

Dokubo threatens to kill Judge

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***Says: "I am sorry for you. Your family will weep when it happens. They will cry and cry. Your family members cannot escape too. I know where they live and Obasanjo will not be able to protect you."**

ABUJA - "STUPID man! Stupid judge! You want to adjourn this matter again? You want to send me back to the underground cell again? I am sorry for you. Your family will weep when it happens. They will cry and cry. Your family members cannot escape too. I know where they live. And Obasanjo will not be able to protect you."

These were the exact words of the leader of the Niger Delta People's Volunteer Force (NDPVF), Alhaji Mujahid Asari-Dokubo to Justice Peter Olayiwola of the Federal High Court, Abuja trying him (Dokubo) for treason.

The entire proceeding which lasted less than 45 minutes was tension-soaked with some people running out of the courtroom for fear of being hit by possible stray bullets.

This was shortly after the trial judge who himself was not comfortable with curses and insults heaped on him and the general unruly behaviour of Dokubo ordered the police to take him out of the dock.

The militia leader, in the presence of his wife, children, supporters said nobody including the police could move him from the dock and that he was ready to die.

In fact, some of the policemen drafted to the courtroom advised all journalists to leave because, according to them, there could be need to use force to take Dokubo out of the dock.

Before Dokubo was brought to court at about 8:00 a.m., policemen with their vans were sighted at the entrance to the Federal High Court premises located on the OAU, Maitama in Abuja .

But the policemen were, comparatively, not many and the security was relaxed as those entering the OAU Quarters housing the Federal High court were not frisked.

In fact, unlike before, Dokubo's supporters, friends and relations were freely allowed into the high court premises including the courtroom such that at about 8:20a.m, the court was already filled.

At about 8:25 a.m., supporters that came in their dozens into the high court premises were seen in groups, discussing that the militia leader would be released yesterday.

Some of the lawyers on Dokubo's defence team joined and even gave life to the rumour to the effect that President Olusegun Obasanjo, at the weekend, had agreed with elders and opinion leaders from the Niger Delta to release Dokubo. The lawyers added that a plane had been chartered to airlift him from Abuja to the creek immediately he regained his freedom

At the time the rumour was making the rounds, the Director of Public Prosecution, Mr Salihu Aliyu, who usually arrives court early and other members of the prosecution team were nowhere to be found.

The Director of Public Prosecution was eventually driven into the court premises at about 9:40a.m with other members of the prosecution team. He was asked to confirm the rumour but he said he was not aware of it. Aliyu later left the courtroom on the excuse that he wanted to go and robe but he was seen outside making several calls. He later came in with a motion paper at about 10:20a.m which he served on the lead counsel to Dokubo.

Initially, it was thought that the application was to drop charges against the militia leader but upon enquiry, it was discovered that the motion was praying the court to grant an order dispensing with his presence in the criminal trial in view of his alleged unruly behaviour in court in the past.

The fresh motion that was served eventually rested the speculations that the Federal Government had agreed to release him yesterday.

But some of the supporters and members of the Niger Delta People's Volunteer Force who were in court said they had already given the Federal Government till 4:00 p.m yesterday to release him or risk further attack in the creeks.

About three minutes after the DPP served Keyamo with the motion paper, both of them entered the judge's chambers on invitation where the trial judge asked for their views on the fresh motion.

According to Keyamo who spoke with newsmen, he told the judge that he was not going to oppose the application excluding him (Dokubo) from trial because his client, Dokubo, had, indeed, been very rude to the judge in the past and because there was need to protect the integrity of the court.

But he said he told the judge that there was need for government to obey the court order which directed that Dokubo be kept in police custody and treated well and that until the order of court was complied with, they would oppose the application.

He said he assured the judge that both parties would assist in maintaining the integrity of the judiciary.

Keyamo also revealed that the judge himself was worried by the failure by the Federal Government to comply with its order. He said the court confided in them that he had written to the presidency, the SSS but that the right response was not coming.

Dokubo in court

Dokubo was driven into the court premises at exactly 11:44 a.m. in a dark blue 15-seater police bus marked NPF 4077B. He wore a white, round-neck, shirt atop a dark blue jeans.

As he stepped out of the bus and saw his supporters, Asari, who had lost considerable weight, lifted his hands up and started shouting, condemning President Obasanjo's government, saying: "We must rise against this dictatorship. We must rise up against this dictator."

As he tried to speak further, one of his five wives in court, Mujahidat Dokubo, did not allow him to say more than this as she moved closer to him, begging him not to shout even as she was shedding tears.

She tried to lay her head on his chest, weeping and begging him not to make any trouble but the militia leader pushed her away and continued shouting, condemning Obasanjo's government.

As Dokubo moved into the court complex, his wife followed him, begging him to stop the attack on government, reminding him that there was an on-going reconciliation process.

But the militia leader who seemed to have lost his patience with Mujahidat fired a few rhetorical questions at her: "Leave me alone. Am I fighting for you? Why are you complaining? Leave me alone."

Dokubo inside the courtroom

Dokubo was led into court-room number 5 where his trial was to kick off yesterday. And as he stepped into the courtroom, he saw his supporters, some of them hugged him while some were weeping and wiping their tears with handkerchiefs, Dokubo became charged once again and started shouting:

"I am not going to beg Obasanjo. I am not going to beg him. This struggle will end one day. And this dictatorship will be brought down. This is not democracy. There is no semblance of democracy anywhere. Six months after the court had ordered that I should be kept in police custody, have access to my lawyers, relations and doctors, this government has not complied with the order. Today I was brought from the SSS headquarters to the police headquarters. They were deliberately delaying me. They did not want to bring me to court. They delayed me for more than two hours. Many people who are missing in the country today should be traced to the SSS.

Thousands of people are there, chained to the ground. Many people were taken out today. Nobody knew where they are being taken to. No one knows whether they have died or not. I can give you names: People like Mohammed Ashafa, Mohammed Adams, Yahaya Isah, Useni, Mudashiru, Ishmail, Yusuf and many others. They have been there for more than two years, in chains. No trial. Their families are not aware of their conditions. And we are calling this a democracy. Is this democracy? I have been in confinement for six months. Although I am not kept under chains but what about others?

"What sort of democracy are we talking about. Is this the democracy we fought for? Is this the democracy that many laid their lives down for? The democracy that murdered its people. The democracy that impoverished its people. A democracy where people cannot talk. A democracy where people are in chains. A democracy where somebody will say this is what will be and that is what will be. Is this the democracy we fought for?

The choice of the people have become useless. We no longer have the right to choose whom we want to rule us. It is he who Obasanjo wants to rule that will rule. Is this democracy?

"Abacha regime was 10 times better than this. This is a man who claims to be fighting corruption. We must investigate this man. We must investigate all the evil he has committed against our people. The evil he has committed against all of us. We must bring down this evil system. We must not allow this to continue."

Immediately he stopped speaking, members of his organisation surrounded him to enable him remove the white shirt he wore to court and wear a black, round-neck shirt which they brought for him. The shirt bore the picture of Isaac Adaka Boro. He was also given a traditional cap to wear.

Dokubo in the dock

At 11.48 a.m, he was docked and the proceedings commenced. Mr Aliyu representing the Federal Government told the court that he had an application seeking to go on with Dokubo's trial without him being present because of his trendy unruly behaviour.

He said he had already served it on Mr Keyamo, counsel representing Dokubo and that he was ready to move the application.

Although Keyamo confirmed that he had been served, he said: "We will not on our honour oppose this application if the order of this court made in respect of my client has been complied with.

"Although we accept, on our honour, that the accused person has overstepped his boundary and we also are of the view that for the sole reason of the protection of our court, we do not intend to oppose this application but even as we are desirous to protect the dignity of the court, the Federal Government seems not to be bothered. We feel it should be the business of both parties in this case," he said.

Keyamo further said in view of his explanation, he wanted an order of the court to be complied with first before the government could move its application.

Justice Olayiwola said he appreciated the two issues raised by Keyamo including disobedience to court order and his reaction to the pending application but that he wanted him to respond to the one on the Federal Government application first.

Justice Olayiwola said he would listen to Keyamo on the issue of disobedience to court order after dispensing with the Federal Government's application.

Keyamo saw the position of the judge as a trap as he said he would not allow that application to be moved except and until the issue of disobedience was thrashed out. He told the judge that there was a pending committal application and that he would want that application taken first.

But when the judge seemed not to show interest in that, Keyamo said he would want to react by way of counter-affidavit to the application brought by the Federal Government. He said he would list the number of times the Federal Government had disobeyed court order as reasons why the application could not be heard.

He added that he needed about 24 hours to respond and that he could come today for the hearing of the application. The judge said he was entitled to respond by way of counter-affidavit and that he would adjourn the case on that account.

It was at this juncture that Dokubo became furious, facing the judge and asked as if to confirm what he heard that the matter was to be adjourned again. He said he was not interested in adjournment and that he was also not interested in any judicial proceedings that would make the judge pronounce that the case should be heard in his absence but that trial must go on.

But when the judge was asking lead counsel in the case to suggest a date for the hearing of the application, Dokubo faced the judge once again and said: "This decision to adjourn this matter again is like toying with my life, my ambition, my dream. I tell you, all these sufferings that Obasanjo is inflicting on me today, I will inflict, times ten on everybody that participates in this proceeding."

Immediately, both the DPP and Keyamo suggested a date in February which the judge said was not convenient for him, Dokubo faced the judge again and said: "It is not convenient for you? But what sort of justice is this? Is this justice? You are toying with my life."

Looking at the judge who was smiling, he added: "You are laughing? When it will happen, your family will cry. They will cry and cry. I am just restraining myself. Your laughter will soon turn to tears."

The trial judge hardly allowed him to finish when he charged back at him, saying: "What is the meaning of this? This is not a Gestapo trial."

He motioned to the DPP and the police and said: "Get the police to send him out of this court," to which Dokubo said no way.

This was the beginning of the drama as the police moved towards Dokubo, some of them with their AK 47 rifle. Some of the policemen who were earlier outside the court room entered to assist their colleagues.

When Dokubo saw them, he re-positioned himself, raised his two hands up, held the dock and paced round it, saying: "No way. Nobody can remove me from here. Come, come. Nobody. I say, nobody can remove me from here."

The judge was watching from the bench as Dokubo continued his drama in the dock.

At this juncture, the policemen ordered journalists and all others in court to move out of the court-room even as they moved towards Dokubo to drag him out of the court-room.

In fact, some journalists ran out almost immediately for fear of being hit by stray bullets in case of any accidental discharge.

When the judge realised that the development could degenerate into a dangerous one, he told the policemen to leave him alone.

It was at this juncture that Dokubo faced the judge again, threatening: "I have stayed in the underground cell for six months. You are toying with my life. Okay, when your people start visiting mortuary and cemetery, this joy will turn to sadness.

"I know where your family live. And I know they will not escape. Your family will weep when it will happen. I will see how Obasanjo will protect you. Stupid man. Stupid judge.

"Let me remind you? Has Obasanjo been able to protect the expatriates that he will now protect you. I tell you, your family will weep when it happens," he added. At this juncture, the atmosphere was charged.

Although counsel were able to agree on February 19, 2007, the judge hurriedly read a brief ruling adjourning hearing of the application till March 6, this year.

Immediately the matter was adjourned till March 6, Dokubo became charged again, saying may be before the adjourned date, "when you look at the grave, you will be found there," he added.

Immediately after the court rose, he was led out of the courtroom.

He asked to meet with his family members. He was allowed to do so in the courtroom of Justice Binta Murtala Nyarko.

He came out later to vilify the government further, saying: "I have not taken any medication for six whole months. I was put in underground cell. Even Mandela was not incarcerated in an underground cell for six months. Obasanjo is a wicked man. Mandela did not stay in solitary confinement for six month. My weight was 139 kg when I was in police custody but now, I am 93 kg. This is a democracy where a court cannot enforce its order. This man is so evil."

He was eventually led into the waiting bus that brought him into the court premises.

He was driven out of the court premises at 12:45pm, singing a chorus which his supporters joined him to sing thus: "one more river to cross, Niger Delta freedom fighter, one more river to cross."