsidy removal was a follow-up on the Eket NEC meeting and as president, Daudu is the only person authorized to speak for us. Whatever he says is binding on all.

Chapter 5

The House For The People, Senate For The Presidency

The fuel subsidy removal debate was on the front burner as the country joined the rest of humanity for the End -Of -Year and New Year holidays and festivities. It was so topical that before the break, it was tabled at the National Assembly. While the Senate was ambiguous about its position, the House Of Assembly made it clear that it would stand by the populace on the matter. The Senate leadership under its President, David Bonaventure Mark, a retired Army general and major beneficiary of military rule, was known to be in bed with the Executive and seemed determined to remain there no matter the situation.

In contrast, the public perceived the House Of Representatives led by RT Hon Aminu Tambuwal, a three-time legislator as being proactive and sensitive to the yearnings of the populace even if this may offend the powerful Presidency. The sharp contrast in the two chambers was reflected in their statements, actions (or inaction)and positions following the sharp increase in the price of petrol (PMS) following the removal of the subsidy.

The Senate statement was issued by its Chairman, Committee on Information And Media, Senator Enyinnya Abaribe (Abia South) who was Deputy Governor of Abia State under Chief Uzor Orji Kalu before his impeachment. He said;

“The Senate heard of the commencement of (the) full deregulation of the downstream sector of the petroleum industry by the express and immediate removal of subsidy on Premium Motor Spirit (PMS) by the PPPRA. The Senate is yet to take a final decision on the issue.”This gave the impression that the august body was not consulted and that it had not taken a position on the matter. But his declaration that “the Senate will always support every effort of the President to make life better for the Nigerian people, so long as such efforts would be in the interest of the vast majority of the people,” revealed that the Senate leadership had taken sides with the Presidency.

It appeared that the primary concern of the Senate was not the unreasonable increase or its harmful effects on the populace, but its fear of the people's reaction:“The Senate is concerned over the impact of a total shut down of the

national economy, which the threat of strike action by organized labour will cause. The Senate is also worried that the Nigerian people especially the ordinary ones would ultimately be at the receiving end of the planned strike and mass protest. Of utmost worry to the Senate of the Federal Republic of Nigeria is that such protest and total shut down of the country portends greater danger to the polity especially in the face of prevailing security situation.”

The pretense about a concern for the people in the eventually of a strike merely masked the fears of the leadership, as for the mass, they were down and they had no fear to fall. Although aware that the Presidency had aborted the dialogue process and imposed its will on the populace, the Senate statement tried to portray the labour as a belligerent group that needs to embrace dialogue “the Senate appeals to Organised Labour- Nigeria Labour Congress (NLC) and the Trade Union Congress (TUC)- to reconsider their stand and continue with dialogue, which the Presidency has expressed its readiness to so do. Labour must of necessity explore the dialogue table and for the sake of Nigeria explore the opportunities provided by the readiness of government to further negotiate.”

Perhaps conscious of the fact that Labour could see through its pretence and ignore its appeal, the statement added: “The Senate therefore, calls on well-meaning Nigerians to intervene in order to avoid further deterioration of the already precarious situation. The senate however appeals to the government and labour to put the interest of Nigeria first in trying to resolve the impasse.” The government was aware of the “precarious situation” before it decided to plunge the country into further chaos. This was the import of the NLC’s New Year statement in which the Congress called “on government to redirect the country’s attention from the so called fuel subsidy debate to a united action against an increasingly sophisticated terrorist group that wears the garb of religion” It had also argued that “to meet the security challenge, the country needs to provide mass employment for the large army of the unemployed; provide unemployment benefits so that every Nigerian citizen can be guaranteed at least a meal a day; increase, rather than reduce social spending and provide mass education and enlightenment for the citizenry.” All these were pointedly ignored; rather than heed this type of advice, which by the way, was not new, government decided to pour petrol on a combustible situation. So the Senate was saying nothing new; rather than muster the courage to tell the truth to the presidency, it preferred to put pressure on the victims while massaging the ego of the oppressor.

While the Senate statement was an exercise in ambiguity and conspiracy against

the people, the statement by the House was direct and straight forward. Issued by its Deputy Chair, House Committee on Media and Public Affairs, Victor Oghene, a journalist, the three paragraph statement read:

“The House of Representatives notes the decision of the Executive regarding the total removal of subsidy on Premium Motor Spirit (PMS) and the subsequent reaction of a cross section of Nigerians. “It is worth repeating here that the House of Representatives has not taken any definite decision on the subsidy matter before it proceeded on a recess on December 20, 2011. “However, the House of Representatives will immediately, upon resumption on Tuesday, January 10, 2012, commence exhaustive deliberation and consultation with other stakeholders on the issue, and wishes to assure all Nigerians that as the elected representatives of the people, the outcome will be reflective of the views of majority of members.”

This was immediately followed up by calls for the House to immediately reconvene ahead of the Monday, January 9, 2012 date set by labour for the commencement of the mass rallies and street protests against the fuel hike. The Chairman, House Committee on Media and Public Affairs, Zakari Mohammed, declared:

“We are here to do the bidding of Nigerians; we are prepared to do whatever Nigerians want us to do. So far, they have said they do not want the removal of subsidy. As a House, we have long given our position on this matter. We do not support the proposal. We are on the same page with Nigerians as far as this issue is concerned.”

The Minority Whip of the House, Hon. Samson Osagie made a statement on Monday January 2, 2012 in which he indicated the direction the House leadership was moving:

“The announcement of a new regime for the downstream sector of the petroleum industry leading to the sudden hike in the pump price of Premium Motor Spirit (PMS) from ₦65 to ₦141 on a New Year day represents the height of insensitivity on the part of government. Granted that the debate was already becoming healthy and interesting but the sudden announcement of the take- off of the policy on a new year day after government has prevaricated on the possible take off date is suspect and smacks of some clandestine undertones of a possible foreign or external influence. We hope to stand with the Nigerian people as their representatives to stop this executive madness. A government does not wake up

and impose hardship on its people”.

Simultaneously, Honourable Saheed Akinade-Fijabi, (Ibadan North-West/South-West constituency) told the press in Ibadan:

“I think what Jonathan used was executive fiat. The House was on recess, and definitely there would be inflation in the country. The president should have asked the people what they want, not to put burden on them and I think this is a bad New Year gift. The majority of people travelling to their destinations are now stranded due to hike in fares. This is a nation of 200 million people and we are endowed with petrol and good resources, but our problem in Nigeria is still corruption. Now they have given opportunities to petrol stations to cheat us, but there must be way out.”

The Deputy Minority Leader, Hon. Abdurahman Kawu from Kano State vowed in the media: “We will use the law to stop this inhuman act. It’s another form of terrorism against Nigerians who are already impoverished. We will not fail to salvage them from this bondage and enslavement. This is another form of terrorism against the Nigerian people which we as their true representatives will not allow.”

The chairman of the House Committee on Capital Market and institutions, Hon. Herman Hembe, PDP Benue wondered: “How can the government be so insensitive as to bequeath hardship to its people as a New Year gift? Why should the ordinary Nigerian be made to suffer for the failure of past governments? This action is patently wrong and if it means for us as a parliament to lead a protest against it, we will do that. Our constituents who are already impoverished cannot afford this new hardship being imposed on them by the executive. It is unacceptable to me and many of my colleagues in the House of Representatives.”

That many Honourable members of the House were angry was clear, but beyond their personal views, it was clear that since they were on recess and many might be with their constituents, the pressures of the masses could not be resisted: they had smaller constituents in comparison with the Senators so are theoretically, closer to the people who might accuse them of compromising with the Presidency. These were some of the issues that concerned the Honourable representing Ekiti North Federal Constituency I, Mr. Bimbo Daramola, who told the Tribune on January 2, 2012:

“As you are aware the National Assembly is on recess. Our position on whether subsidy should be removed or not has already been presented to the president. “Normally, what should follow is a continuation of dialogue in respect of that but that, is not to be. A bird cannot fly with a wing. It needs two to do it, but in its own wisdom, the executive has decided to press ahead with the removal to prove that the parliament does not count in the scheme of governance in the country.” “How do we present this to our constituents down home? How do we defend the fact that we were not a part of the latest scheme to impose on them another round of inexcusable fleeing?”

Most Senators were silent, but a some like the Vice Chairman of Senate on Niger Delta Affairs, Senator Nurudeen Abatemi-Usman voiced concern on the issue especially the pains it was causing the populace. The House had on Thursday, December 15, 2012 adjourned for the Christmas and New Year holidays. It was scheduled to reconvene on January 10, 2012. But given the strike and protests scheduled to commence on Monday January 9, 2012, many members felt the House should reconvene before that date. The Labour unions and their allies had met five days earlier on Wednesday January 4, 2012 and declared the date. Consultations and announcement for the House to reconvene were only possible on Thursday and Friday leaving only the weekend for travels and an emergency plenary session of the 360-member House. The only practical day for the House to reconvene was Sunday January 8, 2012. A Sunday seemed an impracticable day to meet; many members were Christians and in a country where religion had been consistently manipulated for private political gains, it seemed suicidal for the House leadership to convene it on that day. But for the sake of the Nigerian people and state, they were ready to take the risk; didn't the Bible say the Sabbath was made for man and not man for the Sabbath.

On Friday January 6, 2012, the Chief Whip of the House, Honourable Ishaka Bawa and Minority Whip, Honourable Samson Osagie , addressed the press saying: “We are aware of the situation in the country today and as a parliament, we feel obliged as representatives of the people, as a chamber who is representing 150million people in this country, we felt though we are on recess, we feel obliged and directed by the Speaker based on request by the leaders of the political parties in the House of Representatives, to reconvene this house on January 8 at 3:00pm on Sunday to discuss issues of emergency affecting the country at large and we come under the express position of Order 5 (18) sub rule 2 of the House of Representatives Standing Rules”.

As expected, some mischief makers tried to use this for propaganda; text messages were sent to some members that the Honourable Speaker Aminu Tambuwal is a Muslim, and that convening the House on a Sunday, he was pursuing a religious agenda. But this cut no ice with the populace. Some of them also claimed that the meeting date showed that the House leadership was desperate to discredit the Presidency; but the facts on the ground were that institution had discredited itself before the populace and that the House was actually trying to save it and the country. Political jobbers moved in, some governors put pressure on the House leadership not to reconvene; can't Speaker Tambuwal emulate Senate President David Mark who is still holidaying somewhere in the world, or the House borrow a leave from the Senate which is still snoring through the holidays? The refusal of the House leadership to bow to these pressures heightened the propaganda war in which the two major sides the Presidency and Labour threw in all they had.

On the eve of the House reconvening, President Jonathan again personally took to the air waves; his second in one week. His mission he said, was to explain things to the Nigerian people; after first highlighting on-going security challenges and the menace of the Boko Haram sect, he told the Nigerian people in the nationwide broadcast:

"This evening, I address you, again, with much concern over an issue that borders on the national economy, the oil industry and national progress. As part of our efforts to transform the economy and guarantee prosperity for all Nigerians, Government, a few days ago, announced further deregulation of the downstream petroleum sector. The immediate effect of this has been the removal of the subsidy on petrol since the announcement, there have been mixed reactions to the policy. Let me seize this opportunity to assure all Nigerians that I feel the pain that you all feel. I personally feel pained to see the sharp increase in transport fares and the prices of goods and services. I share the anguish of all persons who had travelled out of their stations, who had to pay more on the return leg of their journeys. If I were not here to lead the process of national renewal, if I were in your shoes at this moment, I probably would have reacted in the same manner as some of our compatriots, or hold the same critical views about government. But I need to use this opportunity as your President to address Nigerians on the realities on the ground, and why we chose to act as we did. I know that these are not easy times. But tough choices have to be made to safeguard the economy and our collective survival as a nation."

He claimed that the two choices Nigerians have are either “we deregulate and survive economically” or refuse deregulation “and face serious consequences.” The General Ibrahim Badamosi Babangida dictatorship (1985-1993) following the dictates of the International Monetary Fund (IMF) had removed all subsidy on petroleum products in the name of complete deregulation of the downstream sector. Of course with the continued devaluation of the Naira and the failure of Government including the Jonathan administration to refine petroleum products, subsidy, like untreated cancer soon re-grows. The President was not interested in this historic facts or the truth, so he tells the nation:

“Previous administrations tinkered with the pump price of petroleum products, and were unable to effect complete deregulation of the downstream sector. This approach has not worked. If it did, we would not be here talking about deregulation today. I understand fully well that deregulation is not a magic formula that will address every economic challenge, but it provides a good entry point for transforming the economy, and for ensuring transparency and competitiveness in the oil industry, which is the mainstay of our economy.” After this, he wove the same yarn as the Babangida and Abacha dictatorships:

“I have a duty to bring up policies and programmes that will grow the economy and bring about greater benefits for the people. Let me assure you that as your President, I have no intention to inflict pain on Nigerians. The deregulation of the petroleum sector is a necessary step that we had to take. Should we continue to do things the same way, and face more serious economic challenges? Or deregulate, endure the initial discomfort and reap better benefits later? I want to assure every Nigerian that whatever pain you may feel at the moment, will be temporary. The interest of the ordinary people of this country will always remain topmost in my priorities as a leader. I remain passionately committed to achieving significant and enduring improvements in our economy that will lead to sustained improvement in the lives of our people.

I am determined to leave behind a better Nigeria, of which we all can be proud. To do so, I must make sure that we have the resources and the means to grow our economy to be resilient, and to sustain improved livelihood for our people. We must act in the public interest, no matter how tough, for the pains of today cannot be compared to the benefits of tomorrow” This sounded like Babangida’s 1986 speech when he imposed IMF Conditionalities on the Nigerian people. The cunning general had in fact pronounced that his regime had for the good of tomorrow, sacrificed today; the same worn out and wrinkled calls for patriotism

for which the people make all the sacrifices, and the leaders reap all the benefits. Contrary to the promises that the pains of the people will be temporary and that they will reap the benefits, the pains continue for decade after decade and the populace become the worse for it.

The President declared that:

“The interest of the ordinary people of this country will always remain topmost in my priorities as a leader. I remain passionately committed to achieving significant and enduring improvements in our economy that will lead to sustained improvement in the lives of our people. I am determined to leave behind a better Nigeria, of which we all can be proud. To do so, I must make sure that we have the resources and the means to grow our economy to be resilient, and to sustain improved livelihood for our people. We must act in the public interest, no matter how tough, for the pains of today cannot be compared to the benefits of tomorrow.”

All these sounded hollow and I am not sure either the President nor his speech-writers expected Nigerians to believe in such promises. He told the nation that “To save Nigeria, we must all be prepared to make sacrifices”. He went on to outline the “sacrifices” his administration will make: “On the part of Government, we are taking several measures aimed at cutting the size and cost of governance, including on-going and continuous effort to reduce the size of our recurrent expenditure and increase capital spending.

In this regard, I have directed that overseas travels by all political office holders, including the President, should be reduced to the barest minimum. The size of delegations on foreign trips will also be drastically reduced; only trips that are absolutely necessary will be approved. For the year 2012, the basic salaries of all political office holders in the Executive arm of government will be reduced by 25%. Government is also currently reviewing the number of committees, commissions and Parastatals with overlapping responsibilities. The Report on this will be submitted shortly and the recommendations will be promptly implemented. In the meantime, all Ministries, Departments and Agencies must reduce their overhead expenses”. Some of the “sacrifices” such as reducing recurrent expenditure are part of the promises made over time while the specific one about political office holders cutting their basic salaries by 25 per cent was a joke. First the cut did not affect the allowances which is where the bulk of salaries are. Secondly, such a cut had no significant way of affecting the economy, so it was just a symbolic gesture.

Thirdly, it is a well-known fact that political office holders in general do not rely on their salaries; the waste to the public comes in the perks of office. The President also told Nigerians that: “To ensure that the funds from petroleum subsidy removal are spent prudently on projects that will build a greater Nigeria, I have established a committee to oversee the implementation of the Subsidy Reinvestment and Empowerment Programme. I sincerely believe that the reinvestment of the petroleum subsidy funds, to ensure improvement in national infrastructure, power supply, transportation, irrigation and agriculture, education, healthcare, and other social services, is in the best interest of our people.”

This again is playing the same tricks the military played on Nigerians. The military regimes would take anti-people decisions that are injurious to the wellbeing of the citizenry and then set up some extra ministerial committee to spend what ordinarily should be normal budgetary provisions. So the Babangida regime said the “savings” from the fuel subsidy removal would be used to develop infrastructure, roads and the rural areas, so he established a “Directorate” under Marshal Larry Konyan. In the case of the Abacha regime, it established the Petrol Task Force under retired General Mohammadu Buhari.

Reacting to this portion of the broadcast, the former Deputy Governor of Ogun State, Gbenga Kaka who represents Ogun East in the Senate retorted that:

“Making provisions for the wellbeing of the people as contained in the Constitution cannot be referred to as palliatives to be provided by a special committee. They are the legitimate rights of the people.” To address the astronomical increase in public transportation engendered by the fuel price, the President announced:

“Tomorrow, 8th January, I will formally launch a robust mass transit intervention programme to bring down the cost of transportation across the country. The programme will be implemented in partnership with state and local governments, labour unions, transport owners, and banking institutions, and supported with the provision of funding at zero interest rate as well as import duty waiver on all needed parts for locally-made mass transit vehicles, which will create additional jobs in the economy. We will keep these incentives in place for as long as it takes.”

If he thought this would mellow the people or take the sail out of the planned protests, he was gravely mistaken as people were used to this old trick of the ruling elites. The 1,600 buses that amounted to the government’s “robust mass

transit intervention” were mainly buses parked over a long period by a previous government and no sooner were they launched , many broke down. In a country of 167 million people lacking mass transit like the railways, how can the throwing of such number of buses mainly in Abuja be a serious issue except that it was a mere propaganda tool.

That night of the President’s broadcast, my Trade Union Of Nigeria (TUC) counterpart, Comrade John Kolawole and I issued a joint statement titled “President Jonathan’s Broadcast Does Not Address The Issues” in which we said:

“The Nigeria Labour Congress (NLC) and Trade Union Congress (TUC) listened to President Goodluck Jonathan’s broadcast to the nation tonight. The speech is undoubtedly due to the resistance of Nigerians to the unreasonable increase in PMS (petrol) prices and the planned national strikes scheduled to begin on Monday January 9, 2012. So the President having to address Nigerians, is the first gain of the planned protests. But the President’s address follows the pattern of other documents(like the SURE Programme) by his administration; long in rhetoric but short on basic issues. For instance, the major anchor of the broadcast is that salaries of political officeholders are to be cut by 25 per cent. But he failed to tell us how much this will amount to. Is this a mere symbolic gesture or a fundamental contribution to economic recovery?

He also talked about his administration holding meetings with transporters to reduce fares. We see this as a populist statement that has no foundation in reality. If a transporter who used to buy petrol at N65 per litre now buys it between ₦141and ₦220, what appeal can be made to him not to increase his fares by a high percentage? How do you “deregulate” the economy and hope to regulate transport fares by private operators? In any case, transport fare is just one of the items that shot up. Prices of basic commodities like food have also increased, and there is a fuel price hike-engineered hyper inflation in the country.

The President should have reversed the price of PMS to ₦65 which would have automatically reduced rising tension in the country. The President also promised the completion of rail lines and infusion of buses into the transport system. It is like putting the cart before the horse; these measures should have been put in place before the astronomical increase in petrol price. We reiterate that Nigerians cannot afford the high fuel prices and will not accept the hyper inflation this misguided policy has created. President Jonathan lost a great opportunity in his broadcast by sticking to his guns; that the unreasonable increase in fuel prices

will remain. The Labour Movement and its allies on behalf of the Nigerian populace reiterate that the broadcast has changed nothing and that the indefinite strikes, rallies and mass protests scheduled to commence nationwide on Monday 9th January, 2012 will go on.

The will of the Nigerian people must prevail over that of any government in power". The next morning, Sunday January 8, 2012 which was the date for the emergency House meeting was a flurry of activities as we put final touches to the planned protests. I called up virtually all the protest coordinators in the thirty six states and a number of our civil society allies including the energetic and consummate mass mobilizer, Biodun Aremu, the Joint Action Forum (JAF) scribe who was going to play a pivotal role in Lagos, the commercial capital of the country.

I had known Aremu in his student days in Ilorin. But we did not become close until the annulment of the June 12, 2012 Presidential elections won by business mogul, Chief Moshood Kashimawo Abiola. We were not Abiola's supporters, but we felt that the military must not be allowed to get away with such a crime, so we joined in organizing the mass pro-democracy protests. While I operated from the Mafoluku-Oshodi-Ikeja axis, his task under Dr. Frederick Fasehun, who later founded the militant Oodua People's Congress (OPC) was to mobilize and move the volatile Mushin axis. We lost quite a number of people including 118 protesters on the second day of the July 1993 protests due to the mindless slaughter by the Babangida regime, but that dictatorship did not survive.

Labour and its allies had held six national protests between 2000 and 2007 against ruinous government policies all triggered by astronomical increases in the prices of petroleum products, and in five of those strikes and protests, I had the task of ensuring their success in Lagos and Aremu had always coordinated our Labour allies. But this time, I was to coordinate the protests nation-wide while he stayed in Lagos. Somehow I felt some pity for him because we had in previous Labour protests worked together to solve naughty issues during protests especially the challenges posed by the street toughies called 'Area Boys' who were sometimes armed. Now he was to handle them without me, I extended my solidarity and 'sympathy' while wishing him good luck. Since the House was to convene early afternoon after church, we had to meet the House leadership before it set out to the National assembly.

The Labour team led by the Congress President Abdulwahed Omar was running behind schedule by the time we located the Speaker's residence in Maitama.

Immediately our convoy hit the street, the gates were flung open and the guards insisted we parked inside the rather small premises. The Speaker, Rt Honourable Aminu Tambuwal stepped out to receive us. We were ushered into a small committee room which also seemed to serve as the dining room. Some of the Honourable members who were labour leaders were also present. It was clear that the Speaker was under some pressure; we thought we understood why, and offered the solidarity of the Nigerian people to him and his colleagues. We told them that it was public knowledge that top politicians, senior Presidency officials and some governors had been let loose on the House trying to pressure them against convening the House that day. As we sat at the meeting, it was not lost on the Labour delegation that our country was going to face serious challenges in the next couple of hours. As concerned and patriotic as we were, we realized that the solution was not in our hands, or rather, that we constituted only a part, while the body that constituted the other part was the Presidency which rather than seek a resolution, was bent on imposing its externally-induced will on the Nigerian people.

Hon Tambuwal told us that he had no choice in the matter as he had to bow to the wishes of his colleagues who were in turn, bowing to the demands of their constituencies. We briefed the gathering why the strikes and protests had become inevitable. He seemed anxious to explain that the House understands the position of Labour but that it does not want the strike and protests which is one of the reasons why it was convening; it hopes to arrive at a win-win solution for Government and Labour, and by extension, for the Nigerian people. He asked us to be open to dialogue and keep the channels of communication open. We so promised, and jumped out for our own meetings while the House leadership prepared for what became an historical emergency session.

Deputy Speaker, Hon Emeka Ihedioha in reflecting on this emergency sitting said: “The timing of the removal of subsidy from petroleum products by the executive was most inauspicious. It came at a time when majority of Nigerians were in their various villages and communities for the Christmas and New Year festivities. They were trapped and stranded as they could not afford the huge escalation in fuel price which moved from ₦65 to ₦140 per litre of petrol in the average Nigerian community. No one anticipated such sudden sharp increase as Nigerians had planned the budget for their trips based on existing cost parameters and indices. People were thus thrown into unavoidable economic turmoil and even reduced to the level of destitution and beggary. As the representatives of the people, we were inundated with barrage of calls and protestations from our constituents all over the country on their worsening economic situation occasioned

by the subsidy removal. Confronted with such a terrible situation, the House of Representatives had to Convene an emergency session on a Sunday, January 8, 2012 (the first of its kind in our legislative history)”

In his address which set the tone for the session, the Speaker reported:

Honourable Colleagues,

1. On Thursday the 15th December, 2011, this Honourable House adjourned to reconvene on Tuesday, 10th January, 2012. This was to enable members join their constituents for the Christmas and New Year festivities.
2. Painfully however, after careful analysis of the state of the nation, (the) leadership of the House took counsel and resolved that the recess be cut short in the national interest. This emergency is summoned in consonance with Order5 (18)(2) Of the Standing Rules of the House of Representatives. Let me therefore formally welcome you into the year 2012 and commend you most sincerely for your swift response to this emergency call to reconvene ahead of the previous schedule date.
3. I wish to seize this opportunity to very specially commend the invaluable sense of maturity, understanding and restraint exhibited by the Christian members of the House of Representatives in connection with the most unfortunate and unwarranted 25th December, 2011 Madala Church bombing and spade of other acts of violence on churches elsewhere in which innocent people lost dear lives and limbs. By this act of restraint the objective of these enemies of Nigeria to falsely give religious coloration to their senseless terrorist escapades has been defeated. We the entire members of the House of Representatives deeply and most sincerely sympathize with the bereaved families and indeed the entire Nation. At this point may we all rise and observe one minute silence in honour of all these innocent souls.
4. At this juncture, let me reiterate that the National Assembly of Nigeria and the House of Representatives in particular is committed to upholding the fundamental rights of all Nigerians to live, reside and move freely in all parts of the country without molestation from any quarters. In the light of this, we call on all Nigerians wherever they are residing to resist any intimidation to migrate or flee in apprehension of the scare being created by those agents of meaningless violence and destruction as we shall render all support that the Executive require to protect lives and properties of all. This a constitutional duty from which we shall not abdicate.

5. As you are all aware certain recent developments of critical national concern, so utterly disrupted the socio-political equilibrium of our dear country that it became unconscionable, as representatives of the people, to continue on the recess, sincerely, it would amount to standing wisdom on its head for one to insist on continuing his siesta after due notice that his house is on fire, Honourable Colleagues, I am referring to the crucial issues of removal of fuel subsidy, declaration of state Of emergency by Mr. President and the unrelenting violence and acts of terrorism. That is why we are here.
6. Honourable Colleagues, as we take our-seats this afternoon, it is important to remind ourselves that the issues before us though weighty and critical are certainly not insurmountable. The survival of Nigeria as a united, indivisible, and prosperous nation is of crucial importance and must be factored into whatever positions we adopt on these issues. In a world of competing challenges and opportunities, it is simply critical that we remain focused on our non-negotiable goals of building a modern state where justice, economic prosperity and political stability reign supreme.
7. These issues have raised serious concerns amongst the generality of Nigerians but perhaps more so from the Nigeria Labour Congress (NLC) and other organized critical stakeholders: These concerns are not unfounded but we believed the options are not exhausted if we are not to unwittingly push the country over the edge. Therefore, as we deliberate. I want 'to plead with you my dear colleagues not only to respect the views of others but also understand that times like this call for true leadership. At this difficult period of our history, the nation's democratic tripod - the Legislature, Executive and Judiciary must approach legislation, governance and justice administration according to a set of principles that reflect a sense of permanent destiny of the nation.
8. There comes a time in the life of even individuals just as there comes a time in the life of nations when "it is demanded of the leadership to rise, to the occasion and take critical make or mar decisions - I believe we are in such times today. We must make decisions because while posterity may judge us harshly for inappropriate decisions, a much harsher judgment awaits us for failure to decide at all, for in the latter case, we would be promoting a dangerous drift whose terminus is better imagined.
9. I am confident, dear colleagues, that if the overall National interest and the welfare of the majority of Nigerians is the springboard for our decision, we would have thereby discharged our mandate for the common good.

10. May the Almighty God grant us divine guidance and counsel as well as the courage and will this day and always to do that which is right in the promotion of national peace, prosperity, equity and justice.

11. It is well with Nigeria.

Thank you all.”

The motion that the House demand the Executive to reverse the new petrol (PMS) price was sponsored by Hon Yusuf Tajudeen, PDP Kogi and backed by sixty one other Honourable members. Hon Tajudeen said the so called deregulation policy which is cited as the reason for the fuel hike; “requires in-depth consultation and proper timing. For peaceful co-existence, there is the need for more dialogue with Nigerians on the matter”.

However, as was expected, the Presidency was not without its supporters, so it was going to be a quite contentious session. The Honorable members who supported the fuel price hike included Hon Mulikat Adeola-Akande, the ruling party's preferred candidate as Speaker, and Ndudi Elumelu who had been embroiled in an energy controversy. A number of them were from the South-South region where President Jonathan and I come from. I was worried that the issue could be regionalized which would be tragic.

Hon Seriake Dickson, Peoples Democratic Party (PDP) governorship candidate in Bayelsa State was one of those who swarm against the strong currents. He argued that subsidy was a waste and drain on the economy, so the removal was necessary. Dickson advised President Jonathan not to listen to the voice of the people because; “Leadership is about taking decisions; it is not seeking cheap popularity. Governance is multi-tasking”

Hon Sokonte Davies (Rivers) said, ‘It is like we are trying to run away from the obvious; government is about multitasking; government must take different decisions at different times. This issue of fuel subsidy should have been solved at least 20 years ago, but we adopted what we call in economics gradualism, but we are here in this parliament today to advocate further gradualism. We know that the times are hard, but we must explain to our people. I stand on the removal of subsidy.”

After long, and sometimes contentious debates, the members unanimously agreed and passed the motion as amended. It stated that: “The House:

Noted that the Executive Arm of Government on 1st January, 2012 announced the removal of fuel subsidy resulting in the hiking of the pump price of the Premium Motor Spirit (PMS) from ₦65.00 per litre to over ₦140.00 per litre; Further noted that while deregulation as a Policy may not be altogether objectionable, the alternative to proper procedure and good timing of such policy is not only equally important but indeed imperative especially in a democratic dispensation; Worried that adequate distinction is not made between the Federal Government's contribution to the subsidy and the contribution of States and Local Governments;

Observed that as a result of this lack of distinction, the savings from the subsidy removal by the Executive is less than ₦500 Billion whereas the loss that would be occasioned by the Impending strike action would be over ₦500 Billion; Alarmed that at a time when Nigerians are mourning the loss of loved ones resulting from acts of terrorism and grappling with serious challenges resulting in the extreme measures of the declaration of State of Emergency in parts of the country, the Executive have chosen to introduce a policy as highly volatile as the removal of fuel subsidy; Insisted that the country must first exist harmoniously, before it can derive benefits of any public policy however critically beneficial and well intentioned such policy might be; Further insisted that a democratically elected government cannot and must not under any guise abandon dialogue; Amazed by the various revelations on the administration of fuel subsidy funds by overshooting expenditure in obvious violation of the Appropriation Act;

Resolved:

- i. to urge the Executive Arm of Government to suspend its decision on the removal of fuel subsidy in appreciation of the mood of the nation and allow more room for consultations;
- ii. to further urge the Organized Labour and other Stakeholders to suspend the intended strike action and submit to further dialogue on the matter;
- iii. to appeal to Nigerians to exercise restraint in expressing their displeasure over the removal of fuel subsidy in order to allow more room for dialogue and consultation to resolve the situation;
- iv. to set-up an Ad-hoc Committee to interface with the Representatives of the Executive and the Organized Labour with a view to finding a common ground on the matter and to report back to the House within one week;

- v. to further set-up an Ad-hoc Committee to verify and determine the actual subsidy requirements and monitor the subsidy regime;
- vi. to be guided by the report of the Ad-hoc Committee on actual subsidy requirements, the House shall invoke the law-making and appropriation powers of the National Assembly where appropriate, to make provisions that would-serve-the interest of the Nigerian people in the 2012 Budget;
- vii. to review existing laws and statutes on the subject with a view to involving critical stakeholders indecisions of this nature.
- viii. to urge the Nigeria Police and other Security Agencies to exercise utmost restraint and highest ethics in dealing with the citizenry in the face of the current crises in the country (HR. 01/2012).

Membership of Ad-hoc Committees:

- i. Ad-hoc Committee on the Interface between the representatives of the Executive Arm of Government and Organized Labour on the removal of fuel subsidy:

Mr. Speaker announced the following as members:

- 1. Hon. Patrick Ikhariale - Chairman
- 2. Hon. El-Badawy Hassan - Member
- 3. Hon. Onawo Ogoshi Mohammed - Member
- 4. Hon Aminu Suleiman - Member
- 5. Hon. Muraina Ajibola - Member
- 6. Hon. Peter Akpatason O. - Member
- 7. Hon. Ogbuefi Ozomgbachi - Member
- 8. Hon. Khadija Bukar - Member
- 9. Hon Essien Ayi Ekpenyong – Member

Ad-hoc Committee on the monitoring of Subsidy Regime: Mr. Speaker also announced the following as members:

- 1. Hon. Lawan Farouk - Chairman
- 2. Hon. James Faleke - Member
- 3. Hon. Owan-Enoh John Enoch - Member
- 4. Hon. Abbas Tajudeen - Member
- 5. Hon. Abubakar Sade - Member
- 6. Hon. Ali Ahmed - Member
- 7. Hon. Gerald Irona A. - Member

PICTURES FROM THE PROTESTS



Protest march in Garki, Abuja



Physically challenged lead protests on Abuja street

PICTURES FROM THE PROTESTS



Tuc President Peter Esele (left), NLC President, Abdulwaheed Omar, Hon. Dino Melaye and Comrade Isa Aremu at the protest



Second day of protest in Abuja

PICTURES FROM THE PROTESTS



A break for prayers; protesters take a break to pray on Abuja highway



Former Nigerian Musicians President, Charly Boy, leads protest

PICTURES FROM THE PROTESTS



Soldiers at protest in Abuja



Security men preventing protesters from marching



Police block highway



Protesters wave NLC flags at police

8. Hon. Eucharia Azodo - Member”

Immediately the House passed this motion, my TUC counterpart, Comrade John Kolawole and I issued a joint statement on behalf of the Labour Movement titled “House Motion is the Solution to the Fuel Price Increase Crises” In it we told the country that:

“The Labour Movement and its allies highly commend the Federal House of Representatives for its patriotic motion demanding that the Jonathan administration immediately suspends the astronomical increasing in the price of PMS (petrol). This motion if adopted by the Executive will immediately douse the explosive tension in the country and restore it to its pre-January 1, 2012 normalcy. We commend the House and its exemplary leadership for rising to the demands of the times, and in a bipartisan manner, seeking to steer the country away from a path that may have disastrous consequences.

The House of Representatives displayed exemplary leadership in not just cutting short its break, but also meeting on a Sunday. If other arms of governance work with the exemplary speed, seriousness, sensitivity and patriotic zeal as the House of Representatives did today; our country would be a far better place to live. The Labour Movement calls on the Senate to also rise up to the expectations of Nigerians by concurring with the House motion.

We hope and pray that President Goodluck Jonathan will listen to the loud voice of the Nigerian people which this motion has further ventilated by immediately suspending the fuel price hikes and allowing dialogue and consultation on the issue of fuel subsidy removal”. Until there was a clear indication from the Presidency that it was willing to abide by the House resolution, we thought that it was necessary to let the public know that the mass action had not been suspended, so we added three paragraphs under the sub title, “The Strikes and Protests Must go on” in which we stated:

The Labour Movement reiterates that the indefinite strikes, rallies and mass protests will commence across the country tomorrow Monday 9th January 2012. We ask Nigerians to disregard the disinformation by the Jonathan administration and its surrogates claiming that Labour has had a rethink on the strike. We reiterate that the right to peaceful protest is a fundamental one which no institution or force can abridge.

The Labour Movement commends Nigerians in the Diaspora for their support and continued protests. We also commend the Nigerians in the United States who plan to protest tomorrow morning against the fuel price hikes in front of the World Bank headquarters in Washington. The Breton Wood Institutions which include the IMF and the World Bank will not be allowed to dictate anti-people policies such as fuel subsidy removal to the Nigerians.”

The Presidency was visibly angry by the House resolution. The Justice Minister and Attorney General of the Federation, Mohammed Adokie dismissed the House resolution as merely “advisory” If Adokie was measured, Presidential Spokesman, Dr Reuben Abati was quite unrestrained. He told the media:

“That extraordinary session coming on the eve of an alleged attempt by some people to disrupt law and order could be interpreted in some quarters as an attempt to incite the Nigerian people against the government...It is most unfortunate that a House of Representatives will hold a special session on a Sunday” In an interview with the Punch Newspapers published a day after the House Resolution, Abati said;“What they have decided has no substantial effect whatsoever. Maybe it will have amoral effect and maybe people will now be quoting the House of Representatives as opposing the decision. If that is the case, the House of Representatives will know that it is inciting the people of Nigeria against the government of which it is a part. “If the House of Representatives has an input to make, it can do so when considering the budget. Even then I am not sure that the powers of the legislature go as far as dictating what should be the content of the budget.”

The House Of Representatives was livid by the remarks of the Presidential Spokesman. Its Deputy Chair, Committee on Media and Public affairs, Hon Oghene issued a blistering counter attack asserting the right of the House to meet on a Sunday stating:

“...ironically, President Goodluck Jonathan, GCFR, on the same Sunday after Church Service, launched the Federal Mass Transit Scheme. Ironically too, the Petroleum Products Pricing and Regulatory Agency, PPPRA, removed the contentious fuel subsidy on Sunday January 1, 2012...Abati’s description of the resolution of the House as a mere expression of opinion was lacking in judgment since it is now public knowledge that his boss, President Jonathan was made Acting President by a resolution of the National Assembly which he readily accepted in a broadcast to the nation. This statement by a presidential spokes-

man underscores the quality of advice available to the President from his aides in the running of government...to describe a patriotic attempt by the House to intervene on a vexed issue as the removal of fuel subsidy as an incitement is most unfair and uncharitable. So far that decision by the House has provided government and labour the most credible way forward to resolving the issue of the removal of fuel subsidy. The decision of the elected representatives of the people cannot be described as an incitement”.

Clearly, the Presidency was not ready for dialogue or any peaceful means of resolving the issues; it was prepared to take on the Nigerian people, and the battlefield could be anywhere and place in the country. That Sunday, January 8, 2012night, there was little sleep; the mobilization of the populace went into the early morning. We were also aware that the Government was also at work throughout the night; it was like the hunting dog that could no longer hear the hunter's whistle.

Chapter 6

Igniting A Revolt

The January 2012 crisis began with Government announcement on New Year Day that the price of a litre of petrol (PMS) had been increased from ₦65 to ₦140. But rather than announce the price increase itself, government got the Executive Secretary of the Petroleum Products Pricing Regulatory Agency (PPPRA) Mr. Reginald Stanley to do it. Mr. Stanley's statement stated: "Following extensive consultation with stakeholders across the nation, the Petroleum Products Pricing Regulatory Agency (PPPRA) wishes to inform all stakeholders of the commencement of formal removal of subsidy on Premium Motor Spirit (PMS), in accordance with the powers conferred on the agency by the law establishing it, in compliance with Section 7 of PPPRA Act, 2004. By this announcement, the downstream sub-sector of the petroleum industry is hereby deregulated for PMS. Service providers in the sector are now to procure products and sell same in accordance with the indicative benchmark price to be published forth nightly and posted on the PPPRA website. Petroleum products marketers are to note that no one will be paid subsidy on PMS discharges after 1st January 2012.

Consumers are assured of adequate supply of quality products at prices that are competitive and non-exploitative and so there is no need for anyone to engage in panic buying or product hoarding. The PPPRA in conjunction with the Department of Petroleum Resources (DPR) will ensure that consumers are not taken advantage of in any form or in any way. The DPR will ensure that the interest of the consumer in terms of quality of products is guaranteed at all times and in line with international best practice. In the coming weeks, the PPPRA will engage stakeholders in further consultation to ensure the continuation of this exercise in a hitch-free manner."

The claim by Mr Stanley that stakeholders were consulted was false. The NLC and its affiliates like the National Union of Petroleum and Natural Gas Workers (NUPENG) and the National Union of Road Transport Workers (NURTW) are members of the PPPRA Board which has the statutory powers which Mr. Stanley claimed to be exercising. No board meeting was called to discuss the issue nor did the PPPRA carry out any consultation, at least with the labour unions who

are members of the board; it was the hand of Esau and the voice of Jacob. Given the immediate effect of the announcement, I began taking questions from the media. I left home that afternoon, not sure what day I would return home as a prairie fire had been lit, it was going to burn through the country.

I had called some media organisations for an impromptu press conference and contacted the TUC President, Peter Esele for a possible joint reaction. He agreed, and we discussed the text on phone. The statement titled “ENFORCE ₦65 PERLITRE PRICE!” Which was jointly signed by the TUC Secretary General and I on behalf of the NLC stated: “As Nigerians mourn the victims of the bomb blasts in the last few days and grapple with insecurity, the Jonathan Administration decided to utilize this period to impose astronomical fuel price increases on the populace.

This New Year “gift” by the Presidency is callous, insensitive and is intended to cause anarchy in the country. It is tragic that the Jonathan Government has become the greatest source of insecurity in the country and the spring of danger to the Nigerian nation. In the last few days, Jonathan’s administration had told Nigerians that it was consulting us on the issue of fuel subsidy removal and that if any was contemplated, it would be with effect from April 1, 2012. The NLC and TUC warned Nigerians that this government thrives on falsehood and can therefore not be trusted. The Presidency’s New Year Day action of removing the fuel subsidy and imposing new fuel prices on the populace is a clear demonstration of the fact that the Jonathan administration cannot be trusted. We also have information that it intends to make a litre of PMS ₦150.00 and then ask the NNPC to reduce the price at its fuel stations by a few Naira. Nigerians must defeat whatever are the schemes of this government.

The NLC, TUC, the pro-people Civil Society Organizations and patriotic Professional organisations reject these new fuel prices and direct Nigerians to resist their imposition. We direct our state councils and unions to take steps to resist any price above ₦65 litre of PMS, and await a date for the commencement of general strikes and mass protests across the country. Similarly, we alert the populace to begin immediate mobilization towards the d-day for the commencement of the strikes, street demonstrations and mass protests across the country. With the decision of the Jonathan administration to create chaos in the country, we Nigerians have the duty and responsibility to restore the country to normalcy and reclaim our birthright. This promises to be a long drawn battle; we know its beginning, but we do not know its end or when it will end. But we are confident

that the Nigerian people will triumph over the cabal in Aso Rock. We call on the National Assembly and the Governors to side with the people and stand by them in this struggle.

The Labour Movement also calls on the police, armed forces and other security personnel not to accept any order to shoot Nigerians or attack them for publicly resisting these evil hikes in fuel prices. We warn that any officer who does so will be brought to justice, and a claim that he was obeying orders, will not be an excuse for committing such crimes. We also put the Jonathan Presidency and its surrogates on notice that we shall ensure that they are prosecuted up to the International Criminal Court if they, by acts of commission or omission spill the blood of any Nigerian over the protests that follow their inhuman acts against the people.

In the next few days, the leadership of the NLC and TUC will jointly issue directives on the date organized national strikes, street demonstrations and mass protests will commence. We shall neither surrender nor retreat.” The statement ruled the air waves that night and led the newspapers the next morning. The mobilization had commenced. Street protests and demonstrations broke out in various parts of the country, and armed police became engaged with scattered rallies in cities and towns. The Joint Action Forum (JAF) rally planned since December, 2011, which was held in Lagos two days into the new price increase, became a tidal wave of protests in the country’s economic and pro-democracy capital.

In Kano, waves of student and youth demonstrations became larger by the day, until they occupied a part of the city metropolis. I asked the NLC Kano State Council to link up with the students so they do not become sitting targets of armed security forces. The Council did, tried to steer the youths clear of direct confrontations. But armed policemen and security agents moved in on the fourth day to smash the youths in running bloody battles. All these were a rehearsal before the main battles led by the Labour Movement.

From Monday, January 2, 2012, I made the round of the electronic media in Abuja, taking part in interviews and life programmes. At the Hot FM, I raised disappointment about the Minister of Communication, Mr Labaran Maku who had listed Chad as one of the countries he claimed a litre of fuel is cheaper than in Nigeria. I said it was inconceivable for a Nigerian Minister to compare Nigeria with Chad, a country torn by civil wars and conflicts for decades.

A listener called in; he said he thought that as General Secretary of the NLC, and given the situation at hand, I would be a busy person. But he was surprised that I have so much time in my hands as to listen to Mr. Maku whom he claimed was always weaving fabrications of falsehood and nonsense. The caller said whenever he hears Mr Maku's voice on radio, he tunes to a another station, and if he appears on television, he switches off his set.

I reflected how far Mr. Maku had fallen on the scales of the Nigerian people; as a youth and student leader, he had been one of the known advocates for social justice and an egalitarian society, today, he serves different gods. Labour could not meet immediately, so the leadership of the NLC and TUC met on Wednesday, January 4, 2012. There were demands across the country that Labour called a General Strike and mass street protests immediately. But we need a little time to plan. Our leaders, especially from the states who had attended the meeting, needed one day to get back to their stations to commence full mobilization.

At the NLC meeting, civil society organisations were allowed to observe, while the press and others kept vigil outside. However, the State Security services (SSS) decided to infiltrate our meeting, but its agents were easily identified, and flushed out, only for us to discover that one of their agents was hiding in a toilet recording the proceedings of the meeting. He was brought to me, he confirmed that he was a spy sent to bug the NLC meeting. I confiscated his identity card, and ordered his immediate release. Later that afternoon, an Assistant Director of the SSS apologized to me, and I handed his agent's identity card to him.

The NLC leadership decided that the indefinite strikes and protests should commence from Monday January 9, 2012. All through the meeting day, I had to liaise with the TUC National Executive Council (NEC) to synchronize the date for the protests commencement, and then to agree on the content of a joint declaration. The statement, titled "In Defence of the Nigerian People on Fuel Price Increases!" stated: "The National Executive Councils of the Nigeria Labour Congress (NLC) and the Trade Union Congress (TUC) took place today, Wednesday 4th January, 2012.

The NLC and TUC noted that:

The Presidency announced the removal of petroleum subsidy and adjusted upward, upward, the pump price of petrol on 1st January, 2012 even when it claimed it was consulting Nigerians. Due to this upward review of prices, the pump

price for petrol is now selling for between ₦141 and ₦200 per litre nation-wide rather than ₦65. This prohibitive increase in price of PMS once again confirms the position of Labour that deregulation to this government means incessant price increase of a strategic product (petrol) that impact on cost of living, cost of production and the general well-being of increasingly impoverish Nigerians. The immediate generalized negative impact of this price increase on transport cost, food, drugs, schools fees, rents, indicate that government is totally wrong to underestimate the impact assessment of the so-called deregulation policy.

Due to the untoward hardship workers and other Nigerians are experiencing based on excessive increase in petrol prices, there have been sporadic protests by Nigerians in at least 10 cities; These protests, which are peaceful have witnessed the use of unprecedented force by the Police leading to harassment, intimidation, arrests and the murder of a protester. There is a subsisting understanding between Congress and the Federal government in 2009 that removal of subsidy will not commence until certain conditions have been met. These include the fixing of all the refineries and building new ones, regular power supply, and provision of other social infrastructure such as railways and repairs of roads as well as eliminating the corruption associated with supply and distribution of petroleum products in the downstream sector of the oil industry; After exhaustive deliberations and consultations with all sections of the populace, the NLC, TUC and their pro-people allies demand that the Presidency immediately reverses fuel prices to ₦65. If the Government fails to do so, they direct that indefinite general strikes, mass rallies and street protests be held across the country with effect from Monday 9th January, 2012.

From that Monday, 9th January 2012 date, all offices, oil production centres, air and sea ports, fuel stations, markets, banks, amongst others will be shut down. We advise Nigerians to stockpile basic needs especially food and water. We call on all Nigerians to participate actively in this movement to rescue our country. The emphasis is on peaceful protests, rallies and strikes while refusing to be intimidated. Labour calls on the police, armed forces and other security agencies to reject orders that they turn their weapons on fellow Nigerians. We warn that anybody who does so, will be individually brought to justice. The primary objective of this patriotic call and movement is to revert PMS price to ₦65, restore normalcy and reclaim Nigeria for Nigerians.

No Retreat! No Surrender!! Forward Ever!!!”

The response of government officials was to engage in disingenuous propaganda; in disinformation and misinformation which showed its desperation. So I found myself having to monitor these antics and to bring them immediately with missiles of truth. In one of such claims, it was alleged that Government and Labour were engaged in dialogue to avert the strikes and protests.

I responded in the media with a statement on January 5, 2012 titled “PETROL PRICE HIKE: NO DIALOGUE WITH GOVERNMENT” in which I wrote that:

“The attention of the Nigeria Labour Congress (NLC) has been drawn to stories planted on the internet today that the leadership of the Labour Movement was meeting with some government officials on issue of increase in fuel prices. This is an absolute falsehood. Labour leaders are busy mobilising for the indefinite strike action and mass protests which commence from Monday 9th January 2012, and have no time for frivolous, unsustainable and unproductive ‘dialogue’ with the Presidency or any of its Dialogue Committees. We see these stories of “meetings” with the Federal Government as mischievous and part of government’s strategy to break the fuel hike protest.

We restate categorically that the Labour Movement has no intention to hold any discussion with the Federal Government or any of its officials on the issue of increases in petrol prices until the price is reverted to ₦65 per litre to allow for a level playing field. We call on workers and the Nigerian people to ignore all such stories and remain focused and committed to participate actively in the general strikes, mass rallies and street protests starting from Monday 9th January, 2012.”

Then, stories were planted in the media claiming that the proposed strike was being funded by oil marketers who are beneficiaries of the subsidy, to this I responded “Our attention has also been drawn to reports in the media that some oil marketers were funding the general strike and mass protests against the excessive increase in petrol prices. These reports which are planted in the media by the Presidency are a desperate ploy to divert attention from the mass protests.

We wish to state categorically that no oil marketer or any individual can fund a protest of the working people. The negative impact of the increase in petrol prices are there to see; astronomical rise in the cost of transportation, school fees, medical bills, food and services. The Nigerian people, unlike those in

government are independent minded and cannot be bought by any group be they marketers, the IMF or World Bank. The NLC advises the Jonathan administration to wake up to the reality that Nigerians are resolved to resist its punitive policies and are determined to reclaim their country from those who are intent on bringing it down.”

Yet I had to make another response to government announcement that it was flooding the country with buses as palliatives for the astronomical rise in transport costs. “The Presidency yesterday (January 4, 2012) announced that it is importing 1,600 buses to cushion the effects of its inhuman hike in the price of petrol. First, we think it is a false claim as the buses in question refer to those being imported by Trade Union Congress (TUC). Secondly, the announcement is laughable because if divided by the 774 Local Governments in the country, it amounts to 2 buses per Local Government. Thirdly, one would have thought that the Presidency would put these “cushioning effects” in place before the unreasonable hike in petrol price.”

In the morning of Friday January 6, 2012, Abuja city residents woke up to find that elite soldiers from the Presidential Guards had cordoned off major streets in the city centre particularly in the Central Business District where the NLC Secretariat, the Labour House is situated, the Three Arms Zone, the Garki and Maitama areas. I got to the city centre about 6am and with a colleague, Mr Nuhu Toro Abbayo, drove round the city to monitor the troop deployment and try to fathom what the Government was up to. We had got reports that policemen and troops were likely to take over the NLC, and had already made plans for evacuation.

On the militarization of Abuja, I informed the media “As part of its desperate moves to abort the peoples mass protests and intimidate Nigerians, the Presidency this morning turned out heavily armed units of the Presidential guards. The troops blocked roads, cordoned off parts of the city, harassed and frisked passersby. We condemn this ‘show of force’ designed to intimidate peace loving Nigerians. The NLC also condemns this misuse of the army and warn that the police and armed forces are citizens like the rest of us who are equally affected by the negative impacts of the fuel price hike, and should therefore not be taken for granted. The Labour Movement specifically ask Abuja residents to hold demonstrations in various parts of the city and its suburbs, and march to the city centre by 8 am from Monday.”

That Friday morning, with the military setting up a check point a few meters from

the Labour House, thugs invaded the NLC headquarters which we had already vacated following friendly intelligence reports that the invasion was planned for that morning. On behalf of the NLC, I issued a press statement:

“The Nigeria Labour Congress (NLC) condemns the invasion of its Secretariat, Labour House, Abuja by thugs right under the noses of the police. The thugs numbering about seventy who were hired by government agents, later apologized for their action claiming that they were not told they were being brought to the NLC. They revealed that they were promised One Thousand Naira (₦1,000) each to carry out the invasion. Subsequently, they forced the agents that brought them to pay the ₦1,000 fee right in the presence of the cameras. The aim of the invasion was to cause a fracas and claim that workers are divided over the issue of fuel price increase. It is instructive that while the invasion was on, the FCT Police Command ignored calls by NLC officers to come and escort the thugs out of the Labour premises. Also, the heavily armed security men who had condoned off part of the NTA Link Road where Labour House is situated did nothing to stop the invaders. The NLC views this incident as another desperate attempt by the increasingly isolated and unpopular Jonathan administration to stop the mass movement against its insensitive and ridiculous fuel price increases of between 120-220 per cent.”

Then, there were text messages that morning sent on the major cell phone networks claiming that Government had reversed the fuel price increase. I informed the public that “Fraudulent text messages were sent around this morning claiming that Government had reverted PMS (Petrol) price back to ₦65 and that on the strength of this, Labour had called off the general strike, rallies and mass protests which commence on Monday 9th January, 2012. Another text message claims that the strike and commencement dates have been shifted. There is no truth in these claims.

The NLC informs Nigerians that on this issue of strikes and protests, only statements or messages from the Labour Movement should be taken as authentic. We reiterate that the right of Nigerians to peaceful assembly and protest is a fundamental one which no government can abridge. The NLC will work with the patriotic Nigeria Bar Association (NBA) to bring those who brutalize Nigerians, and their bosses who issue the orders, to justice.” That Friday night, the Government-owned, Nigeria Television Authority (NTA) announced that the National Industrial Court (NIC) had issued an order nullifying the planned strikes and barred the NLC and TUC from organizing rallies or street protests over the

increase in fuel prices. Government had successfully shopped for the order the previous day, and its release had been timed in such a way that Labour would not have the opportunity to go to court and challenge the ruling since the courts did not seat on weekends. With the strikes and protests planned for the next Monday, Government strategists might have reasoned that the court ruling would scuttle the protests.

But at the NLC, we had decided on our response to the NIC order a day before it was officially released. Minutes after the news report, the NLC response had hit the airwaves. It was titled “NIGERIANS SHOULD IGNORE ANY BLACK MARKET INJUNCTION” That summarized our response to the judicial antics of government. On the night of Saturday, January 7, 2012, President Jonathan made a national broadcast, detailing his administration’s efforts to cushion the effects of the price increase, and appealing directly to Nigerians to for support. Labour’s response was that the President did not address the core issues, so the mass action will go on.

On the eve of the protests, the House of Representatives met and passed a resolution calling on Government to rescind its fuel price increase decision, and Labour not to go on with the planned mass action. Labour agreed, but the Presidential spokesmen described the motion as a mere advice which is not binding on the Presidency. With that, both Labour and Government dug in. Same day, I had to send a message to Nigerians who had planned a protests in front of the World Bank premises in Washington, United States against the fuel price increase which was engineered by that institution and its sister organization, the International Monetary Fund (IMF) The short message which was read on my behalf at the Washington protest, next day by a comrade from the American central labour organization, the AFL-CIO, was titled “NLC Message To Washington DC Protesters” It read:

“Dear patriots! On behalf of the Nigerian Labor Movement I wish to thank you for standing in Solidarity with us as we begin our nation-wide strike protesting our government’s decision to remove fuel subsidies resulting in a more than doubling for fuel costs overnight. This action was taken without adequate consultation and without regard for the well being of the Nigerian people and will adversely affect the working class in our country.

It is precisely because the policy prescriptions of the World Bank and IMF are swallowed whole by our government without regard for the socio-economic impact on our people that we find ourselves in this situation today. Let me assure

you that the Nigerian Labour Movement will not back down in this struggle. We will not allow this assault against the working class in our country to continue unopposed. In the days ahead we are very concerned about the conduct of the security forces in Nigeria as it relates to our people protesting this decision by government.

We appreciate that you have brought our voice to the World Bank and IMF so that they know that we are not alone in our struggle. We thank you for your solidarity and support. An Injury to One is an injury to all.”

The next day, Government through the Labour Minister, Chief Chukwuemeka Wogu denied that the Jonathan administration was acting the script of the IMF and World Bank. He told the News Agency Of Nigeria “Whether our policy is driven by IMF, it is not.” For the past 15 years, right from the regime of General Ibrahim Babangida, down to that of General Olusegun Obasanjo, even General Abdulsalami Abubakar tried it (subsidy removal) by increasing the pump price of fuel, till now. “Every government has tried to do it because of the benefits that will be derived from it; other countries are equally doing the same; we are just arriving at the scene quite late.”

“In the countries that have done it before, who have now come out to be one of the strongest economies in the world, is Brazil. Brazil did it and people were agitated that this was not in their best interest, but with the passage of time, look at what Brazil has turned into, generating a lot of jobs, creating a lot of rich people, the same thing will happen in this country. And then you can see that because of the global economic issues, Ghana, for instance, is in the media, has removed subsidies and they’ve done their own deregulation in the oil and gas subsector. The only thing we are asking Nigerians to do is to be patient with the government so that at the end of the day, we will be able to reap the benefits of this policy.”

Chapter 7

The Nation Shook To Its Foundations, But Government Was Unaware

It was about 5am when I stepped out into the streets of Abuja. This was Monday January 9, 2012. It promised to be a momentous day for the country. The indefinite national strikes, the mass rallies in all neighbourhoods and street protests across the country called by Labour, civil society and mass organisations in the country were to commence this morning.

As the Acting General Secretary of the 34-year old Nigeria Labour Congress (NLC) Africa's largest labour centre and the main organizer of the protests, it was my duty to coordinate the protests which included the thirty six states, the Federal Capital Territory, Abuja, the various participating organisations and of course the multitudes we had called out into the streets. My thoughts this morning was whether the mass of the Nigerian people will respond to our call. We had no power of coercion, no armed forces, police or security agencies; we had no media under our control, no funds even to carry out the most basic campaign. All these were stacked in favour of the Government which controlled virtually all the country's resources. The Government apart from deploying these its enormous resources to the fullest, had also directed the people to ignore our call for the masses to take over the streets and take their destiny into their hands. It had deployed armed policemen across the country as well as turned out the armed forces into the streets in a show of force and to "assure" the populace including workers, that they have adequate security to go about their normal business.

So in a sense, the country was going to witness a sort of referendum; who should the people listen to; those who have asked them to defy all intimidation, stop formal and informal business and seize the streets, or the Government? Given the anger of the populace following the New Year Day, Sunday January 1, 2012 hike in the cost of PMS (petrol) from N65 per litre to ₦140 in the name of subsidy removal, the inflation it has triggered, and the fact that the populace could not afford the unreasonable price hike, I had no doubt in my mind that the people will respond positively to our call in their millions. But it was difficult to envisage how the Government would react to the masses defiance. In the days

leading to the protests, it had left nobody in doubt that it was ready to do all in its power to stop the strikes and protests, this had included unleashing armed riot policemen on protesting students and children, maiming many in Kano and murdering a protester in Ilorin.

There are parts of the country like Lagos, Kano and Ibadan where the populace has a culture of protest, but not a city like Abuja which is infernal and alienating to the people, especially the poor. In fact, Government officials have often drummed it into the ears of Nigerians that the capital city of the country is not meant for the poor. In practice, very few people reside in the city; most inhabitants of the Federal Capital including the middle class and majority of the upper middle class live on the outskirts; in the satellite towns. There were therefore serious logistical problems in mobilizing crowds to take over Abuja streets. Yet being the capital of the country, a lot of focus would be on it. If the protests were to succeed across the country, but fail in Abuja, the Government would make a lot of political capital out of it. Also, the Government will do all in its power to ensure there were no strikes, rallies or protests in Abuja so as to give the semblance of normalcy in the country. Therefore, the battle for Abuja was going to be tense. The challenges in Abuja include how to encourage the masses to come into the city and ensure it does not function. Secondly, there was the need for mass rallies in the satellite towns and the mobilization of the inhabitants in order to stem traffic into the city. We had set up strike and protest committees in the Federal Capital Territory (FCT) which encompasses Abuja. They were composed of labour, community, and civil society activists. These committees were for the Zuba-Deidei-Kubwa-Bwari axis, to cover the way to the northern part of the country. Another for Lugbe, to cover the airport area. A special one for Gwagwalada, the university town, to cover the roads leading to the southern part and a third one for the Karu-Nyanyan-Maraba axis to cover the roads leading to the central part of the country.

These are also, areas where the populace live and anybody wishing to come into Abuja or leave the city, must pass through one of these places. The only alternative was to fly, and we had gotten the Aviation workers to shutdown the local and international wings of the Nnamdi Azikiwe Airport the night before. Indeed before I stepped out into the streets, I had gotten reports that the country's airports, including the hub, Lagos had been shutdown. The workers had however made me to understand that in the industry, any aircraft already in the air such as the international flights must be permitted to land, but will not be allowed to takeoff.

This morning, there was no way of knowing how things will go in the country, the sense of uncertainty was palpable. This was what we had feared and appealed to Government to avoid. The NLC and TUC had warned that “With the decision of the Jonathan administration to create chaos in the country, we Nigerians have the duty and responsibility to restore the country to normalcy and reclaim our birthright. This promises to be a long drawn battle; we know its beginning, but we do not know its end or when it will end. But we are confident that the Nigerian people will triumph over the cabal in Aso Rock”.

As I swept through Abuja streets, I noticed that they were completely deserted; the city was not an early riser unlike many cities in the country, but at this time, there would have been a some vehicles on the road. This morning, Abuja was a lonely city, isolated and deserted. I wondered whether the Aso Rock Presidential Villa will be as lonely and deserted. My thoughts centred on the Government which only nine months ago spent huge sums of money urging the populace to turn out and vote for it. Now that the same populace decided to turn out on its free volition; the same government cries that it smells treason.

President Jonathan had in his inauguration speech on May 29,2011 invited the populace to join him in the journey of transformation promising them “I will continue to fight, for your future, because I am one of you”. I now wonder whether he is truly one of the people. Perhaps he was in his humble beginnings, now it is difficult to say. That day, he also made a vow with the Nigerian people “You have trusted me with your mandate, and I will never, never let you down. I know your pain, because I have been there. Look beyond the hardship you have endured. See a new beginning; a new direction; a new spirit. Nigerians, I want you to start to dream again. What you see in your dreams, we can achieve Together”.

All these now sound ironic; with the sharp fuel price increase, the people felt not only let down, but abandoned; clearly, President Jonathan did not feel their pain, and rather than reduce their hardship, he had simply added to it. He promised a new beginning, but the people felt that the old repressive and poverty-inducing past was better than the new realities they faced. There were simply no new directions, and while he asked the people to start dreaming again, they were now experiencing a nightmare. All these simply did not make sense and we were hopeful that beyond lamentations, the people would take their destiny in their hands by standing up to fight.

After monitoring activities in the city, I headed for the rally venue. During his

campaigns, President Jonathan had promised the populace “Fresh Air” now, one of the first placards I saw as the populace began to pour into the Berger Roundabout, venue of the rally was “President Goodluck, is this your type of fresh air?” More placards appear on the horizon “Advocates of subsidy removal are vendors of infamy and penury” “Subsidy removal is nothing but a predatory act against the Masses” “Subsidy removal is a huge economic fraud.”

My attention was caught by a physically challenged protester riding a tricycle with the bold message “It is our right to protest” In the next few days, as he turned up religiously for the protests, I was to become acquainted with Malam Abubakar. I was also to discover that there were lots of physically challenged people who had turned out for the rally and street protests. The messages written on various materials; placards, wooden slates and even on the tarred road seem to summarize the feelings of Nigerians about their political leaders: *“Nigeria Is Not An animal Farm”* one proclaimed, another angrily declared *“One Day, The Poor Will Have Nothing To Eat But The Rich”* another in a similar vein pronounced that *“This is our year of release to put a stop to the rich getting richer and the poor, getting poorer.”* Another simply pronounced magisterially, *“Subsidy Removal; A crime On Nigerians”*.

Another placard, playing on the popular saying *“Every day for the thief, one day for the owner”* read: *“Every day for Government, One Day for its People”* The country was in the throes of terrorism and bombing campaigns by a sect called Boko Haram; some of the placards argued that *“Boko Haram is a big scam; (it) is a plot to divide Muslims and Christians not to fight for their rights”* Another asked *“Jonathan, Why the Bombing, Why?”* Yet, one advised Government *“Face security and leave subsidy”*.

Hon Dino Melaye, a former member of the House Of Representatives had days before, led a protest in Abuja and opened a register for those who want to take part in the proposed street protests. He had defined democracy in Nigeria (as) *“Government of the greedy, by the greedy, for the greedy”* This had found its way into a placard at the rally. Many more placards were being written by enthusiastic protesters on car bonnets, side roads and the deserted tarred roads. They were mainly spontaneous, and I found the ideas that were flowing on to the cardboards quite creative, simple and straight forward. The police had as expected, banned rallies and street protests; when it realized that we will defy the illegal ban, it had asked us to obtain permit to hold the rallies. When we responded that to publicly associate, move and protest are fundamental rights for which Nigerians need no

permit, the Police announced somewhat theatrically that, the National Stadium, Abuja had been opened for Nigerians who wish to hold rallies and protests. We ignored the offer.

Now the police were in full force around our rally grounds from where we had announced the street protests would take off. There were also, four truck loads of armed soldiers whose newly issued camouflage uniforms was in sharp contrast to uniforms other soldiers wear. One had the impression that this was a sort of Presidential Guard on a special mission. Will they be unleashed on peaceful protesters or were they just there to intimidate the people? It was difficult to say, but nobody was intimidated. Three days before the protests commenced, precisely on Friday January 6, 2012, Abuja residents had woken up to find that heavily armed soldiers from the Presidential Guard had taken over the streets. The troops blocked roads, condoned off parts of the city especially in the Central Business District and Three Arms Zone. They harassed and frisked passersby.

On behalf of the Congress, I had issued a statement that day stating that “We condemn this show of force designed to intimidate peace loving Nigerians. The NLC also condemns this misuse of the army and warn that the police and armed forces are citizens like the rest of us who are equally affected by the negative impacts of the fuel price hike, and should therefore not be taken for granted.” Apparently, Government thought the best thing was to put the armed forces to such a dangerous use, so here they were at our rally ground. It turned out that the army was less dramatic than the Department of State Security (DSS) whose agents turned out in the streets in black Ninja-like outfit covering their faces and wielding big toy-like guns. At a point in the protests, they added comic relief; their trucks would park ahead of the protesters, they would jump down threatening with their weapons; pointing guns at the protesters, but once the surging crowds got close, they will jump into their trucks and drive off with the crowd in hot pursuit.

The rally venue was like a festival ground; there were trucks blaring music with protesters dancing widely on the deserted streets. The popular music were the protest songs of Afro beat legend, Fela Anikulapo-Kuti particularly hits like *Authority Stealing*, *International Thief Thief (ITT)* and *Beast Of No Nation (BONN)*. A song continuously repeated was Idris Abdulkareem’s *Nigeria Jaga jaga (Nigeria is rundown)*. When this song was released during President Olusegun Obasanjo’s tenure, he was so infuriated that he publicly cursed the musician. Years later,

it was the ‘anthem’ of protesters in Abuja. Another musician whose songs, especially Mr President, found resonance in the protesters was African China. As expected, Bob Marley’s protest music occupied its almost natural place in the street protests. So also did popular local songs in various Nigerian languages.

The most popular in Pidgin English was;

*“How many people Jona go kill o! (Twice)
He! He go kill us tire (Twice)
How many people Jona go kill?”
(How many people can Jona (President Jonathan) Kill
He will get tired of killing us
How many people can Jona kill?)*

It was not just the number of people that turned out this Monday morning in Abuja for the first day of protests, it was also the calibre; Professors like Toye Olorode from the University of Abuja, a large contingent of lecturers under the aegis of the Academic Staff Union of Universities (ASUU) lawyers cutting across generations who had been so mandated by the Joseph Bodunrin Daudu-led Nigeria Bar Association (NBA) human and democracy activists, national legislators and politicians from various political parties including the ruling People’s Democratic Party (PDP) doctors, and various professionals.

As I alighted from one of the trucks that served as our platform, it was into the hands of the proprietor of the pharmacy store I patronize; I was surprised, and instinctively asked “Ah! Oga, what are you doing here?” He seemed taken aback by my question “Were you not the people that said we should gather for protest?” I apologized and said “If people like you can turn out to protest on the street, then we have already succeeded” He laughed, we pumped hands and he was swallowed by the crowd.

I had known Mr Victor Tanko a senior personnel in the telecommunication industry over the years, he was always well dressed in a complete suit and tie; I ran into him at the rally in a shirt with the sleeves rolled up and carrying above his head two placards that proclaimed his objection to ruinous government policies. I stood frozen for a while before approaching him. Throughout the protest days, he was to prove quite useful given his good knowledge of Abuja streets, commitment and mastery of the Hausa language. I wondered whether Government was receiving a feedback about what was going on in the streets including the

fact that the lowly and the upper class together with serving federal and state legislators, former ministers and elder statesmen were out to protest.

Gwagwalada is the artery that links Abuja with the southern part of the country, to coordinate the protest there, we had put in place a team of trade union leaders from the teaching, administrative and non-academic staff of the university, nurses and medical workers from Teaching Hospital, students, community and civil society activists. I was informed on phone early in the morning that the populace was holding out despite pressures from contingents of armed policemen. I congratulated them for the success recorded there. Some minutes later, one of the coordinators called; the atmosphere has become quite tense all and that all efforts to prevent a bloody confrontation with the police are proving futile as both police and demonstrators have given themselves ultimatum to quit the highway. I told him that we must maintain the initiative, be in firm control and prevent a clash with the police.

About ten minutes later, he called; Gwagwalada was now a battle zone, scattered battles between demonstrators and the police were going on. After initially using teargas, the police and security forces had resorted to the use of live ammunition. At the background, I could hear sustained gun shots. I instructed him to get community leaders to prevail on the youths to retreat, and if there is any way, the coordinators could get the police officers on the ground to agree on a truce. Subsequent communication was that the streets of Gwagwalada including the highway had been completely deserted except those that bore the brunt of the escalating violence. The police and the protesters were chasing themselves; gaining and losing streets in what had become a physical combat.

Meanwhile, the rally in the city had now transformed into a march and street protests. After about five minutes walk, at the Sky Memorial junction, we were confronted by a file of armed combat ready policemen in riot gear who blocked the six-lane road. They also had an armoured personnel carrier blocking a part of the road. Ahead of the protesters, I raced to the stone-faced policemen and demanded to see the officer in charge. He emerged from the condone, and I asked what the problem was. He said the Inspector General of Police had instructed us to go to the National Stadium, but we had defied him by holding street protests.

I told him that as an officer, he should know that the Nigerian people do not take instructions from his boss and that the rally and protest had been peaceful, so

the police had no right to turn it into a violent confrontation. He thought about this for a while and said the march should divert to the right street; the Michael Opara Road rather than go on to the Wuse Market which would take the demonstrators to the city centre. The police thought the protesters may be tempted to vandalize or burn public property. I told him that we were not vandals; that we were quite conscious of the fact that public property does not belong to those in government, but to us the people. I also made it clear to him that he cannot decide the routes we should take and that it was in his interest to get his men off the road. He retorted that only his Commissioner of Police could give him such an instruction.

By this time the protest train had drawn near, so I went over and asked the lead group to stop and sit on the road; after some difficulties, they obeyed. I went back to the police formation for another round of negotiations. Then a protester sprang up, sprinted towards the police formation shouting “Shoot! Shoot!! I am ready to die!” Before I could drag him away, others had followed suit, and within seconds, the policemen had been enveloped by the crowd that now swam towards the Wuse market with armed soldiers in tow. As we approached the market, a larger contingent of armed policemen appeared on the horizon; they had taken combat positions and appeared determined to stop the wave of protesters. I knew that the fears of the police were not misplaced; once we crossed the market and went straight, we would be headed for the Nigeria National Petroleum Corporation (NNPC) towers.

The NNPC was one of the hated symbols of the petroleum industry’s corruption, ineptitude and bare-faced theft that had led to the protests. The police felt that the protesters will attack the towers. That of course was not our intention, in fact we were aware that the NNPC towers as public property that must be guarded, this is besides the fact that the strikes and protests are peaceful. The crowd had swelled so much that even we, the organizers were not certain we can prevent an attack on the NNPC headquarters if the crowds were to get there. The point was that the protesters had come on their free will from diverse backgrounds and places; although they accept the leadership of the Labour Movement, there was no guarantee that they would fully abide by our directives. Besides, some of the protesters had torn off tree branches, picked stones and sticks in readiness for possible confrontation with the police.

I thought that the best option we had was to halt the march, address the demonstrators, reassert our control, and divert the protests to other less

vulnerable parts of the city. The other leaders of the protests agreed and our field coordinators began the difficult task of temporarily halting the march. While this was going on, I went ahead to meet with the police. The officers were gathered around the Abuja Police Commissioner, Mr. Michael Zuokumor. I told him “CP, you can’t stop this march and we don’t want violence, so let’s offer you deal; we will divert the crowd towards Wuse II” He said the police does not want a confrontation either and was happy that we understood their concerns. He gave me one of his officers to act as liaison with the police.

By this time the march had been halted and I climbed the lead truck. After introducing more personalities that had joined the march, I told the crowd “ We are on the streets across the country because we will not accept the fuel price increase. We will not accept any law that is a bad law. We are here to tell the Nigerian people that there is an alternative to bad governance.

Now I want you to answer yes or no.

Comrades, you have to follow your leaders. ‘Yes!’

We are peaceful. ‘Yes!’

We are law abiding. ‘Yes!’

We are here to publicly protest our position. ‘Yes!’

We are not here to fight anybody. ‘Yes!’

The police have assured us that they have nothing against us because their own families also buy petrol at the same price.

So we have nothing against the police. ‘Yes!’

The police has nothing against us. ‘Yes’

What we are going to do is that after our leaders have addressed us, we are going to turn left and head for Wuse II. ‘Yes!’

Peter Esele the TUC President next addressed the crowd “We discovered that some people were picking stones. We must not stone the police, we must not stone anybody. This protest must be peaceful, Labour and civil society coalition are peaceful people.” He asked what the problem of the country is, they responded that it is bad governance. He nodded and added “You see, the problem we have is that you are ahead of our leaders; you have already identified the problem with Nigeria which is the absence of good governance. They (political office holders) say they are cutting their basic salaries. Let us say this is number one victory, but we also want to know, 25 per cent of their salary, *egole* (Igbo word for how much?)

Does he (President Jonathan) pay tax?" "No!" came the response from the crowd. "What about 25 per cent of his allowances? Did he touch the allowances?" "No!" The NLC president Abdulwahed Omar continued on the same line "If that cut in their basic salary is done will it have any effect on the price of PMS, will it have any effect on the food we buy?" "NO!" Therefore the only solution is revert to ₦65 per litre. Comrades, another issue about the fuel subsidy is that what was appropriated was ₦250 Billion last year, how can government continue to claim that it has spent over ₦1.3 Trillion? It is either somebody is telling lies or they spent that money illegally because any money that is to be spent in that quantum must be appropriated by the National Assembly and the Assembly has said that it did not appropriate such money. Why do they think that the removal of subsidy is the only solution? Why don't they go after those who have collected the money illegally?" He commended the House Of Representatives for the initiatives it took in convening on a Sunday while on break, to address the fuel increase crisis and asked the Senate to also show concern. Omar concluded with an appeal to protesters "We have a track record of very peaceful rallies and protests and this we must maintain."

Before the march continued, the crowd asked that Hon Patrick Obahiagbon, a.k.a Igodomigodo, a lawyer and immediate past member of the House Of Representatives should address it. Obahiagbon, one of the most colourful politicians in the country with a gift for flowery speeches, used to light up the House with his debates and was the delight of journalists. Like the First and Second Republic politician, Kingsley Ozumba Mbadiwe, who described himself as "*A man of Timber and Calibre*" Some swear that Obahiagbon manufactures his own English words adding ingredients from other local languages. The bespectacled former law maker began by congratulating "the Green Chamber" (House Of Representatives) for the bold decision it took the day before, asking the Federal Government to reverse the fuel price increase and that Labour should suspend the planned strikes and street protests. To him, "That shows that democracy is truly of the people, by the people for the people. We therefore call on the Nigeria Senate to be impari material consensus addidem. This is very important because those are the collective eggregor of democracy. When they speak, we expect the President to listen. I have listened very, very meticulously to the reasons adumbrated by the bourgeois economists and imperialist intellectuals and the reasons they have given in fact supports why subsidy should not be removed. You know why? 'No!' Government has said the reason why they are removing subsidy is because a microscopic few, a microscopic

cabal has hijacked the process, and I ask, why should Aminu Kano Talakawas (poor masses) suffer for the crime of the cabal? If we do, it means that we have torpedoed democracy and what we now have is cabalocracy.

Led by power motorbike riders under the leadership of popular musician, Charley Boy (Charles Oputa) we marched through the deserted streets with markets, banks, fuel stations and offices shut. As we got to the Aminu Kano junction, I noticed that a crowd had swarmed a jeep, I moved there to find out what was going on only to find that the occupant was the Brother Paul, The American Embassy Labour Attaché. Having ordered the crowd to move on, I apologized that I will be unable to protect him through the streets, and instinctively, reached for an NLC flag which I knew would see him through any difficult moment with demonstrators he might encounter on the streets. He smiled and reminded me that as a diplomat, he must not be seen with an emblem of the protests. I apologized and asked some demonstrators stay with his vehicle during the march. We resisted an attempt by a group of demonstrators to move to the Eagle Square where the ruling party usually holds its rallies and conventions. The Armed Forces Remembrance Week was near and the military was rehearsing at the square, we saw no reason to go and occupy it.

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Finally, we berthed at the intersection near the Amigo Supermarket. Just then, news filtered that some demonstrators had been shot dead in Lagos and Kano. The atmosphere became charged. Before it could get out of hand, Omar mounted the lead truck to address the demonstrators. "Comrades, this is a very sad thing. That in a democracy, people coming out unarmed to air their grievances, are confronted by fully armed policemen and are killed. We are not going to take it lightly. We do hope that those in position of authority will not push Nigerians to the wall"

A song broke out challenging the police and soldiers who were a safe distance away;

"How many people police go shoot oh!(Twice)

He! dem go shoot us tire (Twice)

How many people Police go kill"

(How many people can the police shoot?

They will be tired of shooting us. How many people can the police kill?)

Hon Suleiman Aminu, the Vice Chair of the House of Representatives Committee on Labour, from the ruling Peoples Democratic Party spoke next. He argued that the Nigeria Police ought to learn crowd control and management from the police in developed countries and that the House will not allow the police to hold the populace to ransom. He urged the rest of the populace in the country that have not joined the rallies and street protests to troop out the next day. Aminu, a former Secretary of the Kano State NLC declared that "If democracy must survive, it must survive under the dictates of the Nigerian people and not under the dictates of the cabal in Washington; (meant the World Bank and the International Monetary Fund) Washington DC did not appoint Jonathan, they did not elect us in the National Assembly, it is you the people who put us in position of authority and you are our bosses, it is only you we will listen to. There are no less than fifty serving members of the National Assembly at this rally and we shall continue to identify with this struggle. We will put Nigeria ahead of any other person because, God forbid, if anything untoward happens, they will take flight, but we will remain to defend the country."

Honourable Opeyemi Bamidele, Chairman of the House Of Representatives Committee on Legislative Budget and Research, and member of the House Committee on Media and Public Affairs delivered the solidarity message on behalf of the House. He said the Representatives were in support of the people adding that "There is a failure of leadership and we must all address it. As far as we are concerned, it is not whether subsidy should be removed or not, the issue is, should Nigerians as stakeholders be part of such a decision? Can you decide on behalf of the people without involving them? Should the opinion of stakeholders matter? As far as we are concerned, we have taken our decision and there is no going back."

The National President of the Nigeria Medical Association (NMA) Dr Omede Idris who led his members in white overalls to the Abuja rally told the media that the

fuel price increase will worsen healthcare delivery including immunization as the cost of transportation to healthcare facilities will rise astronomically. As the rallies and protests in Abuja wound up this first day, Dr Hussein Abdul, the Country Director of ActionAid told the media at the rally ground “I think this is the biggest protest we have seen in the history of Abuja...We have sent a message to our leaders that we will not take it. Today is the first day (and) the more the government remains recalcitrant, the more Nigerians will mobilize.”

As the crowds dispersed, I wondered how they will get home with no transportation. Given the enormous challenges they had faced coming into the city, loss in personal income, the rigour of the marches and the insecurity they face, I wandered whether we can get such huge crowds back on the streets the next day. Then there are the very angry youths who decided not to go home, but physically occupy the streets. They had brought blankets, pillows and rug sacks to spend the night in the streets under open skies. Indeed, some of them had already spent days camped on the streets and were determined to continue. The Senate leadership under its President, David Bonaventure Mark had sent an invitation to us for a meeting that evening to find a solution to the face-off.

Having failed to take a principled position on the issue, many of us in the Labour Movement were not enthusiastic to meet the Senate. There was a general consensus amongst us that given the sacrifices it has made, its clear stand and patriotic inclinations, the House of Representatives must be central to any resolution. But before the meeting with the Senate leadership, there was the need to get reports from all the Councils of the NLC in the thirty six states as well as our civil society allies, community and professional organisations who had shut down the country.

I set up six teams at the Congress Secretariat to coordinate the reports from the states while the Joint Action Forum (JAF) under Dr Dipo Fashina and Comrade Biodun Aremu who were in Lagos, were coordinating the civil society reports from various states. We needed firsthand information on how the first day had gone and what was needed in any part of the country to ensure a more successful second day of protests and country shutdown. Privately, I wished that the Presidency was properly briefed about the situation in the country that day so that it can climb down from its high horse and save the country another day of agony.

Lagos Surrenders To The People

Throughout the day, my phones kept ringing; most of the callers were from Lagos, the commercial capital of the country and with at least 17 million people, one of the largest cities in the world. Lagos is also unarguably, the pro-democracy capital of the country with Kano and Ibadan giving it a close chase. Comrades, trade unionists, friends, colleagues were reporting on the situation; every business imaginable was closed; markets, banks, the seaports, airports, small businesses were shut. Communities organized rallies and shutdown their local streets, even members of the ruling elite living in high-brow Ikoyi and Victoria Island had trooped out to demonstrate on the streets in compliance with Labour's directives.

None of these reports however prepared me for what I saw on the television screens; it was as if the seventeen million residents of Lagos had turned out on the streets. Huge crowds with little space for individuals to maneuver, stretched kilometres. Music boomed from loud speakers in various parts of the city as residents turned the rallies and street protests into a huge carnival. Popular and internationally recognized musicians like Wasiu Ayinde, KWAM 1 and Femi Kuti were on the streets belting out songs as were popular Nollywood actors like Jide Kosoko and Bimbo Akintola. In the carnival-like atmosphere, were thousands of banners and placards one of which warned *"Libyan, Egyptian, Tunisian Revolutions will be a child's play"*.

This was an obvious reference to the bloody uprisings in those countries which brought an end to the decades old regimes of Mouamar Ghadaffi in Libya, Ben Ali in Tunisia and Hosni Mubarak in Egypt. Another, in reference to the April 2011 general elections, demanded "GIVE ME MY VOTE BACK". A protester simply wrote "Remove corruption, Not Subsidy." The Joint Action Forum (JAF) the coalition of pro-labour civil society organisations which with Labour jointly organised the protests, had a huge banner which summarized its message to Nigerians "Reject and defeat the increase in prices of fuel. Reject Privatization and Deregulation in its entirety. Support the General Strike/ Mass Action. Change is our goal." The t-shirts worn by some of the protesters carried a simple message "Kill Corruption, Not Nigerians".

The Academic Staff Union Of Universities ASUU) Lagos State University Branch had its official vehicle draped with a banner conveying its conclusion "Goodluck Ebele Jonathan has failed Nigerians" Some placards were unanimous with the call "Impeach GEJ Now!" Not unexpectedly, there were spoilers and agents of

death in uniform. On this first day, one of the most infamous crimes against the Nigerian people was carried out in Ogba, a suburb of Ikeja, the Lagos State capital. One of the two busiest and longest streets in Ogba is Yahaya Abatan. But on this day, like in other parts of Lagos, the street was completely deserted with shops and businesses closed and zero vehicular traffic. On a stretch of this road, youths played football with some spectators on the side line, while a few people gathered beside a newspaper vendor reading newspapers and discussing events in the country.

Suddenly, a police van RRS 101A arrived the scene. The police team was led by Chief Superintendent of Police, Mr. Segun Fabunmi the then Divisional Police Officer (DPO) of Pen Cinema Police Station. Mr. Fabunmi ordered the youths to stop playing football and disperse. They took it for a joke since they were not demonstrating or hindering anybody from moving about. One of the spectators watching the match, 28-year old Demola Abiodun, a tailor and commercial motorcycle rider jokingly told the police officer to leave the youths alone.

The policemen seized him while other youths started moving away. Phone cameras and video recording by some of the witnesses showed Demola, wearing a green T-shirt over blue jeans sitting on the street with his two hands up in the air in apparent supplication while three armed policemen; two in the uniform of the riot police, and the third, wearing bullet proof vest, were beating him. At a point, the DPO shot Demola, execution style and turned his gun on other citizens he could find. Other policemen joined their boss and began shooting indiscriminately at the fleeing youths. Mr. Demola, a resident of 6, Aderinton Street, Ogba who had been shot in the crotch, got up and ran, but he had already lost a lot of blood and only managed to get to the nearby Abeokuta Street, where he sat down, and apparently died.

Meanwhile the DPO and his men chased the other Nigerians like hunters after rabbits, downing four additional persons. Mr Christian Amadi had one of his right hand fingers torn off by a bullet. Twenty three-year old Samuel Egbujor, a student had gone to read newspapers at the newsstand when the harbingers of death arrived. Egbujor who was shot in the thigh told reporters on his sick bed “ I did not even know I had been hit. I simply heard the shot and realised that I felt a sharp pain in my thigh. The only thing I was concerned about was to run. But I realized that my thigh was bloody. Nobody was protesting when we heard the shot.” Mr Monday Joy, 20 was distributing protest handbills when he saw a policeman shooting people, he began to run, but was fell by a bullet. Mr Abubakar

Alimi,²⁴ a businessman was watching the youths play football when the shooting started, he fled the scene, but a bullet was faster, it cut him down.

With a culture of hospitals refusing to treat persons with gunshot wounds unless there is a certified police report, residents spent time persuading the police to issue reports for the victims, then rushed them to the Ifako Ijaiye General Hospital which despite the police report, refused to treat the victims. Finally, a private medical facility, the County Hospital admitted and treated Egbujor, Joy and Alimi.

The police initially claimed that the youths were engaged in a violent protest and that Mr. Demola tried to dispossess the DPO of his gun and the latter had no choice but to shoot the victim. But within hours, and apparently to douse rising anger, the police authorities officially condemned the police team that carried out the shooting and arrested DPO Fabunmi. The Spokesperson of the Lagos State Police Command, Mr. Samuel Jinadu told the media “When the Commissioner of Police, Mr. Yakubu Alkali, heard of the incident, he ordered that the DPO should be arrested. Right now, he has been arrested and handed over to the State Criminal Investigative Department for discreet investigation. When the investigation is concluded, the report will be made known to the public.”

Commissioner of Police, Alkali while handing over Mr Fabunmi to detectives in the presence of some journalists told him “You are on your own. I was not there when you fired the shot. You and God know the truth; but the law must take its course. So I am handing you over to the SCID for interrogation” He then told the media that the decision to send DPOs to head police teams personally was to avoid indiscriminate shootings by their subordinates adding that “the idea of deploying police to monitor the protest was not to kill but to prevent hoodlums from hijacking the protests.”

Meanwhile, protesters continued to flock the Gani Fawehinmi Memorial Park, Ojota Lagos designated by the protest organizers; Labour and the Joint Action Forum (JAF) as Freedom Square. The choice was symbolic; Chief Ganiyu Oyesola Fawehinmi, the late legal icon was an acknowledged champion of the Nigerian masses and a major leader of the opposition against military dictatorship. Fittingly, Fawehinmi's widow, Ganiat, and son, Mohammed were among protesters at the park. So were JAF Chair, the intellectual and philosopher of the people, Dr Dipo Fashina and Secretary, Biodun Aremu, a consummate mass mobilizer, and labour leaders John Kolawole, Joe Ajaero and Promise Adewusi.

Dr Fashina who is also the Co- chair of the Labour And Civil Society Coalition (LASCO) the engine room of the strikes and protests, told the multitude at the Park that the liberation of the people had begun and that it was in the interest of President Jonathan to listen to the people rather than foreigners “Jonathan is doing the bidding of the International Monetary Fund (IMF) and the World Bank and we rise to revolt against this policy. Instead of allowing them to impoverish the people the more, we must remove them from office because Nigeria is for Nigerians and not for the IMF and World Bank. The people have said no to deregulation and removal of subsidy, the legislators have said no, so if the president cannot do the people’s wish, then he should resign.”

Nobel Prize Laureate Professor Wole Soyinka sent a speech which was read to the rally. The literary legend said that the patient beast of burden called the Nigerian citizen was overloaded with its knees buckled but its spirit was refusing to give way. “The bruited palliatives, as illusory as electoral promises, belongs to what Nigerians routinely describe as ‘medicine after death’ A serious government would have emplaced the ‘palliatives’ first, worked assiduously to ensure that they were effectively enforced, with at the very least, a guaranteed stabilization of the existing level of Nigerian subsistence , which was nothing to crow about in any case. Nothing remotely approaching this protective measure has taken place, only- Business As usual.”

Comrade John Kolawole, the TUC Secretary General told the crowd that the huge turnout was an indication of Nigerians dissatisfaction with the state of affairs in the country and that the rally was merely the first step “tomorrow, we will intensify it. Everywhere, Christians and Muslims should organize prayers. It is a fight for everybody.”

Mr Tunji Braithwaite, the seventy eight-year old elder statesman and lawyer made the long journey from his home on Victoria Island to make a personal appearance at the Fawehinmi Park. He told the crowd “The Nigerian revolution will turn out to be the mother of all revolutions. The government must be brought down now because a government that cannot provide the immediate needs of the masses, is no use.”

Radical lawyer and former President of the West Africa Bar Association (WABA) Mr Femi Falana who was at the park with his son, Folarin told the rally “ I have been actively involved in the human struggles for the past thirty five years, instead for the situation to change for the better, it keeps getting worse...This

protest is to ensure that all enemies of our country are exposed to ridicule and embarrassment. It is a movement for the revolution of our country. Why is it that an infinitesimal number continues to suffer the majority of the people? Those who said you have no right to demonstrate are talking balderdash.”

Pastor Tunde Bakare, Vice Presidential Candidate of the Congress for Progressive Change (CPC) argued that the primary issue was not the removal or retention of fuel subsidy, but the massive corruption in the oil industry.

Bloodbath In Kano

Kano is one of the largest cities in the country and a bastion of pro-democracy. The current generation of radicals in the city draw inspiration from an anti-colonial movement of radical teachers, scholars and grassroots politicians led by Mallam Aminu Kano. Immediately the new fuel prices were announced on Sunday January 1, 2012, youths in the city started mass mobilization. Within twenty four hours, they had taken to the streets, bringing parts of the ancient city under their control. They were mainly young students, many of them teenagers. I feared they could easily be crushed, so I phoned the dynamic chairman of the Kano State Council of the NLC, Comrade Isa Yunusa Danguguwa, who is also a teacher, for a briefing. He told me that the students were pouring in from various parts of the state and shared my concerns about their safety. So I asked him to intervene, and give the youths some direction. He went out to meet the protest leaders and police authorities.

The NLC was set to meet in Abuja and fix a commencement date for national protests, and I felt that the youths should conserve their energies for the national strike. But their ranks continued to swell into thousands, and they adopted the Silver Jubilee Square in the city as their protest ground. They renamed it Liberation Square where they began sit-ins like the Tahir Square in Egypt. At about 1.45am, armed riot policemen attacked the youths in the square while a number of them were asleep. Tear gassing, beating and injuring the youths who fought back gallantly. One of them, Abdussamad, twitted some fifty minutes into the attack “It’s 2.35a.m, we’re still battling, fighting back at Kano Liberation SQ”. Eventually, the police retook the square having injured an estimated three hundred youths and arrested seventeen who were later released. This was like a dress rehearsal for us and we knew that the only antidote against such brutality was to mobilize people in such great numbers that the police will be powerless to disrupt the protests.

To ensure a total mobilization of the populace, the State Council of the NLC brought in students under the National Association of Nigerian Students (NANS) the Kano Students Association, the Voice of Widows and Orphans, the Nigerian Medical Association, the Nigerian Bar Association, the Kano Traders Association, Market Women Association and the Academic Staff Union of Universities (ASUU). In preparation, a number of committees were formed these included those for Strategy, Publicity, Mobilization, Rapid Response/Emergency, Security and Crowd Control.

This first day of protests on January 9, began early in the morning with people gathering at the headquarters of the NLC Kano State on Katsina Road. They marched to the Race Course where the rally was held. There had been previous meetings with the State Government and the plan was that the governor will meet the protesters and receive their letter of protest. Unfortunately the governor did not show up so the labour leaders and organizers of the protest led by Danguguwa, addressed the huge rally and then led the crowds through the streets, back to the NLC secretariat. But some of the protesters stayed behind insisting that the governor, Rabi'u Kwankwanso must address them since he was elected by the people. This situation eventually degenerated into a confrontation between them and the security personnel during which some of the protesters were shot. Seeing that some of them had been shot, this group of protesters that had swollen in number attacked the State Cabinet Office, and destroyed some thirty vehicles in the Office of the Secretary to the State Government. The crowd then moved towards the Government House. The Army, Police and the Air force confronted the protesters and started shooting indiscriminately into the crowd. The crowds surged forward and pulled down the fence of the Government House.

At the end of the day, five people were killed, the first two who were shot dead were Abdulmaliki Rabu'a Badawa, 27, and Bashiru Musa Zango, 29. Some of these corpses were taken to mortuary while a number of the injured were taken to various hospitals in the states. No fewer than forty (40) persons were injured in the protest. According to Alhaji Musa Danladi Abdulahi, who is the Executive Secretary of the Red Cross in Kano State, fourteen injured persons were rushed to the Abdulahi Wase Specialist Hospital, Kano, seven of them were victims of gunshot. He also said that sixteen other persons were rushed to the Murtala Mohammed Specialist Hospital, Kano with eleven of them having gunshot wounds. As more victims were brought in, the hospital appealed for blood donation from the public.

The Commissioner of Police in Kano State, Alhaji Ibrahim.K. Idris later addressed the press. “the protest organized by labour unions was going on peacefully and the protesters had the permission of the police to march from the Labour Secretariat to the Race Course for their rally, suddenly from nowhere a group of criminals besieged the Government House and tried to force themselves in. They over powered the policemen on duty who had to seek reinforcement from soldiers to disperse the rampaging crowd”. This statement by the Commissioner of Police was clearly intended to cover up the atrocities of the Army, Air Force and the Police.

Later, the Kano State Commissioner for Information Alhaji Farouk Jibril told the press “following the sad incident in the city today, where some hoodlums hijacked peaceful protest of the labour unions, the state government hereby imposes a... curfew starting from tonight. People are hereby ordered to remain indoors between 6pm and 6am until further notice. This is to ensure maintenance of law and order.” Again, all these were attempts to cover up the atrocities of the police and the military, and also to paper over the fact that government treated demonstrators with disdain.

Rabuia Badawa, 72, the father of Abdumalik, one of the protesters shot dead said his son came to him early in the morning to take permission to join the protesters which he agreed. He told the ThisDay reporter “I will never forget this day when I lost my son during a protest that was made for the collective interest of the masses, and will continue praying for the repose of his soul, I will never forgive the police who shot and killed him”. The victim’s mother Hajia Amina Badawa said her son was a hero “We lost a hero because he was killed struggling for the entire Nigerian masses even me at my age of 53 years, I will join the labour so that those who killed him can also kill the entire family”.

Following this tragic situation in Kano State, based on consultations with other Labour leaders, I reached out to the Kano State Council of the NLC and instructed that the street protests and rallies should be suspended immediately while the strike continued.

Housewives Take Over Protests In Katsina State

Katsina State on the first day of protest was mainly taken over by housewives. Thousands of them marched through the streets of the ancient city of Daura in a long procession. This was quiet significant and symbolic in the state because

Daura was founded by a woman. Markets and other business sectors were shut down in Katsina State as a result of the street protests and rallies. The protests in the state capital, Katsina started from the Nigeria Labour Congress Secretariat and moved to Yahaya Madaki Road, WTC, Government House Roundabout, before the protesters rallied at the Gangiwa Square opposite the Katsina Emirate Council. At the rally the chairman of the NLC, Comrade Aliyu. A. Mutazu said the protest will not be called off until President Jonathan reverted to the original price.

The Katsina State chapter of the Nigeria Bar Association urged the National Assembly to impeach President Jonathan should he refuse to rescind the decision on fuel price hike adding “We are strongly behind this protests by the NLC and indeed the good people of Nigeria and have joined in the call for the President not to remove subsidy”. On this first day of protests in Katsina, it became slightly violent when thousands of the demonstrators broke away from the main rally and made their way back to the Government Reservation Area Roundabout near the Government House where they made burn fires. After some minutes they were confronted by armed policemen and soldiers. For about thirty minutes there were sporadic exchange of gun fire, teargas, stones and other missiles before the youths finally dispersed.

The People On The March

Edo State is another state well known for its pro-democracy traditions. It had produced fearless mass leaders like Aire Iyare and Jonathan Ihonde. On January 9, the people trooped out, led by the Nigeria Labour Congress Chairman, Comrade Emmanuel Ademokun and his Trade Union Congress counterpart, Joe Alibe. They rallied in the city before marching to the State Government House where they met Comrade Adams Oshiomole, the Governor. Ademokun told him that the message of the Edo State people to President Jonathan is that he must revert the price of PMS to ₦65. “Today, a lot of speakers were at the Ring Road (the city centre) to equally address the same issue by telling the whole world that come rain, come shine, President Jonathan must revise the fuel price to ₦65 per litre. With that we felt that there is a need to send a letter through you Comrade to the President to express our anger”. Comrade Oshiomole accepted the letter and told the crowd “Nigerians are one and the same whether in poverty or in prosperity and even for this reason it is important that we reassure every Nigerian at least in Edo State that this is their state. It does not matter to us where you were born, if you choose to live here, you are a citizen of Edo state and you have

the right to do your lawful business to protest and the right to be protected by government and by the grace of God we will do so”.

Later the protest degenerated; there were burn fires on the streets, protest in various places and some people were injured with at least two people reported killed. Later the protest died down and people prepared for the next day's protest. Protests round the states.

The protests in Ekiti State was organized by the Nigeria Labour Congress, the TUC, the Save Nigerian Group, Campaign for Democracy, the Nigerian Medical Association, academics, students as well as artisans. The protests in the state capital, Ado Ekiti, took off from Ajulosun area through the major streets and terminated at the Fajuyi Park.

Significantly, the street protests, in the tradition of famous pro-people priests like Cardinal Sinn of the Philippines, was led by the Catholic Bishop of Ekiti, Bishop Felix Femi Ajakaiye. The Bishop told the rally “We expect Mr. President to react to the security challenges in the country the same way he quickly removed the oil subsidy and we urge him to use the money being used to finance pro-subsidy campaign to transform Nigeria. I am a Nigerian and I am interested in Nigerian progress, I can't fold my hands because I am a bishop, and allow my people to suffer, we need to be visionaries and pursue causes that will not make Nigeria fall apart. The power of the people is mightier than any government, it is sad that our leaders don't have listening ears. President Jonathan said he did not have shoes and he is trying to take our pair of slippers off our legs. As much as I support that there should be no war in our dear nation, this policy is worse than a civil war. But with one voice we shall surely overcome”

The protests in Ondo State were led by the Chairman of the NLC, Mrs. Bose Daramole who told the rally “the action of President Goodluck Jonathan on the removal of fuel subsidy is inhuman and undemocratic, our own stand on the issue is that President Jonathan should revise the fuel price to ₦65 per litre”. Various parts of the state were completely shutdown; civil servants, lawyers, commercial drivers and professional groups joined the protests. The major streets of the capital, Akure including Oyemekun and Oba Adeshida were turned to football pitches by youths.

Kwara State was one of the hot spots of the protests. On January 3, 2012, that is about a week before the national protests began, the police had shot dead a

protester, Mr Muyideen Mustapha in Ilorin the state capital during local anti-fuel price increase protests. When the story first broke, I thought it unlikely; it did not just make sense. Taiwo Otitolaye, a comrade from our anti-military pro-democracy days in the early 90s who resides in Ilorin confirmed the story. What is the protester's name, was he a student or worker? Otitolaye did not immediately have the answers, but soon enough, he provided them. The murder of the 23-year old Nurudeen Mustapha from the Ajikobi Ward in Ilorin might have been an attempt to intimidate the people, but his murder rather than dampen enthusiasm, inflamed passions and kept the state on the boil.

On this first day of the national protests, January 9, tens of thousands of people started a march from the Nigeria Labour Congress headquarters, through Offa Road, Murtala Mohammed Road, the Post Office junction, Challenge junction, through Ahmadu Bello Way and back to the NLC. Activities in the state were paralyzed; shops and other business places were closed. The protesters carried placards some of which read "Oil subsidy in Nigeria is a fiction we say no to corruption" Others read "UAD (a pro-democracy coalition) says no to IMF, World Bank policies, no retreat, no surrender, revert to ₦65 per litre".

A major feature of the Ilorin protests, was that lots of soldiers were sent out to police it, but when the protesters and the soldiers met at the Post Office Roundabout, not far from where the police had murdered Mustafa six days earlier, the soldiers started hailing the protesters and expressing solidarity with them. However, at a point in the protests, a different contingent of soldiers who were said to be escorting the Garrison Commander, drove through the crowd. Professor Poju Akinyanju the state coordinator of the Occupy Nigeria group, condemned this act. He told the press "during the peaceful protest today by the labour unions and civil societies in Ilorin which went very peacefully, the Garrison Commander of the Nigerian Army drove forcefully through the crowd which he had no need to do, there were other routes for him to take but he chose to provoke demonstrators by driving his car through the crowd. I think this is an act of irresponsibility, but for the majority and the civilized nature of the protesters this could have led to a riot. The military are not above any other Nigerian. They are not our bosses, if anything, they are supposed to protect us and be subordinate to civil authority. We condemn this irresponsible act of this military man and hope it will send signals to all security agencies that they must respect the full citizenship of all Nigerians".

During the rally, the Chairman of the NLC Kwara State Council, Comrade Farouk

Akanbi told the crowd: “the death of one of us at this point, Nurudeen Mustapha who died as a martyr of this country will be remembered forever. Our country is one blessed by the Almighty God in terms of resources human and material but we are equally endowed with bad leadership that is why we have not being able to manage well the resources which God has endowed this country with. We Nigerians have taken our destiny in our hands, I want to salute the courage of all of us here, I want to salute the courage of those at home who have given tacit support to us. Nigeria has no business with subsidy removal but why we are talking about subsidy is because we have ineffective leadership. Because we have people who saw that Nigeria is being milked and they do not have the courage to challenge those who are milking Nigeria because they themselves are culpable...those who are leading know that they are not leading well. Jonathan says that they are cutting down their salary by 25% does it make sense? ‘NO!’ (the crowd responded) He admitted that they are wasting our money in jamboree trips abroad that is why he said he is going to cut unnecessary travels. They are saying that when they remove subsidy, they are going to build more refineries, when we have four that they cannot maintain. We have four that they continue to spend Nigerian money on. They kept saying they are on turn around maintenance and nothing is being turned around. Because they are not using our roads they don’t know that Nigerians are suffering, they have refused to fix the power sector because they are using generators. We are in darkness and they are in affluence with our money. We are saying no to subsidy removal let Jonathan have the courage to revert the price. Let him have the courage to arrest and deal with the cabal that is ripping off Nigerians.

We are in a country where more than half of the budget is only used to service a few people. If Jonathan cannot provide security he has no business being the President of this country ,if he cannot make life meaningful to Nigerians, he has no business being in the Presidential Villa; we are feeding, clothing them, yet we are hungry. They should fix our refineries this is a peaceful rally and we want to thank you for making it peaceful”.

The TUC, Kwara State Chapter leader, Comrade Israel Adebisi told the crowd: “Nobody from anywhere can say we should not enjoy our resources, there is budgetary provision for security but there is no security. He should provide security in Nigeria. It is only in Nigeria that we are subsidizing government. It is our right to enjoy the resources of Nigeria. It is our right to enjoy electricity, good roads and clean water.”

Nassarawa State is one of the states bordering Abuja. As early as 7.am tens of thousands of protesters had taken over the state especially the capital, Lafia, and Keffi, which is just thirty minutes drive from Abuja. They ensured that there was no movement across their territory especially to states like Plateau and Benue. Markets, shops, supermarkets, banks and all business premises were all shutdown. The protesters pulled down some of President Jonathan's bill boards mounted during the 2011 general election. Some of the placards read "We are saying no to chop, chop government" another said "Bring back subsidy." The chairman of the State NLC, Comrade Asoloko Mako and the TUC Chairman, Gabriel Agbasi led the protesters round the town.

Kogi State is another state that borders Abuja. It is the artery linking Abuja to the southern part of the country. On this first day, protesters took over the various streets in the state including the high ways. Markets, shops, banks, motor parks, fuel stations were all shut down; all commercial activities came to a stop. The protests were led by the Nigeria Labour Congress, the Trade Union Congress, the Nigeria Bar Association, civil servants, road transport workers and commercial motorcycle unions.

The protesters had gathered at NATACO part of Lokoja, the state capital, from where they moved to the various parts of the state including the highways and the offices of traditional rulers. They were addressed at a point by the NLC Chairman Comrade James Osman Odaudu who insisted that the strike will not be called off until the government reverts to ₦65 per litre. The TUC and Nigeria Medical Association branches also addressed the crowds.

The protests in Imo State began early in the morning; the Ministries, government agencies, commercial banks and markets were shut down. Teachers in primary and post primary schools also joined the strike as did commercial motor operators. People who came out on the streets had to trek long distances as there were no vehicles on the road. Popular markets in the city like the Allied, Relief and Owerri Main markets were all shut down. The main rally was held at the Odumegwu Ojukwu Arena where workers were addressed and told that they must stand firm with labour and the Nigerian people. The protests in the state passed off quite peacefully.

In Enugu State, the workers had gathered at the NLC Secretariat, New Market, Enugu when the police barricaded the Secretariat and prevented them from protesting. Over the past months, Labour in the state had been weakened by

internal conflicts and rear guard actions. The intolerant and hawkish state government led by Governor Sullivan Chime, had also infiltrated the workers ranks. As the protest period approached, the governor had taken to the airwaves like an emperor who is not bounded by any rule including the constitution and announced “I Sullivan Iheancho Chime, Governor of Enugu state of Nigeria being of the opinion... (that) public assemblies, meetings or public processions in any part of Enugu State of Nigeria will lead to break down of law and order and that it is therefore expedite to prohibit the holding of any public assemblies, meetings or public processions. Accordingly, in exercise of the powers confirmed on me...I hereby issue the following proclamations; the holding of any public procession or meetings in Enugu State of Nigeria is hereby prohibited until further notice”.

Governor Chime, who manifests erratic tendencies, apart from the misuse of the police and army in the state, also maintains an army of thugs which he utilizes against perceived opposition. His actions, and given the prostrate nature of labour, led to a partial observance of the strikes and protests in the states.

In Ebonyi State, Governor Martin Elechi tried to play the Chime card. He went on air and proclaimed that the deregulation of the oil sector is irreversible adding that “it would be better to undergo a surgical operation and save the life of a patient than refrain from so doing out of the fear of inflicting the pains of surgery. As no one will wish a pregnant woman not to give birth to a baby just because of the momentary pains of labour.” But his tactics failed; labour and its allies mobilized the masses who took to the streets. In the state capita, Abakaliki, the workers marched through the major streets with placards some of which read “Revert the pump price to the original price of N65” “Say no to corruption” “We don’t want subsidy removal”. All banks and almost all business activities came to a halt. The crowds were later addressed by various personalities including the state NLC Chairman, Comrade Boniface Igweuno.

In Anambra State, the people poured out in their thousands especially in the state capital, Awka, where they marched from the Aroma junction through major streets including Zik Avenue.

The protesters who were led by the State NLC Chairman, Patrick Obianyo, later marched on to Government House where they were received by Governor Peter Obi.

The Chairman of the Academic Staff Union of Universities, Anambra State

University, Dr Jaja Nwanebo made a presentation to the Governor on behalf of the protesters. He told the Governor “if the Government of Nigeria has not been able to manage the little resources they have had to put refineries in place all these while, the trillions that they are going to mop up from the removal of fuel subsidy will not be well managed either” But Governor Obi disagreed with him saying “Let me tell you about management, this will be well managed.” The strike was very effective; state and federal establishments including the PHCN, the Stock exchange the general post office and other areas were shut as was Onitsha, the largest market in Eastern Nigeria. School children who had earlier gone to school returned home as their teachers were on strike.

The Governor of Jigawa State, Alhaji Sule Lamido, who is a former Minister of Foreign Affairs, is a well known populist who also claims to be a follower of Alhaji Aminu Kano the famous pro-poor politician. But the protesters in the state were angry that Alhaji Lamido seemed to support the removal of subsidy and high fuel prices. The protesters had rallied at the Mallam Aminu Kano Triangle in Dutse, the state capital to disown both the Governor and the Federal Government before marching on through the state. Speaking to the protesters at the Triangle, the state chairman of the NLC, Comrade Suleiman Adamu Kiyawa urged President Jonathan to address the crucial issues affecting the country rather than engaging in an unnecessary debate on subsidy and risking crisis in the country over fuel subsidy removal.

He urged him to immediately set up machinery that will revive the refineries while additional ones should be built. Also at the rally The state chairman of the Trade Union Congress Comrade Abba Mustaphar Yola called on the Federal Government to tackle the problem of insecurity, corruption, unemployment and other social vices rather than concentrating on the fuel subsidy issue that will further aggravate the situation in the country.

Later the protesters through the NLC, handed over a letter to the State Head of Service, Alhaji Mustaphar Aminu who received the letter on behalf of the State Governor. Also at the rally, the former Minority Leader in the State House of Assembly, Hon Farouk Adamu Aliyu who joined the rally with his sons, daughters and party supporters said Nigerians have no iota of confidence in the present leadership in the country. He told the rally “President Goodluck Jonathan and his team told us that they will remove fuel subsidy to get more money and revamp the economy but an average Nigerian knows that even if they get more money they will steal and promote corruption which has already shattered the economy”.

The rally in Dutse was so massive that it seemed that the entire populace was on the street; some in cars, vans and motorcycles while some walked. However, it ended peaceful. Gombe State was completely paralyzed, including Gombe the state capital where banks, markets and the main Bauchi Motor Park were all closed. The State Specialist Hospital discharged all patients as the medical workers and nurses joined the strike. Protesters marched to the Emir's Palace in Gombe, where the State Chairman of the NLC, Ahmad Mesakala directed workers to remain at home until the Federal Government rescinds its decision on fuel subsidy. The Gombe Youth Forum leader, Sani Sambo said the decision to remove subsidy is a class war against the Nigerian people and a reflection of bad governance. Protests and States in the grip of violence.

The security situation in Yobe State due to the activities of the armed militia group, Boko Haram had been quite bad. Based on a request by labour leaders in the state, I weighed the need for it to join the strike and protests, vis-a-viz the insecurity in the state, and told them that it will be understandable if they do not hold rallies and street protests and that If all they could do was ensure the strike directive was obeyed, the national leadership would be satisfied.

The State NLC and TUC leaders were able to mobilize the populace; the workers shutdown all offices, markets and shops were closed as were motor parks, fuel stations, banks and other commercial houses. But unlike in other states, the people stayed at home so that rallies may not become easy targets for bombers. In a communiqué read by the NLC Chairman, Comrade Lawal L. Ibrahim after a meeting of labour leaders in the state, explained why there was a stay-at-home order rather rallies and street protests.

Borno State had similarly asked to be excused given the security situation in the state. I told the labour leaders to cancel all street protests and rallies but ensure that the strike held in the state. This was done: the Borno State NLC Chairman, Mr. Titus Abana told the media that although there were no protests and rallies as a result of the security situation in the state, the general strike was on. "We have constituted monitoring teams which are going round to ensure full compliance by workers, market men and women and others I am happy to say that the strike has so far being successful". Shops, offices, market places and other commercial places were shut down by the strike. Main business areas, the Federal Government and State secretariats were also shut down and the streets deserted.

Another quiet violent part of the country is Plateau State where there had been

lots of ethnic and religious violence. In preparing for the strike, the state NLC Chairman, Comrade Jubril Bancir had contacted me to find out what should be done about the strikes and street protests given the violence in the state. I asked him to consult other labour leaders in the state and let me know what they advise. He later called back to report that the securities agencies in the state had advised them to move the strike and protests to a designated local government outside Jos, the state capital that had witnessed unprecedented violence in recent times. I told him that this was not acceptable as the state and federal governments may make capital gains out of this by claiming that the people of Plateau State shunned labour directives. Therefore, they should stay in Jos, ensure it is paralyzed while also coordinating the strike in all other parts of the state. I told them that the state was however exempted from street protests and rallies.

The residents of the state complied with the call of labour to stay at home. The only main activity in state was the visit of the Chief of Defence, Air Marshal Oluseyi Petirin who was in Jos to commence the free medical services offered by a group of retired military officers. By 8am, the labour leaders were on the streets to monitor compliance and ensure that offices, markets and other commercial areas were shut down. Later the labour leaders held a press conference at the Secretariat of the Nigeria Union of Journalists where Comrade Jibril Bancir who addressed the press commended workers and other citizens for obeying the stay-at-home order. He added “that Nigerians totally reject this policy of slavery imposed on us by our government”. Also at the press conference the Public Relations Officer of the National Association of Nigerian Students (NANS) Zone C, Mr. Victor Manisi accused the Minister of Petroleum Resources of misleading President Jonathan on the issue.

Kaduna State which was the capital of Northern Nigeria before the 1914 Amalgamation, is a cosmopolitan state. Tragically, it has become one of the most violent areas as a result of ethno- religious crisis. However, on this first day of the strike, rallies and protests, all the people were united as they trooped out as a solid mass to completely paralyze the state. Some of the street protests were led by former Governor of Old Kaduna State, Alhaji Balarabe Musa and human rights activists, Shehu Sani and Festus Okoye. The protesters carrying leaves sang in Hausa language “Bana so Jonathan “(We don’t want Jonathan). They carried placards some of which read “Jonathan is worse than Boko Haram” “Fuel subsidy must be reversed” and “ Jonathan and Sambo must go, we don’t want PDP”.

Another group of protesters were led by the Nigerian Bar Association Kaduna State chapter whose members came out in their robes carrying banners against fuel subsidy removal. At a point, a group of youths broke away and insisted on seeing Governor Patrick Yakowa at the Government House. Later, the police and soldiers attacked the protesters mainly with tear gas. Also, at the Kaduna House of Assembly, protesters forced their way into the Lord Lugard House complex while a police surveillance helicopter hovered around monitoring the protests. Another wave of protesters surged from the NLC Secretariat through major streets of the city. Later, various protest teams including those led by Alhaji Balabere Musa and the NLC converged to join forces and continue the street protests. Women and children also joined the protesters to register their displeasure.

In Bauchi State, the strike and protests went on well. They began at about 7 am with civil servants, youths and other citizens converging at the Palace of the Emir of Bauchi where they handed over a letter to the Emir, Alhaji Mohammed Rilwanu Suleiman Adamu before rolling like a tidal wave through the city. The protesters later marched to the State Government House where the Governor Isa Yuguda refused to address the protesters. The protest was joined by various unions, religious groups, students, commercial motorcycle riders, the physically challenged, bankers and various other groups. Unfortunately, later in the day, a group of youths for reasons that are not clear, returned to the Emir's Palace which they attacked, destroying part of the palace.

In the process, over forty persons were reported injured during the attack. Speaking to journalists, the Deputy Information Officer of the Bauchi Emirate Council, S. Yakubu Lami said "Sara Suka youths who were mainly criminals attacked the palace, they were not part of the protests but they took advantage of the protests to carry out their criminal activities because the labour union visited the Palace showing respect and honour to the Emir. They submitted a letter to him in the morning before they passed". "At that time the Emir was inside because they came early in the morning. It took the grace of God and the intervention of mobile police men and soldiers who tear gassed to dispatch the youths from the Emir's palace."

In Benue State the State Governor, Gabriel Suswan had campaigned vigorously against the strike and protests called by the NLC and the TUC. However, on day one of the strike, the state was completely paralyzed as the populace including those in the informal economy yielded the call for a strike and a shutdown of the state. Also NLC officials picketed and shut down the state radio station as well

as the Federal Radio Corporation of Nigeria (FRCN) station that were carrying out skeletal services. Led by the chairman of the NLC in the state, Comrade Simon Anchaver, the protesters held a rally at the stadium before the street protests commenced. He commended organised labour and the populace for the solidarity and commitment they displayed in ensuring that all markets, education institutions, media houses, fuel stations and businesses were shut down in compliance with the strike order.

Also, the State Joint Negotiating Council, the body of civil service trade unions commended the people for siding with labour on the issue. He said that the Jonathan administration has to be brought down to its knees over the unpopular decision to remove fuel subsidy. The Benue State Police Command said the rally in the state was one of the most peaceful as nobody was molested.

Taraba State was also shut down by the strike. In Jalingo, the capital, civil servants, market people and other commercial workers deserted their offices, closed markets and shut down the city. The peaceful protests and strikes also witnessed security agents mainly armed policemen, members of the civil defence, immigration and prisons, guarding various areas and monitoring roads in the state. Also the leadership of the NLC and TUC led teams to monitor the strike, while calling on the members of the National Assembly to as a matter of urgency initiate an impeachment process against President Jonathan.

Oyo State witnessed one of the most massive demonstrations and protests. Hundreds of thousands of residents in various parts of the state especially the state capital Ibadan, and Ogbomoso trooped out to the streets. As early as 7:30 am students of the premier University of Ibadan had barricaded their institution and stopped vehicular traffic in the areas around the campus, burning tyres. The protests in the state were led by the NLC, TUC, students and the Joint Action Forum (JAF) The rally in Ibadan included civil servants, civil society organizations, members of the Nigerian Bar Association (NBA) led by its immediate past President, Mr. Oluwarotimi Akeredolu, a Senior Advocate of Nigeria, the Nigeria Medical Association (NMA), market women and various groups.

In Ibadan, the protesters started the rally from the State Secretariat of the NLC in GRA Agodi, they went through Mapo, Ogunpa, Agbeni, Dugbe and Mokola. When the protest columns got to the State Secretariat complex, an overzealous policeman shot tear gas at them, the tear gas hit a toddler being carried by her mother who had joined the protests. Doctors from the NMA who were part of the

protest rallied round to attend to the child. Addressing the crowd, at Mapo which was renamed Freedom Square, the Oyo State Coordinator of the Joint Action Forum who is also the former chairman of the University of Ibadan branch of the Academic Staff Union of Universities (ASUU) Dr. Ademola Aremu said that the government of President Jonathan was merely trying to impose IMF and World Bank agenda on Nigeria and argued that subsidy in the first place does not exist.

Also addressing the crowd, Mr. Akeredolu said with the sudden removal of fuel subsidy, President Jonathan had betrayed the Nigerian people. “The Federal Government is deceiving us with the palliative measures, it is not the right of the president to decide for us whether the subsidy should be removed or not, he should allow Nigerians to decide for themselves, and since Nigerians are saying no to the removal he should reconsider his action; Nigerians should reject the so called subsidy removal.”

The Oyo State chairman of the NLC, Comrade Bashiru Olarewaju said it was unfortunate that president Jonathan had betrayed Nigerians and rather decided to support the IMF at the expense of the Nigerian people. He alleged that “President Jonathan allowed the IMF cabal to hold him hostage within Aso rock, this is the time for us to tell the president that he has failed”.

Also the chairman of the Trade Union Congress Mr. Bayo Ajayi said immunity cannot save the President “Can immunity save Jonathan from the masses? ‘No!’ Immunity cannot save him today because he has offended Nigerians, we have started the protest and there is no going back until the price is reversed, Nigerians will not give up the fight until the price is reversed”.

The President of the Transition Monitoring Group (TMG) Mr Moshood Erubami at the rally argued that “the removal of the fuel subsidy has clearly shown that President Jonathan and his cabinet have nothing to offer Nigerians and the country at large”. Other personalities that addressed the rallies included the Chairman of ASUU University of Ibadan Branch Dr. Segun Ajiboye, the Chairman of the Nigeria Bar Association Ibadan Branch Mr. Lukman Lawuyi, two members of the State House of Assembly; Hons Segun Olaleye and Ibrahim Bolamope who was a former chairman of the Oyo State Council NLC.

In various parts of Oyo State, angry youths stopped motorists from using the streets. In Ogbomoso one of the biggest cities in the state, the people completely took over the streets. Shops, filling stations, markets and other commercial centre were shut down.

In Osun State, the capital Oshogbo, and various towns in the state such as Ile Ife, Ikirun and Ede, were completely taken over by protesters. The protests were organized by the NLC, TUC, Afenifere Renewal Group, the Committee for Democracy and Rights of the People, the People's Welfare League, Justice Now Foundation, National Conscience Party and other groups. In Oshogbo, things were peaceful until the convoy of an Ex-governor ran into the protesters injuring three persons; Taiye Fatoke, Matthew Akinyemi and Mrs. Yinka Olanipeku. The Senior Adviser on Environment to Governor Rauf Aregbesola, Mr. Bola Ilori addressed the protesters at the Olaiya Junction arguing that the Federal Government should first rebuild the four refineries destroyed over the years before removing oil subsidy.

In Akwa Ibom State the strikes and protests were unique in the sense that the workers had been on strike over Minimum Wage, seven days before the national strike began on January 9. What the NLC did was to bring in the rest of the populace. Thousands of protesters under the umbrella of Labour, NBA, Nigeria Medical Association and artisans gathered early morning at the Ibom Plaza located in the centre of the city, for the commencement of the protests and rallies.

The protesters went through various streets in the city ensuring that all banks, super markets, fuel stations and other commercial institutions were closed. While the hospitals were shut, medical doctors in some cases provided skeletal services. The Chairman of the State Chapter of the Nigeria Medical Association, Dr. Etim Umanah explained that this was for humanitarian reasons but that if by Friday the government had failed to reverse the price of fuel, all doctors will comply. The protests were led by the chairman of the State Council of the NLC, Comrade Unyime Usoro who urged people in state not to be deceived by the so called injunction against the strike. He argued that there was no reason for labour to obey a black market injunction when the court of competent jurisdiction had restrained the ruling Peoples Democratic People (PDP) from conducting its primaries in Bayelsa state and this was not complied with.

The NLC Chairman who had led the protesters to the Government House, presented a letter to Governor Godswill Akpabio for delivery to President Goodluck Jonathan. In the letter, Labour stated its complete rejection of fuel subsidy. In his response, the Governor who was represented by his Deputy, Mr. Nsima Ekere thanked the protesters for the maturity they have shown in ensuring that it was peaceful and that hoodlums were not allowed to hijack the protest.

In Cross Rivers State, workers and the bulk of the people shutdown the economy. The protesters led by the NLC gathered at Zoo Garden, Mary Slessor Avenue as early as 7am and marched through various streets including Barracks Road and Calabar Road to the Governor's Office. They were shadowed by armed policemen led by the Commissioner of Police, Mr. Samson Udaah. The protesters were addressed by the Chairman of the State NLC, Mr. Njom Nyambi and the Trade Union Congress of Nigeria Chairman, Mr. Louis Nsogi. However at the Government House, neither Governor, Liyel Imoke nor any state official was around to receive the protesters.

Bayelsa State is the home state of President Jonathan and it seemed that there were a lot of efforts made to ensure that the strike did not take place there. The strike however occurred shutting down the State and Federal Secretariat, offices and shops, but unlike other states, there were few protests. In Yenagoa the state capital, the organization of the main rally was primarily by the civil societies. However after they were gathered at the Opolo Junction, they were prevented from protesting on the streets by armed policemen. The protesters were forced to move back to the Secretariat of the Nigeria Union of journalists (NUJ) where they addressed a press conference. The placards they carried read among others: *"Repair our refineries and stop corruption in the oil industry"* *"Let's practice True Federalism; Subsidy must not go"* another read *"Why rush removal of subsidy, what about Petroleum Industry Bill"*.

It appeared that the few thousands of demonstrators was as a result of the fact that the Trade Union Congress and the Nigeria Labour Congress in the state had met and decided that there will only be strikes, but no street protest or rallies. The Chairman of the NLC in Bayelsa State, Mrs Ebiuwou Koku-Obiyai and her Trade Union Congress counterpart, Comrade Ayibatiri Collins Yekorogha had met and issued a communiqué which read. "Council-in-Session has resolved to carry out the mandate of the national secretariat directive of the NLC and TUC to close down all offices, markets, banks filling stations, the transport sector, water fronts and stores. However because of the security situation in the Niger Delta region in general and Bayelsa in particular both councils have agreed not to embark on street protests and demonstration in order to avoid the hijacking of the process by miscreants ... that might result in the loss of lives and property".

The Conference of Nigeria Political Parties, Bayelsa State Branch led by Comrade Sunday Frank Okpotu lambasted those in the House of Representatives from Bayelsa State who supported the removal of fuel subsidy claiming they were not

doing so in the interest of the people. "I want to commend the House of Representative for the posture against subsidy they should go further to impose sanctions against President and his cabinet if he violates this resolution. The National Assembly should always stand to protect the interest of the people against any policy detrimental to the people; those Representatives from Bayelsa State are losers and should not be listened to".

The situation was however different in the neighbouring Rivers State where tens of thousands of people marched through the state capital, Port Harcourt, showing their opposition to the removal of subsidy and the hike in the price of fuel. Protests began at the Issac Boro Park along the busy Port Harcourt/Aba Expressway. Protesters led by the NLC, TUC and civil society groups, poured into various streets. Monitoring teams set up by labour had ensured that State Secretariat and offices were shut by 6am. The State NLC chairman, Mr. Chris Oruge called me to complain that the members of the National Union of Petroleum and Natural Gas Workers (NUPENG) were trying to sabotage the strike by loading fuel in tankers in Port Harcourt and rolling into town. I spoke to the NUPENG National President, Mr. Igwe Achese who was in Abuja monitoring the strike in his capacity as the NLC National Trustee. He said there must have been some information gap between the union and its members in the refinery and promised that the strike will be enforced. I assured Oruge that the oil workers at the refinery will soon join the strike. A disappointed Oruge was to call several times later that this did not happen; after calling Achese a few more times with him making more promises, and the situation on the ground not changing, I asked Oruge to ignore them; the last thing I wanted was striking workers physically stopping our NUPENG comrades on the streets. The protests which also shut down areas like the International Airport in Port Harcourt was quite peaceful.

The State Commissioner of police, Suleiman Abbah later addressed the press. "I will like to say that every police officer in Rivers State, over ten thousand Policemen, are on deployment to make sure that we maintain peace and also protect those going on procession and those not going on procession. In River States we are having signs of strike going on, we have clear signs of workers especially those in the private sector and market women going on their local business. The situation is good and calm and there is peace everywhere I will dedicate this to the good people of Rivers State".

On the first day of the strike, the State Governor, Mr. Chibuike Rotimi Amaechi met with independent marketers in the state. He said its primary to ensure that

the people do not suffer. The chairman of the River State chapter of the Independent Marketers Association Chief Samuel Sarijo who attended the meeting said “We are here to discuss with the Governor of Rivers State on how Rivers State petroleum marketers can partner with the State Government to cushion the effects of the removal of fuel subsidy on River State, we are prepared and committed to work with Governor Amaechi to see that there is easy distribution of petroleum products in Rivers State at affordable prices to customers across the state. We are going to do everything possible to ensure that there is surplus petrol, diesel and kerosene in the state at affordable prices”.

The Chief Press secretary to the Governor Mr. David Iyofor said “The meeting the governor had with the members of the IPAMN in River state was about getting the best deal we possibly can get in River State in terms of the pump price of premium motor spirit popularly known as petrol and other petroleum products”. This actually turned out to be a public relations stunt as the people of River State suffered from fuel shortages and very high prices for the commodity.

Delta State witnessed lots of protests and strikes in various cities including the State capital, Asaba. However the most volatile was in Warri where there were Pro and anti Jonathan demonstrations in the combustible oil city. The anti-fuel subsidy protesters led by labour rallied at the Nigerian Ports Authority (NPA) where they started their protest march. They carried placards some of which read *“Don’t compare Nigeria with other countries” “Our politicians are too corrupt” “We don’t need 1,600 buses”* (a reference to the Presidency’s offer to provide this number of buses for the 167 million Nigerians as part of its ‘cushioning’ strategies) Some other placards read *“Let the refineries work” “We say no to fuel subsidy removal” “Workers say no to removal of subsidy” “Ebele don’t kill us” “NLC, TUC and Civil Societies say no to subsidy removal” “Okonjo- Iweala is anti-masses, resign”*.

The long procession which stretched to the old port area in Warri was led by labour, lawyers and civil society leaders; their march terminated at the Efunrun Roundabout. The pro-subsidy protesters gathered at Okwumaga Avenue/Estate houses chanting pro-Jonathan songs. They carried placard with some reading *“No strikes, go back to work” “We are in support of subsidy removal” “Goodluck is a patriotic Nigerian to have removed fuel subsidy”*. There was a slight problem as some of the pro-subsidy protesters tried to attack those who were against the removal of subsidy. But the huge crowd of the anti-subsidy removal protesters easily overwhelmed the pro-government people and put them to flight.

While addressing protesters, the Vice Chairman of the TUC Delta State, Mr. Nicholas Obi Nkwocha said government was hasty in removing fuel subsidy, even as it claimed it was consulting Nigerians. He said that government should ensure the refineries work first before removing fuel subsidy. The President of the Committee for the Defence of Human Rights (CDHR) Comrade Sunny Enenuvwe was quite pleased with the protests which he said had succeeded in forcing the Presidency to cut the salaries of political office holders by 25 per cent. Mr Omon-Irabor, lawyer and National Coordinator of Human Rights Defenders Organisation of Nigeria (HURDON) told the anti-government rally "The masses cannot afford the removal of fuel subsidy. It is not in the interest of the common man and therefore is unacceptable to us". The NLC representative in the city, Comrade Augustine Omas said the strikes and protests will continue until Government listens to the Nigerian people.

Another feature of the protest in Warri was the so called display of force by armed soldiers. Dozens of armoured personnel carriers and several platoons of soldiers were out in the streets of Warri and hundreds of soldiers were involved in this 'show of force'. The spokesperson of the Joint Task Force of the Armed Forces, Lt. Colonel Timothy Antigha later claimed that the turnout of soldiers in Warri was not in response to the Labour protests. In Asaba, the State capital, tens of thousands of protesters turned out by 7.am and embarked on a march through the city. They were led by the NLC and Trade Union chairmen Comrade Williams Akporeha and Samuel Desieke.

The protesters stopped over at the Government House where they presented a letter to Governor Emmanuel Uduaghan. They were received at the Government House by the Secretary to the State Government, Ovuozurie Macaulay, a former Chairman of the State NLC who represented the Governor. Comrade Akporeha told him that the strikes and protests would continue until the price of fuel was reverted to N65 and advised Government to focus on curbing corruption rather than increasing the cost of fuel. The TUC chairman lamented that there are lots of negative effects the removal of subsidy is causing the populace. In his response, Mr. Macaulay advised labour not to foreclose dialogue, he said the letter sent by labour will be delivered and assured that the State Government will do all in its power to provide the necessary palliative measures to cushion the effects of fuel subsidy removal.

Niger State witnessed one of the most massive demonstrations on the first day of the strike in the country. Various towns in the state were paralyzed. In the State

capital, Minna, the demonstrators held a mass rally at the secretariat of the NLC along IBB Road after which a long procession commenced on to the Niger State House of Assembly on Paiko Road where the crowd was addressed by the Speaker of the Assembly Alhaji Mohammed Tsowa Gamunu who assured them that their grievances will be forwarded to the Federal Government. Later the protesters broke into various groups and made lots of burn fires in the streets. Unfortunately a section of the protesters headed to the palace of the traditional ruler, the Estu Nupe and attacked it with stones before the security agencies were called in to disperse them.

The Secretary of the Estu Nupe, AlhajiAbdulmaliki Usman told the media “it is true that some protesters vandalized some structures in front of the palace, the security agents have effectively handled the situation and everything has returned to normalcy in the town people are now going about their usual businesses”. Another group of protesters in going round Minna, came across a Nigerian National Petroleum Corporation fuel station that was selling fuel in defiance of Labour’s directives; in anger they attacked the station and almost burnt it down. Lawyers in the State led by their Chairman, Jacob Yisa Pati led a delegation to the Government House where they met with the State Governor, Muazu Babangida Aliyu, a former labour leader. The lawyers presented a written petition to President Jonathan through the Governor asking him to apologize to Nigerians for taking them for granted over the issue of fuel price increase.

Governor Aliyu claimed that the Federal Government was pushed into increasing the price of fuel by the Governor of the Central Bank of Nigeria (CBN) Lamido Sanusi Lamido. He said: “Information made available to Government by the Central Bank of Nigeria indicated that the country is on the verge of financial collapse hence the decision of the 36-state Governors to support the removal of fuel subsidy...The main cause of the financial insolvency of the country was as a result of corruption and inability of the Nigerian National Petroleum Corporation (NNPC) to correctly account for the money accruable to the nation from the sale of crude oil” He added: “Fuel subsidy has mobilized Nigerians, those in governance will not take the people for granted anymore, we must consult with the people always.”This was to become controversial as the Minister of Finance Mrs. Ngozi Okonjo-Iweala claimed that it was the governors that pushed the Federal Government into increasing the fuel price.

In Kogi State, all roads leading to Abuja other parts of the country from the North were blocked by protesters who closed the main road leading to the State capital,

Lokoja and the Jamata Bridge. On the first day of the protests, the protesters took the state capital Lokoja as early as 6am in street demonstrations led by the State Chairman of the NLC Comrade James Osman Odaudu and his TUC counterpart comrade Abdul Ganiyu. They had converged at the popular Obasanjo Square in Lokoja before embarking on street protests. Shops, ministries, hospitals, fuel stations, markets were shutdown. The protesters marched to the Government House but Governor Alhaji Ibrahim Idris did not address them as they expected. Following the insistence that the governor must address them, armed soldiers were drafted to protect the State House, while the State Police Commissioner, Mr. Marvel Akpoyibo who is also a lawyer, persistently threatened the protesters with the use of force.

In Sokoto State, the people complied with the directives of labour on the strike; the capital, Sokoto, was completely shut down as most people stayed at home. Markets, Banks and other business centres were shut down. Other places shutdown include shops, restaurants and educational institutions. The State Chairman of the NLC, Comrade Bello Danyaro Tambuwal led protesters who included workers, commercial motor cycle riders, youths and market people. They threatened to remain on the streets until the Federal Government rescinded the fuel price hike. Tambuwal later told the press “NLC and its affiliate bodies went round the metropolis to monitor the protests there were no untoward incidence in Sokoto state over the protests.”

In Zamfara State, tens of thousands of people gathered early morning in Gusau, the state capital. Led by the NLC, they marched through the streets of Gusau including Sokoto Road which leads to the Government House, and to the Sabon gari and Tudun Wada areas. A set of demonstrators later broke away to burn tyres on the streets.

In Kebbi State the protests were peaceful and effective as all state and federal government offices were under lock and key. Private businesses were also shutdown. The main rally began at the stadium early in the morning. Led by the NLC, the protesters then marched to the Palace of the Emir of Gwandu to deliver a letter for President Goodluck Jonathan. Then they marched on towards Government House to present another letter through the State Government to the President. However in the process, some youths broke away and started throwing stones at the bill boards of President Jonathan.

Generally, across the country, the rallies, protests, strikes and mass demonstrations

were quite peaceful and effective as tens of millions of Nigerians responded. There were a few pockets of violence due mainly to the activities of overzealous security Agents, and angry youths who broke away from the main rallies and protests. But things went on generally well on the first day of the strike; the people spoke loudly by their words, messages and action, but the Presidency was not convinced it heard right.

The Limits Of Intimidation

The Nigeria Governors Forum (NGF) is a power house. Its members influence or control many members of the National Assembly, have immunity, preside over the affairs of the states, and in many cases, over the affairs of the State House of Assembly which constitutionally, is supposed to exercise oversight functions. Once the Governors decided to have a greater share of the Federation Account by having fuel subsidy removed, there was no doubt that the pro-subsidy might face greater challenges. The chairman of the NGF, Governor Chibuike Amechi argued that “Nigerians should allow government to remove the subsidy in order to create room for openness and a pool of funds to undertake massive investments in infrastructure.

Government should come up with measurable palliative measures and milestones to be achieved within given periods of time, failure of which ordinary Nigerians should march to the streets.” At a National Economic Council meeting in October, 2011, the Governors announced their endorsement of fuel subsidy removal. Governor Amechi had at that occasion told the press “ One of the most important issues that we canvassed and decision reached was that governors supported the Federal Government’s move to remove subsidy because we believe it is in the interest of this country. We will save money for the development of the economy and at the end of the day; we will provide opportunity for the greater number of people.”

On behalf of the NLC, I had responded to the NGF declaration as “ a bait the Federal Government should not take. There are lots of problems in the country. Our leaders must learn from the protests that have been sweeping through North Africa and the Arab world. Our Governors must not set the country on fire. We advise them to pay the Minimum Wage religiously because the implementation date is April 1, so that they do not fall into a lot of arrears. How can they be making such a call when Nigerians cannot get kerosene to buy? It is not in the interest of

the country for any group to multiply the problems of Nigerians by hiking the prices of petroleum products.”

I then held an interaction with the press during which I argued that “If we refine our products, we will not need these charges which the Federal Government calls subsidy. It is very clear that by attempting to increase the fuel pump price, Government is visiting its inefficiency on Nigerians ...What government is doing is not different from a farmer who is supposed to have the capacity to utilize his farm produce for production of a variety of foodstuffs but willfully sells all his farm produce and then goes to a five-star hotel to pay a five-star price for food and turns around to say the difference is subsidy.

The first problem of this administration like the ones before it is that it sells 100% of our crude oil leaving nothing for local consumption and then it goes abroad to buy petroleum products at exorbitant prices; it then adds the cost of insurance and freight, adds the cost of discharging the products into smaller vessels (called daughter vessels) as well as the cost of distributing the products to marketers and it calls that subsidy, when in fact if we refine crude oil in Nigeria, we stand to benefit much more because of the derivatives we would get...Government is talking about deregulation which is import-based; a deregulation that is anchored on finished petroleum products rather than one that encourages local refining.”

On plans by government to set up a body to disburse the funds expected to be ‘saved’ from the subsidy removal, I had argued that , “this issue of eminent Nigerians is not new and it is just a throw-back to military mentality. During the days of Ibrahim Babangida, the Directorate of Foods, Roads and Rural Infrastructure, DFRRI, was established to manage the funds; during Sani Abacha’s era, it was the Petroleum Trust Fund, PTF – these bodies were decreed into existence.“What President Jonathan plans to do is create that body which is not known to Nigeria’s constitution and saddle it with the responsibility of administering funds meant for the consolidated accounts. NLC is not falling for that! Our fear is that all the conditions that led to the crises in the Arab world are present here in Nigeria, so anything can happen”.

When the protests broke out, seeing those they govern in the streets, and being astute politicians, most of the governors beat a retreated, leaving an obviously angry and irritated Presidency to carry the can.

After two days of protest, one of them, Governor Babangida Aliyu, a former trade

unionist, decided to race to the Presidency's rescue. He gave workers in the state an ultimatum to resume work on Wednesday, January 11, 2012, or face serious consequences. Rather than be intimidated by the ultimatum, workers and protesters poured into the streets, and dared the governor. Soon, the situation got out of hand. At about 10am while trying with other labour leaders to calm restive protesters in Abuja, I got a call from the Chairman of the Niger State Council of the NLC, Yahaya Ndako that there was some violence on the streets of Minna and some parts of the state. I asked him to mobilize the labour leaders, and reassert control.

About twenty minutes later, he called again, this time to report that protesters were setting houses on fire, targeting the property of prominent persons. I told him that he should go on air immediately, call off the protests and order workers back to their homes, and protesters off the streets. He replied "How can I do that when we have closed down the radio stations?" In this instance, we were victims of our own success. So I told him to pass the message round labour leaders in Minna that the national NLC has suspended all protests in the state with immediate effect and that all workers should go home and remain there until further notice. Even as I spoke to the NLC chairman, I did not comprehend the widespread nature of the violence, until reports started pouring in that the state was on fire.

Just after my discussions with the NLC chairman, I came across a mini bus which was driving against the protesters in Abuja. The vehicle had been besieged by angry youths. I asked some foot soldiers with me to clear the youths from the bus and stop it from being damaged. It turned out to be the official bus of the Nigeria Civil Service Union (NCSU) conveying its President, Kiri Mohammed Shuaib, who is also a Deputy President of the NLC to join the protest. It happened that the General Secretary of the Medical and Health Workers Union, Pastor Marcus Omokhuale was also in the bus. He told me that a letter was dropped at his union secretariat which we were using as the temporary NLC Secretariat.

It was an invitation from the National Security Adviser, General Andrew Owoye Azazi that the labour leaders should meet with him and the service chiefs that afternoon. I handed the letter to the NLC President who asked we should discuss it with other labour leaders after the protest march that afternoon. But we were still on the streets at the scheduled time of the meeting. I think our movement must have been monitored as I got a message from the NSA that since we were preoccupied, the meeting will be shifted to later in the day to enable labour attend.

After the march, I argued that rather than meet the NSA and his team, who will need to report back to the Presidency, why not hold direct discussions with the Presidency? But that since we had decided we were not holding any meeting with President Jonathan unless he reverts the PMS price, it was not logical to meet Azazi and the security team. I had also pointed out that the new time scheduled for the meeting clashes with an invitation by the Hon Patrick Ikhariale-led House Ad-hoc Committee on the Interface between the representatives of the Executive Arm of Government and Organized Labour on the removal of fuel subsidy.

My positions were adopted. While in the bus on our way to the House meeting, one of the NLC leaders accused me of scuttling the proposed meeting with the NSA. I explained that I had done no such thing; all I did was present an argument which was adopted by others. Despite my previous explanations to him on the matter that afternoon, and now in the bus, he accused me of dictating to the labour leadership and imposing my will. I told him that since the NSA's office was on the way to the National Assembly, he was free to get down, and go for the meeting. The TUC President, Peter Esele intervened, and the matter ended, or so I thought.

The next day, when a Labour delegation went to the Presidential Villa for a meeting brokered by the Senate leadership, the NSA was present. Out of courtesy, I went to him and genuflected in the tradition of the Ijaw (since he is an Ijaw elder) and greeted him "Doo Sir" He looked at me with a scowl on his face. I thought he did not recognize me, so I began to introduce myself, he cut me short "I know you! You are Owei Lakemfa. You disgraced me yesterday, I gathered all the Chiefs of Staff, security and IG to meet Labour, you told them not to come" I was caught unawares, and started explaining that it was not my personal decision, but that of Labour. Again he cut me short " No it was not Labour, it was you! You told them not to come. Who are you? Who are you in this country?" With that, he hissed and walked away, with my outstretched hand still hanging.

Doubtlessly, one or more of the Labour leaders had briefed him or security about my arguments against the meeting. I told myself, I might just have made another powerful enemy. Back to the Wednesday meeting brokered by the Ikhariale Committee, the former Chief Justice of the Federation, Justice Alfa Belgore, who was on the government side, was already sited. Later the Committee members came, in then the full Federal Government delegation led by the Secretary to

the Government of the Federation, and former President of the Senate, Senator Anyim Pius Anyim. His delegation included Labour Minister, Hon Chukwuemeka Wogu. They explained that they were late because they had to attend the weekly meeting of the Federal Executive Council (FEC) chaired by the President.

After the FEC meeting, Communication Minister, Mr. Labaran Maku had briefed State House correspondents; unlike other occasions, he struck a reconciliatory tone. He told the media: "The Federal Government remains engaged in the process of dialogue with Labour, we have never dismissed the process of dialogue. Even before the full deregulation was announced, Mr. President discussed with all labour leaders, we discussed with the NLC, TUC, and we discussed with other stakeholders outside labour knowing that this key economic policy will affect the general population" "We have never closed our doors to negotiations or discussions with Labour or any other social group that are involved in the current protest, what is very clear to us is that government is taking up its responsibilities, not only at the federal level, but other state governments are engaged indirect discussions with their own trade union as well as civil society groups. In some states we have noticed quite some progress in the dialogue between the State Governments and labour and civil society groups. So the Federal Government, as far as we are concerned, the process of dialogue is continuous" He added that the protest was "only adding more pains to the people of Nigeria and in some places we are also beginning to see that elements outside labour are already virtually in the forefront and this is creating a lot of security problems in some states. You saw the situation in Kaduna, Edo State etc."

"We are appealing to labour up to this time to drop this option of protest which are increasing the pains out there for the people of Nigeria and it is our believe that anything that cannot be achieved through discussion will not really be useful when you call the general population to the streets. So we are appealing to Nigerians, civil society organisations, and Labour to understand that we believe that this option that has been taken is adding more pains to our people and we hope that in the days ahead they will see reason and drop the protest and continue the process of dialogue." "This issue of deregulation is not an option that the government arrived at in comfort or happiness. It is something that has been reviewed over a year and a half."

We had hoped that the meeting at the National Assembly would be the beginning of serious discussions on the way out of the impasse. But the usually jovial and friendly Senator Anyim was in a fighting mood. He had not come to discuss or

negotiate, he had come to read the riot act to labour. Government he said, will not discuss with labour unless the strikes and protests were called off. He told the mediating law makers: "I think the agenda of this meeting has changed. The mayhem carried out in Niger State and other parts of the country suggested that although labour provided the platform for the protests and violence, the whole issue has gone beyond labour. We should respect the sanctity of lives. The socio-political environment must be calm before any meaningful dialogue can take place."

The Labour Minister who usually sounds reconciliatory, reiterated that Government was not going to talk to labour "It is clear that other people have taken over the process to cause mayhem and labour is now helpless." It seemed to me that some drama was playing out; the usually combative Communication Minister had adopted a reconciliatory tone while briefing the press, while the usually level headed Senator Anyim and the Labour Minister who usually preaches reconciliation were slamming the doors against a dialogue that Government had claimed it desired. Despite the reconciliatory tone of Justice Belgore's intervention and his appeal to patriotic instincts, it was clear that Government had something up its sleeves. The labour leaders joined battle with the government delegation. Peter Esele took particular exception to a media report in which the Labour Minister had said that government will not negotiate with the mob in the streets. With tempers rising, the Honourables who had convened the meeting, fought hard to restore some order. After things calmed down, Hon Ikhariale expressed disappointment in the stance of Senator Anyim, more so being a former Senate President. Some attempts were made to redirect the meeting towards negotiations, but the atmosphere had been polluted. At a point, the Government delegation made little veiled remarks about members of the Ad hoc Committee being on the side of Labour.

Despite the little progress made, some members of the Ad hoc committee were quite optimistic. The Chairman of the House Committee on Labour, Hon Essien Ekpenyong Ayi told the press "We are making progress, and sincerely believe that in the next 24 hours or so, the effort of the House to resolve this matter shall be achieved" "Today is the third day of the ongoing strike and you will agree with me that government has lost a lot of resources running into billions of naira as a result of the ongoing strike. I am made to understand that Nigeria has lost as much as ₦158.9 billion on daily basis from the ongoing strike. What is accrued to the Federal Government from her own share of the deregulation for 2012 is about ₦500 billion from the ₦1.3 trillion. Then if the strike is sustained for about

five days, the government shall lose more than expected income and it shall thereafter become a wasted venture”.

The Presidency through the Justice Minister, Mr Mohammed Bello Adoke, who also doubles as the Attorney General of the Federation read the riot act to Nigerians:

- It has come to the attention of the government that some persons or group of persons are perpetuating criminal activities under the guise of participating in the on-going demonstration against the subsidy removal policy of the Government;
- since the demonstration began on Monday, 9th January 2012, these persons have among other things engaged in arson, wanton destruction of lives and property, as well as making unguarded statements bordering on treason with a view to overwhelming the government. As a result, several State Governors have imposed curfew in the irrespective States in order to prevent further breakdown of law and order;
- while government recognizes the right of Nigerians to peaceful demonstration, it will not fold its arms or stand idly by, while the current situation deteriorates into a state of general insecurity. Henceforth, government will not hesitate to bring to bear, the full weight of the law on erring persons or group of persons howsoever called that engage in any act that threatens the peace and stability of the country or its corporate existence; and
- government reiterates its earlier position that those who have genuine grievances as a result of the implementation of the fuel subsidy removal should express such grievances within the confines of the law and dispute resolution mechanisms as established by law.”

The Government was blowing hot and cold revealing the confusion within it. But if it thought it could intimidate the Labour Movement or the people, it was grossly mistaken. The mass action continued across the country.

Chapter 8

The Rest Is History

After the drama of the previous day including declarations that there would be no talks unless labour first called off the mass action, the Presidency agreed to sit with the Labour Movement in the Presidential Villa on Thursday, January 12, 2012. By this time, its antics including using a handful of labour leaders to supply some litres of fuel, had failed. This Villa meeting also had in attendance, the National Assembly leadership and some state governors. The venue in the Villa was a large hall possibly used by the First Lady, as photographs of all past First Ladies in the country, hung from the walls. I decided to poke fun at the Communications Minister, Mr Labaran Maku whom I had known when he was a student activist. Like me, he had also been a journalist. I had not really been speaking to him since he became a Minister, so I think he was a bit surprised when I drew him aside, and led him to where the First Ladies portraits hung. I whispered to him “Labaran, your Ministry is in charge of information, how can you let them hang these portraits that do not really reflect the truth?”

He was of course curious. So I took him to the first portrait; the wife of the first President, Dr. Nnamdi Azikiwe . He did not see anything wrong with him, so I told him that the portrait there was that of Dr Azikiwe second wife whom he married some two decades after leaving office. That the true First Lady was Mrs. Flora Azikiwe. He apologized. I went on to point out that a number of the photographs were those of old women, whereas, the ladies were young when they were First Ladies. I advised him that for historical accuracy, he should get his Ministry to go into the archives and reproduce the photographs when they were First Ladies.

Soon, the President, accompanied by Vice President Namadi Sambo came in. He shook hands with us, and excused himself and the Vice President, announcing that the Senate President, David Mark would preside. The discussions commenced with the Government side pressing to know Labour’s position, then they asked probing questions, but with each answer, they needed further clarification, or made follow up probes. It was a game, so we turned the tables, since they are not satisfied with our stated position, the Government side should present its own position, and suggested solution. Senator Mark turned to the Secretary to the Government, there was no answer; our eyes darted from one government

official to the other; one minister to another, there was no response. Yet these were people who over the months, and especially in the last two weeks, had spoken for government, how come none was now ready to speak? My analysis was that none of them wanted to be quoted as stating government's irreducible position.

I wondered whether they had a mandate. Although a Minister came over to whisper into our ears whether we could consider a reduction from the announced ₦140 to ₦100 per litre, it was never put on the table. Of course, we shook our heads. The meeting was inconclusive, and we agreed to meet again. In order to let the public know the stage of the talks and not give room for speculations, the TUC and NLC issued a joint statement in which we informed the public that: "The NLC, TUC and their allies in the Civil Society Movement on Thursday 12th January, 2012 met with the Senate leadership, Nigeria Governors Forum and the Executive Arm. At the meeting, Labour asked the Presidency to suspend the new petrol (PMS) price increases announced on January 1, 2012. In return, we offered to suspend forthwith, the strikes, mass rallies and street protests. We also suggested that an expanded committee be set up which would discuss the fuel subsidy issue and pricing for petrol. The Government side presented a counter proposal asking Labour to negotiate new fuel prices. Since we had no such mandate, Labour declined and decided to return to its National Executive Council meetings which will be held on Saturday 14th January, 2012 for a possible expanded mandate.

Labour commends the National Assembly for its intervention and further urges the Presidency to be more reconciliatory towards the people and show more understanding and sensitivity to their feelings and collective interests." What was clear at this meeting was the apprehension of what might happen the next day being Friday, the day for jumat prayers. The fear was that the prayers would bring mass of people together, and they may move to the streets, especially the northern parts of the country. After the meeting, a top official asked to speak to me in private. I obliged. He wanted my candid opinion on the mass action, I obliged him; then he asked for my advice, I gave it freely. He didn't think it was workable as he said it might bring government to ridicule. I told him that I saw my advise as win-win one for both Government and Labour. He nodded, and wanted to know our plans for the next day. I told him that we shall be at the barricades. I knew he worried about the aftermath of the jumat prayers.

After the meeting, I thought more about the protests on Friday. A number of the states in the north including Niger, Zamfara, Bauchi and Kano had witnessed

bloody protests and deaths in the week, I was not sure whether we in the Labour Movement could control the crowds that Friday. We had consultations and next morning, we arrived at a solution. Next morning, as the protests commenced across the country, we sent messages and made an announcement in the media that to enable the faithful to fully observe jumat, the protests nationwide will end by 11am and that everybody should take a break for the rest of the day. Somehow, this worked, after prayers, people retired to their homes.

We had yet another challenge: although the masses had remained steadfast and turned out in greater numbers each day, we thought it will not be tactical to wear them out. Also, people had made a lot of sacrifices shunning work, virtually making no income for the entire week. We decided that there should be a weekend break-in the protests, to enable markets, shops and other commercial enterprises open, allow people to restock basic needs at home, and rest their limbs for what promises to be a demanding second week of protests and strikes. So the Movement issued joint statement stating that the "The Nigeria Labour Congress (NLC), Trade Union Congress (TUC) and Joint Action Front (JAF) commend the Nigerian people for turning out in their millions since Monday January 9, 2012, to protest the astronomical increase in the price of PMS (Petrol). We commend them for their resolute stand and insistence in struggling for a better country.

The Labour Movement and its civil society allies after nationwide consultations has decided that this weekend, Saturday 14th and Sunday 15th January, 2012, will be observed as strike, protest and rally-free days. We ask Nigerians to utilize these days to rest, restock and get re-energized for the continuation of the strikes, rallies and protests from Monday 16th January, 2012."Saturday January 14, 2012 was a very busy day. The NLC and TUC held their respective National Executive Council (NEC) meetings, and the decision was that the strikes and protests should go on. At its NEC meeting, the NLC suspended from office with immediate effect its chairman in Abia State, Comrade Sylvanus O. Eye who was found to have been slack. The NEC ordered the Council to appoint an acting chairman pending full investigations into his conduct during the protests. It was difficult changing the field commander in an on-going operation. But that was the decision of the NEC. The situation was made worse by the fact that with the strike, it was impossible to travel and effect a change in the Congress leadership in the state. So I took to the phone, calling all the labour leaders I knew in Abia State informing them that they were being given the chance to install the Vice Chairman with the highest number of votes in the last council elections as acting

Chairman. But that if there were disputes, I might appoint a leader for them.

The Labour team thereafter returned to the Presidential Villa for further talks with government and state governors. Government was disappointed that the NEC of both labour centres decided to continue the mass protests. As the night wore on, we decided to call it a day. As is our tradition, we documented the outcome of the meeting in a public statement. It had an explanatory title WHY LABOUR—FG TALKS STALLED AND STRIKE/PROTESTS CONTINUE MONDAY 16 JANUARY 2012. It told the public that “The talks between the Federal Government and Labour represented by the Nigeria Labour Congress (NLC) and Trade Union Congress (TUC) in Abuja on Saturday 14th January, 2012 stalled due to differences on the methodology in finding a solution to the crisis.

Labour’s analysis of the situation is that tension is very high in the land following the fuel price increase, the resultant strikes, rallies and street protests and the human casualties that have followed. And that a suspension of the new petrol prices will reduce tension and return the country to normalcy. We decided to make a plea to President Goodluck Jonathan in the overriding interest of the country to suspend the PMS (petrol) price increases and direct that talks between government and Labour be concluded on the petroleum industry especially at it affects fuel subsidy and pricing within a short time frame. We made a pledge that once the price increase suspension is announced, Labour and its allies will immediately suspend the strikes, rallies and street protests.

The summary of Labour’s position at the meeting was that talks and consultations were on-going before government aborted them by announcing the 120-220 percent increase in the price of petrol, and that it is necessary to return to the status quo in order to douse tension, return the country to normalcy and allow for a conducive atmosphere for consultations and talks.

However, Government’s only offer was to reduce the new prices while declining to allow a phased price increase. We think that the government position will not return the country to normalcy. The Labour Movement pledges that whenever and wherever government invites us for talks, we shall be there without any conditionality.” Given the strident calls for ‘Regime Change’ which was beginning to gain currency in the country, we decided to make a public clarification and restate the objectives of the mass action: “The Labour Movement once again reiterate that the strikes, rallies and streets protests must be peaceful and that the objective is the reversal of the petrol (PMS) prices to their pre-January 1,

2012 level. We are therefore not campaigning for 'Regime Change.'

The Labour Movement is wedded to democracy, therefore, anybody or group that wants a change in the political leadership of the country at whatever level, should do so through the ballot box. The Labour Movement and its Civil Society allies are also saddened by the unprecedented loss of lives and injuries sustained during the indefinite strikes, rallies and streets protests that commenced from Monday January 9, 2012. We reiterate that those who visit violence on protesters and their masters who gave such evil orders will individually be brought to justice.

We in the Labour Movement have done our duty to our country; we have made tremendous sacrifices including loss of lives; we have carried out the mandate of the Nigerian people; we can do no more. For the avoidance of any doubt, the indefinite strikes, rallies and protests continue nationwide from Monday 16th January, 2012."

The Government began to announce some concessions to the demands of the protesters. For instance, Petroleum Minister, Mrs Dieziani Allison-Madueke who had told the international media in Perth, Australia that government can do nothing about corruption in the oil sector particularly as it affects fuel subsidy, now announced that government was going to tackle corruption in the sector. She told the nation: "Following the removal of subsidies on Premium Motor Spirit (PMS) commonly referred to as petrol, by the Federal Government on January 1, 2012 and the ensuing protests that followed the announcement, it is clear that the Nigerian people are demanding for better accountability and transparency in the oil industry.

Consequently, in keeping with the transparency and accountability policies of the Goodluck Ebele Jonathan Administration, I have taken the following actions:

1. With Presidential approval, I have written to invite the EFCC to immediately review all payments made in respect of subsidies on PMS and kerosene and to take all necessary steps to prosecute any incidence of malfeasance, fraud, over-invoicing, and related illegalities in an open and transparent manner;
2. I have set up a unit within my office to be headed by an independent auditor to review the KPMG and other audit reports on NNPC and other Parastatals, and immediately begin implementation of their findings, ensuring, at all times, full probity and value for money;

3. I am en-paneling another unit in my office to begin a comprehensive review of the management and controls within all Parastatals in the Ministry of Petroleum Resources, including but not limited to NNPC, PPPRA, and DPR. Accordingly, I expect a report in 30 days to enable us take further action in reforming management, personnel, and other practices and procedures in Parastatals within the Ministry. It should be noted however that this process has already begun in PPPRA, and DPR where management changes and reform are beginning to yield desirable results; and
4. I will be meeting with the Senate President and the Speaker of the House of Representatives in the coming week to seek their co-operation and leadership in the quick passage of the Petroleum Industry Bill so that we can anchor the comprehensive reform of the oil industry. I will like to assure the people of Nigeria that all hands are on deck to ensure full probity and accountability in the oil industry.
5. Having spent the last few months painstakingly reviewing its operations and designing a vision for the future, it is now time to deliver.”

Sunday January 15, 2012 was one of the most dramatic days. It was the first day in about two weeks I went home. I had not been there for up to thirty minutes when my phone rang. A high ranking politician called to ask whether I was aware that a state of emergency was to be declared that day. I replied that there were such rumours the previous day, but that we had gotten no confirmation. He said orders are being given for armed troops to retake the cities by force, and that all state governors had been invited to Abuja that day for a meeting at 4pm. I made some calls to other labour leaders. Shortly afterwards, Labour Minister, Chief Wogu called me. He said President Jonathan wants to meet with Labour that Sunday morning for 10am or latest 11am. I told him, that I will try my best to get labour to the meeting. I called NLC President Omar and gave him the information I got and the invitation by the Presidency. His voice seemed disturbed, but he asked for my opinion. I told him that it was better we met the President after his meeting with the state governors, so we would have the benefit of knowing the outcome of their deliberations before we meet him.

He agreed with me, so I called Chief Wogu to say almost all the labour leaders were out of Abuja that Sunday morning, so they need some hours to come in; can we reschedule the meeting for that evening? No, he said, it was an urgent meeting, the President wants to consult labour before making a broadcast that

evening, and if I so desire, government can assist to get the labour leaders into Abuja that morning. I promised to call back. I did and told him it was impossible to hold the meeting even before evening. He suggested that myself and the few labour leaders available could still come for the meeting. I told him that if the President of our dear country calls for a meeting, it must be for a serious purpose, so we need to attend with our full team.

The Minister said he would consult and get back. The meeting was eventually pushed to 6pm. But due to unfolding events, it actually held in the night. That afternoon, Omar called “Chief Owei, where are you?” I told him.”How fast can you get to the office?” “Within thirty minutes” He sounded so worried that I practically flew there.

I met him in his office, his face told me something serious was going on. He said “Chief Owei, this may be the last day you and I may be meeting as President and General Secretary of the NLC. This people have decided to ban the NLC and TUC” “ Comrade President, is that just all?” I asked him. He seemed startled by my response. So I explained that I had expected such a move, which is partly why we evacuated all our main documents and computers from the Labour House before the strike to run a temporary Secretariat from the Medical and Health Secretariat, and a secret mobile one.

I added “Comrade President, if government bans the NLC today, within seconds, we shall announce the establishment of a new labour centre in the country with the same membership” he looked puzzled “This is a serious matter” I replied that I am serious and told him that no government has the power to ban any constitutionally sanctioned organization, any government that carries out such illegality must be confronted. This is a dispute in which the whole populace is involved, if government thinks it can solve the problem by banning the NLC and TUC, then it is making a mistake. In any case, we have the duty to reject and resist any ban. So if we are banned, we shall immediately announce the birth of a new labour centre in the country, and I have no doubt that the populace will accept and recognise that new labour centre, so we do not need any government recognition.

He now seemed at some ease. He had more to say. I got the impression that he, or along with the TUC President had been summoned somewhere and probably threatened. The summary of what he told me was that, he had been accused of trying to overthrow the Jonathan administration in order to replace the President with Vice President Sambo, who like Omar, is from Zaria, and his personal friend.

In other words, he was being accused of treason. He was quite worried about this. I told him that the first thing is his belief in what he is fighting for; his conviction. The second is his motive and conscience. That the third point is that this can be a ruse, even known to the Vice President to destabilize and throw him off balance.

I told him the numerous messages I had gotten and visits by prominent people who told me that I was trying to remove a fellow Ijaw man from power; the first Ijaw man to be president of the country; that I was assisting him (Omar) to execute a Northern Agenda, which is to reclaim the Presidency. I said, all these are diversions, and I don't think about them even for a second. I reminded him that the NLC-TUC joint statement the day before had addressed the issue of the so called "Regime Change" in which we had declared that Labour was not interested in any change of government. He seemed a bit relieved, and we discussed the strategies we should adopt for the meeting with the government that day.

It turned out that it was quite problematic getting the labour delegation together that evening for the meeting with the President. Particularly, we could not reach the two representatives of the civil society; Dr Dipo Fashina and Jaye Gaskya. Their phones were not being answered. I did not know where Jaye lives, but I knew the hotel Dr Fashina was lodged, so I got somebody to go search for him. To our relief, he was found; he had been so fagged out that he slept off and didn't hear either his phone nor the hotel intercom ring. The messages from the Villa were sounding more desperate; the President's Nationwide broadcast was for 9 pm, and we were told that he wanted to consult labour recording the broadcast. At the Presidential Villa, when President Jonathan came in, he came straight to the labour delegation, shook hand with the NLC and TUC Presidents, and when he came up to me, he shadow boxed, and jokingly told "Me and you will box when we get home".

He meant the Niger Delta area where we both come from. I smiled, he did same, and went on to shake other hands. Surprisingly, the President seemed at ease; he is not a man given to open expressions of his feelings. I watched him as he exchanged some banter. The meeting was short, he simply mentioned the strikes and protests. He said nothing about government decision, and excused himself to make the broadcast. We were not sure what he was going to say, but we knew from a reliable source, that the governors meeting did not agree on a declaration of a state of emergency in the country.

We returned to Labour House to strategize. I got a call from Gaskiya, the civil society representative we could not reach before the meeting, and briefed him about the outcome. I also informed him that we were heading for Labour House for deliberations. Admittedly it was late in the night, and he did not join us. But he later spread the false claim that he was deliberately left out of the meeting at the Villa that night because labour had decided to sell out. Back at the Labour House, we first decided to listen to the President's broadcast before our deliberations, but there was no broadcast that night, so we went on with our discussions. We got reports of troop movements in major cities, and deliberated on what should be our response. We knew there might be a massacre on the streets, and were confident that the government would not survive such atrocity. But we had no idea which force or group will take over government. We knew labour would not be in a position to take the needed steps to restore order if anarchy were to result.

The meeting also analyzed the effects of the mass action, and concluded that all things considered, the best option was to suspend the protest. This was about 2am, but a few journalists were around, and Comrade Omar asked me to call them for a briefing. I explained to him that since we have allies, and the protests cut across the country, it would be better to inform our state councils and allies first before making any announcement. I also explained that at 2am, people will be asleep, and the information will not spread round before that morning's protests would commence. I therefore suggested that he makes the announcement later in the day. That will not catch people unawares. I equally argued about the need for us to make an orderly withdrawal from the streets, and not send a wrong signal to the people. He disagreed arguing that if we do not announce the suspension before the President's broadcast, it can be claimed that we caved in to threats. I told him that was better than us making a public statement suspending the protests, when the news might reach people when they might already be on the streets that morning. He insisted I call the media, and I refused, warning that we were heading towards a public relations disaster which might also leave our allies confused.

Comrade Omar then turned to Comrade Chris Uyt, the NLC Head of Information, and asked him to call in the media, Uyt told him that my analysis was correct; that we should reach out to our allies and labour leaders in the states before making the announcement. Comrade Omar, egged on by some labour leaders, went out, called the Channels Television crew that was around and announced the protests had been suspended with immediate effect. That morning,

I started sending text messages around the country, and even calling up some people, like Comrade Biodun Aremu who was coordinating the civil society in Lagos. By 5am, I was done, and headed for the Berger Roundabout, the rally point for the Abuja protests.

In my discussions with Aremu that morning, he felt that our methods were wrong, and that about the time I was speaking with him, some of our comrades in Lagos would have been rallying people for that day's protests. He said the protests would have to hold that day, and that there was in any case, the need to test the resolve of the soldiers government was turning out to seize the streets by force. I told him that I will not stop the workers in Lagos from joining the protest that day provided he gives me a guarantee that it would just be to test the waters, and that he would ensure that the protesters do not take on the military in street battles. He promised to ensure that. As it turned out, many across the country heard about the strike and protest suspension later in the morning when protests had already began.

In Lagos, Aremu led the protesters until the bulk were faced with armed soldiers on Ikorodu Road. The crowds pressed on, and the soldiers continued to retreat, Aremu tried to get the crowds under control but did not succeed. He then went over to talk to the leaders of the military contingents that the organizers would try to reassert control as the military was not an enemy; they seemed to understand. Also clearly, the soldiers were sympathetic, if not in support of the protests. But things started getting out of hand as the crowds pushed and started throwing missiles at the soldiers who had no means of shielding themselves; they retreated, and their sensible commander called for the police which came in and used teargas. In the ensuing battles, Aremu managed to get a number of the protesters to withdraw and head back to the NLC sub- secretariat in Tejuosho, Yaba.

There was quite some confusion in the states across the country especially whether they could trust media reports on the suspension, this was despite Comrade Omar being shown on television announcing the suspension. The most dangerous situation was in Kano where that day, the largest rally ever witnessed during the protests, and one of the largest in the ancient city's history, took place. As part of the mobilization that day, some labour leaders, including women had gone to the markets in the city early that morning to ensure that they were shut down, and to mobilize the market people to join the massive rally planned for that day. At a point, those they were mobilizing was telling them that the NLC had already suspended protests in the country. The confused

delegation called their colleagues, who being no wiser, told them it was a mere rumour. Later, these labour delegates became targets of attack by an angry populace who felt labour was being dubious. The delegates had to remove their NLC t-shirts and caps to avoid being mobbed. At the rally itself, a sea of heads had gathered, many of them refusing to believe that labour had suspended the protests.

On the podium was Kano State NLC Chairman, Comrade Isa Yinusa Danguguwa. As he surveyed the restless crowds, he continued receiving messages that the protests had been suspended by the national NLC. He consulted his colleagues, how do they deal with the situation? It would be dangerous for them to simply tell the crowds to disperse. So the rally began, he had to respond to a pointed question posed by some of the demonstrators; is it true that labour had called off the protests? Danguguwa said it was a mere rumour. Supposing it was true? It was a testy situation; he replied that if it turned out to be true, he would remove his NLC cap, and don on his identity as a civil society activist, and continue the protests. The crowd was ecstatic, and when security agents kidnapped him as the rally was rounding up, the crowds gave chase, and rescued him. National labour leaders were to call for Danguguwa's head for allegedly insulting the NLC and rejecting orders that the protests be suspended. A lot of pressure was put on me to suspend him immediately and appoint an acting NLC chairman for the state.

I refused because I knew the situation he found himself. I told the labour leaders that if Danguguwa were to be suspended for going beyond his brief, and continuing with the protests after a suspension was announced, what will they then do about labour leaders that failed to organize proper rallies and protests? Later, the NLC leadership directed that he be queried. I called him that I was sending him a query, and that I did not want him to respond in anger or be dismissive as the workers still needed decisive leaders like him in the system.

That Monday January 16, 2012 morning, President Jonathan made his broadcast to the nation;

“Dear Compatriots,

1. This is the second time in two weeks I will address you on the deregulation of the downstream petroleum sector. In the last seven days, the nation has witnessed a disruption of economic activities. Although, the economic

imperatives for the policy have been well articulated by government, the Nigerian Labour Congress (NLC) and the Trade Union Congress (TUC) went ahead to declare a nationwide strike.

2. There was also near-breakdown of law and order in certain parts of the country as a result of the activities of some persons or groups of persons who took advantage of the situation to further their narrow interests by engaging in acts of intimidation, harassment and outright subversion of the Nigerian state. I express my sympathy to those who were adversely affected by the protests.
3. At the inception of the deregulation policy, Government had set up the Justice Alfa Belgore Committee to liaise with Labour and other stakeholders to address likely grey areas in the policy, but despite all our efforts, Labour refused the option of dialogue and also disobeyed a restraining order of the National Industrial Court of Nigeria.
4. However, following the intervention of the Leadership of the National Assembly and other well-meaning Nigerians, Labour accepted to meet with government, but this yielded no tangible result.
5. It has become clear to government and all well-meaning Nigerians that other interests beyond the implementation of the deregulation policy have hijacked the protest. This has prevented an objective assessment and consideration of all the contending issues for which dialogue was initiated by government. These same interests seek to promote discord, anarchy, and insecurity to the detriment of public peace.
6. Government appreciates that the implementation of the deregulation policy would cause initial hardships and commends Nigerians who have put forth suggestions and credible alternatives in this regard. Government also salutes Nigerians who by and large, conducted themselves peacefully while expressing their grievances. Let me assure you that government will continue to respect the people's right to express themselves within the confines of the law and in accordance with the dictates of our democratic space.
7. Government will continue to pursue full deregulation of the downstream petroleum sector. However, given the hardships being suffered by Nigerians, and after due consideration and consultations with state governors and the leadership of the National Assembly, government has approved the reduction of the pump price of petrol to ₦97 per litre. The Petroleum Products Pricing

Regulatory Agency (PPRA) has been directed to ensure compliance with this new pump price.

8. Government is working hard to reduce recurrent expenditure in line with current realities and to cut down on the cost of governance. In the meantime, government has commenced the implementation of the Subsidy Reinvestment and Empowerment Projects: including the Federal Government-assisted mass transit programme which is already in place, and job creation for the youth.
9. Furthermore, the legal and regulatory regime for the petroleum industry will be reviewed to address accountability issues and current lapses in the Industry. In this regard, the Petroleum Industry Bill will be given accelerated attention. The report of the forensic audit carried out on the NNPC is being studied with a view to implementing the recommendations and sanctioning proven acts of corruption in the industry.
10. Let me assure Nigerians that this administration is irrevocably committed to tackling corruption in the petroleum industry as well as other sectors of the economy. Consequently, all those found to have contributed one way or the other to the economic adversity of the country will be dealt with in accordance with the law.
11. My dear compatriots, I urge you to show understanding for the imperatives of the adjustment in the pump price of petrol and give government your full support to ensure its successful implementation. I further appeal to Nigerians to go back to work and go about their normal duties as government has made adequate arrangements for the protection of life and property throughout the federation.
12. Government will not condone brazen acts of criminality and subversion. As President, I have sworn to uphold the unity, peace and order of the Nigerian State and by the grace of God, I intend to fully and effectively discharge that responsibility. Let me add that we are desirous of further engagements with Labour. I urge our Labour leaders to call off their strike, and go back to work.
13. Nigeria belongs to all of us and we must collectively safeguard its unity.
14. Thank you. God bless the Federal Republic of Nigeria."

The NLC and TUC leadership met that morning on the President's speech, reports from various parts of the country and the next steps to take. After the meeting,

a joint statement titled SUSPENSION OF STRIKES AND MASS PROTESTS AGAINST HIKE IN FUEL PRICES was issued which read:

“In the past eight days through strikes, mass rallies, shutdown, debates and street protests, Nigerians demonstrated clearly that they cannot be taken for granted and that sovereignty belongs to them. In the last twenty four hours, the Labour Movement and its allies who had the historic responsibility of coordinating these mass actions have had cause to review the various actions and decided that in order to save lives and in the interest of national survival, these mass actions be suspended.

We note the major successes Nigerians scored in these past days in which they rose courageously as a people to take their destiny in their hands. First, the Federal Government that chorused continuously that its decision to increase petrol (PMS) price to ₦140 is irreversible and irreducible, was forced to announce a price reduction to ₦97. We however state categorically that this new price was a unilateral one by the Government. Secondly, Government has been made to adopt the policy to drastically reduce the cost of governance. A third major success Nigerians recorded is to get the Federal Government to decisively move against the massive and crippling corruption in the oil sector. While until now Government has seemed helpless to tackle corruption, the mass action of the people has compelled it to address accountability issues in the Sector.

In this wise, President Goodluck Jonathan has told the nation that the forensic audit report on the NNPC will be studied and proven acts of corruption will be sanctioned. He also promised that accountability issues and current lapses in the oil sector will be speedily addressed including the passage of the Petroleum Industry Bill (PIB). A related success of the mass action by Nigerians is the vow of Government to bring to justice all those who have contributed in one way or another to the economic adversity of the country.

The Labour Movement commend Nigerians for their resolve to change the country for the better and we shall take advantage of the Government’s invitation to further engage on these issues. This is in line with Labour’s resolve that the oil industry is too important to be left in the hands of bureaucrats, and that we have the patriotic duty to ensure that Nigerians get the best from this natural resource. The least we owe our compatriots who have become martyrs in the patriotic struggle to reassert our sovereignty and ensure good governance is to remain steadfast and unbowed. Labour reiterates its demand that those who perpetuated

violence against unarmed protests should be brought to justice. With the experiences of the past eight days, we are sure that no government or institution will take Nigerians for granted again. In view of the foregoing, Labour and its allies formally announce the suspension of strikes, mass rallies and protests across the country. We demand the release of all those detained in the course of the strikes, rallies and street protests.

We thank all Nigerians especially market men and women, artisans, youths, students, the Nigeria Bar Association, the Nigeria Medical Association, the National Assembly, Civil Society Organisations faith-based organizations, artistes and Nigerians in Diaspora for their invaluable support and active participation during the strikes, mass rallies and street protests.”While many Nigerians accepted NLC’s explanations, understandably, some did not, and some civil society organisations and politicians went so far as to accuse labour of selling out to government. In a quixotic manner, a Lagos-based pastor and politician.

Tunde Bakare rejected the suspension of the protests, and decided to rally the populace to continue the protests. Of course, we who organized the protests including setting up the Gani Fawehinmi Park as the Freedom Park and a major rally point in Lagos(which the man of God falsely tried to claim credit for) knew that Pastor Bakare was a jester. After a few press conferences he and his allies addressed, the protests he called, remained imaginary; perhaps to be seen only by the spiritually gifted.

I knew that there were Nigerians who genuinely felt betrayed by the suspension. To this category of people, we needed to explain the issues. So I had an interaction with the mass media to explain the issues, and the fact that rather than being defeated, the Nigerian people were actually triumphant. I took up the matters that were in the public domain, and answered them one after the other. On a general note, I said “The last strike and mass protests came at a huge cost in human lives. We are still compiling the figures of those who died and those that were injured, but the country has lost at least about 25 persons. The deaths were avoidable; take for instance the youths that were playing football and were shot by the police. So, it was a challenging period for all of us and we want to ensure that they did not die in vain and that those that were injured also do not suffer in vain.

In the process, Nigerians showed that sovereignty belongs to them and re-asserted such sovereignty. The message they sent out is that no government can take

them for granted and we know that that basic lesson has been learnt by this administration and also by politicians who may aspire to public office. The third point is that the government was made to shift its position which it had earlier said could not be reversed. The Nigerian people through their mass actions have shown that they can move mountains. Another point is about corruption especially in the oil sector, because the oil sector is corruption-ridden, in fact the other name for the oil sector is corruption. We are trying to push the government to take on corruption in the industry, and the Government is saying that there is nothing it can do about it. But we are telling that they can do something about it; that Nigerians should not be made to suffer for corruption in the sector. Now, the Government has asked the Economic and Financial Crimes Commission (EFCC) to move in and they are probing.

The House of Representatives is also doing a good job through the Hon. Faruok Lawan Committee and we can see the revelations. In fact, all the government agencies have various versions of all that is happening. The truth is the major casualty in all these. We did not know how many litres of fuel (PMS) we consume in this country. We have disputed the figures that it is up to 34 or 35 million litres per day and we said we want a practical demonstration to find out how we consume about 34 or 35 million litres a day. The Minister of Petroleum gave those figures.

The Presidency also gave those figures, only for the Petroleum Products' Pricing Regulatory Agency (PPPRA) to now come out to say that they are paying for 59million litres a day. So, you can see the monumental fraud there. The Customs have come out to say that they don't know anything about the importation in the oil industry. That they are told to stay clear, so they don't know or have anything about the bill of lading for ships bringing PMS to Nigeria. Given these revelations, we have scored successes. We have also succeeded in showing that the ₦1.34 trillion the government claimed to have spent on subsidy is false.

The Minister of Petroleum last week admitted under oath in the House of Representative that the ₦1.34 trillion the government was talking about included payment for 2009 and 2010 and not the 2011 they are claiming. She also admitted that even out of that ₦1.34 trillion, at least N300 billion of it went for kerosene subsidy and not for PMS. So, we have some of those gains that we have better information. Of course, the NLC along with the TUC had stated this when we met the President; that many of the claims by the Finance Minister, Mrs Okonjo-Iweala, were false, that they had manipulated figures to suit their purpose and the cabal in the oil industry. At that point, the President had told

us to disprove government figures by bringing your own statistics. But as you can see, even the government itself has a lot of these payments, are fraudulent. For instance the Kolade Committee that is expected to implement the SURE Programme is supposed to be working on some figures. Out of the ₦1.34 trillion, about ₦500 billion was earmarked to go to the Federal Government but as you can see, there is no ₦1.3 trillion in the first place.

So, we think these are gains and what we need to do is consolidate on those gains. That is why we are going to engage the Alfa Belgore Committee which the Government has set up, and we are also telling Nigerians, please don't give up. Don't just let these eight-days protests end like this. If you have information, bring it out. Let us continue to push, because what those eight days show is that we as Nigerians, in unity of purpose, can bring about a change in our country, better governance is the basic thing we should evolve."

I also explained why labour suspended the protests without government reverting back to ₦65 per litre for PMS. "In the first place, we stopped the protests and rallies before the President even announced anything. As the organizers of those mass actions, as the people who mobilized and brought tens of millions of Nigerians on the streets, at every given time, we analyzed information that was coming in. Got information and took decisions, and one thing that was paramount in our mind is that we must carry out this mass action peacefully and that there must be no loss of lives or even injuries.

That was paramount to us, but we knew that the Government and the forces we are confronting, might not have this in mind and might want to shoot people, which happened in a number of cases. Secondly, we were quite conscious of the security situation in the country and that was why we warned the government months before, that we have security challenges in Nigeria that are very serious such as bombings going on in many parts of the North, armed robbers that have taken over many states in the West, and kidnappers in the South-South and the South-East. We told Government, don't compound these by carrying out a policy that will mobilize the people solidly against you. And that was what happened, the entire government attention, security forces, the Armed Forces, Police and State Security were diverted to the issue of strikes and protests, leaving the primary issue of security.

We continued to analyze the situation and by Saturday (January 15, 2012) it was clear that the government was desperate. By Sunday morning (January

16,2012), we knew government was desperate. It was at that time we knew that the government had called all the governors together; we knew it was going for the broke. Shortly before that meeting, we got information that the Armed Forces had been let loose to go into the cities like Lagos, Abuja and Kano and take them over by force from the protesters. We knew the Army was not going to use tear-gas; they were not going to use sticks or batons; we knew they were not going to use water cannons or rubber bullets; we knew that they were going to use life ammunition.

So that Sunday, we had to debate until the early hours of Monday, till past 2 a.m.; we had to discuss and debate whether we should stand, ask the people to continue protesting in the streets and confront the soldiers, police, the Navy and the Air Force who were there to shoot and kill, which could then result in a massacre. It is not as if we thought that if there was a massacre, the government would win, no! We knew that would be a point of no return; that anything could happen. When you send out soldiers to seize streets from determined people, you are not sending them to go and hold a rally or negotiations, you are sending them to go and shoot, and kill. And so, we had to debate and discuss whether we should risk a massacre or begin immediate demobilization; get people off the streets and go with the small gains the masses had made including lessons learnt. We debated these and concluded that we should make a tactical withdrawal of Nigerians from the streets with our heads held high. So, our suspension of the strikes and protests had nothing to do with the price of a litre of fuel at that point. In any case, the price reduction from ₦140 per litre, to ₦97 was announced the next day. It was not whether they offered us ₦97, no! We did not negotiate with the government, we did not. Hopefully now, we would go on and negotiate.”

On claims circulated in the social media that Labour was bribed by government to suspend the protests, I said “This is not an issue because if it was about money, then we didn’t need to go on strike in the first place. If it was about money, then we wouldn’t have to let the strike linger for more than a day when it was very clear that Nigerians were angry and the government knew it. But you see, Nigerians have become quite skeptical. They would just think that nothing will happen without money. We had an obligation; we led Nigerians in their millions out on the streets; we had the responsibility and obligation to bring them safely back to their homes and their offices. The way forward for us is that these revelations (on massive fraud in the oil sector) can also lead us to our own conviction that ₦65 was too high for us to pay in the first place.

These revelations, provided the government is also interested, can lead the Belgore Committee in a different direction from the so called withdrawal of fuel subsidy. They might just find out that there is no subsidy in the first place, or as it has been shown in the House of Representatives, that the subsidy is mainly fraudulent. That the subsidy is about fuel that did not come into this country which they know because if the Minister of Petroleum and in fact the Presidency come out to say that we are consuming 34 million but the PPPRA says it is 59 million litres daily they are paying for, do you need anybody to tell you that it is all a fraudulent venture? And the PPPRA template is also padded. We would ensure that the cost of governance is actually cut. The President of the country has told us that he will go after economic saboteurs who are destroying our economy, causing economy adversity, so we would have to follow this up to ensure that is done. The President has said he would cleanse the oil industry; we are interested in cleansing the oil industry.”

On some civil society groups that announced that the protests will continue despite their suspension by Labour, I said;“The Labour Movement has led those protests and strikes and we have had this modest success. Any day, we will hold our heads high. We do not owe apology to anybody for our decision to stop massacres on our streets. There are some bodies, associations or politicians that said ‘no you shouldn’t have suspended the protests, we are going to continue, we say please go on, you have the constitutional and fundamental human right to go on. We freely embarked on strikes and protests; we are not stopping anybody from doing same. We do not have the same objectives. Labour is not interested in regime change or change of government; we are interested in ensuring that governance is better, that we participate in the act of governance. We are interested in a better country. We are insisting before the leadership of this country, in accordance with Section 14 of the Nigerian Constitution, that sovereignty belongs to the Nigeria people. We are interested in fundamental human rights, we are interested in cutting the cost of governance, we are interested in ridding our country of corruption. If there is need for a change of government, let us go through the ballot box.

The NLC and the TUC are not interested in changing government through any means except through the constitution. When we mobilized Nigerians, we said please come out on the streets and ventilate your feelings, organize protests in your communities, organize rallies, organize street protests in your cities and wherever you are, go on strike, shut the markets, shut the air space, shut the roads, shut the country, shut the ports. We did not say people of certain political

inclination, or politicians are excluded, because these people, as far as labour is concerned, are Nigerians. They and their political parties have the right to demand a change; for the placement of government. What we just insist on is that they should do it through the ballot box.

The opposition parties have the right to canvass their position. We were not going to start censorship; to decide what A can say and what B cannot say. No, the NLC is not interested in that. Nigerians are free people; they have the right to canvass their position. If we are going to have a change, let it be through the ballot box. "We are asking government to be led by facts. If it goes through the facts and it reaches the conclusion that the price of fuel should be lower, even lower than ₦65, there is no reason why government should not Accept this. Secondly, we are saying that there is nothing wrong in any way with subsidy. It is not a crime, in fact it should be part of governance; to subsidize your people in various ways, especially in a sector as vital as the oil sector, which has immediate implication and can affect the people negatively.

That, in line with any type of economic system, we must have a comparative advantage for what we produce, and so when they say market forces, we say no, if we produce oil, then we must have some benefits for producing it. After all, for being an oil producing nation, we are suffering environmental degradation, the pollution of our waters, of our wells, of our farms and the air we breathe and so you cannot come and tell me that we are going to pay the same price for oil as the non-oil producers are paying. So, there is nothing wrong in subsidy. But if government says it must cut subsidy, then it must also provide the basic needs of the people.

For example, electricity is not a new technology and all modern countries whether it is China, USA, Germany or Russia have developed, using electricity. Electricity is not something that should not be affordable, electricity is a need, so it makes sense for any government to provide electricity. Not just its provision, but also to ensure it is extremely cheap and can be used by people for development. The same thing with roads, people should be able to move around. The same about mass transit, you cannot have a country of 167 million people and you do not have a mass transit system like rail to move people from one point to the other. So you don't even need the whole issue of fuel subsidy withdrawal or any battle about fuel, to provide these things. They are basic needs and it is a shame for any government to come out and say because we are going to provide this, we will withdraw that. Don't forget we have budgetary provisions for all these things, what are they used for?"

Chapter 9

The People Were Right, Government Was Wrong

There were two sides. The Nigerian people who were no longer prepared for unnecessary, needless and pointless sacrifices. They had taken over the streets for eight days with a single message, No More! They had asked the Government to “KILL CORRUPTION, NOT THE PEOPLE”. On the other hand was the Presidency that insisted on more sacrifices; to it, subsidy was choking the country, so the claimed subsidy must be removed. It insisted that the people must pay more for fuel. The House Of Representatives which had on the eve of the protests, made x-rays of the problem and advised the Executive against the increase, stepped in with a surgical knife to cut open the subsidy.

The House Ad-Hoc Committee “To verify and determine the actual subsidy requirements and monitor the implementation of the Subsidy Regime in Nigeria” first met on January 13, 2012 while the protests were on. It then held public sittings from January 16 to February 9, 2012. As the public sittings held, a nation that thought it could no longer be shocked by corruption, was dazed. The Labour Movement which had all along known there was massive fraud in the subsidy regime and cried this to high heavens was itself staggered by the magnitude of it all. If it had so much information, would it have persisted with the strike? A number of labour leaders thought so.

For the rest of the sane world, the audacity of it all would have been shocking and it would have expected heads to roll and culprits within a short period, apprehended, taken to court and shut away from decent society serving various prison terms. It would also have expected the staggering sums of money detected to have been siphoned, to be recovered, or at least, strenuous and visible efforts would be made to recover them.

The NLC and the TUC decided to present individual memos to the Committee. We were just emerging from the protests, and with the less than tidy manner they were suspended, Labour was still reeling from attacks by some groups that felt it had short changed the people. Now was the time to show in a forensic manner that the subsidy system, if indeed there was a system, was one steeped

in monumental fraud. The NLC scrambled to assemble documents, and present a water tight case that would, in the interest of our dear country and its suffering people, show that the problem was not subsidy, but the criminality it had been reduced to by fuel importers and marketers, public institutions and officials, and an army of fraudsters. But even as we put together our case, revelations that were tumbling out of the Public Hearings had made the people's case for them.

The Nigeria National Petroleum Corporation (NNPC) which was saddled with major responsibilities in the oil industry was revealed as being absolutely irresponsible and a gross violator of the constitution. As I sat at the Hearing, one government official after the other, scrambled to make explanations, only to beat a quick retreat. By the second day of the Hearing which was televised, it had been established that the NNPC was a cesspool of corruption. That the organization was a brazen and lawless one that simply set house in the country's treasury and stole as much as it wanted. For example, Section 162 of the constitution provides that all monies accruable to the country must be paid into the Federation account before appropriation. But the NNPC made whatever deductions it pleased from the oil revenue before paying the balance into the Federation account. The question was, who gave the organization such extra constitutional powers?

The Minister of Petroleum Resources, Mrs. Allison-Madueke, whose Ministry supervises the NNPC rose up a few times, to make denials at the Hearings. Perhaps, the Ministry of Finance has the answer. The Finance Minister, Mrs Okonjo-Iweala of course did not know. At a point, a member of the Committee thought the best way of verifying this was to assemble all the Ministers concerned, the heads of NNPC, Central Bank of Nigeria (CBN) PPPRA and such institutions and get to the bottom of the issue. Of course nothing came out of it, even the Ministry of Justice denied it had given any interpretation of the constitution that would have authorized the NNPC to brazenly violate the constitution.

Examples of these include the fact that while the Central Bank in 2009 paid the NNPC ₦81.648 Billion as legitimate subsidy, the corporation additionally deducted for itself, the sum of ₦408.255 Billion. While the NNPC was paid legally ₦402.423Billion in 2010, it helped itself to an additional ₦407. 801 Billion. In 2011, the NNPC was legally paid ₦844.944 Billion while it illegally paid itself an additional ₦847.942 Billion. Again, it was discovered that while the regulatory PPPRA recommended that the NNPC deduct ₦540.419 in 2011, the NNPC helped itself to an additional ₦285.098 Billion.

The Committee also reached the conclusion that if the NNPC were to properly manage the allocation of 445 bpd it gets efficiently, the availability of the products can be achieved by the NNPC alone. This situation it said, contrasts with the fact that in 2009-2011 NNPC got the daily allocation of 445,000bpd and the nation still had to import fuel through Marketers. The NNPC confirmed to the Committee that it makes some savings of about ₦11.00 per litre refining locally in comparison with imported PMS. But it could not be established that the Corporation reflects this cost differential in its subsidy claims. The Committee revealed that the NNPC operated a very inefficient system of importation of petroleum products that led to the piling up of demurrage. It concluded that “the operations of the NNPC were opaque and not transparent.

The implication on this is that it created room for abuses, inefficiencies and manifest lack of accountability.”On distribution of the imported fuel, the NNPC and the Pipelines ProductsMarketing Company (PPMC) were found to have deliberately carried out a system of distribution using depot owners that had limited or no retail outlets with a view to perpetuating fraud. The Committee noted that “This practice created artificial scarcity thereby imposing hardship on ordinary Nigerians by compelling them to buy product at very high prices.”

Perhaps what shocked me most at the Hearing was the testimony of the Nigeria Customs Service. It is the body charged with the issuance of clearance to discharge or Authority to unload petroleum products with the quantities stated. On a general level, the Customs has the constitutional mandate to supervise all goods imported into or exported out of the country. The Customs told the Committee that rather than discharge petroleum products on the Nigerian waters, the importers stayed outside to discharge the products from so called Mother ships into Daughter vessels. It said when it made attempt to verify the quantities carried by a so called Mother vessel berthed near Nigerian waters, the customs officials were fired upon and some of them killed. Rather than investigate these murders and take a strong stance, Government officials advised the Customs not to check ships carrying fuel. Subsequently, the Federal Ministry of Finance and the Central Bank issued circulars to the Nigerian Customs not to inspect PMS imported by the NNPC which is the primary importer.

The Customs produced the circulars at the Hearing. Without inspection, the implication is that the ships supposedly carrying imported fuel could bring in anything into the country including arms without being detected since they have immunity from Custom checks. Also, the Customs could not provide information

on imported petroleum products. The reason for anchoring ships carrying fuel offshore Cotonou or Lome was of course to perpetuate fraud, especially round tripping. The Committee discovered that these vessels paid no port duties or other legal levies to any country; whether Nigeria, Benin or Togo. So the vessels operated like pirates and carried out massive international criminal maritime activities. Some of the international importers involved in this like Vitol SA and Trafigura had claimed that they discharged products outside Nigerian shores because of the draught level of Nigerian waters and that the country was categorized as a war zone because of piracy. But then the same importers enter Nigerian waters to lift crude oil! The companies then admitted that they were following the instructions of the marketers particularly the NNPC.

On the Federal Ministry of Finance (FMF) the Committee concluded that it was fully aware of the NNPC practice of making subsidy payments as a firstline charge before revenue was shared among the three tiers of Government contrary to the constitution. It was also unhappy that the subsidy provision of ₦245.96 Billion in 2011 managed by the FMF ended up gulping ₦2,587.087 Trillion. The FMF was also found to have by passed its staff by outsourcing its responsibilities of witnessing and confirming imported products to the accounting and auditing firms of Akintola Williams Deloitte in 2006, and Olusola Adekanola and Co in 2011. The Committee revealed that the “Staff of the firms appended their signatures on every document submitted by the marketers to process their claims.” It noted that reliance on the signatures of these firms that carried out no verification on the claims “was foundational , as all other agencies, including the Federal Ministry of Finance, Office of the Accountant General of the Federation and the CBN, all relied on PPPRA certification.”

The Committee noted that “Obviously, the FMF also treated confirmation by the two firms as unassailable as it never queried its quarterly audit reports even in the face of rapid and meteoric escalation of subsidy claims.” It pointed out that there was no evidence of due process followed in appointing the two firms which turned out to have no adequate knowledge of procedure of measuring products in a vessel before and after discharge. The interest Akintola Williams Deloitte and Olusola Adekanla and Co, as far as the Committee can determine, was “participating in a bazaar and collecting N275,000.00 per vessel.”

The Petroleum Product Pricing Regulatory Agency (PPPRA) which as part of its mandate, has the statutory duty to monitor and verify data on petroleum products reception and distribution at jetties and depots became the very house of fraud;

it was like the House of worship becoming a den of thieves. It was not supposed to be a beneficiary of subsidy, it however paid itself 'subsidy' of ₦158,270 Billion in 2009, and ₦157,894 Billion in 2010.

The Committee discovered massive collusion between the PPPRA staff and marketers to defeat any monitoring of subsidy. The non-transparency in the organization witnessed the massive increase of 'importers' from 5 in 2006 to 140 within five years. Apparently, the PPPRA manufactured its own figures, rather than verify figures on the ground, thus, the Committee found that despite its statutory duty to keep reliable data, "there was no single transaction on production, distribution or consumption of petroleum products that was backed by consistent recorded figures or statistics from any agency in the industry."

The PPRA was also exposed as abusing discretion in allocating product quantity, paying subsidy to companies that imported without permit and condoning the discharge of PMS into unapproved farm tanks. With the PPPRA being so incompetent and corrupt, fuel importation and subsidy payment became one huge bazaar which all sorts of characters including foreigners were welcome to partake. Let me refer to four of the findings of the Committee that are like teasers. With generally the same level of consumption, and oil ranging about the same price, the subsidy for petrol (PMS) and kerosene was ₦261.1b in 2006 with five companies involved. It rose to ₦278.8b in 2007 with the number of companies involved doubling to ten, and to ₦346.7b in 2008 with nineteen companies involved. Then by 2011, the fraud gate that was beginning to manifest in 2007, burst with the number of companies involved in the subsidy game ballooning from five, including the NNPC, to 140! As for subsidy payment, it had increased, according to the Presidency to ₦1.3 Trillion! Even this figure bandied around by the Federal Government, turned out to be false!

How the subsidy fraud was widened into an open invitation match can be gleaned from one example. Two promoters in the fraud business allegedly got an electronic mail in the United States to come for a waste management contract. Rather than pursue this contract, they joined the subsidy scam. The two-some established a company called ECO-Regen Ltd on August 3, 2010, set up house on the third floor of the UAC Building in Abuja, applied for registration with the regulatory PPPRA on September 11, 2010, got its first allocation of 15,000mt on January 20, 2011, and was paid One Billion, Nine hundred and eighty-eight million, one hundred and forty-one thousand, ninety-one naira (₦1,988,141,091.10) "as subsidy for products NOT supplied."

The Committee found that the subsidy figure of ₦1.3 Trillion the Presidency claimed for 2011 was far from being correct. Before the House Committee, the Accountant-General of the Federation put forward a figure of ₦1.6 Trillion, the CBN ₦1.7 Trillion, while the Committee established subsidy payment of ₦2,587.087 Trillion as at 31st December, 2011, amounting to more than 900% over the appropriated sum of ₦245 Billion.

The system of siphoning money in the name of subsidy is reflected in a particularly ingenious transaction. The Office of the Accountant-General of the Federation (OAGF) “was found to have made payments of equal installments of ₦999 Million for a record 128 times within 24 hours on the 12th and 13th of January 2009, totaling ₦127.872 Billion. The confirmed payments from the CBN records were made to beneficiaries yet to be disclosed by the OAGF or identified by the Committee.”

Some of the main findings of the Committee were that:

- Contrary to statutory requirements and other guidelines under the Petroleum Support Fund (PSF) Scheme mandating agencies in the industry to keep reliable information data base, there seemed to be a deliberate understanding among the agencies not to do so. This lack of record keeping contributed in no small measure to the decadence and rots the Committee found in the administration of the PSF.
- The NNPC was found not to be accountable to anybody or authority. The Corporation, in 2011, processed payment of ₦310.4 Billion as 2009-2011 arrears of subsidy on Kerosene, contrary to a Presidential Directive which removed subsidy on Kerosene in 2009.
- NNPC also processed for itself, direct deduction of subsidy payment from amounts it received from other operations such as joint venture before paying the balance to the Federation Account, thereby depleting the shares of States and Local Governments from the distributable pool. Worse still, the direct deduction in 2011 alone, which amounted to ₦847.942 Billion, was effected without any provision in the Appropriation Act.
- While the NNPC feasted on the Federation Account to bloat the subsidy payable, some of the marketers were involved in claiming subsidy on products not supplied. PPPRA laid this foundation by allocating volumes of products each quarter to the marketers which it knew were not in conformity with its own guidelines for participation.

- Certain marketers collected subsidy of over ₦230.184 Billion on PMS volume of 3,262,960,225 litres that from the records made available to us were not supplied.
- Apart from proliferation and non-designation of bank accounts for subsidy payment, PPPRA and the OAGF were unable to manage in a transparent manner the two accounts they chose to disclose. There were indications that PPPRA paid ₦158 Billion to itself in 2009 and ₦157 Billion in 2010. When confronted, the OAGF was unable to submit details of the bulk payments arrogated to PPPRA and the account from which the bulk sums were disbursed to the supposed beneficiaries.
- If NNPC properly manages the allocation of 445 bpd efficiently, the availability of the products can be achieved by the NNPC alone. This contrasts the situation where in 2009-2011 NNPC got the daily allocation of 445,000 bpd and the nation still had to import through Marketers.
- Although NNPC confirmed that it makes some savings of about ₦11.00 per litre refining locally than import, it could not be established that the Corporation reflects this cost differential in its claims to subsidy.
- Part of the funding sources of the PSF Account is over-recovery from marketers. This accrues when product landing cost is lower than the Ex-Depot price.
- The Committee observed that :
 - i. In 2009, there was an over-recovery of ₦2.766 Billion. This was expected to have been credited to the PSF Account but was not traceable to the official PSF Account disclosed.
 - ii. Furthermore, in the presentation made by Akintola Williams Deloitte it was claimed that the sum of NGN5.27Billion was established as over-recovery in 2009, however, there was no evidence that this money was credited to the PSF Account. With the Public Hearings, the result of the Committee Report was clear. Even if the powerful forces and beneficiaries of the fraud succeeded in manipulating it, the bare facts which were relayed on television during the sittings, could not be wiped off. At best, everyone would be free to analyze them and people can come to whatever conclusion they want; but the central issue that cannot be hidden is the fact that the oil industry, and particularly, subsidy, is built on fraud and the exploitation of Nigerians.

The more the country waited for the House Committee Report, the more it seemed delayed. On March 5, 2012, the NLC issued a public statement titled Release Probe Report On Oil Subsidy demanding the release of the Report. The NLC said: “Since the probe carried out by the National Assembly, particularly, the House of Representatives, on the removal of oil subsidy, there have been insinuations that unprecedented pressure have been mounted on the legislature from various quarters to jettison the Report. These interest groups have been identified as oil marketers that might face sanctions based on assessment of their submissions during the probe, speculators and briefcase businessmen who will lose out on cheap money, and government officials who have been feeding fat on contrived leakages in the oil industry and stand indicted. Our concern that these pressures might overwhelm the Report of the probe or if released, might not be implemented by the Executive, is not without foundation.

The rush by the Minister of Petroleum, Mrs. Deziani Allison-Madueke, a major actor in the removal of oil subsidy, to set up committees and task forces to probe the oil industry, though laudable, is tantamount to medicine after death. With due respect to distinguished members of those committees, it might also be a distraction and a ploy to pre-empt the report by the legislature and instigate a major cover up. Though the legislators came up strong and stood their ground in their Report on the last probe on the privatization of public enterprises, and the Chairperson of the Ad Hoc Probe Committee, Honourable Farouk Lawan, and the Chairperson of the House Committee on Petroleum Down-Stream) have assured that the Report will not only be released, but there would be no sacred cows, Nigerians are still aghast at the manner the power probe was truncated and made moribund despite the troubling activities and abysmal performance of the power sector and its significance to the economy.

We wish to remind all those currently parading the corridors of power to negatively influence the probe Report that investigations into the oil subsidy removal was a product of a recent national strike and mass protests by workers and the Nigerian people. It is also a culmination of all agitations, strikes and protests by the Labour Movement over the years to compel the Federal Government to come down from its high horse and accept the rot and corruption in the so-called oil subsidy removal process and sanitize the oil industry.

Thus, the probe Report by the National Assembly will not be allowed to be so treated as the power probe or other probe reports of its kind. We urge the

legislators to remain steadfast to their mandate as true representatives of the people, and resist all attempts to water down the Report or stop its release to the public. It is apparent that a lot depends on this report in order to debunk and put paid to the mountain of lies and continued exploitation of the Nigerian people over the years through incessant and arbitrary increases in fuel prices ostensibly in the name of removal of oil subsidy. We are watching!"

It was as if the country was on a war footing. Expectations were high and the Chairman of the Committee, Hon Farouk . M. Lawal took to the air to explain the delay and reassure the populace that the Report would soon be released. On April 18,2012, the Report was laid before the House. To kick off the debate, the Speaker Hon Aminu Waziri Tambuwal made an address titled We Shall Not Waver in which he told members:

1. "You will recall that on Sunday January 8 we had to cut short our recess in response to a national crisis as a result of the sudden removal of fuel subsidy by the Executive Arm of Government.
2. The commitment and patriotism shown by members during that period of emergency finally led to the gradual resolution of that crisis.
3. Today, we are here to consider the product of that sacrifice. Before you is the report of the Ad-hoc Committee on the monitoring of fuel subsidy regime which was set up to verify and determine actual subsidy requirements.
4. And I must commend the Chairman of the Committee, Hon Farouk Lawan and the rest of his Committee Members, for their courage, dedication and professionalism. They were given a crucial assignment and they handled it with the integrity and patriotism it deserved.
5. The probe of the oil Sector has raised so much dust from certain segments of the polity such that it became clear that the intention was to frustrate it. For those who regard the oil sector as a secret society or sacred cow, I wish to state without equivocation that it is not. All public agencies in the oil sector are the creation of Acts of the National Assembly and this Honourable House has no powers to legislate for the creation of secret societies. Similarly all private sector corporate bodies operating in the sector are the creation of the Corporate Affairs Commission and that Commission also is not vested with any powers to incorporate secret societies. Let it therefore be known that in our drive to sanitize the polity, there are no sacred cows and we do not intend to discover any.

6. However, that is only one part of the job. We now have the more crucial duty of considering the report and recommendations of the committee. Usually in a matter such as this, one is accustomed to hearing differing opinions presented passionately. Or passions presented as opinions.
7. But we must never forget who we are and where we are, because Nigerians are watching us very closely and history will judge what we do here today. I therefore urge each and every one of you to look at this report dispassionately.
8. Be fair in your comments and set aside all primordial sentiments so that we can do justice to this important document.
9. Let me reiterate the fact that we are discharging a Constitutional assignment here and it is therefore incumbent upon us to do our duty without fear or favour. Let me also remind you that we are fighting against entrenched interests whose infectious greed has decimated our people. Therefore, be mindful that they will fight back, and they do fight dirty.
10. I have heard all kinds of insinuations, including the one about anti-graft agencies waiting for a 'harmonise version' of this report before taking any action. Let me quickly say here that this is at best an excuse that cannot stand after all the same agencies accept and investigate petitions from individuals, how much more resolutions of this House, there will be no such document so they should just go ahead and do their job and where they find any person or body culpable, they should proceed in accordance with the law.
11. Our only interest here is to mitigate the suffering of Nigerians by showing how the subsidy regime has been hijacked for the benefit of a few. At the end of our deliberations we hope that the executive arm will act upon the resolutions of this House and bring more transparency to bear on the system.
12. Together we can do all things constitutionally required of us but not without sacrificing our personal comforts, personal aspiration and even personal opportunities that do not benefit the public good. For as many are prepared and determined to make these personal sacrifice and to stand on the side of the ordinary Nigerians whose mandate we hold, I say let's march on dear colleagues.
13. My fellow colleagues, I wish you God's guidance."

In two days, the House was through with the Report. The President promised

that no one indicted by the Report will be spared. But as these were going on, and the public waited for action to commence based on the Report, the marketers and their allies were hard at work trying to discredit the Report. There were numerous paid advertisements attacking it, and a number of those indicted exonerating themselves. Perhaps to take the sail out of the Report, oil magnate, Mr Femi Otedola made claims that the Committee Chairman, Hon Farouk Lawal had collected a \$620,000 bribe from him to remove his company, Zenoil & Gas from the list of indicted companies over the subsidy fraud. The company was allegedly involved in a \$6.7 Billion subsidy fraud.

Quickly, the propaganda machinery was put into overdrive; the comprehensive Report that so graphically exposed the subsidy scam was buried in what became known as Faroukgate. The issue was no longer the monumental fraud in the oil sector and the bleeding of the country by fraudsters and parasites who fed fat on subsidy, it was now the diversion. Ordinarily, the bribe issue is a simple case of a bribe giver and a bribe taker; both of whom have cases to answer in court. But it was turned into a comedy of *'Facrook and OteDollar'*.

The House met at an emergency session on June 15, 2013 to discuss the scandal. First, it had to pass a vote of confidence on Speaker Tambuwal whose head the subsidy crooks wanted chopped off using the scandal as excuse. That day, Tambuwal made another of his defiant speeches in the House, although more measured this time. He told the members:

"My Dear Honourable Colleagues,

1. I now formally welcome you to this Special Session of Plenary which has been summoned pursuant to Order 5(18)(2) of the Standing Rules of the House of Representatives. It is the Second Special Session since the 7th House of Representatives was inaugurated on the 6th June 2011.
2. The object of the Session, which you have just accomplished, is to deliberate on grave allegation of bribery brought against a member of this Hallowed Chambers. Hon. Farouk Lawan by Mr. Femi Otedola, an oil marketer, in connection with the work of the Ad-Hoc Committee on the Monitoring of Fuel Subsidy Regime empanelled by the House for that purpose.
3. In accordance with our Legislative Agenda we must continue to be, not only sensitive to the yearnings and aspirations of Nigerians but also proactive on all matters of urgent National importance, therefore, while I apologize for the inconveniences caused to members by this sudden recall from the recess, I

trust, we all appreciate that this is a call to important civic duty for our dear country.

4. Hon. Colleagues, when we elected to pursue the entrenchment of probity, accountability and transparency in the conduct of government business as a cardinal Legislative Agenda we advised ourselves never to expect that it will be an easy task. Accordingly I have had cause to occasionally sound a note of warning and reminder that our constitutional task is inescapably hazardous requiring total commitment, diligence, transparency; determination and sacrifice.
5. The Constitution has given the parliament three broad duties, which include Law Making, Representation and Oversight. It is interesting to note that of these three, it is that last function, which gives legislature the powers to conduct oversight, that has tended to cause conflict between the legislature and the Executive and remains the most controversial. Yet. it would have been impossible to conduct the other two functions successfully if the Constitution had not given the parliament oversight powers: the single most potent weapon that makers of the Constitution put in place to check abuse by those who execute its law.
6. In full compliance with the Constitutional prescription in S 62(1) and (2) the House has always ensured that all Committees empanelled by it, be they Ad-Hoc or Standing, are given a clear mandate. I find it compelling to state for the umpteenth time that the constitutional power of investigation conferred on the Legislature is for the purpose of law reform and for the exposure of corruption, inefficiency or waste in the execution or administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it. In the exercise of this function there shall be no sacred cows.
7. I have emphasized the constitutionality of the oversight function of the legislature because there lingers among many public officials, the notion that in holding public or investigative hearings, the Legislature is over stepping its bounds and also neglecting its other functions. Nothing can be further from the truth. The records of our performance for the first legislative year, which just ended on 6th June 2012, show that the performance in the area of legislation was equally impressive.
8. I wish at this point to make this pledge that the House of Representatives shall continue to act responsibly by ensuring that all investigations are instituted only when absolutely necessary. Furthermore, we shall insist on probity and fairness on the part of our members conducting such investigations; and we shall not hesitate to sanction anyone who in the course of these investiga-

tions overreaches himself or uses the process to intimidate anyone or engages in corruption.

9. The recent investigations into two Sectors, namely Oil Subsidy Regime and Capital Market were conducted in public, evidence and testimonies were freely given and taken and in the case of oil subsidy regime, monumental fraud was disclosed in the report of the Ad-Hoc Committee which has since been passed by the House and referred to the Executive for implementation by relevant agencies.
10. While we consider it preposterous and hasty to dismiss the current bribery allegations, pending the outcome of ongoing investigations, including our in-house investigation just instituted, we reject in totality insinuations being orchestrated in some media to the effect that the allegations have eroded the integrity of the Resolutions of the House on the report and rendered same unworthy of implementation.
11. Let me reiterate that the resolutions of the House over the fuel subsidy regime remain valid despite this recent controversy. We must as a country learn to separate institutions from individuals and we must admit that, in the present case, the alleged conduct of an individual cannot negate the conclusions of the whole House. Let me also reaffirm here that we have not been compromised and we shall never compromise our stand against corruption. The credibility of that report therefore remains inviolable and we stand by it.
12. May I, therefore, urge the Executive to match words with action in the implementation of these resolutions. As just resolved by motion, relevant Committees of the House must diligently monitor the implementation of the resolution by agencies under their supervisory jurisdiction and report back to the House within reasonable time.
13. My dear colleagues, the scope of our resolve for transparency in the conduct of government business includes all the arms of government; all public functionaries and all persons doing business with government or operating under Acts of the legislature. As members of parliament we enjoy no immunity and we seek none, let us therefore remind ourselves constantly that we must live above board. We offer ourselves for public scrutiny at all times in our effort to build a better Nigeria. As humans where we err and our attention is called we shall be willing to make amends in the overall national interest.
14. I call upon all of us to remain firm, resolute and committed to the execution of our constitutional mandate whatever the hazards. We must NEVER repeat NEVER be cowed or intimidated by any form or colour of antics that maybe fashioned with intent to dampen our spirits and or break our resolve. It

remains for me to say that, when the army suffers casualties of a few officers and men at the battlefield, it beats no retreat except it does not intend to win the battle. I am confident that men and women of integrity and character are in the overwhelming majority in our fold and we do not lack the numbers to prosecute the battle. We shall be judged not only by our words but more so by our actions.

15. To the good people of Nigeria we appeal for patience and understanding and wish to once more assure you of our sincerity of purpose and the determination to deliver the Nigeria of our dreams. The road may be rough and herculean but victory is sure.
16. Now therefore is the time to double the pace of our performance, including the investigative hearings, given that from the monumental fraud uncovered through these investigations, we know that we are surely on course.
17. The current unfortunate bribery allegation, whatever the outcome of ongoing investigation can only serve as impetus for us to do more, in the quest for the entrenchment of probity in governance.
18. In addition to routine oversight, we shall investigate everything that needs to be investigated in the process of the fashioning of a better Nigeria. In this regard, we shall continue to seek synergy with the other arms of government so as not to work at cross-purposes.
19. May the Almighty God grant us the Courage and Grace to do what is right at all times and in all situations.

Thank you all.”

The House re-enlisted the names of Zenoil & Gas and Synopsis Enterprises amongst companies that were criminally enriched through fraudulent subsidy payments. It then suspended Farouk who had been detained by the Police over the bribery scandal. It appeared that the legislative initiative to sanitize the oil industry was slipping from its hands. The tribe of the fraudulent must have congratulated themselves for burying the subsidy scam in an avalanche of allegations, and quietly returned to their trade. It promises to be business as usual as the rest of the scam would become calisthenics in the courts. But the people had fought one of the hardest battles against impunity, fraud and criminality. Their voices have been heard on the streets, but corruption had fought back so furiously, and the people live to fight another day.

Chapter 10

Forward To Yesterday

The strikes and protests challenged the authority of the state and entrenched interests. It was logical that there would be a fight back. There was an attempt to stop the release of the Subsidy Probe report, including the engineering of fuel scarcity. Then a concerted effort was made to rubbish the Probe Report, and divert attention from it in the name of the Farouk-Otedola bribe scandal. Then a decision was taken to ensure that the Labour Movement will be unable to mount the type of challenge it posed in the January 2012 protests. The disingenuous solution was to return to the days of the Obasanjo administration when there was an attempt to criminalize strikes. On March 13, 2012, a bill was introduced in the Senate to criminalize strike actions by labour.

The NLC and TUC began their counter offensive with a joint response:

“Yesterday at the floor of the Senate saw yet another onslaught against Nigerian workers and its peoples through the anti-workers’ Bill sponsored by Mr. Heineken Lokpobiri a Senator from Bayelsa State seeking to make it unlawful for the trade unions in Nigeria to embark on any strike without obtaining the permission of the different organs of the union through a ballot. We are forced to respond to this new agenda because of the perceived spirit and prejudices including the powers behind it. If it is a punitive move to punish Nigerians for the Fuel price hike, or an attempt to make it difficult for Nigerians to resist a future anti – people policy of the government, it will fail. Such laws with obvious fraudulent intentions which negate democratic practices and international conventions of which Nigeria is a part of often suffer the shame of ‘ignominy.’”

We regret that this is coming at a time when there are more serious issues confronting Nigeria as a nation. It is mind boggling that Mr Heineken Lokpobiri who receives millions of Naira approximately every month from tax payers’ money would decide to waste the peoples’ time in pursuit of frivolous constructs to muzzle the various signposts of the peoples’ conscience. This is an expression of complete intolerance to democratic expressions and an attempt to reduce the space available to Nigerians to freely express their opinions on issues germane to national survival. The arguments canvassed in support of the proposed amendments to the act are not only laughable but shows serious lack of under-

standing of not only the relevant Laws of the country but also the operations of the Trade Unions in Nigeria.

The Nigerian trade union movement is still growing and has actually lost most of the political influence it wielded before and immediately after the nation's independence when it was the major rallying point for the nationalists and a senior ally of the political parties in shaping the emerging government. Presently, the labour movement in the UK as represented by the TUC is a major partner in the Labour Party while the AFLCIO in the US is a major stakeholder in the Democratic party where they freely contribute both financially and technically but the Labour Movement in Nigeria is yet to rise to the 1940s and 1960s level in Nigeria talk less of matching what obtains in the UK and the US where Mr Lokpobiri drew his references.

It is important that we state categorically that the Labour Movement in Nigeria is one of the most democratic sectors of the nation operating in line with international best practices. Our processes have become timeless and have been well tested as it concerns this matter. The trade unions derive their daily operations from elected but statutory organs of the union. These organs are the Central Working Committees (CWC), the National Executive Committees (NEC) and the Delegates Conference. While the CWC is made up of Presidents and General Secretaries of the affiliate unions, the NEC is made up of the principal officers of the various states councils including Abuja. These organs involving hundreds of men and women well tested in national and international issues from all over the country each bringing the positions and interests of their respective states must be consulted and approval sought before major decisions are taken one of which is wielding the Strike option.

Those who are sponsoring this Bill both the ones on the floor of the Senate and the ones behind the Mask have shown a total disdain for Nigerians, their sensibilities and desires and have further shown the contempt with which they hold the pillars of the nation's democratic practices. Attempts to stifle opposing voices have never succeeded in the long run, they always backfire. We urge them to learn from history. Claiming to be smarter than those who have failed in the past by pushing this Bill will ultimately be their albatross. Nigerians are daily taking tab of those who are bent on causing the continued ruination of this country and whittling down bastions of liberty and free speech and choice.

Instead of having the courage to address the numerous security challenges facing us a nation, and instead of coming up with relevant Laws to deal with the endemic issues of corruption in the country and instead of creative legislations to generate employment and reduce poverty, the sponsors of this Bill rather decided to assault Nigerians. That is why we condemn this new attempt as an insult on our collective psyche as a people and as a nation. It shows that what is important to them is making laws that would put them in a cocoon away from our prying eyes putting Nigerians in a straight jacket unable to constructively respond to their actions.

We urge Lokpobiri to focus his energy on the employment crisis in Nigeria and especially Bayelsa state which has one of the highest unemployment rates in the country. He should be concerned about this as their Senator. He should be worried about Corruption. He should be worried about infrastructural decay in his state. He should be worried about the Bombings both in his state and in other parts of the country. Government must listen to us and must therefore not seek to silence this voice. We call on Senator Heineken to quickly withdraw that Bill and apologise to Nigerians to avoid going down permanently into the history book of the Infamy.

That is why we applaud the progressive voices in the Senate who are in the majority that spoke vehemently against this renewed attack. Their names shall be written in gold and we urge them to make sure that the rights of Nigerians are not further trampled upon by those who think that Law-making starts and ends with raising the bars of separation or disconnect between the people and the government or shutting the door against the people from seeing what those in government are doing. Nigerians are behind these voices and Nigerian workers take cognizance and are prepared to work with these voices not only to pull down this Bill but other such pillars of oppression and emasculation that may come before the Assembly or has already become Law”.

Clearly, there were those who want a return to the past rottenness, who did not want change. There were those whose egos were bruised. There were those, including in the Labour Movement, who could not profit from the mass action, and in rear guard actions, made me their principal target. For the Nigerian people; they had exercised their sovereignty, fought a good battle, and ultimately, the future belongs to the people, and those who stand by them.

About the author



Owei Lakemfa, trade unionist, journalist, human rights activist, administrator and author, is the Managing Partner of Silent Waters, Nigeria. An expert in the international Labour Movement, he spent over three decades in Labour Reporting and the Trade Union Movement where he rose to be the Acting General Secretary of the Nigeria Labour Congress (NLC) Acting Secretary General of the Organisation of Trade Unions in West Africa (OTUWA) member of the Governing Council of the International Trade Union Confederation (ITUC) and Vice President, ITUC-Africa before being elected Secretary General of the continental, Organisation of African Trade Union Unity (OATUU) In this position, he represented African workers on the Governing Body of the International Labour Organisation (ILO) and the African Union (AU) Heads of State Assembly.

Lakemfa, a graduate of the University of Ife (now OAU) was a Lagos State and National Officer of the Nigeria Union of Journalists (NUJ) for eleven years. In the NUJ, he was the Zonal Secretary of Lagos, Ogun, Oyo, Osun, Ondo, Ekiti, Edo and Delta States. He was Labour Correspondent of the Nigerian Guardian Newspapers, Labour Editor and Vice Chairman, Editorial Board of Vanguard Newspapers, Editor of the defunct TNT (Today's News Today) and Consultant to the International Federation of Journalists (IFJ) Africa.

A prolific writer, he has for about two decades, ran two weekly columns in the Vanguard Newspapers on national affairs and international politics, and authored a number of books including "Weaving into History" a book on the textile industry and union in Nigeria published by the Malthouse (1998) and One Hundred Years Of Trade Unionism In Nigeria: 1912-2012.

He was a founder/Treasurer of the Committee for the Defence of Human Rights (CDHR) the Campaign for Democracy (CD) and founding Secretary of the NGO, MANDATE.

Lakemfa was a member of the Civil Disturbances Tribunal in Lagos and a member of the Board of the Nigeria Pension Commission (PENCOM).