

## PATRIOTISM: ILLUSION OR REALITY?

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*Osa Eribo wrote "Patriotism: Illusion or Reality?" after being released from Kirikiri Maximum Security Prison in Lagos State, Nigeria. He has verbally communicated the difficulties he is facing as a person carrying the "ex-prisoner" status. In addition, he is experiencing hardships through "unpleasant" interactions with Nigerian Military personnel who have taken offence to his criticisms, actions, and triumphs.*

"Under a government that imprisons any man unjustly, the true place for a just man is also a prison."

— Henry David Thoreau, 1817–1862

The epoch of political instability, chaos, ethnic rivalry, and the continued existence of colonial boundaries defining nations in West Africa gave birth to a period of armed insurgence and war in the West African sub-region countries of Liberia and Sierra Leone. This culminated in military peacekeeping operations by many West African countries: these efforts were spearheaded by Nigeria.

As a patriotic person, and one with the burning desire to ensure that the world is conducive for all irrespective of class or nationality, I saw it as an honour when I was shortlisted by my country's Army for military peacekeeping operations in the war-ravaged countries of Liberia and Sierra Leone. These were peacekeeping operations that can best be described as peace *enforcement* operations proving to be worse and more complex than any outright war situation. During the process of peace-keeping/peace enforcement, on behalf of defenceless citizens, we were met with stiff resistance from full fledged combat engagements. As soldiers, we saw it as a point of duty to defend innocent and defenceless citizens and their properties. In short, these countries were under severe rebellious torrents. The high level of atrocities and crimes against humanity that we witnessed were appalling. We saw the burning of peoples' homes, looting of properties, raping of women, child soldiering, and the maiming and cutting of hands and limbs of defenceless citizens. These actions were perpetrated by the various rebellious factions who met outright condemnation by the international communities and the United Nations. Hence the ECOMOG Operation, which was to act as a counter against all odds, worked to

restore normalcy, peace, and stability and to create room for democratic governance as sanctioned by International Communities. But little did we, the peacekeeping soldiers, know that we were acting on our own, and at our own risk, not on behalf of the Nigerian government. Time and the events that transpired eventually proved this to us.

As soldiers who went for peacekeeping/enforcement operations, not with the use of sticks and clubs but with guns and rifles with live ammunition, we encountered stiff resistance from rebellious factions carrying the same deadly weapons. The resultant effects were massive death tolls and injuries incurred by both parties. Consequently, I happened to be in the category of the “wounded in action” with a comminuted fracture of the right femur bone. I still don’t know how I managed to be amongst those who managed to stay alive; I limped away with much pain and grief as a result of this world’s apathy for human life.

Paradoxically, I, a patriotic citizen of his country, a disciplined soldier who has had no reason to be tried by the military for any act of indiscipline or insubordination, automatically found myself my self in the “inside world,” the lowest ebb of life where mortals are reduced to nothing: the prison.

Reasons for my imprisonment: simply for complaining to the appropriate quarters of the State about fraud I encountered in army practices and medical negligence, a complaint that both the State and the Army authorities owned up to. Upon being injured during war, we were taken to Cairo, Egypt where the Nigerian Army refused first to pay us medical severance and second, to provide us with sufficient medical treatment. Upon returning to Nigeria, rather than addressing the plight of the wounded ECOMOG soldiers, the State and the Army chose to discredit our claims and complaints, stating that the soldiers did not channel their complaints through the Army properly. How could we have channelled our complaints through the same office that we were complaining about? Consequently, the soldiers were charged for mutiny, conduct to the prejudice of good order and service, discipline and disobedience to particular orders. We were found guilty as charged, illustrating the State and the Army’s total disregard for fundamental human rights.

Firstly, it is noteworthy to mention here that the wounded soldiers who were patients at the military hospital, Yaba-Lagos, were all forcefully ejected out of the hospital to face a court martial trial even though they were all in very bad physical states: shattered bones with physical disability problems,

cases of nervous breakdowns and more still shattered souls with feelings of being betrayed by their own constituency: the Army. It is also noteworthy to mention here that on the day of judgment of the Court Martial, a letter was passed on to the President of the General Court Martial (GCM) who insisted on having copies made available to the other Army Generals presiding with him. Without mincing words, I think the letter by itself was the judgement of the case and only God knows where it originated from — perhaps it must have originated from a very high authority, higher than that of the Army. With little wonder, when the President of General Court Martial was passing his oral judgement on the case and he said, “The way and manner I find you guilty is nothing I can explain.” And with that, all twenty-three wounded ECOMOG soldiers were sentenced to life imprisonment by a “Kangaroo” court.

The situation was an open daylight robbery of justice by the State and the Army. It was a state of sheer wickedness and barbarism! Soldiers who had paid their dues and served humanity to the best of their ability in bringing about peace and political stability in neighbouring West African states were being treated as infidels and worthless beings. Rather than giving God the glory for sparing the lives of the soldiers from the torrents of raining bullets and shells, they choose to dishonour, chastise, and persecute them and even try to kill them psychologically by incarcerating them incommunicado. I believe these proceedings were manipulations by the State to cover up for the corruption of some influential and powerful people; hence, the wounded ECOMOG soldiers were used as scapegoats. For God’s sake there is no reason whatsoever why their injuries that needed medical attention should be found guilty as well. If not for those injuries, resulting from their dedication to service and duty, Liberia and Sierra Leone would not politically be where they are at today.

Despite the high level of moral decadence that seems to have consumed the world today, it gladdens my heart to know that there are still traces of truth in this wicked, earthly world of ours. The inhuman treatment and persecution meted out against the wounded ECOMOG soldiers met stiff opposition from a few notable individuals and human rights activists who saw the entire process as not just an act of injustice, but a slap on the face of humanity, scuttling the democracy we have all been working so tirelessly for. Notably, Chief Gani Fawhemi, a human rights activist who took the bull by the horns and challenged the verdict of the General Court Martial (GCM)

in the Court of Appeal in Lagos. With Gani Fawhemi in chambers still pressing for litigation in the court of Appeal, the Army and the State, owing to pressures and criticism from human rights organizations, had to commute the life imprisonment sentences imposed upon the wounded ECOMOG soldiers. This took place on the seventh month after the original verdict was passed. The new sentences read as follows: fifteen of the soldiers were “awarded” one year in prison, five others were “awarded” three years, and three other soldiers were “awarded” five years respectively. The commuting of the sentence from life imprisonment to various jail terms caused the Army to relocate the wounded ECOMOG soldiers from the Military Police Cells (S.I.B.) at Arakan barracks (where they had been held hostage for seven months incommunicado) to Maximum Security Prison, Kirikiri-Lagos.

As one who had been convicted by the State and sent to prison, a place that is supposed to be a correctional home where citizens are supposed to be reshaped and remoulded into better citizens, I found out, to my greatest surprise, that the prison has failed in all totality to serve as an instrument of rehabilitation/reformation. My presence in the prisons became that of a man who went somewhere on a fact-finding mission; it began to dawn on me that I had been kept alive by Divine Providence just to witness this social blight that is called prison. Contrary to my patriotic beliefs before incarceration, I discovered that the State needs more help than does the average prisoner. The State that conceived the thought of creating the prison institution has got to be, for lack of better words, absolutely sick in the mind. The prison institution is vindictive and violent in nature: it is a vengeance-seeking, punishment-oriented institution, and the colonial government that “invented” it and brought it upon African soil, would have had to be anything but “civilized.”

Everything about prison, ranging from its structures to the modus operandi employed by the State, is counterproductive and a million steps backward from this present age of Homo sapiens. That same State claims that my ways are not good enough, they claim my behaviour is anti-social and hence I was thrown into prison to be reformed and shown new, better ways to live my life? At first, I decided to be receptive by opening my mind to the good things the State had to offer me. But little did I know that I was in the threshold of doom and death. All that the State/Prison system has to offer its prisoners is marijuana (Indian hemp), trickery, treachery, deceit,

bribery, and corruption along with a host of other social vices. In seeing this, I realized that the State in conjunction with the Prison authorities works to massacre the spiritual and psychological make-up of the masses. The plan of the prison system is simple: lock up the prisoners, throw away the keys, create access for them to smoke their heads off (but make sure to catch them once in a while so you can punish and torture them), and render them demented and dispirited without any sense of belonging. As such, they also render prisoners to a docile state for the remaining part of their lives.

My experience as a prisoner was like a stereotyping into slavery and it was something I saw as insulting to my human existence. Rather than being receptive to their “rehabilitation,” I decided to shut the doors of my mind against the invading toxins of the State/Prison system. It was yet another survival tactic for me whereby I had to be on guard and put all my survival instincts into use to stay afloat, much like I had to do when I was at war. The vile strategies adopted by the State/Prison system in the breakdown of the average prisoner served as a challenge to me, to value the life I had prior to incarceration and dredging up every inch of strength I had within me to stay alive.

I speak of the Prison system based on the Nigerian context in which I am living. I have not been witness to the prison systems around the world, but I know that prison is prison no matter how you may want to paint the picture. In the Nigerian context, 60 percent of the Prison population are awaiting trial inmates (ATM<sup>21</sup>), while the convicted prisoners (CM<sup>22</sup>) constitute just a fraction of the prison population. It was quite revealing for me to learn that the Prison system is targeted at the helpless, the hopeless, and the underprivileged beings in society. Children, particularly boys in this country, are vulnerable to this penal attack. Those whose parents cannot afford to shelter them are being raided in the streets by the police and thrown into the Prison with trumped-up charges of Armed Robbery. There is another “category of prisoners” that I have come to know as ATM-lifers and it is comprised of those who have been held hostage awaiting trial for as long as ten to fifteen years without going to court.

Prisoners have been stripped of all rights to livelihood, including the right to eat. Food is being siphoned and “taken home” by members of the

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<sup>21</sup> ATM: Awaiting Trial Males

<sup>22</sup> CM: Convicted Males

Prison staff and at the end of the day, prisoners are left with very little to survive on. When they go to the hospital to report sickness, they are told that there is no medicine available, and yet the prison authorities sell medicine to those prisoners who can pay for it. Basically, prisoners exist through their visitors in terms of food, medicine, clothing, toiletries, etc. Meanwhile, prison guards are constantly extorting money from visitors, and they do it as they stand underneath the sign at the prison's entrance gate, which boldly states "all prison visits are free." Prisoners "pay" to survive inside Nigeria's prisons, and they don't just pay in the loss of their freedom, or in the unconstitutional denial of court appearances, they literally pay money in order to stay alive.

Another disgusting thing about the prison system that struck me is the differential treatments imposed upon members according to their class, how the rich and the poor within the confines of the same prison walls live such different lives. Class segregation is the order of day; the rich flaunt their noses up in the air at Prison rules and get away with it freely whereas the poor are severely dealt with. The rich are entitled to numerous privileges ranging from self-feeding (getting food from the outside) to having sex with their female visitors in the administrative building. In a nutshell, the rich control not only society, but they also control the prison.

Aside from class, religion also plays a role in how the prison gets run. It seems that religion is the only means of rehabilitation and reform available to prisoners; more so, it is the only option left for the prisoners to get themselves busy and most importantly to get relief through the religious visitors and the supplies they provide; all other rehabilitation "programs" in the prison, such as workshops or trade learning centres, are either grounded or ill-equipped. In such conditions, prisoners go to church or to mosque from dawn till dusk. The doctrines presented there do not have a meaningful effect on the lives of a large number of prisoners; they simply go to pass time and to get access to resources. My visions for rehabilitation efforts for the average prisoner go beyond mere teachings of religious doctrines; it is all about giving people an alternative road map for life. The key lies in empowerment, not in religious rituals. Rather than implementing workshops and programs thereby creating avenues for the acquisition of vocational skills as a way of empowering prisoners, the State is busy building churches and mosques in prison yards. Hence, a lot of prisoners today are nursing the ambition of becoming pastors after imprisonment, and I believe that is

due to their lack of access to other vocations. When religion becomes the only avenue for livelihood, the level of tyranny becomes more problematic. They have hijacked our freedom, and now, they have hijacked and co-opted our spirituality. Of course I cannot say that there is too much “wrong” with society having a lot of clergymen, but the unfortunate thing within the context of religion inside Nigerian prisons is that by the time prisoners get released (if they get released) and find their way to those churches that were coming to see them and provide assistance in prison, they are often treated with a cold shoulder. With nowhere else to go, and having left prison with nothing but faith, prisoners end up feeling disappointed when that same church does not provide support in the community. So many have lost hope on so many levels, and so many, feeling dejected physically and spiritually “duped” fall back into crime. While in the prison, they were not empowered, they were “spiritualized.” It is one thing to quote Bible passages to someone asking him/her to desist from crime and it is yet another thing for the person to fully believe and accept the passages as his/her solution to life’s problems.

Ironically, even when some of us are busy cracking our brains to find better ideas on how to solve this social menace of crime and punishment, the Criminal Justice System is simply not doing the same. They are busy frustrating the thinkers and the serious minded prisoners with a show of full-blown apathy. They think they already have “the” answer. They think that because they have an institution, that the problems are being addressed. I must commend the efforts of the non-governmental organizations (NGOs) that are working on prisoners’ rights, particularly Prisoners Rehabilitation and Welfare Action (PRAWA) for their attempts at training prison officers about rehabilitation and prisoner empowerment. This actually has gone a long way in sanitizing the prison environment in terms of physical torture and abuse of prisoners by members of the prison staff, although they had started flogging prisoners again, just before I left last year.

Much is still expected of the human rights groups and most especially Prison focused NGOs like PRAWA in terms of sanitization and education of the average prisoner in the Nigerian Prison system, most especially when you put into cognizance the fact that over 80 percent of prisoners in Nigeria are illiterate. While I was in the prison, my heart used to bleed every time I walked by some posters designed by PRAWA for prisoners, depicting such messages as, “if your rights have been abused please report or write to so and so office.” Eighty percent of the prisoners around me could not read

that message, let alone “write” to complain about it or report abuse. Apart from the fact that the posters are not conspicuously placed, the posters are of no importance to the environment because the average prisoner has yet to be sensitized and educated as to knowing his rights. So even if his rights are being violated on a daily basis, it has reached a point where it is of no importance to him because he does not know his rights. Worse still, the prison system has socialized its prisoners into believing that writing letters of petition to the appropriate quarters as a way of complaint or seeking redress is a crime; in fact, it is the highest sin a prisoner can commit, so much so that when caught, fellow prisoners are even ready to lynch the victim to death. As a result, while the posters are a great gesture, and while the concept of prison officers “not” behaving inhumanely while working in an inhuman system is well-intentioned, prisoners either don’t know how or don’t want to be involved in “grievance” procedures.

I can still recall an instance that transpired sometime in 2002 when a team of Amnesty International (AI) employees visited Kirikiri Maximum Security Prison for a fact-finding mission. Normally, when visitors of such calibre are visiting the prison, prison authorities, because they have so much to hide, ensure that all prisoners are in lock-up, except for those few inmates that are working directly with system. In this instance, while the AI team was walking with the prison warden I saw one of the AI employees having a chat with one of the privileged prisoners who was not in lock-up that day. After the visit, I walked up to the prisoner (a lifer) to inquire about the nature of the discussion he had with the white man. He said, “Oh! He was just trying to know from me about the general condition of the place and whether or not our feeding is good enough.” And I quickly asked without hesitations: “and what did you tell him?” He smiled broadly, his eyes filled with light, and he answered: “Oh of course I told him the food is good and everything is ok.” I was silent for a moment and could not utter a word. I almost choked for then I knew that his broad smile was that of betrayal and I too forced a smile and said: “Oh! It’s okay. You’re right.” I had no option but to play it cool with him, for if I had opposed him, he would have somehow made the matter known to the prison authority and I need not divulge what that could have entailed for me.

The prison system is so complex, and for the masses to devise a catalyst with which to break it down, all hands must be on deck. There needs to be a concerted effort amongst prisoners, ex-prisoners, and civil society in bringing



about an alternative to this present criminal justice system. Unfortunately, there tends to be a very wide margin between the people concerned. One of the main reasons why the Nigerian Prison system is waxing stronger and stronger as an oppressive mechanism is simply that there are no prisoners' rights groups in the prison. Lack of prisoners' rights sensitization programs and more also, there tends to be an unimaginable wide gap between the ex-prisoners and the prisoners.

While I was busy fighting and resisting my period of penal colonization with non-confrontational and non-violent means, litigation was still going on in the court of Appeal on behalf of the twenty-three wounded and convicted ECOMOG Soldiers. On March 18<sup>th</sup>, the grounds for appeal paid off as the twenty-three soldiers were discharged and acquitted of all the charges preferred against them by the General Court Marital; the decision of the Appeal Court was unanimously reached by all three judges. Yet, eleven soldiers remain in prison after the judgement; myself and two others whose sentences were commuted from life imprisonment to five years in prison have recently been released. Presently I, and my military colleagues, remain in a state of distress as nothing seems to be in the making either by the State or the Army as to our progress. Particularly, our medical predicament is huge as some of us still need medical attention for injuries sustained during peacekeeping operations. The stigmatization and intimidation we are now faced with, both within and outside the military environment, is massive. Our freedom and our lives are being perpetually threatened.

Consequently, I now have a contrary view about warfare: no matter how refined the rules may appear, it is an archaic and uncivilized philosophy. I have come to understand that not all ancient philosophies are outdated and that not all modern philosophies are civilized. In these "modern" times, we use guns to repel fighting and a repressive penal system to repel crime. It is an act of sheer folly to use violence to repel violence: violence is violence irrespective of how it is painted and therefore, no one person or group of persons, even if they are members of a State, is eligible to be a custodian of violence.

Although the ECOMOG peacekeeping enforcement operations incorporated an element of mediation and dialogue processes in a bid to reconcile the various warring factions and to bring about normalcy, these avenues were not fully appreciated and utilized to a point of exhaustion. A maximum utilization of these process and alternatives to violence would

have averted the humanitarian catastrophes that ensued, bringing about too many dead bodies and worse still the irreparable bad effects of war on those of us who survived it, showing us how capable “modern” society is of maintaining timeless witch-hunting behaviours and rituals. This same phenomenon is illustrated in other conflicts and wars that are fought in other parts of the world. It is not an element “special” to Africa.

When one takes a critical appraisal of war and the penal system one will realize that they both seem very much identical and interwoven in ramifications, ranging from their violent natures, the violent solutions they offer to their respective “dilemmas” and to the devastating violent effects they have upon all whom they touch. Hence both concepts may need to rely on similar solutions to their own issues with violence if true change is to occur. Such solutions need to be ones that are absolutely and positively non-violent in structure and in nature.

While I was an inmate at Kirikiri Maximum Security Prison, I got to work with Viviane Saleh-Hanna, a VSO<sup>23</sup> at the time through whom I got to know about transformative justice and penal abolition. Without mincing words, her work in the prison during her time with us in Nigeria was most beneficial through the programs she initiated in maximum and medium security prisons. Her commitment and dedication to duty and service to humanity has greatly affected my life and inspired me into believing more in myself, a feeling that is shared by so many members of the programs she brought in through PRAWA. We all love you and miss you greatly! And we hold chance in the hope that more people would get involved with prison work and the penal abolition movement. It has empowered many of us to think for ourselves and to revolutionize our minds, and it has shown us that there are segments of the general global population who are working to truly change the current oppressive mandates.

Based on the circumstances that surrounded my incarceration and the experiences I had while imprisoned, I have come to understand the urgency necessary in opposing this present form of criminal “justice.” The State seeks to punish and seeks vengeance upon the poor, the illiterates, and the underprivileged — a people whom the State had failed by subjecting them to poverty in the first place. Unfortunately, the larger society fails to appreciate

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<sup>23</sup> Voluntary Service Overseas; Viviane was placed with PRAWA and spent two years working with prisoners in West Africa.

the fact that a lot of prisoners behind bars are social rebels, people who are trying to rebel against the oppressive system that does not want to see them exist. It is worthy to note that since the Nigerian Government and the United Nations can negotiate and dialogue with rebellious militias, why then can they not extend such a gesture to the average criminal and offenders in the street? Must these rebels against poverty become rebels who challenge the political power structures, not just the economic ones, before they get asked relevant questions and spoken to like real human beings? Or is their discerned poverty an excuse to render them helpless and unsophisticated, thus not worth the effort?

These thoughts and questions have been comforted by knowledge I have gained about transformative justice and penal abolition. More functional and healthy modes of justice are not about creating an escape route for criminals, nor are they an opportunity for the government to compromise with evil, but rather, these concepts and movements provide an avenue through which everybody in society gains equal access to opportunities and equal rights to concern and appreciation of their feelings while opening up the chance to heal for those whose feelings must have been trampled on for generations in poverty. I do not believe that hundreds of years ago, West Africans had a worse method of solving conflict within their own societies; frankly speaking, I believe that methods of conflict resolution of pre-colonial Africa were far better than this “modern” day penal system, and this is why I also believe that ancient philosophies are not less civilized or wrong in this modern era. It is true that stagnation is the greatest enemy to nature, but for humanity to be able to take a step further and assume the status of civilized beings, we must put into appraisal the past and the present. Like a child who is learning how to walk, the child must walk on the same earth’s surface, which was previously a surface for creeping and thereafter begin to run, still on the same old surface, which must always serve as a guide. It is true that we need a change away from this present penal system.

The nature of today’s society seems ever so keen to make this Western penal system the only permanent form of justice. Their system is so big and so powerful, and so controlling, that for any major changes to come we must all work together in unison with full alacrity and zeal, like one family with diverse members who possess different elements and strengths to offer. We must be very careful of the kind of change we wish for ourselves and how we go about such changes lest we become like the overzealous politician or

revolutionary who wants change at all cost, either by the rigging of the ballot or by the barrel of a gun. Such types of change, like the present penal system's changes to African modes of justice, rather than taking humanity a step forward, have proven to be steps into regression and a betrayal to civilization. Therefore, whatever the alternative to the penal system may be, it must be devised in appreciable and practicable contexts, in line with various traditional socio-cultural settings of peoples of the world.

Whether or not our feelings have been abused either by war or by the present penal system, or overall by government's policy, it is not enough reason to feel indifferent to issues about our lives and humanity in general. If anything, change needs to occur for the future generations of yet unborn people. Let us replace indifference with concern and apathy with empathy so that we will rest assured of leaving an inspired legacy behind for generations that will come after us.

I strongly believe that concepts of care, love, empathy, and morality are all encompassed in the phenomenon of patriotism and also that patriotism cannot stand silent in a state where abnormalities and irregularities have gained wide acceptance as the normal way of life. As true Nigerian patriots, we cannot fold our hands and stand akimbo to watch while the rich and self-centred people of the world rape us of our power and continue to violate our rights to choice and to survival. I want to be a virtuous and patriotic citizen of the world. True patriotism should not only be viewed as a duty we owe to the countries we are citizens of, but also a duty we owe ourselves, and a duty we owe to generations of yet unborn people, and the global village we are developing into.