

Zaria
Massacre

The Secretary, Justice Mohammed Lawal Garba Judicial Commission of Inquiry, Kaduna State,
Kaduna

Dear Sir,

JUSTICE MOHAMMED LAWAL GARBA JUDICIAL COMMISSION OF INQUIRY

I would not have bothered to write on this unprecedented calamity in the history of the Nigerian nation. I would have left the Almighty God to judge and accord justice and He will do so unflinchingly. He will surely judge every one of us in THIS LIFE and AFTER. This is the worst affliction this country has so far suffered: armed Nigerian soldiers killing hundreds of unarmed fellow civilians outside combat area in a show of great brutality.

II JUSTICE MOHAMMED LAWAL GARBA JUDICIAL COMMISSION OF INQUIRY is certainly the most important commission of inquiry ever established in this country. Its unwritten duty it is primarily and objectively to determine the question of whether the citizen of Nigeria has the guarantee to the Security to life, Security to basic human rights and Security to own property etc that are enshrined in the Nigerian Constitution and that no one can interfere with these rights without the due process of the law.

III. I am writing to JUSTICE MOHAMMED LAWAL GARBA JUDICIAL COMMISSION OF INQUIRY for two reasons.

Firstly, I am a stakeholder in this NIGERIAN VENTURE. Like millions of other Nigerians, I have CHILDREN (23) all of them from my loins some of whom are medical doctors, lecturers in the universities and polytechnics, lawyers, architects and journalists. Some of my children are school going at different levels of education. I have also GRAND CHILDREN (30). I have great concern for the future of my offspring.

IV. Secondly, I have a duty as a scholar to avail JUSTICE MOHAMMED LAWAL GARBA JUDICIAL COMMISSION OF INQUIRY with the benefit of my learning, which has direct bearing on the work of the JUSTICE MOHAMMED LAWAL GARBA JUDICIAL COMMISSION OF INQUIRY. I teach and do research on the Islamic movements in the university system for the last 46 (forty-six) years. I am a professor of the History of ideas and Intellectual History and diplomacy for 30 (thirty) years. My profession has taken me to many areas of religious and political conflicts and revolutions in the world including Afghanistan, Pakistan, Iran, Iraq, Lebanon, Bosnia and South Africa. I was a consultant on National security to Babangida

Regime.

V. Important warning: With my level of education and experience, I do not belong to any religious sect as such and I am not a partisan. I see religions and religious movements from purely academic and intellectual perspectives. There is an element truth in all religions and sects, big or small. There are spiritual journeys in all faiths, long or short.

SERIOUS DANGER ZONE

VIOLATION OF CONSTITUTIONAL RIGHTS AND DEMOCRATIC PRINCIPLES

VI. The various communities and nations that freely constitute this country AGREE to live together under a constitution built on democratic principles. They expect the state, ALL its agencies, and coercive forces in particular, and the society in general individually, severally and collectively to uphold with the greatest care and sincerity the provisions of the Nigerian Constitution and the democratic principles it contains therein.

VII. No state can survive without the guarantee of three basic rights: the right to life as sanctity, the right to human dignity and the right to own private property. No state can deprive its citizens of these rights without the due process of the law.

VIII. All conventional and universal religions, including Christianity and Islam agree on the sanctity of life. To kill one man without the due process of the law is like to the entire humanity. Similarly, all religions confer great priority on human dignity and private property.

IX. Shehu Usman Dan Fodio made a declaration in 1806 on the guarantee of three basic rights: the right to life as sanctity, the right to human dignity and the right to own private property and made them the basis of his jihad and the creation of Sokoto Caliphate, the harbinger of the Nigerian State.

X. The United Nation Organization made a declaration in its Charter in 1945 for the guarantee of these three basic rights: the right to life as sanctity, the right to human dignity and the right to own private property

XI. The Nigerian constitution devoted the whole Chapter IV to Human and other citizens' rights including freedom of conscience that the right to choose your religion (the Koran guarantee that in more than one place), freedom of association, freedom of movement and the right of fair hearing.

RELIGIOUS VIOLENCE IN NIGERIA IS FOREIGN IMPORT

XII. Nigerian is steadily becoming a nation of bloodshed because the state denies these rights thoughtlessly at crucial junctures. There is a lot of fanaticism, bigotry and thoughtless selfishness in this country. For those who know the history of this country these are foreign imports. The Islam we know in this country lived peacefully and respectfully with maguzawa non-Muslims even at the gate of Sokoto, the Capital of the Caliphate, and throughout the core Muslim majority emirates of the Caliphate. These non-Muslims enjoy equal rights with Muslims. See detail below.

KADUNA STATE GOVERNOR'S INAUGURAL SPEECH

XIII. Substantial sections of the Kaduna State Governor's inaugural speech to JUSTICE MOHAMMED LAWAL GARBA JUDICIAL COMMISSION OF INQUIRY are tendentious; they have no bases in law or in wisdom. It is important to ignore them. JUSTICE MOHAMMED LAWAL GARBA JUDICIAL COMMISSION OF INQUIRY must not allow politics to smear its all-important works. The Kaduna State Governor was not addressing JUSTICE MOHAMMED LAWAL GARBA JUDICIAL COMMISSION OF INQUIRY altogether; as a politician, he was addressing his constituency as well.

XIV. The Governor will go away and forgotten forever. The name of the Chairman and members of the JUSTICE MOHAMMED LAWAL GARBA JUDICIAL COMMISSION OF INQUIRY will remain forever and will determine the nature of the doctrine of social contract between the Government and the people in this country.

The Terms of Inquiry

XV.a) Immediate cause: Nigerian Army Chief strayed into civilian religious concourse full of youthful, exuberant, tensed up crowd under corrupt Nigerian atmosphere. In universities, we dread the meeting of youth and police. We keep away police from campus during student strikes. That was when there was still some sanity in governance in this country. The hatred between Nigerian civil society and the all-corrupt ridden uniformed government agents is intense. They need to remove their bad eggs.

XVI. The army chief should have used his scout to ensure the route was clear. He did not. That was a clear case of extreme form of professional misconduct and irresponsible negligence leading to PREMEDITATED massacre.

XVII. Islam prohibits the blocking of roads unfortunately ALL Muslims do it every Friday. Shiah and the Qadiriyyah do it once a year and responsibly too. I met them every time I travelled; they leave one side of the road clear.

XVIII. Christians also block roads on Sundays. Merry makers in wedding parties etc ARE the worst road blockers.

XIX. There is nowhere in Islam or in the Nigerian law where an authority instituted, promulgated, or enacted law that blocking of road is PUNISHABLE BY DEATH IN ANY MANNER.

b) HISTORICAL CIRCUMSTANCES

XX. b) Historical circumstances and remotes cause of the crises lie in Islam itself and the development of the religion over time and space.

XXI. There are two major POLITICAL divisions in Islam: the majority SUNNI and the minority SHIAH. This division is necessarily political because Muslims of whatever hue claim they share common worship, common God, common Book, common Prophet. The SUNNI are always associated with POLITICAL POWER and SHIAH demonstrate a SPIRITUALLY AND MORALLY A HIGHER FORM of Islam. There is always CONFLICT between political power and morality hence the Sunni/Shi'ah conflicts

XXII. The division between the Sunni and Shi'ah Muslims began more prominently after the death of the Fourth Caliph, 'Ali b. Abi Talib, 'Ali, the First Imam of the Shi 'ah. The cause of disagreement is succession to the leadership vacuum the death of the Prophet had created. The Shi 'ah are those who believe the Family of the Prophet should succeed him. The Sunni are those who insist that succession should follow the Sunnah (tradition) of the Arabs by seniority and clannish ascendancy, the Quraish Arab Clan.

XXIII. The bulk of the Arabs installed Abu-Bakr as the first successor (caliph) of the Prophet by virtue of his seniority and closeness to the Prophet and the ascendancy of his clan, the Quraish. He was a very close and faithful friend of the Prophet and once deputized for him in leading prayers and escorted him in his flight from Mecca and Medina. He had a gentle personality and an iron mind. He had the advantage of age, which the Arabs respected. His daughter was the favourite wife of the Prophet, the brilliant Aisha whom the Koran designated along with other wives of the Prophet as the Mothers of Faithful. 'Umar, another father in law of the Prophet, succeeded Abu-Bakr as the second Caliph. 'Uthman, a son in law of the Prophet, became the third successor of the Prophet. Finally, the formally youthful 'Ali, the cousin of the Prophet, the father of his two celebrated grandsons, Hasan and Husain whose mother was Fatima the celebrated daughter of the Prophet, became the fourth and the last of the Four Rightly-Guided (al-khulafa' al-rashidun). They called them so for the following reasons among others.

XXIV. Abu-Bakr, the First Caliph, united the Islamic state and saved it from disintegration after the death of the Prophet. After the death of Abubakar, Umar, the Second Caliph, expanded the boundaries of the Islamic State from the borders of China in Asia to the borders of France in Europe including the whole of the Middle East, Caucasus and North Africa. 'Uthman succeeded 'Umar as the Third Caliph. He collated, codified and standardized the Koran, the bedrock of Islam that all Muslims recognize today. 'Ali succeeded 'Uthman. He became the Fourth Caliph. He united the Shia and Sunnah. He was the First Imam of the Shia. He laid down the ethical, moral and intellectual foundations of Islam.

XXV. After the death of 'Ali, the era of the four Righteous Caliphs came to an end. The Arab clan of Banu Umayyah , the enemies of the Prophet to the last moment, seized power and transformed the Muslim State from egalitarian religious polity into a secular kingdom based on hereditary succession. It was necessarily a brutal state. They killed the family of the Prophet except those God saved. Prominent among those that the Umayyads killed was a grandson of the Prophet, Husain, and son of Caliph 'Ali. He was the Third Shia Imam. Informed opinions

consider him, including in the United Nations, as a Universal Moral Figure. The Nigerian Army vandalized his shrine in Zaria, a serious sacrilege under the Muslim beliefs.

XXVI. The conflict between the Muslims in authority exercising Political power, associated with COERCION, CORRUPTION, VIOLENCE, and BLOODSHED and UNTRUTH and the Shiah who abhor these corruptions and stayed away from the state and its corrupt practices. This was the main cause of this conflict.

XXVII. The Shiah leaders unlike Sunni counterparts do not go to government looking for material patronage. The Shia adherents in Nigeria who count in millions among the intellectual elites in the institutions of higher learning and civil and public services, young business communities and lower class of taxi drivers and teachers are polite and hardworking Nigerians who support themselves through self-exertion.

XXVIII. The Shiah contrast sharply with Sunni believers in Nigeria. It is shocking to discover that 80% of corrupt individuals under the last regime were Sunni Muslims, including the descendants of the Jihad leaders. Generally, the Izala Sunni youth are impolite and untruthful. World was shocked to see Sunni elements pick pocketing the corpses of the Shi'ah that a faction of the corruption-ridden Nigerian Military killed in Zaria.

e, f, ACTIONS AND OMISSIONS

XXIX. The Zaria massacre has demonstrated the inability of Nigerian state to govern itself. The meeting of the Nigerian military and the military attachés of foreign missions in Nigeria has confirmed the view of foreign media on the incompetence of the Nigerian state. Military attachés from three countries spoke strategically one from Asia, the second from Europe and the third from the United States of America..

XXX. The Iranian military attaché discussed the lack of professionalism of the Nigerian military and its incompetence. He wondered how the Nigerian army chief could travel to any location without reports from his scouts on the security of the area at least a week before his journey. He wondered how the Nigerian Military could kill over one thousand unarmed civilians while they had failed to kill even two hundred Boko Haram insurgents. He wondered how a national military could commit a sacrilege as to bomb a place of worship.

XXXI. The French military attaché said the Europeans came to Africa to civilize the Africans yet the Africans have remained barbaric and brutal. How could the government of France explain this brutal action to the French public?

XXXII. The military attaché of the United States of America said loudly only one word to describe the incident: MASSACRE.

XXXIII. International community called for a judicial commission of inquiry
No less than 45 countries condemned directly or by public outcry.

XXXIV. Nigerian public received the news of the massacre with expected shock and disbelief. The National Assembly and the religious bodies both Christian and Muslim called for judicial inquiry.

XXXV. Yet the President of the Federal Republic of Nigeria who had condemned recently the killing of three people in France by terrorists tried to justify falsely and unconvincingly the massacre of hundreds of his citizens by his army as “military affairs” and later on that, the military was fighting a “state within a state.” He was thus jeopardizing the outcome of the judicial inquiry.

XXXVI. No educated person can describe the Islamic movement in Nigeria as a state within a state. The crux of the matter is that they have nothing in their organization that other religious organizations do not have. They have nothing of the state apparatus or coercive forces and do not even have a single gun as their killers, the Nigerian Army, divulged. In the encounter, not a single Nigerian soldier lost his life or incurred any injuries. Members of the Islamic Movement in Nigeria are disciplined Nigerians who earned their living honestly and pay taxes like other good Nigerians.

PATRONIZATION OF RELIGIOUS LEADERS

XXXVII. A serious action and omission in the Nigerian state is the patronization of religious leaders in governance. Historians of the Sokoto Caliphate know that the President of the federal Republic of Nigeria was reading a historical praise that perhaps one learned, but mischievous religious fanatic he patronizes handed over to him. “The state within a state” was one of the accusations against Sheik ‘Uthman Dan Fodio by the Hausa rulers of Gobir two hundred years ago.

XXXVIII. Muslims are always the culprits in misleading Nigerian leaders. Muslim clerics are greedy people and greed begets dishonesty. The success of the Islamic movement in Nigeria among the populace that Sheik Ibrahim who keeps a distance from government, can call people to come to him on foot from distances is a testimony of the trust people have in him and the paucity of the popular appeal of the Izala clerics around the government. Second to az-Zakzaki, only the darika clerics can boast of popular support. The Muslim cleric siphon money from state for building mosques and bankrupt prayers. No one can deceive God; they can deceive only themselves.

XXXIX. "It is a military affair" is the most dangerous statement that an elected President can make anywhere in the world. In a democracy, the military must come under civil control. Recently, a highly respected USA general made a public statement on Afghanistan disagreeing with the civil authority. The civil authority politely invited him to the Whitehouse where he tendered his resignation. One must ponder over the atrocities that the Nigerian Military committed on the Nigerian people and on themselves from the assassination of the Sardauna in January 1966 in Kaduna to the Massacre of Muslims in Zaria December 2015. The recent discoveries of the extent of corruption within the Nigerian military are staggering and can tantamount to national treason.

g, THE EVOLUTION OF ISLAMIC MOVEMENT OF NIGERIA

XL. I have closely followed the activities of the Islamic movement in Nigeria and I was surprised and in fact amazed by their efficiency, discipline and dedication. They are extremely polite and helpful. The Islamic movement in Nigeria gives millions of Nigerian citizens the reasons to live. The Islamic Movement in Nigeria is an island of purity in the Nigerian sea of corruption. This is the reason the corrupt Nigerian Establishment hates them. Unlike Izala religious leaders, they refuse to be part of the saga of corruption.

XLI. Popular Shiah was unknown in Nigeria before the Iranian Islamic Revolution thirty-seven years ago. Shiah as a form of higher Islam has always thrived within the echelon of higher class of religious leaders of this society since the pre-colonial days.

XLII. However, there are fertile grounds for the growth of Shiah beliefs in Nigeria. Increase in the levels of education and awareness is one factor; Shiah faith is education and intellect based. Secondly, the love of the Prophet extent in traditional Islam in parts of this country is a great facilitator of Shiah beliefs. Thirdly, the awful increase in the level of corruption in all strata

of public life, especially in government and the Military is another serious factor. The sterility of Muslim religious life is the fourth factor. There is evident collapse of mainstream Islam; the representative of that Islam hates the Shiah vehemently. The fifth factor is the collapse of credible opposition under the present presidential political system. It makes people to look for alternative political outlook. The demise of ideology and ideologically based political parties, such as the NEPU and PRP, creates serious political vacuum, which the Shiah can well fit in is perhaps the final factor.

h) Involvement of foreign and domestic factors

XLIII. h) One may not rule out the possibility of the involvement of foreign and domestic factors in this crisis. The world has become a global bedroom from where you can see and hear what is in the whole world and even communicate with the rest of world from the comfort of your bedroom.

XLIV. There is now an on-going conflict between Islam and the Western world. Iran under the Shiah philosophy of Morality and faith associated with CONVICTION, STRUGGLE, DEFIANCE and RESILIENCE championed the interests of Islam very courageously and successfully too. All these qualities became clear in the relations between the Islamic Republic of Iran and the super powers. Iran is a darling of all conscious Muslims around the world, including Nigeria.

XLV. The Shi 'ah in Nigeria whom I know through my academic activates are peaceful, tolerant and self-reliant. They abhor violence, but they may frown at the common corruption on the road. Their leaders are free from corruption and shun away from government, the Mother of Corruption.

XLVI Universal faiths have foreign source of inspiration. The Shiah look up to Iran, an independent sovereign state. The Nigerian Catholics look up to Vatican, an independent sovereign state under the Pope. There was a time when the Pope was vehemently supporting the Catholic Biafra. The Queen of England is the defender of Anglican faith worldwide.

XLVII. The imperial powers, United States, Canada, and Italy among others supported Christian missionaries activates under colonial Nigeria. Saudi Arabia and Kuwait gave the Sardauna of Sokoto money to establish Jama'atu Nasril Islam, which transformed into Izala. The Izala

religious movement looks up to Saudi Arabia for doctrinal and other supports.

XLVIII. Iran grew big within the Muslim bloc and appeared to constitute a threat to the Sunni anti-Shiah Wahhabi feudal Saudi Arabian State, which has NOT been able to give leadership to Muslims at crucial times and which appeared more concern about dynastic interests. Wahhabism is a parochial extremist Sunni philosophy, which considers any Muslims who do not subscribe to their outlook as kafir. This philosophy, which enjoys the patronage of the government of Saudi Arabia, has produced these extremist terrorist organizations:-

XLIX. Al- Qa'ida is SUNNI. The Saudis created and supported this group to fight communism in Afghanistan. The ideology of this group is Saudi Wahhabism and its leadership, Bin Ladan, was Saudi.

L. ISIL (Islamic State of Iraq and Levant) ad dawlat al-islamiyyah fil Iraq wa-sh-sham is SUNNI. This group uses Saudi Arabian Wahhabi ideology to stop Shia ascendancy in Iraq and Syria.

LI. Izala (izaltul bid'a Wa lqamat as sunnah) is SUNNI whose leaders received the Dasuki Funds. The Sardauna of Sokoto and his Malam, Sheikh Mahmud Abubakar Gummi introduced Izala with Saudi money and indoctrination, which the Saudis still sponsor. The primary purpose of Izala was to counter the Darika political influence, which was working against the political interest of the Sardauna, especially in Kano, the seat of opposition against the Sardauna government.

LII. Book Haram (jamat ahl as-sunnah li da'wa wal jihad) is SUNNI. This is certainly the military wing of the Izala movement. Bad and erratic government policy pushed them underground and they became a scourge to the country.

LIII. Ash-Shabab is SUNNI. Saudi Arabia set this group to counter the spread of communism in its southern plank. The Saudis have the same policy in the Yemen against communism and then against Shiah.

LIV. Nigeria must be aware that there is an ongoing war between resurgent democratic Iran and

irredentist feudal Saudi Arabia, which they may wage by proxy in Nigeria. Nigeria should not involve itself. Then again, is it too late? There are strong indications that the Izala has naturally infiltrated the Northern establishment and the Sardauna influenced elites. The speeches of the Governor of Kaduna State that he was not Shiah long before the Zaria Massacre are frightening. The declaration of the President that the Islamic Movement in Nigeria was a state within state was false. It tells the world the type of people around the President and talking to him.

RECOMMENDATIONS

LV. (1) I recommend strongly that nothing in the decision of JUSTICE MOHAMMED LAWAL GARBA JUDICIAL COMMISSION OF INQUIRY shall infringe upon in whatever manner or way the provisions of chapter IV on the fundamental rights in the 1999 Constitution namely:-

Chapter IV – Fundamental Rights (1999 Constitution Chapter IV section 33 to 43)

33. Right to Life

34. Right to dignity of human person

35. Right to personal liberty

36. Right to fair hearing

37. Right to private and family life

38. Right to freedom of thought, conscience and religion

39. Right to freedom of expression and the press

40. Right to peaceful assembly and association

41. Right to freedom of movement

42. Right to freedom from discrimination

43. Right to acquire and own private property anywhere in Nigeria

LVI. (2) Any act by the Nigerian Army that violates any of these provisions deserves immediate REDRESS by the relevant Authorities.

The families of those killed shall receive DIYYYYAH payment for each life lost according to law

LVII. Those injured shall receive treatment and DIYYYYAH payment for each limb lost according to law

LVIII. Each property destroyed shall be restored to its previous condition according to law

LIX. Any loss incurred in this massacre authorities shall compensate it adequately according to law

LX. (3) Government must show remorse, the nation must moan.

How many a woman has become widow; the pain is incalculable, the loss is irredeemable!

How many a child has become an orphan; the implications are unimaginable!

How many a mother has lost a child; the agony is inconceivable!
How many a father has a lost child; many dreams were shattered!
How many a family has suffered an agony; how much hopes are unfulfilled!

LXI. Government must prosecute all culprits according to the crime they have committed. No Nigerian should or even appear to be above the law.

LXII. (4) We have too much of too many soldiers among civilians and too many a time. They have lost their dignity and awe; they should keep out of public site and stay in the barracks to restore some of their lost dignity. The military must come under civil authority, under the Constitution and the Rule of Law.

LXIII. Islam and the Military are the greatest danger to National survival. The Massacre of Shiites in Zaria and the subsequent speeches of the President and the Governor of Kaduna State and the fanatical polemics of Dr Datti Ahmad of the Shari'ah movement make one uncomfortable. The declaration of the Emir of Kano that Nigeria is Ahl as Sunnah wal jama'a state, the recent activities of Saudi Arabia in the Northern states, which caused alarm in the senate and the visit of ISIL officials just before the Massacre of Shiites make one very uneasy. These developments create ground for serious suspicion. They deserve some investigations.

LXIX. We are not ready to become an Islamic state let alone an ISIL state. After the elimination of the minority Shiites, who will be the next in the line of elimination? Probably, the Catholics, the Ahmadis after the maguzawa. Only God knows the end.

LXX. Nigeria must remain multi-religious, democratic and secular. The President has sworn to defend the Constitution and all the components of the state including our God-given FREEDOM OF CONSCIENCE.

Thank you.

Yours faithfully,

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