

A CRITICAL REVIEW OF 1999 ODI MASSACRE IN NIGERIA FROM THE QUR'ANIC PERSPECTIVES OF GENOCIDE

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Abstract

The major challenges in Nigeria started in the mid-sixties because of first and second *coup d'états*, which eventually led to civil war. Nigeria ever since the civil war had been characterized by series of altercation and social eruption. The Military intervention in governance of the country brought about the paradox box of ethnic rivalry, political instability, corruption and blatant abuse of fundamental human rights. Democratically elected government was an interlude in Nigeria since 1960; the last military rule came to an end on the 29th day of May 1999. The net result of the trauma induced by the military rule is quite disheartened. The country is now under democratic system of government for up to two decades, for the first time since her independence. The beginning of fourth republic was very delicate due to various challenges the new government and the country faced, among which was the military invasion of Odi in Bayelsa State. The military occupation and involvement in internal security operation in the town in 1999 led to massacre of 2483 members of the town. This study adopts an historical approach to critically assess and review the causes of the military invasion which led to the carnage in Odi, highlights how many families were affected, x-rays the effects on the people, as well as appraises the Qur'anic maxims on genocide.

Keywords: Review, Odi-massacre, Qur'anic perspective, Genocide, Nigeria

Introduction

Accountability, selflessness, purposefulness, visionary leadership, openness and result oriented fellow, were the qualities of the founding fathers of Nigeria as a country at independence. They made indelible mark

in the unity of the country and in achieving the independence in 1960. The major challenges in Nigeria started in the mid-sixties because of first and second coup d'état, which eventually led to civil war. Invariably, Nigeria ever since the civil war had been characterized by series of altercation and social eruption. The people groaned under yoke of repressive government. The Military intervention in governance of the country brought about the paradox box of ethnic rivalry, political instability, corruption and blatant abuse of fundamental human rights. Decrees of the Military rulers were in aberration to practical features of representative government. The incessant military rule retarded democracy, deterred the normal legal process through draconian laws, elevated corruption and created an atmosphere of antagonistic civil societies, as well as a citizen who believed that, political objections can only be achieved through force and violence.¹

Although, democratically elected government was an interlude in Nigeria since 1960, until May 29, 1999; however, the net result of the trauma induced by the military rule is quite disheartening, because the military rulers hounded out some of the best Nigerians and made politics look like game of the scoundrels. The human massacre by the men of Nigerian Army otherwise known as the Odi genocide will remain in the history of Nigeria after the civil war as the deadliest crime against the humanity. The genocide occurred in the tension-soaked region of the Niger-Delta; this singular illicit occurrence indeed added fuel to the burning fire of the challenges facing the country that had before then sitting on the gun's powder because of various inhuman activities against the people of that region. This study is taking a critical review of the massacre, looking at the causes and effects as well as appraising Qur'anic maxims on genocide with a reference to the dastardly act.

What is Genocide?

Genocide is defined as “deliberate murder of a whole group or race of people.”² It is often referred to as ethnic cleansing. Historically, genocide as a word came in to existence in 1944, after the Holocaust (carnage by Hitler called ‘final solution’ in 1933). The United Nation defined genocide as any of the following actions committed with intent to destroy a national ethnic, racial or religious group. The United Nation definition states:

Killing members of the group, causing serious bodily or mental harm to members of the group, deliberately inflicting on the group conditions of life calculated to

bring about its physical destruction in whole or in part, imposing measures intended to prevent births within the group or forcibly transferring children of the group to another group.³

Linguistically, Raphael Lemkin (1900-1959), a Polish-Jewish and legal luminary coined genocide from both Greek and Latin word, in his attempt to describe the crimes committed by Nazi policies of deliberate murder and destruction of the European Jews. Invariably, Genocide is from the Greek word “*geno*” which means “tribe” or “race”, while the Latin word “*cide*” means killing.⁴ The international Military Tribunal that was held at Nuremberg, Germany in the following year after the Holocaust adopted the term as part of the allegations against the top ranking Nazi Army with a definition of the term as:

A coordinated plan of different actions aiming at the destruction of essential foundations of the life of a national group with the aim of annihilating the group themselves.⁵

Since the mid of 20th century up to this 21st century, tens of millions of men, women and children have lost their lives through genocide and carnage around the globe. Millions have been tortured, raped and forced from their homes. For instances, Armenia, Assyrians and Greek carnage between 1919-1923, ‘the Holocaust’ i.e. the German Nazi party highly organized carnage by Hitler known as ‘final solution’ in 1933, six million Jews and five million Slavs and Roma were brutally murdered. In 1975, 1.7 million Cambodians were massacred at Khmer Rouge field, just as the breakdown of Yugoslavia in 1991 and Bosnia declaration of independence in 1992, led to the death of almost 100,000 Bosnian and Croatian civilians by the Serbs among others.⁶

In Africa the Rwandan genocide, popularly known as the genocide against the Tutsi by the Hutu controlled government started initially in 1990, as mainly tension between the minorities Tutsi against the Hutu majority. The former went on exiles and formed Rwandan patriotic front (RPF). Invariably, the genocide in Rwanda took place between 7th of April and 15th July 1994. An estimated number of 50,000 – 100,000 Rwandans were killed in space of 100 days.⁷ Similarly, the Sudanese government massacred almost 300,000 Darfuri civilians and over 2 million people were

displaced in the disputed Abyei territory, state of South Kordofan and Blue Nile.⁸

A Critical Review of Odi Genocide of 1999 in Nigeria

Historically, the Odi genocide occurred in place called Odi in Bayelsa State in 1999. Bayelsa is one of the major oil producing states in the country and indeed it is in the south-south geo-political zone in the country. The Army invasion and onslaught of the town was not the first of its kind. There was a protest that turned deadly in the town of Umechen Rivers State. This was the first major documented military repression on the region.⁹ The Military invasion happened within 20th – 31st of October 1990 because of protest by the youths of the communities to demand for basic social amenities. Shell officials alerted the law enforcement agencies over the protest and demands of the youths who were alleged to be armed with guns and machetes.¹⁰ A report by an international group on this military repression writes:

On 31 October 1990, community members say that a contingent of Nigeria Mobile Police attacked the protesters and began shootings indiscriminately. Around 80 were killed and 495 houses burned.¹¹

Similarly, the genocide at Odi was an incessant occurrence in the region because of the social injustice, economic depravations, corruption, decaying social infrastructure backwardness and under development, which in turn made the youths of the region to become active survivalists and militants. In his word, Tamuna opines:

... A few pockets of unrest from major Isaac Adaka Boro's Military misadventure, in February – March 1966, through the brutal deaths, by hanging of the "Ogoni Nine", in November 1995, to the "Odi Massacre" in November 1999, would suggest that the Niger Delta was not a complete haven of peace. But, it was neither a den nor cell of terrorists.¹²

Although, there had been incessant unrest in the Niger-Delta region from the submission of Tamuno above, the genesis of the 1999 massacre or the Odi genocide is often disheartening. This indeed was because, the genocide occurred mainly, as a retaliation of the killings of some police men

and the men of Nigerian Army who were asked to forestall laws and order in the community. Basically, the major causes of the Odi genocide happened when the deaths of some men of Nigeria Police Force (NPF) was widely reported in the town of Odi in Bayelsa State.

Initially, corruption which had engulfed the country, and which is, an engraved societal canker worm is the main reason for under-development and unemployment all over the nation. This led to the rise of ethnic militia's group like the Egbesu Boys of Africa who had their base in Yenogoa the capital of Bayelsa State in Nigeria. The Egbesu Boys of Africa were not under any political control before the election in 1999, but due to manipulations by the desperate politicians, their assistance was sought for the 1998 – 1999 general elections. After the election victory of the People Democratic Party (PDP) in the State and at the Federal levels respectively, the Boys became abandoned and unemployed; hence, they became nuisance in the State, perpetrating all sort of nefarious activities in the capital. This led to their displacement from Yenogoa by the men of Nigeria Police Force on the order of the Governor of the State, Chief Diepreye Alamieyeseigha. Invariably, these disgruntled lawless youths were chased out of Yenogoa to Odi Community where they continued with their nefarious acts of criminality.¹³

Furthermore, at this time, violence broke up in Ajegunle area of Lagos State, where it was alleged that the O'odua People Congress (OPC) had killed some residents of the area who were of Ijaw Origin. Mr. Ken Niweigha, a native of Odi Community and leader of the Egbesu Boys of Africa, using the slogan of Ijaw Youths Council (IYC), manipulated the crisis in Lagos to gain more jobless youths and planned to invade Lagos State to avenge the deaths as alleged of some of the Ijaw people at Ajegunle in Lagos State.¹⁴

According to Environmental Rights Action, seven police officers led by a Yoruba man named Thomas Jokotola, the same Police officer who led the team that chased out the boys in Yenogoa, came to investigate the impending revenge mission to Lagos State by Ken's boys. The whereabouts of the Thomas led men of Police force became unknown until their corpses were later found. Their kidnapping and killing, however, happened between the 4th and 10th of November 1999.¹⁵

Furthermore, the illicit event that took place at Odi community in November, 1999, according to the Amnesty International Annual Report, started in January of the year when Soldiers shot dead up to twenty people

in and around the town of Yenegoa, the capital of Bayelsa State, which according to the report, was as a result of the call by Ijaw groups for the military and oil companies to leave Ijaw territories.¹⁶ Wariebo Ajoko, a 14 year old boy, was among those killed by the men of Nigerian Army in Olobiri-Kaiarna while some elder men were arrested and tortured to the disheartened level of coercing them to drink their urine. The onslaughts ceased a little till the genocide in November as the Amnesty International maintained in the following annual report of entries:

In November, at least 40 people including soldiers were reportedly killed in the town of Odi near Yenegoa after an armed group freed on the soldier seeking to arrest them and the armed forces responded by bombarding the town. The armed group had alleged to have murdered 12 police officers. A senate committee which visited a week later, reported that the town had been razed and that several corpses remained in the street. The authorities provided no information about those killed or arrested and no inquiry was instituted.¹⁷

The genesis of the Odi Massacre continued, with the alleged kidnapping of another four soldiers while another four were alleged to have been decapitated before the 10th of November 1999. Similarly, another three police officers and civilians were reported to have been killed. All these allegations were part and parcel of the letter of President Olusegun Obasanjo dated 10 November 1999 presented to the Executive Governor of Bayelsa State, Chief Diepreye Alamieyeseigha. The President registered his displeasure over the killings in Bayelsa State and equally ordered the Governor of the State after the National Security Council meeting to immediately arrest the perpetrator as at 8th of November 1999. The Governor was equally informed by the Council that if he failed to arrest suspected killers, a state of emergency will be invoked on the state within forty days. In the letter, the President writes in paragraph five and the last two paragraphs as follows:

These killings from reports reaching me were committed in broad daylight. It should be quite easy, therefore, to arrest the killers with whom it is reported that your government was negotiating before killing of the policemen and those with whom your government

had negotiated in the past. They are criminals...I gave you 14 (fourteen) days within which to restore law and order in your state and effect the arrest and prosecution of all those responsible for these killings, failing which I shall set in a motion and process to declare state of emergency in Bayelsa State. On my part, no stone will be left unturned to protect law-abiding citizen everywhere in Nigeria.¹⁸

Nevertheless, the 14 day ultimatum had not expired and precisely remained four more days, when the men of Nigerian Army, numbering almost 2000 arrived Odi with the following arsenals on 20th of November 1999: 27 five ton vehicles loaded with troops, 2 pieces of 105mm Artillery guns, 4 Armoured Personnel Carriers and 3 – 81mm Mortars guns.¹⁹ A civil society report on the Odi genocide gave the following submissions:

Four days of the expiration of the two-week ultimatum, President Obasanjo ordered killer soldiers into Odi and the surrounding communities. The East west road was blocked by the Orashi River at Mbiama junction and by the River Niger at Petani. Thereafter it was war and terror in Odi.²⁰

On the part of the Federal government, the Vice President in an interview with foreign news media submitted as follow:

The fact that we must run a constitutional and democratic government does not diminish the capacity of the government to deal decisively with hoodlums, arsonists and terrorists wherever they are found. Anyone who breaks the law will be made to face the consequences.

Ironically, the military operation in the town of Odi lasted for almost three weeks where hundreds of thousands of people including women and children lay dead. Countless were injured, traumatized and displaced property worth billions were destroyed. The soldiers left different graffiti on the wall of building for the survivals. The graffiti were with charcoal, chalk or even stones on the broken walls of Odi. Among the graffiti are:

“As from today Odi people, if you see soldiers or Mopol or Police try and touch one of them again you will see what go happen by soldiers”, “idiot your Egbesu no save una, where is Egbesu power”, “shame on your Juju (Egbesu)”, “Odi where is your pride? “Who born Odi?”, “Na Egbesu Odi don’t play with fire, soldiers go burn you o”, “Next time there will be no tree left”, “Silence no noise Egbesu is dead,” “Learn a lesson. Visit Odi”, “Odi is no more. Gone to the past pity”, “Hakuri – Hakuri” and “Say no to Egbesu yes to soldiers”²¹ to mention but a few.

Just like many other fracasés all over the world, the official estimate of casualties from the genocide of the military invasion on the side of the government, local communities as well as Nigerian media were not tally. The government put the official death between 25 and 30, media estimate was a thousand plus while a joint civil society and non-governmental organisation submitted that a total number of eleven compounds were destroyed, 109 families affected 1460 male casualties and 1023 female casualties making a total number of 2483 causality. The table below shows the names of the affected compounds families in each compound as well as number of both male and female casualties from the entire compounds.

S/N	Name of Compound	Names of affected family per compound	No of family per-compound	No of causalities Male Female		Total
1	Oboribeingha	Aganaba, Akuboyefa, Fekumo, Gbagba- warilkposo, Warubagha, Poyeri, Inobu, Alisi, Alisi, Opai, Aniso, Okorokoro, Yebufura, Zidougha	14	280	190	470
2.	Isounbiri	Gbagab, Mebai, Owei, Bangeri, Agadah-oru, Obudah John, Kumasi Ebi, Glory Abalaba, Orei, Udisi, Sigha, Ayama, Akangele, Yaboh, Onuah	15	104	74	178
3.	Koloni	Bolou	1	44	42	86
4.	Ubaka	Odede, bariweni, Ikati, Opudaba, Ika, Isenah, Amafagba, Sawari, Daubiri, Etete, Kunoun, Arukolou, Efentoru, Gopregha	14	41	44	85
5.	Ogboloma	Ineriburukimo, Igbonibobai, Teizi, Mana, Ugele, Obu, Obimo, Niweigha, Ebiowei, Obimoll,	18	181	109	290

		Ebidikumo, Garibo, Isoun, Ebiri, Binamobokomo, Ogbise, Tuyokumo				
6.	Ifidi	Peleseimo, Pele, Goroke, Ogbokiya, Koromodigha, KoripAmoh = 6 families	6	44	30	70
7.	Amakiriebinma	Kpakulukpa, tuoOdoni, Okolai, TInkorogha, Ogoriba, Inokoba, Okpokpo, Ineifagha, Segi, Amgba, Opuene, Agedah	13	154	94	284
8	OgienAina	Morowei, Ikiokifa, Danfah, Iznfuo, Etebu	5	142	104	246
9.	Ebereze	Orutari, Subi, Gigi, Perebigha, Edike, Igodo, Jimbo, Gagariga, Ikiah, Ikpewari, Amgbare, Warikonu, Imazi, Belesi, Timikpetegha	15	239	163	402
10.	Amatu	Youpele, Alonye, Kpoyemei, Wodi, Marklolo	5	104	80	184
11.	Mankel Square New layout	Waribagha ii new layout, OlaweiEreinbaifa	3	127	93	220
	COMPOUND 11	TOTAL FAMILIES 109		Male 1460	Fem ale 1023	Total 2483

Source: “A blanket of silence”, with a critical modification by the researcher.

The aftermath of the military invasion and genocide on the Odi Community is quite unfortunate. The notorious scene is pitifully described by some civil non-governmental organizations which visited the area soon after the incidence thus:

We saw so many corpses by the roadside as we drove along. The body of an old man, still clutching firmly to a copy of the Holy Bible, lay dead decomposing in a pond behind the Anglican Church, a chilly testimony to the scorched – earth objective of the invading troops contrary to the officially declared objectives of the mission; to arrest hoodlums who allegedly killed some policemen. So complete was the destruction that crops were razed yarn barns were burnt, garri processing plants were willfully wrecked, canoes were set ablaze, and every house in the entire community, except for the First Bank, a community Health Centre and the Anglican Church, were burnt down. No aspect of the community's existence was spread. ... We saw no single livestock, poultry or other domestic animal except stray cat the community's 60,000 inhabitants had fled into the forest or been arrested or killed. Only a few thoroughly traumatized old women, old men and children could be seen around, some of them suffering from fractures and other injuries sustained while trying to escape from advancing soldiers. We also received information that the soldiers were particularly contemptuous of looks. Several library and educational materials targeted and destroyed.²²

The Odi military invasion was nothing but a mission to wipe out its people by the Federal Government and its cahoots of the foreign oil companies because of the killings of some officers of Nigeria Police Force and Army based on general perspectives. However, this opinion to the then President Olusegun Obasanjo is subjective, and indeed far from the truth. The reasons for the invasion were to arrest the hoodlums and bring them to justice. Obasanjo opined:

In Odi area, four police men on legitimate security duties were killed when the news of the killing of the policemen broke, soldiers were sent on similar security duties and five of them were killed too. I called the State Governor,

Diepreye Solomon Peter Alamieyeseigha, to say that as the chief security officer of the State, he had a responsibility to assist in locating the killer of both the policemen and the soldiers. Impressed on him that there was no way that I or he could carry out maintenance of law and order within his state or anywhere within the country if security men on legitimate assigned security duties were killed with impunity, and the killer got away free. I appealed to the Governor to use his local knowledge to ferret out information to track down some, if not all, the killers. He retorted that there was nothing he could do. I then instructed the commander of the military to use all necessary intelligence to investigate and arrest some of the killers of the policemen and the soldiers. The security men and women to whom everybody runs for help in the event of armed robbery or murder must be given confidence to help victims and complainants going where they must be treated with impunity and nobody, even their commander-in-chief caring. I must retain the ability to be able to send security men anywhere their services were needed and for me to be sure that they would obey, knowing that they would be fully backed up. If we connived at the killing of security men in legitimate pursuit of their security duties without assurance of protection or protective reaction we will all be unsafe and insecure. Impunity must therefore not be encouraged in any form or circumstance. I believe in human right just as I believe in citizens' obligation and sanctity of life and therefore, impunity in taking people's lives, which only God alone can create must not be condoned.²³

It is imperative to note from the above submission of Obasanjo that at no point did he ever mention there was genocide in Odi due to the military invasion or was there any attempt to exterminate the people of Ijaw due to their incessant agitations over oil excavation in their community, rather the reason for military invasion was to arrest the killers of the policemen and five soldiers, in order to serve as deterrent to others that, impunities in the name of human right, are equally considered as a crime against the State. On a similar note, the then Nigeria Minister of Defence

General Theophilus Danjuma, while addressing the ministerial conference of the Economic Committee of West African States (ECOWAS) stated;

The operation HAKURI II was initiated with the mandate of protecting lives and property particularly oil platforms flow stations, operating rig terminals and pipeline refineries and power installations in Niger Delta.²⁴

In a press release issued by the Odi community in December 1999 titled “Help! We are finished”, the community condemned the murder based on hindsight believed and submitted that the heinous crime committed by few hoodlums does not justify the unprecedented bombardment of the community by the Army. To the community, the killings and bombardment were orchestrated by the Nigerian Government in order to terrorize the people of Niger-Delta, break their spirit and finally occupy their territory for easy access to their natural oil and gas gift. In the press released, the community writes:

Reports reaching us are to the effect that Odi community of about 50,000 inhabitants has been completely razed to the ground. Houses that managed to withstand the artillery bombardment were set on fire by the conquering Federal Troops and hundreds of innocent men, women and children were clearly not criminals been be killed either by shelling of the town or from the bullets of the ramping troops. The over seventy-year paramount ruler of the town, Boloe Efeke was shot in the leg. Several civilians are wounded with gunshot wounds and are hiding in the bush without medical attention. Over 20,000 refugees are hiding in the bush without food and clean drinking water and thus exposed to the threat of outbreak of epidemics.²⁵

Similarly, the remark of the then Senate President, Chuba Okadigbo, when he visited the town after the military operation justified that there was truly a genocide, “the fact speaks for themselves (sic). No need for speech as there is no body to speak with.”²⁶

Qur’anic Perspective and Precept on Genocide

It is, universally believed that every living soul shall taste death one day and indeed the inevitability of death is certain to come at its appointed

time or moment. Death's time is neither affected by security, peace, wars, nor one's positions. Death is only dependent on its appointed time as determined by Allah, although different means always play a pivotal role, to make the inevitably to come to past like: illness, terminal disease, political assassination, deliberate murder, suicide, genocide and accident to mention but a few. The Qur'ān states:

Say: I have no power over any harm or profit to myself except as God willeth. To every people is a time appointed: When their term is reached, not an hour can they cause neither delay, nor (an hour) can they advance (it in anticipation) (Q.10:49).

Allah's grace and blessing over man is boundless that still man is the only creature after *Jinn* that spread corruption, mischief, injustice, disbelieve in Allah, and allows tyranny within his own social set up including inflicting harm and death over others. Islam encourages man to take precaution despite predetermination of timing of death. For the fact that death is part of the natural rhythm of life does not mean a man must kill or be killed unjustly. The significance and sacredness of human life cannot be over-emphasized in Islam. Either by genocide, butchery, carnage, homicide, lynching, massacre, assassination, annihilation and slaying to mention but a few, any intentional or deliberate elimination of any soul, irrespective of the victims' faith is forbidden in Islam except on a just cause. This is because, Islam recognizes and celebrates the inherent dignity of human life bestowed by Allah upon all human beings irrespective of their race, religion, gender, or ethnicity.

A devout Muslim who understands Islam correctly would certainly never take another life even if such life had killed unjustly or had embarked on any act which Islam considers the reward to be capital punishment. The punishment is not to be carried out by an individual except it happened during the cause of war. Inarguably, the act of deliberately killing another man or intentional murder is best defined by Adetona in the following statement:

This is the form whereby another man's life is intentionally terminated without having committed an offence just to get rid of him. We have heard of people killing another to inherit their wealth, in order to create a vacuum which, they will occupy or in order to have their

ways to perpetuate a kind of an indecent act. This of course will also include the termination of pregnancy, the killing of one's children for fear and maintaining them and the committance of suicide.²⁷

One cannot but agree in totality with the above definition of intentional murder. The Qur'ān and the traditions of the Prophet emphasize the sacredness of human life and in fact, considered terminating a man's life unjustly as terminating the entire humanity, invariably, an unjust termination of a soul is a crime against humanity at large in Islam. This is contained in the following verse:

On that account: We ordained for the children of Israel that if one slew a person unless it be for murder or spreading mischief in the land, it would be as if He slew the whole people: and if anyone save a life, it would be as if he saved the life of the whole people...
(Q5:32)

Analytically, Ibn 'Abbas considers the verse above as relating to the murder of Hābil by Qābil, the two sons of Adam. However, he argues that the statement "unless it be for murder or spreading mischief in the land" should be interpreted as a deliberate murder and such murderer will be condemned to hell fire and for he who saved a life, would be admitted to paradise because he had saved the whole humanity from extinction.²⁸

Ibn Kathir in his interpretation of the verse argues that saving of life in this case occurs by not killing a soul that has been made forbidden by Allah. He maintains further that whoever kills a soul without justification, such as retaliation for murder or for causing mischief on earth will be as if he has killed all mankind or be genocide, because there is no difference between one life and the other.²⁹ Doi, in his interpretation of the verse writes as follow:

Homicide has been distinguished from destruction of life carried out in pursuit of justice. Only competent *Qādi* will decide whether or not an individual has forfeited his right to life by disregarding the right of life and peace of other human beings.³⁰

Yusuf Ali, in his exegesis, argues also that to kill or seek to kill an individual because he represents a race or belongs to different ideological set up is to kill all the races or uphold the ideology respectively; hence, Allah forbids such actions and He rather orders that life must be saved, and whoever does that has saved the whole humanity.³¹ Qurtabiyy equally argues that, Allah unequivocally condemned intentional killing of another soul irrespective of the victim's faith, race, ethnicity or even social status, except on a just cause. The just cause Qurtabiyy further argues, should either be for apostasy, adulterers or the one who kill another deliberately.³²

Adh-Dhahabi³³ in his own opinion puts intentional killing or genocide next to *Shirk*. The submission of Adh-Dhahabi relates to the tradition of the Prophet which cautions the Muslims to avoid seven sins that are destructive: which is reported on the authority of Abu-Hurayrah that the Messenger of Allah said:

Abstain from the seven great destructive sins. "The companion enquired: O, messenger of Allah! What are they? He said. "To join others in worship along with Allah, to practice sorcery, to kill the life which Allah has forbidden except for a just cause, (according to Islamic law), to eat up *riba* (Usury), to eat up an orphan's wealth, to give back to the enemy and fleeing from battlefield at the time of fighting and to accuse chaste women, who never even think of anything touching chastity and are good believers.³⁴

Irrespective of the reasons or circumstances surrounding the genocide and intentional murder, Islam forbids bloodshed in totality except for war or murder case. The action of the military in Odi is forbidden and unlawful because, they were ruthless and callous in their actions by destroying elephantine lives and properties. The military invasion as established; turned the community in to a battle ground with no opponent to fight because there was no resistance from the people. They not only massacre innocent lives, they killed and maimed women, children and non-combatant members of the community and equally destroyed their farms, houses, shops and other properties. This is antithetical to the Islamic tenets and principles of policing and war.

Pertinently, the customs of the Arabs in the *Jahiliyyah* period was the culture of burying female daughters alive, for the fear of poverty and at

the same time, the mind-set that they were surplus to requirement during their incessant inter-intra tribal wars. Islam abhors this as it equally forbids intentional termination of pregnancy and considers it as the same as intentional killings. Allah states in the following verses:

Kill not your children for fear of want: We shall provide sustenance for them as well as for you. Verily the killing of them is a great sin. (Q17:31).

Sayyid Qutb in his interpretation of the above verse argues that there are only three reasons which vindicate capital punishment in Islam,³⁵ otherwise killing is considered wrongful bringing other provisions of Islamic law in to operation. This can be seen in the following Qur'anic verse:

Nor take life-which Allah has made sacred – except for just cause. And if anyone is slain wrongfully, we have given his heir authority (to demand *Qisās* or to forgive): but let him nor exceed bounds in the matter of taking life; for he is helped (by the law) (Q17:33).

The above verse introduces law of retribution to this discuss. This means that the victims' families in the case of the security men killed before the army invasion has authority to demand for the arrest, prosecution and eventually killing of the perpetrators of the heinous crime against the law enforcement agency personnel in the fiasco. They can also go for compensation (blood money) in the hands of the government as well as the non-apprehended killers or forgive altogether demanding no compensation. Even though the military attacked a non-Muslim community, it is responsibility of Muslim to write, speak or if possible fight injustices wherever he domiciles. The law enforcement agencies in the country did not do enough in man-hunt towards arresting the killers of the security personnel before the military clapped down on innocent lives. This equally, shows a wide gap and absent of synergy among law enforcement agencies in the country particularly in intelligence gathering and forensic analysis. How can killers of security personnel escape in a state that is made up of only eight local government?

The carnage and actions of the military although was aimed at forestalling law and order in Odi, such actions were however, too harsh, because, the military went all out to massacre innocent souls and destroyed

both public and private properties. It might be viewed as an act of vengeance on the people of the community because of the action of few youths. It is imperative to note that, Islam as a total way of life, prohibits in totality the act of vengeance killings and going too far on the relatives of the killers,³⁶ irrespective of their religion, gender, status, tribe, race or region, this is enshrined in the following Qur'anic verse:

O ye who believe! The law of equality is prescribed to you in cases of murder: the free for the free, the slave for the slave, the woman for the woman. But if any remission is made by the brother of the slain, then grant any reasonable demand, and compensate him with handsome gratitude, this is a concession and a Mercy from your Lord. After this whoever exceeds the limits shall be in grave penalty (Qur'an 2:178)

Even though Nigeria is a secular state, we must appreciate the profound wisdom of the Islamic approach and its respect for, and understanding of, human nature and motivation. Islam recognizes anger as a very basic human reaction when one's relative or colleague is killed, and Islam satisfies this desire by legislating for just retribution in this way.³⁷ Rigorous justice cools tempers and helps to eradicate grudges and dissuade killers from offending again, this indeed is one of the beauty of precept in Islam. The military could be blamed for been callous towards maintaining law and order in the community, it is also, noteworthy that, their actions were equally connected to the inaction of the governor, despite been the number one Chief Security officer of the state, failed in his responsibility in bringing the perpetrators to book. The community also did not cooperate with law enforcement officers by harboring the perpetrators. There was commotion everywhere and the consequence of this, is always severe as Qur'an posited in the following verse: "And fear tumult or oppression which affected not in particular (only) those who do wrong: and know that Allah is strict in punishment" (Qur'an 8:25).

It is quite unfortunate however, that, the military actions is tantamount to burning desire for vengeance because they transgressed beyond their jurisdiction, killing innocent souls as well as destroying properties whereas, Islam admonishes that, there should be limitations during defensive war: "Fight in the cause of Allah those who fight you but do not transgress limit; for Allah loveth not transgressors" (Qur'an 2:190).

Defensive war is only permissible in Islam, based on well-defined restrictions that children, women, old and infirm men should not be molested, nor farm crops destroyed.

In another instance, the Qur'ān admonishes the mankind to inculcate the attitude of self-restrain in dealing with others; as justice for one, is justice for all, and transgression because of personal feelings of hate or vengeance to one is transgression to all, hence personal feelings of hate for people should never lead anyone to carnage or making people to be insecure; the Qur'ān stated in this respect:

And let not the hatred of some people in (once) shutting you out of the sacred Mosque leads you to transgression (and hostility on your part). Help ye one another in righteousness and piety but help ye not one another in sin and rancour: Fear God: For God is strict in punishment. (Q2:194)

From the verse above, the Qur'ān calls on all and sundry to have absolute standard of self-control and compassion. They need to condone and overlook what happen to them individually and they need to endure and persevere on the harm inflicted upon them by others, to give mankind a great model of righteous behaviour devoid of vengeance, transgression, stealing, or killing of others who wronged or wronged them not. According to Muhammad Tahir-ul-Qadri, Islam not only outlaws the mass killing of Muslims, but the whole humanity, without any discrimination on the basis of caste, colour, race or religion.³⁸ The act of killing a human being is not only equated with killing the entire human race in Islam but according to the Prophet it is serious than the passing away of the entire world. According to Al-Bara bn 'Azib the Prophet was reported to have said:

Certainly, in the estimation of God, the passing away of the whole world is lighter than unjustly shedding the blood of human being.³⁹

The carnage by the man of Nigeria Army was a tragedy not only against the Ijaw people, but Nigeria as a country, and the world in general. It is antithetical to Islamic principles and penal code. The Prophet unequivocally declared in his farewell pilgrimage as follows:

Indeed, your blood and property are inviolable, like the inviolability of this day of yours and this month of yours and this land of yours, until the day you meet

your Lord. Listen have I conveyed the message? The Companions replied: Yes. He said: O God! Bear witness. Let the one present inform those who are absent, for perhaps the one whom it is conveyed will retain it better than he who hears it (directly). Do not revert as disbelievers after me striking each other's neck.⁴⁰

On a similar note, the right to live is among the Universal Human Right Declaration in Paris-France, in December 10, 1948 and it is equally applicable to all and sundry. This can be possible if only Islamic precepts are followed to the latter. It is imperative to clarify here that, this legislation is only applicable in the land of peace (*Dar-us-Salaam*) whether the victim(s) is a Muslim or not if they are living under the rules and protection of the law of Allah, meaning that they are in a community where *Shari'ah* is the law of the land. Islam recognizes the right of individual, groups, community and nation from time immemorial. No stone was left unturned in the Qur'an.

Recommendations

Having established the fact that security agents engaged in extra-judicial killings, reported cases and allegations on such act among the security personnel should be investigated thoroughly and guilty officers should be made to face the wraths of law. Also, the Nigerian Army should involve less on the internal security operations. There should be serious mass employment of more able unemployed youths to Nigeria Police Force and the Force should be equipped with modern day security apparatus. There is also a need for consistent synergy among all security apparatus in the country. The security personnel should be allowed to go for international training and workshop on policing and intelligent gathering like their counterpart in other parts of the world.

There is a need to declare a state of emergency on the judicial system of the country. Justice delayed is justice denied; hence, the era trial or court cases being adjourned for years should be abolished. To get rid of incessant violence, which internally often escalate to crisis, there is a need to allow for creation of State Police that will oversee civil matters and fighting crime such as: drug abuse among youths, professional prostitution and cultism in higher institutions within the state. The state created police

personnel will have fewer roles to play during electioneering process. There is also an urgent need for community policing whereby member of the community always reports the security situation on weekly basis, to appropriate quarters. Traditional and community leaders in the oil producing area should remember the consequences of their lackadaisical attitude in harboring the perpetrators led to the military invasion, hence they need to be proactive and dissuade the youths from lawlessness, for which if it is not checked or restricted the consequence will not be limited to those who did the havoc in the first instance. Also, the oil companies need to keep to the agreements between them and the communities of their operations, the Qur'ān states in this respect:

And fear tumult or oppression, which affects not in particular (only) those of you who do wrong: and know that Allah is strict in punishment. (Q8:25)

Conclusion

An attempt has been made in this study to take critical review of the military invasion of Odi community in Bayelsa State because of the death of some law enforcement personnel who were deployed to maintain law and order in the State. The lackadaisical attitude of the state government which was saddled by the provision of the constitution to forestall law and order and provide adequate security of lives and property contributed immensely to the military invasion. The military all in the name of arresting perpetrators of the heinous crime, involved in outright massacre, carnage and killing of innocent lives and destroying property whose worth is inestimable. This study establishes the Qur'anic precept on the genocide and states that the action of by the Nigeria Army is forbidden in Islam. The study equally elucidates on the fact that, the Qur'ān dissuades man from terminating his own life or that of any other. The Qur'ān equates the killing of a man to the killing of a whole generation and saving or protecting a man from danger is like protecting the whole mankind. Although Nigeria is a secular nation, this paper posits the beauty of Islam in building an egalitarian society, based on its canons on warfare, maintaining law and order, protection of lives and properties and punishment for disobedient individuals and groups. Vengeance, or the satisfaction of grudges, is not the prime goal of Islamic precepts. It is to promote and preserve human life. The inviolability of life is absolute value in Islam. This study among other things also made certain recommendations, which if considered, will

prevent future breakdown of law and orders, which sometimes metamorphose into military involvement in internal security operations.

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