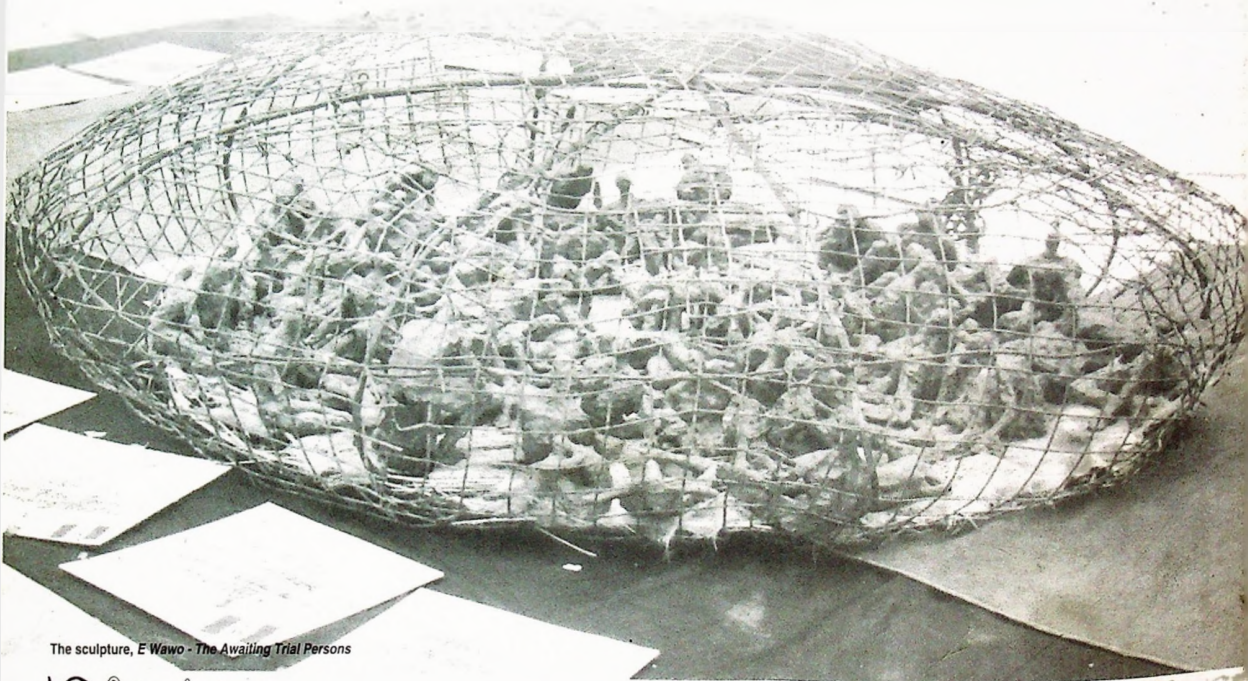


ARTS AGAINST HOLDING CHARGE

A campaign against the practice of holding charge in the Nigerian Justice Administrative System



The sculpture, *E Wawo - The Awaiting Trial Persons*

1.0 Introduction

Holding Charge is an obnoxious practice in Nigerian Criminal Justice System. It is a form of human rights abuse, which permits a remand of criminal suspects in a prison custody indefinitely. Researches revealed that many suspects may remain in detention as Awaiting Trials Prisoners for several years without their cases being heard in courts. According to Mrs. Agomo Uju (Executive Director of Prisoner Rehabilitate and Welfare Actions - PRAWA), it is sad to note that Awaiting Trial Prisoners constitute 93% of the total population of Nigeria prison's inmates. These people, while in prisons' confinement face various untold inhuman and degrading conditions, ranging from starvation and abandonment to physical, emotional and psychological torture. These conditions became heightened with the fact that the country's prison system itself is generally destructive, debilitating and lacks the stipulated-minimum conditions for prisoners' welfare as are obtainable in modern civilized societies. Indeed Nigeria prison system *lack both deterrents and reformatory values*. According to Professor A.A Adeyemi *it has become very costly to the economy, it is physiologically, psychologically and emotionally destructive, it is socially damaging, it is culturally abhorment, and it is penologically disastrous*.

Suffice to say that, the practice of holding charge is an obvious infractions of the fundamental human rights of the suspects. These rights include the *right of dignity of the human person, right of liberty, right of fair trial within reasonable*



The artist, Jellil Olorunfunmi Atiku briefing the audience on the effects of holding charge and essence of the sculpture at Lagos State House of Assembly. From right the then Speaker of Lagos State House of Assembly, Hon Jokotola Pelumi, the Chairman House Committee on Judiciary, Human Rights and Public Petitions, Hon. Abdul-Hakeem Mobolaji Abdul-Lateef.

time, right presumption of innocence until proven guilty and the right to be charged promptly. The freedom from torture and degrading treatment is also abused flagrantly.

It is the above scenario that instigated the concern of Advocate for Human Right Through Arts - AHRA to focus on the practice so as to attract the attention of stakeholders in Nigerian justice administrative system to the evil inherent in it. The organisation began this campaign with an enlightenment programme involving an exhibition of an installation and conceptual sculpture entitled, **E Wawo - The Awaiting Trial Persons**.

1.1 The Exhibition

The exhibition consciously seeks and campaigns for the removal of the practice of holding charge in Nigerian statutory books especially in Lagos State - where it is given legislative impetus in the State's 1994 Constitution, Chapter 31, Section 236 sub-section 3. The exhibition began on the 28th November 2005 at the premises of the Creative Arts Department, University of Lagos. At the venue, a large number of people, especially students, lecturers and scholars had the opportunity to view the state of human right abuse in Nigerian prisons. About 2,057 persons passed by while 1,963 persons stopped to behold the sculpture. The show lasted till 2nd December 2005 at the Department before it moved to Lagos State House of Assembly.

On the 10th December 2005, the exhibition began again at the Lobby of the Lagos State House of Assembly; but was officially declared opened on the 13th December by the then Speaker of the House, Hon. Jokotola W. Pelumi. As observed by the Chairman, House Committee on Judiciary, Human Rights and Public Petitions, Hon. Abdulhakeem Mobolaji Abdullateef the show is an innovation in Lagos State legislative processes. It is the first time in the history of Lagos State House of



Hon. Jokotola W. Pelumi, the former Speaker of Lagos State House of Assembly unveiling the sculpture for public viewing at the House's Lobby.



...advocate for people's rights

Assembly - where visual artistic work is brought to form part of the house proceedings. Needless to say that, the exhibition presented to the legislators adequate information on the derogatory conditions which the awaiting trial prisoners are subjected to in the prisons.

After a long and rewarding view of the exhibit, the legislators proceeded on a special session, designed to celebrate the 57th anniversary of the Universal Declaration of Human Rights. The issue of the practice came to the fore and became the only prominent topic in the floor of the House. The House went on lengthy deliberations and discovered that the practice is actually inhuman and dangerous to human existence. Therefore, Hon. Abdullateef moved a motion for it to be expunged from Lagos State's statutory book. The motion was seconded by Hon O. I. Odesanya and unanimously supported by the other legislators. Hence, it became a Bill waiting to be signed into law by Governor, Bola Ahmed Tinubu.

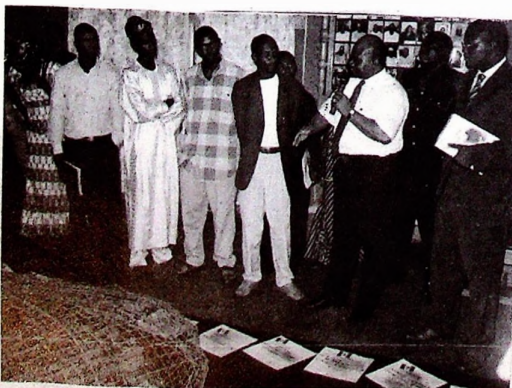
The exhibition once again proved that artistic expressions have great visual communication ability to disseminate symbolic messages to large, heterogeneous, and widely dispersed audiences.

1.2 The Sculpture

The sculpture, titled **E Wawo - The Awaiting Trial Persons** is an installation sculptural piece. It is a conceptual analysis of the devastating conditions in Nigeria prisons, especially in the awaiting trial cells. It is also a terrifying documentation of despair, resignation and degradation of the Awaiting Trial Prisoners. In composition, it consists of 61 Marquette-size of male figures. Each of the figures portrays different story line and title. These titles includes: Conservation, Prayerful, Timorousness, Relaxation, Valourless, Adaptation, Endurance, Pains, Fright, Genuflection, Degradation, Hope, Self



Beholders observing the sculpture at the Department of Creative Arts, University of Lagos.



Hon. Jokotola W. Pelumi making remarks on the impacts of the work.

Sympathy, Hopeless, Sober, Cramp, Rest and Sadness, Sleep, Conversation, Remorse, Meditation, Reflection, Brood, Respondent, Submission, Boredom, Haggard, Hardihood, Starvation, Expectation, Down-Trodden, Crouching, Responsiveness, Fortitude, Emulgent, Despair, Hypnophobia, Idleness, Pusillanimous, Infortune, Temporary Freedom, Induration, Harsh Reality, Lethargy, Anxiety, Stoicism, Tolerant, Suffering, Penance, Defecation, Creepiness, Gazing at Tomorrow, Cold Moment, Sorrow, Terminal Ailment, Deicide, Psychological Torture, Suspense, Leadership, Death-point, Acceptance among others.

Declaration of Human Rights (UDHR) was written on each of them. In addition to these, 30 pieces of rectangular shapes of Nigerian National emblem (coat of arm) were designed on green and white background; and pasted on the *modeling board*. The word, *Adopted* was written boldly on the placards.

- iii. A big and wide fabric of green and white colour representing Nigerian flag.
- iv. A wide black fabric symbolizing the prevailing gloomy mood of the prisons' inmates and;
- v. A Wooden Signpost of about 110cm (height) with an inscription, NIGERIAN PRISON. An image of arrow was carefully drawn on its front side (top-right), while graffiti were also drawn with brown colour on its the backside.

Two wide-fabric were spread on floor while with the black one covered with the *Nigerian flag*. The whole configuration: the large cage - where all the clay figures (green wares) are mounted on the entire cloth. The 30 rectangular flat shapes (placards) were displayed on the ground and circulated around the large cage. The sign post stood ahead of the other objects.

The artist used this imagery to engage the viewers in intellectual discourses and urged them to ponder and take positive action to avert the destructive practices in Nigerian justice administrative system, especially the practice of Holding Charge.

The psychic effects of unjust imprisonment, as a result of abandonment and the non-challant attitude of Nigerian government and its penal system are portrayed by this sculpture through the simplified forms, rough texture and deliberate tactile manipulation. The figures were deliberately created to have *placid and vegetable quality: The indistinctness of the bodily parts, the attenuation of the forms and their general lack of corporeality suggest the inhuman conditions*, which the inmates are going through. Importantly, the following items were also created as part of the installation objects:

- i. A large cage, constructed with metal rods (mild steels) and sheets. It looks like local chicken cage and represents the awaiting trial cell. A heavy chain and padlock were welded to it, symbolizing bondage.
- ii. 30 rectangular flat shapes created with *modeling board*. Each of the principles and articles of the 1948 Universal



The artist explaining the concept of awaiting trials and its effects on human rights to audience at Lagos State House of Assembly.



Hon. Adebayo Okiola, Member of Lagos State House of Assembly commenting on the effectiveness of the sculpture and the effects of holding charge on humanity. From right, Hon. T. M. Kofowale, Hon. Adeniyi Oyeemade and Civil Servants



Hon. Abdul-Hakeem Mobolaj Abdul-Lateef (middle) making remarks on the impacts of the work. From left, Azeez Yusuf, AHRA Information / Enlightenment Officer, the artist and Hon. Jolokoba W. Pelumi.



Beholders observing the sculpture at the Department of Creative Arts, University of Lagos.



Beholders observing the sculpture at the Department of Creative Arts, University of Lagos.

1.3 The Artist

Jelili Olorunfunmi Atiku is the creator of this "repertoire piece". **E Wawo - The Awaiting Trial Persons.** He is a prolific visual artist. A consummate and creative human rights activist, who is a committed advocate of humane and egalitarian society. Born in Ejigbo, Lagos State thirty eight years ago. He graduated with B.A Fine Arts degree in 1998 at the Art School of Ahmadu Bello University; the Articulated Atiku as fondly call by his ABU mates picked interest in the state of Nigerian economy and socio-political affairs as they affect humanity;



Beholders observing the sculpture at the Department of Creative Arts, University of Lagos.



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during his undergraduate days. However, he pitched his artistic tent with expressing the issues that are mainly related to human rights abuses in Nigeria. This was triggered off by the visit he made to Ikot Ekpene Prison, Akwa-Ibom State during his National Youth Services in 1998. This visit brought him face to face with the realities in Nigeria prisons, thus proving the existence of numerous human right violations in Nigeria.

Since then, he has been working tirelessly for human rights protection through visual art languages. He has participated and facilitated many art workshops where he taught budding artists how to use visual art languages especially drawing to express contemporary issues in Nigeria. These workshops include *Black Heritage*, which took place at National Museum, Onikan Lagos State (2001). *Omoran Lomogba* at Aina Onabolu Building, National Theatre Annex Iganmu, Lagos State Nigeria, *Edi Jere Iyep*, which was organised to enable visual artists to comment on the effects of the events of September 9/11, 2001 terrorists attack and the Lagos Bomb explosion on humanity (2002). This took place at the Lagos State Council for Arts and Culture, Ikeja Lagos Nigeria. In the same year, Jelili coordinated MCD members to create two large creative and conceptual drawings to campaign against Terrorism in the world. The drawings, titled *Aparutu-Apitipiti* and *Ifunanya Bu Aziza Ihe Nile* were presented to the then Consul General of the U.S Consulate in Lagos, Mrs. Robyn Hinson-Jones for onward delivery to President George W. Bush (Jnr). Essentially, on the 10th - 17th December 2004, the artist staged an exhibition of drawing, painting and sculpture at National Museum, Onikan Lagos to campaign for prison reform in Nigeria. This event celebrated the 56th anniversary of the Universal Declaration of Human Rights.

Jelili is presently the President of the Movement for Creative Drawing MCD (NGO), the Director General of the Society for Better Community - SOBECO (NGO), the Chief Coordinator of the Advocate for Human Rights Through Arts - AHRA (NGO), Secretary-II of the Police Community Relations Committee - PCRC, Ejigbo Chapter, Lagos State and Chairman/CEO, Ateckhu Limited. He is also a humanitarian and political activist, who strongly believes that man must be a charitable gift unto himself, his environment, all lives around him and above all to humanity.

1.4 Recommendations

We hereby recommend that people's minds must be educated and sensitized from time to time on their fundamental human rights and the need to advocate for their promotion and protection. We are of the belief that if this is done, wanton destruction of human values and flagrant human right violations in Nigeria may be shunned, as these are greater hindrances to national growth and development. It is also recommended that human rights activists, NGOs whose objectives are to monitor and promote human rights should adopt visual art forms in communicating messages to the Nigerian teeming populace. It has been proved that arts, especially visual arts possess an effective ability to gratify, educate and enlighten senses and minds. It has the ability to *arrest attention and indulge beholders in a face to-face communication or interaction.*

1.5 Conclusion

In telescoping the pages of history, it is glaring that Nigerian political history since 1960 when it gained its independence is filled with human rights abuses. This ugly development continues to wax stronger and uncontrollable. Therefore, every Nigerians ought to be determined to advocate for humane society where human rights are cherished, respected and protected. According to Omowunmi Segun, *human beings without human rights are like animals...like to see human beings live their lives to the fullest free, fulfilled and self respecting.* We urge all Nigerians to support, protect and uphold human rights.

For: AHRA

Azeez O. Yusuff

Azeez O. Yusuff (Mr.)

Information / Enlightenment Officer

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