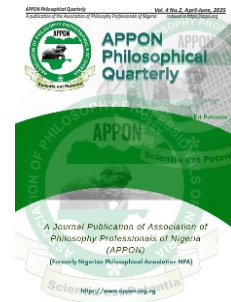


HUMAN RIGHTS' ABUSES AND THE QUEST FOR NATIONAL UNITY: A PHILOSOPHICAL READING OF KUKAH'S *WITNESS TO JUSTICE*



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ABSTRACT

Since independence, a quest for sustainable national unity in Nigeria has been founded on the fights against ethnic, religio-political injustice and corruption, especially during the military dispensations. This concern for the eradication of injustice of the past administrations informed Olusegun Obasanjo's democratic government to constitute *Nigeria's Truth Commission*, popularly called the "Oputa Panel" to hear the confession of past human rights abuses and injustices, and make implementable recommendations that would sustain national developmental unity. It demanded that both perpetrators and survivors of such past injustices should be truthful in recounting the incidents during the hearings of the commission, in making national reconciliation possible for averting national disintegration and sustaining national unity. As one of the panellists of the commission, and with a book: *Witness to Justice* as a personal reflection on the outcome of the commission, Hassan Kukah recounts the recommendations of the commission that till date are yet to be implemented, many years after the closing of the commission, thereby making the commission to appear as a mere panel for the confessions of human rights' abuses and injustices in the name of *Nigeria's Truth Commission*. Adopting expository and speculative methods of analysis, the paper x-rayed the socio-ethical contents and relevance of Kukah's *Witness to Justice*. The paper concluded by commending Kukah's efforts and concerns in making Nigerians have meaningful ideas of the possibilities in sustaining national unity if the results of the commission are duly implemented, and directs our consciousness in valuing the avenues of justice and the respect for human rights through the expressions of our actions and policymaking in truth.

Keywords: National Unity, Human Rights' Abuses, Development, Corruption, Kukah's *Witness to Justice*, Injustices, *Nigeria's Truth Commission*

Introduction

In an organized or constitutional State, there are always personalities who highlight the importance of the past to positively better the present and the future. Matthew Hassan Kukah is the current Catholic Bishop of Sokoto Diocese. Hence, a critical assessment of his personality as a socio-political, academic, and religious phenomenon, especially in his quantitative and qualitative presentational nature and relevance of his book: *Witness to Justice: An Insider's Account of Nigeria's Truth Commission*, and this will not be without socio-political relevance. This book was Kukah's personal conviction from the convention of the *Nigerian Truth Commission*. It will necessarily weigh heavily on anyone sociologically and politically as to the way or possibility to understand the concerns of Kukah for the sustainability of nationhood over the valuation of truth as a quality for national unity, progress, and development.¹

There is always a need for any human society or nation to periodically have a critical appraisal of its activities; and to put itself on a moral scale to evaluate the relevance of its existence or constitution, and also to find out the level to which it is as an entity. In aggregate terms, it has favoured the existence of other societies or nations.² This is the basis of Kukah's *Witness to Justice*. Hence, it is a magnificent and voluminous handiwork of his reliable personality, written for the restoration of the Nigerian nationhood; that is gradually losing its constitutional weight of relevance and becoming a seat of international mockery through the governmental sanctuary of falsehood and deception, propelled by the human rights abuses. This was highly evident and adversely perpetuated during the military dispensations and is currently encouraged by succeeding democratic governments,

being clouded by the abuses of power. With his unrelenting, meaningful, and persuasive socio-political involvements, Kukah's religious and socio-political personality is undoubtedly sociologically imposing, and is desired to be commended as a basis for the fight against human rights abuses. For national developmental unity, the Nigerian society will always demand the conventional and constitutional fruits of the commission being revisited and implemented.

This is based on the fact that Kukah has remained an ecclesiological figure and a political object of interest, relevance, and reference for national unity. Kukah's social convictions, religiosity, and socio-political contributions are geared towards national reconciliation and national household commendations.³ Kukah's personality will remind Nigeria community of the indispensable need for truth and trust for national building, unity, and peaceful coexistence, especially with the hope of holistic liberation of every Nigerian as a person. Kukah has not been seen to fail in these two platforms of human development, and of course, with a happy ending for his celestial projection of salvation in view through the promotion of social teachings of the Church. Hence, the problems and challenges of Nigeria against the realization of national developmental unity have been the ones inherent in Kukah's socio-political and religious advocacies for vibrant social justice in Nigeria. Such advocacies are about the promotion of the dignity of Nigerians in the reign of social, ethnic, religious, and political violence and conflicts.

More carefully put, Kukah's national conceptualization of the *Witness to Justice* is strongly based on the social agitations for some real changes in Nigerians' attitudes to the process and progress in nation-building on the supreme values of truth. Such conceptualization and contextualization of

¹ P. O. Isanbor, Review of *Witness to Justice: an Insider's Account of Nigeria's Truth Commission*, by M. H. Kukah. In *Abuja Journal of Philosophy and Theology*, Vol. 5, (2015): 133.

² M. H. Kukah, "Political Stability and the Leadership and the Inevitability of Instability." *Bulletin of Ecumenical Theology*, Vol. 7(1 & 2) (1995): 69.

³ P. O. Isanbor, Review of *Witness to Justice: an Insider's Account of Nigeria's Truth Commission*, : 113.

the development remain philosophically and existentially doubtful in the face of ethnic, political, and religious divides. That is, if justice can be witnessed to or for. This is just on the impossibility to attain a just society, for no justice for any dead person, since such an individual cannot be granted the opportunity to live again. One may be tempted to ask the following questions: What is justice? What is justice in the Nigerian context? The latter question is seen to be sectional and traditionally common and factual, and it may be more difficult to answer than the former.

With such an ontological understanding of human development through the valuation of truth, justice remains what it is cosmologically. Justice is when equity is met. This remains the best way of understanding its indispensable placement in the development of an individual in relationship with others. Such concern for justice is indispensably hinged on the constitutional valuation of human rights for the attainment of sustainable national unity. Justice is undefined and non-clarified always; irrespectively of its point of altercation, if it is not in reference to the valuation of human rights and dignity.⁴ For Kukah, the concern for national justice is about the implementable platforms that afford Nigerians the opportunities to have a detailed glance at the proceedings of the commission and, thereafter, enjoy its outcome or result for national healing, liberation, and development.⁵ Such concerns for social justice were the commission's national assignment or engagement, by narrating the arrays of past violence of injustices being confessed and reported, and they were expected to embrace them or situate them within the applications of the rule of law, civilization, and social acceptance of aggrieved individuals and groups.

With this concern for national healing and unity, Kukah is a political cum

ecclesiological witness and a historian with sociological flavour, a causal personality towards the realization of vibrant democracy in Nigeria. According to Kukah, "for Nigeria, democracy is now seen as the vehicle of development which is to pull the country out of the misery inflicted on it during more than two decades of semi-feudal, military and civilian dictatorships. Democracy is perceived as a means of establishing a just society."⁶ More plausibly, the *Witness to Justice* exemplified the witnessing Kukah's personage in the *Nigeria's Truth Commission*, and such effort for national developmental unity should be appreciated in letting the common or ordinary persons to be witness to justice by reading the masterpiece of Nigerian historical development within the abyss of forced and armed political dispensations, which are long expected to be remedied by our democratic governments, which should have known the true values of reconciled nationhood.

Justice as Recognition for Peace and Development

In tandem with Kukah's socio-political and theological analysis of 'justice', justice stands as a *sine qua non* for peaceful coexistence and development in any given human society. The hindrance of political, economic, social, and human development in the Third World Nations can be attributed to the perversion of justice in the sanctuaries of political and legislative corruption and impunity that have been perceived as a distant horizon in the Third World Nations. In Nigeria, for instance, 'justice' sounds utopian, inconceivable, an Erebus, and a hot summer mirage. The clamouring and stormy agitations for separation oozing out like black blood from the different ethnic groups on a daily basis in the form of tapestry in the national newspapers and televisions is the end product and child of injustice being

⁴ W. O. Aso, *Will Kymlicka in Nigeria: With the Scope and Morality of Liberal Multiculturalism*. (Benin City: Floreat System, 2019): 34-50.

⁵ P. O. Isanbor, Review of *Witness to Justice: an Insider's Account of Nigeria's Truth Commission*, 114.

⁶ M. H. Kukah, *The Church and the Politics of Social Responsibility*, 12.

perpetuated by insensitive leaders who are directionless in their administrative engagements. It is a known fact that the fruits of injustice are: eternal acrimony, civil strife, ethnic bigotries and false agitations, moral degeneracy, abuses of fundamental human rights, falsehood, underdevelopment, political marginalization and subjugation, tyranny, despotic administration, destruction of human conscience, and the like.

The above-mentioned marks of injustice, therefore, encourage human fractional distillation while unity of purpose is thrown into the jungle of evil men who celebrate the frustration, abject poverty, and melancholic depression of their fellow men and women in society. The mirage of justice in Nigeria has turned an average Nigerian into a soliloquist on many streets of hopelessness, rationalizing how to survive in the midst of despotic leaders and tyrants. Hence, Kukah posits that Nigeria has been inoculated with injustice by our mechanized and psycho-victory rulers who are bereft of leadership and managerial acumen. For him, justice in Nigeria has been sacrificed on the altar of nepotism, favouritism, mediocrity, ethnicity, Maccabeus ruthlessness, and pathological corruption. Deep-seated injustice in Nigeria has made many Nigerians wail and wonder in the deserts of melancholic depression, seeking and searching for an oasis to quench their thirst for justice. Therefore, there are needs for all of us to revalue the contents of our choices and actions within the operations of social and moral responsibilities to embrace what keeps us together rather than what divides us as a nation, simply through the values of truth in the pursuits of personal and group interests.

Social Justice and Development in Nigeria

From all indications, the issues of social

justice are common with existing constitutional nations, but in the Third World Nations, the issues of social justice become intensively self-inflicted and dehumanizing by the weighty and neo-colonised factors of poor leadership, lack of rule of law, improper management of human and natural resources, looting of national treasury, intra-judicial killings, police brutalities, military molestations, ethnic homicides and cleansings, and the entronement of corruption as a way of living. They are most of the time, self-imposing and self-alienating.⁷ With the trending interests on globalization and globalizing effects of human society into a very closed corridor of socialization and civilization, see the demarcation of the society in two worlds: the poor and the rich, the powerful and the weak, and this has been greatly sustained by the entronement of neo-colonialism and greedy and selfish patriotism in Africa. One will have necessarily and indispensably observed that: “economic, political, social, cultural and educational realities have evolved and changed in significant ways, with the result that our worldview, values and outdated schemes of thought do not always allow us to devise appropriate solutions to crucial problems.”⁸ As such, more demands for equity, equality, and justice are on the governments of nations to implement the needed constitutional rights of the peoples by providing the needed conducive environment for meaningful and sustainable development.

With the gains of independence by many African nations, including Nigeria, we can claim to have overcome the effects of colonialism, but we have been much more affected by its leftovers: the waves of neo-colonialism, strongly seated in the names of ethnic bigotry, favouritism, and separatism. According to Kukah, “colonialism may not have invented ethnicity, but its new definition of political space injected new

⁷ A. O. Oyeshile, *Reconciling the Self with the Other: An Existentialist Perspective on the Management of Ethnic Conflicts in Africa*. (Ibadan: Hope, 2011):11-12.

⁸ A. Bernani, “Introduction.” In J. Binde (ed). *The Future of Values: 21st Century Talks* (Paris: UNESCO, 2004): 1.

interpretation and conceptions of ethnicity and religion into our people.”⁹ This is the basis of our conflicts, when we are made to believe that we are not brothers but neighbours. Of course, such trends of conflicts initiate and sustain the mental consciousness for poor management of national resources and diplomacy, looting of public funds, and religious and ethnic nepotism, and these are greatly limiting the efforts toward national self-realization and integration.

From his conception of national justice through reconciliation and peace through the confessions of truth, we understand that Kukah’s expressions on the unjust natures of Nigerian socio-political and economic dispositions being demonstrated by a very high percentage of Nigerian populations are susceptible to suffering, pains of unemployment, and poverty. This is due to the imposing reality of political corruption in the management of national resources, looting of public funds by the political elites, religious and ethnic cynicism and bigotry, and other forms of national injustices and human rights abuses. They say “no trouble” in the litany of troubles presented to themselves and sometimes by themselves in each existing day. This culture of debased human personality in the face of poverty, unemployment, hunger, wars, religious intolerance, and political manipulations is the root of human rights abuses,¹⁰ through the social, economic, and political functioning of ethnic favouritism, nepotism, tribalism, sectionalism, undue enrichment,

amassing of wealth, abuse of office, power bastardization, the use of official position for private gains, derivation of undue gains and benefits, including perversion of established norms and due process.¹¹ This is current existential conditioning of Nigerians as a result of poor leadership, lack of the rule of law, the entronement of corruption, and mismanagement of human and natural resources.¹²

Kukah’s *Witness to Justice* recognized the trends of political injustice pervading Nigerian political landscaping, and these affect the political behaviours and impoverished consciousnesses of the masses. But, according to Olu-Adeyemi, “the political behaviour of the ruling class in Nigeria can be better understood within the context of the context for power as access to primitive accumulation other than for service and; those of the masses, understood within the context of the effect that poor economic situation has made them to be susceptible to monetary inducements rather than rational choices in the expression of their political participation.”¹³ This is also likened to the effects of religious affiliations in their efforts to make religion a tool for national intolerance and bigotry rather than national unity and building. According to Raymond Aina, “we cannot respond to the question posed by the Late Chukwudifu Oputa without revisiting the implications of religion in Nigeria’s protracted social conflicts and the impact of religion in the country’s politics.”¹⁴ Both the effects of ethnic politics and religious affiliations were

⁹ M. H. Kukah, *Political Stability and the Leadership and the Inevitability of Instability*, 73.

¹⁰ R.I. Katsina, *An Appraisal of the Existentialist Philosophy of Gabriel Marcel*. Master's Degree Thesis, Department of Philosophy, University of Nigeria, Nsukka, Nigeria, (2009): 43.

¹¹ D.E. Arowolo, and A. Akinola, “Walking a Tight Rope: Politics of Corruption and the Survival of the Nigerian State.” In B. O. Igboin (ed). *Corruption: A New Thinking in the Reverse Order* (Oyo: ACU Press, 2018): 184.

¹² P. O. Isanbor, and B. O. Igboin, “Buhari’s Change Agenda and Jesus’ Temple Radicalism: A Socio-Ethical Synthesis for National Character Reformation and Development.” In M. Michael, E. Alegbu and A. Alegbe (eds). *Human Rights, Religion and Society*. (Keffi: Nasarawa State University, 2020): 495.

¹³ L. Olu-Adeyemi, “‘E dibo, ke se obe’: ‘Vote for Cash’ as an Emergent Paradigm of Electoral Corruption in Nigeria.” In B. O. Igboin (ed), *Ibid*, 208.

¹⁴ R. O. Aina, “Religion, Politics and the Angst of the Nation-To-Be: Situational Identities and the Salience of Religious Pluralism.” In M. Michael, E. Alegbu & A. Alegbe (eds). *Human Rights, Religion and Society* (Keffi: Nassarawa State University, 2020): 334.

evident during the commission's hearings of the cases of injustices and abuses of power. The commission demanded that every meaningful political behaviour and religious convictions should be directed toward national unity based on the respect for human rights and dignity through the services of the masses.

Hence, with so many failed projects for national integration and unity through the compromised and corrupted national programmes and policies, we can easily ascertain that "the Nigerian society has degenerated in our time, and one may be forced to ask the question whether the nation is moving forward or backward in terms of morals and the preservation of human rights of the individual citizen."¹⁵ This is about the development that is indispensably hinged on the valuation of human rights of every individual, and which has been greatly truncated by the political, ethnic, economic, and even religious forces of injustices.¹⁶ Agreeably put, "Nigeria, like other nations, has laws and a constitution that protect the rights of the individual. But the question is whether such laws and a constitution are recognized and treated with respect."¹⁷ With these assertions for the demands for sustained national unity, we can perceive the ardent voices of Nigerians for their demands for national integration, unity, and development, irrespective of one's ethnicity and political and religious affiliation. We can easily agree that every Nigerian knows that he or she has problems, especially with national governance, leadership, and every aspect of development associated with Nigerian political landscaping.

Kukah's Concerns for National Unity and Justice Through Nigerian Truth Commission

From the same philosophical observations

through the acquisition of national knowledge and goals, there is an eclectic sense of arrangement and orderliness of interests of Kukah's *Witness to Justice*. The concerned interest of it appears in a manner for an easy articulation for the development of literary interest and power for the actualization of national unity through the values of truth: a call for sincerity of choices and purposes. In the first place, Kukah relates the reasons for it as a personal fruit of the commission. With it, he tries to relate the factual recognition of the commission to explain the importance of truth in realizing justice alongside the essentiality of public opinion, with references to the nature of cases that should be heard by the commission.

First, he considers the analysis of national legacy in relation to the constitutionalizing of the commission on the truth to sustain national unity, and the need to remember what we have forgotten about ourselves as a people and as a nation. With this concern, he brings the past experiences of the nation since independence, and as they relate to the *Nigerian Truth Commission*. Such political consciousness reminds the people that Nigeria is blessed with enormous human and natural resources, ranging from crude oil, bitumen, coal, gas, arable land for agricultural activities, and a potential market for economic development.¹⁸ But, in the midst of all these enormous resources and limitless opportunities, over 70 percent of Nigerians live in poverty and destitution. This is due to mismanagement and misappropriation of national resources occasioned by political injustice, religious bias, and ethnic bigotry. He draws attention to the political promises made, and those that were not fulfilled, and these act as marks of injustice to the common Nigerians who needed the operation of common good and justice; that

¹⁵ T. U. Ejeh, "The Reality of Human Rights in Nigeria." In M. Michael, et al. (eds). *Ibid*, 69.

¹⁶ M. H. Kukah, *The Church and the Politics of Social Responsibility*, 23.

¹⁷ T. U. Ejeh, "The Reality of Human Rights in Nigeria." In M. Michael, E. Alegbu, and A. Alegbe (eds). *Human Rights, Religion and Society*. (pp. 69-89). Keffi: Nasarawa State University, 2020): 69.

¹⁸ Arowolo, D. E. & Akinola, A., "Walking a Tight Rope: Politics of Corruption and the Survival of the Nigerian State." In B. O. Igboin (ed). *Corruption: A New Thinking in the Reverse Order*. (Oyo: Ajayi Crowther University Press, 2018): 184.

is, the pragmatic considerations of socio-political equity and justice.

Second, Kukah questioned the purpose and nature of the commission's constitution based on truth for the attainment of justice. He questions whether it was created, conceived or merely conjectured for the just purpose of understanding of our nationhood. The assessment of the journey that led to the inauguration of the commission was made explicitly clear. On record, the commission was inaugurated on the 14th June, 1999. Here, the nature of cases to be heard was specified to the members of the commission, within the period under review (the cases of human rights abuses committed or alleged between 1st January, 1984 and 28th May, 1999.¹⁹ We have a series of States legitimacies and crises through community agitations for political, economic, environmental, and social justice, and the consideration of the Ogoni structural struggles for development of the oil-producing communities, which have been bedevilled by the oil spillage and grave environmental pollutions, as a metaphor of national 'consciences' for common unity in truth. For Kukah, the consideration of the Ogoni case came up as a result of collective agitations of the masses.²⁰ The violent murder of Ken Saro-Wiwa and the unguided exploitations and marginalization of the Niger Delta Region of Nigeria, as hinged on oil exploration, were questioned. These were presented as: the feeling of the pulses of Ogoni land; the human rights violations in the region; the denial of political rights to MOSOP activists²¹; the non-cooperation of the people by the oil companies; and the issuance of violence in the region.

Third, Kukah reminded Nigerians about the issues of the trials of the military and the decrees (enacted between 1966 and 1994) that were made. This was a part of the

commission interest. They were all matters of human rights abuses. On these concerns, Kukah questions the nature of immunity or impunity of justice inherent in stories held in the commission. They were mainly on the politics of the non-appearance of the Generals, which were discussed. This development can be regarded as an act of injustice and disrespect for the rule of law. In the account, the Generals in question are: Muhammadu Buhari (1984-1985), Ibrahim Babangida (1985-1993), and Abdusalami Abubakar (1998-1999).²² The invitation of General Ibrahim Babangida was very pronounced, but he never honoured. This invitation was highly occasioned by the national confusion he made when he announced, in the broadcast on June 23, 1993, that the election had been annulled. And the whole nation reacted to the announcement with shock and anger at the injustice to the winner of the election, Chief M. K. O. Abiola, and there have been demands for national justice to the roots of socio-political injustices perpetuated.²³ With such gestures during proceedings of the commission, the issues of human rights become a matter of privilege, and then raises a question whether we are all equal before the rule of law, and whether some human beings or citizens of Nigeria are more human than others or vice versa.²⁴ This development was considered a challenge or as a test for the reliability of the commission, as many people wanted to see these personalities account for what was alleged against them.

Fourth, Kukah explicated the issues of the state and the victims of torture, as associated with military dispensations. He has the recognition of the socio-political relevance of ethnic entrepreneurs and the insurmountable and biased nature of the politics of power sharing in Nigeria. For Kukah, one can observe the imposing and

¹⁹ M. H. Kukah, *Witness to Justice*, 51-53.

²⁰ P. O. Isanbor, Review of *Witness to Justice: an Insider's Account of Nigeria's Truth Commission*, 114.

²¹ M. H. Kukah, *Witness to Justice*, 109.

²² M. H. Kukah, *Witness to Justice*, 239.

²³ M. H. Kukah, *The Church and the Politics of Social Responsibility*, 57.

²⁴ T. U. Ejeh, "The Reality of Human Rights in Nigeria." 69.

over-persuasive natures of the petitions of Ohaneze Ndigbo and their social politics of the marginalization of the Igbos. This was an act that they claimed was the fallout of the Civil War.²⁵ This can also be said of the power sharing, zoning,²⁶ and remedies sought by Ohaneze Ndigbo.²⁷ We can also see the account of the Joint Action Committee on the Middle Belt (JACOMB) and the Agitations of the Afenifere for the constitutional establishment of Yoruba Nationhood. These cases or stories can be classified as pivot of the agitated: Sovereign National Conference.

Fifth, with the concern for the effects of miscarriage of justice, Kukah positioned himself to explain the effects of misplaced administration of justice, especially the adjudication on the deaths of Shehu Musa Yar'Adua, Chief M. K. O. Abiola, Augustine Enewari, Dele Giwa, and Baguada Kaltho. Here, the acts of judging justice were explicated from the accounts of the previous chapters. In chapter Twelve, Kukah accounts for the valuation of the "theological economics of reconciliation" if employed to overcome the traditional effects of injustice in Nigeria. Here, Kukah employs the Catholic tradition of restorative justice (the effective recognition of social teaching of the Church in human conscience restructuring) and other forms of justice to illustrate the necessary connection between economic crimes perpetrated by looters of the State Treasury and their restorative obligations as one of the many preconditions of genuine national reconciliation and justice in Nigeria.²⁸ We see disequilibrium between North and South in the name of hunger, illiteracy, and inequalities within the nation and on the margins of developing and underdeveloped ethnic societies, and Kukah concludes that conditions have become significantly aggravated. Kukah points out that one of the greatest injustices of the

contemporary world is the contrast between a wealthy minority and the majority who possess so little.

Lastly, Kukah consciously considered the need for the national valuation of "national reconciliation" that had been delayed over the lines. Due to this lack of reconciliation of Nigerians balkanized by ethnic ideologies and interests has led to the formulation of many ethnic pressure grouping and agitators for social justice and equity: O'dua People's Congress (OPC) fighting for the interests of Yorubas; Arewa People's Congress (APC) fighting for the interests of the Hausa-Fulani; Ohaneze Ndigbo Congress fighting for the interests of the Igbos; Ijaw National Congress (INC) fighting for the Ijaws; the famous Movement for the Survival of Ogoni People (MOSOP) fighting for the Urhobos; and Indigenous People of Biafra (IPOB) fighting for the actualization of the Federal Republic of Biafra, and the list is by no means exhaustive.²⁹ For Kukah, this has become the question of national constitutional justice that has been very lopsided, perceivably in favour of Northern Nigeria as against the oil-producing areas of the country.

Truth and National Unity and Justice in the Nigerian Struggle for Democracy

One will necessarily and plausibly think that the then president of the country, Olusegun Obasanjo, had the conception of the efforts made as a *National Reconciliation Commission* rather than a *National Truth Commission*. This is because the pragmatic recognition of "truth" presupposes the valuation of justice. Then, justice delayed is justice denied. This traditional belief is common and widely accepted. Olusegun Obasanjo and other members of the executive council believed that the

²⁵ M. H. Kukah, *Witness to Justice*, 348.

²⁶ M. H. Kukah, *Witness to Justice*, 351-353.

²⁷ M. H. Kukah, *Witness to Justice*, 352.

²⁸ M. H. Kukah, *Witness to Justice*, 421-438.

²⁹ A. O. Efemini, *Claude Ake's Philosophy of Development: Implications for Nigeria*. (Port-Harcourt: Paragraphics, 2010): 198-199.

reconciliation could be done or achieved at any time when the confessions of human rights abuses and the aggrieved parties are granted justice. One will think that the true concern of “truth” has been the thrust in which the accounts of the commission have not been achieved or implemented.

Many concerned citizens of the country have been interested in the institutionalization of social justice through many commissions, seminars, workshops, interviews, and conferences, requesting the oversight of the accounts, so that the hopes of the commission will not be totally dashed in any instituted commissions and conferences subsequently. The recent “National Conference,” which is not “Sovereign” in the first place, as requested by the masses, was another typical example. The non-implementation of the commission’s recommendations is ours, and also the failure of our administrative system. It can be considered as one of the herculean projects that wasted our national resources and manpower. Of course, during such dispensations under review by the commission, it was obvious that many cases were not accounted for or not witnessed to by the concerned or constituted commission.

Though it should be believed that not every case can or could be heard by any commission, irrespective of the capacity and capability of the constituted commission. However, as a matter of justice and communitarian ethics, all cases that disturbed the national peace and unity at that particular and peculiar time of the country’s developmental history should have been considered with all sense of purpose and resolve.³⁰ The “Oputa Panel” was not an exception. The cases unheard were due to many injustices done in the nation as a result of those who felt that they are powerful than the Government. The limitation is not Kukah’s *Witness to Justice*, but the country’s interest in the selection of the cases for the

commission. Kukah, only with his book, literally accounted for this dilemmatic conditioning of Nigerian democratic development, with hope for a better future.

It is only justice being expressed in truth that can heal the land of all violent and conflicting policies and ideologies, which are continually breeding the culture of national acrimony, hegemony, selfishness, and greed.³¹ The accounts of human rights abuses are about the attainment of truth for integral development and liberation inherent in the possible implementation of *Nigeria’s Truth Commission*. The commission can be regarded as the thrust for the attainment of national justice if implemented in collaboration with the contents, resolutions, and values of the *National Conference* of 2014, chaired by Justice Idris Kutigi, which was constituted or convoked by President Goodluck Ebere Jonathan, predicated upon the indispensability of national unity and dialogue. For the national conference, the 492 delegates, drawn from all parts of the country and representing diverse interests, debated issues ranging from the contentious revenue-sharing formula to the divisive political structure of the nation. It may be easier to attain the truth than to render justice. This is the dilemmatic situation of the commission.³² Nevertheless, it should not be seen as the problem of Kukah alone, but that of Nigerians and Africans at large.

From the experience of this commission, Kukah was only a witness, just like you and I who have the hearings from a distance. Since the commission was mainly about the confession of truth about the human rights abuses committed, rather than the rendering of justice. Hence, the following questions will be asked: What is the truth in *Nigeria’s Truth Commission*? What is truth, or where is the truth when justice has not been met in many, even all of the cases heard in the commission? Is truth a product of mere saying and hearing confession without corresponding affirmation and confirmation

³⁰ P. O. Isanbor, Review of *Witness to Justice: an Insider’s Account of Nigeria’s Truth Commission*, 114.

³¹ V. E. Obinyan, and P. O. Isanbor, “Fundamentals of a Just Government in Confucius Political Philosophy: Guide for Leadership in Africa.” In F. O. Ekhaize, et al. (eds). *Book of Proceedings of the 3rd University of Benin Annual Research Day Conference*. Benin City: University of Benin, (2018): 352.

³² P. O. Isanbor, Review of *Witness to Justice*, 114.

of justice for national unity? Over time, for the sake of overcoming social, economic, and political injustices associated with the corrupt practices, some of the anti-corruption institutions have been constituted, and they are: Code of Conduct Bureau (CCB), Independent Corrupt Practices and other Related Offences Commission (ICPC), Economic and Financial Crimes Commission (EFCC), Presidential Advisory Committee on Anti-Corruption (PACAC), and National Persecution Coordination Committee (NPCC).³³ Based on the reasons for the establishment of these agents and others, it becomes clear that the thrust of national developmental unity cannot be distant from the meaningfulness of justice in the fight against the thresholds of corruption and human rights abuses. It beacons on us to note that, since the principle of fairness may establish a bond to existing just arrangements, the obligations covered by it can support a tie already present that derives from the natural duty of justice.

Still, on the developmental concern for the non-implementation of the recommendations by the commission in fighting the culture of injustice, with the weighty effects on political and economic corruption and the impunity of the rule of law, almost all Nigerian philosophers and socio-political thinkers had likened such development to the insurmountable nature of human actions in resolving the problems of evil. They agree that the problems of evil are seated or founded on the cosmological weights of injustice and corruption of values. The imposing crux of the problem lies in the logical incompatibility that exists between theistic definition and the existence of evil. The impossibility of reconciling the existence of an infinitely good and omnipotent God with the stark reality of evil as corruption in the world supposedly created by God constitutes a puzzle.³⁴ Thus,

this pragmatic conceptualization of human actions can be likened to the impossibility of reconciling the relation between the social, religious, and political operations of local and national injustices and corruptions, especially in looting the national treasury that exists among Nigerians, with the abundance of the natural resources and wealth in the midst of unemployed, pained, suffering, and poverty-ridden Nigerians.

In Nigerian political landscaping, both God and humanity have been cheated by the unjust and corrupt political and religious elites, and such development calls for the restitution of the morality of common good and respect for the rule of law in the sustainability of our national developmental unity. It will be a call for the values of justice and equity. Taking the relevance of the monumental work, *A Theory of Justice*, John Rawls proposes what he calls the *original position* of the contents of human actions and their corresponding responsibilities in the building of a just human society. According to this theory, as Kukah is related to the Nigerian socio-political landscape, Rawls requests us to imagine that we are being asked to design a world in which we do not know who will live in it. The challenges are about what kinds of worlds and laws of development we are likely to design for the sake of the common good and solidarity. He used this conceptualization of the rule of law to explain why justice must be seen as being neutral and blind to any consideration.³⁵

From Rawlian conceptualization and pragmatic demand for social justice, based on the philosophy “justice as fairness”, Kukah projects that there must be justice to the wholeness of humanity through the respect, promotion, and protection of human rights to sustain our national unity. If we must live in a peaceful and well-ordered society as so desired by meaningful and rational persons, we must necessarily and indispensably desire proper workability of

³³ L. Olu-Adeyemi, “‘E dibo, ke se obe’: ‘Vote for Cash’ as an Emergent Paradigm of Electoral Corruption in Nigeria.” In B. O. Igboin (ed). *Corruption: A New Thinking in the Reverse Order*. (Oyo: Ajayi Crowther University Press, 2018): 208.

³⁴ G. O. Adeboye, “Corruption as a Moral Evil: A Philosophical Analysis.” In B. O. Igboin (Ed). *Corruption: A New Thinking in the Reverse Order* (Oyo: ACU Press, 2018): 117.

³⁵ M. H. Kukah, *Witness to Justice*, 433.

justice. The wholeness of the human person is inferred in the image and likeness of God (*Imago Dei*). Hence, it is understood that the immaterial makeup of the nature of humanity is beyond its philosophical ratification. With justice inherent in our ontological nature, we have to live above our personal interests, occasioned by the culture of greed and selfishness, by promoting the courses of common good and solidarity. With greed and selfishness, we end with the political programmes and policies that are full of loopholes, sharp curves of injustices, and particularistic short-sightedness.³⁶ But, with the sense of justice through the rule of law and the sense of social charity, political choices and responsibilities in making policies and formulating programmes, hinged on the values of common good, would be easier if those saddled with the responsibilities rise beyond their personal interests.

Conclusion

In all these, Kukah's *Witness to Justice* presented the need for a collective healing process of the wounds of the injustices and human rights abuses of the past to have a united and just present and future as a nation. It is beyond a book, but a developmental mentality that should be the consciousness of all Nigerians for the sake of national unity. It is owed to the fact that the theories of social justice are built on the nature, political will, and respect of social obligation of the State or nation towards the protection and promotion of human rights. Social, economic, and political transformations call for proper management and utilization of the natural resources for sustained national unity. Hence, we need to understand the values of human rights in charting new directions of national unity should be in truth. It is only in truth that the national peace which engenders meaningful and integral development resides. With this call for justice, we should live to desire the

implementation of positive outcome of democratic developmental adventures for nation building. We recognize the dangers associated with the plans of the individuals on the degree of advocacy of the ethnic groups for which they belong. The individual's rights to employment, healthcare, food, education and productive governance should have nothing to do agitations by ethnic groups for any possible independence, if we must stay united and collectively developed.³⁷

Therefore, the concern of the paper demonstrates the genuine engagement with Kukah's thought on nation-building, based on the values of truth and justice. It further addresses questions central to African political philosophy, especially the relationship between justice and reconciliation, the moral status of the state, and the conditions for legitimate nationhood. Its strengths lie in its topical relevance. It brings to the fore that Kukah's *Witness to Justice* is a true mark of history towards the realization of national unity, bearing its relevance by reminding the government to implement the recommendations of the *Nigerian Truth Commission*, in order to prevent the impending possibilities of national disintegration and lingering acrimonies.

What is the Forward?

Based on the study, the following suggestions are proposed:

1) For the national unity through the operations of truth and justice, there are needs to revisit and then implement the recommendations made by the commission after the hearing processes. Irrespective of the delay it may have appeared in the minds of Nigerians, the recommendations, when duly implemented, will be the channel through which the groups will be healed from the injustices of the past.

³⁶ M. H. Kukah, *The Church and the Politics of Social Responsibility*, 111.

³⁷ See A. O. Efemini, *Claude Ake's Philosophy of Development: Implications for Nigeria*. (Port Harcourt: Paragraphics, 2010): 327.

2) The governments, with all sense of sincerity, request that Kukah's *Witness to Justice* to be one of the resource materials for the study of national unity and reformation, and it should be in the libraries in all universities and colleges. It should serve as a reflective material to sustain in the minds of future Nigerians the values of the National Truth Commission.

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