WILL SOCIAL JUSTICE FOR THE PEOPLE OF SOUTHEAST NIGERIA PREVENT BIAFRA'S SECESSION?

Abstract

Since 2015 the Biafra Crisis has dominated Nigeria's political space. A state-entrenched, systematic marginalisation of the Igbo ethnic group and policy failure has been attributed as the main reason for the agitation for a separate state led by the Indigenous People of Biafra. Yet, this alleged injustice in the form of marginalisation has failed to pique the interest of politicians of Igbo extraction of the southeast zone of Nigeria. The inability of the politicians from the zone, to insist on fair economic redistribution and recognition of Biafra's distinct identity, and the central government's failure to look into the complaints fuel the crisis. The study employs Nancy Fraser's tripartite social justice theory model, to show that recognising Biafra's distinct identity and the return to a true federal state that characterised the First Republic in the country could put pay to the crisis. In light of this, the Quebec sort of shared sovereignty model, and Brussel's 'personal autonomy' model are recommended as good examples of how states confronted by secessionist claims might solve these phenomena. In essence, a somewhat special status for Biafra should be created to solve the distinct identity claim of the people of southeast Nigeria, who are mainly Igbo.

Key Words- Biafra, Nigeria, Social Justice, Secession, Self-determination, Indigenous People of Biafra

Introduction

The Indigenous People of Biafra, an independence movement was formed in 2012 following allegations of varied shades of injustice and marginalisation against the Nigerian state (Hegarty, 2017). It was founded on the principle of Biafra-Igbo nationalism and self-determination (Mayer, 2021). However, it was not until 2015 when the leader of the movement was arrested in Lagos, and the protests that followed against his incarceration that the Biafra Crisis once again entered into the lexicon of Nigeria's political crisis. The movement argued that the freedom of Biafra would restore the cultural, political, and socio-economic identities lost to Nigeria (Idachaba and Nneli, 2018). IPOB practically has at least two critical, constituent objectives. The first is to seek fair economic redistribution, equality, justice, and representation (Anazonwu et al, 2021; Kanu, 2017). This dimension of the objectives entails self-determination within the Nigerian state. The other is to separate from the Nigerian state, to find a new state that would better serve the economic, political, social, and cultural interests of the Biafran people (Anazonwu et al, 2021; Egbo, 2018). These objectives expose IPOB as a social movement. A social movement is an organisation of mostly, a large group of people with similar political or social interests (Scott and Marshall, 2009). The interest of a social movement is to trigger social or political change through advocacy and resistance activities. These activities may be carried out by groups or organisations (Opp, 2009). Social movements presuppose the coming together of like-minded individuals or groups, setting an agenda for themselves, for their interest or the interest of others, who cannot fight for themselves; and the enhancement of a shared social or political purpose. These characteristics define them as a variant of a political alliance between individuals who possess at least an atom of sense of themselves, as

associated with social change (James and Van Seeters, 2014). IPOB comprised individuals, especially the oppressed, young people who felt alienated, and believed a new state of theirs would better serve their interests (Anazonwu et al, 2021). Its formation was also a response to 'Igbophobia' and the repression of the group by the Nigerian state (Nwangwu, 2022).

The 1999 Constitution of Nigeria declares the country a federal state (See Constitution of the Federal Republic of Nigeria 1999, Section 2 (1), (3)). Federalism was first introduced in Nigeria in 1954 during the colonial era. Then power was divided between the central government and the 3 regions (Adeyemi, 2022). The preference for federalism over other forms of political systems could be linked to the heterogeneous nature of the country. Nigeria has over 200 distinct ethnic groups (United States Commission on International Religious Freedom Annual Reports, 2015). The structure was retained at independence in 1960 and incorporated into the 1963 Republican Constitution. However, the military's incursion into Nigeria's politics in January 1966 undermined the regional autonomy that characterised the 1963 Republican Constitution. The Ironsi Administration abolished federalism and introduced a unitary system, however, the existing regions and most of their structures were retained (Ihonvbere, 2022). The succeeding Yakubu Gowon Administration abolished a 4-region structure and introduced a 12-state structure that took away the hitherto regional autonomy (Daly, 2020). This era witnessed the actual witling down of the powers of the component units (Ihonvbere, 2022). Many authors such as Amah (2017) have linked the failures of federalism in Nigeria to its colonial imposition. However, the study disagrees with this notion. The relative success of federalism in Nigeria before the military interregnum in 1966, showed that its challenges lie with the inability of politicians to fashion out a better federal constitutional model to reflect the country's make-ups and diversities.

Scores of authors, commentators, and scholars perceive autonomy as the major framework to settle tensions and redistributive issues among the central government, and spatially focused, culturally diverse groups or constituent units (Bermeo, 2002). Political decentralisation is the fundamental avenue by which complex states such as Nigeria with scores of ethnic groups and religions can attain a harmonious co-existence (Gurr, 1993, 161-201). If this is so, why have politicians from South-eastern Nigeria not pushed for this decentralisation? Why has the central government not reverted to the 1963 Constitution that recognised a fully decentralised federal structure? The structural tranquillity that defined the First Republic showed that retained autonomy could boost trust among the central government and its constituent units. However, territories that have hitherto had autonomy, but lost it unfairly may be more inclined to resort to separatism than territories with their autonomy still intact (Siroky and John, 2015, 3-34). So, autonomy can undermine support for separatism as long as such autonomy is dynamic (Lecours, 2021), however, the inordinate desire for more autonomy may pose a threat to the stability of the government (Brancati, 2009). In other words, it is a threat to majoritarian and democratic governments. However, it may be argued that the Biafra Crisis was caused by the central government's lack of flexibility and unwillingness to allow new demands. This suggests a static structure that explains that the state cannot be reformed, to accommodate the needs of groups such as IPOB. In 1967, the failure of the Nigerian state to reform its structure, following the 'Aburi Accord' in Ghana, coupled with a series of political, and socio-cultural differences culminated in Biafra's attempt to exit the union (Daly, 2020, 868-894). This is not to say that the central government has not ensured certain measures to reduce inequality and ensure inclusiveness or distributive justice in the country. The 1999 Constitution introduced the Federal Character principle (See Constitution of the Federal Republic of Nigeria Section 14 (3) and (4)). The principle may have satisfied the search for representativeness and appointment among various ethnic groups. However, its essence has remained controversial. Many have questioned its utilitarian value, to the extent that even if its intendment is justified, its application remains faulty (Kayode, 2015, 32-44).

IPOB's quest for self-determination (whether in its internal or external dimension) underscores its resistance to oppression from the state and politicians from South-eastern Nigeria. So, IPOB's emancipatory philosophy focuses on the radical transformation of oppressed people (Robinson, 2000). The struggle for freedom by the movement correlates with Karl Marx's and Friedrich Engel's works, which advocate transforming a capitalist society to a situation where production could have a human face. (Robinson, 2000).

The research links the current Biafra struggle to the unresolved complaints of the Igbo, before the declaration of the Republic of Biafra in 1967. Similarly, the policy failure of the Federal Government following the cessation of hostilities in 1970, fuels the crisis. You will recall that immediately after the cessation of war, the then Head of the military government Yakubu Gowon introduced a policy known locally as the 3Rs – reconciliation, rehabilitation, and reconstruction, to purportedly reintegrate the Igbo into the government. However, such a policy is said to be an illusion (Onoh, 2001, 21). This entails that it was never implemented correctly. It was only meant to sell hope to the Igbo, to discourage any further uprising.

The study adopts Fraser's theory of social justice to offer a reform to Nigeria's political structures. In the Westphalian framework, solutions such as the issues IPOB is complaining about must incorporate the gamut nature of justice, in its three-dimensional perspective, where recognition, representation, and redistribution are executed impartially (2009). The theory therefore offers a pragmatic, tenable structure for assessing the variant of injustices, inequalities, and solutions for the south-eastern minority of the country. Fraser's social justice theory is also very germane in this study to explain the need to recognise the distinct identity of Biafra in the existing state of Nigeria. This is very important because this identity is unique to the people, and it protects its peculiar socio-cultural and pre-colonial history. One of the reasons for the Biafra agitation was to protect who they were before the colonisation of Nigeria (Idachaba and Nneli, 2018). Interestingly, the Yoruba despite being Nigerians proudly describe themselves as Oduduwa. The same applies to the Hausa of northern Nigeria who call themselves Arewa. The Yoruba people have their national anthem and national flag (Johnson et al, 2024; SaharaReporters, 2021). The Hausa people have their national Arewa flag (See Flag of the Hausa People, Amazon). These two ethnic groups are allowed to express themselves freely by the Nigerian state, through their respective flags and anthems. However, the case is different for the Igbo people of whom the Federal Government of Nigeria has banned its Biafran flag (Alalade and Ayomola (2019). Following the cessation of the Nigeria-Biafra War (Nigerian Civil War) in 1970, Yakubu Gowon the then military head of state changed the Bight of Biafra (bay of the Atlantic Ocean on the western coast of Africa…) to the Bight of Bonny. This was done to erase the consciousness of Biafra from the people of South-eastern Nigeria (Onuoha, 2016). This could be interpreted as a cultural subjugation or assimilation.

Fraser's distinguishing of varied typologies of injustices enables me to contend that minorities may be subjected to various shades of deprivation, however, they may elect to pursue the claims they consider pragmatic to solve their challenges. This explains why IPOB seeks the recognition of the Biafra identity, an end to its political and economic marginalisation, and its last resort, an exit from the territory of Nigeria (Anazonwu et al, 2021).

The Indigenous People of Biafra and the Contemporary Biafra Crisis

IPOB is a self-determination group formed in 2012 (Hegarty, 2017). The group has called out the central government and accused it of shades of injustice such as marginalisation, discrimination, poor investment in the southeast zone, ethnic persecution, unlawful killings of the Igbo people by security

forces, and uneven resource redistribution (Mahr et al, 2019). The group has also accused the Government of not allowing the Biafran people (Igbo people and other related ethnic groups in southeast Nigeria) to express their unique identity (Egbo, 2018). The group linked the rights abuses against the Igbo to ethnic differences in the country (Egbo, 2018). IPOB's quest for self-determination (internal and external) started in 2012. Yet, the struggle may not be unconnected to an unresolved animosity existing between the central government and the southeast zone of the country since the civil war that claimed over 2 million people from 1967 until 1970 (Shreva, 2021). The then Governor of the Eastern Region, who later became the Head of State of Biafra identified political marginalisation, ethnic cleansing, and identity issues as the main triggers for the attempted secession of Biafra (Daly, 2020, 868-894). The group's resort to total separation as an alternative to internal self-determination has often led it to a collision course with the Federal Government of Nigeria. In some instances, there have been allegations that the Government has killed several hundreds of members of the group unprovoked (Amnesty International Reports 2016). Conversely, the Government has accused the group of terroristic acts in the southeast. However, the group has denied these allegations (Ugwu, 2023).

Many political players in Nigeria have called for the restructuring of the federal system in Nigeria, to solve ethnic tensions such as the one generated by the agitation for the State of Biafra by the mainly Igbo ethnic group. Not too long ago, former Head of State Yakubu Gowon joined this league of people (Nwachukwu, 2020). However, the challenges may be deeper than these political players suggested. This may explain why apart from the Igbo the Hausa of northern Nigeria and the Yoruba of south-western Nigeria have in the chequered history of Nigeria called for separation (Adibe, 2017). Often, issues bordering on identity are neglected when the discourses of social justice, and self-determination in its two dimensions are on the front burner. The role of autonomy in these issues has been over-stressed or over-flogged. Lecours (2021) argues that when autonomy granted to a region is static, this could be a bulwark against secessionist agitation. However, this does not take into cognizance that when identity is a factor in secessionist claims, it constitutes a potent ingredient in the hands of those challenging a prevailing state or a dominant ethnic group with a different identity (Porta and Diani, 2006). IPOB's demands are two-dimensional- issues of justice and identity (Anazonwu et al, 2021). The call for restructuring takes care of the former but not the latter.

The issue of identity can be resolved in so many ways. For instance, the demand for independence was very loud during the Charlottetown and Meech Lake negotiations, concerning Quebec's secessionist claim respectively. However, since Canada granted special status to the Province of Quebec, following the country's Supreme Court judgment on the saga in 1998, the latter has abandoned its quest for external self-determination (Lecours, 2021). Quebec's situation is akin to that of Brussels in Belgium, where 'personal autonomy' granted to it (which in this study) shall be termed 'positive autonomy' has not only strengthened unity in the country but has helped extinguish Brussels's urge to own its country (Nimni, 2005). The contemporary state system has become so complex that some forms of autonomy have been advocated to quell secessionist claims and to maintain regional and international stability. One such form is binary citizenship. Here binary citizenship entails a pragmatic approach to satisfy a group's quest for secession without necessarily redrawing a country's frontiers. A good example of this typology of autonomy is the one enjoyed by the Basque country (Stjepanovic, 2018). So, these types of complex identities married with regional or national autonomy have shown to be positive in stemming ethnic tensions, culminating in secessionist claims. Contrast these cases with Ambazonia (a new de facto state declared by the English-speaking region in Cameroon) (Voice of America, 2022). The region's two main complaints against the existing state are the systematic abolishment of the federal structure (Orock, 2022) and its unwillingness to negotiate with the agitators for autonomy based on the region's unique history

and identity (Moussisa, 2022). Where a region sees itself as distinct from the other groups in a given geographical space, autonomy alone may not be enough to quell secessionist claims or guarantee unity (Fitjar, 2010).

Rather than using force to quell the Biafra Crisis, the central government should consider negotiation to resolve the crisis. After all, in the modern state system, territorial sovereignty can be negotiated and shared (Loughlin, 2003). In the United Kingdom, Scotland's 'finite' sovereignty (Keating, 2001) has helped to stabilise the country despite pockets of agitation for the region's independence. If Nigeria's Federal Government can negotiate with a world-renowned terrorist group, Boko Haram (DW News, 2024) for whatever reason (s) it can also sit down with IPOB and iron out the differences between the two to ensure stability in the country.

The recognition of different ethnic or religious identities without discrimination has the potential to instil in groups ethnic pride without compromising one national identity. In contrast, the reverse has the potential to tear a country apart. Recently, it was reported that 6 governors in southwest Nigeria adopted a Yoruba-Oduduwa ethnic anthem without any condemnation by the central government (Johnson et al, 2024). Before now, the region has maintained its distinct flag (SaharaReporters, 2021). Compare this to the case of the Igbo, where the central government has banned the Biafra flag (Alalade and Ayomola, 2019). This does not suggest equality rather it enthrones ethnic discrimination on the one hand and ethnic supremacy on the other hand.

Unresolved Pre-war Complaints and Federal Government's Policy Failure

One of the major reasons for the declaration of Biafra was the central government's inability to protect the lives and properties of the people of the Eastern Region, following the 1966-1967 political crises in Nigeria (Daly, 2020, 868-894). Recently, it has been directly accused of committing human rights abuses, including extrajudicial murders, in southeast Nigeria. In 2021, it was reported that the Government through its security forces killed about 115 unarmed civilians in the region in four months (Amnesty International Report, 2021). However, the Nigeria Police reported that 21 members of its force were killed in the geo-political zone in the same period by unidentified gunmen (Amnesty International Report, 2021).

Scores of authors and scholars have associated the attempted secession of Biafra in 1967 with the control of oil in the Eastern Region, with prejudice to looking at many underlying factors triggering the failed secession attempt (Osaghae, Onwudiwe and Suberu, 2002). The references to oil politics being the trigger for the secession of Biafra and the central government's reluctance to let the Eastern Region separate from Nigeria, cannot be entirely discountenanced, since oil played a major role in the economic sustenance of the country. Oil accounts for over 90 per cent of the country's national export earnings and about 80 per cent of Nigeria's revenue (Ukaogo, PhD Dissertation, University of Lagos, 213-244). However, the then-military Governor of the Eastern Region was compelled to declare Biafra, owing to the inability of the central government to abide by the agreement reached at Aburi Ghana in 1967, aimed at making Nigeria a sort of a confederal state (Daly, 2020, 868-894). The Eastern Region believed a loose centre would guarantee the economic well-being of the people of the Eastern Region and their security (Daly, 2020). Until now, the region still complains about neglect in these instances (Egbo, 2018).

Yakubu Gowon, the civil war-time military leader of Nigeria introduced a laudable policy termed '3Rs' (reconciliation, rehabilitation, and reconstruction), following the end of the civil war (Oluleye, 1985). The policy was swiftly carried out however, the policy failed to achieve its aim of reintegrating the

Igbo into the Federation of Nigeria (Onoh, 2001). Instead, the Igbo ethnic group has since been oppressed and side-lined in the politics of the country (Onoh, 2001). While the Government claimed to be implementing this policy, it looked away as the properties of Igbo people in different zones of the country, were taken over by natives. The Igbo left these properties when they returned to the Eastern Region immediately before the civil war and during the war itself (Okpalaeke and Maduemesi, 2001). To justify the takeover of these properties, they were termed 'abandoned properties'. This made Okpaleke and Maduemesi (2001) query the logic behind this justification, by asking: 'Can someone abandon his property'? In another vein, the central government implemented a policy whereby Igbo depositors were paid Twenty Pounds each, regardless of how much they held at various banks in the country (Osaghae, Onwudiwe, and Suberu, 2002). This was interpreted as an economic emasculation of the Igbo, aimed at making them not rise economically (Osaghae, Onwudiwe and Suberu, 2002).

It is interesting to note that the Igbo are side-lined in the major appointments in the federal parastatals. They had no representative as of 1998 at the helm of these parastatals (Osaghae, Onwudiwe and Suberu, 2002). It may be argued that there is a link between the 1967 Biafra uprising and the current uprising by the Indigenous People of Biafra.

The Role of Southeast Politicians in the Biafra Crisis

One thing that is difficult to understand is the role of the politicians from southeast Nigeria in the Biafra crisis. IPOB since its inception has advocated its right to external self-determination (Hegarty, 2017). Yet, this could be a metaphor for demanding justice and equality. Opara (2019) argues that IPOB sought the betterment and inclusion of the region in national governance. However, at the height of the Biafra Crisis in 2017, the Nigerian Army launched an operation codenamed, 'Egwu Eke' in the southeast which translated to Python Dance. The operation was mainly to checkmate threats to national security emanating from the southeast (Opara, 2019). On the 10th of September, 2017 the combined armed forces massed at the home of the leader of IPOB in Umuahia, Abia State, ostensibly to show their military force (Opara, 2019). A few days later, some members of IPOB were murdered by these security forces. However, the group's leader escaped the onslaught (Ojo, 2023). Following this incident, the Southeast governors and other politicians from the region proscribed the activities of the group without condemning the killings of the members of the group. The actions of these politicians were ironic given that a former Deputy Senate President from the region, Ike Ekweremadu who once acknowledged that the Igbo were being subjected to injustice and discrimination by the central government (Baiyewu, 2017) was among the politicians who proscribed the activities of IPOB, an unarmed group asking for the inclusion of the region in the governance of the country (Opara, 2019).

The military's intervention in the country's internal crises can be traced back to the colonial era (Azinge, 2013). However, the activities of the military in civil crises in the country have exposed them as being very crude. More or less their interventions in these crises often worsen them (Opara, 2019. If military interventions had previously worsened internal crises in the country. Then why did the southeast politicians not protest against sending the combined armed forces to the region to put pay to the Biafra Crisis? Is it not against the violation of the right of self-determination of the Biafran people for the Government of Nigeria to use military force against IPOB? Interestingly, Nigeria is a signatory to the African Charter on Human and Peoples' Rights, which supports the self-determination of groups in the Region of Africa (See Act No. 2 of 1983 African Charter on Human and Peoples' Rights

(Ratification and Enforcement) Act; Article 20 (1) of the African Charter). Even the United Nations supports self-determination (See Articles 1 and 55 of the UN Charter 1945).

The deployed armed forces in the region also violated the human rights of the residents of the area as 'operators of the python dance have been ejecting venom, leaving ugly experiences along its route, especially for those they perceive as capable of causing a breach of public peace' (Ujumadu, 2017). IPOB specifically accused two governors of helping the armed forces to violate the rights of its members and those of the residents of the region (Ujumadu, 2017). 'The governors gave our old Biafra Airport to the Nigerian military to train on how to kill Biafrans and introduce curfew in Aba and doing this, they are the most wicked Arewa slaves in Government Houses in Biafra Land', IPOB alleged (Ujumadu, 2017). Arewa is the name for northern Nigeria, a region dominated by the Fulani and Hausa ethnic groups, accused by many of dominating the country (Musa and Hassan, 2014). The IPOB leader had now negotiated for a political solution with the southeast governors. However, he backed out of the negotiation following the invasion of his home by the military and the subtle acceptance of the action of the military by the governors. In a letter, he said:

Before now, leaders and groups had insisted that I embrace pacific dialogue and meet with the governors to find a lasting solution to our grievances. I acceded to that request, which resulted in the 30th August 2017 meeting with the South-East Governors Forum at the Government House in Enugu, in the company of the very eminent Professor Ben Nwabueze and Evangelist Elliot Ugochukwu-Ukoh. Given the concerted effort by the oppressive Nigerian state to shatter the peace and tranquillity of the South-East and the rest of Biafra land through military intimidation, it has become necessary for me to clarify why, regrettably, I may not be able to attend Friday's meeting with the South-East governors as earlier agreed, for three main reasons: We are presently busy attending to our dead and injured from this latest round of unprovoked military onslaught against innocent civilians. All the casualties so far were shot by the members of the army deployed to my house and those stationed along motorways leading into Umuahia. I have been reliably informed, that a detachment of these same soldiers responsible for the murder of unarmed IPOB members have now been stationed near Enugu to assassinate me on my way to the meeting. Instead, on the date of the scheduled meeting, IPOB leadership will be meeting to vote on the viability or otherwise of continuing our struggle in this non-violent manner. There is an urgent need to begin the process of defending ourselves in the face of relentless murderous attacks from the Nigerian state…I would use this opportunity to thank all the people of good conscience from across the world who have condemned the slaughter of innocent Biafrans by the military…I salute the steadfastness, devotion, and total commitment to freedom from eternal slavery by the great IPOB family in Biafra land… (Ujumadu, 2017, quoting Kanu the leader of IPOB).

It can be inferred that the alleged human rights abuses by the security forces festered because the politicians from the southeast zone of the country allowed them for whatever reasons. So, the challenges faced by the southeast zone are also a result of leadership failure. There could be an intersection or mutuality of interest between the central government and the governments of southeast states. However, the discovery of this interest may form a basis for future research. For now, the essence of this study is to apply a pragmatic solution to the crisis. However, the fear that the agitation for a separate state for southeast Nigeria might escalate and lead to another devastating civil war may not be ruled as the reason for the actions and inactions of the southeast politicians towards the agitation for Biafra. There have been several reports by the mainstream media and the Government of Nigeria that IPOB's armed wing, the Eastern Security Network has murdered several members of security forces in the southeast, including members of the police. However, IPOB has denied responsibility for these killings (Busari, 2022; Obianeri, 2024). Interestingly, one Simon Ekpa

who leads two groups called 'Auto Pilot' and 'Biafra Liberation Army' has on several occasions admitted to killing these security agents (Ugwu, 2024). The Government associated his activities with IPOB. Nonetheless, IPOB has stated that the said Ekpa was not a member of IPOB and has no link with the group (Busari, 2022; Obianeri, 2024). In 2022, the Institute for Economics and Peace ranked IPOB 10th Deadliest Terrorist Group in its annual Global Terrorism Index report. However, in 2023, it struck off IPOB's name from the list, following pressures from members of the group across the world (Busari, 2023).

Recommending Holding-together Federalism as a Pragmatic Approach to Solve Biafra Crisis

Every country chooses a system of government that best suits its history, makeup, and other circumstances. In parts of Asia, in recent times, federalism was introduced (in this context holding together federalism) to stem the tide of secessionist agitations ravaging the region. Holding-together federalism can simply be defined as the new form of pragmatic federalism where governmental power is devolved from the center to the federating unit, to avoid the incident of secession (Breen, 2018). Some of the countries that adopted this political system in this context are Nepal, Sri Lanka, and Myanmar (Breen, 2018). This underscores the point that this typology of political system is increasingly perceived as the most appropriate variant of state structure suitable for ethnically divided states (Anderson, 2016). Generally, federalism can easily be accepted by a state where the risk of secession is high (Breen, 2018). In its general context, federalism has been defined as a political system where there are at least two levels of government, with each level possessing certain, allotted powers and functions (Watts, 1999). Neither the central government nor its component units are constitutionally or structurally subservient to the other. Each possesses sovereign powers donated by a written constitution, which its amendment is usually rigid (Watts, 1999, 6-14). So, federalism connotes a framework whereby power is apportioned between the central government and its component units. In this light, the relevance of federalism extends beyond a political ideology. Its implementation has assisted in organising, sharing, or distributing political powers in a manner that will enable the common needs of people to be realised while accommodating the diversity of their circumstances and their preferences (Watts, 2007, 2). The existence of a formal constitutional distribution of legislative and executive authority ensures representativeness and the systematic allocation of revenue resources between the levels of government ensures genuine autonomy. There is the possibility of satisfaction in representation because the second chamber of the legislature, which usually characterises a federal system, is equally characterised by proportional representation (Watts, 2007). The system embodies democratic rules and institutions in which the power is divided between central and state governments (Brodscheck, 2016). A very important argument adduced by the advocates of the system is that the incident of power-sharing inherent in it allows diversities, and discourages or prevents the risk of tyranny as a result of constitutional limitations of powers (Deudney, 2004). One of the most profound mechanisms inserted in the constitution to limit the powers of the central government is the vertical and horizontal separation of powers (See the United States Declaration 1776).

To appreciate why 'true' federalism is rejected by some groups or preferred by others, it is important to understand power dynamics in different states. In Srilanka for instance, some minority groups advocated for the system to give them a voice to extinguish the political dominance of Sinhalese people, who constitute up to a third of the population of the country, or balance the numerical strength with positive autonomy (Malik et al, 2009). Contrast this case with that of Nepal where a minority group, the Pahadis/Newaris, ironically dominated almost every facet of the government and society (Ghai, 2011; Malik et al, 2009). Northern Nigeria has been accused of dominating other

sections of the country, and this domination has been linked to the overbearing influence of the Federal Government of Nigeria since the Government is dominated by northerners (Musa and Hassan 2014). These power dynamics explain why the North has rejected the restructuring of the country (Amaize, 2005). At the National Political Reform Conference held in 2005, Southeast's delegates demanded an increase to the 13 per cent in oil receipts reserved for oil-bearing states. They wanted a 25-50 increase. However, the northern delegates conceded 17 per cent, leading to the southeast delegates working out of the conference room (Amaize, 2005).

The Constitution of Nigeria vests in the central government the extraction, control, and management of oil (Constitution of the Federal Republic of Nigeria 1999, Section 44). Oil receipts amount to up to 80 per cent of all Government's income received by the central government and 95 per cent of its foreign exchange earnings (Sampson, 2013, 30-38). Conversely, under the 1963 Constitution, it was provided that each region be paid a sum equal to 50 per cent of the proceeds of any royalty received by the central government, in respect of minerals extracted in that region, and mineral rents (See CFRN 1963, Section 140 (1)). The current federal structure in Nigeria can best be described as over-centralised, in the sense that the central government has enormous economic power and this undermines states' autonomy (Elaigwu, 2002). The Exclusive Legislative List of the current Constitution has 68 items, which also deprive states of certain powers and functions. For instance, police, mines, geological surveys, and so on are under the Exclusive List (See CFRN, 1999, Part 1, Second Schedule). In contrast, the 1963 Constitution had only 45 items in its Exclusive Legislative List. Unlike in the current Constitution, labour, and trade unions, police, drugs and poisons, prisons, registration of business names and incorporation of different types of companies were under the Concurrent Legislative List (Ndujihe and Oke, 2017). The arrogation of coercive apparatuses including the police undermines the principles of regional autonomy that ordinarily characterise a 'true federal state'. State governors in Nigeria lack control over the police commissioners appointed and deployed by the central government to their states. Some leaders from southern Nigeria have blamed the abandonment of the principles of the 1963 Constitution (which formed the basis for Nigeria's unity) for the current political instability, leading to the demand for secession by IPOB (Ndujihe and Oke, 2017). The fiscal federalism under the 1963 Constitution resulted in healthy competition among the regions of the country. They decried the current revenue-sharing formula which gives the central government 52 per cent of the federally collected revenues (Ndujihe and Oke, 2017).

Nigeria should consider fashioning a new federal constitutional model to resolve the Biafra Crisis. Nepal, Myanmar, and Sri Lanka have one time or another had similar crises to Nigeria. However, these countries now enjoy relative peace because of the pragmatic approaches they adopted to meet the demands of their respective hitherto agitating groups (Malik et al, 2009). Nigeria does not necessarily need to adopt exactly, these countries' federal templates, the Quebec model or the Brussels model. However, a form of special status for Biafra should be outlined to accommodate the region's distinct identity claim (Egbo, 2018, Kanu, 2017). The country should consider coalescing Abia, Anambra, Ebonyi Enugu, and Imo States (5 homogenous Igbo-speaking states in the country) into a region called Biafra. This could satisfy their quest for self-determination and struggle to be identified as Biafrans, without compromising their Nigerian national identity. In addition, the country should consider organising a referendum for the Igbo-speaking people in other states with a substantial number of the members of the ethnic group who wish to join the region. The office of a premier instead of that of a governor should be created to run the regional government. This is not without prejudice to maintaining the existing state structure for the remainder of the 31 states. The Igbo language in addition to the English language should be made an official language in the region. In addition to the office of a vice president for the country, the office of a second vice president should be created to among other things take care of the environmental issues that have devastated southeast Nigeria,

owing to oil spillages, gas flaring, and among others (Nwilo and Badejo, 2005a; Ndubuisi and Asia, 2007). The occupier of the office must come from the proposed region. The person for the office of the second vice president is elected by the entire country and can be removed from office by the National Assembly, if found guilty of gross abuse of power, provided such removal is confirmed by the electorates from the proposed region. This is to protect the person from a witch-hunt.

There is no hard and fast rule concerning how a federal state must be structured. This entails that states structure their federal systems to suit their circumstances. However, certain principles such as financial autonomy and independence characterise this political system (Watts, 1999; Ebegbulem, 2011). In light of this, the proposed region and the remainder of the 31 states should be constitutionally empowered to manage their natural resources and pay 50 per cent of tax to the

central government, as was done under the 1963 Constitution (Ndujihe and Oke, 2017). This will end the constant agitations for resource control mostly engineered by governors of the oil-bearing states (Sagay, 2001). Furthermore, this will engender competition among the states of the Federation of Nigeria and the proposed Biafra Region.

Fraser's Tripartite Social Justice Theory

I consider this theory important in this discourse because of its emphasis on three dimensions of justice which reflect the Biafra Crisis narrative. Nancy Fraser's theory substantially deals with three dimensions of injustices against minorities in a given political space: recognition in the socio-cultural arena, political representation in the political realm, and redistribution in the economic domain (Fraser, 2009). This dialectical sort of theoretical discourse aids in showing that justice assertions of minority groups reflect the election of the Indigenous People of Biafra in choosing self-determination as a solution to the alleged injustices against the people of Biafra (Anazonwu et al, 2021). The author's post-Westphalian blueprint assesses the issues of justice in circumstances like illegal migration, and asylum claims among other things. In such matters, host countries are not obligated to accept these claims. However, states are bound by codes of justice to remedy injustices perpetrated against their subjects when Fraser's Westphalian blueprint is adapted to domestic circumstances (Fraser, 2009). Fraser's Westphalian framework in this circumstance enables us to dissect the Biafra Crisis as regards IPOB's claim for identity recognition, economic redistribution, and adequate political representation. IPOB representing the oppressed, minority Biafran people wants the Biafran people the majority of them Igbo to be treated fairly and equally within the boundaries of Nigeria or be allowed to exit these boundaries if these cannot be granted (Egbo, 2018). Fraser's tripartite theory of justice offers state reconstruction since this can prevent the displacement of minorities, and avoid the possibility of stigmatising minority groups, who may be blamed for enabling injustice against them, resulting from their fight against injustices (Fraser, 2009).

Nancy Fraser in her thesis on the theory explains that maldistribution happens to be a set of socio-economic injustices that correspond with the unfair distribution of material resources among competing, but otherwise equal groups in a given society. According to the author, these injustices are usually predicated on class differences and incorporate, capitalist exploitation, inequality in the incomes earned, squalid living conditions, and other things, caused by insufficient material resources (Fraser, 2009). She argues that the state can remedy these issues by triggering changes in its policies. These policies aim to transfer resources to the deprived groups (Fraser, 2008). In the Biafra Crisis, IPOB has alleged among other things that the North which controls the Government of Nigeria benefits more from the oil deposits in Biafra than its residents, and this amounted to systematic, economic deprivation (Busari, 2022). The Constitution of Nigeria vests the ownership, control, and management

of oil resources in the central government (See CFRN, 1999, Section 44). Again, oil receipts amount to up to 80 per cent of income received by the central government and 95 per cent of its foreign exchange earnings (Sampson, 2013). This maldistribution requires a radical transformation to suit all parties involved in the Biafra Crisis. A reference to the 1963 Constitution which allowed then regions adequate financial autonomy is very necessary at this juncture. The southeast complained of denial of adequate political representation because the political zone has only 5 states while other zones have 6 each except, the northwest which has 7 (SaharaReporters, 2024). In compliance with the second typology of justice in the Westphalian blueprints (representation), at least, 1 state should be created to bring the region to par with others.

As regards the issue of misrepresentation (ordinary political misrepresentation and misframing) Fraser (2009) explains that this occurs when a state through its policies consciously and wrongfully disengages a group from enjoying political equality in social relations. However, for this discourse, I want to narrow it down to political misframing. This looks into injustices emerging from the wrongful exclusion of a group from taking part in the issues of redistribution, representation, and recognition (Fraser, 2009). In 2017, IPOB was first proscribed by the eastern governors and later the central government acted upon this, designating the group a terrorist organisation in the same year (Ojo, 2023). This designation attempted to invalidate the claims of the group. However, this invalidation offers no alternative to the crisis. Hence, the crisis lingers until now. The central government may have sought to use the politics of misframing to scuttle the claims of IPOB. Yet, this has not prevented the group from canvassing its right to internal self-determination and alternatively, external self-determination.

Recognition is a fundamental human need that tilts towards equality of all groups, predicated on distinct cultural identities. This is important because it remedies injustice occasioned by misrecognition (Fraser, 2009). This shows that Fraser's solution to misrecognition extends beyond economic redistribution and political representation. In the context of Westphalian transformative prescription, the Igbo should be allowed just like the Yoruba to maintain their flag or other unique cultural, social, and political identities. The denial of the use of Biafra as part of their name might be seen as forced assimilation if juxtaposed with Yoruba and Hausa being allowed to use Oduduwa and Arewa freely.

In Fraser's theory about the Westphalian framework, solutions need to reflect the gamut nature of justice- its three-dimensional variant, in which recognition, representation, and redistribution are executed fairly (2009). When solutions are suggested concerning recognition-related injustices, these must incorporate and elaborate equal recognition of marginalised groups. This can be done by promoting groups' peculiar identities that are integral to them. Much attention should be paid to these groups' unique linguistic, and cultural identities and their histories. Concerning representation-related injustices, modes of solving these must create an enabling environment for equal political participation of all groups in all ramifications of democratic dispensations. In the context of distribution-connected injustices, these can be taken care of by applying redistribution of material resources and putting mechanisms in place to ensure that investments are carried out democratically. There is also the need to cause reforms to other equally fundamental economic and financial mechanisms (Fraser, 2008).

Fraser's theory can immensely assist us in understanding why the Indigenous People of Biafra elected to pursue the three-dimensional justice approach, which enabled the group to seek self-determination in both its internal and external dimensions. Per Fraser's distinguishing varied forms of injustices and their solutions, I contend that it is the choice of an oppressed minority to embrace that claim or those claims it feels it can obtain solutions from.

Conclusion

The Biafra Crisis is one of the many contemporary secessionist crises across Africa nay the world. Many have suggested restructuring the existing Nigeria's faulty federal system to resolve this crisis. However, there have not been any articulated recommendations to serve as solutions to the political imbroglio. Hence this present study aims to fill this gap. However, it is the finding of the study that the crisis lingers because of two shades of factors. The first is the entrenched or state-sponsored marginalisation of the southeast political zone of Nigeria which is dominated by the Igbo. The second happens to be the inability of the politicians from this zone to lead the struggle for justice or at least join their voices to that of the Indigenous People of Biafra. IPOB's quest for internal/external self-determination demonstrates the fact that where there is oppression, there is always resistance. So, the struggle for self-determination embarked upon by IPOB is a metaphor for justice.

To solve this political conundrum, bordering on issues of redistribution, political representation, and recognition, I adopted Nancy Fraser's tripartite theory of social justice. In light of this, recommendations are made to wit, the Biafra identity issue raised by IPOB should be recognised by the central government. In other words, since the Hausa and the Yoruba are allowed to maintain some symbols like flags and names, the Igbo should be treated in the same manner. Furthermore, to solve the issue of IPOB's unique identity claim, and political representation, I made some recommendations, chief among them is to create for the people of Biafra a region and allow the 31 remaining states to maintain their existing structures. On the issue of resource control, states and the proposed region should be allowed to control their resources, and some per centage of their generated revenues paid to the central government.

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