

IN DEFENSE OF A DIALOGICAL RESOLUTION OF THE BIAFRAN CRISIS

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Abstract

Nigeria and its eastern secessionist province of Biafra fought a brutal civil war that lasted from 1967 to 1970. In the issuing carnage that characterize the conflict, the international community operating under its hallowed principle of noninterference, stood idly in the face of one of the greatest killings and humanitarian crisis originating from Africa. The war was only brought to an end when Nigeria, supported militarily by Britain and Russia decisively defeated Biafra in the battlefield. The resurgence in recent years of the agitation for the restoration of the sovereign state of Biafra spearheaded by the Nnamdi Kanu led Indigenous People of Biafra (IPOB) and the ongoing skirmishes between members of the group and Nigerian security agents have sparked concerns that Nigeria may be descending into another round of secessionist war. This in turn has attracted interventions from scholars especially on how the current crisis can be resolved peacefully. The interventions so far have focused on whether there is or not the right for Biafran secession in current international law and moral philosophy with Biafran protagonists claiming there is, and the antagonist arguing there is not. Using the dialogical method, this study argues that current theorizations on Biafra gravitate agitators towards violent confrontation and provokes repressive reactions from the Federal Government of Nigeria (FGN) and therefore not good for a peaceful resolution of the crisis. The study proposed the application of the dialogic method which treats the crisis as a conflict between two legitimate right claims that needs to be resolved dialogically as a better, more peaceful and rational way of solving the crisis.

Keywords: dialogic method, Biafran agitators, self-determination (SD), state Sovereignty (SS) secession, Federal Government of Nigeria (FGN), Indigenous People of Biafra (IPOB).

Introduction

Much has been written on the Nigerian Civil War – much more than on most other conflicts in postcolonial Africa. Yet sound scholarship – in terms of how the war would have been avoided and should be resolved - remains scarce. There is still a vivid debate on the war within Nigeria. This debate, kept alive by the continuing contemporary relevance of the issues at stake – not least the resurgent of Biafran secessionism – also spawns a steady output of historical accounts of the conflict. Much of this scholarship, often penned by scholars with an Eastern Nigerian background and their opponents from the Northern and South Western Nigeria, is both staunchly pro-Biafra and anti-Biafra respectively. On the one hand, a major impetus of the pro-Biafran literature on the conflict is to resuscitate the genocide allegations, and provide Biafra's bid for SD with historical and scholarly substance. On the other hand, what generally motivates the anti-Biafran literature is to refute the Igbo claim of marginalization and in so doing discourage the breaking up of Nigeria.

Monographs and other book length accounts have also been written by non-Nigerians. Western journalists published book-length accounts during and shortly after the conflict, which, in spite of their often flimsy empirical basis, remain useful as narrative accounts, in particular John de St. Jorre's (1972) political and diplomatic history of the war. Within roughly the first decade after its end, a handful of political scientists and historians – some of whom, for different reasons, had witnessed the conflict first-hand – ventured to put scholarship on the conflict on more solid footing. These works have, to a large degree, set the standard that still remains today (Heerten, 2017, p. 12). However, since they were writing so soon after the conflict, the authors were not able to consult archival sources, and also did not have the advantages of an ex-post perspective.

Most of the studies following thereafter neither substantially enlarge the understanding of the civil war nor substantially proposed a remedy to prevent reoccurrence. Two of the most recent additions to the literature, Chinua Achebe's (2012) *There Was a Country* and Michael Gould's *Struggle for Modern Nigeria*, are both limited by the unresolved relationship between history and memory. The noted Nigerian novelist Achebe, dedicated to Biafran independence during the conflict, mixes the genres of memoir and scholarly history in his insightful but rather partisan personal perspective on the war. Gould's (2012) monograph primarily rests on interviews with a number of the conflict's protagonists. This provides for some interesting insights, but, unfortunately, Gould does not use these sources to develop a fully-fledged philosophical analysis in his otherwise useful study.

However, the intention of this paper is not to fill up the gaps in extant scholarship pointed out here or to engage in finger painting and name calling that characterize the pro and anti-Biafran scholarships but to show how the current resurged Biafran agitation can be resolved and in so doing underline the advantage of the dialogic method in resolving conflicts in a multi-ethnic country like Nigeria. Based on this, the brief history of Biafra presented in the next subsection is very sketchy. The aim is to create a background for the analysis that follows immediately after. Consequently, the current study is motivated by at least three reasons:

- a) Biafra is the first large-scale post-colonial secessionist war and therefore serves as the best example to test the non-interference policy of the international community and the dialogic model
- b) Also, the resurgence of the Biafran struggle in recent years has led to so many deaths and destructions in Southeast Nigeria making finding a peaceful resolution to the crisis an urgent task for all the parties involved, but especially for the Southeast which is bearing the brunt of the insecurity
- c) And most importantly, the amount of killings and suffering incurred during Biafra underscores the urgency of why a second Biafra should not only not be allowed but why all hands must be on deck towards finding a peaceful resolution to the crisis. As famed British photojournalist Don McCullin (1990, p. 122) later recalled, what he had to witness in Biafra differed widely from what he had experienced in Vietnam, the Congo or any other conflict he had covered before. In the mission stations of Biafra, he saw the "horrors that were to leave the most enduring impression on my mind... – the orphaned and abandoned children of Biafra." The humanitarian crisis area was no place for adventure, no "stage for heroism." This experience completely changed his "attitude to warfare." McCullin, (1994, p. 78) as he wrote, "lost all interest in photographing soldiers in action and wanted only to show the world the results of man's inhumanity to man." Years later, the photographer still wished to "demolish the memory of it" but could not leave these gruesome sights behind (McCullin,

1990, p. 124). Neither could his colleague Stuart Heydinger. No less seasoned than McCullin, after his assignment for the Daily Telegraph Magazine in Biafra, he decided that he would never again report from such crisis areas (cited in Heerten, 2017, p. 6). McCullin (1990) drew different conclusions. Making this pain visible was the photographer's task:

Like the memories of those haunting pictures of the Nazi death camps, we cannot, must not be allowed to forget the appalling things we are all capable of doing to our fellow human beings (p. 124).

Therefore, like every Jew would say concerning the Holocaust, “never again”, it is the responsibility of every Nigerian, particularly, the Igbo man to say, “never again” to any second Biafra and the purpose of this work is to make that “never again” a passionate and rational plea for de-escalation and a negotiated resolution of Biafra. The study has four sections. The current section is the introductory section and the second section use a brief profile of Biafra to create a background for the study. The third section will explore the possibility of resolving the Biafran crisis both in current international law and moral philosophy. The fourth section, the crux of the study examines the crisis within the dialogical model. The intension is to highlight the advantages of the dialogic model over the legal and moral models currently on offer. The fifth section, the evaluation and conclusion is a passionate plea for a dialogical approach to resolve the Biafran crisis.

Brief History of Biafra

The British administration amalgamated the Protectorates of Northern and Southern Nigeria, two previously separately-administered territories, into one colonial state on January 1, 1914. In 1939, British governor Arthur Richards further divided the southern territory into the Eastern and Western group of provinces, following what he regarded as the “natural divisions.” Thus, at the eve of its independence from colonialism, Nigeria was an unlikely nation of three regions controlled by three major ethnic groups, and each competing with and resentful of another—the Northern region controlled by ethnic Hausa, predominantly Muslims, the Western region ethnic Yoruba and the Eastern region ethnic Igbo, both predominantly Christians. Hence, Fearon and Laitin (2006, p. 6) are right when they observed that:

Nigeria has had an unusual susceptibility to civil war – most populous country in Africa, one of the most diverse countries of the world (both in ethnicity and religion) and with a substantial proportion of its export earnings from crude oil.

According to them, these are some of the indicators that determine if a country would go into a civil war in a particular period of time, specifically during the earliest period of independence years (1-4years). Hence, the Nigeria civil war (1967-1970) didn't in any way came as a surprise because the possibilities of a civil war onset had been with the Nigeria state since independence or amalgamation of 1914.

Although the Igbo were the most vocal and active group in securing Nigeria's independence from Britain, the first election after independence saw the northern politician Abubakar Tafawa Balewa rise to become the first prime minister of the decolonized Nigeria, thanks to the introduction of democratic election, and to the deft manipulation of the British government, in handing over Nigeria to “its compliant friends in Northern Nigeria” (Achebe, 2012, p. 50). His regime exacerbated the existing political regionalism and failed to bring to fruition the idea of

“one Nigeria” trumpeted by Igbo leaders and intellectuals at the eve of the independence. Rampant corruption within the Nigerian government incited some military officers, majority of them from the Eastern Region and Igbos to lead a coup in January 1966, usually referred to as the “Igbo coup.” This provoked a counter-coup in May of the same year, which escalated into a full-blown massacre of easterners, particularly ethnic Igbos in the Northern region. After many easterners fled back to their ancient land in the Eastern region to avoid ethnic slaughter, prominent politicians, intellectuals and middle-class citizens among them aspired to establish their own country in the Eastern Region. The Republic of Biafra declared its independence in May 1967, but, following a heavy onslaught from the Nigerian army and a total blockade, collapsed after three years of intense fighting, massive killings and untold destructions.

Therefore, the events that sparked the outbreak of the civil war could be located in a cobweb of factors ranging from the remote which includes but not limited to the military coup d’état of January 15 and the counter coup of July 29, 1966. Other remote factors are the regional election crisis in Western Nigeria in 1965; the Tiv riots of 1964; the Federal Elections of 1964; the killing of the Igbos living in Northern Nigeria from May to September 1966; the structural Imbalance of the Nigerian federation; and, most importantly, the asymmetrical distribution of power among the various ethnic and geopolitical groups (Ojo, p. 2009).

Since the end of Nigeria civil war, the Nigeria state has made series of efforts to promote national unity and nationalism. However, all these policies of FGN for national unity like the National Youth Service Corp, unity schools, federal character, National Sport Festival, Catchment Area etc. have little or no effect on national integration. The increasing rates of post-civil war ethno-religious violence, kidnapping, high rate of thievery, economic sabotage through pipeline vandalism, militancy, and terrorism have continued to threaten the corporate existence of Nigeria. Most recently, the agitation for the restoration of the sovereign state of Biafra has resurfaced and is escalating. The youth leading this agitation under the umbrella of IPOB have been insisting that it is either “Biafra or death” and so many have actually died in the past few years. The FG itself has consistently maintained that the country’s unity is not negotiable.

The non-negotiability of Nigeria unity was particularly stressed by the former president, Goodluck Jonathan during his opening speech at the 2014 confab as a “no go area.” The United Nations in its common country analysis for 2016 revealed a deeply divided society on the basis of plurality of ethnic, religious and regional identities and gloomy economic woes. Above all, with the current biting economic woes facing the country and the resurgence of Biafra, which has inspired secessionist agitations among other ethnic groups in Nigeria, including the Yoruba nation, many analysts fear that Nigeria more than ever is faced with the prospect of violent disintegration (Opejobi, 2016). It is therefore imperative to consider whether the dialogic method has the capacity to solve the problem of Biafra which many analysts believe is at the root of Nigeria’s other problems.

Biafra in Current International Law

The root of the Biafran crisis is secession. In order words, Biafran agitators want to break away from Nigeria to form their own independent country with the name Biafra. While the agitators have consistently claimed that their demand is sanctioned by international law which codified the right of a people to freely determine their political, economic and cultural future without interference, the FGN has as well been insistent that such right is prohibited by international law which forbid any attempt to either internally or externally infringe on or balkanize the

territorial integrity of a sovereign state. In other words, there is tension in international law between the right to secession and the right to prevent secession.

For instance, the opening paragraph of the Charter of the United Nations (UN) 1(2) stipulated that the purposes of the UN is:

...to develop friendly relations among nations based on respect for the principle of equal rights and self-determination [right to secession] of peoples, and to take other appropriate measures to strengthen universal peace.

However, the clause was immediately counterbalanced in Articles 2(4) and 2(7). Article 2(4) states:

All Member states 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 of the United Nations.

And Article 2(7) of the “Purposes and Principles” of the Charter of the UN states that:

...nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter.

The UN Declaration on the Granting of Independence to Colonial Territories and Peoples (1960) also reflects the same tension. The Resolution while declaring that “The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental rights...” affirms the legal status of SD by declaring that “all peoples have the right to [SD]; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.” Here again the right to SD for ‘all people’ was limited by the so-called Salt-Water theory provided for in paragraph 6 of the resolution, which prevents the dismemberment of colonial territories by colonial powers prior to independence. The paragraph states that:

...any attempt aimed at partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.

The consequence of this conflict between the rights to SD and SS in international law is that the international community overtime adopted the practice of noninterference or neutrality in secessionist wars. By this stance, the international community considers every conflict of secession an internal affair of the country in question and forbids other countries from interfering as the interference would amount to undermining the territorial sovereignty of the state.

Biafra is a good example of the ineffectiveness and failure of current international law to resolve the conflict of secession. In current international law, Biafra is an internal problem of Nigeria and other states are prohibited from getting involved following articles 2(7) and 2(4)

of the UN-Charter as doing that would amount to violating the sovereignty of Nigeria. This was exactly the approach of the UN both during the Nigerian civil war and other wars of secession.

For example, when the mineral rich province of Katanga declared its independence from the decolonizing Congo in 1960, just when the UN was shaping up the 1960 Declaration to grant “colonial peoples” their right to SD. The UN reacted by first ignoring the Katanga crisis and admitting “the Republic of Congo to membership in the UN as a unit” through Resolution S/4405 (1961). When the situation deteriorated, the UN Security Council (UNSC) passed another resolution that reaffirmed “the territorial integrity and political independence of the Republic of the Congo” and “completely rejected the claim that Katanga is a sovereign independent nation.” UN troops subsequently were deployed to Congo and eventually helped the Congolese government defeat the Katangese secessionist forces. As Catherine Hoskyns (1965, p. 445) points out:

From a legal point of view, the most striking aspect of this resolution was its condemnation not just of external aid to secession, but of secession itself, and it is especially so since these resolutions and UN actions happened during a time when the global political atmosphere was particularly friendly to the right of [SD].

However, according to Pei-Ling Hu (2014, pp. 48-49) after its handling of the Katanga crisis was much criticized, the UNSC remained silent when, seven years later, the Nigerian Army waged a brutal war against the breakaway Republic of Biafra. This non-intervention stance adhering strictly to Articles 2(4) and 2(7) of the Charter becomes the standard reaction of the UN towards postcolonial secession, and the Katanga secession remains the only secession crisis into which the UN has intervened militarily.

Obviously, this approach did not lead to a peaceful resolution of the conflict. It rather led to escalation and more deaths on both side, particularly on the Biafran side. Many other instances handled by the UN the way Biafra was handled led to similar outcome: chaos and avoidable deaths. This serves to make the case that an issue as serious and dangerous as secession should not be left unregulated or to be resolved by brute force. The Biafra war was eventually resolved and the massacre brought to a decisive end not through a peaceful resolution but because Biafra was militarily defeated. The present IPOB led agitation is the fruit of that lack of peaceful resolution and there is real fear that Nigeria may again descend into another civil war to resolve what was left unresolved in Biafra. A classic case to support this fear is the Sudanese civil wars. Here is how Joshua Castellino (2011, pp. 99-100) captures it:

And the only principle that determines the right to secession for decolonized sub-state peoples, and the legitimacy of their peoplehood and statehood remains the winner’s principle. Those that manage to win the secession wars would most likely attain legality. This explains why 16 years of the first civil war and 22 years of the second civil war failed to bring the crisis in Sudan to a conclusion—no winner emerged clearly in either of these two wars, unlike the secessionist conflicts between Bangladesh and Pakistan, Tamil Eelam and Sri Lanka or between Biafra and Nigeria. However, the case of South Sudan became a new paradigm of successful post-decolonization secession, following the Bangladesh success almost 60 years ago, when it finally gained its independence

through peaceful means in 2011. Unlike Bangladesh's success, which was due to military victory, South Sudan attained its independence as a result of an unprecedented referendum on secession monitored by members of the international community.

Biafra, International Law and the Principle of Effectiveness

The potential to violence of current international practice is very symbolic for the Biafran war and needs to be probed a little further here. In his case study on the Biafran (1967-1970) and Bangladesh (1971) secessions, Joshua Castellino argues that the fact that Biafra lost the secessionist war to Nigeria and failed to gain international recognition for its statehood, while just one year later, Bangladesh won the war and earned its independence, points to one hidden principle for successful secession and state creation outside of the decolonization context: "a separatist movement must defend itself successfully against adverse force, if it is to stake a claim to recognition as a state." This suggests that "the outcome of secessionist conflict is primarily determined by the effectiveness of force" (p. 100).

Although the Republic of Biafra gained recognition from Gabon (1968), Haiti (1969), Ivory Coast (1968), Tanzania (1968) and Zambia (1968), as well as moral support from France, this international support took place before a Biafran victory was foreseeable and could not facilitate a victory that the Biafrans could not win by themselves. Similarly, although India's formal recognition of the state of Bangladesh right before its victory over Pakistan (1971) may have influenced the reaction of the international community as a whole to the Bangla cause, it is arguable that without a clear victory, Bangladesh would not have gained legality for their statehood. This hidden winner's principle was made clear in these three earliest post-decolonization secessions. In the Katanga/Congo secession, the UN sent troops to help a postcolonial government defeat the secessionist forces, bringing the secession crisis to an end. In the Biafra/Nigeria secession, international recognition did not matter and a proposal for an UN-administered plebiscite was not accepted. The secession only ended when one side emerged as a clear winner. In the Bangladesh/Pakistan secession, a new state was finally recognized because the breakaway people managed to win the war. These results would affect the course subsequent secessionist conflicts take in postcolonial regions; the effectiveness of force would be the only determining factor for decades to come until an unprecedented referendum decided the independence of South Sudan in 2011.

The clear deduction from this analysis is that each party to the secessionist struggle is pushed by the current international stance, to a position where it is left with just one option, to win the war by all means necessary. For instance, at the height of the conflict, Nnamdi Azikiwe (cited in Achebe, 2012, p. 215), the former president of Nigeria, presented a 14-point peace plan to the UN and the FGN, which proposed

...(4) "official assurance from Biafra of its unqualified acceptance of the principle of the creation of states, provided it accords with the wishes of 60 percent of the inhabitants of the area or areas concerned"; and (5) a UN administered plebiscite in the war zones on whether Nigeria should remain united or Biafra become an independent country.

This proposal was out rightly rejected by the FGN the very next day and nothing was done about it by the international community. Biafra therefore did not have other options now, except winning the war. It is little wonder that many Biafran writers are embittered by the non-reaction

of the international community towards the suffering of the Biafran people. Achebe has several sections and passages on the indifferent and inaction of the international agencies in *There Was a Country*. In his interview with *Transaction*, he also publicly condemned Britain for aiding the Nigerian government by providing them with arms, ignoring the accusation of a genocide on the Igbos, and for silently sanctioning Nigeria's total blockade on Biafra. Pei-Ling Hu quoting Chimamanda Adichie (2014, p. 65), made this point very poignantly:

From this moment on, all the major Igbo characters in the novel, including a very motivated Olanna, threw themselves into the 'win-the-war efforts', realizing, from the ineffectiveness and inaction of international agencies, that Biafra would win, because Biafra had to win.

A number of questions arise at this stage. The Biafran war ended because Biafra was decisively defeated by Nigeria, what if Biafra was not defeated, would the killings have been allowed to go on indefinitely? What if the whole country was engulfed in an inferno of the war sending off streams of over 150 million Nigerians as refugees into and destabilizing neighboring countries? Would the international community still have regarded the conflict as an internal Nigerian affair? If the international community had gotten involved what would have been the nature of the involvement and whose side would it have taken and what would have been the consequence of such involvement: peace or more killings?

History has it that during the war, the Great Britain and the Union of Soviet Socialist Republic (USSR) supported FGN.⁸² They supplied Nigeria with weapons including fighter jets flown by Russian and Egyptian pilots. The only global power sympathetic to Biafra was France and even at that, the French did not get directly involved in order not to violate article 2(7) of the UN-Charter. What if France had gotten directly involved or had supplied enough weapons to Biafra to sustain the war? Similar questions were raised by Pei-Ling Hu, who acknowledged that France was sympathetic to the cause and provided arms to the Biafrans through Gabon and Ivory Coast but still insists that the moral support expressed by the French President, Charles de Gaulle virtually did nothing but reconfirm the dominance of Article 2(7) over human rights concerns or humanitarian sympathy:

She [France] has not performed the act which, to her, would be decisive, of recognizing the Biafran Republic, because she regards the gestation of Africa as a matter for the Africans first and foremost. [...] This means that, where France is concerned, the decision which has not been taken is not ruled out for the future (French Embassy, London, 1968)

Hence, had France offered active assistance (like India did to Bangladeshi) and formal recognition, it is hard to predict what the outcome of the Biafran war would have been. Therefore:

Whether or not a breakaway state can earn its legality simply through the recognition of a significant member of the international community may not be conclusive. In other words, whether it was India or the effective timing of recognition that brought Bangladesh to its final success, or whether it was the lack of the French support or the premature recognition from other African countries that brought defeat to Biafra, is a question hard to answer. Yet it remains clear that, as far as the practice of the [UN] is concerned, a breakaway state can only

and will surely gain effective recognition if and when it first wins the secessionist war (Pei-Ling Hu, 2014, p.19)

These issues are raised not to judge or condemn the actors and their roles in that conflict but to expose the inadequacies of current position of the international community on conflicts of secession and these are justifiable reasons to argue that the current global system is not conducive for peace.

Biafra in Current Moral Philosophy

The question moral theorists grapple with when they treat the issue of secession is, under what condition is it morally right for a group to secede? (Malavolti, 2016). Attempts to address this question has led to two major theories of secession: the Remedial Right Only (RRO) or just cause theories and the Primary Right (PR) or choice theories. As the name implies, just cause theory in its various forms prioritizes SS over SD, allowing secession only as a remedy of last resort for persistent and serious injustices. That is, for the proponents of this theory, SD can be justified as a response to grave injustice and only when other options have been tried and failed. The theory is philosophically based on the teleological understanding of political legitimacy or the Lockean right of revolution which justifies state legitimacy based on the functions it performs, like security, etc., such that when the state fails to perform these functions, it automatically loses its sovereignty and the people's right to SD is activated.

Contrarily, the PR theory prioritizes SD over SS and allows secession whether there is an injustice or not. The PR theory is based on the consent theory of political obligation under which a state gains its legitimacy from the consent of the governed and loses it upon the withdrawal. PR theorists believe that SS is lost once a concentrated people inhabiting a part of a state decide through plebiscite to withdraw their consent from the state.

Like the legal theories, the moral theories are not helpful either in resolving the Biafran crisis. For instance while the PR theory, which is based on the power of consent and thereby satisfies the demand for freedom will definitely be accepted by Biafran agitators, it does not take into cognizance, the right of SS and will definitely be rejected by the FGN. Outside this likely lack of acceptability by the FGN, there is the potential that it will lead to the eternal balkanization of Nigeria. This is because if the Southeast, predominantly Igbo secedes from Nigeria as Biafra, there is the likelihood that it will inspire other parts of the country with ethnically concentrated people such as the Yoruba in the Southwest, the Tivs in North Central, Ijaws in South-South, etc., to go for secession. Obviously, there is little doubt that this will lead to the slippery slope argument for which the PR theory is condemned as too permissive by many scholars. This case was made by Raju G. C. Thomas (2003, p. 17) in his analysis of the controversial secession of Kosovo from Serbia. He argues that:

Where the territorial integrity of the state is violated and territorial secessions are encouraged, it leads to more demands by other ethnic or ideological groups for the same right of secession leading to more violence. Thus, the concern arises that once the sovereignty of a state is violated, manipulation of the system by groups seeking secession becomes a grave possibility.

The struggle to avoid this possible scenario will likely make the stakes high for the FGN and lead it to react more forcefully and violently to resist secession. Thus, it is possible and many have speculated it, that the reason why the FGN resists Biafran secession might not be directly

connected to the fact that it does not want the Southeast's exit from Nigeria but primarily because of the possible ripple effect that will have on the staying together of the other parts of the country (Fearon, & Laitin, 2006).

Concerning the just cause theory, while some scholars have claimed that Biafra has met the just cause demand following the pogrom that led to the civil war, the estimated over 3 million people, especially women and children that perished during the war, and the claimed consistent marginalization of the region after the war (Okonta, 2014, pp. 355–78) the threshold of what qualified as a just cause is still widely debated within the academic circle. In fact, there are many scholars - and this seem to be the consensus – who claim that Biafra does not meet the threshold for just cause (Heerten, 2017, p. 6). While the debate on whether Biafra met the threshold of just cause/remedial secession or not is important and demands scholarly attention, that argument will not be pursued further here because the validity of the argument developed in this study does not depend on the validity of the just cause theory. The purpose of bringing the issue up here is to show the difficulties in establishing a just cause for SD. Nevertheless, the major aim of bringing the just cause theory up here is to point out its major defect which the dialogical model is meant to correct. This major problem is that the theory incentivizes violence by encouraging rebel groups to undertake very risky measures in order to meet the threshold for just cause. Overall, the current international law and moral theorizings are remarkably inadequate to deal with the Biafran crisis.

Biafra and the Dialogical Model

The dialogics has been applied to the understanding of language by Mikhail Bakhtin, for understanding social crisis by Lorain Easily; for educational engagement by Paulo Freire, and leadership conflicts management by William Isaacs. Nevertheless, the version of the method applied here is the version developed by Ike Odimegwu. He (2024, p. 5) defined dialogics as:

...the art (creative engagement of dialogue that navigates the areas of disagreement like the snail navigates the sharp tongues of thorns) and science (the systematic engagement on issues that makes outcomes predictable) of dialogue, the mode of existence characterized by relatedness and communality of being. It is the method of knowing, conversation and negotiation that grows by mutual acceptance and understanding.

According to him, the dialogic method is used in situations that involve conflicts of genuine interests and require dialogue to enable the parties involved to clarify their positions, understand the positions of the other parties; and generally, seek for ways of reconciling these positions. The dialogic method operates in four stages/steps using eight principles and three tools. However, there is an interconnection between these various elements of the dialogic and thus for our purpose here only the four stages/steps are explained and applied.

Understanding the Nigerian-Biafran Conflict within the Dialogic Method

The sticking point in any secessionist conflict is the relationship between SD and SS. As seen above the inadequacy of both current legal and moral theories is that they are either neutral or prioritize the right of one party to the conflict over the other. This presentation is what leads to conflict. Contrarily, the dialogic method sees the two rights as legitimate right claims that can only be resolved through negotiation. Thus, unlike the current legal formulations aimed at solving the problem and which treat the problem as a zero sum game, the dialogic system does not treat the crisis as a win-loss competition but as a win-win dialogical process. This

distinction is very important because on it lies the major difference between the dialogic model and the other models. Additionally, the dialogic model does not see the Biafran crisis as an internal affairs of Nigeria. It recognizes the parties to the dispute not just as Nigerians but the Nigerian neighbors and the entire international community that will be affected by the secession as parties to the dispute. Since, these parties are involved, their interests must be factored in the resolution.

Also one of the challenges faced by the current model is the debate on the existence and non-existence of the right to SD. One of the motivating factors for this debate is the attempt by each of the two interest's groups to discredit the interests of their opponents. This motivation is invalidated within the dialogic process which recognizes both Biafra's right to secession and Nigeria's right to sovereignty as fundamental rights. Thus, in the dialogic model, the two principles are fundamental and cannot nullify each other but can coexist through dialogue.

Biafran Crisis and the Four Steps of the Dialogic Model

Once it is established that the Biafran crisis is a conflict of right that has to be resolved dialogically, the next questions become who should initiate the dialogue; who are the parties to the dialogue and who should moderate the dialogue? The parties to the dialogue are principally, the Biafran agitators, the FGN and the international community represented by either the ICJ or any other organ of the UN legally mandated to do so. Who to initiate the dialogue should not be legally streamlined as any of the parties can, but it is expected, just like in a normal court process, that the wronged party should be the one to initiate the process. In other words, the Biafra separatists should under normal circumstances initiate the process which would involve going to the ICJ to officially notify of their desire to exit Nigeria. The role of each party in the dialogue will vary according to the extent of its involvement which means that the UN hosting the dialogue will majorly play the role of moderation while encouraging the parties to make concessions. Nevertheless, being a party to the judicial process, the UN should also be able to make contributions, especially on those issues that concern regional and global peace. The form the dialogue would take is outlined below using the four dialogical steps.

According to Odimegwu and Ogugua (2024):

In the framework of the dialogic method, human existence, conversations, negotiations, knowledge and understanding generally progress in four dialogic steps or stages: thesis, entesis, prothesis and synthesis.

Hence, unlike dialectics which progresses in three stages of thesis, antithesis and synthesis, the dialogic progresses in four stages of thesis, entesis, prothesis and synthesis. These four stages will now be examined to see how they can be used to develop an international framework for resolving the Biafran crisis.

Thesis: The thesis refers to the original stance that everyone brings to a negotiation or the initial disposition of the self in the approach of selves in relation. In the context of the Biafran Crisis, the thesis would refer to the original position that both the Biafrans and the FGN bring to the conversation on the question of secession. Outwardly, these positions may appear irreconcilable – one group wants to secede and the other group does not want it to secede, through dialogue both parties would discover that there are areas of agreement. It will take dialogue and passing through the remaining three stages for them to realize that their positions are not as dichotomous as they initially assumed.

Enthesis: The entesis is the birth of a new event or the projection of every self of its own self or position. In other words, the actual dialogue or discussion begins at this stage. It is the stage that the Biafran agitators and the FGN encounters and begins to present and evaluate each other's proposals.

Prothesis: The prothesis results from the dialogue of selves and the projection towards a common thesis. It is a point of the crosspollination of values and ideas. Hence, at this stage, there is shifting grounds and moving towards one's opponent so that both can find common ground in the middle. At this stage, the Biafran agitators are no longer bent on breaking up Nigeria but on a possible arrangement that will bring about a better off situation for everybody involved. The FGN itself, is no longer so determined in preventing the secessionists from seceding but on an arrangement that leads to peace and beneficial to all parties.

Somehow, all the parties to the dispute begins to see at this stage that they are actually pursuing the same goal all along without realizing it. For instance, the interest of FGN is to maintain its sovereignty but it must be noted that sovereignty is not an end in itself. Territorial sovereignty is desired for some other interests which may include economic viability, military viability, etc. On the side of the Biafran agitators, the usual interest is freedom or independence but this also is not an end in itself. It is a value desired because it gives access to other values, which may be economic, cultural and religious in nature. Also, the interest of the international community is to have a peaceful and stable world. Having a peaceful and stable world also is a goal that is pursued to achieve other desirables such as economic viability, cultural and technological development, etc., and these are desired again, in order to achieve peace such that in the final analysis, the interests of all the parties concerned are not mutually exclusive but inclusive. Thus, it will be surprising for each of the parties to realize that their interests are not as conflictual as they appear on face value but are actually interconnected. This is then why each of the parties, at the first step, needs to define its interest before going into the dialogue.

Synthesis: The synthesis is the point of agreement or the mutual integration of selves achieved through mutual recognitions. As such, the synthesis is the point of agreement or the mutual integration of the opposing views achieved through mutual recognitions or donations of self or through interpresencing. It is usually a creation of a new identity as such which is realized as a result of the dialogue between the conflicting views. It is the highpoint of the dialogic process. It is the expected end or purpose of the dialogue. Hence, the presentation of the progression of the dialogic may give the impression of unquestionable finality. If this were the case, then such absoluteness would more or less take us back to the conclusion of the Biafran agitators or the FGN, which of course is not the required state of affair. However, none of this may consistently apply to the synthesis of the dialogic because it belongs to the mode of being of a living community such that its life is a part of their life. Insofar as the communality of the community endures, the dialogic is a living process and its synthesis will endure and be applied as it is or will evolve and be reviewed i.e. it will issue forth an entesis as the need arises in the life of the community. Again, because it belongs to the dialoguing community, this community has the freedom to dialogue also on the synthesis and, where necessary, to alter it in response to further enlightenment from the dialogical process.

In addition, the end point of the dialogue is not just to meet the concern of the parties involved but an outcome that will make the situation better off in terms of just peace than it were before entering the dialogue. This dialogue can take years because the dialogic method is a process. Also, the outcome is not predetermined as each of the parties comes into the dialogue with an open mind. In the end, Biafra may be or may not be the outcome. Biafra may end up getting a

greater autonomy in a united Nigeria or an independent state according to borders worked out by the parties during the course of the dialogue.

Conclusion

Merits of the Dialogical Model over the Current Models

In spite of the shortcomings of the dialogic model, including the fact that one of the parties to the dispute may be unwilling to participate in the dialogue, the model has a lot of advantages over both the legal and moral models in currency. One of these advantages is that it places last what the other models treat first. The referendum proposed both by the PR and RRO theories are part of the model but instead of placing it first and adding fuel to an already burning situation, the dialogic treats it last, after all the contentious issues such as who is a Biafran, what will be the borders of Biafra and who will be able to vote in the referendum are ironed out through negotiations.

Nevertheless, the greatest advantage of this model is that it offers a peaceful alternative to the current violence-driven models. Most secessionist conflicts occur because the parties come into it as a zero sum game. This model in presenting a win-win alternative, deprives both the rump state and the secessionist group the justification for resorting to violence. The argument of secessionist groups who resort to violence usually is that they are giving no option as seen above in the Biafran war. The dialogic model takes away this justification for violence. Therefore, the Biafran secessionist problem is not insurmountable and need not lead to mass violence as many have erroneously construed the mention of Biafra as a declaration of war. It only appears so because it is approached with faulty resolution models. Once it is seen from the dialogic model proposed in this study, that insolubility crumbles. Finally, to realize the proposal outlined in this study, the following course of action is required:

1. Constituting a new organ of the UN or empowering an already existing organ, preferably, the ICJ by expanding its jurisdiction and mandate to oversee matters bothering on the conflict of SD. This may require a binding resolution by the UNSC/GA committing all states parties and secessionist groups to the jurisdiction of the new organ
2. As Nigeria moves towards de-escalation in current Biafra crisis, the dialogic method should be incorporated in the programmes of both its military training and former secessionist fighters who would be undergoing rehabilitation
3. Educating electorates on the need of voting politicians who are disposed towards using negotiations instead of force to resolve the current and future secessionist conflicts.

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