

Giving Peace a Chance in Nigeria: The Case for a Preventive Diplomacy

Cajetan Ebuziem, Ph.D., D. Min.

School of Theology and Interfaith Studies, EUCLID (Euclid University/Pôle Universitaire Euclide)
C/o EUCLID DC Liaison/Executive Office: 1101 30th Street NW Suite #500 Washington, DC 20007

Abstract

The sovereign nation Nigeria, within the international community is popular not necessarily for its strength as Africa's most endowed nation in wealth and population but for its anomalous state owing to occasional religious, and ethnopolitical crises - thus posing threats both to sub-regional, regional and world peace. This article argues that peace needs to be given a chance in Nigeria through preventive diplomacy. It would include learning from dialogue and diplomacy through peacebuilding approaches like negotiations and mediations; and from best practices in international relations and public international law. It urges the Federal Republic of Nigeria to carry out some reforms such as building and strengthening its democratic principles and restructuring its system of federalism, or as a last resort allow Biafra and other agitating regions to secede peacefully according to law. To carry out either of these, the article encourages intense collaboration between intergovernmental, state and non-governmental actors – those that have the power to settle and implement agreements.

Keywords: Preventive diplomacy, Peacebuilding, International community

1. Introduction

“Peace” evokes the sense or state of serenity, tranquility, quietness, security, and general well-being. This condition resonates with the person and words of Jesus Christ of Nazareth who was the first to preach about peace, and that is why one of his eminent titles is “Prince of Peace” (Isaiah 9:6). In his farewell discourse to eleven of his disciples, Christ told them, “Peace I leave with you; my peace I give to you. Not as the world gives do I give it to you” (John 14:27). “Peace be with you” is Jesus’ signature greeting.¹ Many if not all world religions also espouse peace. Giving an example with the two other Abrahamic religions, in Judaism, the mode of greeting is “*Shalom Aleichem*” (“Peace be upon you”), and in Islam, it is “*As-Salam-u-Alaikum*” (“Peace be unto you”). Many cultures all over the world are founded on peace principles. It is also apparent that the history of the development of international relations is in most cases a history of peace treaties. The United Nations (UN) and its Organs and subsidiaries including at the regional and sub-regional levels overwhelmingly seek to maintain peace of the world and its nations.

The word “peace” has numerous definitions and a wide range of sensitive connotations that it means different things to different people. Thus, there is *negative peace* which is the absence of war; and *positive peace* which includes concerns for social and economic justice, environmental integrity, human rights, and development. Side by side to peace is the word “*Peacebuilding*” which is in the generic sense whereby it refers not only to the concrete activities required to make peace between opposing parties but also to the whole range of behaviors that contribute to the prevention, management, and resolution of conflicts.²

This article uses global principles and ideals of governance contextualized within the Nigerian perspectives. Nigeria in its checkered history is replete with religious, ethnic and political disturbances: inter- and intra-religious crises, ethnic uprisings, secessionist movements, and revolutionary acts - judicial and extra-judicial as well as military and paramilitary clampdowns by government security agents. It argues that peace needs to be given a chance in Nigeria through preventive diplomacy. This would include learning from dialogue and diplomacy through peacebuilding techniques like negotiations and mediations, as well as from best practices in international relations and public international law. Lastly, it urges the Federal Republic of Nigeria to carry out some reforms such as building and strengthening its democratic principles and restructuring its system of federalism, or as a last resort allow Biafra and other agitating regions to secede peacefully according to law. Lastly, the article maintains that none of these objectives would be possible without a thoroughgoing collaboration between intergovernmental, state and non-governmental actors especially those among them that have the power and skills to settle and implement agreements.

2. Analytical Process

This article emphasizes the usefulness of academic research in enhancing the outcome of conflict prevention and

Notes/References

¹ See, John 20: 19, 21, 26; Luke 24:36.

² See, Louise Diamond and John McDonald, *Multi-Track Diplomacy: A Systems Approach to Peace*, Third Edition (Connecticut: Kumarian Press, 1996), 12-13.

peacebuilding. Its research method combines some elements present in qualitative research and others present in correlational analysis. Qualitatively, it is based majorly on lived experience whereby my personal experience as somebody whose birth, cultural location and personal identity - all pertain to Nigeria, as well as the communal human experiences of others within my cultural and social location. While experience can be fluid, it is nevertheless a trusted source of objective knowledge.¹ The correlational analysis combines elements of textual analysis consistent with social research – comparing relevant ideas from available literature and my experiences. This goes to explain my choice of literature here that by close reading, I paid attention to ascertain how they resonate with and support my research claims.

3. Literature Review

On Nigeria and its ethno-political and religious situation, a plethora of literature abounds – all detailing the abnormal state of the nation since independence - such as the few I have employed here. Apart from published literature, information for this writing also emanated from Information and Communications Technologies (ICT). It is obvious that the dissemination of news mostly in real time has been made possible by progress in science and technology. Communications are no longer limited to print (such as newspapers and magazines) and electronics (such as radios and televisions) but are now digitalized through the Internet. The Media, comprising television anchors, hosts, and commentators; news reporters; talk show radio hosts; editorial writers and columnists; bloggers; etc., play a mega role in this sphere. The Internet has various social networking platforms such as Web sites, Blogosphere, Facebook, Google+, What's App, Instagram, Twitter, E-mail, Skype, Messenger, YouTube, PlayStations, etc. These are made even easier with applications (apps) that run on mobile devices such as iPhones, smartphones and tablet computers. With these, information is circulated easily and sometimes using feeds, handles, and hashtags. It is true that there are downsides in the use of ICT, but it is not within the purview of this writing to address them.

On the application of the principle of preventive diplomacy to the Nigerian situation, a couple of major texts were consulted as primary and secondary sources. Examples are: Antonio Cassese's *International Law*, second edition (New York: Oxford University Press, 2005); Malcolm N. Shaw's *International Law*, seventh edition (United Kingdom: Cambridge University Press, 2014); Peter Malanczuk's *Akehurst's Modern Introduction to International Law*, seventh revised edition (New York: Routledge, 1997); Gregory C. Dixon's YouTube course "International Law in International Relations" in International Law (POL4501/5501, 2014); as well as Geoff Berridge's *Diplomacy: Theory and Practice*, fifth edition (UK: Palgrave Macmillan, 2015). Others are documents emanating from the United Nations such as *The UN Charter* (1945), General Resolutions, Security Council Reports, rotatory presidential statements, Secretary-General's Reports, and a host of other inter-governmental gazettes. Due to the nature of this writing, not all of them are cited as endnotes here.

4. Nigeria and its Ethno-political and Religious Situation

The territory called Nigeria in sub-Saharan West Africa existed as the Protectorates of South and North under British Colonial Administration in the 1900s. It was on January 1, 1914, that the two protectorates were amalgamated and named Nigeria by a British colonial master and first Governor-General of Nigeria, Sir Fredrick Lord Lugard, for easy administration and economic gain of the colonizers through what was known as "Indirect Rule." Actually, it was Lugard's wife by name Flora Shaw-Lugard who gave the name "Nigeria."² The suggested name was said to be derived from the words "Niger" and "area."³ Popular opinion has it that the name might have come from River Niger a popular river named Niger, that flows through the west of the country to the Atlantic Ocean. With colonization and the amalgamation, therefore, came the plunging together of people with diverse ethnic, linguistic, tribal, religious, administrative and cultural differences, into detestation and unhealthy rivalry. "Animists, Muslims and Christians alike were held together by a delicate; some say artificial lattice."⁴

The decision was a fateful one, both by the British and Nigerian nationalists to combine both regions into a political whole. By contrast, the British territories of northern and southern Rhodesia became two separate countries: Zambia and Zimbabwe.⁵ The blame is shared: by the colonialists who introduced various policies that

¹ See, J. J. Mueller, S.J., *What Are They Saying About Theological Method?* (New York/Ramsey: Paulist Press, 1984), 36; Robert J. Schreiter, ed. *The Schillebeeckx Reader* (New York: Crossroad, 1984), 44; and Cajetan Ebuziem, *Doing Ministry in the Igbo Context: Towards an Emerging Model and Method for the Church in Africa* (New York: Peter Lang, 2011), 19.

² See, Isidore Nwanaju, *Christian-Muslim Relations in Nigeria* (Berlin: Logos Verlag, 2008), 26.

³ See, Kingsley Ikechukwu Stephen Agu, "'Leaps and Bounds' of Nigeria Nationalism to Independence, 1914-1960," *Kpakpando: Journal of History and International Studies*, Imo State University Owerri, Nigeria (Vol.1 No. 2 October 2014):77.

⁴ Chinua Achebe, *There was a Country: A Personal History of Biafra* (New York: The Penguin Press, 2012), 2.

⁵ John N. Paden, *Faith and Politics in Nigeria: Nigeria as a Pivotal State in the Muslim World* (Washington, DC.: United

emasculated the revolutionary potential of the diverse, peaceful groups in Nigeria, and by the nationalists who formed political parties on ethnic backgrounds, while political activities were on a regional basis rather than on ethnic backgrounds.¹ In other words, it could be observed, that there were no serious efforts to evolve any of the nationally shared values essential for national unity. Thus, this was the failure both of “the Nigerian elites who took over from the British as well as the British themselves – both failed to unify the country in ‘name and spirit.’²

After the amalgamation, Nigerian nationalists moved quickly towards transformational agenda for the actualization of independence. This led to the formation of three regionally based political parties but yet with a national consciousness: Northern Peoples’ Congress (NPC) formed in 1941 under the leadership of Sir Armadu Bello (1910-1966) for the North; the Action Group (AG) formed in 1951 by Chief Obafemi Awolowo (1909-1987), supported by the West; and the National Council of Nigeria and Cameroons (NCNC) formed in 1944 by Owelle Nnamdi Azikiwe (1904-1996), which the Easterners eventually supported. These were in tandem with the agenda engineered at the Pan-African Congress held in Manchester, England, in 1945 for the independence and self-determination of African States under the stimulation of racial solidarity – Negritude.³ With these men and other Nigerian nationalists - Abubakar Tafawa Balewa (1912-1966), Herbert Macaulay (1864-1946), and Alvan Ikoku (1900-1971), in collaboration with the British government, Nigeria was on track to achieving independence.

Nigeria became an independent and sovereign nation on October 1, 1960. The *Uhuru*⁴ brought about by the independence was marred by political, religious and regional identities, lack of equity in regional appointments, a pogrom in the Nigerian military rank and files, and the massacre of the Igbo tribesmen and women in the northern states leading to their massive exodus from the North in September 1966. It led to the secession of the Igbos and the declaration of the Sovereign State of the Biafra in Enugu on May 30, 1967, by Chukwuemeka Odimegwu Ojukwu (1933-2011), a Nigerian military officer. What followed was the Nigerian-Biafran War which ended in 1970 with the dissolution of the new Biafra republic. During this time, more than two million people were killed, mostly Igbos.

Also, since independence, Nigeria’s political scene had witnessed *coups d’états* and military rule until in 1999 when a new constitution was initiated and its adoption allowed for a peaceful transition to civilian government. Since then Nigeria has witnessed its longest period of civilian rule with the general elections of April 2007 marking the first civilian-to-civilian transfer of power in the country’s history. The incumbent president or head of state, as well as Commander-in-Chief of the Armed Forces, is Major General (retired) Muhammadu Buhari, since 29 May 2015, who is a Muslim, and from Hausa-Fulani in Northern Nigeria. The Vice President is Oluyemi “Yemi” Osinbajo, since 29 May 2015, a Christian pastor from Yorubaland, Southern Nigeria.

Nigeria’s territorial space total is 923,768 sq. km (land: 910,768 sq.km and water: 13,000 sq. km) or 356.667 square miles which are about twice the size of California and three times the size of the United Kingdom.⁵ According to the Director-General of National Population Commission (NPC), Ghaji Bello, in November 2016, Nigeria’s population was currently 182 million, with more than half its people under 30 years of age. It is the largest black nation in the world, and possibly Africa’s most endowed country called the “giant of Africa.” Nigeria has three major ethnic groups/languages, namely Hausa/Fulani in the North, the Yoruba in the South-West and the Igbo in the South-East. With these three major ethnic groups included, it is composed of more than 250 ethnic groups. The 2016 World Factbook puts the statistics of the most populous and politically influential thus: Hausa and the Fulani 29%, Yoruba 21%, Igbo (Ibo) 18%, Ijaw 10%, Kanuri 4%, Ibibio 3.5%, Tiv 2.5%. However, English is the official language of government and is widely spoken across the country.

Nigeria has been divided into six geopolitical zones spread across the present 36 States, plus a Federal Capital Territory (FCT) Abuja as the Country Capital and seat of government. Nigeria has a “federal character” principle of government under a three-tier structure: national or federal, state, and local government with responsibilities spelled out in the Constitution. At the moment, Nigeria has a total of 774 Local Government Areas (LGAs). It runs a federal presidential republic type of government with the legislative branch consisting of two houses of Congress: Senate (107 seats with three from each of the 36 states, plus representation from Abuja the FCT) and House of Representatives (346 members distributed proportionately to state and local populations). Members in both chambers have four-year terms. States have a legislative house of assemblies per local governments while local governments have council members representing electoral wards. The legal system is a

States Institute of Peace, 2008), 21-22.

¹ Martins Nwankwo Uchenna, “Ethnicity and Institutional Mal-administration in Nigeria: 1960-1999,” *Kpakpando: Journal of History and International Studies*, Imo State University Owerri, Nigeria (Vol.1 No. 2, October 2014):60.

² Kingsley Ikechukwu Stephen Agu, *ibid.*, 83.

³ See, Kingsley Agu, *ibid.*, 80.

⁴ Swahili word for freedom.

⁵ Toyin Falola and Matthew M. Heaton, *A History of Nigeria* (United Kingdom: Cambridge University Press, 2008), 2.

mixed system of English common law, Islamic law or Sharia (in 12 Northern states since the year 2000), and traditional law. The highest court of the land is the Supreme Court consisting of Chief Justice and 15 Justices. Citizenship is not by birth but by descent; dual citizenship is recognized, and residency requirement for naturalization is 15 years. In 2015 Nigeria emerged as Africa's largest economy with GDP estimated at \$1.1 trillion.¹ Since then it has fallen, but oil has continued to be the country's major source of income. In recent times talk about economic diversification has seen upward scale towards agriculture, telecommunications, and industrial exports.

Nigeria has membership in several international organizations such as the United Nations (UN), African Union (AU), Organization of Petroleum Exporting Countries (OPEC), Economic Community of West African States (ECOWAS), G-15, G-24, and G-77. Others are International Labor Organization (ILO), International Monetary Fund (IMF), World Bank (WB), World Health Organization (WHO), World Trade Organization (WTO), etc. Within the African continent especially within the West African sub-region, Nigeria's role is pivotal as it is a key player in African affairs. For example, the Economic Community Monitoring Group (ECOMOG) established by ECOWAS in 1990 was largely supported by personnel and resources of the Nigerian Armed Forces. Nigeria has thus joined in the regional and sub-regional conflict resolutions and peacekeeping in Liberia, Sierra Leone, Darfur (Sudan), and the Democratic Republic of Congo. Nigeria's leading role as the "giant of Africa" showcases its strength in the UN, besides having served variously in the rotational membership in the UN Security Council (SC), since 2005 has stood as one of the major contenders for permanent membership on the UN Security Council.² Religiously speaking, Nigeria has three faith affiliations - Christianity, Islam and African Indigenous or Traditional Beliefs. Nigeria is evenly divided between Christians and Muslims with less than 4%³ being adherents to the Indigenous Beliefs.

Nigeria, as many internal and external observers would agree on is a young democracy and an anomalous state. Corruption and mismanagement by the government, ethnic and regional rivalries, as well as religious conflicts – have all led to frustration and desperation of its citizenry. Consequently, the very idea of a unified whole as one Nigeria is fragile as it is deeply challenged. The Igbo people or people of South-Eastern Nigeria keep the idea of Biafra – that existed as an independent nation between 1967-1920 alive. This is what the Movement for the Actualization of the Sovereign State of Biafra (MASSOB), and Indigenous People of Biafra (IPOB) are all about. The same desire for independence is also active in the South-South region with the Movement for the Survival of the Ogoni People (MOSOP) and the Movement for the Emancipation of the Niger Delta (MEND). In the northern region, the desire for an independent Islamic state of northern Nigeria in reminiscence of the old Sokoto Caliphate - is in the minds of many indigenes, and this is what Boko Haram and other fundamentalist Islamic organizations are all about. The Yoruba people or people of the South-Western Nigeria had not forgotten of "June 12, 1993," when their tribesman Moshood K. O. Abiola (1937-1998) won the Presidential election which was later annulled leading to the imprisonment of Abiola, and he died never becoming Nigeria's president. Many may think that these agitations for independence are only on the fringes and not in the mainstream. But if so what are these mainstream cultural, regional groups all about: *Ohaneze* (for the Igbos), *Afenifere* (for the Yorubas), and *Arewa* (for the Hausa-Fulani)? To be fair their aim is not for independent Biafra, Oduduwa, and Arewa respectively, but for unity, progress and non-marginalization of their regions. About Biafra, unsurprisingly, fifty years after its declaration, the dream for freedom and emancipation to go back to Biafra is still alive in the consciousness of many Igbo men and women, especially when those factors that led to the secession in the first place are still in place today.

5. Development of Preventive Diplomacy in the International Community

The concept "preventive diplomacy," was originally associated with Dag Hammarskjöld (1905-1961), the second Secretary-General of the UN, from Sweden. Since then, it has been an enduring idea at the UN, evolving in response to new challenges. Thus, the UN sees it as an integral part of broader conflict prevention efforts, whereby it refers specifically to diplomatic action taken, at the earliest possible stage, "to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur."⁴ From this definition, it becomes clear that the key components of preventive diplomacy are conflict prevention, dialogue, negotiation, mediation, and peacebuilding. These can be both short-term (aims at preventing or containing a crisis from escalating into armed conflicts, such as diplomatic interventions) and long-term (aims at addressing the root causes of latent conflicts through such actions as assisting

¹ However, with the recent economic recession in Nigeria, in the third quarter of 2016, the nation's Gross Domestic Product (GDP) contracted by -2.24%, giving a total nominal GDP at 26.6 trillion (Nigerian Naira). See, Federal Republic of Nigeria: National Bureau of Statistics, *Nigerian Gross Domestic Product Report*, Issue 11, Quarter Three (November 21, 2016):5.

² John Paden, *Faith and Politics in Nigeria*, 25.

³ See, Cajetan E. Ebuzeim, "*Consider the Other Side: A Case for an Interreligious Diplomacy for the Nigerian Pluralistic Society* (Ph.D. Dissertation, Euclid University, 2017), 69, 129n.

⁴ UN, "Preventive Diplomacy: Delivering Results," *Report of the Secretary General*. S/2011/552 (26 August 2011): 2.

democratization, establishing the rule of law, building civil society, and monitoring human rights violations).¹ At the international multilateral level of diplomacy, both the UN and public International law have agendas for preventive diplomacy and bolstering peace. These in most cases nib potential crises at the bud and where they have already manifested they abate and mitigate them sufficiently.

Be that as it may, preventive diplomacy as a tool for world peace predates the UN for it has been part and parcel of international relation and enshrined in international law. While international relation is the relation between the international community made up of States as primary subjects, international law is viewed as one way of solving collective problems internationally. It also refers to a loose set of rules governing a wide range of behaviors.² Antonio Cassese sees the very expression “international law” as dating back to the period of the peace of Westphalia to the end of the First World War (WWI), that is from between 1648 to 1919. He cites that it was “first used in 1780 by J. Bentham in his *Introduction to the Principles of Morals and Legislations*. Since then it increasingly replaced the previous terms ‘law of nations’ and ‘*droit des gens*.’”³

Unarguably, the Peace of Westphalia (1648) was a major turning point both in European history and in the history of the development of international law. The same is true with the Eighty Years’ War (1568-1648) and the Thirty Years War (1618-1648) that the treaties helped end. Although the wars were initially a religious one, as the wars were ending, the motivation behind them changed from being about religion to being about political power – the balance of power in Europe. Most importantly the peace of Westphalia has become synonymous with sovereignty. With no prejudice to their shortcomings (such as the protracted nature of the wars, the fact that they did not usher in a long period of peaceful relations among European states, and the fragmentation of the Holy Roman Empire into independent religious states each headed by a prince), the treaties of Westphalia were important in the evolution of the modern international community. Originally, and as Peter Malanczuk would also agree, it “envisaged a collective security system which obliged parties to defend its provisions against all others. Disputes were to be referred to a peaceful settlement or a legal adjudication.”⁴ The reason why reference is made to this peace by jurists, political scientists, and diplomats alike lies in its most important political outcome which was that it established the principle that governments could not interfere or intervene in the territories of other governments. This principle was eventually enshrined as a legal norm in Article 2 of the UN Charter.

However, before the UN era, the League of Nations was formed due to the emergence of the Soviet Union or Union of Soviet Socialist Republics (USSR) which divided the international community. But the experimentation in the collective coordination of force against USSR had many flaws. Among the major flaws of the League of Nations (apart from the fact that the US an emerging superpower stayed on the sideline) was the no ban on the resort to force short of war.⁵ Other factors were: differences between the Member States, the lack of co-operation, the fact that the League gradually became a political instrument of Britain and France only, along with its inherent institutional deficiencies - all these accounts for its failure. Also, some States resorted to force without being the subject of military sanctions or at any rate without the League bringing about a satisfactory settlement.⁶

Rising, therefore, from the remains of the madness of World War II (1939-45), the victorious Powers: the USA led by Franklin D. Roosevelt (1882-1945), Britain led by Winston Churchill (1874-1965), and the Soviet Union led by Joseph Stalin (1878-1953) and other allies like China and France (the five eventually became the P5 of the Security Council) dedicated themselves to constructing a new World Order. What was born was the UN Charter through a foundational treaty. Since then the UN through multilateral diplomacy has maintained a new world order devoid of wars and colonization but marked by sovereignty, peace and human rights. The UN Charter was signed in San Francisco on June 26, 1945, and it came into effect on October 24, the same year. What happened was that the UN Charter reaffirmed those previous prohibitions as part of a general prohibition on the use of force.⁷ But one new and stronger element from the old-world alliances is that the UN Charter prohibited not just war, but any threat of or resort to the use of military force.⁸ It did this in Article 2(4) which states: “All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes

¹ Kikkawa Gen, “Preventing Ethnic Conflicts: A Reconsideration of the Self-Determination Principle,” *Containing Conflict: Cases in Preventive Diplomacy*, ed. Sato Hideo (Tokyo, Japan: Center for International Exchange, 2003), 21.

² Gregory C. Dixon “International Law in International Relations” in *International Law (POLS4501/5501) 01, 2014*, slide 24. <https://www.youtube.com/watch?v=G6PMzBFtCww> (Accessed July 2, 2017).

³ Antonio Cassese, *International Law*, second edition (New York: Oxford University Press, 2005), 30.

⁴ Peter Malanczuk, *Akehurst’s Modern Introduction to International Law*, seventh revised edition (New York: Routledge, 1997), 11.

⁵ See, Cassese, *International Law*, 37.

⁶ Idem.

⁷ Idem.

⁸ See, Cassese, 41.

of the United Nations.” The Charter also granted to the Security Council the power to take sanctions and measures involving the use of force against any State breaking that ban (Article 39). We can, therefore, deduce two momentous consequences, that is achievements of the UN from the previous generations. These according to Cassese are: First, whereas previously the distinction between the lawful and unlawful use of force either could not be made or was blurred, it had now become possible to say at least in theory whether a specific instance of the use of force was lawful. Second, whereas previously (until the League of Nations), force could be used without any previous assessment by a third party, now an international body, the SC, could decide to enforce peace after having determined the existence of a threat to the peace, a breach of the peace, or an act of aggression.¹ Put succinctly, the fundamental purposes of this new organization about peace is codified in Article 1 of the Charter: to maintain peace and security, and to bring about by peaceful means the adjustment or settlement of international disputes or situations which might lead to a breach of the peace (Article 1.1). Among the six Organs created by the Charter, the SC was entrusted with the primary responsibility for the “maintenance of international peace and security” (Article 23:1). However, the international community is in such wise that the UN does not have a monopoly on preventive diplomacy. Thus, Article 33 of the Charter has a requirement for regional agencies or arrangements whereby the Member States or “parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, ... or other peaceful means of their own choice” before tabling it to the SC. Apart from regional arrangements, there are also sub-regional organizations, non-governmental organizations as well as other actors that employ these means of preventive diplomacy in building works across the globe.

6. Application of Preventive Diplomacy to Peacebuilding in Nigeria

It will be recalled that the UN Security Council (SC), under the monthly rotative presidency chaired by Nigeria on 16 July 2010, debated the issue of preventive diplomacy in Africa openly. After that meeting and on that matter, followed the presidential statement (S/PRST 2010/14), the UN Secretary-General Ban Ki-Moon, as recommended issued on August 26, 2011, the statement (S/2011/552) detailing on how Preventive Diplomacy has been delivering results. Both two statements and other vital documents and interventions by the UN are beneficial for preventive diplomacy especially in Nigeria and are cited carefully here.

Nigeria as one of the present 193 Member States of the UN, must place greater emphasis on conflict prevention and see a key role for the UN in supporting and complementing its efforts. This is necessary for through a combination of analysis, early warning, rapid response and partnerships, the UN can help to defuse tensions in escalating crises and assist parties in resolving disputes peacefully.² What Nigeria needs now is not quiet diplomacy which certainly has not helped and may not help in the issue of Biafra. Preventive diplomacy is the answer as can be ascertained in the words of Ki-Moon concerning preventive diplomacy:

In the face of political tensions or escalating crises, preventive diplomacy is often one of the few options available, short of coercive measures, to preserve peace. It is also potentially a high-return investment. The biggest return comes in lives saved. However, prevention also makes strong economic sense.³

Based on academic research by scholars, and testimonies of private or track two diplomats, here I propose three solutions for the Nigerian situation: (i) Build and Strengthen Strong Democratic Institutions and Cultures, (ii) Restructure Federalism, (iii) Last Resort: Allow Biafra and other Agitating Regions to Go.

6.1 Build and Strengthen Democratic Institutions and Cultures

Nigeria is relatively a young democracy with approximately 18 years of uninterrupted democratic rule, that is, beginning from the fourth republic in 1999, excluding the years of military interregna and the first three republics.⁴ Nigeria was among the 106 countries that joined in the Warsaw (Poland) declaration on June 27, 2000, to form the Community of Democracies (CoD). Nigeria is currently among the 30-member states as principal decision-making body called the Governing Council (GC) of this international group. What this means is that Nigeria is committed to adhering to the Warsaw Declaration’s 19 core democratic principles and practices that form the foundation of the activities of this body. The first of these declarations is on electioneering processes and states:

The will of the people shall be the basis of the authority of government, as expressed by exercise of the

¹ Antonio Cassese, *International Law*, 324.

² See, S/2011/552 (26 August 2011), no. 2.

³ *Ibid.*, no. 8.

⁴ Even though Nigeria gained Independence from Great Britain on October 1, 1960, Nigeria remained within the political realm of the Commonwealth with Queen Elizabeth II as the titular head of state until the adoption of a new constitution in 1963 declaring the country a republic. The republics were: First Republic (1963-1966) when Nnamdi Azikiwe (1904-1996) was President, Second Republic (1979-1983) with Shehu Shagari as civilian president, Third Republic (1993) with Ernest Shonekan as Interim Head of State before he was overthrown, and Fourth Republic (1999-present) when Olusegun Obasanjo became civilian president.

right and civic duties of citizens to choose their representatives through regular, free and fair elections with universal and equal suffrage, open to multiple parties, conducted by secret ballot, monitored by independent electoral authorities, and free of fraud and intimidation.¹

On these democratic ideals, Nigeria is proud to have made landmark achievements. The last administration in April 2013 held a workshop in the country's capital Abuja with the theme "Strengthening Democratic Traditions and Institutions" highlighting its achievements and Challenges. Among its challenges, Nigeria's Independent National Electoral Commission (INEC) needs to be independent and impartial. Nigeria also needs to reform its judiciary to be self-determining and neutral. A well-functioning judiciary that respects the rule of law even has wide ramifications for Christian-Muslim relations in Nigeria. It is only an actively functional judiciary that can visibly show its capacity to restrain and punish the criminal aggressors and perpetrators of the incessant conflicts and their sponsors not minding whose ass is gored.² This also applies to investigating and prosecuting corruption; the Independent Corrupt Practices and Other Related Offenses Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC) – two agencies dedicated to doing this, however, should not be partisan with a selective justice for political opponents.

Apart from civil society and non-governmental organizations such as the Catholic Bishops Conference of Nigeria (CBCN) who have advised the government to take this reform action, John Paul II gave similar directives to the Ambassador of Nigeria at Rome, in 2004. While welcoming the ambassador, the Holy Father remarked thus:

Honesty in the supply of information, equity in legal systems, openness in democratic procedures gives citizens a sense of security, a readiness to settle controversies by peaceful means, and a desire for genuine and constructive dialogue, all of which constitute the true premises of a lasting peace.³

Other areas of reform include respect for human rights, allowing civil society, independent media, freedom of expression, transparency and accountability in government, security of lives and property. These areas including implementation of effective security sector reform programs, protection of civilians, meaningful progress in sustainable economic development and poverty eradication, as well as effective control of small arms, etc., the SC acknowledged have become important elements of conflict prevention especially in the context of Africa.⁴

6.2 Restructure Federalism

Nigeria being an amalgamation of several ethnic nationalities cannot survive with a unitary or just centralized federalism, rather decentralized federalism is the answer. The so-called The Unification Decree: No. 34 of 1966 of the Military Government has done no good to Nigeria. It is not as if federalism is a new phenomenon in Nigeria; it was the system adopted by the nationalists before and immediately after Independence and was working fine until the military intervened with the Aguiyi-Ironsi coup of 15 January 1966.

In March 2014 following the clamoring of so many Nigerians across the spectrum, President Goodluck Jonathan inaugurated the National Conference on the premise of indivisibility and indissolubility of Nigeria. Even though the decisions of that confab are yet to be implemented, among popular resolutions was the call for the six geopolitical zones of Nigeria to serve as federating units, put forward by the leaders of Ohaneze Ndigbo (from South East). This goes to point out that the agitation for Biafra is based on the disproportionate principle of federalism and lack of equity that constitute the status quo not merely on the desire to be independent. Other issues of popular relevance at the confab were resource control, principle of derivation in revenue sharing, state police, new state creation to ensure balance, etc. Indeed, the promotion of decentralization and regional development will go a long way to bring unity. The National Assembly (NASS) should consider it a sacred duty to implement some of the recommendations of this national dialogue, or call a fresh one, to assuage and pacify the agitations of different groups and nationalities in the country and thus ensure a unified and peaceful one Nigeria.

6.3 Last Resort: Allow Biafra and Other Agitating Regions to Go

Obviously, Nigeria would be better off to remain intact as the "giant of Africa" and the biggest black nation in the world and would have a lot more to gain economically and with clout in the global community. Prominent groups and individuals in Nigeria such as Wole Soyinka have voiced it unmistakably that a good Nigeria is better than a good Arewa, Oduduwa or Biafra. However, if a good Nigeria is hard to achieve, it could be sacrificed to a divided but peaceful, independent neighboring democracy. As the Organ with primary

¹ <http://www.community-democracies.org/values/warsaw-declaration/> (Accessed June 24, 2017).

² See, Ebuziem, *ibid.*, 310.

³ John Paul II, Address to the Ambassador of Nigeria, Rome, May 27, 2004; L'Osservatore Romano, Weekly Edition in English (June 16, 2004). See, Ebuziem, *ibid.*, 311.

⁴ See, (S/PRST 2010/14), no. 2.

responsibility for the maintenance of international peace and security, the SC may not wait for the member state (Nigeria) to meet it with potentially and often active threats to international peace and security (Article 35 of the Charter). The SC, or the Secretary-General (under Article 99 of the Charter) bearing in mind Articles 33 and 34 of the Charter and for the sake of preventive diplomacy should not delay in wading into the Nigerian case. For example, at the fifty years remembrance of Biafra on May 30, 2017, the new agitator organizations - MASSOB and IPOB urged for a sit at home order on that day in the old Biafran states which was judged to be successful. Sequel to this on 6 June 2017, a coalition body of northern youths known as Arewa Youth Consultative Forum issued an ultimatum to Igbo indigenes living in the northern states to quit on or before October 1, 2017. Since then, Nigeria seems to have been more divided than before despite the interventions of the vice President Osinbajo to quell the heated polity. Recently, after the return of Nigerian President, Buhari from over one hundred days sick leave in London, the Nigerian government became high handed in clamping down the agitation by the IPOB, using the Nigerian military. This, as many observers have voiced, will not solve the problem; instead, it will exacerbate it.

Observers will believe with me that the Nigeria situation has gone beyond preventive diplomacy to credible third-party mediation phase. Even at that, the best time to provide third-party mediation for Nigeria and Biafra is now. Ki-Moon as UN Secretary-General in Report S/2009/189 hints about resolving disputes via mediation promptly:

The most favorable time to resolve disputes is at an early stage before they turn into violent conflict - when issues are less complicated; parties fewer; positions less hardened; relationships less damaged; and emotions more contained. When the threshold of armed conflict is crossed, the ensuing violence transforms the dynamic as loss of life and property and dramatically increases grievances on all sides.¹

Left to the Nigerian government alone the matter of Biafra or others agitating for secession may not be presented to any international, regional or sub-regional organ entrusted with the power to mediate. Thus, I plead with the SC to take a more proactive approach to preventive diplomacy and consider the Biafra issue. At least the council can recommend the use of political missions and good offices for mediation initiatives with a possible result of calling for Biafra Independence Referendum. In the same vein, the UN Secretary-General can use his good offices including the use of special envoys and shuttle diplomacy to weigh in. This would be in line with the affirmation by the Nigerian presidency at the UNSC that “the Council notes the importance of creating and maintaining peace through inclusive dialogue, reconciliation, and reintegration.”²

Intervention at the regional level of Africa will also prove profitable. Here we recall that the SC encourages the development of peaceful settlement of local disputes through regional arrangements by Chapter VIII of the UN Charter and reiterates its support for the regional and sub-regional organizations.³ From the idea of United States of Africa conceived at the fifth Pan-African Conference in Manchester (1945), the Organization of African Unity (OAU) was rather born on May 25, 1963, with its capital at Addis Ababa, Ethiopia. In 2002 OAU was renamed African Union (AU). Since then African states have made progress in uniting for their common cause in the global community. Meanwhile, whereas the global community champions the customary international law principle of non-interference (sovereignty, equality, territorial integrity), AU has allowed the principle of “non-indifference” to supersede. This is a signal that the AU can intervene in troubled spots within the African member states. As Ki-Moon noted, many sub-regional organizations in Africa either anticipated or followed the new stance (non -indifference).⁴ I have noted already that Nigeria has taken a leading and major role in the ECOWAS. Albeit, apart from ECOMOG which is a peacekeeping force, there are other structures of the ECOWAS such as the Council of the Wise, and various roving and track two diplomats that are at the disposal of the member states which Nigeria can benefit from.

It is essential here that the international community speak with one voice and reach out to those who have the power to settle and implement agreements. Therefore, the issue of legitimate representation is crucial in peacebuilding and preventive diplomacy.⁵ While the emphasis here is on intervention at an early stage of the development of a crisis, any peace treaty must be monitored as it is being implemented by offering a hand and giving a concrete support to the parties involved at every step of the process.⁶

7. Conclusion

Nigeria’s situation in some respect is like Yugoslavia in the early 1990s where economic decline and political

¹ UNSC, *Report of the Secretary General on Enhancing Mediation and its Support Activities*, S/2009/189 (8 April 2009): no. 10.

² (S/PRST 2010/14): 1.

³ *Ibid.*, 2.

⁴ *Ibid.*, 5.

⁵ See, Martti Ahtisaari, “The Role of Inter-Governmental, State and Non-Governmental Players in Conflict Resolution,” Lecture at London School of Economics (October 29, 2007), 6

⁶ *Ibid.*, 7.

conflict helped produce growing uncertainty and insecurity among the nation's population, thus laying the foundation for ethnic scapegoating and nationalist appeal.¹ The resultant effect was the disintegration of the six republics of Yugoslavia as independent nations, including today Kosovo which holds an observer status at the UN. It was the international legal principle of self-determination which provided the legal tool and benchmarks for establishing the responsibilities of both parent nation and the seceding nationalities for independence. The same paradigm may also work in Nigeria assuming all the provisions to keep living in peace as one undivided Nigeria fail. In the post-Soviet Union and post-Yugoslav era, and with the shift in the application of the international law regarding self-determination – from “national self-determination” to “self-determination of peoples,” the Biafra case within the international community is not a Herculean task. It is also true when viewed in line with AU's greater emphasis on the principle of “non-indifference.” We must keep in mind here that separation from or dismemberment of Nigeria does not mean the cessation of Nigeria. Under international law Nigeria would continue as a state, albeit territorially reduced, with its international rights and obligations intact. As for the seceding territory, it would in most cases, commence international life free from the treaty rights and obligations applicable to its former sovereign.²

Nigeria disintegrating would not mean that peace has been thrown out of the window; peace remains the vehicle for the thriving of the would be independent nations but at another level of the concentric circle. Nigeria's indigenous tribal cultures are autochthonously peaceful. In other words, every tribe in Nigeria is ontologically predisposed to peace. This is to say, peace is not foreign or alien to the more than 250 tribes, languages and cultural groupings in Nigeria. Let us give examples with the three major ethnic groups in Nigeria: Yoruba, Hausa, and Igbo. The Yoruba have the notion of “Alafia” – general wellbeing. In this context, *Alafia* as a word of Arabic origin introduced through Muslim channels, was well naturalized in Yorubaland by the nineteenth century, probably more by Christian Pentecostalism than by Salafism. It has a similarity with *lafiya*, Hausa for “health,” although the Yoruba form probably came through Songhai rather than Hausaland.³ In Igbo, “Udo” – peace, has the same connotation of “peacemakers” of the biblical beatitude: “Blessed are the peacemakers for they shall be called children of God” (Matthew 5:9). Most common names such as *Udochukwu* “God's peace,” *Udodiri* “Let there be peace,” *Udokamma*, “Peace is better” etc. depict this understanding.

Thus, regarding Nigeria, whether choosing to reform its democratic principles and federalism or letting the agitating nationalities go - for the sake of peace, the time to act is now bearing in mind that timing is everything in preventive diplomacy. Hence, I call on the international community to intervene timely and robustly using all its tools for preventive diplomacy within the normative standards of the UN Charter and public international law, as highlighted in this article. This would mean that intense collaboration of the UN, regional and sub-regional organizations like the AU and ECOWAS respectively, as well as individual governments, civil liberties organizations and NGOs is highly essential.

Cajetan Ebuziem, a Roman Catholic Priest from Okigwe Diocese, Nigeria, is Adjunct Professor of Philosophy, Theology and Interfaith Studies, EUCLID (Euclid University). He holds, Ph.D. in Interreligious Dialogue and Diplomacy from Euclid University (2017); Doctor of Ministry (D.MIN.) from Catholic Theological Union at Chicago (2007); Bachelor of Sacred Theology (B.D) from Urban University, Rome (1996); and Bachelor of Philosophy (B.PHIL.) from Urban University, Rome (1991). He is a researcher/scholar member of the Academic Council of the United Nations System (ACUNS) and a member of World Congress of Faiths, London, UK.

¹ See, Kikkawa Gen, *ibid.*, 24.

² See, Malcolm N. Shaw's *International Law*, seventh edition (United Kingdom: Cambridge University Press, 2014), 706.

³ See, J. D. Y. Peel, *Religious Encounter and the Making of the Yoruba* (Bloomington, Indiana: Indiana University Press, 2000), 196, 279.