

CIVIL WAR MASS DISMISSAL OF NIGERIA POLICE OFFICERS AND MEN

A Complete Negation of Human Rights



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By
Nze Pius Okpoko,
Eze Anyimulu of Nri
Civil War dismissed D.S.P.

Public Enlightenment Series I

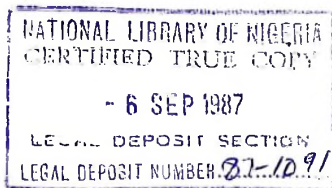
CIVIL WAR MASS DISMISSAL OF
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1973/87

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Nze Pius Okpoko
Eze Anyimulu of Nri



PUBLIC ENLIGHTENMENT SERIES I

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Cover page photograph shows the last but one expatriate Inspector-General of Police, Sir. Kerr Bovell, and the first indigenous Inspector-General of Police, Chief Louis O. Edet. The white-black transition in the Nigeria Police Force opened the way for high level incidences of nepotism, tribalism, tribal vindictiveness, sectional repressions, etc.; the remedies for which lie apparently in the full recognition and total observance of Human Rights; since, "all men are created equal", 13 American States declaration of independence, 1776.

We did not make this war, we did not seek it. We did all we could to avoid it. We did too much to avoid it. We went so far at times in trying to avoid it as to be almost destroyed by it when it broke upon us.

Sir Winston Churchill, KC, OM, CH, MP

Canada, Dec. 30, 1941

ACKNOWLEDGEMENT

I owe a world of gratitude to my wife and the kids with us, who had endured my staying awake most of the nights writing and typing the manuscript of this book. I shower thanks on those writers on the Nigerian civil war, Frederick Forsyth, Major-General Madiebo and the rest of them, who saw the civil war from its beginning to its end, but have not mooted a single act of the war to the Nigeria Police in the war-affected areas. That very sincere attitude on their part has more than vindicated our stand of innocence of the charges trumped up against us in consequence of Decree No. 46 of 1970.

DEDICATION

To women and children of this world,
who are the ultimate sufferers under repressive laws
and acts of bad governments throughout the world;
the former endeavouring ceaselessly and tirelessly to make
the latter grow into good mothers and fathers of
tomorrow if allowed to enjoy Human Rights —
Rights to life, liberty, property and pursuit of happiness.

PREFACE

Governments have come and gone in this country since the end of the country's civil war, but none has been as near to the realm of the tenets of fundamental human rights as the present one. Our present president, Major-General Ibrahim Babangida, has unequivocally pledged his administration's commitment to open society and government, Human rights and social justice. That assertion has flickered a glimmer of hope for those Nigerians who have genuine reasons to consider themselves oppressed and down-trodden by the various bad and very punitive laws and decrees of the past governments and their agents. My colleagues and myself as well as anyone along the line of our extended family system have been suffering under such inhuman enactments.

This book could never have been written at a more appropriate time than now: The sincerity of purpose and the will to win the affection and absolute loyalty of the Nigerian public will surely enable the government of the day, as in any other part of the world, to accept with sober reflection the contents of this book and give them the attention they deserve.

During the later part of 1985, a number of Police officers and men affected by the Nigerian civil war got together and contemplated starting something in the form of a social club in order to foster mutual help and close co-operation and understanding among their members. The proposal had almost taken off in the new year when the news of government's intention to remove oil subsidy made mobility in the country fairly difficult. Part of the club's aims had been to acquaint the families of the members with facts of the events that led to the bitter experience to which they have been subjected since the end of the civil war, following members' mass dismissal from the Nigeria Police Force. Another idea was also to attempt to console members and their families and other dependents and assure them that their ugly fate was never of their own making.

A mild line of action was contemplated for our families: They were to embark on a very humble and peaceful demonstration, in which our wives, children (bairns, youths and adults), the widows of our colleagues who died of privation resulting from the operation

of decree No. 46 of 1970, and all others mentioned under Section 7(3) of that decree, would take part.

They would mobilise at a point in Enugu and proceed to Lagos where they would sit dhurna at the entrances to offices and houses of Mr. Sunday Adewusi and others concerned with our dismissal.

Like late Sir Winston Churchill in the prologue to this book, we did neither counsel, nor plan nor execute that civil war: Why we should be destroyed by it inspite of our very honest efforts to see that it was avoided will ever remain one of the greatest constitutional and statutory riddles in the political and tribal annals of this country.

This book will seek to prove that that destruction was most unjustified and that a reversal of it is among the most urgently needed gestures of magnanimity on the part of a government that is committed to human rights. The book is not intended to deal with the causes and the course of the civil war. The Nigerian Armed Forces and the politicians of the middle and later sixties till the end of the war were its dramatis personae and are in a better position than ourselves to tell those stories. The book will in addition attempt to expose the colossal injustices and callousness of judgment with which over 95% of the personnel of the Nigeria Police Force, who were trapped in the war battered areas of the country, were dismissed with ignominy at the cessation of that war. The exposure may help to answer the question often put to our men, "Why were you removed from your jobs?" To that question we merely responded with our two wide open and fully outstretched hands. But Nigerians have a right to know the facts. Our dismissal resulted from lack of maturity on the part of our country as a nation, tribal vindictiveness and woeful absence of the knowledge of the real working and significance of fundamental human rights on the part of the Police "appropriate authority", whose discretion alone decided the fate of thousands of compatriots who, until the end of that unfortunate war, had served their country without blemish. See Decree No. 46 of 1970 reproduced somewhere in this book. Anybody who reads this Decree cannot help to ask "has the African a God?"

After the second world war, Winston Churchill wrote an inscription for a memorial: "In war, Resolution. In defeat, Defiance. In victory, Magnanimity. In peace, Goodwill". After the Nigerian

civil war, the Police “appropriate authority” ignored what victory and peace would have brought to all. Instead, it dished out decree No. 46 of 1970 to a section of the population of this country, in spite of the granting of general amnesty to all by the then Head of the Federal Military Government.

In a well ordered society, in which the rule of law reigns supreme, as in fact, it should, it will be unthinkable that the mere discretion of an “appropriate authority” will supersede the laws of the land and the people’s constitution. There is hardly a family in the war-affected areas, and especially in Igboland, which did not miss the economic support of at least a single civil war dismissed Police officer. This book is for all and sundry to read and digest. It will afford even those not related to civil war displaced Police personnel the opportunity of knowing the setting, nature and working of the much vaunted fundamental human rights. I have set out everything as far as I can to enable the Nigerian public to assess our injury and judge for themselves if the treatment is worth a country which signed the United Nations Declaration of Human Rights and endorsed the OAU Charter on Human and People’s Rights in Dakar and Nairobi.

This book may attract criticism but surely not victimization. Criticisms are not a rarity for works of this nature and may for the most part come from the organizers and architects of the matter under discussion, in this case, Civil War Mass Dismissal of the The Nigeria Police Officers and Men. As for victimisation, it cannot come except as an acceptance that negation of human rights is an inevitable aspect of our democracy. It might have been so in the past, but surely not with the present Government which is very much committed to Human Rights.

What is required has been proved in this book, i.e. that those organizers and architects of our matter did allow their minds to be perverted by malice.

Nze Pius Okpoko
Civil war dismissed D.S.P.
30th April, 1986.

CHAPTER I

Quite recently, Chief Emeka Odumegwu-Ojukwu, the Ikemba Nnewi, when holding fast to his father's property in Lagos Island of Nigeria, shouted in high-pitched note to all Nigerians, "Fight for your rights! Fight for your rights!! Fight for your rights!!!" He had packed out of an apartment in that property on the orders of a competent law court and was squatting with his wife, children and chattel under a gigantic flower tree in a corner of that near estate. With that posture of grief and regret and his yellings for personal rights, he made an excellent cynosure for the passers-by, who stopped to stare at his burly, soldierly and frightfully bearded figure, and to listen to his candid assertions of pity as if he was begging for the sympathy of his fellow countrymen.

That noble chief had led his own tribesmen through the crucible of a most gruesome civil war and up till now, he is highly rated among all Nigerian leaders. He has been a hero, a tribal chief and saviour of his people. He is even seen by many as a panacea of hope for the down-trodden. His civil war leadership did not get him victory, but it did get survival for his dear tribe and his country. To hear his voice during those tormentous moments of grave agony of soul and body was to hear the voice of a hero who believed that he had been wronged by his country.

As an intellectual he is unassailable; an Epsom College product, he is also an Oxford historian, having majored in his Masters in modern history. When, therefore, he shouted, his words rang through the ears of his countrymen like a village crier's voice at moments of grave concern.

Less informed people on the question of human rights began to wonder which rights: Motorists and pedestrians thought of the right of way on the wide open Lagos public roads, and children's minds were carried to their rights to eat their dear food or to enjoy parental affections in their humble or luxuriant homes. One little girl queried if her right to continue to watch the T.V. in a neighbour's house could ever be at stake. A young school boy standing nearby asked her if their T.V. set was bad.

Girl: "No it isn't, we have none. My father could not afford one."

Boy: "Why"

Girl: "You see, my father was sacked from the Police after the civil war and my brothers could not even go to school."

Boy: "What about yourself?"

Girl: "I was sacked from school for non-payment of school fees."

Boy: "Okay, my father has four cars. He goes to London every week end to buy us beautiful things. Although he worked in a Ministry in Biafra and was a Major in the 'Biafran Army' he was not sacked after that war."

Girl: "Well, my mother used to cry and to ask my father if we are also Nigerians."

The Nigerian hero passed day and night in the sea-land and land-sea breeze of Lagos, still under his big flower tree residence, until, one day, a higher court ordered him to re-occupy his apartment in his father's mansion pending the decision on some other case relating to his rights.

Chief Ojukwu was luckier than the civil war dismissed Police officers, because the palliation of his own plight came from the fact that no decree barred him from going to court to press for his right. In the case of those Police officers, Section 6(1)(2) of Decree No. 46 of 1970 provided against legal redress. This Decree will be given in full here, since it is neither a copyright nor a secret or a privileged document, nor can its publication be calculated to amount to treasonable felony. Nigerians have a right to know the reasons for and the mechanics of our dismissal from the Police Force. I take the view with other well-meaning citizens of this country that an extinct government can never be a victim of treason, because it is no longer officially and physically present to suffer overthrow. Thomas Paine in his book "Rights of Man", wrote "I am contending for the rights of the living, and against their being willed away, and controlled and contracted for, by the manuscript-assumed authority of the dead; and Mr. Burke is contending for the authority of the dead over the rights and freedom of the living." A revulsion in thinking on the part of the present Government is the only answer.

CHAPTER II

DECREE NO. 46 OF 1970 REPRODUCED:—

This Decree has removed the following sections of the Nigerian Constitution:

Section 152 of 1963 which protects pension rights.

Chapter III of 1963 relating to Establishment of Supreme Court of Nigeria.

Section 165 which deals with interpretations.

Section 5(1)(2) of Decree 46 provides for appeal to the Head of the Federal Military Government by those aggrieved by anything done in respect of him by "the appropriate authority". As would be explained later, appeals were accordingly forwarded, but no replies have been received till now — 16 years duration.

Decree No. 46 of 1970 is, to say the least, a remnant of this country's old ethnic rancour and as long as it exists in the records of this country's administration, no one will have the right or the pride to think of ethnicity as a thing of the past. The eradication of the decree from this country's Government records will create a social climate in which the true aspirations for real justice will flourish. Fight against ethnicity should not only seem to be on but also must be seen to be on.

The media which for 16 years appear to have been shying away from fighting this decree cannot be blamed because the decree itself looks as if it will not spare anyone who tries to condemn it. The civil war dismissed Police officers and men are now bitterly desperate and that is why I have chosen to shout out through this book. Maybe I am the hardest hit, worse even than when Chief Ikemba shouted for the repossession of his father's property. But the media, especially the Nigerian press, may recall the case of a Jewish

Officer, Captain Dreyfus, late last century, and I quote from Bellman Books on FREEDOM OF COMMUNICATION by Derrick Sington, (1955, p.12).

“Where authority has committed injustice and can also restrict freedom of expression it tends to use its power to cover up unjust acts. By suppressing the truth, if it can, it prevents exposure of its own mistakes or misdeeds. Where freedom of expression exists, therefore, injustice is far less likely to pass unchecked. A historic example of the exposure of injustice through fearless use of the vehicle of free expression was the campaign to vindicate the Jewish officer, Captain Dreyfus. In 1894 a French court-martial condemned Dreyfus to detention for life as a traitor who had supplied secret military information to the German embassy in Paris. While Dreyfus was imprisoned on Devil’s Island, near Guiana, information leaked out in military circles which indicated that he had been the victim of a judicial error and that another officer was guilty of the crime. The French Military authorities did their utmost to suppress the true facts and to prevent the case of Captain Dreyfus from being reopened. In spite of the new evidence the guilty officer, Captain Esterhazy, was acquitted by a court-martial and a section of the French press launched a violent campaign against those who were trying to vindicate Dreyfus. Nevertheless another part of the French press agitated fearlessly for a revision of the sentence on Dreyfus, The famous novelist, Emile Zola, was sentenced to imprisonment for an article ‘J’Accuse,’ which he wrote in the newspaper L’Aurore. But this and other papers continued the campaign for Dreyfus and in 1899 their efforts succeeded and he was pardoned by the President of the Republic. Seven years later the original sentence was quashed and Dreyfus was completely rehabilitated and reinstated as an army officer.

“If the French press of Dreyfus’s time has been unfree and the French Government, or the Army authorities acting through the Government, had been able to control French newspaper editors and dictate to them their policy and line of action the judicial error over Dreyfus in 1894 might never have been publicised. He would probably have died a convict and a

man unjustly disgraced. It was free public criticism working through a press which was carrying on the great game of hunting the truth, without regard for *raison d'Etat* or tenderness for special interests, that played a decisive part in righting a wrong inflicted in the name of society on an individual”.

In view of the foregoing, will it not be correct to say that President Ibrahim Babangida has at last arrived as a Messiah to save many Dreyfuses in Nigeria through granting the Nigerian press the type of unfettered freedom that is envisaged in the concept of natural justice such as is denied us by Decree No. 46 of 1970.

DECREE NO. 46
(5th August, 1970)

THE FEDERAL MILITARY GOVERNMENT
HEREBY DECREES AS FOLLOWS:—

1. Where the appropriate authority is satisfied that during the period between 15th January, 1966 and 15th January, 1970 —

(a) any public officer was actively engaged in any hostile or subversive act or rebellion against any of the Governments in the Federation; or

(b) any public officer was actively engaged in counselling, aiding or abetting any other person to engage in any hostile or subversive act or rebellion against any of the Governments in the Federation; or

(c) the conduct of a public officer was such that his further or continued employment in the relevant service would not be in the public interest, the

**Commence-
ment.**

Dismissal,
removal or
compulsory
retirement of
certain public
officers.

appropriate authority may —

(i) dismiss or remove the public officer summarily from his office, or

2. (1) Where a public officer is dismissed, removed or retired compulsorily pursuant to section 1 above, he shall forfeit such benefits to which this Decree applies as may have been granted or, as the case may be, to which he becomes eligible unless the appropriate authority directs that the officer shall be granted or be eligible for such or so much of the benefits as the appropriate authority may in its discretion authorise.

Pension Rights: forfeiture, etc.

(2) Where the appropriate authority is satisfied that a former public officer was actively engaged in any hostile or subversive act or rebellion against any of the Governments in the Federation during the period mentioned in section 1 above, that former officer shall forfeit such benefits to which this Decree applies as may have been granted unless the appropriate authority directs that the former officer shall be granted such or so much of the benefits as the appropriate authority may in its discretion authorise.

3. (1) Without prejudice to the generality of the foregoing provisions and subject to the provisions of this Decree, the appropriate authority may in its discretion require any public officer in the war affected area or returning from the war affected area for reinstatement or reabsorption, (not being a public officer affected by section 1 of this Decree) to retire compulsorily under the provisions of any enactment, law or instrument governing compulsory retirement of the public officer.

Pension rights: supplemental

(2) Where the public officer is compulsorily retired pursuant to sub-section (1) above, the

appropriate authority may, if —

- (a) the public officer had in the course of his employment completed not less than 10 years service before 15th January, 1966; and
- (b) the appropriate authority is satisfied that the conduct of the officer has during the period of his employment in the service been satisfactory, direct that the public officer shall be granted or be eligible for such or so much of the benefits to which this Decree applies as the appropriate authority may in its discretion authorise.

(3) In this section and in section 7(3) below, the reference to the service of any public officer in an employment shall be construed as a reference to that service in the employment specified under section 7(1) below.

4. (1) For the purposes of this Decree, the operation of the provisions of section 152 of the Constitution of the Federal and the corresponding provisions of the constitution of a State, as affected by the Constitution (Suspension and Modification) 1966, which protect certain pension rights, is hereby excluded.

Exclusion
of 2.152 of
1963 No. 2
Oct. 1966,
No. 1.

(2) It is hereby declared that any provision of any enactment, law or instrument (including the Constitution of the Federal and the constitution of a State) relating to the benefits to which this Decree applies or relating to appointment, dismissal and disciplinary control of a public officer shall have effect subject to the provisions of this Decree.

(3) Nothing in this Decree shall be construed as affecting the validity of anything done before the commencement of this Decree by any appropriate authority in exercise of its disciplinary or other

powers over public officers subject to its authority.

5. (1) Any person aggrieved by anything done in respect of him by the appropriate authority under this Decree may appeal to the Head of the Federal Military Government who may, before arriving at decision on the appeal, take the advice of such persons as he deems appropriate.

Right of appeal.

(2) The Head of the Federal Military Government may after considering the appeal made under this section confirm, modify or rescind anything done by the relevant appropriate authority and the decision of the Head of the Federal Military Government shall be final.

6. (1) No civil proceeding shall lie or be instituted in any court for or on account of or in respect of any act, matter or thing done or purported to be done by any person under this Decree and if any such proceeding has been or is instituted before or after the commencement of this Decree, the proceedings shall abate, be discharged and made void.

Supplementary provisions.

(2) Chapter III of the Constitution of the Federation is hereby suspended for the purpose of this Decree and the question whether any provision thereof has been or is being or would be contravened by anything done or purported to be done in pursuance of this Decree shall not be inquired into in any court of law.

7. (1) In this decree, "public officer" means any person employed in:—

Interpretation

(a) the public service of the Federation within the meaning of section 165 of the Constitution of the Federation;

(b) the public service of State within the meaning of the corresponding provisions of the constitution of that State;

- (c) the service of a body corporate or incorporate established under a Federal or State Law;
- (d) a company in which any of the Governments in the Federation has controlling or substantial interest.

(2) The reference in this Decree to "appropriate authority" is a reference to the person or authority empowered in that behalf by or under any enactment, law or instrument to appoint, dismiss and exercise disciplinary control over public officers; and the reference to any exercise of powers by the appropriate authority includes a reference to the performance of functions and duties.

(3) This Decree applies to any benefits payable under any enactment or law of the Federation or of a State or under any instrument providing for the grant of pension, gratuity or compensation to any public officer in respect of his service or to the widow, children, dependants or personal representatives of that public officer in respect of such service.

8. The Decree may be cited as the Public Officers (Special Provisions) Decree 1970 and shall apply throughout the Federation.

Citation
and extension

Made at Lagos this 5th day of August, 1970.

MAJOR-GENERAL Y. GOWON
Head of the Federal Military Government
Commander-in-Chief of the Armed Forces,
Federal Republic of Nigeria.

CHAPTER III

FUNDAMENTAL HUMAN RIGHTS

Stage by stage, the growth of the concept of Human Rights permeated human thought since Aristotle and Socrates. Maybe the quest for rights led to split of the Roman Catholic Church in the 11th century with the formation of the Eastern Orthodox Church and the rise of Lutherianism in the 16th century. Individual jurists and philosophers such as Hugo Grotius, Thomas Hobbes, John Locke, David Hume, Sir William Blackstone, Jeremy Bentham, Rousseau, Cicero, Hegel, Karl Max, Maritain, Voltaire, Gierke, Pufendorf and even Machiavelli, had contributed to the analysis and nature of Rights. While some of them like Hegel and his followers thought that community rights covered individual's rights, others led by Hobbes and Locke put more emphasis on the rights of the person. Whether rights should rest with the community or the individual, all these great thinkers had expressed serious concern over reckless violation of human rights. Against the community holding rights for the individual, Hobbes had described the State (community) as "monster composed of men" and in relation to war and its effects Grotius had advised "Do no more injury to the vanquished than is strictly necessary". Hugo Grotius was the father of International Law and our Decree No. 46 of 1970 should be scorned in the light of his advice.

Like these eminent protagonists of human rights, nations have sought in various ways to deal with the vexed question of wanton violation of personal or group natural and legal rights: Bills of Rights have been drawn up by States to safeguard those rights:

1. English Bill of Rights was established in 1689 by the British Parliament to safeguard the rights of the individual or group of individuals.
2. In June 1776, Virginia adopted her own Bill of Rights by a representative convention. Its first clause proclaimed:
"That all men are by nature equally free and independent, and

have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divert their posterity: namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety."

3. The United States Constitution in 1789 with concurrent amendments defined these rights in detail "the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures"; the right of an accused person "to a speedy and public trial by an impartial jury of the state". Earlier in the declaration of their independence the 13 American States in 1776, had stated: "We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness."
4. The French Constituent Assembly in 1789 issued the Declaration of the Rights of Man and the Citizen. It asserted that "men are born and remain free and equal in rights" that "the purpose of all political association is the conservation of the natural and inalienable rights of men: these rights are liberty, property, security and resistance to oppression." That declaration defined "liberty" as "being unrestricted in doing anything that does not interfere with the liberty of another."
5. Sweden in 1809 and Holland in 1815 followed the English, French and American examples.
6. Liberia had in 1847 done the same thing and most of Latin American and Asiatic States had during the first forty years of the present century included these rights in their constitutions.
7. In 1948 the German Liberals drew up a declaration of rights for the German people.
8. The 1936 USSR Constitution revised in 1947 included assurance of Rights of Man.
9. Nigerian Constitutions since independence had provisions for safeguarding the rights of the person, especially in the light of Jacques Maritain's view,
"The human person possesses rights because of the ver

fact that it is a person, a whole, a master of itself and of its acts, and which consequently is not merely a means to an end, but an end, and end which must be treated as such. The dignity of the human person? The expression means nothing if it does not signify that by virtue of natural law, the human person has the right to be respected, is the subject of rights, possesses rights. These are things which are owed to man because of the very fact that he is man."

Jacques Maritain and Thomas Paine were among many who had written books on the subject of "The Rights of Man" and Bertrand Russel captioned one of his many works "Let The People Think"

Nigeria must count herself lucky to have had the present government at this crucial moment in her history, if not for anything, at least, for the fact that for once in our long history since independence a government has vouched to safeguard the rights of the person for the benefit of the masses, a fact that is evidenced in the abrogation, so far, of some of the most nefarious laws and decrees born out of the practice of machiavellian politics in this country since the white man handed over the reigns of power to our fellow countrymen. Miccolo Machiavelli, by the way, was an Italian diplomat and founder of modern science of politics. He discarded morality as a political principle. In his view, "expediency should supersede political morality and there must be deceit in statecraft." Underhandedness, he said, should permeate state affairs. That was the kind of consideration that led to the making of Decree No. 46 of 1970 and its corollary, the plunder of the people's treasury. Machiavelli had his due reward, because, he died a very poor man, having been removed from office on account of the fact that his own king (the Medici) had to give him bribe for informations he fed into the royal records.

United Nations Declaration Of Universal Human Rights:

It took the allied nations no time during the second world war to realise that human rights were being trampled upon at will. These nations, headed by the United States of America and Britain began, even as the war raged on, to plan for the complete restoration of

human rights at the close of the hostilities. The question every one was asking was "should we not define some purpose more creative than military victory? Is it not possible to shape a better life for countries and peoples and cut the causes of war at their roots?"

CHAPTER IV

THE GROWTH OF UNITED NATIONS UNIVERSAL DECLARATION OF HUMAN RIGHTS: OTHERWISE KNOWN AS AN INTERNATIONAL BILL OF RIGHTS

1. On 12th June, 1941, 12 nations met at St. James Palace in London and signed a declaration that assured economic and social security for all.
2. President Roosevelt of US and Prime Minister Churchill met "somewhere at sea" to draw up and sign the Atlantic Charter in which "they hoped to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries and which will afford assurance that all the men in all the lands may live out their lives in freedom from fear and want." These fear and want have been imposed on the civil war dismissed Police officers by Decree No. 46 of 1970.
3. In September, 1941, a meeting of representatives of the free world ratified the Atlantic Charter and held out — "promise of a world organisation based on enduring verities of international morality."
4. On the New Year's day of 1942, Roosevelt, Churchill, Litvinov of USSR and Soong of China signed a short document which later became known as the United Nations Declaration. The following day, 22 other nations appended their signatures.
5. Foreign Ministers of US, Britain and USSR met in Moscow in October, 1943 to set out a pattern for an international body to plan "for peace and security of all peoples of the world" Because of the importance of that meeting, the United States Secretary of State, the Venerable Cordell Hull "made the first flight of his life to Moscow."
6. At Dumbarton Oaks, a private mansion in Washington D.C. and later at Yalta in Crimea, a pattern for the formation of the

United Nations Organisation and its voting procedure was drawn up by the representatives of Britain, US, China and USSR.

7. The United Nations Organisation finally took off in San Francisco on April 25, 1945, "to prepare the charter of such an organisation along the lines proposed in the formal conversations of Dumbarton Oaks."

President Roosevelt died early in April 1945, but the spirit of the move was not weakened. Truman took over the presidency and the search for "universal stabilisation of Human Rights" continued unabated. 850 world delegates attended the San Francisco meeting. Their advisers and staffs of the conference Secretariat brought the total to 3,500. 2,500 press, radio, newsreel representatives and observers from many societies and organisations were also in attendance. The conference was described as "not only one of the most important in history but, perhaps, the largest international gathering ever to take place."

To emphasize the importance to woman of the matter of Human Rights (See this book's dedication), Mrs. Eleanor Roosevelt of US was selected the chairman of the Commission on Human Rights to draw up "An International Bill of Rights". She was subsequently succeeded by Mrs. Oswald B. Lord.

CHAPTER V

ENTHRONEMENT OF HUMAN RIGHTS

Now, so far so good for the roots of the concept of Human Rights: Let us see their enthronement. Sir Winston Churchill overwhelmed with joy at the conclusion of the exercise of the Commission on Human Rights expressed the marvel of that work simply as "Enthronement of Human Rights"; so that the respect for and observance of Human Rights became king in the social relations of homo sapiens. In terms of the civil war dismissed Police officers, that king was beheaded by Decree No. 46 of 1970. But that royalty can be revived and re-entrenched.

CHAPTER VI

THE THIRTY ARTICLES

Now, his majesty the Human Rights as declared and decorated in thirty golden articles by the United Nations Commission on Human Rights; It was signed by the General Assembly of the United Nations on December 10, 1948, the date that has been observed each year as United Nations Day Or Human Rights Day

The General Assembly proclaims:

This Universal Declaration of Human Rights as a common standard of achievement for all people and all nations, to end that every individual and every society, keeping this Declaration constantly in mind, shall strive by teaching and educating to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in spirit of brotherhood.

Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self governing or under any other limitation of sovereignty.

Article 3: Everyone has the right to life, liberty and security of person.

Article 4: No one shall be in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5: No one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment.

Article 6: Everyone has the right to recognition everywhere as a person before the law.

Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of the Declaration and against any incitement to such discrimination.

Article 8: Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the Constitution or by law.

Article 9: No one shall be subjected to arbitrary arrest, detention or exile.

Article 10: Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11:

(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12: No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13:

(1) Everyone has the right to freedom of movement and residence within the borders of each state.

- (2) Everyone has the right to leave any country, including his own and to return to his country.

Article 14:

- (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
- (2) This right may not be invoked in the case of prosecution genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15:

- (1) Everyone has the right to a nationality.
- (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change nationality.

Article 16:

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17:

- (1) Everyone has the right to own property alone as well as in association with others.
- (2) No one shall be arbitrarily deprived of his property.

Article 18: Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19: Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20:

- (1) Everyone has the right to freedom of peaceful assembly and association;
- (2) No one may be compelled to belong to an association.

Article 21:

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22: Everyone, as a member of society, has the right to social security and is entitled to realisation, through national effort and international co-operation and in accordance with the organisation and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23:

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration insuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24: Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25:

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26:

- (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
- (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- (3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27:

- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28: Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realised.

Article 29:

- (1) Everyone has duties to the community in which alone the

and full development of his personality is possible.

- (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- (3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30: Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Decree No. 46 of 1970 must be read conjointly with these thirty articles to understand how it has violated everyone of the articles. It has also violated the relevant provisions of the Nigerian Constitution on Human Rights. It is now easy to see what kind of life the victims of the decree are subjected to.



When the going was good, Police in action in our time; This highly determined Igbo constab any other of his stock, was here poised to charge at a mob that was interfering with other p enjoyment of Human Rights. By a dint of hard work and determination, he rose to the rank Inspector of Police only to be "civil war" dismissed upon a fictitious charge based on th discretion of the "appropriate authority" according to Decree No. 46 of 1970. That discreti never checked through the higher sift of legal opinion — see Section 6(1)(2) of that decree.

CHAPTER VIII

DETAILS OF OUR DISMISSAL

True to our determination to help to avoid the civil war, Police officers and men of the Eastern and Bendel states origin during the pogrom of the mid-sixties did not leave their stations anywhere throughout the country. In the face of grim genocide they risked their lives, all in the interest of one Nigeria. As the matter worsened, the more hesitant of them began, quite reluctantly, to sneak Southwards especially from the Northern states. Then, one morning the Inspector-General of Police in Lagos called out a muster parade at Obalende Police ground and said quite frankly that he could no longer guarantee security for police officers of Eastern and part of Bendel states origin serving anywhere in the Federation. Many Police officers and men from these states, who were present at that parade ran helter-skelter, some making straight for the Iddo motor park to board Eastern bound public transport without getting back to their quarters to collect their personal effects. Those officers, who obviously ran for dear life, were later stigmatised deserters and dealt with accordingly. After the Obalende declaration, there was a homeward stampede of every police officer and other ranks throughout the country who thought themselves possible targets of the pogrom.

All those who returned home were deployed on normal Police duties until the end of the civil war. That was so in view of the provisions of Police Ordinance and Regulations. The Police Ordinance lays down the composition of the force and the regulation affects its discipline, etc. Strictly, the Police is the constitutional force concerned with the maintenance of order, the enforcement of law and the protection of individuals so that they may enjoy their legal (human) rights. Its duties are performed essentially and strictly in support of the civil power (the civil administration). That was the role of the Police in Biafra during the civil war.

Suddenly the war came to an end. The personnel made for their nearest Provincial Headquarters to await instructions. When none was immediately forthcoming, they dispersed to their homes. Then

the sequence of events that led to our dismissal commenced:

1. We heard that a special duty team from the Police Force Headquarters in Lagos had arrived in Enugu with over 95 per cent Yoruba membership to investigate the 'role' of the Igbo Police personnel in the civil war. The non-inclusion of Hausa Police officers in the team stunned us. It is common knowledge that the Yorubas and Igbos have always been arch rivals in political, social and economic scenes. The Hausas have always acted as mediators between the two ethnic groups. If they were in the special duty team things would have ended up differently. It is equally true that in matters of that nature, if the Yoruba is placed in an adjudicative position over the Igbo; the idea is to convict the latter outright whether or not there is enough evidence to support conviction. That was how nearly hundred per cent of Igbo elements in the Nigerian Police Force were dismissed upon the conclusion of the team exercise.

There is no evidence to prove the story, but we heard it at that time in rumours spreading like wild fire that the Northern-born Assistant Inspector General of Police, the late Alhaji H. Maidugu retired voluntarily in protest against our indiscriminate and inhuman dismissal.

2. We were invited to Enugu by the special duty squad. Startling remarks, innuendoes, sneers, jeers, scoffs and plain acts insinuating of dislike and segregation on the part of the Yoruba team members signalled impending calamity for us; so much that when the mass dismissal came at last, nobody was surprised.

3. Next came a letter addressed to each of us from the Inspector General's office and dated 3rd March, 1970.

"Disciplinary Enquiry

I am directed to inform you that as the Inspector-General of Police has ordered that your conduct/loyalty as a police officer during the period of the rebellion led by Mr. Ojukwu be investigated the question of your re-absorption will be determined upon the conclusion thereof.

2. You are therefore suspended until further notice. You will be entitled to half pay during the period of suspension.

(Signed) H. MAIDUGURI AIG.
for: Inspector-General of Police.”

4. In December 1970, another letter was sent to Superior Police officers from the Police Service Commission's office setting out purported offences of the S.P.Os and calling for their defence. It read: “The Police Service Commission has been informed of your activities during the rebellion in the country and it is now proposed to take disciplinary action against you in accordance with the provisions of the Public Officers (Special Provisions) Decree No. 46 of 1970. In this connection, you will please recall the following which are just part of your activities to further the cause of the rebellion:—

(Various charges were preferred against individual officers which will be discussed later in this book)

2. If therefore, you have any defence for your actions, you should send it through the Inspector-General not later than seven days of the receipt by you of this letter. If you fail to send your defence as requested, action will still proceed against you accordingly.

I am, Sir,
Your obedient servant,
(Sgd.) A.O. Fadaka
for Secretary,
Police Service Commission.”

All the officers concerned received this memo long after the expiration of the seven-day ultimatum and many of them received their dismissal letters before the memo reached them. That notwithstanding, individual defences were forwarded. We have no evidence that action was even taken on them.

In March, 1971, the Police Service Commission addressed another letter to us, this time dismissing us ‘sumarily’ from the Force under Section 1(c)(i) of the Public Officers (Special Provisions) Decree 1970. dated 9th March 1971.

5. The dismissal letter is here reproduced:

"Sir,

The Commission has carefully examined the various submissions made to it regarding your active involvement in the recent rebellion in the country and it does not find any extenuating circumstances to justify your action. It has, therefore, directed that you be and you are hereby dismissed summarily from the Force under Section I(c)(i) of the Public Office (Special Provisions) Decree 1970 with effect from 30th March 1967."

I am, Sir,
Your obedient servant,
(Sgd) A.S.M., EGBO
Secretary,
Police Service Commission."

In accordance with Sec. 5(1) of Decree No. 46 of 1970, the appeals of those who were dismissed, forwarded to the Head of State, were supported by Affidavits sworn and attached to some of them for the purpose of affirming innocence of the charges preferred against them. In the midst of all those wranglings, informations reached us from various sources that the Head of State had refused to approve the dismissals and had actually instructed Police authorities to arrange to have everyone of us reabsorbed. That marched with his earlier statement to the effect that as regards the civil war there was 'no victor no vanquished' and lent credence to another rumour that he had earlier too told Chief P.I. Okeke, the war time Biafran I.G.O., "Go home and reorganise your men". It is pertinent to note that the civil war Commissioner of Police in charge of Administration at the Biafra Police Headquarters, Mr. G.N. Ezekwem was almost immediately reabsorbed and sent to Force Headquarters to prepare grounds for the coming back of the rest of the dismissed personnel. What happened behind the scenes and frustrated the Head of State's sincere intention can better be imagined.

Surfice it to say that till today the appeals to the Head of State "General" Yakubu Gowon have not been answered, which is

confirm our honest opinion that our case is still awaiting final decision.

When late Gen. Murtala Mohammed came to power one of his first concerns was to deal with the dismissed Military officers' question. He was about to face that of the Police when he met his death. For obvious reasons the matter was shelved. Now may be the time to see that justice is done and give human rights its place of honour in our efforts to build one united nation. That will go a long way to prove in a concrete manner the present Head of State's sincere policy of open society and government, social justice and human rights.

Lawyers tell us that it is a legal maxim that an appellant has not lost his case as long as his appeal is still pending with the appellate authority. In view of that fact, the civil war dismissed Police officers have not lost their case since the Head of the Federal Military Government to whom they appealed in accordance with Section 5(1)(2) of Decree No. 46 of 1970 has not dealt with their appeals in order to give his final decision.

CHAPTER IX

CHARGES PREFERRED AGAINST US: TRUE OR FALSE?

(a) There was a case of three of our colleagues with identical surnames, but with different initials. One of the three was alleged to be in the Police intelligence reports that he was seen at a war front. One of the other two was also alleged to be at the war front and the same charge of being at the war front and presumably fighting there was made out and served on each of the three. Since Decree 46 of 1970 allowed appeal to the Head of State, the three of us appealed accordingly but have received no reply ever since.

(b) There were charges of being recommended for award of the Nigeria Police Long Service medal during the civil war. The charge was explained that the recommendation was by reason of the recipient's loyalty and devotion to the cause of rebellion "led by M. Ojukwu". That charge is belied by the fact that qualification for the award of the medal is 18 years of meritorious service in the Nigeria Police Force. Those affected qualified for the recommendation prior to the civil war.

(c) One of us was shown a picture of a man's legs from the hip to the feet. The man's legs were bandy. The officer who was confronted with the picture was bow-legged. The coincidence suited the special duty team and so they said to the officer: "These are your legs fighting in the war front with Ojukwu's Army, any reason why you should not be dismissed? Of course, on that charge he was dismissed.

(d) One of us again related his experience with the special duty team. At an interview with the team, he was given a file to go through and answer some questions in a handout. He noticed that a minute in the file said, or what amounts to the same thing, "This man did nothing and should be reabsorbed". The reply to that minute, obviously from a senior officer said, "These Igbo officers

did nothing but a decision has been taken to remove them from the Force.”

(e) The case of Chief F.A. Onuwemeli is the most pathetic of all. He was an Assistant Commissioner of Police serving in Lagos prior to the outbreak of the civil war. The Force Headquarters detailed a vehicle to take him to the East as situation was very tense in Lagos. On reaching home the East/Lagos road had closed and it was impossible to send back the vehicle to Lagos: So he handed it to the Commissioner of Police at Enugu.

After the civil war, he was charged to court with the criminal offence of stealing the vehicle. A lower court convicted him obviously under some coercion. He appealed to a higher court against his conviction which was quashed but not without cheerless remarks against the lower court. Chief Onuwemeli informed the Force Headquarters in Lagos of his acquittal by the appellate court and requested to be re-instated in his duty. He received no reply and none even now. Year after year, he has continued to renew his request or to send reminders.

If it is remembered that Chief Onuwemeli is one of those rare Police talents who were brought up, groomed and fashioned by the colonial masters themselves, the damage to this country by the treatment given to him will be quite inestimable. A prominent personality, his name rings like a church bell throughout Igboland, nay, throughout Nigeria. His non-re-absorption was based on nothing, not even on Decree No. 46 of 1970. He was simply marooned, being degraded, disgraced, discarded and toyed with, in spite of his very meritorious service and record prior to the Nigerian civil war. Right now, he is an outstanding figure in his community, being second in command to the royalty of Awka, his town, and the chairman of the Police-Community Relations Committee of the Awka L.G.A. That is the man whose invaluable services have been lost to this country on account of politico-tribal bigotry.

The foregoing instances provide the kind of pattern on which charges were framed for our dismal dismissal or for those dismissals not stilted on any form of charges whatsoever.

Yes, not stilted on any form of charges whatsoever: There are other cases of loss of jobs among Police officers and men, which

were not through barefaced and downright dismissal. In the mad rush to get us out of the Police Force a kind of hurried exercise became inevitable to our detractors, e.g.

- (i) A number of us were sent letters of clearance and were advised to expect the ones for their reabsorption soonest. Natural expectation on their part gave rise to mounting hope which faded in course of time: The time lapse reduced that hope to an abhorrent stalemate which led to a loss of pride for citizenship and doubtful sense of national belonging as at now.
- (ii) Another set were neither dismissed nor charged with an offence nor reabsorbed. This group remained decaying in their homes until 1972, three years after the civil war, when they were promoted and gazetted accordingly. On seeing their names in the Federal Gazette they reported at the Police Headquarters for resumption of duty in their new ranks and postings, then and then only did it occur to the Police appropriate authority to serve them with letters of dismissal. Their efforts to obtain explanation for the tantalization ended in smoke; and were only left all this time to bewail over the passing God's time.

Those concerned must feel constrained to argue the patterns for their dismissal, because, according to Lord Simonds, "Blind and unquestioning obedience is the law of tyrants and of slaves."

CHAPTER X

THE FATES OF THE BIAFRA ARMY AND BIAFRA POLICE AFTER THE CIVIL WAR COMPARED

When Yakubu Gowon ordered that the Police authorities in Lagos should re-instate their men from the war affected areas, they informed him that they were taking appropriate action and asked the Head of State to deal with the army while they would deal with the Police. The outcome was Decree No. 46 of 1970 and the resultant mass riddance of the Police personnel from the war affected areas of the country. Yakubu Gowon began what was completed by Gen. Murtala Mohammed. They gave the Army personnel one or more of the three life-saving Rs. viz., Reabsorption, Retirement or Rehabilitation. Police tears have remained unwiped ever since the end of the war. It is a terrible and unforgettable experience to watch our wives and children cry for food and learning on account of the penury into which Decree No. 46 of 1970, born of tribal prejudice, had thrown us. This decree stripped everyone mentioned in its Section 7(3) of all the good things of life as provided both by the Nigerian Constitution and the United Nations Universal Declaration of Human Rights: Yes, our wives and their kids who worked with us in the pre-war Police barracks to give the Nigeria Police Force a glittering coloration, to make it a gem of a Force and they themselves the cream of that force. That should be the memorable period when those wives and those kids stood behind us with their encouragement and candid persuasion while we laboured to mould that force into shape. But today, what are they if not a pack of degraded and neglected former stalwarts, who are considered on basis of ethnicity as not fit to come under the canopy of their country's Constitution and the International Bill of Rights. Nigerians who had come of age before the Nigerian civil war will still recall our earnest and very sincere contribution to peace and prosperity of their country. That peace, especially of the mind, has eluded us; and as for prosperity, like the proverbial heaven, the worker has a system of progressive accumulation of hidden treasure

in the form of pension and gratuity, which he draws at the conclusion of his service, to assure him of comfort between retirement and death. That prosperity for these old stalwarts was butted off by Decree No. 46 of 1970, a barbaric document indeed.

Some years ago, Nigerians suggested that the true binding-up of the wounds of the 1967-70 civil war rested on the return to Nigeria of the civil war leader, Chukwuemeka Odumegwu-Ojukwu, then in exile in the Ivory Coast. He eventually returned and was rehabilitated with funds provided by a political party which turned out to win the Federal elections of 1983. Chief Ojukwu did the victor's magic, but the wound was not bound-up. It has remained wide open and overflowing with the stinking pus of Decree No. 46 of 1970.

EPILOGUE

After going through this book, readers will not fail to realise that a prima facie case has been made out, but they will nevertheless ask the question, "How will the Federal Government find the money to pay the heavy benefits involved in terms of arrears of pension, salaries and so on, in view of the present financial constraint in the country?" Since morality is involved and must be upheld, the right thing should be done and at all cost.

There is nothing a government cannot do with the tremendous resources of power, goodwill and confidence at its disposal. That being so, the Federal government can arrange to issue promissory notes (I.O.U., Debentures) to those concerned, and accordingly advise the banks to honour them. The notes will then serve as securities for bank loans to be made available to those police officers and men retrieved from the pernicious decree 46/70. Thus, being armed with good capital, they can join other Nigerians in the pursuit of rural development and urban depopulation. They can set up such cottage ventures and agro-based industries as fish-ponds, big crop farms, market gardening in a big way, ranches and so on.

By so doing, they will be in a position to repay the loans and the interests on them from their profits and maintain themselves and those of their hangers-on mentioned in Section 7(3) of Decree No. 46 of 1970. They will, in addition, employ labour at village level and thereby help in solving our problem of unemployment.

When the economy of the country improves, government can settle the bank loan balances, etc. This arrangement will free the government from the heavy financial burden which may at present scare it. Neither the bank nor the government will ever feel the pinch, and the beneficiaries must work hard to justify the fine government gesture: If they do not, and waste the bank loan, their benefits still held by the government must go into defraying the bank loans in due course. In any event, at least one year lapse must be required to commence the loan repayment so as to allow farm yields and proceeds from other investments to mature. This arrangement will be besides other schemes for payment of current pensions, etc.

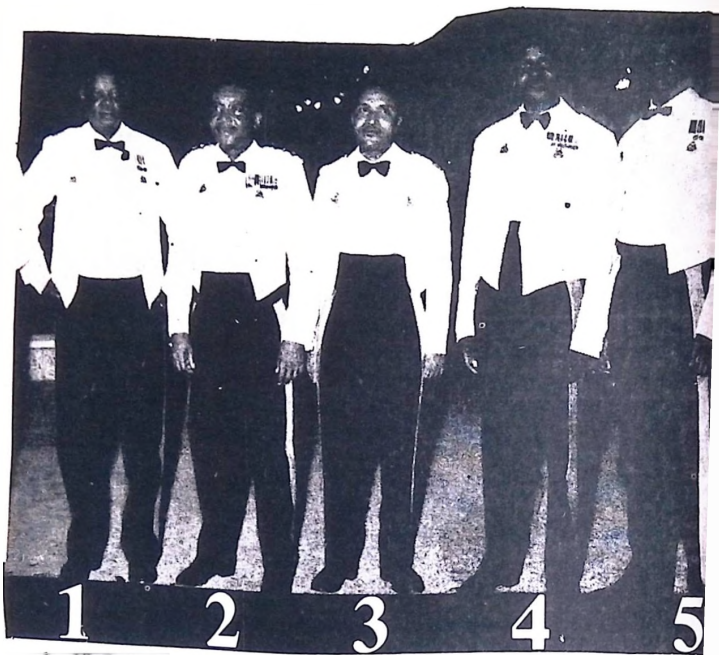
It must be accepted that Decree No. 46 of 1970 has either

outlived its usefulness, if any, or has been overtaken by events. Examine the following reasons:

1. People are now thinking more rationally and conscientiously than when the civil war ended.
2. There is now a considerable improvement in social, economic, political and religious thinking which makes any form of continued imposition of human suffering abominable, horrible, criminal and questionable in all its facets.
3. The people of this country, due to increased enlightenment brought about by increase in education and so on, are much nearer to pure social realities than ever before.
4. Those who made and enforced that decree for personal ends have since left the scene.
5. The absurdity of the decree is now more glaring than when thinking in general was blurred by early end-of-the-war recreations.
6. The decree itself is being exposed for the first time to the general public for their appraisal.
7. The adage "it is not who is right or wrong but what is right" provides food for thought. Is it right to alienate a section of the Nigerian citizenry from the normal enjoyment of the fruits of their labour and from the free competition for their own share of the national cake of their country?
8. In spite of that decree, the 'Biafran' civil war dismissed members of the Army, the Navy and the Air Force have all been given one or more of the life-saving three Rs for people in our own kind of situation, viz. Re-absorption, Retirement and Rehabilitation. They have been fully amnestied, completely integrated into their professional folds with unalloyed comradeship, and have since been facing life squarely amid the din and bustle of the Nigerian social and economic turmoil. They are full of confidence and expectations and have freely joined the queue for the sharing of the national cake.
9. We dare now to write because we are going through the reign of a good government.
10. And we want an opportunity to join in the envisaged economic

revolution and survival that will change the lot of the people of this country come 1990 to 2000.

**CATALOGUE OF PERSONALITIES
PLUS TWO RELATIVELY VITAL BUT STIFFLED
INSTITUTIONS**



1. **Alhaji Kam Selem:** As the Inspector-General of Police, many things happened behind him or his name. It was suggested that he was simply made escape goat in matters concerning our dismissal. He had earlier been compelled under utter bewilderment to proclaim in a muster parade at Obaler that he could no longer guarantee security to Police officers and men of Eastern and part of Ben States origin in any part of the Federation.

2. **Chief L.O. Edet:** He had retired as Inspector-General of Police before the Nigerian civil war.

3. **Alhaji M.D. Yusufu:** He was never in the dismissal racket but when later he became the Deputy Inspector-General of Police he was not aroused to action for good by any fresh petitions from victims of decree 46 of 1970.

4. **Alhaji Hamman Maiduguri:** He retired prematurely allegedly in protest against our dismissal.

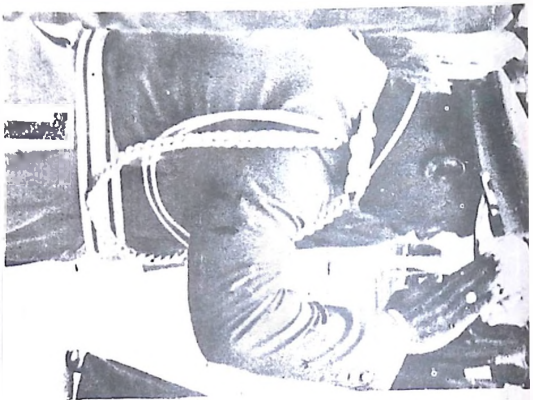
5. **Chief P.I. Okeke:** He was told by 'General' Yakubu Gowon, "Go home and reorganise men" He reported at the Police State Headquarters at Enugu to find things taking a different turn.



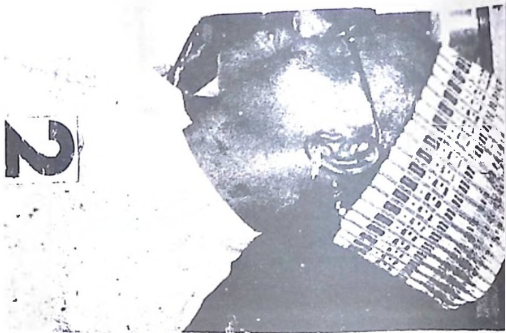
2. **'General' Yakubu Gowon:** At the end of the civil war he declared: "No victor, no vanquished" and told P.I. Okeke "Go home and reorganise your men." If he did not mean well, Effing's team which went to hand him surrender terms would have been arrested and tried in the Nuremberg fashion.



1. **General Murtala Mohammed:** He was about to treat dismissed Police officers' appeals against Decree No. 46 of 1970 when he was assassinated.



1. **General Olusegun Obasanjo:** When he came to power he made the mistake of not following up the move which Murtala Mohammed had allegedly started in respect of the review of Police officers' dismissal case. A pitch from FESTAC '77 outcry would have been enough to alleviate the hardship thrown upon us by decree No. 46 of 1970.



2. **Ahaji Shehu Shugari:** Was good to a fault. His henchmen proved indomitable, raking while it lasted, siphoning the oil money and listening to the cries of none of those in pain, especially of the wives and children of the civil war dismissed Police officers and men. A speck of that money would have wiped the tears running down their cheeks.



MR SUNDAY ADEWUSI-
I-G of Polico

Sunday Adewusi: Top leader of the dismissal special duty squad and the centre force of the Police appropriate authority, which defied all the powers of the then Head of the Federal Military Government in relation to our dismissal.



The Judiciary: Which appears to have been maimed by section 6(1)(2) of Decree No. 46 of 1970. Picture shows first ever indigenous Chief Justice of the Federation. This mess could never have occurred during his own tenure.

Sir Alfred Denning, when as one of the British Lords of Justice of Appeal or Senior Judges, in his broadcast to the European Service of the B.B.C. titled "Freedom under the Law", said, "Whenever one of the King's judges takes his seat, there is one application which by long tradition has priority over all others. Counsel has but to say 'My Lord, I have an application which concerns the liberty of the subject' and forthwith the judge will put all other matters aside and hear it." This is true in principle even in our country. But section 6(1)(2) of Decree No. 46 of 1970 says NO; no liberty even to be heard by the Judiciary.

The Media: Undoubtedly immensely over-awed by the nature of Decree No. 46 of 1970 and the very aggressive look of the Police appropriate authority. All along, the media kept on feeling they were being haunted by the anathema of the Police appropriate authority and became almost completely helpless in their duty towards the dismissed officers and men.



Chief the Honourable Dr. Nnamdi Azikiwe, the father of Nigerian Journalism (Media).



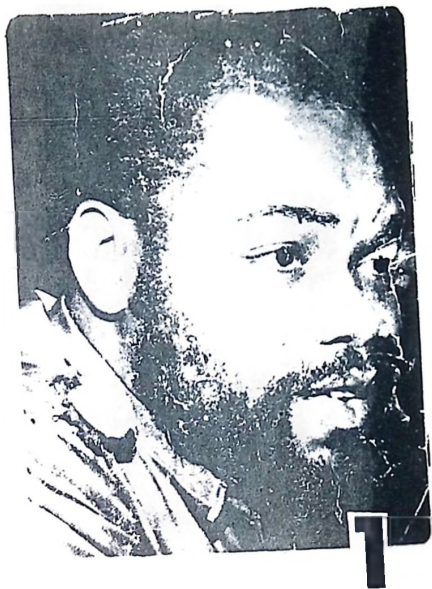
Chief M.E.K. Roberts: Retired Deputy Inspector General of Police. He fought through the pages of the Nigerian Dailies for the abrogation of Decree No. 46 of 1970. He cleared us in his writings basing his fight on his immense experience and intelligence. No heed was paid to his writings because of the politico-tribal viciousness prevalent at the time.



Chief P.I. Okeke, Biafran Inspector-General of Police and Sir Louis Mbanefo, former Chief Justice of Eastern Region. Both were members of Effiong's team which handed surrender papers to Yakubu Gowon at the end of the Nigerian civil war. Gowon told Chief Okeke "Go home and re-organise your men" and must have had some words with Sir Louis about the Judiciary of East Central State. Gowon rejected our dismissal and would have nothing to do with our appeals to him as the Head of the Federal Military Government.



Chief Fred. Onwuemeli: He was neither dismissed nor retired, nor reabsorbed, nor rehabilitated nor even suspended. His case has been the worst administrative error of all time in the bureaucracy of this country.



1. Chief Chukwuemeka Odumegwu-Ojukwu: Civil war leader and human rights protagonist, who squatted under a big flower tree to shout for the repossession of his father's property in Lagos Island and exhorted other Nigerians to fight for their own rights. Passers-by stopped to stare at his burly, soldierly and frightfully bearded figure.

FAMOUS MEN PLEAD HUMANITY'S CAUSE



2

2. Sir Winston Churchill: He enthroned Human Rights after their declaration by the United Nations Commission on same. One would have thought that this country's long association with British justice would have enabled her to produce nothing but men and women, who, like President Babangida, would perpetually be committed to the cause of Human Rights. If the civil war mass dismissal of Police officers and men is not a negation of Human Rights, what is it?

Mr. Theophilus Fagbola: Deputy to Kam Selem. Things went very fast under him when Kam Selem went on a short assignment outside Lagos.

Mr. F.G.I. Finecountry: Most energetic and highly talented Senior officer of his time. The country lost his lustre in the Nigeria Police Force and Lagos lost him as a panoramic legend in traffic control mystries of its streets.

Mr. P.A. Alli-Idowu: Very active member of the dismissal special duty squad and perhaps an inevitable member of the Police appropriate authority.

Chief G.N. Ezekwem: Hewastreabsorbed and posted to the Force Headquarters in Lagos to prepare grounds for the return to Force of other Igbo Police personnel. The plan collapsed but he stayed on.



NZE PIUS OKPOKO had his primary school education at St. Patrick's, Enugu, and St. Andrew's, Adazi-Nnukwu, both Catholic schools. He attended Christ The King College, Onitsha, where he obtained the Cambridge school certificate in the nineteen-forties. He matriculated with the University of London two years later and passed a number of 'A' level subjects in the G.C.E. of that University. He did an LLB degree course with the Blackstone School of Law, Chicago, Illinois, U.S.A., and later did a Police detective and law course at Bishopgarth, Wakefield, England.

After some career in the Northern Nigerian Provincial Administration Department, he joined the Nigeria Police Force as a constable and rose through the ranks to that of Deputy Superintendent of Police before the Nigerian civil war. In that rank he became full of hopes for an excellent career in the Police Force where the sky would be his limit. Sooner or later, however, his hopes were shattered by the outbreak of the civil war which led to the mass dismissal of well over 95% of the Police personnel from the Eastern and part of Bendel States of Nigeria.

That disastrous and unwholesome mass dismissal has been most unwelcome to those directly affected, their entire families and, in fact, all the people of their states of origin in particular and to morally conscious Nigerians in general. The flagrant abstraction of the transcendent powers of the then Head of the Federal Military Government by the Police appropriate authority further ignited his zeal and will to write this book.

