

*The Nigeria - Biafra Conflict: The Inalienable Right to War*

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## **Introduction**

The Nigeria-Biafra war (1967-1970) has become history but the inevitable rationale promotive of its imperative is still a question that perturbs many. The 2015 Convocation Lecture of Chukwuemeka Odumegwu Ojukwu University presented by the retired General- His Excellency General Dr. Yakubu Gowon (GCFR) titled: No Victor, No Vanguished: Healing The Nigerian Nation was a flash-back on this historic war. He, indeed, touched on some basic regrettable issues in the minds of many right-thinking academicians who silently sought adequate clarifications to those issues in order to fully understand the inevitability of the war. Incidentally the lecture was presented by the leader of the aggrieved party behind the military icon commanding the very University named after the leader of the other aggrieved leader. The setting was appropriate to generate myriads of questions which were put on hold for curious minds to reflect in private chambers, hence this paper. Some crucial questions that needed to have been were (1) whether the war was unavoidable at that point in time? (2) What precisely justified its urgency and continuity since it implied loss of life and materials, including the destruction of property of yet a developing country? (3) Were there satisfactory efforts made to avert the war or was it a show of demonstration of power to the detriment of military puns at the battle fields? This paper will in effect outline the aggrieved reasons, prioritize the reasons, step down opinions in order to curb a repeat of such a situation in the future as it results to unnecessary loss of man power, property, time and money. To be sure, as Ojukwu (1989:169) said, "it will be wrong to write about the civil war ... to reopen wounds ... but rather to educate and enhance the positive elements in our midst, ... and to improve nation building" for the good of posterity".

## **Basic Views Concerning War**

*Activism* in the eyes of Geisler (2010:220) holds that Christians are duty bound to obey their government and to participate in every war to which that government enlists their support. Scripture affirms that government is of God and God is the God of order and not of chaos (Gen 9:6; 1Cor. 14:33, 40) Briefly put, God ordained human government and the sword given to Noah was used by Abraham when he engaged in war against the kings who aggrieved Lot, his nephew. Jesus declares that we give Caesar what belongs to Caesar (Mt 22:21). Peter clearly enjoins subjects to be loyal to every human institution, whether the emperor or the governor. (1Pet. 2:13-14). Paul writes that taxes are paid to the government since they are God's servants. (Rm. 13:6). Christians are urged to obey the existing governor or king "for he does not bear the sword in vain. (Rm.13:4). It follows that the leadership is always answerable to every war and its consequences. Justice therefore demands that the government is told the truth in its effort to correctly lead the people.

*Pacifism* holds that war is always wrong and its argument is totally biblical. The Decalogue says: Thou shall not kill (Ex. 20:13) and Jesus strengthens that injunction with "do not resist one who is evil" (Mt 5:39). The scriptural injunction includes war situations. Jesus, however, appears to present a mission of war (Mt 10:34) as he did not come to bring peace but war. But again, he dissuades Peter from applying his sword lest he dies by the sword (Mt 26:52). At these, pacifists explain that the wars of the Old Testament that God is represented as commanding (Josh 10) were not really "commanded" by God but represent a more barbaric state of humankind in which

.wars were justified by attaching divine sanctions to them. The war that Jesus refers to is a war of faith-allegiance between father and son, mother and daughter (Mt 10:35). Pacifists according to Geisler (2010:227) hold strongly that it is “essentially wrong to use physical force, at least to the point of taking life, in order to resist evil”. In essence, no bloodletting can be justified. Indeed, the right to take a life belongs only to the author of life and no human authority has this right since no person’s right transcends God’s moral law.

*Selectivism* holds that some wars are justifiable. Selectivism as an ethical theory is committed to the position that one ought to participate only in a just war. Geisler (2010:229) argues that to answer a selectivist “one must show that some wars are just in principle ... and that some wars ... are unjust in principle. It means that every principle applied in any war may not be just and must be justified to generate a just war. Selectivism must adhere to the principles that can generate a just war. Selectivism teaches that it is wrong to take the life of an innocent human, even if the government ordained by God commands so (Rm 13:1). Such a command becomes morally unjustifiable and must be condemned. Geisler (2010:229) notes that the parents of Jesus under God’s direction fled Herod’s attempt to kill the child Jesus (Mtt 2:13-14) even though Herod was constitutionally a king. He maintains that when a command or principle “conflicts with the higher laws of God regarding taking of innocent human lives”, such a command becomes purely human. The summarized view of MacGillivray (1954:13) still stands paramount. In his view, certain circumstances can justify a war. But its object must be to repel or prevent an unjust and gravely culpable aggression on the part of another nation. It is wrong to have recourse to war merely to settle a dispute, when the rights and wrongs of the case are doubtful. “All reasonable means must have been used to obtain satisfaction by peaceful negotiation, either directly or through the mediation of a third party”.

### **General Yakubu Gowon’s Principle**

General Gowon’s Principle eloquently satirized as Go On With One Nigeria is “To keep Nigeria One” and one may add ‘at all cost’? “To keep Nigeria One” is for General Gowon (2015:15) a fundamental policy that must be realized and his “belief” in a ‘united ‘ Nigeria is “predicated on the notion that no single identity group, society or community has all the answers or resources to solve its immediate and even long-term needs, for which reason it ‘behoves’ all citizens to enrich themselves and the nation by living in harmony and putting all their common fates into one national entity”. For Gowon, this is fundamental Justice, though the Bayelsa peninsula controversy and the MASOB reality challenge this reality without any envisioned military solution.

Gowon (2015: 12) said that “the Civil War itself was a direct result of the Unilateral Declaration of Independence (UDI) and secession of the Eastern Region from Nigeria. If there was no secession, there would not have been civil war”. The war he fought was, according to him, “a humane war; a war of unity with a view to bringing our brothers and sisters in the East back to the mainstream of a United Nigerian nation”. He had an 11 point Code of Conduct given to Nigerian officers to guide them as they put in place the unity so envisaged:

- (a) Under no circumstances must a pregnant woman be ill treated or killed.
- (b) Children will not be molested or killed. They will be protected and cared for.

- (c) Youths and school children must not be attacked unless they are engaged in open hostility against the Federal Government Forces. They should be given all protection and care. Hospitals, hospital staff and patients should not be tampered with or molested.
- (d) Soldiers who surrender will not be killed. They are to be disarmed and treated as Prisoners-of-war. They are entitled in all circumstances to humane treatment and respect for their honour.
- (e) No property, building and so on will be destroyed maliciously. Churches and Mosques must not be desecrated.
- (f) No looting of any kind because a good soldier never loots.
- (g) Women will be protected against any attack on their person, honour and in particular against rape or any form of indecent assault.
- (h) Male civilians who are hostile to Federal Forces are to be dealt with firmly but fairly. They must be humanely treated.
- (i) All military men and civilians wounded will be given necessary medical attention and care. They must be respected and protected in all circumstances.
- (j) Foreign nationals on legitimate business will not be molested, but mercenaries will not be spared. They are the worst enemies.

It is not the intention of this paper to investigate the loyalty of the Federal soldiers to the above ethical norms but to emphasize the concept and “promotion” of national unity so envisaged by the Federal Government on the basis of the motivating principle of unity. This principle clashes out with another principle that claims an equal right to protect a people where a unity does not assure livelihood of the entire people. Gowon (2015:25) puts the responsibility of both caretakers this way:

“Ojukwu and I had one thing in common. We were both principled men and it might be said that the Civil War resulted largely because we both stuck to our principles! We swore to an oath of loyalty to our country to defend and preserve the sovereignty and territorial integrity of our country, Nigeria. This was the ideal we both held before the crises that engulfed the country in 1966-1967. I concede, in all honesty, that Emeka Ojukwu could be justified in taking a stand for the defence and protection of his people in the circumstances of the country at the time. I was trying to do the same at the national level (that included them and his people) at the time”.

It is here that Gowon justified his warring against Biafra following his principle to keep Nigeria one. From here he finds the basis for an inalienable right to war. He also justified Ojukwu for protecting his own people, the way he deemed fit; hence the inalienable right to war on both leaders. How can both be right and be justified, and yet fight each other?

### **Justification of the Ojukwu’s Position**

Forsyth (1977:81) maintains that no doubt “the aim of the pogrom of 1966 was to drive the Easterners out of the North and perhaps even of Nigeria”. “Easterners came home in droves, convinced once and for all that Nigeria neither could nor would offer them the simple guarantees of security of life and property that are habitually the inalienable rights of citizens in their own country”. For Forsyth, (1977:99) ... Biafrans “did not leave Nigeria but were chased out it”. For most of Biafrans, according to Forsyth, “it was the shattering of the illusions of their lifetime that after being the foremost of the “One Nigeria” actors and thinkers, it was finally they who

were not wanted. The feeling of Biafrans was that Nigeria does not “want them as a people, but only their land for the oil it bears and the riches it can produce” . The pogrom of 1996 was likened to the Gongo massacre or the “Jews’ experience in the Nazi’s hands between 1933 and 1945 according to Walter Pardington of the Daily Express, London, 6 October, 1966. Here, the primary reason for the war begins to emerge.

### **Accusations**

(1) According to Forsyth, (1977:101) it was alleged that Biafra was Ojukwu’s revolt, an attempt by single man, backed by a small clique of army officers and civil servants to create a rebel state.

(2) All was Ojukwu’s propaganda.

(3) Nwankwo A.A. (1972:29) states that the ill-fated declaration of the ‘Benin Republic’ provided grist for Federal propaganda and “lent credence to the argument that the Biafran secession was not motivated by fear for security but by ambition and greed for empire”. To answer this immediately, the Biafran campaign pursued towards Ore appeared to buttress this point but as a military tactic the strategy kept the Federal troupes far from causing further harm thereby ensuring total security to all Biafran boundaries.

The other claims are not true. The fact remains in the eyes of Forsyth (1977:98) that on “the 26 May,1966 the 335-member Consultative Assembly of Chiefs and Elders gave him (Ojukwu) an unanimous mandate at the end of a noisy session to pull the East out of ... Nigeria ‘at the early practicable date’ ... by declaring ... the Republic of Biafra”. Invariably this number is not small. It must be said here immediately that when Chief Awolowo threatened that the West (of Nigeria) would secede if Lagos were made the Federal territory, Ojukwu fought the separatist demand with the suggestion of a weak Federation as Forsyth (1977:85) has it. Back at home he fought the separatist clamour with the slogan: “On Aburi we stand”.

### **On Aburi we Stand**

ABURI – was regarded as the last chance of unity as Forsyth (1977:101) said. Gowon could have capitalized on Aburi opportunity. There were agreements which Ojukwu preserved in a complete “stenographic record and a tape-recording” of the entire discussion to avoid misinterpretations. According to Forsyth, (1977:88) Gowon “reneged on the agreements” but according to Gowon, he was not forth implementing an agreed broadcast of the agreements on account of “*a serious malaria*” {italics mine} . Consequent to this malaria and Ojukwu’s going on air as soon as they were back from Aburi, Gowon (2015:12) exclusively “reviewed the agreements with some top Senior Civil Servants and the Secretary to the Government. He (2015:12) attributed the Civil War to the “Unilateral Declaration of Independence and secession of Eastern Region from Nigeria but the war actually began when Easterners were denied of their inalienable rights and were chased out of Nigeria. Aburi could have been an amendment had malaria not had played a dubious role. It is necessary to point out that Gowon (2015:25) considered himself justified to have fought the way and the time he did on the basis of unity.

## **Ojukwu's Notion of Unity**

For Ojukwu (1989:18), unity in a political unit is a state of affairs where the entire polity is completely reconciled with itself: state of affairs where fear, reasonable or unreasonable, is diminished or reduced to manageable proportions, a state of affairs, where the entire society maintains confidence in the institutions that bind, ... where one confidently finds due place in the society. It does not mean that differences will cease to exist.

## **Costly Mistakes**

### *Attacking Without Exhausting Peace Initiatives*

For Gowon (2015: 12), the civil war was a “direct result of the Unilateral Declaration of Independence (UDI) and secession of the Eastern Region from Nigeria. If there was no secession, there would have been no civil war.” The secession left him without any other option except what he considered as a ‘ “Police Action” that was later upgraded to full “Military Action” after the Biafran Army ventured into and overran the hitherto neutral Mid-West Region’. By implication the war only took off after the Mid-West venture and did not actually take off after the Declaration of Independence. The fact remains, according to Forsyth (1977:98) that Biafran Independence was declared when the lives and property of all in the Eastern enclave could no longer be protected. It is justice that lives are protected. Biafrans, according to Forsyth (1977:99) “did not leave Nigeria but were chased out of it”. In his clearest construct of the situation:

“Within a few months of the declaration of independence, a remarkable array of forces had ranged themselves to crush the new country. General Gowon launched the Federal Army behind the slogan ‘To Keep Nigeria One - Is a Job That Must be Done’”. Little constructive thought was done by “anyone to consider a lasting solution beyond the slogan”. (Forsyth (1977:103) “To keep Nigeria One” and bring the “East back to the mainstream of a United Nigerian nation were paramount as justifying the war. The commencement of the venture could be seen to have lacked proper calculations as the conflict dragged from “Police Actions” to months of full “Military Actions”.

### *Oversight of the Gravity of the Pogroms*

A poor evaluation of the repercussions of the pogroms was consequent to the war. Forsyth (1977:81) accused the Nigerian leadership of playing up the scope and effect of the massacres while the facts spoke for themselves and were witnessed by too many independent minds. Mr Schwartz, “who can hardly be accused of sensationalism, refers to them as ‘a pogrom of genocidal proportions’”. The pogroms which were directed against the Ibos, the Efiks, the Ibibios, the Ogojas and the Ijaws were not addressed. They affected the Ibos most because they traditionally invest their money in their business or in property and only a few could leave the North with more than a “small suitcase”. Forsyth (1977:82) pointed out the “impotence” of Gowon and Katsina at safeguarding the Ibos from the Northern mob as against the protection accorded to Northerners by the Eastern police command. One can read a collusion into the whole set-up, for according to Forsyth, (1977:84) “not one soldier was ever given a day’s ‘confined to barracks’ punishment, not one officer was court-

martialled, not one policeman was ever retired, and not one civilian ever faced a court of law, although many had been identified”. That was not the first of its kind. Gowon had in the past procrastinated producing his findings over the May massacres in the North, following the practice laid down by British after the Jos riots of 1945 and Kano killings of 1953. The report was never ready. According to Forsyth (1977:73), “after taking power, he dismissed the commission which consequently never sat. There was no apportionment of responsibility for the May killings, no prosecution in law of those responsible and no compensation for the victims”. Before his “justified” cry for One Nigeria, the influx of Eastern refugees had sufficiently questioned its whole meaning when a population of 1,300,000 should leave the North in misery. How can ‘One Nigeria’ be translated as an aftermath of such exodus. Who justifies this exodus, the associated pogrom, or the subsequent war in the name of unity?

### *The Subjective Bases of the Conflict*

Both Gowon and Ojukwu justified their reasons for waging the war. How can both be correct? While Gowon was officially fighting to retain the unity of the Country as a national mandate on him, Ojukwu was defending the inalienable rights of a people who have lost all guarantees of security. Ojukwu certainly said ( Because I am involved1989:158) that he would fight as Gowon did, had he found himself at the other side of the divide. According to him, “*If I were from the north my perception of the situation would have been entirely different just as if Gowon had been from the east. In leading the war we both postured*”. The fact remains that Ojukwu was fighting a cause and not a people. He was driven by the destruction of a conservative estimate of 50,000 unarmed people from the north. Gowon concedes to this reality. In his Convocation Lecture (2015:25), he says: “I concede in all honesty, that Emeka Ojukwu could be justified in taking a stand for the defence and protection of his people in the circumstances of the country at the time. I was trying to do the same at the national level (that included them and his people) at the that time”. Echoing exactly what Ojukwu said almost 25 year ago, he writes: “*I strongly believe that if Ojukwu was (sic) in my shoes he would have done exactly the same as I did during those crucial days*”. By way of evaluation, Gowon (2015: 26) says: “We never disliked each other. We only disliked the stand and actions taken by the other”. Ojukwu (eacause I am Involved1989:158) has for long said that he most certainly would invite Gowon to his house for lunch any day. From all indications there was a mutual reconciliation between the two war leaders before the exit of General Odumegwu Ojukwu. One, however, wonders whether all forms of the war are over as there are rivalries, oppositions and shootings reminiscent of the war days. The root of all these can be traced to the genesis of the earlier conflict, namely the Nigerian perception of justice.

### **The Nigerian Perception of Justice**

Justice has been defined by Peschke C.H. (1978:216) as “rendering to each man or human community their own due right and attributes”. It includes the right to one’s person, to the property, which one has acquired and to one’s discoveries. The colossal insensitivity to *attributive justice* inflamed the civil war to a great extent. The concept of attributive justice was lacking in the Nigerian government that preceded the war months. The Nigerian perception of justice unfortunately prevailed. The Nigerian perception of justice is unfortunately not in line with what Ojukwu calls the “us all”

concept of justice. It is characteristically tribal or class ascribed. It is always found in the context of “us” and not “us all”. The dichotomy between “us” and “them” makes an objective concept of justice unattainable. Our perception of justice is often influenced by our territorial imperative which marginalizes the “us all” concept of justice. It is the “us all” concept of justice that will make Nigerian workers live within their salaries. It provides medical services for those who cannot travel to India or Europe for the same. The “us all” concept of justice should make the government question the Avengers’ agitations in the South. But when we feel comfortable with our portion of the national cake, then we are in the “us” camp of justice. If Nigeria had united to question the pogroms that gave rise to the conflict, the war would have neither commenced nor would have dragged to 30 months.

### **Recommendations**

Nothing is intrinsically wrong for a recognized world force to stop belligerent nations who embark in letting blood for any political philosophy or religious belief. Something is rather wrong when warring nations die in combat only to reconcile at the expense of lives and materials, time and money. Such a World Force should be combat-ready without respecting sovereignties or the Biblical prognosis that there is time for war and time for peace (Eccl. 3:8).

Emerging nations should be allowed to surface as a way of strengthening the cause for justice. They better emerge than to be hewers of wood and fetchers of water forever under another nation.

More powerful nations should not for economic reasons stifle emerging nations on account of imminent future advantages.

### **Conclusion**

“All wars must teach lessons. If they do not do so, they were fought in vain and those who died in them did so for naught”, says Forsyth F., *The Fist of God* (1994:623). The Nigerian Biafran war was not fought in vain. This attempt has aimed at accepting the reality of the war as it reasons why the problems leading to the war had not been attended to in order to obviate the war disasters. At determining the loopholes that provided for the commencement and continuity of the war such as the pogrom, the indifference to the Aburi opportunity and other conferences, the hasty initial attack, and the poor late attention it received all over on account of the prevalent propaganda machine. The survey is all about the situations that gave rise to the unquestioned great loss of Nigerian citizens, people’s property, and much of the military from both sides. The Nigerian military rulership closed its eyes against the pogrom and attempted a solution through the so called “Police Action” on a people already persecuted, traumatized, It is on account of this that Ojukwu (1989:179) said: “The Biafran people never declared war on Nigeria. Rather, they reacted in self defence and continued reacting.. until it was impossible to continue”. In doing this they remained justified. The world could have seen where justice truly spoke for itself. Who was in the right and who was in the wrong? Not to have forseen this for any reason is itself unjust because Unity as a propaganda machine without any equality and freedom has no meaning. A later reconciliation of Gowon with Ojukwu has also no meaning when that has in itself not brought about the unity of Nigeria. It was unfortunate that Mr Harold Wilson, made the British Government a voluntary and total accomplice as the *Spectator Magazine* then of 31 May, 1968 lamented. My greatest worry is that the

war ended at a staggering loss of yet an unknown number on both divide even till now just for the unity of a country, not for its economic growth. When Deutschland could not unite they did not war on the other. Europe has not waged war on United Kingdom for not uniting with them. Unity could not have been sought as matter of do or die. Gowon and Ojukwu now talk on Nation Biulding that cannot benefit millions who died at the war.

Nation building must call for a united effort. All heads from all Nigerian States should be allowed an equal chance in the Nation building to obviate the “us” canker worm, a bed rock of injustice..

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