



SPEECH BY THE HONOURABLE ATTORNEY-GENERAL OF THE
FEDERATION AND MINISTER OF JUSTICE, MR. ABUBAKAR
MALAMI, SAN AT THE VALEDICTORY SESSION IN HONOUR OF
HONOURABLE JUSTICE MAHMUD MOHAMMED GCON CHIEF
JUSTICE OF NIGERIA, HELD ON THURSDAY, 10TH NOVEMBER,
2016 AT THE SUPREME COURT COMPLEX, ABUJA.

Our Celebrant, My Lord, the Honourable Chief Justice of Nigeria,
Honourable Justice Mahmud Mohammed, GCON,

My Lords, the Honourable Justices of the Supreme Court of Nigeria.

My lord, the President of the Court of Appeal, and all the Honourable
Justices of the Court of Appeal here present,

My Lords, the Justices of all other Superior Courts of Record here present,

The President of the Nigerian Bar Association, Mr. Abubakar Balarabe
Mahmoud SAN, and all Officers and Members of the Nigerian Bar
Association here present,

Distinguished Ladies and Gentlemen,

I am honoured to deliver this address at this unique Valedictory Session in honour of a most respected and distinguished jurist, Honourable Justice Mahmud Mohammed GCON, Chief Justice of Nigeria and Chairman of the National Judicial Council, who bows out of public office today, after a life of distinguished and yet humble service to our dear nation.

2. **My Lord**, on behalf of the Nigerian Bar and the Government and good people of the Federal Republic of Nigeria, I celebrate with you on this auspicious and remarkable occasion. You are taking your exit from the Judicial service of our fatherland at the very pinnacle of your career having attained the enviable position of Chief Justice of Nigeria and Chairman of the National Judicial Council, among several other honours. This is a worthy celebration as the heights you attained in your career are only reserved for a very few people in every generation of Judges and legal practitioners.

3. My lords, Your Excellencies, Distinguished Ladies and Gentlemen, I believe I speak your minds when I say that we are gathered here today, not only because it has become customary to do so, but more importantly, because Honourable Justice Mahmud Mohammed touched our individual lives in different ways; influenced the evolution of our judiciary and impacted our country in a very profound manner.

4. Permit me to also use this opportunity to congratulate the Supreme Court on this occasion as it marks one of a series of events which demonstrate the

dynamism and constant evolution of the court. Just a few days ago, we witnessed the Swearing-In of My Lord Justices Amina Augie, JSC and Ejembi Eko, JSC as Honourable Justices of this esteemed Court. My Lords, I congratulate you and wish you a most fulfilling tenure on the Supreme Court Bench. It is indeed this constant cycle of admissions and exits into our nation's highest bench in an orderly and seamless manner. As the older guard retire from the Court and new Justices are appointed, our apex court is continuously renewed and refreshed in a manner which ensures that it retains a healthy balance between its conservative philosophy and the vibrancy of new ideas.

5. An occasion such as this offers us all the opportunity to reflect on the life of our celebrant as an inspiration to the present and future generation of Judges and Legal practitioners. In this context, I can confidently say that Honourable Justice Mohammed's biography, as eloquently captured in his Curriculum Vitae, demonstrates that hard work, perseverance, focus and team-work are necessary qualities in the building of a successful career in public service.

6. When he was born on November 10, 1946 in Jalingo, present-day Taraba State, there is no gainsaying that his role in the Judicial life of a Nigeria that was still very much under colonial rule, could not at that point have been envisaged, even by the most visionary seer. His primary education spanned both the early Koranic education at Malam Kasimu Qur'anic School, Jalingo between 1950 and 1956 and finally terminated at Senior Primary School, Jalingo in 1959. Upon the conclusion of his Secondary School education at Rumfa College, Kano in 1966 (where he took his HSC Examinations), he proceeded to the Ahmadu Bello University, Zaria, from where he graduated in

1970 with a Bachelor's degree in Law. The turning point in his professional life was his call to the Nigerian Bar in 1971, at a period when the nation was just emerging from the ashes of a ruinous and exerting Civil War.

7. It is remarkable to note that our celebrant climbed the ladder of the Civil Service in the Ministries of Justice of North-Eastern State as well as Gongola and Taraba States between 1971 and 1984 when he commenced his career on the Bench following his appointment as a Chief Magistrate Grade 1 in the Gongola State Judiciary. His appointment as a Judge of the High Court of Gongola State commenced a dedicated journey that saw his elevation to the Court of Appeal on 12th November, 1992; further elevation to the Supreme Court on 8th June, 2005 and appointment as Chief Justice of Nigeria on November 20, 2014. What a life of consistent and dedicated service to one's fatherland!

8. My Lords, Distinguished Ladies and Gentlemen, this occasion will not afford us the opportunity to embark on a comprehensive examination of the contributions of Honourable Justice Mohammed to the evolution of our judiciary. These, thankfully, are already fully documented in our law reports, newspapers and public consciousness. It suffices to say that working with other colleagues on the Supreme Court bench, his era on the Bench witnessed the promotion of the Judiciary as a true bastion of justice.

9. As can be deciphered from the myriad of judgments and publications that he delivered and made throughout his career, Justice Mohammed will always be remembered for his peculiar sense of attention to details and strict adherence to the rule of law at all times. For instance, in the case of **STATE v. LAWAL (2013) AFWLR. PT. 679** he affirmed the role of courts in striking down unjust and

oppressive actions by administrative tribunals or lower courts when he declared *that ... "The powers and control of inferior courts or tribunals by the High Court are exercised by means of quashing any decision of an inferior court which on the face of it is excessive, arbitrary or oppressive"*.

10. Also in the case of ***NSEFIK v. MUNA (2014) 2NWLR. PT. 1390***. Justice Mahmud Mohammed showed zero tolerance for delay in delivering judgments when he opined that... *"it is indeed very unfortunate that this simple probate matter which commenced since November, 1989, after the death of the deceased who died on the 12th of March 1989, is still pending unheard at the trial court after nearly 24 years while the estate left behind by the deceased remained not administered between the beneficiaries. For whatever reason that was responsible for this very sad situation, the learned counsel to the appellants should largely share in the blame. It is very unfortunate"*.

11. **In** this manner and in several other cases, especially at appellate level, he contributed extensively to the use of the judicial system to foster social justice and human rights in our country. His wide-ranging knowledge of the law and the ease with which he expressed his opinions in diverse areas of judicial disputes are attributes for which he will be remembered by all who encountered him in a professional capacity.

12. **In** recognition of his sterling qualities and his service to our Country, a grateful nation conferred on him the successive titles of Officer of the Federal Republic (OFR), Commander of the Order of the Niger (CON), Officer of the Order of the Federal Republic (OFR) and finally the title of 'Grand Commander of the Order of the Niger' (GCON) in 2014, in addition to several other awards over the years.

13. He is leaving office at a time when the Judiciary has been called upon once more to rise up to the challenge of asserting its age-long tradition of competence and integrity. Our nation will remain grateful for the leadership shown by Honourable Justice Mahmud Mohammed in this regard.

14. Permit me to say that our Judiciary, for the sake of our people, cannot afford to lower its guard in the discharge of its Constitutional role as the third arm of Government. From 1999 when our country returned to democratic rule up till date, the Supreme Court has established itself in popular consciousness as a courageous and objective arbiter in the resolution of complex political disputes which at various times threatened the fabric of our national stability and political development. Through its mature and visionary interventions in the resolution of these Constitutional issues, the Supreme Court bench, of which Justice Mohammed was a part, has proved itself to be a pillar on which our democracy has stood and flourished.

15. The judicial arm of Government is the anchor on which our claim to civilized society rests. We must all work hard therefore to ensure that it retains the integrity, the credibility and the impartiality that makes it truly the last hope of all men. I trust that in this endeavour, the three arms of Government will continue to collaborate to ensure that this generation of leaders bequeaths a glorious country to the generations that come after us. In this context, I trust that the new leadership of the Supreme Court will continue to demonstrate its resolve to ensure that the standards of our Judiciary will progressively be improved and that all cases of infraction of the Judicial Oath by Judicial personnel will be addressed in a firm, expeditious and consistent manner. I am of the opinion that such an approach will ultimately impact positively on the overall interests of our judicial system and our abiding national interest.

16. My Lord, **Honourable** Mahmud Mohammed, GCON, I, congratulate you once more and pray that the Almighty Allah will continue to bless you with long life, good health and a peaceful disposition to enjoy your retirement. It is my hope that you will continue to avail us of your wise counsel and services so that we will be nourished from your fountain of rich wisdom and continually draw from your archive of experiences. It is my fervent hope that the retirement season will equally avail you the opportunity to put down more of your experiences in the form of memoirs in order to guide and inspire the present and future generations.

18. **My Lords, Distinguished Ladies and Gentlemen**, I thank you all for your attention. May God bless you all.

ABUBAKAR MALAMI, SAN
Honourable Attorney-General of the
Federation & Minister of Justice

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