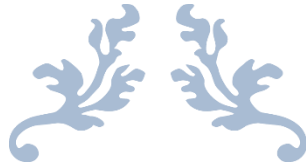


TAP



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Movement for Awka Transformation



TAP BLUEPRINT

Proposals for the Reform of Awka Governing Institutions



OCTOBER 6, 2018

THE TRUE AWKA PEOPLE (TAP)

An Awka Civic Association

Produced By: TAP Political Action Committee



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ABOUT THIS REPORT

This report was prepared by the Political Action Committee (PAC) of the True Awka People (TAP), an Awka civic association. It was compiled by Dr. Chudi Okoye mainly from the inputs of TAP PAC and TAP members and leavened with additional research by the author. The report is offered as a blueprint to resolve the political crises in Awka. It focuses specifically on issues surrounding the Eze Uzu institution and the leadership of the Awka Development Union Nigeria (ADUN); issues which have festered for long with grave consequences for Awka Town. This blueprint draws from the **TAP Report** which had explored the origins of the political crises in Awka. Whilst noting the need for near-term solutions to the Awka situation, this report focuses on longer-term ideas for institutional reform with the belief that it is only through fundamental reforms that a more stable and prosperous polity can be established in Awka Town.

TEXT NUMBERING CONVENTION

In the body of this report, section headings are numbered using Arabic numerals (1, 2, 3); paragraph numbering starts with Roman numerals (i, ii, iii), followed by English alphabets (a, b, c) for subparagraphs, with further indents reverting to Arabic numerals.

APPRECIATION

The leadership of TAP PAC, on behalf of members, wishes to thank the parent TAP for the opportunity of this assignment which we took on knowing that *oku arualu nwata n'aka anara arugbue*.

The leadership is also grateful to members of TAP PAC who rallied to deliver the assignment given to the Committee, often suppressing their partisan loyalties. It became apparent, as we deliberated, that some members belonged to contending camps in the kingship and ADUN scrimmages. Yet, despite occasional flashes of temper or sullen silences as might be expected, members held it together and, in the end, delivered a report endorsed by unanimous assent. This is emblematic of the restraint seen in broader Awka polity which so far has spared it the conflagrations that have riven other towns facing similar contradictions of local governance.





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DISCLAIMER

The membership of TAP Political Action Committee hereby absolves itself from all responsibility for any misrepresentation of the data or analysis presented in this report, or any disputes arising thereof.





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1. TAP PAC STATEMENT OF PURPOSE

1.1 Vision:

To build a great Awka Town that is peaceful and progressive.

1.2. Mission:

To revive Awka traditional, cultural and governance institutions so they can play their roles effectively and harmoniously, with Izu Awka as the highest decision-making institution.

1.3. Strategy:

- (i) To reposition Izu Awka as the apex authority in Awka which harnesses other Awka institutions to ensure the emergence of a Great Awka that is peaceful and progressive.
- (ii) To develop a governance structure that will empower Izu Awka to handle all matters concerning Awka people, without infringing the Nigerian Constitution or any other extant Federal or State Government rules and regulations.
- (iii) To make Izu Awka a legal corporate entity, create an Awka Single Account and develop a fiscal system through which all funds for Awka should be received, and empower Izu Awka to administer such account and seek legal assistance on behalf of Awka people.
- (iv) To strengthen the Eze Uzu institution so that it can effectively play its role as the embodiment of Awka custom, tradition, culture and way of life.
- (v) To glorify the Eze Uzu institution and accord utmost respect to any incumbent Eze Uzu, enabling him to discharge his duties in a manner that reflects the prestige of the institution.
- (vi) To revive Awka traditional Judicial System in a way that supports statutory institutions, allowing local disputes to be resolved through communal conflict resolution mechanisms; this may also help to unburden the Government's judicial and law enforcement agencies.
- (vii) To reposition the Awka Development Union Nigeria (ADUN) so that it can carry out its developmental and administrative functions to the greatest benefit of Awka Town.





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2. PREAMBLE

(i) WHEREAS in the year 1986, the people of Awka Town adopted the *Traditional Ruler's Amended Constitution* for the selection, recognition, installation, suspension or withdrawal of their Traditional Ruler;

(ii) AND WHEREAS the said Awka *Traditional Ruler's Constitution* – based on the erstwhile Anambra State Government Chieftaincy Edict 1976 (Edict No. 8) which was later replaced by the Traditional Rulers Law 1981 (Law No. 14) – does not satisfy the justifiable needs of Awka people in terms of the selection, supervision and succession of the Traditional Ruler;

(iii) AND WHEREAS the Awka traditional governance institutions, being discountenanced by the said Anambra State Government statutes, have minimal access to the State Government which exercises statutory control over the Awka Traditional Ruler;

(iv) AND WHEREAS the tension resulting from non-statutory recognition of Awka governance institutions has imperiled the tenures of previous and current Awka Traditional Rulers who were selected under the said Awka *Traditional Ruler's Constitution*, with incessant crises and instability attending their tenures;

(v) AND WHEREAS in parallel the non-statutory recognition of Awka governance institutions impairs the ability of these institutions to superintend the affairs of the Awka Development Union Nigeria (ADUN), to the ultimate detriment of Awka Town;

(vi) NOW THEREFORE, WE the members of the *True Awka People* (TAP), a deliberative civic association set up to work for a progressive transformation of Awka Town, offer the following analysis and recommendations for consideration by Awka decision makers and Awka people:





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3. GOVERNMENT, EZE UZU, ADUN AND AWKA TRADITIONAL INSTITUTIONS

(i) The central contradiction of local governance in Awka is that the institutions of Eze Uzu and Awka Development Union Nigeria (ADUN), which are relatively new in the annals of Awka history, enjoy statutory recognition whereas their older counterparts, which have served Awka for millennia, do not. The disenfranchisement of old Awka institutions is particularly vivid in the case of Izu Awka and Ozo Awka.

(ii) In a discussion first reported by the Awka Pacesetters Club in 2015 and underlined in a seminal report by TAP, the incumbent Eze Uzu, Obi Gibson Nwosu Eze Uzu II, articulated this point in vivid terms. As reported by Pacesetters,

(a) [Eze Uzu II recalled that] Awka did not have an original culture of kingship. In the past, the Ọzọ Prestigious Group was the power engine of Awka [politics]; [it] dictated the rulership, cultural and traditional patterns of the Awka society... The Ọtọchal Awka was... the [ultimate] symbol of rulership of Awka people akin to a king... The Ọzọ Awka [was] the ruling class, but [the buck stopped] with the Ọtọchal Awka whose approval must be sought...for...every decision made [before finalizing] agreements.

(b) The Eze Uzu opined that [the] emergence of an Awka King did not quite go down well with the [Ndu] Ọzọ who felt that the power they wielded all through [Awka] history had been watered down tremendously, and so [they] did not and [have] not relented in challenging the powers and leadership of Awka Kings, including his present kingship... [He said] that this had been the way of Awka people and that he is not the only one it happened to. The same thing was done to Igwe Alfred Orimili Ndigwe, Eze Uzu I; it also happened to Ichie Nnebe..., those that were kings in Awka before him.





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(c) Continuing, he said that... [in earlier times], the moment the Ọzọ Awka [took a] decision and the Ọtọchal Awka concur[red], it [became] a law of the Awka people. [However] this medieval arrangement [that served Awka well] in the times of old... can no longer work for Awka people. It can't work! Right now [Awka is] an integral part of the country Nigeria; there is the federal government constitution with provisions which supersede every other rule of engagement. In the order of governance, there is the Federal Government, State Government, Local Government and then the Town Union administration as officially upheld. The President-General (PG) heads the town union, whereas the Monarch – the traditional ruler – supervises the leadership of the town union led by the PG.

(d) These are the provisions of the Constitution of the Federal Republic of Nigeria. There is nothing like the 'Ọzọ Society' in the Nigerian Constitution, or 'Ajaghija' or 'Ahiajioku' or 'Amanwulu'. Nevertheless, the[se] are customs which can only be respected [by the] people [even if they have no role in the national dispensation].
(Awka Pacesetters Club, Peace and Reconciliation Committee Report, 2016, pp. 13-19)

(iii) TAP affirms the analysis of Obi Gibson Nwosu, but we think that it is necessary to correct some of his claims. First, there is no formal recognition of traditional rulers in the current federal constitution of Nigeria; thus, no *constitutional* roles are currently assigned to them, as the Eze Uzu asserted. There is continuing debate in Nigeria as to the relevance of the traditional ruler institution in a modern democratic setting, and so the political vicissitudes of the institution have varied with changing constitutional regimes. Historically, the height of the powers of traditional rulers was seen in the colonial and immediate postcolonial periods. The Richards Constitution (1944-51) and the MacPherson Constitution (1951) created regional Houses of Chiefs and gave specific roles to the traditional rulers. The Lyttelton Constitution (1954, revised 1957)





whittled down their powers somewhat although the Houses of Chiefs subsisted. With the onset of Independence, the fortunes of traditional rulers changed again. Their roles changed under the 1960 and 1963 constitutions which created a Council of Chiefs in the regions. In fact, traditional rulers in the North waxed stronger with the creation of the Council of Chiefs: there, they became a policy making body whose decisions were binding on the government. However, the advent of military rule led to a significant diminution of the role of traditional rulers. They have not fared too well either with the emergence of new civilian regimes. Under the 1979 Constitution, the only formal structures in which traditional rulers were included was membership of the Council of State at the federal level, and the Council of Chiefs at the state level; however, these bodies performed merely advisory roles. The role of traditional rulers was practically eviscerated in the 1999 Constitution which did not mention the institution at all. The simple reality is that neither the military nor the democratically 'elected' civilians wanted a competing centre of power challenging their own authority.

(iv) Given the foregoing historical survey by TAP, it is incorrect for Gibson Nwosu to claim that there is “constitutional” recognition for the traditional ruler institution. Instead, what we have in the case of Anambra State is an evolution of statutory law and edicts which establish the role and functions of traditional rulers. It is these laws and edicts that are referenced in the *Traditional Ruler’s Amended Constitution for Awka Town, 1986*, which is the founding document for the Eze Uzu institution.





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(v) Another assertion by Obi Gibson Nwosu that perhaps requires clarification relates to the Town Union administrations. The Eze Uzu implied that the town unions are also recognized in the Nigerian constitution. However, TAP research revealed that this is not the case: not only are town union administrations not constitutionally established, they are not even as yet established by statutory law in Anambra State, although the state government plays a role in the certification and regulation of town unions.

(vi) Despite the foregoing corrections, it is still pertinent to point out that the modern governance institutions in Awka polity, namely the *Traditional Ruler* and the *Town Union Administration* – notwithstanding the vagaries of their statutory provenance – do have an established legal status which enables them to have direct interaction with the state government. Such status also imbues them with the ostensible authority to represent Awka people in state affairs, to the exclusion of other traditional institutions with deeper cultural provenance in Awka society. At the same time, however, the new governance institutions have appeared to be overly dependent on government, often as a result of their own contradictions. Not constitutionally recognized and not deeply entrenched in Awka culture, but yet with a legal identity recognized by Government, they have tended to defer to a state government that regulates and remunerates them.

(vii) From the above analysis, we see aspects of the Awka crises in bold relief: On the one hand, the emergence of modern governance institutions and the marginalization of primeval power blocs has created tensions among Awka traditional governance institutions. On the other hand, the recognized institutions of Awka local governance





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have tended to be under government control and to conduct their affairs in a manner not entirely subject to the supervision of long-established Awka institutions. This has created issues that Awka is dealing with today – Eze Uzu issues and ADUN issues.

3.1 Eze Uzu Issues

(i) An examination of the *Traditional Ruler's Constitution for Awka Town 1986* will show how much control government wields over an incumbent Eze Uzu.

(ii) Right from its beginning, the 1986 constitution predicates its own validity on pre-existing state government statutes and asserts no independent authority. Although the Eze Uzu Awka is selected through the instrumentality of local institutions such as the Otochal-Awka and the Council of Kingmakers, the constitution is unequivocal that the Eze Uzu Awka has to be recognized and certified by the government before the role holder can be officially enstooled. The constitution describes specific steps that must be taken by the community to select a candidate for Eze Uzu. However, it also states as follows at Section 10(e):

*The confirmed **Candidate** shall be presented to the Government in accordance with Section 5(2) of the Traditional Rulers Law, 1981, for **recognition** (emphasis added).*

(iii) It is clear from the above that the person selected by members of the governing institutions of Awka as traditional ruler retains the status of a “candidate”, and only becomes a substantive ‘traditional ruler’ when he receives government recognition.





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(iv) It appears that Awka is also confronted with similar statutory constraints if, for any lawful reason, it wishes to truncate the reign of an errant Eze Uzu. The processes of adjudicating the behavior of an incumbent Eze Uzu are ostensibly locally situated. The constitution specifies the various steps that should be taken – by the Otochal-Awka, the Council of Kingmakers and the community at large – to adjudicate the Eze Uzu’s conduct. The constitution also lays out the range of indictable conducts, and again details the steps that must be followed to indict an incumbent and push for his removal. However, the constitution seems to suggest that unless and until the government upholds the indictment of the incumbent, local judgement remains suspended. Thus, after an incumbent Eze Uzu has been successfully indicted, the constitution states at Section 16(g) that:

*The Council of Kingmakers shall arrange to recover the Staff of Office and Cap from the disqualified Traditional Ruler **after the disqualification shall have been up-held by the State Government** (emphasis added).*

(v) It seems from the above that the government is both a *constitutive authority* in the ratification of the Awka traditional ruler and the final *arbiter* in the removal of same.

(vi) This situation, seen elsewhere in Igboland, has tended to create a conflict of loyalties for the incumbent traditional ruler. Whilst supposedly the embodiment of local culture and tradition and the custodian of local interests, the Igbo traditional ruler is subject to the whims of the state government, ultimately personified by the Governor of the state. He is answerable in the end, that is, to an exogenous power.





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(vii) Reflecting on this situation, A. C. Nwosu has argued that Igbo traditional rulers (“Ezes”) do not enjoy a high degree of independence. As he put it:

From all indications, the Eze, established by government statutes, crowned by the government, paid by the government and removed at will by the government, cannot be said to enjoy a high level of autonomy. The system is highly dependent on the government (2008, <https://www.ids.ac.uk/ids/civsoc/final/nigeria/Nga5.doc>).

(viii) This is a stark conclusion that seems to describe the situation in Awka. In the local community, the perception has grown that the state government wields undue influence over the Awka Stool, to the extent that the incumbent traditional ruler, Eze Uzu Gibson Nwosu, has been accused of acting in a manner detrimental to Awka interests. The indictment of the Eze Uzu has thrown Awka into a deep political crisis, resulting in his purported removal and replacement by another ‘Eze Uzu’. At present, Awka appears to have two claimants to the Eze Uzu stool, the town riven by rivaling support for either contender.

(ix) Amidst the factional contention, however, the Anambra State Government has refused to decertify Eze Uzu II Gibson Nwosu or to acknowledge anyone else as his successor. Awka has thus found itself in a veritable stalemate.

(x) The situation is made worse by the fact that Izu Awka, the apex decision-making institution in Awka, is not properly positioned to resolve the matter. Not having a legal identity and unacknowledged in the 1986 Awka *Traditional Ruler Constitution*,





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Izu Awka has no formal status with the state government and as such is unable to present the preference of Awka people, whatever it is, to the government.

3.2 ADUN Issues

(i) A similar scenario is playing out with regard to the Awka Development Union Nigeria (ADUN). Here too we find contending factions pushing claims and counter-claims with Awka traditional governing bodies unable to resolve the dispute due to the involvement of the government.

(ii) The ADUN situation is a major crisis in Awka. It revolves around issues concerning elections and constitution amendment that ended up in litigation and a contested court ruling. This has resulted in the emergence of two parallel ADUN executives led by two individuals both laying claims to the office of PG. As it is, the matter remains unresolved because an appeal was lodged against the court judgment and it is still pending.

(iii) The ADUN standoff is much like the Eze Uzu crisis, with two contending camps. Government plays a similar hand in that it has refused to decertify the government-recognized PG or to acknowledge anyone else as such. And there is Izu Awka, again helpless because it has no status before the government and has thus been unable to canvass and communicate the authentic voice of Awka people in the matter.





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(iv) We have seen from the case studies of Eze Uzu Awka and ADUN that the problem which TAP has identified is real. The ancient governance institutions of Awka have been decimated, demoralized and demobilized, in part due to their marginalization in the new democratic system of government. As such they have been unable to play a meaningful role – in decision-making or oversight – in the contemporary affairs of Awka Town.

(v) TAP believes that this is not an ideal situation. This is because the marginalization of institutions that embody the history and cultural personality of Awka people, in reality, implies the marginalization of the people themselves. If the newly created Traditional Ruler and Town Government institutions were performing at their peak as credible supplements to the historic institutions of Awka, it would be a different matter. But they are not, in part because they are government creations potentially with split loyalties that can sometimes favour the government over Awka people.

(vi) TAP believes that the answer is to find ways to revamp and revitalize the primary governance institutions of Awka, particularly *Izu Awka*, to give them a stronger voice in deciding how Awka is governed. We now present some ideas on how this may be accomplished.





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4. TAP RECOMMENDATIONS

- (i) In setting out the recommendations below, the ultimate goal of TAP is to revive the traditional governance institutions of Awka so that they can work more harmoniously, with *Izu Awka* as the highest decision-making organ, leading to the emergence of a Great Awka that is peaceful and progressive.
- (ii) Our recommendations are geared towards developing a governance structure that will empower Izu Awka to handle all critical matters concerning Awka people, doing so in a way that does not infringe any federal or state government statutes.

4.1 *Izu Awka: The Apex Democratic Institution of Awka Town*

(i) Historically, Izu Awka (Awka General Assembly) served as the primary democratic forum where Awka adult males converged to discuss crucial issues concerning the welfare, peace and progress of the community. Decisions were reached most often consensually, after lengthy debates. It was at the Izu Awka forum that the republican spirit of Ndu Awka was most vividly displayed, as everyone felt free and empowered to pronounce on the issues of the day. Individuals took turns to comment on issues. At the Izu, there was often a display of great wisdom and intellect, and a masterful command of historical knowledge – all deployed with great oratory to illuminate the discourse of the day. There was usually a genuine and concerted effort to persuade since decisions could not be imposed by fiat but were arrived at through painstaking consensus-building.





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(ii) Without being familiar with the classical notions of Western democracy, the Awka of antiquity indigenously developed a culture of individual liberty and participatory democracy. These values were not codified in any written document resembling the neo-classical documents of Western democracy (*Magna Carta*, *Bill of Rights*, etc.) But they were embedded in the precepts and unwritten laws of Awka society. They were embedded in the hearts and minds of Awka people and were evinced in the confident and assertive pride of a people who did not accept the superiority or the priority of any person, class or community over them. This trait permeated all levels of Awka society and was often in vivid display at the Izu Awka. And it served the people well.

(iii) That was Izu Awka in the good old days.

(iv) Izu Awka today has become a different phenomenon altogether, far removed from its glorious past. These days, it is often enmeshed in the sordid politicking of the larger society. It has become chaotic and crisis-ridden. Far from the spontaneous consensus-making of past forums, today Izu Awka deliberations are highly contrived and its resolutions often predetermined, designed to favour hidden interests and private goals. For a long period now, Izu Awka has been populated more by hirelings and thugs, rented contingents of youth mobilized by faceless forces to infiltrate the forum and force deliberations to their favour.

(v) Izu Awka has transmuted into an unfamiliar phenomenon, such that it is no longer conducive for the unfettered expression of opinions and ideas.





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(vi) Yet, despite the corrosion of its democratic heritage, Izu Awka retains a glimmering promise as a forum offering the greatest possible potential for democratic participation in Awka polity. Its glorious days may be lost but they are not unrecoverable. It only calls for creative reforms, ambitiously specified and conscientiously implemented, for Izu Awka, the pride of Awka democratic heritage, to be revived.

4.2 Proposals for the Reform of Izu Awka

After much deliberation, the members of TAP Political Action Committee arrived at a set of recommendations for the reform of Izu Awka which they considered to be politically feasible and statutorily tenable. We set out the recommendations below:

4.2.1 Authority of Izu Awka

(i) As we saw above, Izu Awka forum was the ground zero of pan-Awka democratic representation. As such it commanded real authority as the authentic voice of Awka people. In recent time, due to the distortions we recorded above, Izu Awka seems to have lost its force as the foremost decision-making organ in Awka. With the forum now subject to partisan infiltration, decisions emanating from it are often suspect and they rarely command compliance.

(ii) TAP proposes that Izu Awka should be re-energized and reinstated as the *supreme authority* among Awka traditional governance institutions. This proposal is totally in accord with the original conception of Izu Awka as the highest institution expressing





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the authentic voice of Awka people. This conception of Izu Awka was captured in the 2008 Constitution of the ADUN which states as follows in Article 5:

5.1 By this Constitution, Izu Awka is vested with the supreme authority over all issues and decisions concerning Awka Town, whether customary, traditional, administrative or otherwise.

5.2 Decisions taken at any properly convened and properly constituted Izu Awka is final in all matters, issues and policies brought before it as it concerns all Awka indigenes, organs, quarters or villages.

(iii) The 2008 Constitution of the ADUN remains in force, *ipso jure*, as we understand the situation. TAP therefore invokes the constitution's acknowledgement of the historic authority of Izu Awka to propose the restoration of the body to apex position among the governing institutions of Awka.

(iv) All major Awka institutions should derive their authority and legitimacy from Izu Awka. These institutions, lacking the representational range of Izu Awka, should be situated as local governance apparatuses performing specific tasks assigned to them by the apex Awka parliament, Izu Awka. These subsidiary institutions include the following:

- (a)** Eze Uzu and his Cabinet.
- (b)** Council of Kingmakers.
- (c)** Ozo Awka.





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- (d) ADUN PG and his Executive.
- (e) Ajaghija
- (f) Ulo na Achi Awka (Ruling Age Grade)

(v) Two of the Awka institutions listed above – Eze Uzu and ADUN Executive – are recognized by the state government, and their roles to an extent stipulated by the same government. TAP recognizes this. We are not seeking to appropriate the statutory roles of the bodies, but merely proposing that they should be made accountable to the highest parliament of Awka people, on behalf of whom these statutory institutions should be acting anyway. There are already some putative oversight powers exercised by Izu Awka over these organs, but these powers need to be strengthened and properly codified.

(vi) TAP believes that the *Traditional Ruler Amended Constitution, 1986* will have to be amended to position Izu Awka as the ultimate authority representing the voice of Awka people. In the amendment, Izu Awka, allusively referenced in the *Traditional Ruler's Constitution*, must be explicitly mentioned and given a role in the selection, monitoring and removal (if necessary) of the Eze Uzu. Additionally, other institutions and bodies like the Otochal Awka and the Council of Kingmakers which are assigned determinative roles in the *Traditional Ruler's Constitution* must be made answerable to Izu Awka. TAP believes that the 1986 *Traditional Ruler's Constitution* is now due for revision since its founding statutes (the Anambra State Edict No. 8 1976 and the Anambra State Law No. 14 of 1981) have been superseded. Awka should use the





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opportunity of updating the constitution to define a role for Izu Awka in the Traditional Ruler's Constitution. This can be done within the statutory boundaries established by current state law.

(vii) The overall goal here is to ensure that all traditional governance institutions are answerable to the people of Awka, and that none acts without reference to the wishes of Awka people, as expressed through the renewed people's parliament, Izu Awka.

4.2.1a Benefits of Izu Awka As a Single Reference Point

(i) There are obvious benefits that could accrue from TAP's recommendation of a unified reference point vested in the Izu Awka institution. The political potency of Awka people will be strengthened if they speak with one voice through a single institutional channel. It allows Awka to articulate an indivisible set of objectives and to pursue same with a unified and coordinated approach.

(ii) It is to be noted that Izu Awka is the only organ that has popular representation as well as cross-cutting representation from other governance and cultural institutions. As such, it alone can amalgamate and express the popular will and the institutional aspirations of Awka polity.

(iii) With the popular will of Awka unambiguously expressed through Izu Awka, it would be easy to track any deviation, personal or institutional, and to quickly correct it. No one can speak for Awka if they have not been so mandated, and no one can say





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what they have not been instructed to say, if the will of Awka is articulated and expressed through a unified channel.

(iv) Government too should see some benefits of clarity in dealing with an important town like Awka. It would be clearer to government what Awka wants and where Awka people stand on major issues. It would be less speculative to engage with Awka, and such situations that make it possible for people to approach government purporting to speak for Awka will be severely curtailed.

4.2.2 Representation at Izu Awka

(i) The issue of representation at Izu Awka became an urgent one in the face of rising political chicanery, infiltration and intimidation that attended recent convocations. It becomes even more critical with our proposal for the political consolidation of Izu Awka. TAP's proposal to strengthen and elevate Izu Awka will require a streamlining of the attendance structure. In line with this, TAP offers the following suggestions:

(a) Izu Awka should no longer be an all-comers affair; to curtail the growing issues of political infiltration, hiring of thugs/crowd and intimidation. Izu Awka should henceforth be attended by carefully screened and accredited delegates.

(b) The 33 villages in Awka should send equal number of representatives to Izu Awka, using a delegate system. This process will enhance proper identification and accreditation of attendees.





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- (c) If possible, seating arrangements should be done village by village, so that infiltrators can be easily identified.
- (d) There should be no mandatory membership requirements other than that the representatives should have knowable and legal means of livelihood, have good character and be people of high integrity. The village delegate system will ensure that each village sends representatives with good reputation.
- (e) The membership of Izu Awka should include the following:
1. Otochal Awka.
 2. Otochal of the remaining 32 villages.
 3. Ndu Ichie: 3 from each village (to be chosen by the village).
 4. All members of Eze Uzu cabinet.
 5. Ozo Awka and the village reps that make up the Council of Kingmakers.
 6. All members of ADUN executive.
 7. Ulo na Achi Awka (Ruling Age Grade): Chairman and Secretary.
 8. Ajaghija: Chairman and Secretary of each section.
 9. Reps of Awka 33 villages: Chairman, Secretary, PRO and 2 others.
 10. ADU branches: President and Secretary.
 11. Awka youth: Chairman and Secretary.
 12. Village Youths: Chairman and Secretary of each of the Awka 33 villages.





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4.2.3 Izu Awka Meetings

(i) In view of the increased scope of activities expected with the proposed Izu Awka reforms, TAP suggests that Izu Awka should be held at regular quarterly intervals – possibly every last Sunday in the months of February, May, August and November. Emergency Izu Awka could be convened, if need be, to discuss critical issues that must not wait until the next regular Izu Awka. However, constitution amendment, elections, by-elections and removal of any officer of any of the Awka institutions should not be entertained at an emergency meeting.

(ii) TAP believes that having Izu Awka meetings at regular intervals will eliminate the incessant complaint of Izu Awka not being properly convened. Additionally, it will provide opportunity for the affairs of Awka to be closely monitored such that issues that may lead to crisis could be nipped in the bud. In principle, nobody can stop Izu Awka from holding once the concept of a regular quarterly meeting is agreed and it receives the traditional approval of Otochal-Awka.

4.2.4 Who Presides Over Izu Awka?

(i) The issue of who presides over a newly empowered Izu Awka is a crucial one. The tradition is that the Otochal-Awka or someone delegated by him does the presiding. TAP recommends the continuation of this practice. However, we advise that a close attention should be paid to the choice of delegate presiders, were the Otochal-Awka to be unable to moderate. The reasons for this are two-fold:





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(a) An invigorated Izu Awka will expectedly garner greater political potency; as such, there could be significant political leverage in store for any person picked to preside over its proceedings. In order to avoid an undue concentration of power, TAP recommends that persons already occupying powerful positions should generally be precluded from presiding over Izu Awka meetings. Such persons include Eze Uzu, PG and the Head of the Ozo Awka. The latter, by dint of his Ozo Awka duties, also doubles as Chairman of the Council of Kingmakers.

(b) Given the likelihood that a revamped Izu Awka will handle more complex matters, it is imperative that only persons with cognate experience should be chosen to preside over proceedings in the event of the Otochal's indisposition. A presider should be someone who can effectively mobilize the full power and influence of the forum to achieve Awka political and developmental objectives.

(ii) All taken, whilst there could be a plethora of potential presiders, TAP recommends that the Otochal, if himself indisposed, should choose another Otochal from among the 33 Villages of Awka, or from among the three (3) Ndu Ichie from each of the 33 villages attending Izu Awka, to preside for the day's proceedings or for a period of time. We suggest that over time the delegating should follow a rotation that covers all the villages so as to remove any ambiguity from the selection process. In any event, the Otochal-Awka's assent (Igba Ofvo) to any decision must be secured by whoever he appoints to preside.





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4.2.5 Izu Awka as a Corporate Entity

(i) TAP believes that it is necessary to register Izu Awka as a legal corporate entity with the Corporate Affairs Commission (CAC). Izu Awka has probably suffered some handicap for not having an established legal personality. It is possible, as some TAP members speculated, that it was its lack of a legal identity that incapacitated Izu Awka, preventing it from resolving the crises in Awka because those involved knew from the onset that the body had no legal standing enabling it to approach the court on behalf of Awka people or any legal identity before the state government as the true voice of Awka people.

(ii) Be that as it may, a reformed Izu Awka will need to acquire a legal personality to enforce the will of Awka people as their primary traditional governance institution. This can be achieved by registering it with the CAC.

(iii) In addition, Izu Awka will need the legal identity to open and operate an Awka Single Account which TAP is recommending.

4.2.6 Awka Single Account

(i) TAP strongly recommends that as soon as Izu Awka has established itself as a legal entity with the CAC, it should open and begin to operate a bank account on behalf of Awka people. This is of critical importance. The issue of who collects and controls Awka revenues and sundry funds has been central to the multi-pronged crises in the





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town. Not only are there issues with the efficient allocation of project development funds, but there have been troubling issues about accountability as well. Some TAP members in fact argued during our deliberations that issues relating to the control of revenues accruable from diverse sources, particularly Eke Awka revenues, are at the root of all the crises that have engulfed Awka Town.

(ii) Whatever the specific instance around Eke Market or any other source of funds, TAP believes that Izu Awka, as the apex traditional governance institution in Awka, should have a firm control of Awka funds so that it can allocate those funds prudently and efficiently towards development projects. TAP believes that Izu Awka would be a better custodian of Awka funds since it is a more representative body with a holistic understanding of the needs of Awka Town.

(iii) By current practice, the ADUN has the power of custody and administration over Awka funds. According to Article 12(1) of the ADUN Constitution (2008):

The funds of Awka Development Union shall be derived from registration fees, annual contributions, levies or assessments on members of branches of Union, donations, collection or accruals from markets and parks and such other sources as may be determined by the Central Executive Council or the General Meeting.

(iv) The 2008 ADUN Constitution further states at Article 13(1) that:

The Union shall open and operate a bank account with a Bank of her choice. The signatories to the Union's account shall be the President General, the Secretary





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General and the Treasurer. Any two of the three can withdraw, provided always that the signatories to every withdrawal of money must include the President General.

(v) TAP believes that these provisions will need to be amended for the Izu Awka to assume the custody and administration of Awka funds. With the proposed change, the ADUN will concentrate on project design and implementation. ADUN will maintain account for receiving funds from Izu Awka for their administrative duties and execution of specified Awka projects. The ADUN will be required to present reports on project implementation progress during the Izu Awka quarterly meetings, accounting for the funds disbursed to the union. At the end of every year, Izu Awka will appoint auditors to audit both the Awka Single Account and ADUN account.

(vi) TAP proposes that the signatories to the Awka Single Account shall be the Eze Uzu, the Head of Ozo Awka, and the President General of ADUN. All three must endorse the cheque for any withdrawal. Izu Awka Secretary will raise an approval memo, duly signed by himself and the presider of the Izu Awka at which the decision was reached to incur the expenditure. The Secretary will send the approval memo to the Financial Secretary authorizing him to raise a voucher and submit to the Treasurer, attaching a photocopy of the approval memo while the Financial Secretary retains the original. On the strength of the approval memo and the voucher, the Treasurer will write out a cheque and take it to the three signatories for endorsement and thereafter issue the endorsed cheque to the beneficiary. The withdrawal must also be documented for communication to the Otochal-Awka, and for presentation at any upcoming Izu Awka meeting.





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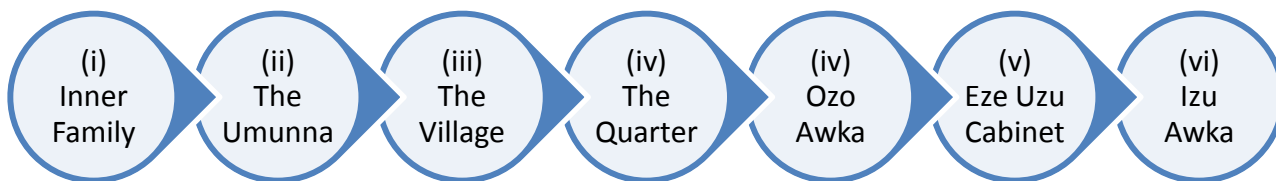
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4.2.7 Izu Awka as the Traditional Supreme Court

(i) TAP is proposing that the reformed Izu Awka, with its reconstituted membership, should be formalized as the apex court in the Awka traditional judicial system. The idea is to revive and strengthen the traditional judicial system in a way that supports statutory institutions, allowing local disputes to be resolved through Awka communal conflict resolution mechanisms. This will likely lead to more harmonious resolution of conflicts and may also help to unburden the statutory courts and the government's law enforcement agencies.

(ii) With a revived Awka traditional judicial system, Izu Awka should emerge as the Supreme and Final Traditional Arbiter for cases not resolved by the preceding tiers of Awka traditional governance structure. We propose that any Awka indigene who has any issue should take the following steps to seek resolution:

TAP Proposal: Progression of Unresolved Cases in the Awka Traditional Judicial System



(iii) Given the diversity of issues that Izu Awka will handle, TAP suggests that it should hear only those matters on which Ozo Awka and the Eze Uzu have rendered differing judgements. Where Eze Uzu and Ozo Awka have rendered similar judgements, the case should be closed in so far as the traditional justice system of Awka is concerned.





(iv) If a case is referred to Izu Awka due to irresolution at the lower tiers, it is very likely that such would be a complicated matter which cannot be properly addressed in the plenary forum of Izu Awka. Therefore we recommend that Izu Awka should, upon the presentation of a case, appoint a special judicial committee with the power to investigate the case, hold hearings, and render the final judgement. However, the decision of the committee must be approved by Izu Awka. If the matter is urgent and cannot wait until the next quarterly meeting, an emergency Izu Awka may be called for the committee to present its findings and judgement. In all cases, any committee recommendation must be ratified by a properly constituted Izu Awka.

4.3 ADUN Reform Proposals

(i) We have suggested that the ADUN, along with other Awka traditional, cultural and governance institutions, should come under the umbrella of Izu Awka, the highest institution and the apex authority in Awka.

(ii) TAP recommends that the ADUN membership should include village executives. The number of village executives should be harmonized so that all the villages have equal representation. Elections into the ADUN executive Committee should start at the village level and end at Izu Awka. Those elected by their villages will proceed to the quarters. After concluding elections at the quarter level, the seven candidates that emerge for each of the elective positions will be presented to Izu Awka.





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(iii) ADUN branches are grouped into three zones: Northern, Eastern and Western. These branches will organize elections in their various zones and produce three candidates for each of the elective positions and present to Izu Awka.

(iv) The 10 candidates for each of the elective positions (seven from the quarters and three from ADU zones, for a total of 10 candidates for each of the elective positions) will contest for the positions. The elections will be organized and conducted by Izu Awka with only the statutory members of Izu Awka as the eligible voters.

(v) Based on the proposals made here to strengthen Izu Awka, it is imperative that the ADUN constitution should be amended. The 2008 constitution, as we have seen, recognizes the supremacy of Izu Awka. We acknowledge this recognition, but we urge that the language be further strengthened to establish the absolute and unquestioned authority of Izu Awka. TAP also believes that in the absence of a finalized government statute regarding the legal provenance of the ADUN, an amended ADUN constitution should make it clear that ADUN is an organ created by Awka Town, that it derives its legitimacy from the people of Awka, and that it is governed by the apex institution of traditional authority in Awka, namely Izu Awka. Awka must take full ownership of the ADUN, even if the organ remains subject to the regulatory control of the state government.





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4.4. A Unified Constitution for Awka

(i) TAP believes that it would be in the greatest interest of Awka, as an autonomous community, to create a unified constitution that will regulate its governing institutions. Such a constitution will originate from the peculiar cultural precepts of Awka people, recalling their rich history and heritage. The constitution will of course incorporate the appropriate federal and state laws, recognizing their respective authority, but it will be anchored on the fundamental precepts and cultural norms that give Awka its unique identity as an ancient civilization.

(ii) TAP will have more to say about the development of such a constitution in the future.

