

SPEECH DELIVERED BY OLUWOLE O. IYAMU ESQ. SOLICITOR GENERAL AND PERMANENT SECRETARY EDO STATE MINISTRY OF JUSTICE ON THE OCCASION OF THE SPECIAL COURT SESSION HELD IN HONOUR OF HON. JUSTICE C. O. IDAHOSA. CHIEF JUDGE ON HIS RETIREMENT FROM THE EDO STATE JUDICIARY ON 25TH JANUARY, 2017 HELD AT THE HIGH COURT OF JUSTICE BENIN CITY.

PROTOCOLS:

One of my favourite portions of that little known portion of the Bible called the APOCRYPHA lies between the Old and New Testaments in the King James Bible and is known as Ecclesiasticus.

Its words exult¹:-

“let us now praise famous men, and our fathers that begat us

.....

Leaders of the people by their counsels, and by their knowledge of learning meet for the people, wise and eloquent are their instructions”

These words could have been written to correctly describe what we gather to do here today.

Today marks a momentous occasion in the eventful life of Hon. Justice Cromwell Osamwonyi Idahosa as he formally retires from the Bench after twenty-four meritorious years of distinct and exemplary service to this nation as a formidable jurist of inestimable value. There is no gain-saying the fact that Hon. Justice Cromwell Osamwonyi Idahosa is bowing out today as the Chief Judge in Brace, colour and beauty as fulfilled man.

He represented in totality a true combination of the legal profession in practice, which lasted for seventeen solid and eventful years before he was conscripted from the Benin Bar to the Bench in June 1993, thereby denying the Bar of an ebullient, industrious legal practitioner and a former secretary of the branch who had brought his wealth of experience to bear in the piloting of Bar activities.

We are not totally surprised that Hon. Justice C.O. Idahosa in traversing the road of the Bench became a quintessence of the complete attribute of a judge and had in his outstanding

¹ In Chapter 44 verses 1 & 4, available at www.kingjamesbibleonline.org/Ecclesiasticus

achievements, a colourful ride as a result of the best of the two worlds he enjoyed in classic legal practice that produced the erudite jurist in him in his twenty four years on the Bench.

Hon. Justice C. O. Idahosa was well prepared for this journey from the on-set of his life. His primary and secondary school years were the sources of his stronger character moulding and academic excellence. His primary education at St. Peters Primary School, Benin City, Government Primary School, Ogwashi-Uku in Delta State and the attendance at Immaculate Conception College, and Edo College, both in Benin City were foundational to the excellence and strong personality that became of him. Again, he capped it up with the attendance at the University of Ife, (Great Ife!!) Ile-Ife now Obafemi Awolowo University to read law from 1971-1975.

His traits of excellence were apparent from the scholarships he was awarded by the Benin Divisional Council as the top graduating secondary school student in 1969, which was followed with another award won in the university at the end of his first year in 1971 - 1972 with the Federal Government full scholarship to read law as one of the two best students in his class.

His Lordship meritoriously served this nation and Edo State in various capacities and remained unblemished. Hon. Justice C. O. Idahosa among other various extra judicial functions, served as Chairman, Local Government Election Petition Tribunal, Edo State, 2004, member, Borno State Election Petition Tribunal, 1998, member, Abia State Election Petition Tribunal, 2007 2008, among many others.

My Lord, Hon. Justice C.O. Idahosa is an embodiment of dedication, resilience and a man of sound character, a consummate personification of the true qualities of a judge. He lived by all of these qualities and these can be gleaned by the quality of his judgments and contributions on the Bench. A peep into his well researched landmark judgments are testamentary facts to this deposit.

The obvious reason for His Lordship's independence is courage. Beyond courage, His Lordship was always sober, courteous, patient, painstaking and demonstrated a mastery of the facts of the cases he handled. His Lordship's analyses of facts were always lucid with skilful application of the law.

Some persons, obviously more courageous than me, or blissfully unaware of the awesome powers of the Law of contempt, have seen fit to comment on His Lordship's

"swagger" (a term which I am told by those more in line with current usage and fashion, connotes style impressiveness and an ability to always exude confidence.)

I can only dare say that since those who originally uttered the phrase are still walking free, and the definition I was offered by those more knowledgeable does not **prima facie** appear negative, I adopt same as mine.

A look at our Chief Judge at 65, can only make one speculate as to what a devastating debonair young man he must have been in those days. However, why speculate? A glance at his delectable and ageless better half gives a clear indication that His Lordship as a young man was a prize catch who also had a good eye for the very best.

There is general agreement that My Lord was a child of destiny. The good book reminds us all that:-

“unless the Lord builds the house, the builders labour in vain, unless the Lord watches over the city, the watchman waketh but in vain².”

As Chief Judge, my Lord Justice C. O. Idahosa inherited a visibly fractured, divided and contending Bench, he bound and healed those wounds and now leaves behind, a peaceful, respected, united, orderly, crisis and scandal free Judiciary that has remained a unique oasis of calm and dignity in a desert of Nationwide strife and contention, filled with scandals, rumours, charges of eye watering corruption and low public esteem.

We are certain that His Lordship was the divine instrument which made all this possible.

My Lord presided over a seamless unification of the Edo State Judiciary, the creation of a specialised Criminal Division, a Family Court and a Multi Door (ADR) Courthouse.

As has become traditional, I must pause at this point to make a few brief remarks on issues of concern to the Bar and the Bench, of which I intend to focus only on two.

Firstly, the recent directive which compels Counsel to submit Compact Discs copies of processes filed in the Civil Courts Registry is a commendable attempt to bring our practice in line with the information age. I wonder however if it was considered that most modern computers no longer have built-in disc drives and we may be running the risk of investing in

² Psalm 127 v. 1

a Technology which has become obsolete as the world has moved on to USB drives, instantaneous electronic filing and their like.

The second is plaintive appeal to our Lords on the Bench and our Colleagues in the Private Bar to be a little bit more understanding of the challenges faced by our Law Officers whose onerous duty it is to represent the best interest of our collective Commonwealth. We acknowledge our failings but plead (despite the adversarial/contentious nature of our adjudicatory system) for a little bit of understand and discretion in the litigation process recognising the enormous challenges involved in protecting the interest of society as a whole. After all, when the State is prevented from pursuing the path of public justice, society as a whole suffers. When the rain falls, it will fall on one and all and not just on Law officers or even the Government.

Returning to the subject of the day, in assessing the eventful Judicial tenure of our retiring Chief Judge, I am irresistibly drawn to the immortal words of the American writer, Ralph Waldo Emerson that:-

*“The lives of great men teach us,
we can make our lives sublime,
and departing leave behind us,
footprints in the sands of time.”*

To use an analogy more popular in our politics, the Edo Judiciary under Hon. Justice C. O. Idahosa has indeed been in safe hands, and we are assured that under his successor, the Judiciary will remain in even safer hands with a new Chief Judge who combines uncommon grace and poise with a well deserved reputation as a no-nonsense Jurist of the grand old school.

In closing therefore, let me return to the divine promises set out in the book of Ecclesiasticus³ earlier quoted:-

*“But these were men of mercy whose righteous deeds have not been forgotten.
Their prosperity will remain with their descendants and*

³ 3 Ecclesiasticus 44: 10-13

their inheritance to their children's children.....

*Their posterity will continue forever, and their glory will not
be blotted out.”*

As our "swaggerlicious" Chief Judge rides off into the sunset of a well deserved retirement, we repeat the words of the old Saxon prayer for travelers and pray that:-

“.....may the wind always be behind you.

May your problems always be small ones

And may the Almighty hold you (and yours) safely

in the palm of his hand.”

At 65 we can only pray that the next 65 years be even better than the last.

Hon. Justice Cromwell Osamwonyi Idahosa, we wish you well!!

OLUWOLE OSAMUDIAME IYAMU, ESQ.

Solicitor-General & Permanent Secretary

Edo State, Ministry of Justice