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THE
FATHERLAND



60 YEARS OF NIGERIAN INDEPENDENCE



DESIGNED TO FAIL

We Must Start Again

Dele Ogun



This year, 2020, was supposed to have marked the 60th anniversary of Nigeria's Independence from British colonial rule. That it is not going to be is not another casualty of the Covid-19 pandemic which has forced us all to re-evaluate so many plans; it is, rather, due to the evidence which has now emerged from the interview of Mr Harold Smith, a graduate of the University of Oxford, who had been recruited by the British Colonial office posted to work in Nigeria.

In the interview, Harold Smith provided the final evidence, which has been eluding Nigerians who suspected that Nigeria's independence elections were rigged by the British colonial administration. The evidence is that the victors in the elections were those chosen by the British government and not those chosen by the people of Nigeria, such that Nigerians and the world have been deceived for the last sixty years .

That this confirmation is coming to Nigerians in the same year as the world witnessed the murder of the African-American George Floyd in Minnesota, USA, by officers of the state, even as he pleaded "I can't breathe", which death then triggered international protests, under the umbrella of the Black Lives Matter movement, is fitting. This is because, since the sham independence elections of 1960, millions of Nigerians have been saying "I can't breathe" having been left living a life without light, water, food, security and a governance experience of rule by soldiers and Tweedledum and Tweedledee political arrangements.

It should be clear to all but the wilfully blind that Nigeria did not become independent in 1960 and that the knees of the British government have remained on our developmental necks since the assumed independence of 1960. All that this sixtieth year since those rigged elections signals is the waste of another generation of black lives. We cannot afford to waste anymore.

George Floyd's experience in Minnesota has shown us that the end of the struggle for racial equality was declared too soon. Similarly it is clear to Nigerians that our celebration of independence was premature and that the march towards colonial freedom must begin all over again. As we launch this maiden edition of our magazine, we invite you to join the march.



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PTSD

It's been a tough few months. Drawn out days dominated by death, disease and distant rumours of war. Who would have thought that 2020 would go down in history for being the year that the world stood still? Aside from Bill Gates - none of us saw this coming.

At times I've relished the 'simple life'. Embracing my natural hair and reuniting with the kitchen stove has had its perks - my social media followers are convinced I can bake. My children would disagree of course! Plenty of us have discovered the joys of online fitness, the vast majority piling the weight back on 48 hours later.

And if like me you're married then according to *The Telegraph* the past few months have been the defining make or break period. Divorce inquiries have increased by more than 40 per cent during the lockdown. Between March and May, Co-op Legal Services reported a surge in divorce inquiries, compared with the same period in 2019. It said being in lockdown together has moved some couples to consider legally separating.

Fortunately for me my marriage survived but my faith in good governance almost didn't. A day after Londoners staged their first demonstration in solidarity with the Black Lives Matter Movement I put pen to paper writing a piece called *The Trauma of Racism*. It's okay to feel physically and emotionally exhausted with the world. Here I'm sharing an extract from the piece.



I can't recall ever experiencing a bout of post-traumatic stress disorder until very recently.

After a week of seeing the outrage trend on social media I decided to watch the video footage showing the brutal murder of Ahmaud Arbery.

Unfortunately, the sad tale of Arbery's untimely death is a familiar one. He was a young black male killed while out jogging in his neighbourhood in Georgia, after being hunted down by father and son Gregory and Travis McMichael. The incident took place on February 23rd. 3 months later the pair were arrested and charged with felony murder and aggravated assault. An indictment that may not have occurred if not for the relentless outpouring of disbelief and horror expressed by the black community and beyond.

At times I've felt drained and helpless over the past couple of weeks and the global lockdown hasn't helped to calm the anxiety. Black men and women are nearly twice as likely to die with coronavirus as white

people in England and Wales, according to the Office for National Statistics.

As a Black British born woman of Nigerian descent, I've often wondered if my opinion matters to the Black Lives Matter Movement whose origins are very much entrenched in the injustice felt by African Americans in the States?

Juliana Olayinka

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NEWS IN BRIEF

THE ONGOING GENOCIDE AGAINST CHRISTIANS IN SOUTHERN KADUNA

Many may argue that what is currently bedeviling the Southern Kaduna region of Kaduna state is not a genocide, nor a persecution against Christians, but going by the definition of the term as contained in the United Nations convention on genocide, the happenings in Southern Kaduna have all the features and attributes of a genocide. This is testament to the fact that all those that are being killed in the area that is not yet at war are either from the same religion, tribe or ethnicity. The aggressors on the other hand are Fulani Herdsmen Militias who are largely Muslims.

While the problem continues to spread from one community and one Local government to another, the government whose primary constitutional responsibility is the protection of lives and properties has chosen to make excuses for the aggressors. Instead of finding a lasting solution to the killings. Narratives such as; the killings are reprisals, political and even economic have been sold by both the Kaduna state government and the federal government.

After a long deafening silence the Presidency on the 21st of July 2020 in a statement signed by Mr Garba Shehu, the spokesman to the President said that "the killings in Southern Kaduna are evil combination of politically-motivated banditry, revenge killings and mutual violence by criminal gangs acting on ethnic and religious grounds. Two days later the state Governor Nasiru el Rufai during a media chat reemphasized that the killings in Southern Kaduna are reprisals.

According to International Society for Civil Liberties and Rule of Law, (Intersociety), a Nigerian based civil society organisation over 300 Christians have been killed by Fulani Herdsmen Militias between 1st of January and 20th of July 2020. The figures have continued to grow as attacks and killings continued unabated with no end in sight.

On 24th of July 2020, 10 Christian locals including a pastor of a local Church were brutally massacred in Zikpak community in Jema'a Local government area of Kaduna state. The attack came few hours after Doka another Southern Kaduna community was attacked with 7 people killed.

The trend and dimension of the ongoing attacks and government lackadaisical responses show that the attacks may not end anytime soon as not a single Militia has been arrested not to mention prosecuted with respect to the killings.

It is on this note that the Southern Kaduna people are pleading with the International community to come to their rescue from what they tagged a well orchestrated genocidal killings meant to dispossessed them of their ancestral lands. Britain especially from whom Nigeria got her independence must wade in and hold the government accountable for the lives of Christians in Southern Kaduna and Nigeria at large.

Sanctions should be imposed if necessary to force the government of Nigeria to ensure that the lives of Christians are protected from the terror reign of Islamic fundamentalists.

Steven Kefas writes from Kaduna, Nigeria



NEWS IN BRIEF

YORUBA SUMMIT GROUP ISSUE COMMUNIQUE ON THE STATE OF THE YORUBA NATION

The leaders of the Yorùbá nation known mainly as Yoruba Summit Group – an umbrella body for all Yorùbá groups had a virtual meeting and deliberated on the state of the Nation on Thursday 23rd July, 2020.

Below is an extract from the Communiqué issued at the end of the gathering.

“The essence of government at all levels is the security and welfare of the people.

The COVID-19 pandemic and the inadequate responses, closure of the borders in the Western part of the country with the negative effects on economic activities, the loss of morale of our men under arms due to lack of equipment to prosecute the war against Boko Haram, mass resignation of officers despite the humongous amount of money budgeted for defence, incessant banditry, kidnapping and killings across a large swathe of the country, millions of our youths roaming about without jobs, the value of the Naira falling daily; are some of the things inducing deep anxiety for our people.

While all these are happening, the people are greeted daily on television with tales of massive and mindless looting of the treasury by public officials, while the country is being encumbered with massive debt for generations to come with nothing significant to show for it except private jets and palatial mansions of public officials.

We are also aware of the initial casual manner Tolulope Arotile’s killing was treated by the authorities of the Nigerian Air Force which is capable of raising suspicion in the minds people. It is better to quickly douse tension and apprehension by coming out in the open. The authorities did not imagine that so much noise would be made, and so many questions would be asked. Her death was treated with levity, just as many other cases where the lives of Nigerians do not seem to matter anymore. The Yorùbá nation therefore demand a full-scale independent investigation by an inclusive panel of experts.

The Yorùbá nation notes with sadness that on the very day our daughter Tolulope goes home, a senior Military officer: Major General Olusegun Adeniyi is being court-martialled for daring to voice out the lack of tools and equipment needed to prosecute a Boko Haram war that has become far too prolonged and far too controversial in light of the numerous calls to the Federal Government to



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change the Military 'Service Chiefs who have failed to provide the highest quality of security, leadership and delivery of forthrightness in their duties. We the Yorùbá condemn in strong terms, the cherry-picking of our fighters, soldiers, officers as either cannon fodders easy-targets, operational fall-guys and being used for experimental disciplinary measures, whilst the real culprits, go free!

Critical to this development are also pieces of news items of friendly fire from soldiers of a particular part of the country using their guns on our fighters who dare carry the battle deep into the Boko Haram held territories.

The preponderance of permutations for 2023 presidency, zoning, selecting, rather than addressing the nature of the Nigerian union, the dilapidated structure of the farcical "Federation", never known to Federalism, this unitary unworkable morass, we the Yorùbá observe will only lead to the kind of chaos never before seen and experienced in history. We the Yorùbá Nation therefore reject the holding of a general election before Restructuring Nigeria fiscally and structurally. With the granting of licenses for prospecting for gold in Yorubaland, we are aware of the dangers banditry, kidnapping and sundry criminalities this portends.

The Yorùbá nation has noted with great interest, the creation of the Àmòtẹ̀kùn security network in the South-West states. We extend our warmest felicitations to the Governors who have started in earnest to fulfil the task of filing the huge gulf of various, serious insecurity issues plaguing our Region. We hereby call on states yet to put this structure in place to do so in earnest. The Yorùbá do not forget.

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Therefore for this moment and for a future uncertain, for posterity and the Prescient nature of our wisdom in foretelling a coming catastrophe, as was wont of our late Sage and Leader Papa Obafemi Awolowo, we The Yorùbá have come to this irreducible, irreplaceable conclusions, that:

1. The ship of state is veering off precariously into a precipice, and that Nigeria is at the very edge of a political subsidence.
2. We are persuaded that nothing short of Restructuring can save this country. Any attempt to go ahead with elections in 2023 without addressing the issue of Restructuring would spell doom for Nigeria.
3. Notwithstanding the interests of some elements in our midst, It would be presumptuous to assume that the masses of the educated Yoruba Nation will dive headlong into being part of the 2023 elections, when all elements of its execution – the Military, Paramilitary, INEC, the Judiciary have been rigged and appropriated by a single very tiny minority Ethnic Group in a small corner of the country. The emerging resolve of the Yorubas not to be part of vassal state that Nigeria has become, is better managed with due accommodation before any further degeneration and obvious consequences. Our quest shall henceforth be to mobilise the masses of our peoples not to participate in any further elections until the goal of Restructuring or Self-determination is attained.
4. The Yoruba Nation is therefore making the clarion call for confidence building steps to taken by the Buhari regime immediately,

of state is veering off precariously into a precipice, and that Nigeria is at the very edge of a political subsidence. especially as the historic 60th Anniversary of Nigeria as an independent Nation beckons on October 1, 2020. Steps towards an urgent meeting of all Nationalities has to be taken now to determine the nature of our relationships. Unless this peaceful step is heeded to, so that Nigeria heads in the right direction thereafter, the clear alternative would be for self-determination quests to proceed rapidly without any further restraint. It has become patently untenable for the Yoruba Nation to tolerate further incompetence and impunity as has been foisted on all other Ethnic Nationalities across Nigeria.”

Signed:

Mogaji Gboyega Adejumo.

On behalf of YORUBA SUMMIT Group, The Umbrella body for all Yorùbá groups.

Issued at Lagos: Thursday, 23rd July 2020.



NEWS IN BRIEF

ANGER GROWS FOLLOWING BRITAIN'S DECISION TO WAVE GOODBYE TO THE DEPARTMENT FOR INTERNATIONAL AID

British Prime Minister Boris Johnson is facing mounting criticism following his decision to merge the Department For International Aid (DFiD) with The Foreign and Commonwealth Office (FCO).

John Vereker, the permanent secretary at the time of the creation of DfID as an independent department in 1997, described the proposed merger as “an act of wanton institutional vandalism”.

Johnson announced the merger on Tuesday 16th June in the Commons, pledging to maintain DfID's £15bn budget and the UK's commitment to spend 0.7% of GDP on aid. Just weeks later in the final day before parliament rose, the Foreign Secretary, Dominic Raab, in a letter to the international development select committee, announced £2.9m in cuts to the 2020 overseas aid programme of £15.9bn, citing the collapse in growth caused by coronavirus.

DfID, formed in 1997, employs about 3,600 staff working in offices in London and East Kilbride, as well as around the world.

Stephanie Draper, the CEO of Bond, a UK network for international development NGOs, said the announcement couldn't have come at a worse time.

“Make no mistake, this decision will do nothing but hurt the world's poorest and most vulnerable people.”



PIERRE NKURUNZIZA'S DEATH CREATES A POLITICAL VACUUM IN BURUNDI

The sudden death of the longtime ruler of Burundi Pierre Nkurunziza took place on June 8th. His cause of death was officially given as a heart attack, yet many suspect it was Covid-19. According to reports his wife was treated for the virus ten days earlier in nearby Kenya.

After 15 years as president – and many years before as a rebel leader – Nkurunziza will most likely be remembered for his final five years, when he won a third term in office that critics called unconstitutional. That power grab sparked mass protests, a failed coup, and a bloody crackdown that soon morphed into a humanitarian crisis.

Following the violence that accompanied his 2015 unconstitutional re-election, his party eventually persuaded him to step aside to appease the growing tension in the country. His fellow party member Evariste Ndayishimiye won last month's presidential election.

Ndayishimiye will have to juggle the interests of different factions, including the group of powerful military generals that supported his candidacy.





DESIGNED TO FAIL

Dele Ogun

I have heard it said, by Nigerians and others, that it was a good thing that the Benin Bronzes were taken out of Nigeria by the British and kept in the British Museum; that had this not happened the likelihood is that the ancient works would have somehow been lost to posterity, given the record of misrule in Nigeria.

But these works, which date back to the 15th Century, were only available to be taken away by the British in the course of their conquest of the kingdom, in an unjust war, in 1897, because the governance system in the kingdom had been adequate to preserve them over the intervening four hundred years. So how does one explain the diminished capacity of governance in this kingdom in the period from 1897 to the present?

This anecdote about the Benin Bronzes goes to the heart of the enquiry which led me to a study of the history of Nigeria and to record my findings in a book titled, 'A Fatherless People: the secret story of how the Nigerians missed the road to the promised land'.

An argument which had been gaining increasing currency, both amongst Nigerians and internationally, was that the problem with Nigeria is the people of Nigeria. But what if the problem with Nigeria is Nigeria itself i.e. the design of the country. The answer is important because we are led on to very different roads towards fixing the problem depending on which premise is correct.



If the problem is the people then there is little or no hope of change and no reason to expect anything different in the foreseeable future because a defective people can never put in place or operate an effective system. If, however, the design fault was in Nigeria itself then a world of possibilities opens up because with the right political will, it is possible to correct design faults in a country through intelligent redesign. In answering the question I had to look into the minds, and also the experience, of the country's British designers.

The design of Nigeria was a vast country cobbled together through the union by force of arms of 371 ethnic groups, with as many languages and long-established traditions. The design required that these long-established structures and cultures should be uprooted and the people re-programmed into the English language and British ways. Initially, in 1900, they were assembled as two countries, a predominantly Islamic Northern Nigeria and an almost wholly Christian Southern Nigeria and then, in 1914, the two countries were amalgamated into One Nigeria. The re-programming required that traditional rulers had to be deposed, killed or deported and new rulers, who were in tune with the new programme, had to replace them; long-established group identities which had formed organically over the centuries had to be broken up to make way for the new man-made identities. As an essential part of the re-programming, narratives had to be written to portray the peoples as savages to whom civilisation was being brought.

All designs are largely the product of a mix of experience and experimentation. The question arises, to what extent was the design of Nigeria the product of experience as against experimentation.

On one level it is argued that Nigeria was an experiment because a union of ethnicities on this scale had never been attempted before so that its faults were due to a triumph of optimism. The book, *A Fatherless People*, shows that Nigeria was programmed to fail: The designers knew it could never serve the interests of the people; it could only ever serve their interests. It was the product of experience rather than experimentation or blind optimism. This conclusion is manifest from the designers' own experience with union. The union of the kingdoms of England and Wales with Scotland and Ireland, to form Great Britain, took more than 300 years of bloody conflict between the ethnic groups and between Catholics and Protestants for domination. How then was it supposed that a union of more than 300 ethnic groups separated by as many languages and divided across two faiths, Islam and Christianity with their history of bloody conflict, could ever work in the interests of the people.



Even more significant is the fact that the plan for the amalgamation of Muslim Northern Nigeria with Christian Southern Nigeria, in 1914, was being formulated at the very time that the partition of Ireland, to separate Catholics from Protestants, was under consideration.

The challenge of sharing power between different religious groups was not a new one to the British designers of Nigeria. From the time the English, under King Henry VIII, broke away from the Catholic fold to become a Protestant country, England, and by extension, Britain was consumed by conflicts between the two faiths in a struggle for supremacy. Thus there was every reason to expect the same destructive struggle for domination arising from the amalgamation of Islamic Northern Nigeria with Christian Southern Nigeria.

More proximately, Britain's own refusal to join with its fellow European States in the formation of the Common Market in 1957, even as plans were being made for Nigeria

to be pushed out into independence with an agenda of political union and a slogan of 'One Nigeria', further shows that Nigeria was the product of experience and not experimentation. The appeals for Nigerians to persevere with the project of political union with its 371 ethnic groups is belied by Britain's own experience of its own attempt at political union with its 27 European neighbours which culminated in its recent decision to leave the Union, popularly known as Brexit.

The effect of the British redesign has been to arrest the development of the peoples.

The effect of the British redesign has been to arrest the development of the peoples. For them, human development has become a spectator sport in which they watch passively as others develop; they were sterilised, never to fulfil their own potential. The internal chaos from such disruption of established governance structures left the door open for the Benin Bronzes and other resources, human and material, to be extracted from the country.



To quote the thoughts of a Millennial on the matter: "I think we have a structure that is heinously engineered to ensure that no matter what the people try, they can never rise above the structure.

So the people have now been institutionalised and have adapted. The people are desolate. The only way they see is further into chaos".



BLACK
LIVES
MATTER

MAKE
RACISTS
AFRAID



THE CHALLENGE OF PROVING FLOYD'S MURDER

Pamela Ibeh

The killing of George Floyd, an unarmed black man, by a police officer in Minneapolis, MN gave rise to a global movement, with calls to hold police accountable for improper use of deadly force. Coalitions of “we, the people” groups, formed across racial lines, have forced the United States and the world to examine the subject of systemic racism, to address age-old injustices and challenge deeply held beliefs about racial inequality.

The uproar ensuing from the release of disturbing video of Floyd’s killing has given a stronger voice to the “Black Lives Matter” movement and forced an ongoing “deep-cleaning” of all facets of society, all over the world. While sentiments are easily expressed, the legal issues surrounding the prosecution of officers involved in the killing of George Floyd are complex.

They require a multi-faceted discussion of related issues including the prosecutor’s role, factors affecting charging decisions, relevant laws, prosecution time frames and sentencing guidelines. There are perceptions of police officers, inherent protections in police employment and relationships between agencies in the criminal justice system, all of which may affect prosecution in some way.

Facts

Facts publicly known in this case include these: a report was made that a man bought cigarettes with a suspected counterfeit \$20 bill, 2 officers responded, conducted initial investigation and handcuffed Floyd, 2 more officers arrived, 1 (most senior of all present) pressed a knee on



George Floyd's neck for 8 minutes and 46 seconds while Floyd was handcuffed and lay face-down on the ground, event was recorded by bystanders and police body cameras, persistent oral pleas were made by Floyd and bystanders for his life, a police dispatcher remotely watched on a mounted camera and voiced concerns to a supervisor, 3 officers (2 of them newly hired) acted with and did not stop the primary actor, 1 of the two rookie officers, (now charged with others) suggested turning Floyd on his side and was told "no" by primary actor. Floyd was non-responsive for 2 minutes and 53 seconds of the total time a knee was on his neck. Responding medics found him unresponsive and "pulseless". He was pronounced dead at the hospital. While these facts are undeniable, the complexity of achieving conviction with available facts lies in part in the interpretation of relevant laws and prevailing circumstances in society.

Jurisdiction

In cases of police misconduct, the United States Department of Justice (DOJ) may prosecute under Federal Laws enforced by the DOJ. Such laws include 18 U.S.C. §§ 241, 242 which provides that no person acting under color of law may willfully deprive or conspire to deprive another person of any right protected by the Constitution or laws of the United States. "Under color of law" means that the person doing the act is using power given to him by a governmental agency, an example would be a law enforcement officer. The DOJ may opt out of prosecution. The DOJ is not prosecuting this case at this time. Local authorities (District Attorney/Prosecutor) may also prosecute such cases under criminal laws in their jurisdiction. The District Attorney has filed charges in this case. The primary actor is charged with 2nd degree murder, 3rd degree murder and 2nd degree manslaughter.

Prosecutor's Role

Usually, law enforcement agencies submit offense reports to the District Attorney's office with recommended charges. If there is probable cause to believe a crime occurred suspects may be arrested before cases are submitted to the District Attorney. When police officers are the suspects, it gets complicated, especially when alleged crime occurs in the performance of duty. Besides obvious conflict-of-interest considerations, there are agency policies and protocols that dictate the need to cede control to other agencies. Figuring out next steps in such situations may account for non-immediate arrest of officers when it appears to onlookers that a crime has occurred. The prosecutor's decision to proceed and charges to file, depend on the prosecutor's reading of facts submitted. Review of criminal cases may take weeks or longer, to receive all necessary information and avoid mistakes resulting from hasty decisions.



In police-related cases, persistent public outcry speeds up the process to restore order. In most cases charges are presented to a Grand Jury who may indict (recommend charges be filed) by returning a "True Bill" or refuse to indict (recommend charges be dismissed) by returning a "No Bill". The case proceeds if a true bill of indictment is returned by the Grand Jury.

Applicable Laws

Laws vary by jurisdiction in the United States and provisions of pertinent laws will be discussed. Relevant portions of Minnesota laws for murder and manslaughter are shown below, with key elements underlined or bolded for emphasis.

MURDER

609.195 MURDER IN THE THIRD DEGREE.

(a) Whoever, without intent to effect the death of any person, causes the death of another by perpetrating an act eminently dangerous to others and evincing a depraved mind, without regard for human life, is guilty of murder in the third degree and may be sentenced to imprisonment for not more than 25 years.

Crucial elements of the law and punishment are shown in the bolded formula below:

3rd degree murder = dangerous act + depraved mind + no intent (25yrs max)

609.19 MURDER IN THE SECOND DEGREE.

Second degree murder is divided into two subdivisions: Intentional and Unintentional murder.

Subdivision 1. Intentional murder; drive-by shootings.

- Whoever does either of the following is guilty of murder in the second degree and may be sentenced to imprisonment for not more than 40 years:

(1) causes the death of a human being with intent to effect the death of that person or another, but without premeditation;

- Additional provisions are not relevant to this discussion and not here reproduced. Crucial elements of the law and punishment are shown in the bolded formula below:

2nd degree murder (part 1) = intent without premeditation (40yrs max)

Subdivision 2. Unintentional murder.

Whoever does either of the following is guilty of unintentional murder in the second degree and may be sentenced to imprisonment for not more than 40 years:

(1) causes the death of a human being, without intent to effect the death of any person, while committing or attempting to commit a felony offense other than criminal sexual conduct in the first or second degree with force or violence or a drive-by shooting;

Additional provisions are not relevant to this discussion and not here reproduced. Crucial elements of the law and punishment are shown in the bolded formula below:

2nd degree murder (part 2) = no intent + other felony or drive-by shooting (40yrs max)



609.185 MURDER IN THE FIRST DEGREE

(a) Whoever does any of the following is guilty of murder in the first degree and shall be sentenced to imprisonment for life:

(1) causes the death of a human being with premeditation and with intent to effect the death of the person or of another;

Additional provisions are not relevant to this discussion and not here reproduced.

Crucial elements of the law and punishment are shown in the bolded formula below:

1st degree murder = premeditation + intent (auto Life)

MANSLAUGHTER

In Minnesota, “manslaughter is an unlawful killing that doesn’t involve malice aforethought – intent to seriously harm or kill, or extreme, reckless disregard for life.” There are 1st and 2nd degrees of manslaughter.

609.205 MANSLAUGHTER IN THE SECOND DEGREE

A person who causes the death of another by any of the following means is guilty of manslaughter in the second degree and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both:

(1) by the person's culpable negligence whereby the person creates an unreasonable risk, and consciously takes chances of causing death or great bodily harm to another.

Additional provisions are not relevant to this discussion and not here reproduced.

Crucial elements of the law and punishment are shown in the bolded formula below:

2nd degree manslaughter = culpable negligence by unreasonable risk + consciously taking a chance (10yrs max)

609.20 MANSLAUGHTER IN THE FIRST DEGREE

Whoever does any of the following is guilty of manslaughter in the first degree and may be sentenced to imprisonment for not more than 15 years or to payment of a fine of not more than \$30,000, or both:

(1) intentionally causes the death of another person in the heat of passion provoked by such words or acts of another as would provoke a person of ordinary self-control under like circumstances...

Additional provisions are not relevant to this discussion and not here reproduced.

Crucial elements of the law and punishment are shown in the bolded formula below:

1st degree manslaughter = heat of passion provocation + intent (15yrs max)

Essential Definitions

Definitions of key terms under Minnesota Law shed some light on interpretation of facts in issue.

"Premeditation" means to consider, plan or prepare for, or determine to commit, the act referred to prior to its commission.

"With intent to" or **"with intent that"** means that the actor either has a purpose to do the thing or cause the result specified or believes that the act, if successful, will cause that result.

Charging Decisions

A reading of relevant laws and definitions of key terms shows mens rea burden (necessary mental element) for murder by degrees from high “premeditation” to low “intent” and an even lower “dangerous act” with a “depraved mind”. For 1st degree manslaughter, “intent” must be coupled with “heat of passion” and for 2nd



degree manslaughter, death may be by taking “unreasonable risk” and “consciously taking chances” with a person’s life. The prosecutor in this case has now charged the primary actor with unintentional 2nd degree murder (while committing felony assault), 3rd degree murder and 2nd degree manslaughter. The other officers are charged with aiding and abetting 2nd degree murder and 2nd degree manslaughter. Initial charge announced for primary actor was 3rd degree murder but charges were upgraded following public outcry.

Third Degree Murder Consideration

The argument for third degree murder lies in trepidation regarding proving “intent” which is needed for second degree murder. It might be

easier to convince a jury that even if the officer did not have the purpose to kill Floyd (intent), the officer did a dangerous act (pressed his knee on Floyd’s neck), and evinced a depraved mind (pressed his knee for 8 minutes and 46 seconds) which if proved would easily procure a 3rd degree murder conviction without risking an acquittal if higher burden is not met for 2nd degree.

Most jurisdictions (including Minnesota) require a unanimous jury finding for proof of all elements charged, to get a conviction. If even one juror has a reasonable doubt as to any element (such as the officer’s intent to kill Floyd), it may result in a hung jury or outright acquittal if that one juror refuses to yield, or convinces other jurors that reasonable doubt exists about the officer’s intent.



Second Degree Murder (Or Higher) Consideration

Some may argue, on the other hand, that a second degree murder charge is feasible, that proof of “intent” is shown by how long it took to effect the killing of Floyd and the officer’s conscious decision to ignore warnings that Floyd was dying. In fact, some legal minds have argued for higher charges than 2nd degree. Former District Attorney of Westchester New York, Jeanine Pirro, host of Fox News “Justice with Judge Jeanine Show” argues for murder in the 1st degree for Floyd’s killer. She opined that the “torturous and sadistic” attributes of the killing will prove “premeditation” and that “prior” mental element required for “premeditation” “can be formed in seconds...” Judge Jeanine recalls a successful murder prosecution by her office of a white off-duty police officer who shot and killed a black man. She was told at the time that “...murder was too high a charge...” and that “...it could not be done...” She revealed later discovering that the successful prosecution of the officer for murder was a first-time occurrence in New York State history.

So Why Not First Degree?

The prosecutor in the current case steers clear of first degree murder charges, maybe because of the burden of proving “intent” AND “premeditation” as above defined. He might consider it overly risky to assume he can convince a jury that a police officer considered, planned, prepared for, or determined to kill Floyd prior to the killing, as required to prove premeditation. Known facts suggest that the officer got involved as soon as he arrived on the scene with no

apparent signs of planning or preparation to kill. Although a case can be made for proof of “premeditation” by extended torture of Floyd, numerous prior unsuccessful attempts to prosecute police officers in similar circumstances underscore the need for extreme prudence in charging decisions, public sentiments notwithstanding. Many prosecutors avoid “overcharging”, a term that refers to the prosecutorial practice of “tacking on” additional charges that cannot be proved, either to gain a bargaining edge or to appease the public. Previous history of unsuccessful arduous tasks of prosecuting police officers lends support to the thinking that any conviction is better than another failed attempt at ultimate responsibility.

Conclusion

The killing of George Floyd has re-ignited the embers of the discourse regarding acceptable use of force by police and the difficulty of



undertaking police prosecution. Law enforcement officers enjoy vast privileges from legal authority, public trust and entrenched political protections. These liberties were meant to ensure a fortified law enforcement system, to uphold standards in performance devoid of reservation due to fear. With great power comes great responsibility and law enforcement is now called to confront excesses inherent in power, excesses due in part to cognitive bias as it affects minorities and police culture for the rest of society. Prosecution is a vital part of holding police accountable but until now, it has been a struggle for Prosecution to balance the demands of working beside police officers with efforts to curb police excesses in the interest of the public.

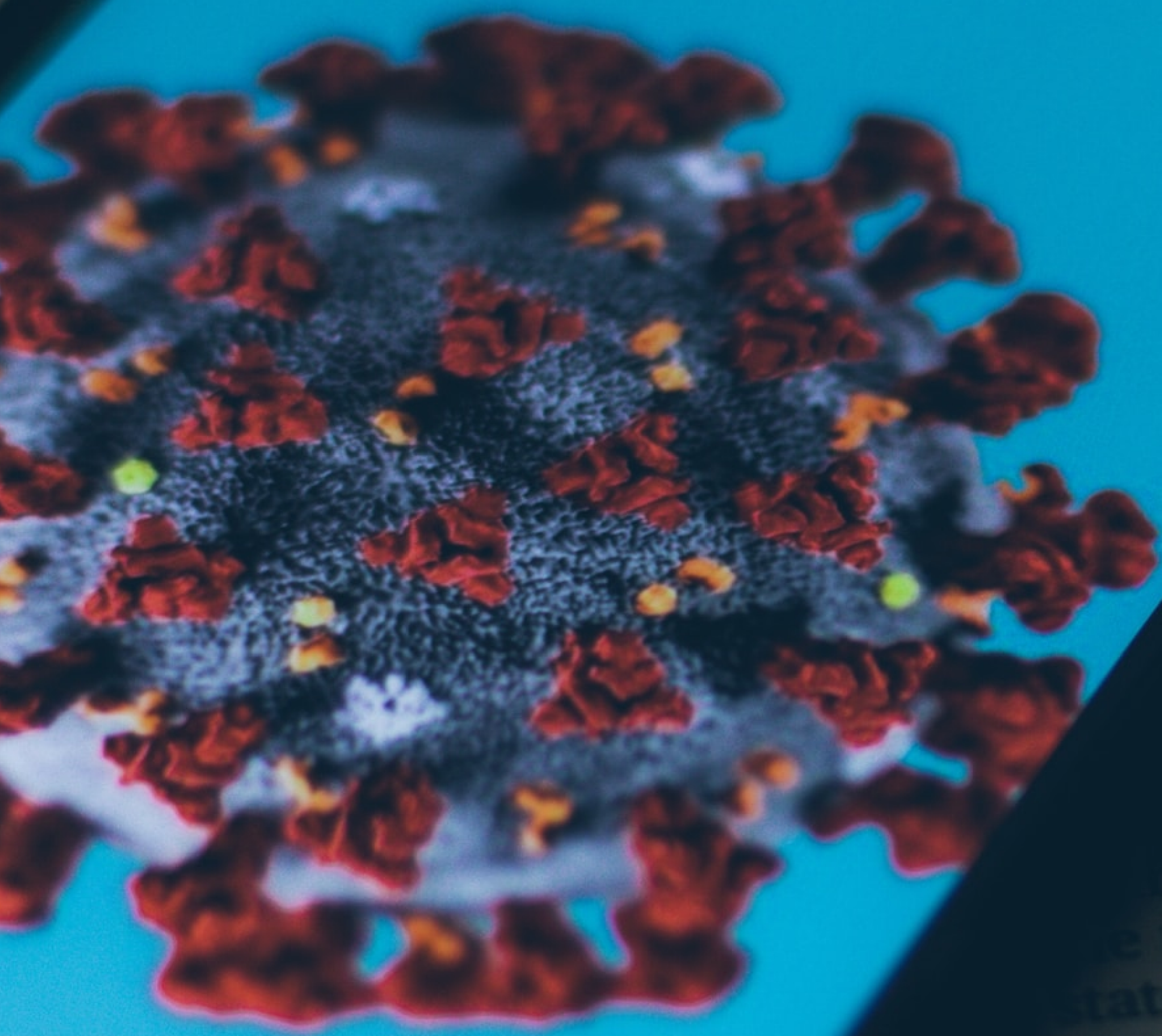
Prosecution also swims against the tide of favorable perceptions of police in working to hold them accountable. Recommendations in this area include instituting independent investigations and lowering the standard of proof for such prosecutions. Contemporary global public sentiment suggests a movement towards reassessing the fundamentals of police culture while instituting novel ways to hold them accountable.

As Martin Kaste (NPR, supra) points out, “(T)he prosecutors are still learning things. For instance, they're figuring out from some recent cases that it may be a mistake to bring murder charges against a cop because the juries seem more open to manslaughter or other lesser charges.”

The prosecutor's goal is to seek justice and the hope is to achieve this goal, despite all odds, in the death of George Floyd.



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COVID-19 NIGERIA'S RESPONSE *Ibrahim Idowu*

Nigeria's economic, political, social, and security instability predates the Covid-19 pandemic. Successive administrations have supposedly attempted to eradicate these plethora of problems to no avail. The fact that Nigeria has since 2017 been identified as the poverty capital of the world with half her population now living in multi-dimensional poverty according to world poverty clock [previously 94.5 million poor Nigerians constituting 47.2 percent now over 102 million people constituting 50% of the estimated population of over 200 million]. The implication of the poverty statistic is that half of the Nigerian population now live below the \$1.90 threshold daily. This statistic is instructive though not exhaustive in identifying the "Average Nigerian". It will be apt to define the "Average Nigerian" to include three classes of Nigerians; the extremely poor, the under-

employed, and the gainfully employed whose incomes are greatly affected by high dependency from relatives and the effect of self-provision of most basic amenities and private outlays (electricity, transportation and so on). It is not surprising that a recent study uncovered that only 2% of bank accounts in Nigeria possess a minimum of N500, 000 balance.

The above stated facts appears antithetical when placed beside the fact that Nigeria is identified as the largest economy in Africa as well as being the sixth largest oil producing country in the world. However, decades of corruption and nepotism amongst the ruling class and the followers has led the nation to its present state.



Anticipating The Virus

The dire consequences of a catastrophic event such as wars and pandemics on the lives and livelihood of Nigerians cannot be unforeseeable and as such, the prevention of such events from occurring or in the least, minimizing their effects on the economy, should be paramount interest of the Nigerian government.

Sometime in or about December 2019, the emergence and existence of a novel strange virus in China was rumored. Officially, the virus was reported in Wuhan China on 31 December 2019. While some of the features of the virus were unknown during its early days, subsequently, it was established that the virus is zoonotic, highly contagious and lethal to the elderly and persons with pre-existing conditions. It is spread through touching infected surfaces, touching infected persons, and touching droplets discharged through sneezing and coughing. It is now established that the virus can be aerosolised. The virus has a 14- day window period wherein infected persons can be asymptomatic but contagious.

At the onset, to the average Nigerians, the existence and the possibility of the virus getting to Nigeria appeared too remote. However, the swift manner at which the virus surfaced in other countries, the surge in the number of deaths, and the overwhelmed medical facilities of developed countries evoked different reactions from the average Nigerians. To the informed average Nigerian, the economic hardship and the horrible state of medical facilities in Nigeria makes the immediate

closure of all air and land borders necessary because that is important to the survival and sustenance of the country. Indeed with a doctor-to-patient ratio of 1 to 3,500 as against the 1 to 600 recommended by the World Health Organisation, the fear exercised was reasonably justified.

To the less informed average Nigerian, surviving till the next day is tasking enough thus dispelling the threat of the virus as “Big man disease” or “Abroad Sickness”(the disease of the rich ones only or the disease of foreigners) is the best coping mechanism. This mentality can also be ascribed to the high rate of illiteracy in the country as well as the low quality of education. The crass illiteracy was vividly displayed in the viral videos from the Northern part of the country showing persons washing their hands with soap into a basin and drinking the water thereafter in order to prove the virus is a hoax.



Surprisingly, the decision of the federal government was to not isolate the nation by closing all international borders, rather, it adopted a strategy wherein travelers are examined at the point of entry for possible symptoms of the virus, give their details to officers and advised to self-isolate for 14 days. Whether or not the advice is adhered by cannot be determined. While officers who are close to the government were asserting the existence and efficiency of the system, the social media was filled with claims from persons claiming to have returned to the country with no interrogation or check at the airport as rumored. In the hindsight, the approach adopted by the government was to accept the inevitability of the virus finding its way into Nigeria and that preventive isolation of the nation would not be a viable option. This policy clearly reflects the under appreciation of the nation's perilous peculiarities.

The Emergence Of The Virus

On 27 February 2020, the opportunity to test the government's claim of preparedness presented itself as the index case of virus was detected. The patient was a 44-year-old male, Italian citizen who works in Ogun State. He arrived in Lagos on 24th of February from Milan in Italy, spent a night in a hotel in Lagos and was driven to Ogun state the next day.

He felt ill on 26th February and the medical doctor at the company's clinic suspected him to be infected with the virus. The authorities were notified, and he was transferred to the Infectious Disease Hospital at Yaba, Lagos for isolation and treatment. The authorities also conducted contact tracing and one of the contacts tested positive to the virus.

The index case elicited mixed reactions from the average Nigerians. While to some it was a call to brace up, others claimed that it was a propaganda by the government in order to justify looting. The distrust of the government by several citizens predates the virus. can be attributed to some actions of the present administration which includes; failure to fulfill campaign promise, federal appointments appearing to be skewed in favour of a region in the country in gross violation of the constitution, the reluctance of the federal government to abide by court orders, the anti-corruption war which appears to be a thinly veiled assault against actual and perceived opposition and so on.

On 17 March, a 30-year-old Nigerian female citizen who had returned to Nigeria and landed in Lagos, from the United Kingdom on 13 March via a BA 75 flight was confirmed as the third case in Nigeria. The administration asserted that other passengers on the flight were then being traced. Five new cases were discovered on 18 March, four new cases on 19 March, 10 new cases on 20 March and the number of infected persons has since been on the rise.

Whilst the surge in the number of confirmed cases failed to confirm the existence of the virus to the doubtful average Nigerian, it worked to increase the fear of the virus amongst the informed ones. The fear of the virus was a fertile ground for misinformation as peddled on the internet and exploitation by the traders. The panic purchase of hand sanitizers, hand gloves and face masks led to scarcity and the unreasonable increase in the prices of those goods. Also, the prices of foodstuff, especially the staple powdery cassava "Garri" also increased thereby causing hardship to the generality of the average Nigerians, irrespective of their opinion about the existence of the virus.



Managing The Virus

The high number of new cases in Lagos, the commercial capital of Nigeria and other states confirmed the failure of the initial approach to handling the virus as it became apparent that several infected persons had slipped through the cracks and they were infecting others at the community level. On 23 March, the first corona related death was recorded. Mr. Suleiman Achimugu, a 67 year old engineer and former managing director of PPMC died after returning from the United Kingdom. It was reported that he had underlying conditions.

Ideally, it would be expected that the increase in the number of new cases and a confirmed death would shock the members of the public who doubt the existence of the virus into believing its existence however, all it achieved was to obviate the chasm of distrust between this group and the government. The figures were challenged and it was alleged to have been doctored for the sake of securing foreign grants and foreign loans which would be siphoned by government officials. To other members of this group, the status of the deceased was used to fortify the claim that only the affluent members of the society are prone to contracting and virus. To the latter group, poverty bestows immunity against the virus.

The high number of cases in Lagos confirmed its status as the epicenter for the virus. With an estimated population of over 20 million occupying a small territory measured at 3,577 sq.km (0.4% of the total land area of Nigeria), it is the perfect space for the virus to spread. The Governor of Lagos state was quick to identify this threat and several steps were taken to slow the surge in the spread of the

From banning gatherings which exceeds fifty people to subsequently reducing it to twenty. On 22 March, he ordered all Lagos State civil servants from Grade Level 1-12 to work from home for 14 days.

On 24 March, 30 of 46 new cases in Nigeria were identified in Lagos. The Governor announced a lockdown of the state for 2 weeks to commence from 26 March. The President on 29 March announced in a broadcast that full lockdown for an initial phase of 14 days from 30 March will be effective in Lagos, Ogun and the F.C.T. All movements and businesses apart from those rendering essential services, selling food and drugs were restricted and the police and men of the armed forces would be enforcing compliance.

Surviving The Lockdown

The lockdown was introduced to stem the tide of the virus and it was clear that the purpose can only be achieved through full compliance by the people. The feasibility of the decision was very much in doubt because of the high number of the members of the population who rely on daily earnings to survive. The government promised that palliatives would be distributed to members of the public to ease the effects of the lockdown. This promise was believable considering the huge sums of monies donated by some Nigerians to the government, funds received from international bodies, as well as goods donated by companies within the country. However, after a few days of lockdown, it became obvious that the lockdown would not be serving the desired purpose. The population of people who live on daily income was grossly under-estimated.



These group of people have no savings, live in congested areas and every day was a struggle prior to the lockdown. Before the lockdown, the Lagos state government on 1 February banned commercial motorcycle and tricycle operators in major parts of the state. The economic hardship inflicted by that decision was mounting on the army of motorcyclists, tricyclists, and the touts whose preoccupation was to collect levies from them because that was the readily available job for the unemployed in the state. The lockdown heightened the economic hardship as the hitherto transporters were in the process of adjusting to a new way of life. Before the lockdown, the Lagos state government on 1 February banned commercial motorcycle and tricycle operators in major parts of the state.

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The palliatives promised by the government was barely existent. It was said that it will be shared to the most vulnerable members of the society, however, in a country where accurate data is lacking, it is clear that there was no way to identify the vulnerable members of any state . Complaint about hunger and non-delivery of palliatives

became prevalent. It was clear that the government could not afford the lockdown like other countries that were paying their citizens to stay indoors. The epileptic power supply further contributed to the chaos during the lockdown. People who had food refrigerated had to spend a chunk of their limited funds on petrol for their power generating sets. The power outage also affected those who were working remotely and need to access the internet.

Further, the residency arrangement in Lagos like that of most states in Nigeria is very similar- the affluent members of the society tend to live together in reserved areas, whilst the arrangement in other parts is usually a mix between the ones living in abject poverty and the ones who are considered to be



slightly well-off. Consequently the proximity between this two barely different groups of average Nigerians makes the ones perceived to be slightly above the “abject-poverty-class” the perfect targets of criminals within the neighborhood. While Nigeria can now boast of a large population of youths, however, many of young people are either uneducated or products of an inferior educational system. This situation amongst the youth, coupled with the high rate of youth unemployment has resulted in high participation in criminal activities amongst young people. The crimes range from internet fraud, cultism, gangsterism, kidnapping, armed robbery and political assassination.

Criminal elements are common to all human societies, and the society’s security forces act as the buffer between the criminals and the upright members of the society. That is hardly the case in Nigeria. The Nigerian Police Force, a gendarmerie of the federal government, has been bedeviled with various maladies. The force is undermanned, with a good number of its officers deployed as escorts protecting the ruling and the affluent class. The officers are inadequately trained and paid meagre salaries. The conditions are not better for the officers of the Nigerian military neither. This explains the unprofessionalism displayed by their officers in their engagements with members of the public. According to the NHRC, the security forces killed 18 people in two weeks while enforcing lockdowns imposed to halt the spread of corona virus. During the lockdown, interstate travelling was banned. However it was reported that the ban was ineffective as the security forces saw this as an opportunity to collect bribes. This contributed to the spread of the virus amongst states.

The increase in the number of infected persons despite the lockdown was used as

justification by those who alleged the virus to be a hoax. The actions of some officials also contributed to sending wrong signals to members of the public. An example of this was the Abia state governor’s claim that his state was mentioned in the Bible and he believes his state has a divine protection against the virus. Ironically, the governor subsequently tested positive for the virus. The double-standard of the ruling class is yet another example in this light. On 17 April, the then chief of staff to the president, Mr. Abba Kyari died of complications from the virus. He died in a private hospital in contravention to the directives prohibiting private hospitals from attending to patients infected with the virus. During his interment at the cemetery in Abuja, a crowd of relatives and well-wishers and top government officials were present in clear violation of the social distancing directives. However, in Lagos state, a popular actress and her husband were fined and sentenced to serve 14 days of community service for hosting a birthday party in violation of the lockdown and social distancing directives. In the F.C.T a taxi driver named Mr. Imhodu was arrested for violating lockdown directives by the men of the road safety corps. His video went viral online where he appeared to have stripped naked and was lamenting on how hunger and the need to feed his family caused him to breach the directives. He was sentenced to six month imprisonment with an option of a fine of ten thousand naira for each count. This raised serious concerns from members of the public as to why the same law is applied differently. The statements made by some religious leaders further fueled the cynicism of some of their followers.

On 13 April, the lockdown was extended for another fourteen days. That proved to be the final straw as a surge in criminal activities



was reported in several states of the federation. In Lagos and Ogun State, a robbery-cult gang named “one million boys” started committing acts of robbery, maiming, and killing in several parts of the state. The group was unique because its modus operandi was to swarm a specific area where they intend to operate with over 100 boys wielding all sorts of weapons. The Police proved to be ineffective and the people had to resort to defend themselves. Civilians brandishing weapons and organizing vigilantes’ vigils became the new normal. All these acts occurred with a total disregard for keeping social distancing. The army of the hungry also grew and the people started going out with no regards for necessary protection. People walked miles to areas occupied by the rich to beg for money and food. The mantra became “Hunger virus is more deadly than Corona virus”. It became clear that if the lockdown is not eased or lifted, the country could experience anarchy. On 4 May, the gradual easing of lockdown was announced.

Accepting The New Normal

The gradual easing of lockdown was recommended by the presidential task force on COVID-19. The lockdown is to be eased in phases to allow people and businesses get used to living and operating businesses within the general COVID-19 regulations given by the NCDC as well as peculiar directives given by state governments.

In Lagos state, the compliance can at best be described as minimal as flagrant disabuse of directives is at fore. The directives requires markets and businesses selling food and those selling other goods be opened on alternating days in order to reduce crowds. What has been happening however is that on days meant for outlets selling food, the

owners of other outlets lock their shops while they hang around to attend to their customers. The directives on reduction of number of passengers to be conveyed on public transport is also being flouted with no enforcement by the government. By way of an example, the “danfo” buses were directed to only convey 60 percent passenger capacity and ensuring that passengers have their face masks on. They are also to provide hand sanitizers to passengers. All these requirements are yet to be complied with. While it is common to now see the buses having 3 passengers per row as against the recommended 2, it is however, not uncommon to see some buses loaded to their full capacities during peak periods.

The most compliant entities are the businesses. Customers are provided with soap and water to wash their hands and use their face masks before allowed entry into premises. However, the good done by the compliant ones is undone by the defiantly inclined. It is no wonder that the number of infected persons continue to rise despite the sensitization campaign by the government.

As Things Stand Presently

As at the time of writing this article, Nigeria has the third highest number of confirmed cases of the virus in Africa with 30,748 confirmed cases. This figure should not be confused as representing the total number of people infected with the virus in the country. It only indicates the number of confirmed cases as it relates with the number of tested samples which presently stands at 178,265. The figures confirms that Nigeria has been grossly under-testing. It is necessary to mention that the initial testing policy of the NCDC was targeted testing of persons who met the “case definition” but this has now changed as community testing is now the



the prevalent approach. South Africa with an estimated population of over 59 million people has the highest number of confirmed cases in Africa (250,687) and it has so far tested 2,057,232 samples.

The huge sums that has so far been borrowed by the government does not support the low testing figures. Nigeria requested emergency assistance of about US\$3.4 billion from the IMF in order to bolster the health care sector, and shield jobs and businesses from the shock of the COVID-19 crisis. This loan was approved on 28 April 2020. The NCDC obtained the sum of US\$8 million from the World Bank's Regional Disease Surveillance Systems ('REDISSE') and it further requested a drawdown of US\$82 million. Despite the funds received, the federal government could not pay medical employees adequately. On June 15 the association of resident doctors commenced an industrial action over salary shortfalls from 2014- 2016, lack of PPE, and an increase of their risk allowance. The strike was suspended on 22 June 2020.

The director general of the NCDC, Mr. Chikwe Ihekweazu, on 2 June confirmed that over 800 medical personnel were infected by the virus. According to one of the doctors in charge of corona virus patients at the University of Lagos Teaching Hospital (LUTH) who prefers to be anonymous "most health workers infected are either due to a compromise in the personal protective equipment (PPE) or during the doffing process that is the removal of the PPE after leaving the isolation tent for deconing. Also the effectiveness of the PPE reduces the longer you stay in the tent".

Today, the average Nigerian is now aware of the existence of the virus. This new state can be attributed to the fact that NCDC officials have been seen within neighborhoods conveying infected persons to hospitals or pick the remains of persons suspected to have died from complications attributable to the virus. Almost everyone now knows someone who have died from the virus. However, rather than galvanize the people to comply with the directives of the authorities, it has operated to trigger the opposite. It is now commonplace to see people not maintaining social distancing and or wearing face masks. It appears the new attitude of the average Nigerian is to "resign to fate" and hope to God to be kept safe. The authorities are not enforcing compliance with the directives and they have hinted on embarking upon a general or isolated lockdown to check the spread of the virus. The agricultural sector was affected by the virus as a result of the lockdown which prevented farmers from accessing necessary inputs required to commence or continue their venture. The farming season commences mostly in the month of April, a period wherein most states were under lockdown. The farmers could not access seeds, fertilizers and feed for their livestock and the ripple effects is starting to show in the price of food and it is already predicted that the accessibility and the affordability of food next year will be a hard task for the average Nigerian.

Ibrahim Idowu is a legal practitioner in Lagos, Nigeria



OPINION



AFRICA'S 4TH INDUSTRIAL REVOLUTION

Seun Kolade

Industry 4.0, digital transformation, these have been hot topics among development experts and technology entrepreneurs over the past decade. Much of the discussion have focused on future possibilities. Covid-19 has altered the tenor of the conversation in a significant way, by bringing the near future into now. According to ILO estimates, the pandemic has precipitated a 10.5% reduction in global working hours, compared to the pre-crisis period. This is an equivalence of a whopping 305 million full time jobs. In the informal economy, up to 1.6 billion workers have been severely impacted by lockdown measures. Of course, the impact is most severe in African and Latin American countries. As businesses rethink their business models, covid-19 has accelerated the pace of digital transformation.

According to World Economic Forum, by 2022, up to 75 million jobs will be displaced by digital transformation. However, within the same period, 133 million new jobs will emerge as a result of the new division of labour between humans, machines and algorithms. That is a net gain of 58 million jobs. So, on the balance, it is not a tale of doom and gloom. The question is “who is in, and who is out?” Which jobs are at risk, and which new ones will emerge? What should governments, businesses and individuals do to prepare themselves for what lies ahead?

New Jobs New Skills

First, the imperatives for re-skilling and up-skilling are higher than ever.



OPINION

Entrepreneurs, employees and jobseekers all need to re-invent themselves in response to new demands and the changing landscape of the labour market. The World Economic Forum estimates that, by 2022, at least 54% of employees will require re-skilling or up-skilling. Proficiencies in new technologies is right at the top of the list. That's not all, though. There will also be new opportunities for those jobs for which robots are ill-suited to doing. In other words, there will be new opportunities for jobs involving originality, creativity, and critical thinking.

For tech jobs, it is not quite a straight fight to the death between humans and machines for job placements. On the other hand, the new employment landscape will be characterised by new forms of interactions and partnerships between humans and machines. In effect, Industry 4.0 workers will be those who understand the language of machines and can work with them. This holds great possibilities for significant improvement in labour productivity and global economic output. Artificial intelligence (AI), robotics and other forms of 'smart automation' are poised to contribute up to 14% of global GDP by 2030. This is an equivalent of around \$15 trillion at today's values.

What Should Government And Policy Makers Do?

The future presents great as much great possibilities as it also portends great dangers for African countries. It is the continent with the youngest demographics, but also the continent with the highest level of youth unemployment.

It is the biggest frontier of growth, but also a fertile field for protracted internecine conflicts. Poverty and idle unemployment are not the best combination for the future prospect of the continent. That is why visionary leadership and policy direction can make a big difference.

At the moment, much of the positive contributions made by the new generation of technology entrepreneurs in Africa have been made in spite of, not because of, supporting infrastructures and enabling institutional environments. The infrastructure for Industry 4.0 in Africa lags well behind those of other continents. While there has been a significant expansion of mobile telecommunications, internet broadband remains severely under-developed. Along with this, the problem of inadequate electric power supply continues to be a major obstacle for businesses. Tackling the two major challenges can be a game changer for the continent. There is a third, and equally important agenda for national governments: an overhaul of the system of human capital development across Africa. These include an extensive curriculum reform for universal basic education to include ICT and entrepreneurial contents, among others. The Higher Education sector also need to be re-oriented in order to, along with industry stakeholders and governments, lead the charge to reposition Africa in the new knowledge economy.

They won't get there on tip toe. There is a lot of toil, guts and grit required, but what lies ahead is an inspiring and exciting future of shared prosperity led by ambitious entrepreneurs in the driving seat of digital transformation in the continent.



OPINION



NIGERIA HAS NO GOVERNMENT *Gabriel Eke*

That our response to the Coronavirus crisis has been to tell our people to stay at home in imitation of the measures adopted by governments of other countries is all the proof that is needed that Nigeria does not have a government.

We say this because if we had a government they would know that 'stay at home' is NOT for countries like ours. For places like Nigeria which do not meet the mandatory basic criteria for government what truly is important in tackling this crisis is the **USE OF MASKS, SOCIAL DISTANCING & HAND HYGIENE** with hand sanitizers, since **HOSPITALS, WATER & ELECTRICITY** are expensive luxuries due to the lack of, you guessed right... **GOVERNMENT**. Because we have no government, after Malaria, hunger is the **BIGGER KILLER**.

For over two centuries African countries have endured invasion and direct interference from European and Middle Eastern nations which has resulted in significant loss and destabilization for Africa.

It is impossible not to ask what might have been Africa's true picture and outlook today but for these invasions. It is realistic to ask whether we Africans can trace a trend that follows the original trajectory of communal harmony and development. If we did, it will benefit our mentality, inspiration, integrity and well-being. Most importantly, this trajectory would actually benefit the global community far better in a bid to achieve a cost effective interaction based on mutual respect.



OPINION

There is nothing wrong in making adaptations that tally with one's progress and culture and at the same time brings a stronger harmonization with the added integrity to appreciate the potential and vastness of humanity. In a meaningful trajectory of events all nations would be educational tourists learning the virtues of other nations in their own time and pace whilst at the same time reviewing the misgivings of historic errors whether by tradition or strategy. This is not a naive or utopian assessment of the possible outcomes that have not been so far realized. A lot of questions have to be asked in order to appreciate the straightforward answers that emanate from this perspective.

It is really important to clarify and dissuade the notion that a lot of positive developments took place with the advent of foreign invasions in the form of modernization. This idea is very much like endorsing the abduction of a princess to a far away land where she was eventually rescued from her abductors by a local blacksmith. The vast majority of African nations had a well organized culture and civilization which could only give the world a better perspective of a safe global environment.

The false claim that there was underdevelopment which needed civilization from foreign invaders was worse than a deception as the individual prospect of work life balance and life expectancy of the average citizen in Africa was by far better than that of their European counterparts just before the tortuous exploitation began. Such false claims are as good as the claims that River Niger was discovered by Mungo Park.

It is not hard to confirm which narrative holds the true prospect for Africa and the entire world at large. This narrative that misrepresented Africa in a bid to undermine her civilization for the sake of greed is a treachery that has its own satellite nemesis that will continue to orbit humanity until the correct narrative is fully adopted for the proper good of mankind.

In the context of the current pandemic of COVID-19 when most so-called developed countries have been humbled to a sudden arrest of activities whether good or bad, it is really a good window for Africa to revisit her true determination of independence using the quality and mindset of her finest citizens. In this current situation when the falsehood of many abductors of true progress has been vividly exposed beyond nakedness, it is unacceptable for Africa not to rethink and rediscover her original trajectory of progress.

This pandemic has paradoxically provided the unexpected opportunity for Africa to not only draw her own road map but like the princess set free by the blacksmith, make the best of her freedom while her abductors are still plague stricken. In this regard, the days of nepotism, neo-colonialism, self-destructive embezzlement and hopelessness is virtually over. Aliveness is exceptionally the only agenda for abductors and captives as everyone scrambles for dear life. The long-held ideology of superiority or inferiority has suddenly dissipated and the only objective is our common humanity. Suddenly the forgery and deception is washed away by a torrential downpour of ancient reality.



OPINION

Let us make use of this window of new opportunity and realization in correcting our unnecessary ecological, geo-political, socio-economic and cultural treachery which has not benefited us nor our neighbours. The world would not be a better place because of the globalist agenda but because of the respect and honest dialogue that ensures the basic dignity of the localist.

If we were in a slumber of fatherlessness, we now have the best possible reason to count our numbers efficiently. It is worth reminding ourselves that the next locust plague would shatter any remnant of deceitful development alongside the fuelling fake narrative. We are ultimately in one boat and rocking it when turbulence is hardly scarce is not advisable.

It is important that the Nigerian public should understand this so as to hold our redundant Nigerian politicians accountable while we have the COVID-19 opportunity so that the world can continue to bar our useless political class from all international travel until they develop the very BASIC CRITERIA FOR HUMAN SURVIVAL in 'rich' Nigeria.

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OPINION



Reliquary head (19th Century) Fang-Betsi, Central Africa

BLACK ART MATTERS

The absence of artistic treasure is a huge loss to African economies and contributes to a loss of national and personal identity. Janet Lawrence

Sothebys sale of modern and contemporary African art was scheduled to have taken place in London in March but moved online as a result of the lock down announced by Prime Minister Boris Johnson. The auction houses acted quickly to cancel the live auction and all the excitement around live bidding to move it online. It was a response to the rules according Hannah O'Leary, head of Modern and Contemporary African Art at Sothebys. Africans in the Diaspora sought to demonstrate outside the auction house in a bid to stop the sale.

The African art scene has several dilemmas. How to get back historical artwork looted from the continent, and who is buying and collecting in the contemporary art markets today?

For hundreds of years much has been taken from Africa - its resources, its fashion even its art, the works has sat in private collections around the world and in Museums in New York, Paris, London, outside of the Continent.

When a report commissioned by French President Emmanuel Macron recommended late last year that the French government begin returning African art taken during the colonial period, it injected a sense of urgency into an enduring debate engulfing much of the museum world: Who should be the caretaker of Africa's cultural heritage - the Africans who created it, or the Europeans in whose museums it has long been displayed?

It's a debate that has been happening in various forms since the era of African independence five decades ago. And perhaps nowhere has it played out more prominently than in the case of the famous Benin bronzes, plundered in 1897. The British had forced the Oba into exile and shipped most of his wealth - nearly 5000 brass and ivory figures to London, eventually scattered to museums and private collections across Europe and the United States. More than any other set of artworks, the bronzes made African art visible to Europeans, igniting widespread interest by scholars, artists, and the public. But in Nigeria and elsewhere in Africa, they have also become a kind of shorthand for colonialism's violent reign - and its lingering influences. "These bronzes are more than art," says Ikhuehi Omonkhua, the chief exhibition officer of the National Museum in Benin City.

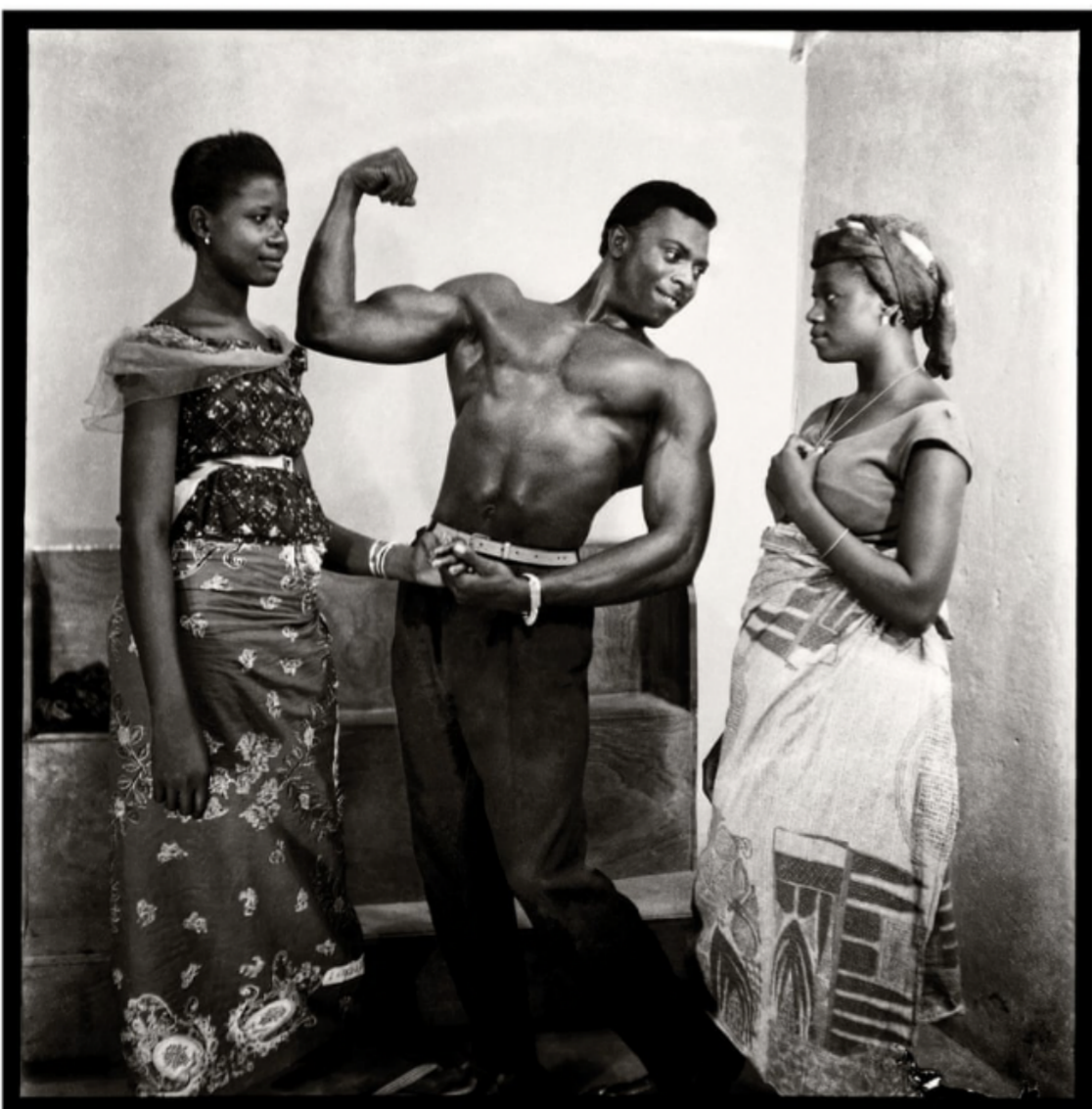


OPINION

Since the late 19th century there has been an increasing amount of African art in Western collections and the finest pieces are now prominently displayed.

African art has had an important and powerful influence on Western Modernist art which inspired artists such as Picasso, Henri Matisse, who formed an avant garde blended with highly stylised treatment of the human figure for the treatment of African sculpture, with painting style derived from post impressionist works of Cezanne and Gauguain. The resulting treatment of pictorial flatness, vivid colour palette by the early twentieth century African Americans were exploring formal qualities of African art.

Currently the increasing globalisation of the art world now includes contemporary artists, and the Primitivist worldview has now past but the gaze on the art world was bought into stark contrast during the lockdown due to Covid19 when demonstrations were called for outside of Sothebys wanting to stop the sale of African art from the collection of Sidney and Bernice Clyman.



A bodybuilder with his girlfriend in Leopoldville Kinshasa

The major auction houses in London, Paris and New York Bonhams, Sothebys and Christie's are determined to cash in on the explosion of interest in modern and contemporary African art. Just a few short years ago, a painting by the "father of Nigerian Modernism" Benedict Chukwudaibia Enwonwu (1921 - 1994) could be bought for a few hundred dollars sold for a 6 digit sum in 2013 and this was result was a particularly strong boost for the African art market. In the wake of its

its success, Bonhams decided to step up a gear in 2019 by taking its "Modern & Contemporary African Art" sales to New York. Six works sold above the \$100,000 threshold during the New York auction on 2 May 2019; works by Ben Enwonwu and Irma STERN, Demas NWOKO, Skunder BOGHOSIAN, PAPA IBRA TALL and Nelson MANDELA. The enthusiasm suggests that the New York market is now ready to absorb the best of Modern and Contemporary art from the African continent.

The positive response from the market is part of the generalised effort to mitigate the under representation of African artists in major contemporary art fairs and exhibitions. The Venice Bienale ,an art market is increasingly open to African countries and new works and new artists are being discovered.

Art is one way of invigorating African societies that are now emerging economies in their own right, and the Foundation pour le Development de la Culture Contemporain Africaine, who set up the exhibition, hopes to develop connoisseurship among collectors with newfound wealth.

Egyptian painter Adel El Siwi, who presented an eye-catching triptych, believes the exhibition is the most important ever seen in Africa. "It is an unprecedented event," he says, "in that it is fully organised and curated by Africans and does not focus on the African diaspora as a central theme."



OPINION

In Benin the theft of the bronzes has become a symbol of everything Nigerians lost to colonialism. But now, some of the bronzes may be on their way home – temporarily. Since 2010, museum curators from Europe and officials from Nigeria have been working quietly on plans to return the items, on loan.. In the 1960's after the Biafran War Nigeria put money in its cultural institutions as a way to unify the country. The museum in Benin did have a few bronzes, its collection was paltry in comparison to what was on display in Europe. Others see getting the art on loan as better than having nothing in their display cases at all. "You have to be realistic," says Folarin Shyllon, a professor of law at the University of Ibadan and a member of the Dialogue Group. "Half a loaf," he says, "is better than no loaf at all." The two largest collections are in the British Museum, which holds around 900 pieces from Benin, and the Ethnological Museum in Berlin, soon to be part of the Humboldt Forum, which possesses around 530 pieces.



Bust of Queen Nefertiti of Egypt in Berlin's Neues museum

As many as 5,000 treasures that were looted from the former kingdom of Benin will be digitally reunited over the next two years. The ambitious international project is spearheaded by the Museum am Rothenbaum in Hamburg with the support of the Benin Dialogue Group. "Digital Benin" will bring together bronze, ivory and wooden artworks produced by the kingdom of Benin, or the Edo Empire,

When Nigeria plunged into economic free fall in the late 1980s, its museums became a target for art thieves. The most infamous break-in came in 1994, when robbers stole works worth about \$200 million. For curators like Mr. Omonkhua, who had spent their careers evangelising about the value of museums, the losses were devastating. Curators abroad like Nicholas Thomas of the Museum of Archeology and Anthropology in Cambridge, which holds 168 objects questions the ability of the African Museums to look after the work.

Even when returns are requested, the decision in some cases is not up to the museums at all:

The British Museum Act of 1963 prohibits an institution from disposing of objects in its collection except in very limited circumstances, meaning any effort to repatriate objects would require government action. Similarly, French law considers the collections of national museums "inalienable," prohibiting their removal. Other museums and countries have different legal frameworks and processes for dealing with their treasures.

But things are beginning to change , there has been a move to build museums, and show collections of work . At the same time the prices of the artwork, both the historical pieces and the contemporary work is going on sale in auction houses in London, New York and Paris, and the collectors - in the international art market are buying it - most of it have been sold to non - Africans.





NOLLYWOOD: SHIFTING SANDS & INTERNATIONAL ACCLAIM

Precious Oyelade

Nollywood is second only to music in popularity as Nigeria's greatest cultural export. It is second only to Bollywood in terms of annual output as a film industry also. In any case Nollywood remains a phenomenon both locally and internationally. To the Nigerian and wider African diaspora, the film industry plays a significant part in contributing to ideas of pride, belonging and to some, disdain.

Diaspora sentiment and perception is coloured by cultural exports. Afrobeat music and its millennial offspring Afrobeats quickly succeeded in generating support and creating a sense of pride about Africa among the diaspora. Whereas the relatively young and rapidly evolving Nollywood industry,

which found its way around the world first via VHS tapes, VCDs and now streaming online has served many purposes among diaspora viewers but to what end? As different branches of the Nigerian film industry emerge, an increasingly international focus, cemented by partnerships with media juggernauts like Canal+, SONY and Netflix has increased access to these stories in the diaspora, while also influencing which stories get told.

Diaspora sentiment and perception is coloured by cultural exports.



Nollywood Reinvented

It can be argued that the Nollywood industry today exists on two separate tracks, both came from the same seed. What is understood today as Nollywood, came to be as a result of economic hardship and ingenuity. The harsh effects of Nigeria's structural adjustment programme in the late 1980s, the military regime and general security concerns led to the collapse of the systems of cultural production, live theatre, music and television production were essentially starved.

Old Nollywood, characterised by low budgets, low production values and melodrama, grew out of this, and grabbed domestic Nigerian and wider African diaspora audiences across the globe. Not only were these films cheap to make, and rent or buy, for many in the diaspora they provided a slice of home with characters and conflicts that were distantly familiar, and provided an escape from their contrasting Western settings. The melodrama and language also proved as a means of cultural transmission for their children born in the diaspora, just as cinema is inherently political, these films became a means of communicating morals and demonstrating a culture and behaviours not available in the same way to those in the Western based diaspora.



New Nollywood, is understood to have been built on the foundation established in the 90s but with a view to telling these same stories to the world, turning outward with storytelling. An international focus with bigger budgets, shorter running times and more glamorous settings has emerged in parallel with the traditional Nollywood films that continue to proliferate but find their ways to separate audiences in similar spaces. With a move to globalisation comes the desire to demonstrate how one can be different but also the same. A standardisation emerges as a move toward more universal storytelling and pull of screenings like at the Toronto International Film Festival, and the proximity to awarding bodies such as the Academy, can have an impact on these films where traditionally, they were never a concern.

Due to the industry's origins it has taken a non-traditional route by international film industry standards. Born first onto the small screens (television) but now maturing on even smaller screens (phones and tablets), while at the same time grabbing market share on the big screen (cinema). The return of cinema, and the licensing and acquisition of Nollywood content for streaming platforms has formalised distribution. This method has helped combat piracy and democratised access to film for the diaspora, but at the same time has created a new film segment that has closed off access to others. One must never overlook the reality that the cost of the cinema, a Netflix subscription and the data needed to support streaming remains out of reach for many who could have traditionally afforded and shared VCDs.

The World Stage

Every film industry has its audience and there is now a proliferation of Nollywood content available to the diaspora and beyond thanks to YouTube, IrokoTV, Amazon Prime and Netflix.

These films continue to serve a purpose for those in the diaspora beyond simple entertainment. When eight Nigerian films screened at TIFF in 2016, the reaction to their presence domestically was overwhelmingly positive, the same is true for their presence on streaming platforms. Not only do these films tell Nigerian stories, they also provide a form of recognition and validation. As a cultural export, providing alternative narratives about Nigeria and Africa through our own stories whether stories of normalcy, excellence or tragedy conveys a depth and agency not previously afforded. Globalisation may have brought with it a form of standardisation, but the melodrama remains all the same. The availability of these stories disrupts tired stereotypes, and makes space room for nuance.

Whether providing a moralising commentary, or depicting a village or a mansion, Nollywood films serve an important purpose in showcasing different sides to a very diverse coin to audiences around the world. New Nollywood, replete with more glamorous lifestyle portrayals which are more prevalent on streaming platforms are but one depiction of Nigerian life. Although not a true representation of the subject matter that has always been the point, entertainment that provides a distant but familiar picture to some and an entirely new picture to others, nonetheless providing a contrast to the images of jungles and poverty that still form the basis of understanding for many audiences outside of the culture. Nollywood is in the process of showcasing new areas of Nigerian life to audiences beyond its core. To see Africans being African simply because, some in luxury, and some in normalcy is a relatively new slice of the culture and one that needs to be nurtured so that even more can flourish.



Precious Oyelade is a Marketing & Communications professional. Raised in Brixton, her interest in African storytelling saw her awarded a starred first and the University of London Award for her dissertations on Nollywood from the University of Cambridge and SOAS respectively. Precious carried this interest into her professional life, and currently works in African tech, and television.





THE NIGERIAN FOOTBALL LEAGUE NEEDS TO BE REVAMPED

Ayo Odumade

Though I was born in London, I lived in Nigeria between 1974 and 1989, before returning to the United Kingdom. In that time I fell in love with the Nigerian Football League and followed it religiously. I looked forward to the weekend when league games were played. I got to know teams like ICC Shooting Stars of Ibadan, Enugu Rangers, Spartans of Owerri, Racciah Rovers, Bendel Insurance, Stationary Stores, New Nigerian Bank. In the 80s teams like Leventis of Ibadan and Abiola Babes emerged to add to the exotic and exciting league. Nigerian football was vibrant then and though we did not have live games I followed the reports and watched the highlights when they were shown at night.

Things were so organised then and Nigerian football was very competitive.

The Principals Cup in Lagos State was well organised and exciting. Not stopping there the Lagos State FA Cup was also well run. However there were other football competitions in Lagos such as the Bank competitions and the Oba Cup. The production line of players coming through were endless and it culminated in Nigeria winning its first African Cup of Nations on home soil in 1980 after years of trying. One of the players of that tournament was Chief Segun Odegbami who is still very much involved in sports today.

For someone who was born in England, I did not find it difficult to buy into Nigerian football then. Though I still followed English football and bought magazines such as Shoot and Match, my heart and soul was with Nigerian football. As I journeyed through University I also took Nigerian University Games on board, which was also well run. At every stage there was talent flowing and Nigeria also had excellent administrators who not only ran football well but all the other sports

Sadly like most things in Nigeria football was simply not sustained. We failed to move with the times and the advent of the English Premier League, which was formed in 1992 did not help either.

Our thriving football league and the game generally (as well as other sports) were neglected. The likes of the late Chief MKO and Iwuanyanwu pulled out of football.



We stopped promoting our own league and the downward spiral has continued till today. They say charity begins at home but to my shock a former Governor of Lagos State, Babatunde Raji Fashola was even promoting the UEFA Champions league and the trophy was paraded in Lagos! While I was deeply upset by this development, most Nigerians did not seem to care and do not realise what damage this has done to our football. Not stopping there the current NFF Chairman Amaju Pinnick scored a massive own goal, when he was seen wearing an English Premier League shirt instead of the Nigerian colours! That says it all.

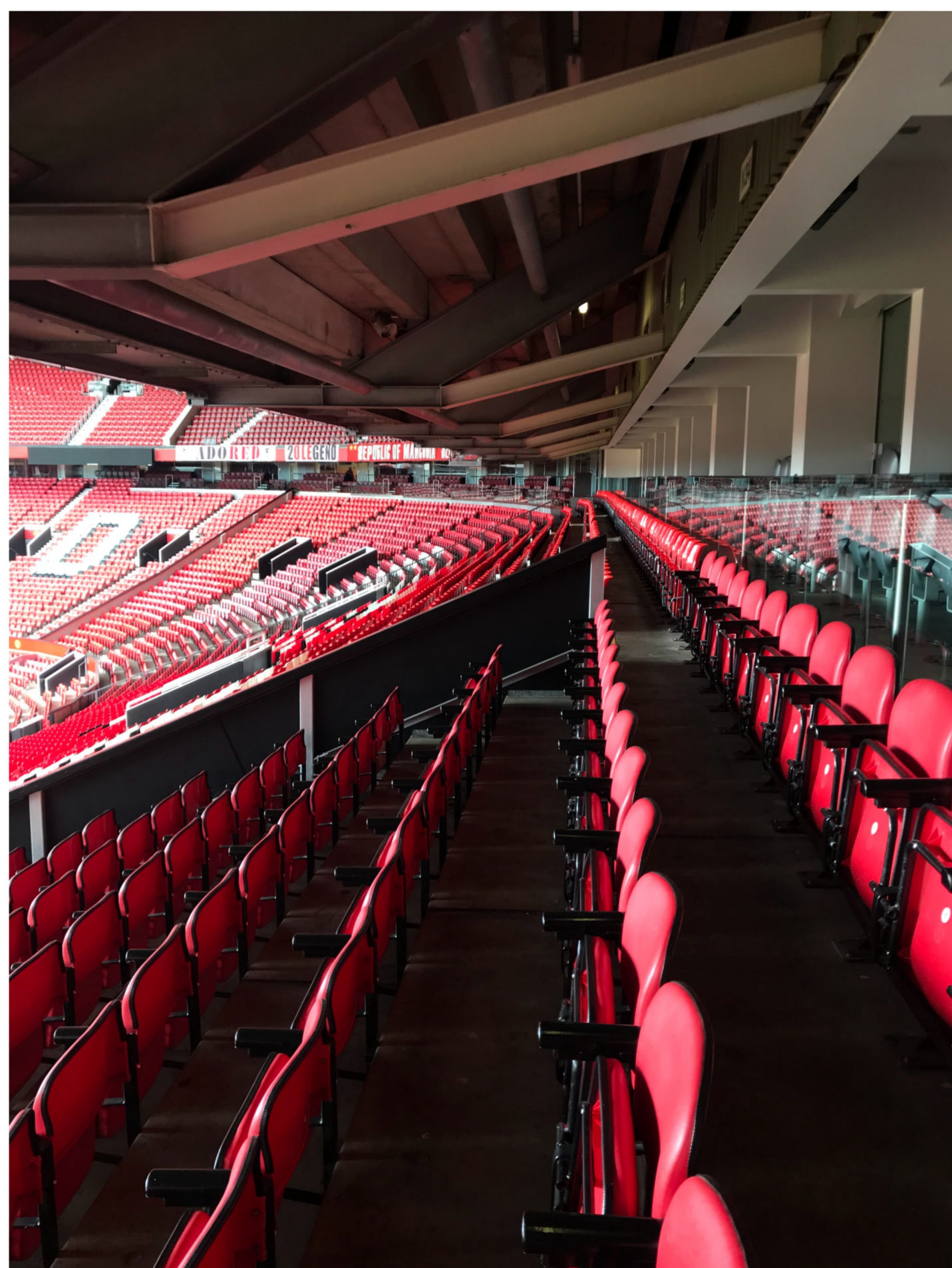
Getting the league back to what it once was is a long way away. It is going to take a monumental effort to revamp the league. Our football stadia are also appalling. Most of them are now an eyesore! Instead of being obsessed with foreign league we need to reshape ours!

MARCUS RASHFORD FOR SPORTS PERSONALITY OF THE YEAR

Footballers are sometimes held up in a bad light. It was not surprising when the Covid Pandemic broke out that a Member of Parliament said that footballers should take a wage cut and help out. Manchester United striker Marcus Rashford stepped forward and not only raised a substantial amount of money himself. He also managed to get the Prime Minister Boris Johnson to make a U-turn about stopping £15 million worth of food vouchers to help feed less privileged school children during the summer holiday. Rashford started his campaign by tapping into his followers on social media outlets such as twitter and wrote to the MPs.

The Prime Minister and his cabinet ought to be ashamed because it should never have come to this. Rashford must be commended for his courage of not giving up and taking on the establishment.

In this day and age when some footballers are criticised, it is refreshing to see a young man who knew what it was like not to have enough food when he was growing up, to use that experience to help others. Rashford has captured the heart of the nation. For this reason I think he should be nominated as the Sports Personality of the year.



a SLAVE SHIP *called* JESUS

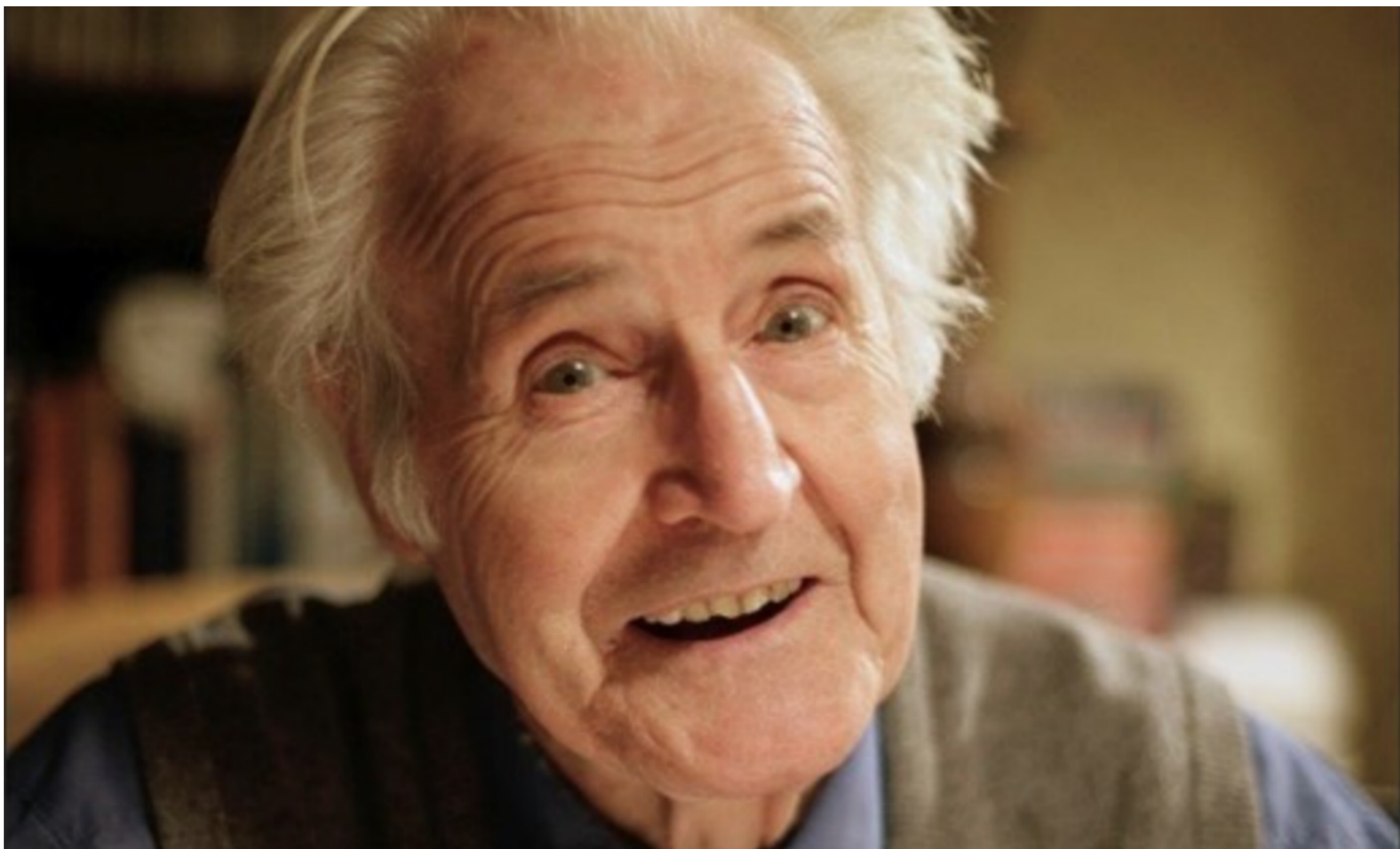
DELE
OGUN



LAWLESS PUBLICATIONS

This book offers answers to many questions surrounding the slave trade: Why did England join a trade which it had previously spurned as immoral? How did the Church and medieval society reconcile their abhorrence of usury with the exploitation of slavery? Why were slave ships given names like 'Jesus of Lubeck' and 'Grace of God'? How did a slave trader come to write the hymn "How sweet the name of Jesus sounds?" and "Amazing Grace"? To what extent was 'herd immunity' responsible for shielding people from their conscience during the era of slavery? Why did those who were enslaved on the plantations receive Christ when the trade was being abolished and not before? Why has the Arab trans-Saharan slave trade been overshadowed by the European trans-Atlantic one? What is the legacy of the trade today? These and related matters are the issues we grapple with in 'A Slave Ship Called Jesus'.

OBITUARY



The Rev John Papworth, clergyman and author, was born on December 12, 1921. He died on July 4, 2020, aged 98

John Papworth was appointed by President Kenneth Kaunda of Zambia as his personal assistant in 1969-1980 with a special remit on economic affairs. During his time, he assisted behind the scenes in affairs of state especially during the Ian Smith crisis of neighbouring Southern Rhodesia.

Lusaka hosted the Commonwealth conference of 1979 with the hugely successful Queen's state visit that required months of planning. This cumulated in neighbouring Zimbabwe's independence 1980 with the Lancaster House agreement. Papworth helped prepare for this and acted as an informal go-between with the Zambian and British governments.

He established Village Industry Service (VIS) to promote small scale rural economic development as opposed to large state planning that was popular at the time. This required extensive work including a three month India

tour to emulate some of their rural development. VIS is still going strong to this day.

Whilst in Zambia, he enrolled on a Theology course and in 1976 was ordained a priest by the Bishop of Lusaka Filemon Mataka. He took on a township parish in New Kenyama on the outskirts of Lusaka where the congregation grew from 40 to over 300.

Born in Shoreditch, East London, in 1921, and raised in an orphanage, he read Economic History at the London School of Economics and Political Science which influenced him in writing the book "Why Schools of Economics and Political Science Should Be Closed Down". A leading campaigner against the project for political union in Europe, in the 1990s he began to apply the same principle to explain the dysfunctional state of the countries in Africa, pointing in particular to the unnatural union in Nigeria and calling for the return to organic nation states.





FATHERLAND

BECAUSE IT IS OURS